



**T**owering  
*Above  
the Rest*

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ONLY A few rise above the equality of birth to tower over the rest. My mentor, my friend, our superior, the Chief Justice of the Republic, the *Honorable Andres R. Narvasa* is one of the few.

Early in his life, *Chief Justice Narvasa* was already working on his destiny. His was a history of academic excellence. Salutatorian in elementary, valedictorian in high school at the San Juan de Letran; *magna cum laude*, Law, at the University of Santo Tomas, and second place in the 1951 bar examinations. From what I have been told, he was born in a disciplined and orderly world, and he received his education from the religious. These gave him a strong sense of confidence and security and solid intellectual and spiritual values that molded unques-

tionable aspirations.

I have known *Chief Justice Narvasa* for many years. Sometime in the fifties, I sat as a law student, one of so many who would profit from his professional gifts. There we were, all eyes fixed at his tall figure. To all of us, he seemed to have all that the gods could offer ... a strikingly imposing presence ... lean as a race-horse; a brilliant scholastic record, a sharp and nimble mind, a gift for eloquent language. At first, his students kept a distance, thinking that he would spurn their ordinariness. Yet his genius for friendship, love for sports and gusto for life made him irresistibly approachable. He had a talent for making people around him comfortable, a basic asset of the good teacher that he had become.

He loved the classroom. I sus-

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pect that he did so not only because he enjoyed holding court before a captive and rapt audience, as teacher-lawyers do, but it seemed more because it gave him a chance to ponder the realm of legal history and his place in it.

Years later, I had the privilege of close association with him in my work in the university as a professor, as a magistrate, and as a Court Administrator. During these years, he became my friend. But he remained as my teacher. We worked closely as members of the Supreme Court Committee for the Revision of the Rules of Court. In this committee, I witnessed the workings of *Chief Justice Narvasa's* mind. His was a first-rate legal mind with a seriousness of intent and integrity of purpose. He was not content to frame a rule just because it rested on old precedents, nor was he content to cast aside lightly long accepted rules merely because they might be unfair to a particular litigant. He sought to appraise the value of conflicting considerations ... logic vs. history; custom vs. morality; certainty vs. flexibility; form vs. substance. In formulating new rules, he sought a balance which would permit progress, a progress where customs and traditions still served as beacons. Perhaps the *Chief Justice's* best contribution in the field of legal procedure is his power to penetrate through traditional rules

and precedents and find the ethical and social considerations upon which they are based.

*Chief Justice Narvasa's* professional life spanned a period of profound changes in our history as a nation, the *EDSA Revolution*, the *restoration of democracy*, the *election of three post-Marcos presidents*, the *globalization of economics and industry*.

Those who have written about *Chief Justice Narvasa* believe that the moment that defined his place in legal history was the death of *Ninoy Aquino*. They say that his towering figure as the *Gray Dean in the Agrava Commission* hearings will always be a permanent feature in the drama that led to the *EDSA Revolution*. I think so too.

If I were to paint on canvass (*sic*) the *Grey Dean* at that very moment in Philippine history, I would paint him standing tall in the center of the hall addressing faceless shadows, the rays of his intellect filtering through and breaking the darkness. It would be the portrait of a man who despite the instability of the times and uncertainty of his personal safety, would not compromise on a matter of principle; would not abandon his standards of what is right; would not reject what he believed to be true. It will not merely be a painting of a lawyer defending his client, it will be a portrait of a man protecting a nation. A man who loved his people and his coun-

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try with unreserved devotion.

The bravery of his advocacy would soon be one of the many inspirations that fired the popular uprising that restored democracy and installed its symbol as the President of the Republic -the President who would soon fulfill the fate of the Grey Dean. Corazon C. Aquino named Andres Narvasa Justice of the Supreme Court placing him in line for the position to which he was to be elevated, Chief Justice of the Philippines. The man, truly, carved his own destiny.

In the Supreme Court, he found associates with the spirit and mind akin to his own. His associates were privileged to discover his honesty of intentions, his strength of character, his selfless devotion to work, his love for his friends and family, and his unfailing charity to all men. None of his peers can deny that here was a man who respected the individual quality of his colleagues even when their views were sharply divergent from his own.

No court in recent history, has been more seriously challenged than the Narvasa court. Again and again, he parried the attacks on the personal integrity of the individual members of the court and the lower judiciary. It was a personal crusade for him to ensure the triumph of the high court over transitory passions and prejudices, ill-informed criticisms and resentments of parti-

san politics. Under the mantle of his protection, the court transcended the onslaught of uninformed criticism. It was these troubled times that underscored the qualities which made Andres Narvasa a great Chief Justice. When the high court was under siege, he was the vanguard. Perfectly, he was "*primus inter pares*."

His contribution to Philippine law as a Chief Justice can be found in two distinct sources. The more easily identified are his letter perfect opinions which are found in the reports and the body of extra-judicial utterances, chiefly in addresses and lectures, delivered on various occasions, all these founded on a judicial philosophy the profundity of which deserves a whole lecture. Not less important, though much less obvious, are his contributions in the field of court administration. If I were to be asked to name his most important legacy in this field, I would choose three:

First, the establishment of the Philippine Judicial Academy which reflected his determination to ensure an efficient and credible judiciary. The Academy was conceptualized during the time of Chief Justice Fred Ruiz Castro who could not pursue it because of his untimely death. It was Chief Justice Narvasa who made the dream a reality. He created a Committee which drafted the organic Order that established the Academy. On February 17, 1998, the

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establishment of the Academy was legislated as Republic Act No. 8557. The Academy now takes care of the orientation and continuing professional development of justices, judges, court personnel, lawyers and aspirants to judicial posts.

Second, his active and continuing review and assesment of court procedures. His agressive initiatives on procedural reforms and efficient court management are clearly reflected in his support of the 1997 Rules of Civil Procedure amending Rules 1-71 of the Rules of Court and his administrative circulars to implement efficient court procedures. Indeed, the administrative circulars that he has issued span the entire area of judicial administration from the revision of the specific Rules of Court, to rules on forum shopping, to special regulations concerning cases involving children and the disabled, to problem areas such as TRO's, foreclosures and land registration cases, and even non-court but court related matters such as Katarungang Pam-barangay.

Third, the reorganization of the Office of the Court Administrator.

Since 1973, the administration and supervision of all lower courts has been vested by the Constitution on the Supreme Court. In that task, the court is assisted by the Court Administrator's Office.

In the middle of 1996, while I was in the Court of Appeals, Chief Justice Narvasa asked me to see him. He proposed the idea of my shifting to the post of Court Administrator. He said that the administration of the judiciary has become more problematic with the multiplication of court cases and the growth of the judiciary bureaucracy. He said he knew I could help and although he realized acceptance would be a risky career move for me, he gently asked if I could seriously think about it. Eventually, I decided to accept. In hindsight, I now realize that I could not have rejected the proposal. For it came from one whose visions have not been realized, with unerring foresight that has ably steered the country's judicial course. He was, again, a teacher giving me an assignment. I became Court Administrator and on October 24, 1996, the Court En Banc passed a Resolution reorganizing and strengthening the Office of the Court Administrator.

When I learned that I will have the honor and privilege of joining the tribute to the Chief Justice, I vowed to avoid the temptation of gathering garlands of praise prose and hew a human figure. I had to break the vow. How else can one towering above the rest be presented?