

From *Bibiano Borja* to *Romy Lim*: A Century of Struggle Against Illegal Drugs

Nico Robert R. Martin

64 ATENEO L.J. 118 (2019)

TAG(S): CONSTITUTIONAL LAW, DANGEROUS DRUGS

The notoriety of dangerous drugs has been well-established over the last century. Over the years, the harmful effects of the use, sale, manufacture, and trafficking of illegal drugs have been examined and deplored. It is an acknowledged large problem as there are currently hundreds of thousands of drug-related cases pending before the courts of the Philippines and most involve small-scale offenders.

This Article surveys the nation's laws against dangerous drugs, from the first law, Act No. 1461, enacted in 1906, to the Comprehensive Dangerous Drugs Act of 2002, as amended. Alongside this survey, this Article also discusses a number of cases relating to these laws, including the constitutional challenges against the Comprehensive Dangerous Drugs Act of 2002. The Chain of Custody Rule is also noted, together with the developments in law and jurisprudence regarding the concept.

The Article concludes with a reminder on the necessity of a more rigorous method of scrutinizing evidence in drug-related cases, in order to preserve civil liberties and foster discipline in law enforcement.