

Chapter 6

*Maraming Salamat Po**

What does one do when he receives a blessing of enormous value? How does one behave when the heart is full, and words are inadequate? Indeed, what can I do after having been given the very rare chance to serve as our country's highest magistrate? What can I say upon ending this extraordinary opportunity to be remembered beyond my mortal life?

What else can I do but say, "*Maraming maraming salamat po*" to everyone who has made this miracle possible. Indeed, in this serene and majestic temple of justice of our country, I celebrate my fervent thanksgiving.

Thank You to Two Presidents

Let me say *maraming salamat po* to Her Excellency, President Gloria Macapagal Arroyo, for naming me as the 21st Chief Justice of the Philippines -- the first in the 21st century -- and for administering my oath of office on the 21st day of December 2005. Let it be on record that President Arroyo had not asked me to do anything in

return for that momentous event. In fact, she had not even spoken with me at any time prior to my appointment. I learned of her choice only after it had been announced before media, on the evening of December 20, 2005 by the President's spokesperson, Secretary Ignacio Bunye. At that time, I was addressing an appreciation dinner in honor of Supreme Court employees who helped in ensuring the success of our then recently concluded International Conference and Showcase on Judicial Reform (which I had the honor of chairing), when the emcee interrupted me to say that Channel 7 had just aired the announcement.

For the first time in my whole unworthy life, I froze; I was tongue-tied before the microphone. As I slowly spread my arms, tears of joy welled from my eyes. I then quickly Afterwards, Leni and I rushed to our parish church in Makati, knelt down, and recited our prayers of exultation and thanksgiving for this crown of my judicial career. *Dacal a salamat pu*, President Gloria Macapagal Arroyo.

Maraming salamat po to President Fidel Valdez Ramos for initiating me into the Supreme Court on a Double Ten, October 10, 1995. I met President Ramos in 1983, when we both became new members of the Rotary Club of Manila. Many years later, on June 17, 1992, when his electoral victory was already assured, he invited me to an early morning one-on-one meeting in his private office at Room 202, 845 Pasay Road, Makati. After exchanging views on many topics -- from my philosophy of law

to the people's expectation of their new President -- he asked me to be his secretary of justice. Taken aback and pleasantly surprised, I said, "Thank you, Mr. President, but I do not think I deserve to join your Cabinet, because I did nothing for your election. I did not campaign for you."

"I know," he replied. "You did not even vote for me. You voted for Jovy, your mentor. But that's all right because I want to have a nonpartisan Cabinet, whose members are from all walks of life. Because of our association in Rotary, I know you to be a brilliant lawyer and a capable executive."

How I eventually landed in the Supreme Court is detailed in my book *Battles in the Supreme Court*. Suffice it to say for today that because of my reluctance to accept a political office, President Ramos modified his unsolicited offer to a seat in our highest court.

Though I owe my appointment to the Court solely and completely to him, let me add very quickly that, he never spoke to me about any case or matter pending in the Court since then. Though I voted against some administration cases, he never even so much as hinted to me his displeasure. Such is the gentlemen that he is.

*Thank You
to My Colleagues*

Maraming salamat po to all my colleagues in the Supreme Court. By their own writings, opinions and decisions, as well as discussions during our sessions, they have helped me test and mold my own thoughts. Indeed, I cherish my work in the Court, because I find our intellectual exchanges -- both verbal and written -- stimulating, challenging and sometimes humbling. To use two favorite clichés, my colleagues and I sometimes “disagree, but we are never disagreeable;” and “we may occasionally differ, but we are never difficult.” The Supreme Court thrives in a kettle of free ideas, in which truth, fairness and justice could be distilled only after all sides -- even the most outlandish ones -- have been poured in and percolated.

As the *primus inter pares* of the Panganiban Court, I am especially appreciative of the individual and collective efforts of my colleagues to help me attain my vow to lead a judiciary characterized by four ***Ins***: **in**dependence, **in**tegrity, **in**dustry and **in**telligence; one that is morally courageous to resist influence, interference, indifference and insolence; and is impervious to what I call the plague of “ships”: **kinship**, **relationship**, **friendship**, and **fellowship**.

I am thankful for their wholehearted cooperation and hands-on assistance in continuing our Action Program for Judicial Reform (APJR), especially in focusing on what I refer to as the **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. By word and example, they have paved the straight and narrow path for the 90 magistrates in the three appellate courts and the 2,000 trial judges nationwide.

To my mind, the battle for the four *Ins* and against the four **ACID** problems should lead to the attainment by the judiciary of two loftier end goals: (1) **safeguarding the liberty** and (2) **nurturing the prosperity** of our people **under the rule of law**. That we have been successful in spreading this gospel of Liberty and Prosperity is exemplified not only by the decisions and actions of the Court, but also by the testimonials we received during the recent Global Forum on Liberty and Prosperity held on October 18-20, 2006, during which we exported these twin beacons of justice to the world. Equally heartwarming were the favorable responses from the magistrates present, especially the Chief Justices of Canada, France, Russia, Nepal and Slovakia, to name but a few.

Maraming salamat po to my former colleagues in the Davide Court, especially to Chief Justice Hilario G. Davide Jr. who initiated our APJR. He called this program “the centerpiece of [his] stewardship of the Supreme Court and the judiciary x x x and the transparent yardstick by which [his] legacy as Chief Justice can be judged and measured.” Before he retired, he reminded me that I should never forget the APJR

because, to quote him in a speech he delivered at Far Eastern University, these four letters “constitute the initials of Artemio V. Panganiban Jr.” A model for all jurists, Chief Justice Davide has been a tower of unsullied integrity. During his many decades of government service as a jurist, legislator, constitution maker and elections chair, he has remained clean and exemplary.

Maraming salamat po to my former colleagues in the Narvasa Court, especially to Chief Justice Andres R. Narvasa. Unknown to him, he provided me with an early inspiration to study law. In the early 1950s, my family rented a small *entresuelo* at the corner of J. Barlin and Cataluña Streets in Sampaloc, Manila, just a block away from the Narvasa home. (Alas, this dwelling place was torn down, and a new building now stands in its place.) As I hawked newspapers in the streets of Sampaloc, I would watch this tall, lanky, crew-cut- sporting law scholar and athlete (a varsity basketball star) pass by, and I would wonder how he could excel in both the brains and brawns departments. And when the bar exam results showed him at the top (he was Number 2), I thought I should heed my own father’s advice to take up law. How true, indeed, that the excellent work and example of a person can ignite ambition in another who may not even be known to him.

Maraming salamat po to the rest of the retired justices. They have continuously raised the standards of decision-making and ethical conduct in our Court. I only hope

that tomorrow I would be accepted as a worthy member of the Association of Retired Supreme Court Justices, the most exclusive club in the judicial branch of our government, chaired by Justice Abe F. Sarmiento.

*Thank You to Other
Officials and Employees*

Maraming salamat po to the other officials of the Court -- especially Clerk of Court Marissa D. Villarama; Court Administrator Christopher O. Lock; the MCLE Chair, Justice Carolina Griño Aquino; and the PhilJA Chancellor, Justice Ameurfina A. Melencio Herrera -- for their competence, industry and total commitment to their work. Their individual and collective efforts have made it convenient and pleasurable for me to discharge my work as the leader of the entire judiciary.

I cannot let this moment pass without a few more words about Justice Amor. To say that she is brilliant, hardworking and energetic is to utter something ordinary, or even trite. To these well-deserved adjectives, let me add something amazing: her titanic stamina. A few years ago, we flew together continuously for about 24 hours (including stopover time) to Ottawa via Tokyo and Detroit. Upon our arrival that morning in the Canadian capital, she immediately set out to work and attended the whole-day conference without any rest.

It is probably this legendary brilliance and stamina of Justice Amor that impelled the Japanese government, through Ambassador Ryuichiro Yamazaki, to grant unconditionally to the Supreme Court the initial sum of ₱300 million last January 26, 2006, to enable us to start building the PhilJA Development Center in Tagaytay. Thank you, Your Excellency, Ambassador Yamazaki -- my occasional golfing partner and dear friend, who is present here today.

I also wish to cite my colleagues in the Judicial and Bar Council (JBC), which has turned into a reality my dream of drastically reducing the vacancy rate in our judiciary. During the last two decades, that rate fluctuated between 30 and 40 percent. At the end of 2005, it was brought down by Chief Justice Davide to 29.45 percent (or 30 percent for easy recall). This percentage translates to about 660 vacancies out of some 2,200 positions for justices and judges all over the country. With that huge vacancy, it is no wonder that dockets are clogged, and justice is delayed. So, early on, I asked the JBC to work extra hard to nominate enough candidates to enable the President to fill up some 300 vacancies and thus reduce the rate drastically by one half.

With zeal and fortitude, the JBC responded mightily. Last Monday, December 4, 2006, during its last meeting under my headship, it was able to select at least three

candidates for each of over 315 vacancies. To do that, it had to search actively for, diligently screen, and wisely select about 1,000 names (3 x 315), from a long list of about 3,000 candidates. You see, it had to process an average of 10 applicants per vacant position; and to reduce that number to about 3 or 4 nominees for each of the vacancies. Quite a formidable accomplishment indeed! The only reason why the JBC could no longer submit nominations for more than the 315 posts I mentioned was that there were not enough candidates for the remaining vacancies.

There is one caveat, though. Many of those nominated and will most likely be appointed are those who are being promoted from lower-level to higher-level courts. In a promotional appointment, the vacancy rate does not go down, because filling up a vacancy in a higher court actually creates a new vacancy in a lower court. Thus, while the JBC has fulfilled its aim of submitting nominations for 315 courts, the vacancy rate will actually be reduced by only about 10 percent, instead of the targeted 15 percent. All in all, the reduction of the rate from 30 percent at the beginning to 20 percent at the end of 2006 is still a major accomplishment and a sterling record unequalled in the JBC's history. *Palakpakan po natin ang JBC at ang mga miyembro nito.*

To perform its myriad administrative functions, the Supreme Court works through various committees. I also say *maraming salamat po* to all these committees, which have performed their work excellently. A new group formed during my

incumbency, the Committee on Linguistic Concerns headed by retired Court of Appeals Justice Jose C. de la Rama, submitted its report last week on the translation in book form the Court's major decisions upholding the people's liberty. Copies will be distributed today.

Maraming salamat po to our 26,000 rank and file employees nationwide for their DHL -- **dedication** to duty, **honesty** in every way, and **loyalty** to the Supreme Court. In addition, they showed their affection beyond measure for this humble public servant during that three-hour tribute of song, dance and drama at the Philamlife Auditorium on November 15 and again at the Cultural Center of the Philippines on November 30. I will never forget those joyful moments.

***Thank You to Our
Development Partners***

Maraming salamat po to our development partners who have steadfastly supported our judicial reform program, the APJR; and helped make it the model for other developing countries. I especially thank the World Bank, currently represented here by Joaquim Von Amsberg; the United Nations Development Program, headed in the Philippines by Neleema Noble; the Asian Development Bank, under Haruhiko Kuroda as president and Tom Crouch as country director; the United States Agency

for International Development (USAid), now headed here by Jon Lindborg; the Australian Agency for International Development (AUSAid), led Sam Zappia; the Canadian Agency for International Development (CIDA), headed by Tom Carroll; the British Council, under Andrew Picken; The Asia Foundation, (TAF), represented by Steve Rood; the American Bar Association-Asia Law Initiative (ABA-ALI), represented by Teresa Cannady; the Rule of Law Effectiveness (ROLE), represented by Phyllis Cox; and the *Fundacion Carolina*, through the Embassy of Spain here.

***Thank You to My
Teachers and My Staff***

Maraming salamat po to all those who helped me in my education: Candaba Elementary School; Juan Luna Elementary School; Mapa High School; and most especially Far Eastern University, where I learned not only academic excellence and well-rounded education, but also student leadership and the rudiments of my Catholic faith. Dean Alejandro R. Roces was never my professor, but at FEU he was my adviser in student leadership activities. His steadfastness in pursuing causes he believed in and in aggressively fighting for them were qualities that so endeared him to me that Leni and I asked him to be our *ninong* at our wedding on April 8, 1961.

Maraming salamat po to the many institutions of learning, which granted me honorary doctoral degrees without my having to enroll and to sweat during

examinations -- among them, University of Iloilo, FEU, University of Cebu, Angeles University, and Bulacan State University. Before these doctorates were conferred upon me, I was the only member of my immediate family who did not have a graduate degree. As some of you may know, I failed to take advantage of my scholarships at the University of the Philippines and Yale University because of lack of transportation money. Our family's abject poverty prevented me from enjoying higher education in those schools. To my wife and children who all hold masteral or doctoral degrees from pedigreed universities here and abroad, I say, we are now equal.

I still would like to thank some members of the academe, though they were not my professors in school. By their writings and their scholarship, they have taught me many things about the law. I salute Deans Raul Pangalangan, Cesar Villanueva, Andres Bautista, Joaquin Bernas, Rannie Aquino, and Isagani A. Cruz.

Maraming salamat po to my own staff in the Chambers of the Chief Justice, particularly my diligent and world-class lawyers. Special thanks to Atty. Emma C. Matammu, the incumbent staff head, who put together in one volume, entitled *Summa*, a near-complete syllabi of my approximately 1,200 full-length *ponencias* and 100 separate opinions, which in their original form consisted of about 36,000 pages bound in 59 volumes; to Atty. Joseph T. Cohon, my first judicial staff head (1995-1997), who authored my biography entitled *The Chief*, a volume that contains bits of information

about my childhood, which I myself do not consciously know or recall, but which he patiently culled from my elder brother and eldest sister living in Canada (how he did that is still a source of “wonderment” to me up to now); to Attys. Jean Manalili, Millie Reyes, Sheryl Supapo-Sandigan, Joel Gregorio, Lot San Pablo, Cherry Bonoan, Nani Paz-Perez, and Anna Su, who selected what they considered my best decisions and opinions and put them in two volumes entitled *Primus Inter Pares*. These volumes and almost all of my eleven books were edited by our resident grammarian, Noemi Evangelista.

Thank you also to two very important offices attached to the Office of the Chief Justice; namely, the Program Management Office dynamically led by Evelyn T. Dumdum; and the Public Information Office ably headed by Ismael G. Khan Jr. May I also acknowledge my hardworking secretariat, headed by my private secretary during the last two decades, Vilma M. Tamera.

***Thank You to the
Bar and the Media***

Maraming salamat po to the Philippine bar and all the professional legal associations, led by the Integrated Bar of the Philippines, for responding positively to my call for **competent** and **ethical** lawyers -- attorneys who are responsible,

dependable, and morally upright; and who courageously uphold truth and justice above everything else.

Maraming salamat po to the judiciary media for their factual and impartial reportings on the milestones of the Panganiban Court. They are represented by two reporters' groups: the JUCRA, led by Rey Panaligan; and the JUROR, headed by Edelberto Mozo. Thank you also to the editorial writers, columnists, broadcasters and other opinion makers for their applause and even for their constructive criticisms, which have all contributed to making me a better person and jurist. By and large, the media has respected the Supreme Court's seclusion and its final word on legal matters.

I extend special thanks to my personal friends, who happen to head media companies -- Marixi Prieto, the late Max Soliven, the late Betty Go Belmonte, Emilio Yap, Henry Gozon and Gabby Lopez for their unflinching support for the Panganiban Court. May your tribe increase!

***Thank You to My Shepherds
and Spiritual Mentors***

Maraming salamat po to the shepherds of my faith and to my spiritual mentors. Towering above them are Fr. Michael Nolan -- now in the Great Beyond -- who, as

chaplain of Far Eastern University in the 1950s, introduced me to our Lord; to Fr. James Sheehy, his successor (who is now the parish priest of Labrador, Pangasinan) who eventually baptized all of my five children, and who has remained my friend to this day; to Fr. Pascual Adorable (RIP), Msgr. Gerardo O. Santos, Fr. Larry Tan, Fr. Gerry Tapiador and Fr. Tony Rosales (my parish priest), for making me understand my faith more deeply; to the greatest shepherd of the fold, His Holiness, the late John Paul II, for giving me an opportunity to serve the universal Church as a member of the Pontifical Council for the Laity, based in the Vatican; to Jaime Cardinal Sin (bless his soul), Ricardo Cardinal Vidal, and Gaudencio Cardinal Rosales; Archbishops Edmundo Abaya, Carmelo Morelos, Leonardo Legaspi, and Angel Lagdameo; as well as Bishops Socrates Villegas, Ted Bacani and Chito Tagle, to name a few.

I also thank various congregations for storming the heavens with their prayers that I may do what pleases God: the Carmelites, the Pink Sisters, the Salesian nuns, as well as the countless persons of goodwill -- many of them I have not even met, but they write, text or email me.

Maraming salamat po to the many Catholic lay leaders who have molded and strengthened my faith in Jesus Christ, foremost among whom are two spirit-filled couples -- Tita and Bing de Villa, and Bai and Sonny de los Reyes. Tita and Bing brought me to the acme of national Catholic lay leadership, particularly in the Parish

Pastoral Council for Responsible Voting. I thank them for constantly praying for me and always supporting my every endeavor, even without my asking. Bai and Sonny de los Reyes, the founders of *Bukas Loob sa Diyos* and pioneers of the Catholic charismatic movement, snatched me from the clutches of darkness and brought Leni and me to the firmament of renewed Christians in the full light of the Spirit. All these shepherds and leaders have shown the redeeming ethos of passion, death and resurrection in this temporal world. Indeed, God looks not just at how many times one falls, but more at how many times one rises and learns from the fall.

But the one person -- outside of my immediate family -- who has had the longest and perhaps the deepest influence in my life, career and faith (even if he is not a Catholic) is Dr. Jovito R. Salonga. I met him some 50 years ago when he was my professor and dean at FEU. Since then up to the present, he has remained my lifetime guru and model of how to live a life worth living. He has taught me -- both by word and example -- not only the rudiments of the legal profession but, even more important, the purpose and value of life.

I can write volumes about him and speak endlessly of my gratitude, but for now, let me just sum up in one sentence his foremost teaching: while it is desirable to have some of the necessities that money can buy -- like adequate food on the table, sufficient clothing, sports and recreation for the body, and even a car and a house for

the family -- we should never ever forget that it is far more important to aspire even more ardently for the things that money cannot buy, like honor, dignity, ethics, character and excellence.

Over the years, he has demonstrated that there are timeless values and ideals one must cling to. Our lives on earth are finite and passing. Many times we may be distracted by the passions of the moment, the gallery's cheers, and the media's adulation. But in the end, what truly satisfies is not the glare of television cameras or the applause of admirers. It is the realization that we have done our duty with honor and self-respect, followed our conscience faithfully, and made a difference in the lives and fortunes of others less privileged than we are; and, ultimately, that we have made a contribution to our collective dream of nationhood and individual personhood.

***Thank You to
My Family***

Maraming salamat po to my father Artemio Panganiban Sr. and my mother, Patricia Villaseñor, who, even without the privilege of higher education, instilled hard work and excellence in whatever I did. Bless the soul of my father for persuading me to take up law as my career instead of chemical engineering, which I cherished even until my high school graduation. Strong-willed as he was, he asked me to take up law and, during my youth, his word was my command.

My eternal gratitude, too, to my siblings Teresita and Nardo, who, since 1972, have both been residents and citizens of Canada; and my sister Lolita, for helping me bridge the gap between destitution and education after our parents died while I, the youngest child, was still in school. Thank you also to my father's siblings for becoming my surrogate father and mother, especially Tio Ben, now deceased; and Tia Minda.

My most hallowed thanks belong to Leni, who has showered me with unconditional love, endless devotion, and constant faithfulness during our more than 45 years of married life. She is my anchor in the stormy seas of adversity and the wind beneath my wings during my flights of fantasy. She is my spiritual stronghold and my powerhouse of prayer. Ever proper, soft-spoken, sweet and supportive, she has always laughed at my corny jokes, tolerated my snoring, cheered at my aspirations, grieved at my desolation, and exulted over my acclamation.

Thank you also to my five children -- Len, Archie, Celine, Tet and Mabel -- each of whom has achieved my impossible dream of graduate education in a an eminent institution in the United States. Only one of them, Len, continues to reside in our country; the four others have decided to live and work in the U.S. East Coast. All of them, however, are here to share in this celebration of thanksgiving.

Maraming salamat po to my sons-in-law Tom Sandejas (who passed away in 1992), Alex Yaptangco, Patrick Hannett, Noy Mañalac, and Peter Reagan for taking care of my daughters, and for helping them produce my nine lovable, healthy and good-looking *apos*: Miguel Sandejas; Rafa Yaptangco; the four Hannett girls -- Patricia, Katrina, Victoria, and Alexandra; the Mañalacs -- Andrea and Nicole; and the latest favorite, one-year old Joey Reagan.

To my wife, my children and grandchildren, I know I have been an absentee husband, father and grandfather during the last 11 years. From tomorrow onwards, with the blessings of retirement, I pledge to be a more caring husband, a more attentive father and a more dotting grandfather. I promise to pursue more fervently my APOStolate -- 9 of them: 3 boys and 6 girls. To all of you, I dedicate my eleven books. After all, I wrote them in the evenings, on Saturdays, Sundays and holidays -- days and times that should have been devoted to you.

To God Be the Glory

As I end my valedictory, let the choicest gratitude and praise be unto God Almighty, who, despite my occasional shortcomings and failures, has been ever faithful to me in all my 70 years of temporary sojourn here on earth. He has never failed to grant me all that is good and beautiful in His own way, in His own time.

When I was new in the Court in 1995, I composed a prayer, which I published in my book entitled *Justice and Faith*. Now, as I end my judicial career, I would like to recite it here:

The Lord is my Shepherd. There is nothing I shall want. He has given me more than I deserve -- a happy home, a healthy body, accomplished children over whom I no longer worry, a stable career, a chance to serve our people, an opportunity to be remembered longer than my own life. Other than fulfilling my role in the Court, I have no more earth-bound ambition. I live my life with only one consuming passion: on that inevitable day when I will finally knock at the pearly gates, my Lord and Master will open the door, spread his arms and say: "Well done on your earthly sojourn. You have passed the test. Welcome home to my everlasting Kingdom!"

Form the time I composed that prayer in 1995 up to the present, I look back poignantly at my trials and triumphs, victories and defeats, frustrations and exaltations; and, in all of them, I always find my faithful God.

Indeed, I have journeyed from being a poor newsboy in the backstreets of Sampaloc to being president of the most widely read newspaper in our country; from an ignorant Catholic to a member of the highest lay council of the Catholic Church; from a frustrated applicant for graduate studies to father of five wonderful children who each achieved my impossible dream of finishing in a pedigreed US university; from an aspiring chemical engineer to a reluctant lawyer and, finally, to the highest

magistrate of our country.

As I contemplate my life and move toward its sunset, I know that God has woven my many pains and gains into a magnificent tapestry showing His mystical presence. Truly, there is one constancy in my life: the presence, care and providence of my one Lord and Savior, Jesus Christ.

To Him, I dedicate all that I have been, all that I am, and all that I will ever be.

To God be the glory!

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Valedictory address I delivered during the retirement ceremonies held in my honor at 4:30 p.m. on December 6, 2006, at the Supreme Court Session Hall.