

HAYDEE YORAC AND
“THE WEIGHTIER MATTERS OF THE LAW”

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The Scribes and the Pharisees occupy the chair of Moses. You must therefore do what they tell you and listen to what they say; but do not be guided by what they do since they do not practice what they preach.

— Mt. 23:2-3

This was how Jesus of the Gospels described the teachers of the law of his time. He called them “hypocrites” because they faithfully paid their tithes but neglected “the weightier matters of the law — justice, mercy, good faith!”¹ This biblical condemnation finds echo in many modern writings and literature about lawyers. Yet we are told that the practice of law is not a right but “a high *personal* privilege limited to citizens of *good moral character*.”² We are further told by a good number of Supreme Court decisions that good moral character is a continuing requirement for the practice of law. But when we consider the number of cases that reach the Supreme Court concerning misconduct of members of the bench and bar, we cannot help but wonder if there is anything in the profession that naturally attracts scoundrels. One wonders if, indeed, it is possible to be a good lawyer and a good person. Fortunately, we do have in our midst a number of good lawyers who are also good persons. Of these, two examples come to my mind: Thomas More and, closer to home, Haydee Yorac.

Thomas More lived in fifteenth century England. He was a brilliant lawyer, a teacher of law, and a devoted public servant. His brilliance and dedication led him to the highest position in the service of the King. As Lord Chancellor, he was the most influential man during the reign of Henry VIII. Haydee Yorac was a woman of the twentieth century. She was a brilliant lawyer, a teacher of law, and a devoted public servant. Her brilliance and dedication did not exactly lead her to the highest position in government but only to an exemplary life of service.

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¹ Matthew 23:23.

² *In re* the admission to the bar and oath-taking of successful bar applicant Al. C. Argosino, 316 Phil. 43, 46 (1995) (emphasis in original).

At the end of his life, Thomas More was reported to have said, "I am the King's good servant, but God's first." The issue that led to More's beheading was King Henry VIII's desire to be declared head of the Church of England. According to one of More's biographers, Peter Ackroyd,³

At his trial, [More] was affirming the primacy of law as it had always been understood. He asserted the laws of God and of reason, as they had been inherited, and simply did not believe that the English Parliament could repeal the ordinances of a thousand years.... [More] was... convicted for maintaining traditional law. He embodied law all his life, and he died for it."⁴

Haydee Yorac succumbed to illness. We do not know if, like Thomas More, she too died for the law. But we all know that she *lived* the law. She affirmed the primacy of law "as it had always been understood". She embodied the weightier matters of the law — justice, mercy and good faith!

I first met Haydee Yorac in the classroom. She was my teacher in Persons and Family Relations. She was also my teacher in Obligations and Contracts. I was witness to her "Everything you heard about me is true!" with matching stare and raised eyebrows. "Everything you heard", of course, meant her reputation as a terror teacher: her sarcastic wit; her "Are you sure?" after you thought you had given a brilliant answer to her question; her agonizing final exams; and, how, at the end of the semester, you were happy to get a 3! And you wonder why you chose to enroll with her in the first place. But the greatest wonder of all is the fact that those who survived Haydee's terrorism in the classroom became her devoted friends and admirers.

Haydee Yorac was a teacher of the law. She taught her students the value of good faith. In her introduction to the course on Obligations and Contracts, she would tell her students, "There are only two things to remember in Obligations and Contracts: good faith is rewarded, and bad faith is punished!"

Her greatest preoccupation was justice. "Let justice be done 'though the heavens may fall!" She embodied this principle all her life. So much has already been written about Haydee as a freedom fighter and advocate of justice. It was her concern for justice that made her accept thankless positions in government service. She accepted the chairmanship of the Presidential Commission on Good Government ("PCGG") mainly because she wanted to see justice done, to see good faith rewarded, and bad faith punished. She wanted justice for the poor Filipino people, especially for the poor coconut farmers.

It was this concern for justice that made Haydee "graduate" from the "terror professor" to the feisty and fiery public servant who feared no one. This was Haydee's public image, a public image that served her causes well. Nobody messed with Haydee

³ PETER ACKROYD, *THE LIFE OF THOMAS MORE* (1998).

⁴ *Id.* at 400.

Yorac. Not in the classroom, and not in the courtroom. (The story is told that once, she was faced by an opposing counsel whom she had accused of lying in open court. The counsel said, "Madam, you are not a lady!" Haydee quipped, "I am a lady only in as much as I am in front of a gentleman!")

Beyond her famed feistiness, her famous glare and her quick repartee was a big, compassionate heart. Haydee's intolerance for injustice and dishonesty was matched by her kindness. In the University of the Philippines ("U.P.") College of Law, the students saw through her sarcasm and her glare. They perceived her efforts to teach her courses well, to transmit her knowledge. They also experienced her fairness. In public office, her colleagues and her subordinates experienced her concern even for their private needs. She did not merely give lip service to charity but went out of her way to extend help where help was needed. Everyone in the PCGG knows how Chair Yorac burned the telephone lines to raise funds for a maintenance employee who suffered a stroke and who needed a sum in six figures for his hospital bills.

One thing that has always struck me about Haydee Yorac was the number and variety of her friends. They came from all walks of life and stretched across all social and economic strata. Who among them were rich and who were poor? Who were influential and powerful and who did not count in the eyes of the world? Haydee did not care. She treated them equally. Haydee's kindness extended beyond her immediate circle of friends and acquaintances. Sometime in the early 1980s, I was walking with her towards the U.P. Shopping Center. Passing by the U.P. Chapel of the Holy Sacrifice, we saw a wake. Haydee was curious to find out who the deceased was. He turned out to be a tricycle driver who had been stabbed to death the night before, leaving behind a jobless wife and four children. Haydee was moved to compassion. She removed a one hundred peso bill from her wallet and gave it to the widow who was visibly surprised to get such an amount from someone she did not know.

Haydee was a realist, but she was also a dreamer. She dreamed of a world where all men and women were equal; where there were no oppressors and no oppressed; no tyrants and no slaves.

I had known her for more than twenty years, first as a teacher, then as a friend and colleague. I will forever be grateful for the chance of having known her even more deeply during the last four years of her life. These last years spent with her in the PCGG showed me how really strong and courageous she was. It was a strength and courage that came from her faith. As she battled against the cancer of her body and the cancer of Philippine politics and society, she never lost hope. During the most trying moments, she would say, "God listens." During these last years, I never saw Haydee angry about her illness. She never questioned Providence. On the contrary, she accepted her condition not with resignation but with a certain detachment. She abandoned herself totally to God's will. To friends who expressed their sympathy, she would say, "*Diyos lang naman ang nakakaalam niyan.*" She said to me one day, "He can

take me anytime if he wants. After all, I have already made something of my life." What an understatement!

It is so difficult to describe Haydee Yorac in one word. She had a multi-faceted personality that defied description. She was strong but the trials and death of her friends (and her dogs) made her cry. She was forceful and gentle at the same time. She was serious with a well-developed sense of humor. She was loved; she was feared. But what would appear as contradictions and inconsistencies in many others blended in a wonderful way in the person that is uniquely Haydee Yorac. Haydee was not perfect. She was not always right. But she was always true.

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