

HAYDEE B. YORAC

As a student at the University of the Philippines College of Law, the most important thing Haydee Bofill Yorac learned was this: “Despite its defects, somehow it is possible to use the law in order to obtain justice. Law is an instrument for the realization of justice.” She committed herself to that simple truth for the rest of her life as a public servant.

Haydee was born on March 4, 1941, the eldest of seven children of Jose Miranda Yorac and Josefa Bofill. She spent the first fifteen years of her life in the town of Saravia in Negros Occidental, a prosperous province in the Visayas, the Philippines’ third largest island group. In 1967, Saravia was renamed E. B. Magalona in memory of a newly deceased senator, Enrique B. Magalona, who was a native of the town.

Despite its proximity to Bacolod, the provincial capital, Saravia was a sleepy, underdeveloped town at the time Haydee was born. At least three generations of Yoracs had resided there. Haydee’s father served as mayor for twelve years, including the period of Japanese occupation during World War II. Haydee recalled that her family was often on the run because the Japanese were looking for her father.

The Yoracs were well known for being ardent nationalists. Both Haydee’s grandfather and great-grandfather had been active in the revolution against Spain. Many of her relatives became lawyers, and her own father also studied the law at the Philippine Law School in Manila. But war prevented him from taking the bar and, subsequently, as he served several terms as mayor, he never had time to take the examination.

The Yorac house, a large two-story structure, was a short distance from the town hall. Jose Miranda Yorac was a gentle person who opened his home to all his constituents, especially during an election season. Besides being the mayor, he also ran the town’s police force. Young Haydee enjoyed mixing among her father’s visitors and conversing with them.

Jose Yorac may have been the most powerful person in Saravia, but in his home it was Josefa who was the dominant figure and the acknowledged disciplinarian. Her word was law, and she did not hesitate to punish any of her children when they did not toe the line. Fortunately, their regimented life did not extend to activities outside the house.

Haydee attributed her remarkable vocabulary and her passion for books to her mother. Josefa Yorac had graduated from the Philippine Normal School, the school for teachers founded by the Americans in Manila, and was a voracious reader. Haydee acquired the reading habit as early as age five or six, and she devoured all the books and magazines in her house. She remembered in particular the books of Clarence Darrow and the American Confederate president Jefferson Davis.

Jose and Josefa not only encouraged their children to read, they also conducted after-dinner discussions with the children on books, national events, and interesting occurrences overseas. Josefa would also quiz them on the meaning of new words. Conversations at the dinner table were usually in Ilonggo, their native language, interspersed with English. Despite this comfortable practice, the children were encouraged to become fluent in English.

Local politics also figured in their conversations. Both Jose and Josefa were quite vocal about their political convictions, especially about their abhorrence of corruption in government. Although Jose belonged to the Liberal Party, he and Josefa were great admirers of Ramon Magsaysay, even after Magsaysay switched to the opposition Nacionalista Party and Jose was replaced as mayor by a Nacionalista appointee.

As the eldest child, Haydee was acknowledged by her siblings as the boss. They called her “Inday,” a term of endearment for girls among the Visayans. She took care of the younger children when their parents were away, imposing discipline and taking the lead in games and other activities. They liked to play “pretend” games, and Haydee would often imagine herself as a prince or princess in a fairy tale triumphing over the “forces of evil.”

Religion was not a major factor in her family, Yorac said, but on Sundays and Catholic holy days the Yoracs would go to church together. More than the practice of religion, it was the town’s social structure that entered Yorac’s consciousness even as a child. Although there were very few wealthy families in Saravia, they would take the front pews in the church and mingle only among themselves. Yorac, being the mayor’s daughter, could sit anywhere she wanted. Sharp class distinctions were a reality that everyone in town seemed to accept, but the young Haydee found it upsetting.

Saravia Elementary School, where Josefa was a teacher, was within walking distance from the Yorac house. It was Haydee’s first school. Despite being an incorrigible chatterbox in the classroom, she graduated as class valedictorian.

For her secondary education, Yorac was sent off to the Colegio de Santa Teresita in the town of Silay, which was run by Spanish and Filipino sisters. She lived with the nuns in her first year but for the next three years went home to Saravia every day. The level of discipline at the school was extremely high. The girls were required to spend a lot of time at prayer. The more adventurous ones would often escape at noon and run out to the nearby sugarcane fields. They were often caught, however, and made to pray on their knees in the chapel, with their arms outstretched. Yorac developed an aversion for such archaic methods of communing with God, but not for prayer itself.

Her favorite subjects were physics, history, and English literature. She won numerous contests in essay writing, which she enjoyed, and also excelled in volleyball. (The year she was cocaptain of the high school team, it won the interschool championship in Bacolod City.) She finished secondary school as the class salutatorian, and humorously said years later that she could have been the valedictorian had she had better marks for conduct. Although she appreciated the value of discipline, she resented the Spanish system, which she found excessive. As a result, she spent much of her time rebelling against school rules, trying to see how far she could bend them (when she did not ignore them altogether).

With grade school and high school out of the way, Yorac could finally decide what to do with her life. Unlike many of her peers, she knew what she wanted—a career in law. From Sister Asuncion at Colegio de Santa Teresita, she had learned to believe that God controlled one’s destiny, which at this particular moment meant accepting the scholarship she had won to the country’s premier state university, the University of the Philippines (U.P.), at its Diliman campus in Quezon City, Metro Manila.

Yorac had been to the capital city before. When she was twelve, her father had taken her to the International Fair. She had also been to the tourist sights at Antipolo and had stood in line at Malacañang Palace to pay her respects to President Magsaysay, whose body was lying in state at the presidential palace following the tragic 1957 plane crash that took his life.

Still, going to the Diliman Republic—as U.P. was dubbed because of its zealous defense of academic freedom and autonomy—was different in many ways. In the first place, the campus was technically not in Manila and seemed to be an isolated community accessible only by bus. It did not even have any stores. Yorac’s parents were not too enthusiastic about her living in a dormitory on campus, so she ended up lodging with a Doctor Concha, a professor at the College of Pharmacy who was also from Negros.

Yorac had brought three things with her from Saravia: a love for books, a fascination with words, and a love for justice. All three would stand her in good stead in her new environment. She first completed a two-year pre-law course, taking such subjects as history, political science, philosophy, and English literature. Here she was able to indulge her passion for literature with people of a similar bent; the nuns at home had not approved of Bertrand Russell’s books or Ernest Hemingway’s *The Old Man and the Sea*. Aside from reading, she also found time to participate in competitive swimming.

U.P. was fiercely protective of its traditions and institutions. The law school itself was an intimidating center of learning, famous for requiring its students to memorize an endless array of technical material. Any difficulties encountered in pre-law were minor compared to what the professors at the College of Law demanded. Yorac spent a great deal of time at the main library, making sure she read up not only on law but on many other subjects besides, such as current events, particularly the impending rupture in relations between Communist China and its erstwhile patron, the Soviet Union.

Many of Yorac’s law professors had formidable reputations. Among them were former Supreme Court chief justice Ramon Aquino and former associate justices Vicente Abad Santos and Irene Cortes. Yorac developed a reputation as one of Abad Santos’s two *niñas bonitas*, or favorite students, the other being a future senator, Miriam Defensor-Santiago. The two strong-willed women would square off years later when Yorac successfully defended stage and film directors Lino Brocka and Behn Cervantes in Judge Santiago’s court. (The two men had been arrested for making public statements critical of the Ferdinand Marcos dictatorship of 1971–1986.)

There was much graded recitation at the College of Law, where the professors used a system of randomly shuffling class cards. Any student called upon to recite had to answer a barrage of questions, citing existing laws when necessary as well as other material they could cull from the assigned reading. For her first assignment, Yorac memorized everything required and did well in her first recitation. Thanks to an almost-photographic memory, she continued to receive good grades for the remainder of her stay at the college.

Her perception of injustice, acquired as a child going to church in Saravia, now extended to her readings about injustice in the world. At the College of Law, she learned that the law was applied differently to those who could afford to hire prominent lawyers and those who could not. Her more cynical professors openly admitted that the application of the law depended on a client’s budget. But other teachers, such as Supreme Court associate justice Irene Cortes, were more idealistic. Cortes also introduced Yorac to the unequal status of women vis-à-vis men, years before the American feminist movement of the 1960s reached the Philippines.

One third of the students in Yorac’s law class were women. Many of them were advised by their male classmates that they should not appear to be too bright, even if they were bright, and that they should be passive rather than aggressive. Although the professors did not subscribe to such archaic ideas, the men in the classroom cautioned their female classmates that deviants

would not find good husbands. Yorac remembered being told that it was only proper that men, rather than women, should top the bar examinations.

After her graduation in 1962, rather than return to Saravia, Yorac decided to remain in Manila to attend review classes for the bar examination the following year. Her diligence paid off. She finished eighth among the ten topnotchers. Her best marks were in civil law, political law, and even commercial law, which did not interest her because she did not find it particularly challenging.

Yorac's first job as a member of the bar was as a researcher in Judge Pedro Batista's Court of First Instance in Pasig City. She also drafted orders and decisions for the judge. Her plan was to study the wide range of cases brought before the court before returning to U.P. to conduct research and to teach. Although she was not lacking in lucrative offers to join established law firms, none of them appealed to her.

Nor did the idea of working in Negros entice her. During the summer break, while still a student, she had returned to Saravia to visit her family, but the longer she stayed in Manila and was exposed to its cosmopolitan array of people and ideas, the more she realized how small and traditional and feudal her hometown was. She explained, "I could hardly talk with my old friends anymore. They were still talking about finding husbands and going to fiestas and so on. While it was possible to talk about that for a day or two, after that you got absolutely bored! So I preferred to be in Manila."

Her first teaching assignment was legal research, a course for freshmen learning how to use the law library. By the late 1960s, she was also teaching civil law and had moved to her own place in Quezon City. Happy to have access to a library again, Yorac did research for her class as well as for herself in jurisprudence, legal philosophy, and even international law.

Vyva Victoria M. Aguirre, a student of hers in the 1980s and who, years later, joined her in government service, recalled Yorac's teaching style in an article for the *Philippine Law Journal*: "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!' said with matching stare and raised eyebrows. 'Everything you heard,' of course, referred to 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 [passing grade of] 3! And you wonder why you chose to enroll with her in the first place. But the greatest wonder of it all is the fact that those who survived Haydee's terrorism in the classroom became her devoted friends and admirers."

Aside from teaching, Yorac also worked as a researcher at the U.P. Law Center, the research arm of the College of Law. This stint was short-lived, however, because she became a full-time professor upon the promotion of Justice Irene Cortes as dean of the College of Law. Yorac would devote fifteen years to teaching and would develop a reputation as a professor so intimidating that students who wanted to enter the college were warned that if they could survive an initial interview with Haydee Yorac, they could survive anyone else. She also became famous for successfully objecting to the graduation of President Ferdinand Marcos's daughter Imee because she had not fulfilled the academic requirements at the law school.

Not only did Yorac want to participate in the larger world she had discovered at U.P., she also wanted to practice the nationalism she had imbibed there. She pondered the nature of a just society and the corresponding role of the individual human being. "I found that the system

existing at that time did not accommodate the expansion of human freedom and human dignity,” she said. At times she considered herself a socialist, at other times, an agnostic.

The struggle in Vietnam between the Southern regime and its American patrons against the North and its Soviet backers, with all the accompanying international drama, was an important backdrop for Yorac’s thinking. She spent time at the library researching the background of the war. And she would supplement her reading by attending sit-ins at the U.P. campus. For Yorac, the Vietnam War could be tied in with the burning question of American interference in Philippine sovereignty. Many ideologies were being bandied about as possible solutions or alternatives to the Cold War. Individuals could feel so small and insignificant in the deadly global game of the superpowers. After much contemplation, the paradigm she created seemed to be the fairest for individual human beings, although she only hovered on the periphery of what others would call a radical ideology. Even though she was vocal about her beliefs, she had never considered herself a leader. Now, as a teacher, she insisted on maintaining a professional distance and refused to engage students in ideological debate inside the classroom.

Even larger to Yorac than the international Cold War drama was the creeping advance of martial law in the Philippines. She knew it was coming even before the official proclamation was made, she said. She had been a veteran of the period known as the First Quarter Storm, which started in January 1970 when student activists stormed the Congress building as President Marcos and his wife Imelda emerged after his State of the Nation address. Yorac’s perception even then was that the problem was not just Marcos himself but the deep inequities of Philippine society and the divisions they spawned.

She said of that time, “I knew that Marcos was terrible, (and) I knew that something was wrong with Philippine society. But I also had my reservations about the socialist movement, because there was so much rigid doctrine. There was this tendency to say that you had to follow this or else you were out of the progressive movement. It bothered me because I think there’s always a place for individuals. There must always be a place for individuals in society, and freedom is important. I didn’t see that certain movements, including the radical movement, were addressing the problem of individual freedom. And so I would join on some issues, but I largely stayed away from the mainstream of that movement.”

Outside the university, Yorac became involved in the 1971 Constitutional Convention as an assistant to one of the delegates, Abraham F. Sarmiento Sr., who years later became an associate justice of the Supreme Court. Reporting to Sarmiento after her classes and on weekends, she wrote speeches for him, did research, and brainstormed with him. She was hopeful that the ConCon, as the Convention came to be called, would yield peaceful, nonviolent remedies to many of the nation’s problems that the original 1935 Constitution had failed to address.

But President Marcos’s Proclamation 1081, or the declaration of martial law on September 21, 1971, dashed all her hopes. Unsure of what would happen next, she chose to stay at Sarmiento’s house for a week rather than go home. The morning after she returned to her home, operatives of the Intelligence Service of the Armed Forces of the Philippines showed up at her doorstep; they took her to Camp Aguinaldo in Quezon City. No reason other than Proclamation 1081 was given for her arrest and detention. Yorac was not surprised. Prior to the imposition of martial law, she had engaged President Marcos in a debate at the U.P.

At Camp Aguinaldo, Yorac was asked questions such as, “Aren’t you active anymore?” to which she responded, “Active in what?” or “Inactive in what?” The interrogation lasted an entire morning; she was not released. One afternoon a while later, she was told she was being moved across the street to Camp Crame, where a number of other persons, among them journalists and

former ConCon delegates, were being detained. For the next three months and twelve days, her home was the second floor of a gymnasium at Camp Crame, where she shared double-bunk beds with other women, including some fellow U.P. professors.

Not once during her detention was she physically maltreated. In fact, she was delighted to be in the company of respected figures in the media such as print journalists Amando Doronila and Luis Beltran, and Juan Mercado of the Philippine Press Institute. She noted, with her acerbic wit, that prominent politicians such as senators Benigno Aquino Jr., Francisco Rodrigo, and Jose W. Diokno, as well as print and broadcast journalist Maximo Soliven, were detained in the classier Fort Bonifacio rather than at Camp Crame. Even among political prisoners, she quipped, there was still a class structure.

Yorac spent most of her time at the camp reading. The military, though, made an attempt to censor books being brought in; reading material that contained the word *revolution* was automatically banned. Apparently, the military had never heard of Bertrand Russell, and so Yorac continued to have access to his books. Twice she was questioned about her beliefs and twice she deliberately told them she liked Jean-Paul Sartre, a reply that puzzled her interrogators who had never heard of the existentialist French philosopher.

Yorac found her situation at Camp Crame amusing at first, but as the weeks wore on, uncertainty began to set in. But she was never actually afraid. She was aware of the danger that detention entailed and of the military's efforts to manipulate detainees and control their minds. She recounted: "All of a sudden, [the soldiers] would bring out a sheaf of newspapers and people would run [to get them]. Or else they would withhold your going to certain places inside the gym. It was conditioning. And then you noticed that there were people there who might be spies, because they would talk to you and they would come out with slogans about the Left and entice you to react. But I got wise to that. And I never reacted when they brought in newspapers. Everybody would run and grab newspapers. I would sit back and wait. I would watch people who would provoke others. It became a habit to watch out for people who were provocative. But always there was the uncertainty."

When she was finally released, Yorac was told that she still had to report regularly to Camp Crame. After this aggravation ended, she decided to return to the U.P. Martial law was still in force, and so it did not surprise her that the military continued to pick up people at the university for questioning and possible detention. In addition to her teaching assignments, she was recruited by former senator Diokno to work with him at his Free Legal Assistance Group (FLAG), which had its hands full, coping with complaints of human rights violations by the military. Going back to work and reestablishing a daily routine took some adjustment for Yorac because at Camp Crame there had been no fixed time for anything.

At the U.P. College of Law, which had always been a conservative institution, Yorac began to notice subtle changes. While more courageous professors dared to discuss the legal ramifications of martial law, going as far as to state that it was no law at all, others who in the past had been steadfast in their positions on constitutional processes and human rights were now more cautious. There were others, Yorac observed, who supported martial law from the start because they were angling for choice positions in government. It became clear to her that the College of Law, which counted Ferdinand Marcos as a distinguished alumnus, had tacitly accepted martial law. Yorac herself continued to be as professional as she had been before the institution of martial law. She did not discuss politics inside her classroom.

In 1978, Yorac received an invitation from the U.S. State Department to attend a human rights conference in Washington, D.C. After the conference, she visited Yale University and

there met Professor Myres McDougal, a great admirer of Filipinos. He counted among his Filipino students two distinguished former senators, Jose Diokno and Jovito Salonga. He advised Yorac against returning to her country; he told her she would be much safer in the United States.

Yorac returned to the Philippines nevertheless, but two years later, feeling hopeless about the political situation and finding the underground movement a tempting alternative, she wrote Professor W. Michael Reisman at Yale. He wrote back with an offer of a scholarship, which she gladly accepted. She wanted to work for a master's degree in international law, with a minor in anthropology.

Yale was an exciting experience. Reisman, McDougal, and other eminent professors impressed her immensely. In contrast to law school in the Philippines, where one could get by simply by being clever—"and I was clever"—at Yale "there was this sense of discipline, this sense of rigor in the thinking." It was a heady time for her, both intellectually and aesthetically. She enjoyed listening to talks—about freedom, for example—and she indulged a love for film that she had first developed while growing up in Saravia.

Living and working in the United States was never an option for her, Yorac said. Upon coming home, she resumed her commitments to FLAG. The FLAG lawyers at U.P. came from different schools of thought but were united in their staunch defense of human rights. Yorac's own policy was never to let anyone speak for her or convince her to get involved in political acts. FLAG was a national organization and Yorac was in charge of cases in Metro Manila, or those from the provinces that had been elevated to the Supreme Court. Although she had made few court appearances prior to joining FLAG, she now found herself able to stand up to pro-Marcos judges or to argue with even the toughest of government lawyers and so-called Marcos cronies. Not even the reputedly brilliant solicitor general Estelito Mendoza could intimidate her.

One instance, in particular, showed Yorac's mettle. The case involved an eighty-seven-year-old retired associate justice of the Supreme Court, the widely respected Jose B. L. Reyes, and some other elderly citizens who wanted to demonstrate in front of the U.S. Embassy against the presence of military bases in the Philippines. The mayor of Manila, Ramon Bagatsing, had refused to grant them the requisite permit to demonstrate. Yorac realized that a victory in this case, at the highest court, would set a precedent for freedom of expression. Appearing at the Supreme Court on behalf of Reyes and the others, Yorac invoked an earlier court decision involving demonstrations that seemed to uphold the mayor's position. She then told the Supreme Court, "Whatever may be the facts in that particular case, the facts of this case are entirely different. [In that case] there may have been danger that could have justified them to direct the demonstration elsewhere. But there's no danger here at all. Look at our front-runners: J. B. L. Reyes, who is eighty-seven years old, and all sorts of people in their eighties who just wanted to walk!" She added, "Not only is there no clear and present danger here, in this case there is no danger at all! Are you saying that J. B. L. Reyes is going to destroy property and use violence against people as he walks back and forth in front of the Embassy?"

The Court maintained that some property could still be destroyed in the course of the demonstration. Yorac insisted there was no danger at all and proceeded to rattle off a list of the demonstrators. Finally, she pointed out, "You cannot ask me about hypotheticals when I am talking about an actual case!" She won her case and, that same afternoon, received the court order directing the mayor of Manila to grant Reyes's group a permit to demonstrate outside the U.S. Embassy. That decision was entered in the Supreme Court Reports Annotated as a case in which the petitioner was represented by Professor Haydee Yorac, assisted by Senator Jose W. Diokno.

Yorac's work with FLAG gave her immense satisfaction. It made her feel she was making a difference, even if only in a small way. By repeatedly going to court to invoke the writ of habeas corpus on behalf of the families of political prisoners, she saved numerous detainees from torture and death, though not necessarily from prison. She made enemies, of course, and continued to be the object of surveillance by the military. Strange-looking men would appear in front of the house she was renting and warn her, "*Isang bala ka lang!*" ("We can take you with just one bullet!")

After the assassination of Benigno "Ninoy" Aquino Jr. on August 21, 1983, Yorac came to be identified with the political opposition and was a familiar front-liner at its street protests. In November 1985, when Marcos made a surprise announcement of a snap election to be held the following February and the political opposition fielded Corazon "Cory" Aquino, Ninoy's widow, to run against him, Yorac was quick to throw her support behind her. And when Marcos partisans taunted Cory Aquino that she was only a woman, Yorac silenced them with two words: "Shove it." The heated aftermath of the snap election saw a swift turn of events leading to the peaceful People Power Revolt from February 22 to 25, the hurried flight of Marcos and his family to Guam, and Cory Aquino's assumption of the presidency. Yorac was hardly surprised when the Marcos regime fell.

To her colleagues, it came as no surprise that Yorac would accept the new government's invitation to serve. In May 1986, just three months after Cory Aquino became president, Yorac joined two Filipinos she greatly admired and respected, Jose W. Diokno and J. B. L. Reyes, in the newly formed Presidential Committee on Human Rights. "I had some kind of missionary zeal because of the new government," she said in an interview. "Here was a chance to change the culture in government under a new administration." The committee's task was to investigate alleged violators of human rights during the past administration and to recommend sanctions for them. One of the most sensational cases she investigated involved a notorious former colonel of the Philippine Constabulary and governor of the northern province of Cagayan, Rodolfo Aguinaldo.

Yorac's stint on the Presidential Committee on Human Rights, however, was short-lived. Three months later, she was appointed to the Commission on Elections (Comelec), a constitutional body whose credibility had been shattered by its leaders' alleged connivance in Marcos's spurious electoral victories. Yorac was determined to confront her new office's credibility problem head on. The first test for the new team at the Comelec came in February 1987, with the plebiscite on President Aquino's newly drafted Constitution. Yorac's first assignment was to coordinate with the Department of Education, Culture, and Sports and to oversee the plebiscite in her home region of Western Visayas. Shortly afterward, however, she was assigned to oversee elections in Mindanao, where the highest number of electoral violations had been recorded.

Feudalism had become entrenched during martial law, and many provincial warlords dominated their bailiwicks. For example, in Lanao del Norte, a predominantly Muslim province in Mindanao controlled by a Marcos crony and warlord named Ali Dimaporo, the number of registered voters exceeded the total population. At the core of the problem in Mindanao in previous elections was that courts did not function and that criminal cases, among them those involving electoral violations, did not impress anyone—least of all the criminals. The issuance of a subpoena was an exercise in futility, since the document would be swiftly returned to the court along with a bullet. It was just as useless to regulate loose firearms, or to tell people not to resort to intimidation and violence. Nor did it help that many judges, such as those in the remote

province of Sulu, refused to go to the local municipalities and, instead, preferred to stay in the provincial capitals.

Yorac proposed an unorthodox solution that, by her own admission, was almost illegal. Comelec drew up a resolution saying that candidates found to possess guns would be immediately disqualified and that they would be answerable for the actions of their followers, which could also lead to immediate disqualification. To the surprise of many, Yorac's novel idea worked. Apparently, the threat of disqualification from public office packed more wallop than the prospect of facing criminal charges.

During the plebiscite, and in all succeeding elections under her watch, Yorac faced down warlords and their goons not only in Mindanao but in other so-called hotspots throughout the country. She brooked no nonsense from anyone and insisted that rules be strictly enforced without exception. Hardly anyone dared to challenge her. Sulu, traditionally a hotbed during election season, suddenly became "boring" to the media. Even Lanao del Norte was peaceful, despite threats from Ali Dimaporo. Soldiers and the police force patrolled election precincts armed not with weapons but with cameras, just to prove that the elections were indeed peaceful.

What Yorac realized was that there could never be truly clean elections, but one still had to try. For example, in Metro Manila, she knew that politicians bought up all available residence certificates, or *cedulas*, which voters usually presented at precincts for identification purposes. Politicians would distribute the *cedulas* to their supporters and thus amass votes illegally. Yorac therefore rejected the use of *cedulas* as identification and, for good measure, also banned easily obtainable membership cards issued by the Government Service Insurance System and the Social Security System. More reliable alternative means of identification, such as passports and birth certificates, were used instead.

Toward the end of her tenure at the Comelec, Yorac found time to work for Cory Aquino's successor, Fidel V. Ramos, as head of the National Unification Commission, whose mandate was to create a framework for lasting peace in the Philippines. This meant that peace talks would have to be conducted with the military rebels, the leaders of the communists' National Democratic Front and its splinter groups, the Moro National Liberation Front, and the Moro Islamic Liberation Front. When dealing with military rebels, there could be no application of the full force of the law without risking a bloodbath. But aside from the communists and the insurgent Muslims, Yorac knew that there existed an even deeper problem, and that was warlordism. True, she had already dealt with warlords as a Comelec commissioner, but now the scope was larger, and the roots of the problem deeper.

A just and lasting peace meant changing fundamental institutions, not just conducting talks across a table. It was essential to understand what caused people to take up arms against the government in the first place. For example, legal institutions would never be efficient in any local area so long as warlords interfered with their operations. By their very nature, warlords were antidemocratic, and political will was necessary to stamp them out once and for all. All past attempts to eliminate warlordism had failed because government policy against it was haphazard, if not half-hearted. The warlords' power could be broken up only if the base of their operations was attacked, and their guns and other arms were confiscated. The more critical factor in ending warlordism, however, was ending the support that ordinary Filipinos still gave warlords in their midst, albeit sometimes reluctantly, particularly in remote areas.

From Aparri in the north to Jolo in the south, the people's common complaint was poverty and the lack of economic resources for a stable and secure livelihood. Yorac correctly observed that rhetoric would not go far unless backed by action. Like many of his predecessors, President

Ramos declared “total war on poverty” or some such variation but did not do enough to change the socioeconomic landscape for the better. Deeply frustrated, Yorac said, “Many of the country’s leaders find the prevailing situation to their advantage, so they have an interest in perpetuating many of the things that we complain about—while being verbally against them, at the same time being actually supportive of them.”

With the completion of her work at the NUC, and with her term at the Comelec also finally over, Yorac decided to take some time off for herself. She returned to North America, visited Harvard and Yale, Chicago and Vancouver (where most of her family now lived), and then moved on to Europe.

Upon her return, Yorac accepted an offer to be a partner at the Azcuna, Sarmiento and Chua law firm. It was her first chance at private practice, and a most welcome change, not only because she no longer had to answer to government officials, but because she was finally out of the limelight. She now had time for many of the things she enjoyed but had had little time for—books, plays, concerts, her pet dogs—and, she had to admit as well, she was making more money than at any other time in her life. Yorac was unapologetic about opting for private practice and wanting to earn well. At the same time, she made sure the public knew that she was not about to compromise her principles. She said, “Private interests need to be protected, too. But there are certain limits to which you go for the purpose. Some lawyers go all the way, including the illegal, to defend private interests. I would never do that. I make that clear to everybody, to all my clients. I will never approach a judge, or approach the administrative bodies. I will appeal, I will do my best to protect your rights. But that’s it. If you don’t like that, then you can forget it.”

But Yorac was not to be out of the limelight for very long. In the run-up to the 1998 presidential election, she was asked by one of the aspirants, Senator Raul Roco, to be his running mate. She quickly turned down the offer, knowing that they had no chance of winning. Instead, she accepted an invitation from another presidential candidate, former defense secretary and Armed Forces chief of staff Renato de Villa, and his running mate, Oscar Orbos, to be one of their candidates for senator. Despite running on a platform of women’s rights, support for the peace process, and a crusade against graft and corruption, Yorac lost. But she did not lag too far behind the twelve winners, not a poor showing for someone who had no party of her own and who had steadfastly refused to make a fool of herself by singing and dancing onstage like most other candidates.

Joseph Ejercito Estrada won the presidency in 1998, and he was quick to tap Yorac for her skills as well as for the integrity and credibility that she would bring into his administration. She was in the United States when Executive Secretary Ronaldo Zamora announced to the media that she had agreed to head the National Anti-Corruption Commission. Zamora also claimed that she was studying at Harvard on government expense. It was an incensed Yorac who returned to Manila and immediately denied Zamora’s statements. For one thing, she had not been at Harvard, she said, she had been at Yale (and also visiting on the West Coast). For another, she said, the position offered to her by the new government was a toothless façade.

Unperturbed, the new president then offered Yorac another job, this time as head of the National Peace Forum (NPF), to revive the flagging negotiations with the left-wing National Democratic Front. This she could not turn down, but she insisted that she come in only as a part-time adviser. Her stint with the NPF was cut short, however, when President Estrada was accused of plunder and his impeachment trial began. Yorac quit the NPF and called on her former boss to resign. Like many anti-Estrada Filipinos, she participated in the protest rallies and marches that culminated in the second People Power Revolt in January 2001.

Shortly after Vice President Gloria Macapagal Arroyo assumed the presidency, she offered Yorac the chairmanship of the Presidential Commission on Good Government (PCGG), the fifteen-year-old agency that was tasked to recover the ill-gotten properties of the Marcoses and their cronies. Yorac was initially leery of going into the PCGG. She had yet to complete her volunteer work in the local elections in May as head of the Parish Pastoral Council for Responsible Voting. More than that, the cases against the Marcoses and their cronies had been filed in the courts, so what would her role be exactly? Only a personal invitation from President Arroyo convinced her to take the job.

In the *Philippine Law Journal*, Yorac's former student and PCGG commissioner, Vyva Victoria M. Aguirre, wrote that Yorac took the PCGG job "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." But what Yorac found at the PCGG was far worse than she had initially imagined. First, she found out that her powers were not as extensive as she had hoped. Not wanting to work with political appointees of dubious competence and commitment, she threatened to resign unless she was given unquestioned authority. The President backed down and Yorac had her way.

Assured of a free hand, she proceeded to do some housecleaning. In Ramos's time, relations between the PCGG and the solicitor general had been increasingly strained. By the time of the Estrada administration, there was no longer a relationship to speak of. As a result, cases had been stalled and records misplaced. Yorac's PCGG would have to start from scratch. To prepare herself for her new assignment, Yorac set out to read all the past reports on the different cases. Simply finding them was a major challenge. Some were misfiled in the commission's disorganized library. Others were with the director for research, but there was no master list and only he knew which documents were with him and which were not. Still others were traced to the office of the uncooperative solicitor general or to the homes of former commissioners.

Yorac also wanted to form her own team. When she came on board, the PCGG had only fourteen lawyers of doubtful competence handling billion-peso litigations and going toe-to-toe against Marcos's own lawyers. Among the latter was her old nemesis, Estelito Mendoza, solicitor general during the Marcos regime, and other high-powered lawyers from some of the biggest firms in the country. Were this situation to continue, Yorac thought, there was no way the Philippine government would be able to recover the ill-gotten wealth. Yorac, therefore, found it necessary to infuse young, idealistic blood into the commission. She tracked down many of her former U.P. students and invited them to work for her. None turned her down. Perhaps conscious of their chance to make history, they all forsook their jobs, even at prestigious law offices, for a chance to work with a beloved ex-professor for a pittance. Eventually, she had a stable of forty young lawyers, and since the new solicitor general, Simeon Marcelo, had also been her student, the PCGG was guaranteed a harmonious working arrangement with his office.

Within the walls of the PCGG itself, Yorac reorganized everything. For a while, she forbade anyone from bringing home any important papers. Everything was computerized and two extra copies of all documents were made in case of fire or theft. One set was stored at the U.P. College of Law, the other in a bank safe-deposit box. Finally, Yorac felt ready to go to war. The PCGG had been laboring for fifteen years. Now, in a period of two years, she would return more money to the Philippines than all of her predecessors combined.

Being a friend of the Marcoses, President Estrada had cut the PCGG's budget in half. Prior to his removal from office, Estrada had considered abolishing the commission altogether. He had also ordered the Sandiganbayan, the special court that has jurisdiction over cases of graft and

corruption and other crimes filed against public officials and employees, to withdraw the cases filed against one of Marcos's wealthiest and most powerful cronies, Eduardo Cojuangco Jr., chair of the beer and food conglomerate San Miguel Corporation. Three more months of an Estrada administration would have left Cojuangco in the clear. Yorac made sure the cases against him remained active.

At the same time, she had to undo the delays, if not outright sabotage, caused by previous commissioners. Some of them had gone to the extent of claiming sequestered properties as their own. Others had been supporters or sympathizers of the very people they were mandated to pursue. Yorac took the offensive, waging a media campaign to drum up public support for the PCGG and reminding the courts to be prudent in deciding the cases before them. Meanwhile, the commissioners prepared lists of all the cases that had been filed and checked their status in the courts (where many seem to have been forgotten). They then monitored the cases and provided additional evidence to speed up the judges' decisions. Yorac personally approached the Supreme Court to revive many criminal cases that had been dismissed by a controversial former ombudsman.

As her primary target, Yorac focused her attention on the recovery of ill-gotten wealth stashed away in secret bank accounts in Switzerland. A division of the Sandiganbayan had already issued a decision requiring the Marcoses to forfeit some of the money, but the Marcos family had filed a motion for reconsideration. The Sandiganbayan sat on the motion for sixteen months and then issued a decision favoring the Marcoses, based on narrow technical grounds that had not been raised in the original decision. Outraged, Yorac, as PCGG chair, went straight to the Supreme Court and asked for a reversal. In July 2003, the Supreme Court ruled in favor of the PCGG and, in January of the following year, the decision became final—the government recovered the money. Of the approximately U.S.\$700 million that had been kept in an escrow account prior to the final decision, about U.S.\$500 million was earmarked for the Comprehensive Agrarian Reform Program, with the balance of U.S.\$200 million set aside for human rights victims of the Marcos regime. Under international law, it is the responsibility of the State to compensate such individuals, regardless of who the perpetrators were. Unfortunately, in the Philippines, the money cannot be released without accompanying legislation, which is still forthcoming.

Recovering money from Eduardo Cojuangco Jr. was another formidable challenge for Yorac. The Sandiganbayan had again decided against the prosecution. During his rule, Marcos had channeled coconut levy funds to Cojuangco. Cojuangco used the money to buy the United Coconut Planters Bank (UCPB), which in turn purchased San Miguel shares for him. Yorac elevated the case to the Supreme Court and received a favorable judgment. The Court ruled that the funds were, in fact, public and not private.

Yorac said that the U.S.\$700 million her office recovered was small compared to the U.S.\$4 billion or so that she believed was still stashed away. In fact, the Filipino people will probably never know the exact amount of public funds plundered by the Marcoses and their cronies and how extensive was the network of nominees used to hide the money. According to Yorac, the Marcoses tried to reach a 75–25 compromise, but this arrangement was rejected by the Supreme Court. The Court, however, did countenance compromise deals with some former cronies.

Haydee Yorac continued to discharge her duties as PCGG chairperson despite suffering a stroke in January 2003 and a diagnosis of stage-three cancer. Work, she declared, had a healing effect. Her frail health made the Filipino nation even more appreciative and grateful for her dedication to public service. In her final decade, she received two honorary doctorates—one

from Xavier University and the other from Far Eastern University—as well as the Legion of Honor award from the French government in 1995 and the Philippines’ Medal of Merit in 1997. In 2003, the University of the Philippines recognized her as its Outstanding Alumna.

She missed teaching at the U.P., she once said. While being interrogated for the Comelec top position by the Commission on Appointments of the Philippine Congress, she told the legislators, “Up to this time, I still think that the word *professor* is the most honorable word in the world.”

When asked why she remained single her whole life, Yorac answered, “I have always supported myself, and always bought all the books and the clothes I wanted to buy. You don’t have to make so many adjustments about the way you live your life because there is another person’s interests to consider. You can travel, sit up late at night, and read books at four in the morning because there is no one who would be upset or inconvenienced because your habits are not set or regular. You are freer to do what you want.”

In fact, before her illness, Yorac was happy living with her youngest sister, Amelia, and her four dogs to keep her company. Her widowed mother and most of her siblings had migrated to the United States during the period of martial rule. Although they repeatedly asked her to join them, she was adamant about residing in the Philippines and remaining a Filipino citizen. When she became ill near the end of her life, her sister Margot, a nurse, returned to the Philippines to take care of her. “I feel like I should spend the rest of my life just watching the sunset and smelling the flowers and playing with my dogs,” Yorac said. She died on September 13, 2005, while undergoing treatment for cancer in Chicago; she was sixty-four.

Yorac’s approach to public service was simple. “Don’t compromise,” she said, “but don’t antagonize either. Cultivate good relations *but make the rules clear.*”

Although she was proud of her achievements, Haydee Yorac was not a conventional achiever. “Winning the Marcos case—now that was a great feeling,” she said. Yet, “it’s not the praise. It’s knowing that you’ve done something that makes a difference.”

Lorna Kalaw-Tirol

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