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CAYETANO ARELLANO

A PORTION OF AN ADDRESS DELIVERED BY EXECUTIVE SECRETARY VILLAMOR, MEMBER OF THE BOARD OF REGENTS OF THE UNIVERSITY OF THE PHILIPPINES, ACCEPTING, ON BEHALF OF THE UNIVERSITY OF THE PHILIPPINES, A PAINTING OF HON. CAYETANO ARELLANO, CHIEF JUSTICE OF THE SUPREME COURT, PRESENTED TO THE UNIVERSITY AS THE CLASS MEMORIAL BY THE GRADUATING CLASS OF THE COLLEGE OF LAW AT MARBLE HALL ON WEDNESDAY, APRIL 1, 1914.

Difficult and exacting as is the commission confided to me by the Board of Regents, to represent it on this solemn occasion, I have accepted the same without reservation, because this fine portrait which you have just given the University is so full of delicate shades and suggestive charms, that it is impossible to resist the desire to express admiration and regard for the great man it portrays. Although, as a general rule, portraits are convincing as evidence of relationship or of identification, they are not, however, such evidence as regards the work that has been done by the persons they represent. So, I ask that you will bear with me, while I relate to you something of the life and accomplishments of the illustrious Chief Justice of the Supreme Court, a man of the highest character among all those who have distinguished themselves in the intellectual life of this country.

Cradled in the legendary town of Orión, in the province of Bataan, amongst a people whose principal nourishment is fish and other sea food, Señor Arellano does not yet feel the weight of his years, but, on the contrary, still enjoys all the vigor of a rugged and well preserved health. He was educated in the College of San Juan de Letrán and the University of Sto. Tomás in the city of Manila, where he distinguished himself remarkably in the higher studies of philology, philosophy, theo-

logy, and canon and civil law. Literature has furnished him with a large fund of auxiliary knowledge, and his profound study of history has given him the experience necessary to judge the vicissitudes of the lives of men and of nations. Gifted with a well-balanced mind and with analytical and synthetical talent, devoting himself constantly to a scholar's life, he became the most learned man in the law of any that have ever belonged to the Bar of this country. After practicing his profession for a few years he was appointed a member of the faculty of law of the University of Santo Tomás, and in his class room many of the best intellects in the Philippines have been moulded. It can be said that of all the Filipinos who have distinguished themselves since the latter part of Spanish administration to the present day, there are few who have not been taught by Señor Arellano or who have not profited by his wise counsels.

Perfectly familiar with the laws, customs and history of this country, Don Cayetano rendered the most valuable aid to General Otis in the organization of the courts of justice, in drafting the civil marriage law, the Municipal Code, and General Order No. 58 on criminal procedure. As regards the organization of municipal governments, the following words of the President of the United States, contained in the Instructions to the Philippine Commission, deserve mention:

"In the establishment of municipal governments the Commission will take as the basis of their work the government established by the Military Governor under his order of August 8, 1899, and under the report of the Board constituted by the Military Governor by his order of June 29, 1900, to formulate and report a plan of municipal government, of which his honor Cayetano Arellano, President of the Audiencia, was chairman, and they will give to the conclusions of that Board the weight and consideration which the high character and distinguished abilities of its members justify."

In just recognition of his merits he was appointed the first Chief Justice of the Supreme Court of these Islands after American occupation, an office which he still holds with universal approbation.

In 1904 Yale University conferred upon him the degree of LL. D., and in the same year he was designated to represent the United States and the Philippine Islands at the International Congress of Jurists held at St. Louis. Recently, the University of the Philippines conferred upon him the same degree of LL. D.

Humble as was his childhood, his loyalty and integrity were never questioned. As professor in Santo Tomás, as *Magistrado suplente* of the old *Audiencia de Manila*, as member of the Council of Administration, under the Spanish Government, he always lived up to the high ideals

of a scholar and a gentleman; but, as Miss Norton says nowhere "more luminously than in the chair occupied by the Chief Justice of the Supreme Court of the Philippine Islands, proving to his countrymen for all time, that one of their number—and if one, then many—may have the beauty of character and loftiness of intellect which is the gift of God to his chosen sons; be they Malay or Chinese, of England or Bombay; be they born where the rising sun first lights its rays, or where it finishes its tired course."

By nature reserved, like all great thinkers, he finds attractions only in his home and in his splendid library. He has devoted himself so assiduously and successfully to the study of jurisprudence that it can be said without hesitation that no one in this part of the world has a deeper and a broader knowledge of this subject than he. He knows law and jurisprudence to the most minute details, and is a book of reference constantly open to all who desire to learn its wise doctrines; for, besides being a man of the highest learning and broadest culture, he has an admirable character, upright, just, affable and kind.

On account of his extreme diffidence, Don Cayetano Arellano has never devoted himself to the writing of books; yet, who can doubt that his luminous opinions scattered through the volumes of the Philippine Reports constitute veritable juridical monographs? His *Apuntes* are legendary among his students, and even among foreigners. It is said that the great commentator Sanchez Roman was very fond of them. Baldomero Argente, now a distinguished Spanish statesman, when his pupil, published a part of them in 1894-1895; to-day, in his maturity, he has incorporated them in one of his recent works. Don Cayetano can above all be justly proud of his record as a professor of law, for when the names of his disciples are catalogued, they will be found to cover whole pages of Philippine history.

Such is Don Cayetano Arellano, the erudite professor, the wise jurist of world-wide reputation, the glory of the Filipino people.

Let us now turn to the "agreeable companion," according to Justice Tracy, to the "skilled conversationalist," according to Miss Norton. In this he is an inimitable master, just as much so as in expounding Spanish civil law. He is related in a certain way with the Tagalog Dante, Francisco Baltazar, author of "Florante," but his kinship with him is much closer in the singular qualities of wit, genius, and vivacity which are innate in him.

It is said that while he was practicing law he was never able to sleep well. An incident in an ejectment case decided the future of Don Cayetano. He was about to lose the case, and a strange mixture of

pity for his clients and fear of the derision which threatened to compromise his professional honor and reputation so worked upon him, that his family feared for his reason. Not finding any legal outlet, he paced his room for one whole day without a mouthful of food, a symptom that to his family appeared to augur a fatal end. But a ray of light illumined his mind. In going over his papers and memoranda, which lay in disorder upon his desk, he found that the property in question was a part of an undivided estate. He bounded upstairs and grasping his wife's hand said: "I have found it! Now, get me some chocolate!" which confirmed the family's black presentiment that he had lost his reason. But as he became very quiet, ate well, slept well, and composedly wrote a brief which smashed the plans of his adversaries who were already preparing to celebrate their triumph; the tempest passed and the swollen waters receded.

He subsequently accepted an appointment as *Magistrado suplente* of the *Audiencia de Manila*, Juan de Icaza and José Moreno Lacalle, who were famous members of the Philippine Bar, dividing between them the fine law business left by Don Cayetano.

Since that time, after devoting himself to study, making notes, or writing decisions until late at night, by candle light, he sleeps the sleep of the just and rises with the sun, feeling nothing at all but a morning thirst which sends him to the native jug to drink water by the gallon. It is well worth knowing that the days previous to those when he must report his cases to Court for discussion are sacred to him; and his friends are warned that he would receive no one on such days, for he studies his cases and writes his decisions like a student preparing for his final examinations.

The value of anecdotes of his is not in the story itself but in his way of telling it; in the urbane tone, the picturesque word, the ever easy flow of language; in the Horatian rapidity of transitions and digressions: now it is the Castilian plain; again a Filipino cascade of those which were so beautiful and had such a mysterious charm for Rizal. His conversation, as a whole, is to-day absolutely unique in the Philippines, on account of its excellence, its elegance, its design and its deep meaning, and, lastly, by reason of the wealth of its vocabulary of genuine old Castilian.

His Philippinism is very Filipino, with a tinge of Gallegan sadness. While in Washington, in Rome, in Paris and in London, in 1904, in the midst of the adulations of his friends, Filipinos as well as foreigners, he was dying of homesickness. "I cannot find words to praise all this"—he would say—"and for that very reason I feel weary and low spirited."

"But"—Benito Legarda and other friends would say to him—"do you think that your being here would make everything go wrong in the Philippines; that the members of your family will fall ill, and that your presence there would set everything all right?" "Certainly—not,"—he would reply,—“I will not argue that, I do not reason about it; but I know that I would be better off in my little home on the banks of the Pasig." His imagination, impelled by his feelings, would bring to his mind the recollection of his spacious dining-room overlooking the Pasig river; Sugañ's painting "El Mendigo"; his own effigy in relief by a sculptor of Paete; the tepid breeze tempered by the humid breath of the Sultanesse of the Pasig, turning the pages of the books littered on the broad table and the rattan armchair.

His home, like an oasis in the desert: what a place it is during the hours devoted to his family, round the Filipino hearthstone! Everything in the heavens above, in the earth below: and what is under the earth,—all is there discussed in the most exquisite manner possible, from a spiritual point of view. After a theme has been developed in a solid and masterly manner, an epigram or a maxim is injected into the conversation, which enlivens it like a meteor or a flash of lightning in a May tempest. Without being a profound Tagalog scholar, he makes such good use of the aphorisms and idioms of this greatest of Filipino dialects, that, as used by him in his stories, anecdotes and fables, they typify the characteristics of the race, and are remembered ever after.

We have known the facts that characterize the great juriconsult, and we have appreciated them. These intimacies of the life of Don Cayetano best portray the man; they are the attractive reverse of the medal representing the figure which austerely stands at the head of the Philippine Bench, on which height he has already been touched by the ray of immortality, and I believe these personalities are the most esteemed, as they reveal what is most valued among men—the heart beats.