

PRESIDENT'S REPORT

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PBA President, 2018–2019



“ We have become, by the power of a glorious evolutionary accident called intelligence, the stewards of life’s continuity on earth. We did not ask for this role, but we cannot abjure it. We may not be suited to it, but here we are”

Stephen Jay Gould

When Fr. Boy Castor of the St. Paul Society inaugurated the newly refurbished, ultra-modern and aesthetically pleasing new office of the PBA with a simple mass, his homily focused on stewardship. There could not have been a more appropriate theme for the occasion than the idea that we are all stewards of the blessings and bounties that we enjoy in our brief time on earth.

As we lit the candles in solemn observance of a new chapter in the history of the PBA, we also passed on the symbolic torch to the next generation of stewards of our cherished association, in the same way that our predecessors relinquished their traditions and responsibilities to our era of leaders. The enduring merits of our predecessors are beyond cavil, as indeed they were valorous men and women of the legal profession and legends even in their own time. But in many ways, we are more than equal to them in carrying the burdens and nurturing the values of our noble guild for our posterity.

And so here we are, and this is how we carried on and paid it forward in the year that was.

The Rappler Interview

My baptism by fire on the job as PBA President took place in 21st century fashion—an interview broadcast in cyberspace!

On November 26, 2018, the online video magazine “*RAPPLER Talk Investigative*” featured a program on seeking justice for slain lawyers, hosted by its Editor-at-Large Marites Dañguilan Vitug.

At that time, thirty four (34) lawyers and judges were reportedly killed under the two and a half (2 ½) year tenure of the Duterte Administration. Available data from the Supreme Court indicated that twenty nine (29) judges had been murdered since 1999; three (3) under the Rodrigo Duterte administration, seven (7) in the time of Benigno Aquino, Jr., eighteen (18) during the Gloria Macapagal-Arroyo presidency, and

one (1) from the abbreviated term of Joseph “Erap” Estrada.

This was a subject of extreme gravity as it involved serious discussion of sensitive topics such as special courts presiding over drugs and heinous crimes cases, the proliferation of criminal syndicates and guns for hire, and the creation of an armed professional state security force for the judiciary, similar to the Special Marshalls advocated by Supreme Court Senior Associate Justice Antonio Carpio and former House Majority Leader Rodolfo Fariñas.

The interview lasted around forty (40) minutes and was peppered with facts a discussion about high profile cases handled by prosecutors and judges forming the vanguards of the country’s criminal justice system. Credit for much of the information belongs to the Honorable Felix Reyes, President of the Philippine Judges’ Association (“PJA”), and to Past President Rodel Cruz of CMT Law for arranging this interview and advising me through the entire process. Marites Dañguilan Vitug, known for her hard-hitting online interviews involving “Rule of Law Matters”, wisely noted that modern day interviews like ours will forever remain “in the cloud”, available for viewing in the future by all my progeny and any other interested persons.

The Power of One

The first luncheon fellowship meeting of my term, and the last for year 2018, was a tribute to our guest speakers’ moral courage, independent thinking and their respective contributions to the preservation of the Rule of Law. De La Salle University (DLSU) College of Law Dean Chel Diokno ran for Senator in the 2019 elections under the opposition party Otso Diretso, as did Former Solicitor General Florin Hilbay. Hence, when they spoke before the PBA on November 28, 2018, they were careful not to be accused of violating the ban on premature campaigning. Dean Chel spoke on his advocacy for human rights, while former SolGen Hilbay introduced himself and spoke of his humble beginnings as a man of the masses, as a law student, as a professor at the UP College of Law and as Solicitor General.

RTC Makati Judge Andres Bartolome Soriano had just recently been thrust into the national spotlight with his Order of dismissal of the government’s case for the revival of *coup d’etat* charges against opposition Senator Sonny Trillanes. Out of cautious observance of the *sub judice* rule, Judge Soriano refrained from discussing the merits of the case but offered a glimpse into his judicial philosophy and reflections on the Rule of Law.

The Borneo Rainforest Law Conference

In January 2019, the illustrious Atty. Perry Pe of the Romulo Law Firm was preoccupied with his advocacies as President of the Inter Pacific Bar Association aside from his full time work as Partner at Romulo Law. Being an active member of the PBA and an old friend from our undergraduate years at DLSU, Perry knew about my election as PBA President and had no compunction about asking me to do something that seemed as alien and enigmatic as travelling to the farthest edge of the known universe. But then again it all sounded adventurous, so off I went to Kota Kinabalu in fascinating Sabah, Malaysia—a place synonymous with climbing Mt. Kinabalu, scuba diving with hammerhead sharks, and let’s not forget that other inconvenient matter, the North Borneo dispute.

The Borneo Rainforest Law Conference of January, 2019 involved a discussion and comparative study of indigenous people’s rights and laws from around the world, and featured speakers from the USA, Australia, the Philippines, Taiwan, Sabah and Sarawak and the Peninsula of Malaysia. The goal of the conference was the better understanding and advancement of the history, the suffering and rights of indigenous people from countries all over the world who were colonized and exploited by their tyrannical imperialist masters.

Perry Pe convinced me that I was to attend the Conference as a representative of not only the PBA, but of the Filipino people! Steeled by this sense of *gravitas*, I lost no time in introducing myself to the scholarly and debonaire Brendon Soh, President of Sabah Law Society, other

distinguished barristers and solicitors whose names begin with the title "Datu", and two (2) rather austere and amiable looking senior lawyers with whom I struck the most casual and relaxing conversation. Later in the course of the Conference, these two (2) gentlemen donned their togas and sat on their High Court benches behind plaques that identified them as Richard Malanjum, Chief Justice of Malaysia, and David Wong Dak Wah, Chief Judge of Sabah and Sarawak. Fortunately, I represented the PBA in a rather respectable manner. As for championing the cause of indigenous Filipino people, former Congressman Teddy Baguilat rose to the occasion and enthralled the audience with his speech on the travails of the tribal people of the Cordilleras and the history of Muslim Mindanao. His lecture on our Indigenous People's Rights Act of 1997 proved to be a valuable contribution to the Conference.

The PBA Office Gets A Facelift

The Philippine Bar Association Building in Binondo, Manila collapsed from the same 7.3 magnitude Casiguran earthquake that felled the Ruby Tower on August 2, 1968. Out of the award for damages against the contractor, the PBA acquired its Valero Plaza office in Salcedo Village and moved in on September 8, 1988. It had maintained the bygone era's look and ambience, until Past President Fina de la Cuesta-Tantuico firmly resolved that it was time for a change. The three (3) year PBA office renovation project was conceived during the term of Past President Fina Tantuico (2016 to 2017), financed with the Midas touch of Past President Benjamin Bacorro (2017-2018), and constructed under my watch between the months of March to June, 2019 for the princely sum of approximately P1,750,000.

Investing in this office facelift has added another dimension of sophistication to the organization, as the PBA office is now at par with its members' own offices in terms of 21st century aesthetics and functionality. It was designed for utilization not only by the Board of Trustees, Officers and Advisers, but by all PBA Members in good standing who might be in need of a place to work, rest or pass the time in Makati City while enjoying all the comforts and amenities of a state of the art law office. These include high

speed Wifi, desktop computers, an elegant conference room and executive office, all made available as part of their PBA membership privileges.

Justice Secretary Meynard Guevarra

Synchronicity is a concept first introduced by Carl Jung which holds that *"events are meaningful coincidences if they occur with no causal relationship yet seem to be meaningfully related."* Deepak Chopra had a simpler way of putting it—*"good luck is opportunity meeting preparedness, and its manifestation is synchronicity."*

Early on in my term I sought advise from Past Presidents regarding who we could feature as most interesting and worthy guests of honor for Law Day, for Foundation Day, and other milestones in the PBA calendar. Past President Emerico de Guzman of ACCRA Law suggested that I invite Justice Secretary Meynard Guevarra for Law Day on September 27, 2018 which coincided with the induction of the 2018 to 2019 Board of Trustees and Officers, and the result was a very well-attended and resounding success. Over 200 Members and guests showed up for a sumptuous dinner at the Manila Polo Club to be serenaded by a 6-piece string ensemble, and to listen to Secretary Guevarra speak with authority and dignified bearing on the perils of cybercrime and the government's efforts to curtail this new form of evil.

The PBA lauded Secretary Guevarra for his outstanding academic achievements, his exemplary and unblemished record in public service under both President Aquino and President Duterte; the competence, integrity and industry that characterized his work as *ex-officio* member of the Judicial Bar Council, as a member of the Philippine Legal Team in the West Philippine Sea arbitration case, as a Commissioner of the President to the Development Academy of the Philippines, the Subic Bay Metropolitan Authority, the National Economic Development Authority, and the Cabinet Cluster on Justice Security and Peace.

Serendipitously, Secretary Guevarra was also sworn in as a Member of the PBA on the same occasion.

US Ambassador Sung Kim

For Foundation Day on June 19, 2019 I had only one person in mind as Guest of Honor and I pursued him relentlessly, owing to the inspirational advise of former Secretary of National Defense Avelino J. Cruz, Jr.

Undoubtedly possessed of sage wisdom and a vast network of colleagues and friends from his experience in government service, Secretary Cruz advised me over a PBA luncheon meeting that it would be a feather in my cap if I could invite an ambassador from any of the Group of Seven (G7) nations to speak before the PBA. As luck would have it, I had already met United States Ambassador Sung Kim socially, and when he spoke before the Rotary Club of Makati. Inviting him as our Guest of Honor was surprisingly "painless" because after all he is a lawyer (University of Pennsylvania, BA 1982; Loyola Law School, JD 1985; London School of Economics, LL.M). He was also keenly interested to know about the PBA which is one of the associations recommended by the USAID for his consideration, and quite simply, because he seems genuinely fond of our country and our people. The result was nothing short of sensational, as if an international rock star held court at the ballroom of the Fairmont Hotel in Makati City, with people staying on after adjournment for over an hour of photo ops and more fellowship. Ambassador Sung Kim spoke about the joint efforts of the Philippine and American governments in combating terrorism, giving rise to the construction of an anti-terrorism training facility in Cavite. He was cited by the PBA for presiding over the return of the Bells of Balangiga to Philippine shores; for the enhancement of our two countries' strategic partnership and the vigorous conduct of joint military exercises under the Mutual Defense Treaty; for his active leadership of the US Government's Marawi Response Project; for awarding Congressional gold medals to Philippine Veterans of World War II; for deepening trade and investment ties between our two countries; and for generally strengthening the bonds between our two countries through genuine people to people contact.

Former Press Secretary Mike Toledo said it best when he introduced Ambassador Sung Kim by quoting Maya Angelou thusly: *"I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel."* Filipinos may eventually forget what U.S. Ambassador Sung Kim said or did, but we'll never forget how he made us feel.

The Honorable Conchita Carpio-Morales

Very few can argue that the Honorable CCM (initials which are now legendary in the halls of justice nationwide, as well as in the hearts and minds of her legion admirers) had an outstanding and exemplary career of over forty five (45) years in government as a public official *sui generis*. She has served with distinction in the Department of Justice, the Regional Trial Courts, the Court of Appeals, the Supreme Court and finally the Office of the Ombudsman. Indeed, this incredibly accomplished woman has personified the four pillars of competence, integrity, probity and independence as a jurist, and has earned an unassailable reputation for honesty, intellectual supremacy and moral ascendancy.

It took over five (5) months of determined persistence on my part to invite the Honorable CCM to speak before the PBA during my term, and I knew that this would be an extreme challenge considering that she had already done so twice before during the terms of Past Presidents Charito Cruz (2012 to 2013) and Rodel Cruz (2015 to 2016). But somehow, both time and circumstances worked together to provide a perfect synchronicity in favour of the PBA. Since her retirement in June 2018, the Honorable CCM immersed herself in West Philippine Sea issues in a way that has surely been heard in the higher echelons of bureaucracy in the Middle Kingdom. As the saying goes, the rest is history. Her speech before the PBA fellowship dinner at the Fairmont Hotel Makati on July 31, 2019 will be remembered for its erudition, educational value and accompanying star power! Aside from the Honorable CCM, two other champions of the West Philippine Sea arbitral award in the persons of Supreme Court Senior Justice Antonio T. Carpio and former Ambassador to

the USA and Foreign Affairs Secretary Albert del Rosario honoured us with their presence. Equally celebrated on that magical evening were no less than thirty (30) members of the UP Women Lawyers' Circle (WILOCI) who came in full force to support their member *emeritus*.

As far as PBA fellowships go, that evening was arguably one of the most impactful and enriching events I had ever attended in my ten years of service in the PBA Board of Trustees. It was certainly a fitting celebration of the life and times of the Honorable Conchita Carpio-Morales — an icon of courage, hope and inspiration for Filipinos young and old, from all walks of life, who have bestowed upon her their respect, admiration and affection.

The Noli Barcelona Memorial Golf Cup

Former COMELEC Commissioner Manuel A. Barcelona, Jr. served as President of the PBA only from September 1989 to September 1990, but virtually dedicated his life to ensuring the Association's relevance, dynamism and continuity over the past thirty (30) years. When he passed away on April 27, 2019, it marked the end of an era dominated by the resolute leadership of a man who was President, Senior Adviser, Godfather, mentor and friend to most of the current generation of Trustees of the PBA.

The necrological service sponsored by the UP Law Class of 1957 consisted of prayers, songs and speeches delivered by his former classmates including retired SC Associate Justices Vicente Mendoza and Josue Bellosillo, former Ombudsman Aniano Desierto and class stalwart Salvador Hizon. The Sigma Rho fraternity also held its own necrological service which was very well received by the Barcelona family members, considering his more than sixty (60) years of dedication to the brotherhood.

I was thoroughly impressed by the displays of goodwill and fraternal attachment and this inspired me to organize a golf tournament to celebrate his life legacy. In less than one week, the Noli Barcelona Memorial Golf Cup was born, the first golf tournament I have organized in my entire life. I am not a golfer, and before the tournament was held at the Wack-Wack Golf

and Country Club on August 16, 2019, I couldn't tell the difference between a mulligan and an albatross. But again, from some sort of strange confluence of fortuitous events, a total of forty nine (49) golfers including former Court of Appeals Presiding Justice Romeo Barza showed up to play on a sunny Friday morning after almost two weeks of monsoon rains, following which sixty (60) jovial souls joined the lunch and much awaited raffle of giveaways and prizes. Not surprisingly, awards, trophies and the raffle were dominated by the most spirited bunch—the Sigma Rho golfers.

A good time was had by all, and the tournament was successful and moderately profitable. All these were made possible by an Army of Five comprised of PBA Trustees Rodelle Bolante and Agnes Tenefrancia, former Wack-Wack Club Champion Ferdie Atendido, professional golf tournament organizer Anne Lallave and yours truly.

Farewell For Now...

There's a little known poster shop by the sea near the end of the boardwalk on Pier 39 of the world renowned tourist attraction, Fisherman's Wharf in San Francisco, CA. I chanced upon a poster there entitled "*Instructions for Life*" from the Dalai Lama which now hangs on my bedroom wall. Instruction No. 11 reads:

*"Live a good, honorable life.
Then when you get older and
think back, you'll be able to
enjoy it a second time".*

I cannot think of a more honorable time in my life when I worked productively and spread goodwill, while meeting and serving with some of the most brilliant, fascinating and morally uplifting characters from this corner of the planet. Now that my work here has come to a satisfactory conclusion, I intend to build on these happy memories, perhaps travel and meet more good people like the ones I encountered in the past year. It has been a privilege and a pleasure serving with all of you. Thank you, my dear friends from, and courtesy of the Philippine Bar Association. ■