

MIRIAM DEFENSOR SANTIAGO

MIRIAM DEFENSOR SANTIAGO learned to take charge early in life. As a precocious child and the eldest of seven, she was running the household well before she was out of grade school. Her mother was a career woman who eschewed housework, so responsibility for the daily marketing, for supervising the family's untrained village maids, and for organizing her younger brothers and sisters to do their chores devolved upon her. She also saw to it that the Defensor brood arrived promptly and well-scrubbed for weekly catechism classes and Catholic mass. Discipline was her mother's watchword, and young MIRIAM came to accept her authoritarian, achievement-oriented environment as "the natural working of the universe."

In the central Visayan port city of Iloilo, where MIRIAM was born on 15 June 1945, the Defensor family enjoyed high status but little wealth. Her father, Benjamin Defensor, was a lawyer and trial judge; her mother, Dimpna Palma, was a locally prominent educator. They circulated socially among Iloilo's elite, but the family budget had to be managed carefully to make ends meet, and, until MIRIAM was nine years old, the family occupied a modest house with a *nipa* (palm frond) roof. MIRIAM's playmates were equally poor; together they fashioned homemade toys from sardine cans and bottle caps and played happily in the sand. "We enjoyed the luxury of filth," MIRIAM says looking back.

MIRIAM DEFENSOR was enrolled in the kindergarten of Lincoln School, later called Lincoln College, the private school where her mother was dean. She quickly demonstrated her insistence on fair play. When her kindergarten teacher's niece teased her one day by repeatedly erasing her work from the blackboard, MIRIAM lost patience, grabbed the girl's hair, and wrestled her to the floor. "My teacher never forgave me," she says, explaining why she graduated only sixth in her kindergarten class—one of the few times in her school career when she was not first.

MIRIAM continued in Lincoln until her mother quarreled with the school president and resigned. At grade five, therefore, MIRIAM entered La Paz Public Elementary School. There she took her turn

minding the canteen at recess time. Students who did so were permitted to select one food item in lieu of pay; this delighted MIRIAM, who had no money to buy school snacks. As her reward she always chose banana cake, “because for me,” she says, “it was the height of luxury.”

DEFENSOR was a voracious reader and, unable to afford books of her own, became a frequent patron of the United States Information Service (USIS) library in downtown Iloilo. Her deepest childhood anxiety, she says, was that “the world’s book supply would run out and I would, in my middle age, have nothing left to read.”

She also excelled at writing and, in the fifth and sixth grades, was student editor of the elementary school newspaper. When she entered Iloilo National High in 1957, she immediately bested all others in the examination to be editor of its paper, *The Ilonggo*. She held this post for all four high school years. The literary pages were also filled with her work, and as a freshman she won a school-wide spelling contest.

DEFENSOR’s precocious talents made her an instant high school celebrity. This was probably a good thing, she thinks, since it permitted her to stand out without arousing the jealousy of her friends—“it habituated them to the things I would do later.” The latter included graduating as valedictorian and receiving the All-Around-Girl Award.

Her mother had long since instilled in MIRIAM a drive to fill every moment with worthy activity. This drive propelled her into a life of super-achievement. But alongside her brilliance in school, and her diligent management of household and siblings, MIRIAM DEFENSOR began to develop a deep spiritual life. This she did quite on her own, since neither parent was devout, and her father had virtually abandoned the Roman Catholic Church in anger over the high-handed behavior of some Spanish priests.

At Lincoln MIRIAM had been inspired by the serene voices and ethereal personalities of the teaching nuns. For a while she yearned to be one herself, but she remembers her father telling her, “you wouldn’t be serving God very much that way.” She abandoned the idea but in high school began a lifelong habit of going to mass daily; she had, as she says, “the gift of faith.”

In 1961, at age sixteen, DEFENSOR entered the University of the Philippines, Iloilo campus (UP Visayas). Here she began to prepare for the study of law, since her father had advised her that she would never be able to support herself with literary pursuits. Political science, the usual pre-law curriculum, was “embarrassingly easy,” she found. She speeded through the four-year curriculum in three-

and-a-half years so that she could devote her final semester to her love, literature.

As a college student, DEFENSOR studied so efficiently that she had plenty of time left for other activities. From her freshman year onward she edited the college monthly magazine. She also competed in debating and, in summers, took outside courses in journalism and stenography. Having decided that she could write better stories than the ones she was reading, she proceeded to do so and began selling them to national magazines. In everything, she was brilliantly successful. She won award after award. For example, in 1963 she won first prize in the university competitions in oratory, poetry, short stories, and essays. All the while she maintained excellent grades, so that when she graduated in 1965 she did so magna cum laude.

Early in her college career DEFENSOR had undergone a prolonged, debilitating illness. From a stubborn case of amoebic dysentery, she slid into a serious bout of depression: "I felt that my physical energies were totally exhausted and that I had nothing left to give." Having been taught by her mother always to be doing something useful, she believed herself to be utterly worthless, and lay in bed for weeks on end and wept. She attributes her recovery to her maternal grandmother, who patiently and lovingly nursed her back from the depression. By the time she recovered MIRIAM had missed all but one month of the school semester and was still so weak that she had to write holding her pencil with both hands. With gritty determination she took her final examinations—and earned the highest average in the college.

After university graduation DEFENSOR went directly to the UP College of Law in Quezon City. In fact, she acknowledges, she studied law mainly "out of a sense of filial duty." At UP she found the law courses tedious, and she became scornful of the approach of most of the professors, who simply "spoon-fed" the students, pointing out necessary readings, probable issues, and correct responses.

This was a boon for DEFENSOR, however. Her superior memory made the courses relatively easy. Still, she studied industriously. While other students read their law books once or twice, she read hers five times. Even so, she recalls, "it didn't take that much intellectual energy." Once again she found lots of time for other things.

DEFENSOR was a sparkling success at UP, thereby breaking ground for other women students. She was the first female to win the Ferdinand Marcos Gold Trophy in debate and the first female editor-in-chief of UP's *Law Register*. In 1968 she became the first

female editor-in-chief of the hallowed and influential *Philippine Collegian* as well. She was chosen corps sponsor for UP's Reserve Officer Training Corps and, in both 1968 and 1969, won the prestigious Vinzons Achievement Award for leadership. She also managed to find time to write short stories for the nation's leading weeklies. The money she earned from writing supplemented her competition-won scholarships so that she was virtually self-supporting in law school. One journalist referred to her as, "Super Girl at the UP Campus."

The mid-to-late 1960s were days of great political ferment at UP. A campus leader of high profile, DEFENSOR nevertheless shunned the radicalism popular at the time in favor of the more moderate stance of the UP Student Catholic Action. "I never could really bring myself to hate the Americans as much as my rabid friends did," she says, attributing this to her childhood gratitude for the USIS library in her hometown. "The radical leftists always criticized me for being wishy-washy, but I just stood my ground." However, DEFENSOR did join in objecting to Philippine military participation in the war in Vietnam and, as editor of the *Philippine Collegian*, she exposed UP involvement with the Dow Chemical Company in Vietnam-related chemical weapons research. Based on purloined university documents given to her secretly "in the dead of night," her editorial, "Dow is Here," revealed that the company had leased research facilities at the UP College of Agriculture at Los Baños. The editorial was reprinted verbatim in a popular Manila daily. Embarrassed, UP President Carlos Romulo tried to persuade DEFENSOR to reveal her midnight source. She refused.

As an honor student at UP College of Law, DEFENSOR was courted by Manila's most prestigious law firm, the law office of Alexander Sycip. Sycip entertained her in his lavish home, but he warned her that in his office one often had to work all night and through the holidays. Far from being put off, DEFENSOR was impressed. But in the end she declined his offer. As the recipient of a largely state-funded education, DEFENSOR felt obligated to repay the public's investment, and "the best way I could do it," she says, "was to work in government."

As it happened, she had also been approached by Secretary of Justice Juan Ponce Enrile. Upon graduation in 1969, she became his special assistant. When Enrile moved to the Defense Department, DEFENSOR stayed on under the new secretary of justice, Vicente Abad Santos. Abad Santos had been dean of the College of Law at UP, although DEFENSOR had not known him there. For the next several years she would work in daily contact with Abad Santos, and he became her professional mentor.

MIRIAM met the man who would become her husband, Narciso Santiago, Jr., at law school but, as she says, law school was about all they had in common. She was from an established, but not well-off, family from the Visayas; he was the son of a newly rich family from Luzon. She was a diligent honor student who always sat in the front of the class; he was an indifferent student who sat in the back.

They met one day when DEFENSOR, arriving late to class because of a meeting with President Marcos, slipped quietly into the back of the room. There sat Narciso with his friends, gambling and rating the legs of their women classmates. "I was absolutely flabbergasted," she remarks, "because I always thought all students were like me, terrified of the professors . . . in his case, he was having a grand time." Their romance was a case of the attraction of the opposites. Although she had many other beaux, Santiago was especially ardent. After finishing law school MIRIAM agreed to marry him. On 14 June 1970 their wedding took place. Senator Benigno Aquino, Jr., a friend and provincemate of Narciso, was a sponsor.

"My husband had very fixed ideas about marriage," MIRIAM recalls. "He believed that a marriage must produce a child. So I accommodated him and my mother-in-law, who gave me a cash reward for my efforts." Their first child, a son, Narciso III, was born 13 April 1971. DEFENSOR SANTIAGO, who had added her husband's name to hers, took two months' maternity leave and then plunged back into her work at the Justice Department.

As special assistant to the secretary, DEFENSOR SANTIAGO now found herself very close to the center of her country's political life. Enconced in a little room beside the secretary's office, she was assigned to do everything his regular staff members could not do, or could not do quickly enough. She researched materials, drafted speeches and memoranda, and prepared him for television interviews. Moreover, she often drafted speeches on law and justice for President Marcos.

Abad Santos monitored her work closely and, in academic fashion, graded it, noting "good," "very good," or "excellent," as the case might be. From Abad Santos DEFENSOR SANTIAGO acquired her own, now famous, management style, which she candidly calls "headbashing." MIRIAM, herself, was spared Abad Santos's tantrums, however; in fact, he had the much appreciated habit of complimenting her in public.

DEFENSOR SANTIAGO was not content to meet the demands of a full-time job, marriage, and motherhood. (In one of her short stories written about this time, a young lawyer says of herself, "Adrenalin

runs in my veins.”) In 1971 MIRIAM accepted an evening teaching position at Trinity College in Quezon City and also began to write law articles and legal textbooks.

Her most sensitive assignment as special assistant to Enrile had been to prepare a confidential memorandum for President Marcos on the advisability of declaring martial law. Locked away in a room, she and three others pored over their law books. “Our conclusion,” she recalls, “was that the president was better advised not to avail [himself] of this drastic measure. We felt that the many crises that had surfaced at that time did not yet suffice to mandate such a dramatic action.”

Two years passed before Marcos decided that the time had come: he declared martial law on 21 September 1972. Congress was dissolved and many of the president’s political opponents were arrested. Abad Santos, who, like DEFENSOR SANTIAGO, was not personally in favor of the declaration, managed to resolve his doubts in favor of the president and cooperated. Following the lead of her mentor, MIRIAM “almost automatically adopted the same attitude.” Like many others at the time, she nourished the hope that the urgent problems of the day could better be solved “in one bold stroke.”

Marcos adopted a new constitution and declared it legal on the basis of a voice vote in villages around the country. DEFENSOR SANTIAGO’s book, *The 1973 Constitution*, was an analysis of the new constitution for students and lawyers. Bowing to the strict censorship of the times, she refrained from expressing her doubts about the legitimacy of the document in print. However, with her law students at UP—including, at one point, the president’s son—she held that the constitution had not been validly ratified. The Supreme Court justices who upheld the constitution, she said, “were suffering from a state of doctrinal confusion.” Despite such reservations, she carried on as special assistant to Abad Santos, who had become minister of justice in the martial law government.

By 1974 her Saturday morning writing had resulted in a scholarly study on “The Archipelago Concept in the Law of the Sea” and a textbook entitled *International Relations*. She was also writing regular columns for the *Philippine Daily Express* on the subject of feminism. At that time she believed “there was an authentic need for a women’s liberation movement,” since “women were generally oppressed by the social and cultural system. Now that I am older,” she says fifteen years later, “I don’t think it is relevant or that it is cost efficient . . . you alienate more people than you win over.”

In the fall of 1974, with the blessing of Abad Santos, DEFENSOR SANTIAGO took a leave of absence from the ministry to study at the University of Michigan in the United States. She and her husband and son moved to Ann Arbor where, as a Dewitt Fellow, she began work toward a master's degree. (Her desire to study abroad dated from her disappointment with the UP College of Law. At that time, she had wondered, "how could U.S. Supreme Court Justice Oliver Wendell Holmes have achieved such stature if he went to a law school like mine?")

At Michigan, DEFENSOR SANTIAGO enrolled under Professor William W. Bishop, a distinguished legal scholar of international law. Under his rigorous but kindly tutelage, she honed her analytical powers and, for the first time, enjoyed law as an intellectual discipline. "Michigan is where I really went to school," she says. "It was like graduating from a fishbowl into the ocean." Bishop encouraged her to work for a doctorate, which she achieved by disciplined study during the academic year 1975-76. Her thesis was published in 1977 as *Political Offenders in International Law*, followed over the next decade by seven other articles on major legal questions.

In Ann Arbor, DEFENSOR SANTIAGO and her family joined in the social life of the local Filipino community. For parties she cooked *rellenong bangus*, a stuffed fish dish requiring painstaking preparation. Normally, she recognized, someone in graduate school did not take the time to do that, but her perverse streak compelled her to prove she could.

The Santiagos returned to the Philippines in 1976 and MIRIAM joined Abad Santos at the Ministry of Justice. When he moved to the Supreme Court three years later, she stayed at the ministry but, on occasion, helped him draft decisions. But when later in 1979 she was offered the post of legal officer with the United Nations High Commission for Refugees (UNHCR) in Geneva, Switzerland, Abad Santos encouraged her to accept, and she did. Thus, with her son and "most competent maid," DEFENSOR SANTIAGO moved to Europe, while her husband—who was not permitted to work under Swiss law—remained in Manila. Her duties involved planning and attending conferences on refugee law and analyzing draft treaties affecting refugees. In 1980, however, her father developed terminal cancer and she returned to Manila to care for him; he died six months later. Nevertheless, she remained in Manila and became consultant to the UP Law Center. On 2 October 1981, her second child, Alexander, was born.

The young lawyer was then invited to become legal consultant at the Philippine Embassy in the United States, where President Marcos's

brother-in-law was ambassador: “that was an invitation I couldn’t refuse,” she notes. When she reported for work, however, she found she had little to do but attend cocktail parties.

On leave in Manila a few months later, ostensibly to arrange to move her children and husband to Washington, DEFENSOR SANTIAGO learned of an impending nationwide reorganization of the judiciary. She seized the opportunity to fulfill a deathbed pledge to her father—“that I would do my best to serve my country as a trial judge, as he had.” She sought an appointment as regional trial judge in Quezon City, the part of Metro Manila housing the legislature of the Philippines and many of the government offices.

This was considered a plum post. Appointments to trial judgeships anywhere in Metro Manila were generally awarded only to those who had served in the provinces for seven to ten years. In her case, she had not seen a courtroom in her entire adult life.

With characteristic forwardness, DEFENSOR SANTIAGO went directly to the chief justice of the Supreme Court, Enrique Fernando, who had once offered her a judgeship on Mindoro Island, and asked to be nominated for Quezon City. She requested Quezon City, she told him, so that she could continue teaching at the UP College of Law. (“Fernando was known to be very, very partisan in favor of UP.”) Her mentor (now Associate Justice) Abad Santos was also enlisted to support her candidacy. Leaving nothing to chance, she sought the help of Juan Tuvera, an old, personal friend, who was President Marcos’s executive assistant. It was Tuvera who approached Marcos with the appointment letter and who stood by and watched as the president signed it.

As a regional trial judge, DEFENSOR SANTIAGO heard major cases in criminal and civil law and handled special proceedings. In any given week, she might hear criminal cases ranging from bad checks through drug dealing, robbery, rape, and murder, and civil suits involving adoption, probate, or large claims between competing businessmen. The Philippine judicial system follows the European system in eschewing jury trials: the judge determines guilt or innocence and metes out sentences.

DEFENSOR SANTIAGO assumed her new post, determined to redeem the reputation of her country’s judiciary. Philippine judges were then widely perceived to be corrupt—a perception she believes to have been all too accurate. She was determined “to prove that a party could go before me and rest assured that I would decide the case on the merits, that I would never receive a bribe to decide a case.”

To emphasize this position, she established strict procedures limiting access to her chambers by litigants: “You can always tell me everything you want to tell me . . . in the courtroom when the other party is present,” she announced. Those who tried to bribe her, she threatened with citations for contempt of court. To make the point, she sent some immediately to jail, ordering them released, relieved but shaken, shortly thereafter. She admonished her staff against accepting or forwarding to her any gifts from interested parties. In a procedure manual she wrote, now used widely by other judges, she stated: “The first rule of this courtroom is no bribes, no extortion.” To a judge who sent her unsolicited advice about one of her cases, she replied through his messenger that, “if he wants to decide my case, then he should take steps to have the case transferred to him.” Rebuffing influences from all sides, DEFENSOR SANTIAGO eventually got her message across. After six months people stopped trying to influence her decisions.

DEFENSOR SANTIAGO’s most famous case pitted her stubborn independence against the government forces of Ferdinand Marcos. By presidential decree, criticizing the government in a public assembly was an offense punishable by death. And, as she points out, “an illegal public assembly was defined as a gathering of two or more people.”

Following the assassination of Benigno Aquino, Jr., in August 1983, rallies, demonstrations, and strikes against the Marcos government proliferated. The government made selective arrests. During a militant rally on the occasion of a jeepney driver’s strike in 1985, several speakers who criticized the government—and in particular the First Lady—were rounded up by the police and military. They were held under a Preventive Detention Action Order issued by the president himself. Those arrested included film director Lino Brocka.* When he and his companions requested release on bail, DEFENSOR SANTIAGO faced the question: “In a martial law situation, can a mere regional trial judge overrule the president of the republic?”

Judges in the past had prudently sustained such arrests and denied bail. DEFENSOR SANTIAGO now experienced indirect intimidation from military men and anonymous death threats. She knew that a decision against the president might place her in jeopardy of assassination (“at that time people had a mysterious habit of getting killed in vehicular accidents”) or of being detained herself. Having scrupulously examined the issues, however, the judge ordered Brocka and the others released.

*RMAF Awardee in Journalism, Literature, and Creative Communication Arts, 1985.

In the severely repressive climate of the times, her decision was sensational. Because of it, she became a hero to those opposing the Marcos regime, and she welcomed the publicity because "it represented an opportunity for me to demonstrate that the judicial system was working, that it was intellectually honest."

Aside from restoring integrity to the judiciary, DEFENSOR SANTIAGO was eager to restore efficiency. Among the problems she found was interminable delay. Delays occurred, in part, because there were too many litigious Filipinos. But aside from this, there was the habit of postponement of cases. Lawyers routinely appeared in court on their appointed days, only to request postponement, usually pleading "diarrhea" on the part of themselves, clients, or witnesses. (Lawyers were paid by clients whenever they appeared, even though the case was not brought to trial.) In many courtrooms this habit was so entrenched that the vast majority of cases scheduled to be heard on any given day would be postponed.

The young judge moved decisively to break this habit, refusing to grant postponements without real cause. In so doing, she says, "I created my own monster." The faster cases were tried, the sooner her decisions had to be rendered. She had to work doggedly to prevent a backlog and was under great personal stress. Nevertheless, she had a case disposal rate of fifty per month, one of the highest in Metro Manila. What is more, her meticulously constructed decisions were rarely appealed; three are pending before the Supreme Court. During this period, she received four major awards: Outstanding Woman in Iloilo in 1984, and in 1986 the National Police Commission Distinguished Achievement Award, the Lion's Club Award to Outstanding Women in the Nation's Service, and the prestigious Jaycee TOYM (Ten Outstanding Young Men) Award, opened to women the previous year.

As the crisis attending the later years of the Marcos regime deepened, DEFENSOR SANTIAGO carried on her personal battle for judicial integrity in her courtroom and addressed constitutional issues in her classrooms. But she adhered strictly to the prohibition barring judges from taking part in partisan political activities. Privately, she came to feel that the downfall and disgrace of Ferdinand Marcos was inevitable, but also rather sad. In her years in the Justice Department she had come to admire him as a truly gifted Filipino, "a man with the law at his fingertips . . . and a masterful politician."

By the time of the February Revolution of 1986, however, DEFENSOR SANTIAGO was seen as an exception in Marcos's corrupt government. She seemed to represent the spirit of integrity that many

Filipinos hoped to see restored under the new president, Corazon Aquino.

Although President Aquino's husband had been a sponsor at MIRIAM's wedding, the two women had never met. DEFENSOR SANTIAGO first came to the attention of Aquino as the judge who stood up to Marcos in the Lino Brocka trial. The president offered her several positions, but DEFENSOR SANTIAGO declined them all so that she could continue to work close to her home in Quezon City—she treasured having lunch with son Alexander—and to the UP campus where she was still teaching. Finally, faced with finding a new chief for the country's notoriously mismanaged Commission on Immigration and Deportation (CID), Aquino made a special appeal to DEFENSOR SANTIAGO to accept. MIRIAM likes to say that her first instinct was to say, "insanity does not run in my family!" But in a heart-to-heart talk with the president she relented, although not before expressing her preference for a Supreme Court justiceship. "I told her . . . if you think this is the best way for me to help you, so be it. It's my duty to accept." On 4 January 1988, "the fighting judge of Quezon City" took charge of the CID.

Under Philippine law, the CID has two broad responsibilities: (1) to admit, register, and monitor desirable aliens; and (2) to exclude or deport undesirable aliens. At the time DEFENSOR SANTIAGO assumed her post, the CID performed neither of these functions well. Its mandate to exclude and deport undesirable aliens was thoroughly undermined by corrupt practices in which CID employees themselves were deeply involved. These practices had made it possible for hundreds of thousands of undocumented aliens to enter and to remain in the Philippines illegally and had created a climate in which dozens of alien criminal syndicates freely traded in fake travel documents, drugs, guns, prostitutes, and even infants. Routine procedures for acquiring visa extensions and travel documents by foreigners were also riddled with corruption. All too often, otherwise legal transactions involved paying bribes to CID officers and clerks, as well as fees to illegal "fixers" who loitered on CID premises and "interceded" with its employees on behalf of clients seeking service. DEFENSOR SANTIAGO's mandate from the president was "to clean up" the commission.

She attacked on all fronts at once, making bold strikes against criminality and corruption and moving decisively to streamline the CID's overly bureaucratized system.

Rapidly revitalizing and strengthening the CID's intelligence division, she struck swiftly against alien criminal syndicates. Raids and arrests began in her third week in office and continued at a steady

rate thereafter. Supervising her agents personally, she sent teams to arrest Pakistani, Jordanian, Kuwaiti, and Malaysian passport forgers; Indian loan sharks; Australian con men peddling phony insurance; and Japanese, Taiwanese, and Singaporean gangsters. Her men rounded up illegal aliens running brothels and peddling drugs. They uncovered a ring of swindlers posing as diplomats from the "Maori Kingdom of Tetiti"—a fictitious country—and Japanese and Taiwanese smugglers. Syndicates trading in mail-order brides and Filipino babies were put out of business. And in a daring raid on a tourist lodge outside Manila, CID agents captured twenty-two European and American pederasts engaged in sexual acts with Filipino boys.

In eight months the newly aggressive CID teams arrested 323 criminal aliens, 241 of whom were promptly deported following their hearings before Boards of Special Inquiry. This was a 474 percent increase over a similar period the year before! The commissioner made certain her dramatic raids gained maximum publicity in the press. Photographs of the criminals, often covering their faces in shame, appeared on the front pages of newspapers, along with pictures of her. Soon everyone knew who "MIRIAM" was. This publicity served to dramatize the government's no-holds-barred response to criminal activity, and at the same time, by making her a visible public figure, it gave the commissioner leverage against her powerful enemies. During this period she was receiving as many as three death threats a day.

Simultaneous with her frontal assault on alien criminal syndicates, DEFENSOR SANTIAGO began tackling what she called the "widespread, deeply rooted . . . culture of corruption" among CID employees. The "cost" for alien documentation, she discovered, involved bribes ranging from one thousand pesos (U.S.\$50) to over fifty thousand pesos per person. Nonofficial fixers moved freely in and out of CID offices, easing their way with bribes to security guards, clerks, and even officers. At the airport, document checkers and intelligence agents made "fortunes in a day," facilitating the entry of aliens without proper papers and accepting gifts in return for not harassing legal arrivees. The more brazen CID employees flaunted their ill-gotten gains by wearing ostentatious gold jewelry and habituating posh clubs and restaurants.

The commissioner attributed the pervasive corruption at her agency in part to salaries too low to enable a person to support a family. This made bribe-taking hard to resist, and all the more so because for many years Filipinos had enjoyed few examples of morality among their leaders. DEFENSOR SANTIAGO also blamed what she called "the tribal system of political protection," under which individuals with the highest connections were free to be the most

corrupt. Thus rampant poverty and lawlessness in the land, as well as red tape and inefficiency in government, contributed to making corruption a way of life. Moreover, "the Filipino thinks that anything legal must be necessarily inconvenient and difficult," DEFENSOR SANTIAGO notes, "and anything illegal must necessarily be easier."

In seeking to break the patterns of corruption in her agency, the commissioner emphasized visible moral leadership—her own and that of President Aquino. She also set about rationalizing CID's procedures, introducing reforms to reduce or eliminate inefficiencies, bottlenecks, and lax supervision. CID rules and regulations were posted on big signs at headquarters and published in convenient pamphlet form; a new plain-language manual explaining the regulations to employees was also published. After studying processing centers abroad, DEFENSOR SANTIAGO redesigned the physical aspects of the registration center. Before, it was easy for aliens and fixers to mingle casually with processing clerks and officers; now, processing clerks are insulated from the public behind counters and glass windows. The floor plan now provides for easy movement from one stage to the next, and there is a special waiting area. The registration center is also bigger and can handle five hundred applicants a day.

In all of this change, DEFENSOR SANTIAGO strove to make the CID "user friendly." For example, she established a hotline at the airport for departing passengers detained by CID inspectors. To expedite requests for speedy service at headquarters, she set up the Express Lane Service where, for a fee, individuals can have their paperwork completed in one day's time. By April 1988 the express lane was processing some fifty-seven hundred applications a month, bringing in over a million pesos (U.S.\$250,000). This money is used to provide overtime pay and bonuses for CID employees.

At the same time, DEFENSOR SANTIAGO began evaluating her employees, transferring suspected bribe takers from lucrative sinecures and subjecting egregious violators to administrative proceedings. In March, for example, she padlocked CID's visa extension office and suspended its twenty staff members, including the section chief, pending administrative hearings. In July, forty-five airport employees were replaced and moved to the main office.

She also introduced training. The new CID staff of the International Airport's Travel Control Service were among the first graduates of her reorientation seminars, which included courses on values and role responsibility, as well as identification of fake travel documents. In one month the number of arrests at the airport nearly doubled.

CID employees whose illegal incomes were threatened by DEFENSOR SANTIAGO's reforms obviously resented the personnel changes. Some of them fomented work stoppages and protests against the new commissioner's "feisty" ways. On the other hand, the CID's honest employees at last had a champion of their own. While scrupulously honoring the procedures protecting the civil service, DEFENSOR SANTIAGO has continued to move her cleansing operation forward.

The problem of illegal aliens includes foreign visitors whose once-valid visas have expired, as well as aliens who entered the country illegally. By the commissioner's rough estimate, hundreds of thousands of illegal aliens now reside in the Philippines. Large numbers of them are of Indian and Indonesian nationality, but most are Chinese. Fearful of arrest and deportation, many protected themselves by paying off CID case officers who periodically "shook them down" with mock arrests. Others simply melted into the local population, hoping never to be discovered. The vast majority are engaged in no illegal activity per se.

DEFENSOR SANTIAGO's approach was practical: "obviously I could not arrest and deport five hundred thousand illegal aliens," she pointed out. On her first day in office she declared a temporary visa extension; people coming forward voluntarily would be granted a three-month extension automatically, time enough to settle their affairs. Subsequently, she proposed an alien legalization program whereby those who had entered the Philippines before 1 January 1984, and were without criminal record, could qualify for status as permanent residents. Under her scheme these residents would be documented, monitored, and, for the first time, taxed. Moreover, the application fee of fifty-one thousand pesos (U.S.\$2,500) would enrich state coffers instead of bribe takers and fixers. In April, President Aquino approved the commissioner's plan in an executive order, and legalization began in August. In the first month, over five hundred people applied.

DEFENSOR SANTIAGO has had the personal backing of the president, for whom she works directly. Her decisive style and self-confident ways have not endeared her to everyone in the administration, however, nor to other powerful members of government. In a move that shocked many people in her first month in office, she lifted a "hold order" banning exit from the Philippines of several hundred relatives and associates of former President Ferdinand Marcos. Adhering strictly to the constitution and to immigration laws, she defied any government official to show her a law authorizing such an order. A few months later, adhering strictly to constitutional provisions guaranteeing public access to government information, she released the names of several prominent elected politicians who were registered as aliens, most of whom were "permanent residents" of the United States despite

their Philippine birth and citizenship. To those—usually her victims—who claimed she was overreaching her authority, she insisted on her legal powers.

Some members of the government faulted her for not being a team player, and she was roundly criticized for poor judgment and lack of *delicadeza* (delicacy). But she stubbornly defended the stands she took and responded flippantly to expressions of outrage by saying, “I am one of those people who was born to raise hell.” In a landmark decision in June 1988 over the arrest and deportation of Western pedophiles, the Supreme Court upheld her.

After eight months in office, Commissioner DEFENSOR SANTIAGO could not claim to have wholly cleansed the CID of corrupt employees. Some 10 percent of CID’s workforce, she believes, are incorrigibly criminal. Nor has she fully solved the problems of overstaying aliens and criminal syndicates. (She does note that the price of a fake passport has doubled since she took over.) Her “Accomplishment Report,” nevertheless, documented her main achievement as winning public support.

Public support is important because there remains an urgent need for new policies and procedures. The commissioner has proposed replacing the 1940 Philippine Immigration Code with one that addresses the realities of the late twentieth century, e.g., a preferential system for granting immigration status on the basis of nationality and the exclusion of aliens for engaging in activities such as homosexual prostitution and trafficking in infants.

More sweeping still is DEFENSOR SANTIAGO’s recommendation, submitted as a bill to both houses of Congress in August, calling for the abolition of the CID and its replacement by a Commission on Immigration and Naturalization. This bill would revamp the structure of the service to respond to modern needs and problems. It would terminate all present employees, starting with the commissioner, in order to make way for a streamlined personnel structure. (DEFENSOR SANTIAGO emphasizes that the proposed reorganization provides for the “reappointment of the great majority of the employees who show willingness to cooperate with the program of reforms and against whom there is no serious derogatory record.”)

At first the commissioner assumed that her term at CID would be brief. Moreover, her early successes and positive public image quickly led to her being proposed for higher public office. She soon realized, however, that institutionalizing the needed reforms would take a long time. She now says, “I will stay as long as necessary to

impress the public mind—both the minds of those against and those for me—that the reforms are long-standing.” This will take two years, at least, she estimates.

In explaining why she has succeeded where others have failed, DEFENSOR SANTIAGO points to the positive value of novelty. She is a female in a traditionally male-dominated office, and she is young; these facts add drama to the situation, she says. So also does the fact that, despite threats against her life, she remains publicly active and vocal: “They can see me on almost a daily basis, on TV or in the newspapers. I’m still slugging away.” And, she adds, she is willing to do things others are not; most people prefer to let someone else do the dirty job.

On the negative side, DEFENSOR SANTIAGO points out that she has had to learn to think like a criminal, an ironic situation for someone with her deep religious faith and piety. Even in her whirlwind life as commissioner, DEFENSOR SANTIAGO continues to go to mass each day, rising at 5:30 A.M. in order to do so. Her strong beliefs buoy her in the midst of public criticism and danger. “I believe there is a God,” she says, “that he is good, and that he will ensure that eventually good will triumph over evil.”

Corruption, she believes, is evil; her public crusade for good government is characterized by very simple messages. As she told the 1988 graduating class of elite Maryknoll College: “There is always a need to remember the eternal verities. It is a sin to tell a lie. Honesty is the best policy. It is wrong to steal other people’s property.”

Thus, no matter how complex and seemingly overwhelming the problems of her country may be—“the culture of poverty, the culture of lawlessness, the culture of corruption”—MIRIAM DEFENSOR SANTIAGO asserts emphatically that the “force of a moral example should never be underestimated.”

September 1988
Manila

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