

## JUDICIAL SYSTEM IN SPAIN

The Philippines seems to have much to learn from Spain in the matter of setting up a politics-free judiciary and freeing it from the shackles of the executive department.

Take it from Justice Francisco Ruiz-Jarabo Baquero of the Spanish Supreme Court, who expressed pride over the judicial system of his country at a press conference at the Spanish embassy. A recent visitor in Manila, he was the guest of honor of the Philippine Constitution Association.

"It is a life-time career and profession," Justice Jarabo said of the Spanish judges.

No one can be appointed judge of the court of first instance in Spain without passing a rigid oral and written examination that is held for more than eight months and without graduating from a year-long course in judicial procedure in a special school.

"Everybody starts from the bottom," Jarabo said, "and the appointment made by the Supreme Court to fill up a particular rank in the court of first instance is based on the examinee's rating in the tests."

Chief Justice Roberto Concepcion of the Philippine Supreme Court has recently advocated some system of examination for prospective judges in the Philippines to assure the selection of competent members of the judiciary and to improve the administration of justice. This is a change that could well be attended to when the Philippine Constitution will come up for amendment.

Justice Jarabo himself passed the examination for judges in 1925, obtaining second place. In 1944, he was appointed justice of the Supreme Court.

The Spanish Supreme Court has five divisions of

10 members each. The executive department has no hand in the appointment of the court's members, except to pick one of three recommended by the judicial council to fill a given vacancy.

The tribunal has a special division that handles the administration of the Spanish inferior courts. There has been agitation in Philippine legal circles for the transfer of the administration of courts from the Department of Justice to the Supreme Court to divorce the lower courts from politics.

The judicial council that recommends prospective appointees to the Supreme Court is composed of mem-

bers of the judiciary itself — a proof of the autonomous character of the Spanish court, Justice Jarabo said.

The retirement age of members of the court, Jarabo said, is usually 72 but it can be stretched as long as the judge or justice is "in command of his mind and faculties." In the Philippines, the compulsory retirement age is 70.

Jarabo was director general of labor when he joined the Supreme Court. He became president of the branch of the court assigned to social cases in 1954 which post he still holds at present. — *Adapted from the Manila Times, February 15, 1967.*