Angelina Sandoval-Gutierrez: A Great Mentor

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The Lady of Justice, with her scales and sword, is an image of strength and authority. In all her appearances, she stands tall and mystical, eternally hovering over her mortal audience. Her face is expressionless as if no emotion has touched it. But all these form part only of her façade, for above everything else, she is a woman – an embodiment of generosity, motherly devotions, warmth, and compassion.

Like the Lady of Justice, my boss, Justice Angelina Sandoval-Gutierrez, is an image of strength and authority. This image emanates from her qualities of courage and independence of mind. A true-blue Batangueña, she has made herself an icon of these virtues. Indeed, one cannot read her decisions and opinions without seeing them in every page. Neither can one listen to her questions during oral arguments without sensing them.

Of all her works, she will be best remembered for her important contributions in the three “state of rebellion” cases. Four months after her assumption to office as Associate Justice, the Court decided Lacson vs. Perez. In a strongly-worded dissent, she valiantly stated that President Gloria Macapagal-Arroyo committed a “constitutional short cut” when she declared a “state of rebellion.” She then warned:

In a society which adheres to the Rule of Law, resort to extra-constitutional measures is unnecessary where the law has provided everything for any emergency or contingency. For even if it may be proven beneficial for a time, the

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1Written by Judge Emily L. San Gaspar-Gito, Metropolitan Trial Court, Branch 20, Manila who served as Court Attorney VI in the Office of Justice Gutierrez from 2001 to 2008, on the occasion of her retirement from the Supreme Court.
precedent it sets is pernicious as the law may, in a little while, be disregarded again on the same pretext but for evil purposes. Even in time of emergency, government action may vary in breadth and intensity from more normal times, yet it need not be less constitutional.

This was a big surprise from someone who was then still “new” in the Court. Justice Cecilia Muñoz-Palma (ret.), a lady magistrate well remembered for “judicial courage” during the martial law regime, took notice. She congratulated Justice Gutierrez for the “brilliant dissenting opinion,” saying it inspires her “with the hope that in times of national crisis, there will be voices in the Supreme Court which will uphold, without fear or favor, the principle of due process; the individual’s right to life, liberty and property under the Rule of Law.” The accolade she received from the public was tremendous. However, it proved to be an uphill battle for her dissenting opinion to be heard and accepted by the philosophically-diverse group of magistrates. Hence, in Sanlakas vs. Reyes,¹ she remained a dissenter. Finally, in David vs. Arroyo,² she wrote the majority opinion declaring substantial portions of Presidential Proclamation No. 1017 unconstitutional. Justice Isagani Cruz (ret.), an eminent Constitutionalist, gave the Court for the first time the highest mark of distinction, summa cum laude, for this decision.

A snapshot or two at her term of office shows decisions carrying her mark of courage and independence of mind. In Philcomsat Holdings Corporation, et. al. vs. Gordon,³ she declares as unconstitutional a provision of an executive order granting PCGG members the right to decline an invitation to testify or produce evidence in any judicial, legislative, or administrative proceeding on the ground of public accountability. And in Republic vs. Lim,⁴ she sets forth the precedent that “in cases where the government failed to pay just compensation within five (5) years from finality of judgment in the expropriation proceedings, the owners concerned shall have the right to recover possession of their property.” In both cases, she showed her abounding

³G.R. No. 174177, October 17, 2006.
⁴G.R. No. 161656, June 29, 2005.
commitment to the welfare of the Filipino people. The fact that she had to rule against the government did not deter her from doing so. Such is courage at its finest. The same mark can be found in her many opinions, among them, *Lambino vs. Comelec*, Abakada Guro Party List vs. Ermita, Tecson vs. Comelec and Information Technology Foundation of the Philippines vs. Comelec. Her opinions carry with them the impulse of vigilance that came from her deep respect for the Constitution. They proved to be vital instruments either in winning the votes or in casting doubts on the merits of the prevailing opinion.

It is often that during oral arguments Justice Gutierrez’s questions and comments find their way in the headlines of prominent newspapers. She has a way of creating a stir with her straightforward and common-sense approach to issues. One time, when a party argued that the proposal for people’s initiative is the voice of the people and therefore the voice of God, Justice Gutierrez bluntly said, “Yes, the voice of the people is the voice of God. But under the circumstances of this case, the voice of God is not audible.” At another time, when a Summit on extra-judicial killings and enforced disappearances was held, the group she led adopted a resolution urging President Arroyo to “stop the extrajudicial killings and enforced disappearances.” Certainly, these words could only come from a magistrate made of sterner stuff.

No wonder Chief Justice Hilario G. Davide, Jr. (ret.) described her as one who truly carries the “barako spirit” that made her province mates Mabini, Malvar, and Laurel national heroes; and Justice Vitug depicted her as “the fiery magistrate of all who has a knack for seeing, and getting at the bottom of things and whose straightforward questions in Court hearings can put the best lawyers in their proper places.”

This tribute would not be complete without mentioning her nonjudicial personae. Like the Lady of Justice, behind her façade of strength and authority is a woman with laudable attributes.

One of the most outstanding qualities of Justice Gutierrez is her generosity. It is said that every person is a steward of the 3 Ts—time, talent and treasure. As such, he or she must share them to make a

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7G.R. No. 174153, October 25, 2006.
8G.R. No. 168056, September 1, 2005.
difference in other people's lives. While it is easier for a Justice of the Court to be generous with his or her treasure, it is not so much with his or her time and talent. Being saddled with so many cases, it takes a lot of effort to be so. Surprisingly, Justice Gutierrez is generous with all these.

Time

Despite the heavy demands of her work, Justice Gutierrez takes time to be with us, her Staff. She organizes parties and outings every year, sometimes, even inviting our families. These strengthen our personal relationship with her. On my part, I was lucky to enjoy her presence in my wedding and in my son's baptism. A very gracious guest, she does not depart from any gathering without leaving something. More than the costly gifts, I will always carry in my heart her advice during my wedding that "marriage is the most difficult relationship because it is where two diverse and different personalities clash, thus, adjustment is forever until you grow old"; and her wish to my son that he "may become a magistrate of the Supreme Court someday." A precious memento I will always hold dear is a picture of her carrying my son. It never fails to heighten my sense of pride and optimism for the future of my son.

Significantly, her presence may be expected not only in good times but also in bad. She is there for us for better or for worse, so to speak. Perhaps, an incident of her generosity that I will never forget for the rest of my life is her presence in my mother's wake. he took the long journey to my hometown to sympathize with me in my hour of bereavement. I would not have felt bad if she did not come, but she gave me time and that was far more than I expected. Such kind of personal involvement with her employees' lives truly sets her apart as a boss.

Interestingly, Justice Gutierrez hardly refuses invitations, whether professional or personal. There is no such thing as big or small event for her. She said courtesy demands that we accept invitations. Thus, one time, when we failed to attend a wedding where all of us in the office were invited, she gave us a lecture on courtesy. It was a lesson I will surely carry for the rest of my life. I just hope that I will have the same oozing energy that she has.
Talent

Justice Gutierrez is a woman of many talents. She is a good pianist, at the same time a good dancer. She gladly performs before the Court whenever requested. She even played the grand piano in the august hall of the U.S. Supreme Court. It happened that Chief Justice Artemio V. Panganiban (ret.) represented her to be a good pianist, thus, she gamely played to the delight of Justice Sandra Day O’Connor (ret.) and other U.S. Supreme Court Justices. I am sure she will always remember this incident with fondness and pride. But generous as she is with her talents, she expects the same generosity from us. She encourages us to develop our artistic sides. Emceeing has become my second “profession” because of her constant prodding everytime there was a party in the office. As to my officemates, they either became instant divas or tenors or dancers. In other words, everyone had to be ready with a number. Our only consolation for our awkward performances was that we got a very appreciative audience in her person. She was pleased every time we danced to the music of Spaghetti, Chocolate, Boom Tarat Tarat, Pinoy Ako, and the latest craze, Papaya. There were times when we were lucky, she would even join us. Now, that is a revelation! As a matter of fact, our parties never end without her favorite dance, the L.A. walk.

More than her talents though, I value Justice Gutierrez for her brilliance in law. She is an open-minded boss, and gives encouraging comments and suggestions. But never argue with her on a matter of procedure and criminal law. She has the Revised Penal Code and the Rules of Court on her fingertips. She derived mastery of these through her long years as trial judge.

Treasure

Justice Gutierrez’s generosity manifests a lot in her thoughtfulness. Every birthday and Christmas means a gift from her. She never missed on this since I joined her office. A practice I have grown accustomed to was her distribution of Batangas delicacies on every Monday after she spent the weekend in her hometown. But the ultimate example of her generosity is her sensitivity to the situation of her employees. I heard stories of how she helped some of my fellow employees cope with their
financial problems. She would never talk about these circumstances but her grateful employees could not simply contain her goodness to themselves.

Another quality of Justice Gutierrez is her love of family. I got the chance to join her on a trip from Baguio to Manila during one of those Summer Sessions. At the end of the trip, I realized how happy and proud she is of her children. But who would not be? Her children are all accomplished lawyers. Aileen is a graduate of San Beda College and currently a Senior State Prosecutor in the Department of Justice. Francis is a graduate of the American University, George Washington College of Law. He is now an Attorney Advisor in the Policy Division of the Federal Communications Commission. And James, the youngest, is a graduate of Boston University. He is an Associate Attorney in one of the finest law offices in New York City.

In her stories, I could see that her children are all intelligent. They received honors here as well as in America. A point where I noticed a certain wistfulness in her voice was when she told me how her two boys, Francis and James, took a liking of America at their very young age. She surmised that her sons would not have been away from her, if she did not show them America at that time. There, I saw a mother’s sadness for being away from her sons. But she was fast to admit that her sons are better off because of their choice. This shows how Justice Gutierrez could sacrifice her own happiness and convenience for the sake of her children.

There are a lot more qualities I can attribute to Justice Gutierrez but the pages of the Benchmark would not be enough to contain them. Let me just add that she is a very warm person. She is particularly accommodating with her kababayan. I remember an incident when some of them came to the office to request a donation for the construction of a chapel in their hometown. Justice Gutierrez was then in a meeting so they waited for hours. Upon her arrival, her immediate inquiry was whether they were provided merienda and coffee. When the reply was in the negative, she reminded my officemate charged with receiving guests to be hospitable with these people because they traveled far just to meet her.

As she retires this February 27, I am sure I am not alone in feeling the loss of an anchor. She has been our torch, our teacher. She has shown us how one person can make a difference. Her retirement is a
great loss not only to us, but also to this Court and to our country. I must say her retirement is doubly painful for us, for we have seen, not only her façade, but all the beautiful qualities behind it. All should be inspired, as I have been, by the good, meaningful, and value-filled life that she lived and continues to live. Those of us who are fortunate to have served her will forever look up to her as a GREAT MENTOR, and we shall live our lives as her lasting legacies.