

Rising to the Challenge^{*}

Mayap a gatpanapon pu quecayo ngan. Magpasalamat cu pu qing caluguran cung i Dr. Emmanuel Angeles, ing maganacang chancellor na ning Angeles University, qing maragul a honor a binye na canaku. Masaya cu pu at atique ning asawa cung i Leni queti Angeles City para miakit akit tamo ngening aldong iti.

Indeed, I am glad to be here today. As always, the thought of coming home -- for I consider Pampanga my ancestral home -- is a welcome pleasure. More than that, however, I am deeply honored to accept your most generous bequest of a doctoral degree in law *honoris causa*. Although in the past I have received a few other honorary degrees, this will be the first one from a *Kapampangan* institution.

Kapampangan Mettle, Grit and Determination

During the one-and-a-half hour drive from the Supreme Court to Angeles City this afternoon, I could not help but notice the positive changes taking shape in our province. Indeed, Pampanga is in the cusp of development. Yet, not too long ago, many feared its economic regression after the Americans pulled out from Clark Air

Base, and after the destructive eruption of Mt. Pinatubo in 1991.

Since then, the Clark Special Economic Zone has replaced the American base. Mt. Pinatubo has become a tourist attraction. As one of six provinces composing the Central Luzon Growth Corridor, Pampanga also plays host to the Diosdado Macapagal International Airport and five other industrial estates; namely, the Angeles Livelihood Complex, the Angeles Industrial Park Special Economic Zone, the San Simon Industrial Park, the First Clarkway Industrial Complex, and the Powerpoint Industrial Park.^[1] With its strategic location at the heart of the Asia-Pacific region, Pampanga has now become one of the country's economic hubs.

Thus, notwithstanding the temporary setbacks, Pampanga has bounced back to claim its traditional glory -- a testimonial to the Pampanguenos' resilience and fortitude in the face of adversity. The glorious Kapampangans have shown their mettle, grit and determination to rise from destitution to prosperity and perspicacity.

***Less in Life,
More in Education***

The phenomenal growth of the Angeles University Foundation is another testament to the region's flexibility and dynamism. It may be recalled that in 1962, on the opening day of the Angeles Institute of Technology (as the institution was known

then), a huge fire gutted the public market of Angeles City. Millions of pesos worth of property and income went up in flames.

Amid this tragedy, Dr. Barbara Yap Angeles, along with her husband Agustin, opened the doors of this institution. It offered free tuition and scholarships to poor but deserving students. As envisioned by its founders, AIT was established to “provide education to all those who have less in life but with the potentials for development and the capabilities for leadership.”^[2]

Since its founding, Angeles University has continued the pioneering and magnanimous spirit of its foundress. Presently, its vision is to become a “center of excellence in instruction, research and community extension services in the country and in the global community.”^[3] In this pursuit, it has established a Community Organization Program, which focuses, among others, on education, livelihood, health and nutrition, environment, sanitation and emergency assistance.^[4]

Answering the Call for Quality Legal Education

A most welcome addition to Angeles University, of course, is its new College of Law. This college commenced operations after it was granted a permit by the

Commission on Higher Education on March 13, 2006.

The establishment of the AUF College of Law is long overdue; it heeds the call for quality legal education in Central Luzon. The College prides itself with an impressive faculty composed of eminent jurists, illustrious members of the academe and distinguished law practitioners.^[5] With retired Supreme Court Justice Jose C. Vitug, a fellow Kapampangan and dear friend, as its founding dean, I am confident that soon -- very soon -- its fine young graduates be among those who will land on the coveted top ten places in the toughest bar examinations. More important, I hope to see them among the ranks of young, competent, honest and dedicated magistrates of Pampanga.

**CJ *Abad Santos:*
*Magistrate and Martyr***

Service in the judiciary is nothing new for Capampangans. The annals of Philippine history are filled with distinguished *cabalens* who served their country, during times both of peace and of war. The most revered among them is Jose Abad Santos, the fifth Chief Justice of the Philippines, and one of only two Chief Justices whose bronze statues grace the entrance of the Supreme Court main building. The other magistrate given equal prominence at our main entrance is Cayetano Arellano,

our country's first Chief Justice.

As we all know, Chief Justice Abad Santos was born in San Fernando, Pampanga, on February 19, 1886. He became justice of the Supreme Court in 1932. In 1938, he resigned as a member of the Court to fill the sensitive position of secretary of justice. After serving for three years in the cabinet of President Manuel L. Quezon, he was appointed Chief Justice in 1941.^[6]

A crusader for social and economic reforms, *CJ* Abad Santos believed in championing the cause of the common man. As a jurist, he understood that social and economic interests shaped the nature of law and vice versa. He thus urged judges to promote social justice by widening their legal interpretation to conform to social and economic realities.^[7]

His concept of law as a tool for social and economic advancement was surely ahead of its time. While recent global trends have begun to acknowledge the vital role of the judiciary in the social and economic development of nations,^[8] *CJ* Abad Santos had -- some 64 years ago -- already given us our first glimpses of the important nexus between law and development.

But what sets him apart in history is much more than his record as a public

servant. It is his enormous love of country. Before leaving the Philippines to be exiled in the United States in 1941, President Quezon had asked Chief Justice Abad Santos to accompany him, but the latter chose to remain in the Philippines to continue his work.^[9]

Captured by Japanese forces in the town of Barili, Cebu, on April 11, 1942, the Chief Justice adamantly refused to cooperate with the military conquerors or to provide them with any vital information about the resistance movement. He was brought to a school building in Malabang, Lanao, for a “summary trial” and execution. Before he was shot to death, his parting words to his son were: “Don’t cry. What is the matter with you? Show these people that you are brave. It is a rare opportunity to die for one’s country, and not everybody is given that chance.”^[10] Thus, he died a martyr and hero, immortalized not only in the judiciary, but also in the whole country.

Embodiment of Four Ins

Clearly, Chief Justice Abad Santos lived and died by an ideal magistrate’s standards, which I have referred to in many past speeches as the four ***Ins***: **i**ndependence, **i**ntegrity, **i**ndustry and **i**ntelligence.

Integrity is not limited to mere honesty and truthfulness; it entails *acting* in accordance with what is true and honest regardless of personal consequences. Integrity requires the **moral courage** to stand for one's convictions against all odds; to carry on in spite of seemingly insurmountable opposition; and to be a beacon for the weak, the oppressed and the disadvantaged. These qualities Chief Justice Abad Santos had in abundance.

Onward with the Legacy

That legacy of service by Pampango magistrates lives on. Since its founding 105 years ago, on June 11, 1901, the Supreme Court has been graced by at least 18 Pampango justices: Chief Justice Abad Santos; Justices Antonio O. Villareal (Arayat); Jose A. Espiritu (Apalit); Jose Gutierrez David (Bacolor); Jesus G. Barrera (Concepcion, Tarlac); Arsenio P. Dizon (Concepcion, Tarlac); Roberto Regala (Bacolor); Vicente Abad Santos (San Fernando); Hugo E. Gutierrez (Lubao); Florentino P. Feliciano (Concepcion, Tarlac); Flerida Ruth Pineda Romero (Sto. Tomas), Jose A. R. Melo (Angeles City); Camilo D. Quiason (Angeles); Jose C. Vitug (Guagua); Vicente V. Mendoza (Macabebe); Minita V. Chico-Nazario (Masantol); Reynato S. Puno (Guagua); and Chief Justice Artemio V. Panganiban (Candaba).

That means that Pampanga has produced about 13.4 per cent of the 134 men

and women who have graced the Supreme Court's membership. They comprise the largest group in the Court produced by any province in the country. Let us remember that our country has 79 provinces to date; none but Pampanga has sired 18 magistrates of our highest court.

I remember that when I joined the Court in 1995, seven of the 15 members were Pampanguenos. In the Third Division where I was initially assigned, all five members were *cabalens*; namely, Justices Florentino P. Feliciano, Flerida Ruth P. Romero, Jose A. R. Melo, Jose C. Vitug and yours truly. Our group was then fondly called the "Lahar"-- or should I say, the "La'ar" -- Division.

Of those five original members, I am now the only one left in the Court. No, the other four have not been swept away by the forbidding la'ar; they have reached the mandatory retirement age, as will I two months from now. I hope that before she ends her term, our beloved *cabalen*, President Gloria Macapagal Arroyo, will appoint more Capampangans to our highest tribunal.

I believe that destiny also awaits our young magistrates in Pampanga. This early in their judicial careers, our Pampango judges are gaining recognition for their solid integrity, competence and professionalism. Among these outstanding Pampanga magistrates are RTC Judges Adelaida Medina, Irin Zenaida S. Buan, Pamela Maxino,

Divina Simbulan, Angelica Quiambao, Josephine Mercado, Concepcion Pangan, Mylene Isip, Amifaith Fider Reyes, Esperanza Rosario, Lucina Dayaon, Antonio Santos, and Joselito Salvador; and MTC, MCTC and MTCC Judges Christine Capule, Amor Romero, Eda Era, Veronica de Guzman, Amelita Corpuz, Carolina de Jesus, Gemma Logronio, Mary Anne Rivera, Teodora Gonzales, Meredith Malig, Katrina Factora, Isidra Mañiego, Irineo Pangilinan, and Magdalena Balderrama. Their well-deserved reputation has helped to quell the unfortunate impression that the judiciary is inhabited by many inept and corrupt members.

Challenges and Directions

By their exemplary performance, these judges have paved the way towards addressing and solving what I have code-named as the four ACID problems that corrode justice in our country; namely, (1) limited **access** to justice by the poor; (2) **corruption**; (3) **incompetence**; and (4) **delay** in the delivery of quality judgments. Under my leadership, the Supreme Court's Action Program for Judicial Reform (APJR) has also been directed towards **reforming the judiciary** and **revitalizing the legal profession**.^[11]

Thus, the Supreme Court has maintained its focus on instituting reforms in the bar examinations. The reforms include the adoption of alternative grading methods

to promote test equity and to standardize the levels of test difficulty; as well as the eventual computerization or automation of the bar examinations to facilitate application, testing and reporting procedures. At present, objective multiple-choice type questions have been introduced in the bar examinations to complement the essay-type tests.

Alongside these bar reforms efforts, the Court has also continued the maintenance of professional standards for lawyers through the enforcement of the Mandatory Continuing Legal Education (MCLE) program. By revitalizing the legal profession, the Court -- through the Judicial and Bar Council (JBC) -- seeks to enlist the best and the brightest lawyers to fill up the 621 judicial vacancies in the trial courts nationwide. This figure is 28.86 percent of the total 2,152 authorized judicial positions in the trial courts.^[12] While in the past, the JBC concentrated only on the screening and selection of nominees, it has expanded its functions by conducting an active search.^[13] Hence, its activities are now geared towards three **Ss**: search, screen and select. Before my term as Chief Justice ends, I hope that the JBC will be able to nominate aspirants for 300 vacant judgeships all over the country, a move that will drastically reduce the vacancy rate and in the process, help solve the long-lamented problem of delay in the delivery of quality judgments.

*Continuing Education
of Our Magistrates*

and Other Reforms

-
-

The APJR also covers the continuing education of incumbent magistrates and other judicial personnel nationwide through the Philippine Judicial Academy (PhilJA). PhilJA's efforts are expected to be in full swing upon the completion of the PhilJA Training Center in Tagaytay City, which will be the permanent venue for the continuing education of incumbent and aspiring members of the judiciary. With an initial ₱300 million from the Japanese government, a grant which we received early on during my term, the Court is hoping to inaugurate the construction of the Center in November this year.

Also noteworthy is the automation program of the judiciary. To date, our electronic or e-library is one of the most advanced in the world. In March this year, I inaugurated the complete computerization of the Sandiganbayan, which I trust will be the model for the automation of the entire judiciary in the next few years.

Also, I wish to announce that next week, on October 12, 2006, groundbreaking ceremonies will be held for the Angeles City and the Candaba Halls of Justice.

Finally, in line with our efforts to attract the best and the brightest lawyers to join the judiciary and to curb corruption amongst the incumbents, I would like to mention the doubling of the compensation of judges by virtue of Republic Act No.

9227. RA 9227 authorized a 100 percent increase in the take-home pay of justices and judges over a four-year period from 2003. As of November 11, 2005, the monthly pay has been increased by 75 percent; and by November 11 this year, by the full 100 percent. Thus, the minimum take-home pay of our judges in the lowest levels will be at least ₱50,000 per month, plus another ₱20,000 in fringe benefits.

*National and Global Fora
on Liberty and Prosperity*

-
-

What I have reported to you briefly are only some of the reform activities and projects that the Supreme Court is undertaking under my watch to solve the problems that plague the justice system. I must add that on top of these measures, I have enjoined our judges to act as vanguards of freedom and food, democracy and development, ethics and economics; in short, **liberty and prosperity**.

Verily, while I have vowed to lead a judiciary characterized by four *Ins* and to focus on solving the four ACID problems that corrode justice in our country, I believe that all these efforts should ultimately result in (a) the **safeguarding of the liberty** and (b) the **nurturing of the prosperity** of our people. Indeed, these twin beacons of Liberty and Prosperity constitute my core judicial philosophy.

On August 24-25, 2006, a National Forum on Liberty and Prosperity was held,

during which several resolutions were passed to implement these two desiderata of my chief justiceship. Limitations of time prevent me from giving details; let me just say that the results of this local conference will lead to a much bigger gathering. Thus, two weeks from now, on October 18-20, 2006, the Global Forum on Liberty and Prosperity will be convened at the Shangri-la Hotel in Makati by more than 250 Chief justices, justices, officials of the executive and the legislative branches of governments; as well as leaders of the bar, the academe, the business sector and the civil society from all over the world. Another 250 local delegates will also attend the forum.

They will discuss what I have repeatedly espoused: that while the judiciaries of the world should remain vigilant in safeguarding civil and political rights, they should in the 21st century also focus on nurturing economic and social rights. In this manner, the peoples of the world may enjoy not only freedom from fear, but also freedom from want.

The world's response to these challenges has been very encouraging and inspiring. Already, many have agreed to participate in the Forum: Chief Justices and other top magistrates from several countries like Canada, Honduras and Guatemala in the Americas; France, Russia, Slovak Republic and Lithuania in Europe; Egypt, Botswana and Benin in Africa; as well as China, Nepal, Pakistan, Singapore and Indonesia in Asia Pacific; to name a few countries, not to mention the lady president

of the International Court of Justice. Four of these Chief Justices -- from Canada, France, Russia and Pakistan -- will receive honorary doctoral degrees from Ateneo de Manila, Far Eastern University, University of Santo Tomas, and Lyceum of the Philippines, respectively.

Conclusion

As I conclude my address, I invite all my *cabalens* to savor these reforms, projects, activities and beacons designed to enrich the judiciary of our country, as well as to stress the exemplary wisdom and ennobling patriotism that Capampangan magistrates all share. Let us continue the tradition of excellence, service to the community, and moral fortitude that our Pampango martyrs and heroes had begun. Let us make wise use of the lessons and the sacrifices made by our forefathers because these are our bridges to the future. Verily, let us all participate in reforming and transforming the judiciary and the legal profession.

In about two months, I, like so many of my Capampangan brethren who have come before me, shall bid *adieu* to the judiciary of our country. I shall leave with the conviction that I have tried my best to live up to the expectations of our *cabalens* and of all Filipinos in general. Like the famous ballad of Frank Sinatra, I have lived -- if I may be permitted to say so -- a life that's full, *and* I have traveled each and every highway of life. I look forward to retirement with tranquility and contentment over

the thought that I shall leave behind an energized breed of Pampangueño magistrates who personify the four *Ins* I described earlier; who continue to battle the ACID problems of our justice system; and who champion the loftier cause of **safeguarding liberty and nurturing prosperity!**

Dacal pung salamat.

*
— Address I delivered during the special convocation for the conferment upon me of the degree of Doctor of Laws, *honoris causa*, on October 5, 2006, at the St. Cecilia Auditorium of Angeles University Foundation, Angeles City.

[1] These areas provide a venue for skills-intensive and technologically advanced industries.
<http://www.pampanga.gov.ph/index.php?id1=13&id2=8&id3=0>.

[2] <http://www.auf.edu.ph/modules.php?name=News&file=article&sid=97>.

[3] <http://www.auf.edu.ph/modules.php?name=News&file=article&sid=98>.

[4] <http://www.auf.edu.ph/modules.php?name=News&file=article&sid=99>.

[5] Along with its dean, Justice Jose C. Vitug, and Associate Dean Prof. Agustin L. Angeles, the following compose the founding faculty of the Angeles University College of Law: Court of Tax Appeals Presiding Justice Ernesto D. Acosta; Court of Appeals Presiding Justice Ruben T. Reyes; retired SC Justice Vicente V. Mendoza; CA Justices Regalado E. Maambong, Jose L. Sabio, Jr., Japar B. Dimaampao, Noel G. Tijam, and Sixto C. Marella, Jr.; Sandiganbayan Justices Diosdado M. Peralta, Edilberto G. Sandoval and Rodolfo G. Palattao; retired CA Justices Hilarion L. Aquino, Oscar M. Herrera, Sr., Hector L. Hofileña, Alicia Simpio-Diy, and; former Solicitor General and retired CA Justice Alfredo L. Benipayo; Solicitor General Antonio Eduardo B. Nachura; Prof. Ed Vincent S. Albano; Prof. Joseph Emmanuel L. Angeles; Prof. Marianne Elizabeth B. Angeles; Fr. Ranhilio C. Aquino; Judge Irin Zenaida S. Buan; Dean Sedfrey M. Candelaria; Prof. Noel T. Canlas; Dean Raul C. Pangalangan; Prof. Arnold F. De Vera, Prof. Gwen Grecia De Vera, Prof. Monalisa C. Dimalanta, Prof. Domingo P. Disini, Jr.; Prof. Ramon S. Esguerra; Judge Katrina Nora B. Factora; Prof. Ma. Tanya Karina A. Lat; Prof. Francis Ed Lim; CA Justice, Dean Merlin M. Magallona, Prof. Vicente C. Mamalateo; Prof. Alberto T. Muyot; Prof. Elizabeth A. Pangalangan; Usec. Ernesto Pineda; former Sen. Rene A. V. Saguisag; Dean Jose R. Sundiang; and Prof. Edgardo Carlo L. Vistan II.

[6] DE LEON-PARAS AND SALCEDO-ROMERO (eds.), THE JUSTICES OF THE SUPREME COURT OF THE PHILIPPINES, 38 (1977). Abad Santos succeeded Ramon Avanceña as Chief Justice on December 24, 1941.

[7] Id. at 38-39.

[8]

In my keynote address at the National Judicial Forum on “Liberty and Prosperity,” held on August 24-25, 2006 at the Manila Hotel, I discussed the refocusing of the visions and missions of the world’s most important developmental institutions, as follows:

“x x x The United Nations Development Program, the World Bank and the Asian Development Bank have announced that their goals of alleviating poverty and propelling economic growth cannot be attained, unless there is “a well-functioning judicial system [that] enables the State to regulate the economy and empower private individuals to contribute to economic development by confidently engaging in business, investments and other transactions.”

[9]

THE HISTORY OF THE PHILIPPINE JUDICIARY, Philippine Judiciary Foundation, 413 (1999).

[10]

THE JUSTICES OF THE SUPREME COURT OF THE PHILIPPINES, *supra*, p. 38.

[11]

Chief Justice Artemio V. Panganiban’s vision-and-mission statements for the judiciary are posted on the official website of the Supreme Court (supremecourt.gov.ph), as follows:

“I vow to lead a judiciary characterized by four *Ins*: **integrity**, **independence**, **industry** and **intelligence**; one that is morally courageous to resist influence, interference, indifference and insolence. I envision a judiciary that is impervious to the plague of “ships” -- **kinship**, **relationship**, **friendship** and **fellowship**. And one that battles the ACID problems of (1) limited **access** to justice by the poor, (2) **corruption**, (3) **incompetence** and (4) **delay** in the delivery of quality judgments. The judicial department of government shall discharge its functions in an environment of transparency, accountability and dignity.

“The Supreme Court is constitutionally mandated to watch over not only the entire judiciary, but also the Philippine bar -- the vineyard from which our judges take root. Accordingly, I look for legal professionals who courageously **uphold truth and justice** above everything else, even above their own and their clients’ interests and causes. I would like to see the emergence of *competent* and *ethical* lawyers who are willing and able to stand for their convictions against all odds; to carry on in spite of seemingly insurmountable opposition; and to be beacons for the weak, the oppressed and the marginalized.

“These twin visions of a *reformed judiciary* and a *revitalized legal profession* should ultimately achieve the two lofty goals of **safeguarding the liberty** and **nurturing the prosperity** of our people, under the rule of law.

“In controversies involving liberty, the scales of justice should weigh heavily against the government and in favor of the poor, the oppressed, the marginalized, the dispossessed and the weak. However, in conflicts affecting policies on prosperity and economic development, doubts must be resolved in favor of the political branches of government; namely, the Presidency and Congress.”

“While political liberty, the clarion call of the past, must be continuously safeguarded, the prosperity of our people requires as much nurturing in the 21st century as that accorded to liberty in the past. To be relevant, courts must be constantly attuned to the needs of the present and the future, so that they can respond timely and prudently to the people’s ever-expanding well-being.”

[12]

The latest data on the existing vacancies are as follows:

Vacancy Rate of Judges in the

First and Second Level Courts
as of May 31, 2006

Courts	Total Judicial Positions	Total Incumbent Judges	Total Vacancies	Vacancy Rate
<i>Regional Trial Court</i>	952	813	139	14.60%
<i>Metropolitan Trial Court</i>	82	61	21	25.61%
<i>Municipal Trial Court in Cities</i>	204	149	55	26.96%
<i>Municipal Trial Court</i>	388	254	134	34.54%
<i>Municipal Circuit Trial Court</i>	470	226	244	51.91%
<i>Shari'a District Court</i>	5	0	5	100.00%
<i>Shari'a Circuit Court</i>	51	28	23	45.10%
TOTAL	2,152	1,531	621	28.86%

[13]

The JBC has resorted to radio and television public service announcements, which are more pervasive in scope. Recently, it has also opened its website. Furthermore, in a constant search for new magistrates, the JBC is conducting constant dialogues with the bar, the academe, nongovernmental groups, the media, and the general public.