

POLITICAL INTEGRATION AND DIVERGENCE  
OF NORMATIVE TRADITIONS:  
an Example from the Igorots/Philippines<sup>+</sup>

Kurt Tauchmann

To achieve political integration on the supranational level between differently developed and well established nations is a difficult task, as all Europeans are aware. When we talk about political integration in South East Asia we must focus our attention on quite a different situation since most of the present countries in the region are the result of competing colonial interests in the past. Political integration was neither attained voluntarily nor born of common interest but has been established by force.

I. HISTORICAL BACKGROUND OF NATIONAL FORMATION IN THE  
PHILIPPINES

In the case of the Philippines the new nation came into being as a result of the discovery by Magellan and his fight against Lapu Lapu. It was later named after the Spanish king Philip II. At the outset of Spanish colonization around 1570 the present territory of the Republic of the Philippines was divided roughly into two areas of foreign interest. While the Muslims had managed to reach the Manila area from the South within a few decades, forcing the locals into some sort of tributary sovereignty, the northern part of Luzon remained under the influence of Chinese traders, occasionally recognizing the Ming Court through tributary delegations. In the following centuries the Spanish established their colonial government through close cooperation with Christian missionaries. In fact the colonial nation of the Philippines was founded as a repetition of political events in Spain through the Holy War between Christianos and Moros. Although the Moros were pushed back a little further to the South, the Spanish forces were not able to control permanently and efficiently the Muslim homelands which are until now the islands of Mindanao, Palawan, and the Sulu

Archipelago. They only succeeded in maintaining a few fortresses (like Zamboanga), finding themselves in perpetual competition with a second sovereign power up to the end of their colonial rule in the Philippines.

The bloodshed between *Christianos* and *Moros* was a source of annoyance while discrimination of the *Moros* by the Christian nation intensified the intolerance culminating in the struggle for a segregated Muslim state during the last decades.

## II. THE IMPERIAL BACKGROUND OF ASSIMILATION POLICY

Even although it was never realised, political integration into colonial national unity in the Philippines was thought of in terms of cultural assimilation to predefined "Hispanic" standards of civilization. It was accomplished to a certain degree in the coastal and lowland regions of the central and northern areas where Muslims were not threatening Spanish sovereignty. Collaborating Philipinos, like the new class of nobles, who were pulled to and fro, formed the local elite of landlords and *cacique* governing their subjects at the mercy of the Spanish. Their economic and political power was built up and preserved by the foreign authorities and not achieved according to *barangáy*<sup>1</sup> procedures. Political integration of such a kind is always imperialistic in nature since it reflects only the interest of a certain class or ethnic group in establishing and defending its power over the rest of the population. Integration in this sense does not allow for the difference in normative traditions (or value systems). The subjects have to be "civilized", which means they have to be assimilated to the norms of the ruling class so that the imperial system can function. The slogan "unity in diversity" as the first and most important political principle of Indonesian national philosophy creates the impression that different normative traditions are allowed to coexist. In practice, however, the national elite actually fights many norms as being "uncivilized", archaic relicts which have to be overcome. What they do allow is the preservation of certain customs with folkloristic elements as an attraction for tourism<sup>2</sup>.

## III. RESISTANCE AND DETACHMENT TENDENCIES AS A CAUSE OF MINORITY POSITIONS AND NEW IGOROT IDENTITY

Inhabitants of the Philippines who did not submit to the imperial forces and rejected cultural assimilation became minorities. Along with the Muslims in the South these groups were labeled cultural or ethnic minorities and are concentrated in the mountain areas all over the Philippines. Unlike the

Christianized or Islamized coastal and lowland population they chose to adapt according to their rules, retaining their religion devoted to ancestor worship and their relatively autarchic economy. They thus enjoyed a high degree of political autonomy. In their attempts to put an end to this enclave of free citizens the Spanish met with fierce resistance and because they frequently returned with bloody noses the Spanish gave them the name "Igorotes", meaning wild ("backward") mountain dwellers. Interest in Igorot habitats was focused in the beginning on mythical treasures of gold which were suspected to be in their possession. Superficially the military expeditions of voracious Spaniards to the Cordillera were covered up by missionary efforts to turn *infielos* into *salvajes*. Unaware of the secrets behind those invasions the Igorot still managed to defend their territory successfully for the next 250 years<sup>3</sup>. The fierce resistance angered the Spaniards and they began to "punish" the Igorot occasionally through military forces. These ventures that went under the name of "pacification" did not bring them to submission. In the middle of the 17th century Duran de Montforte, one of the *grandes* who led such a punitive expedition, names 150 settlements of which more than a hundred are designated as subdued. The Igorot however had learned by that time how to deal with the intruding forces and occasionally paid some commutation to avoid the burning of houses and fields when they knew they had no chance of winning. These commutations were regarded by the Spaniards as a tribute even though they were only collected once and did not mean submission as the next clash of revenge made clear.

When people from the lowlands who wanted to escape Spanish domination reinforced the *infielos* and, equally important, Igorots started to undermine the Spanish tobacco monopoly through "blackmarkets", the colonial government intensified its exertions. In 1830 they sent Guillermo Galvay, an old sweat, with well armed forces to the Cordillera in order to put an end to the local autonomy. Plundering and burning he crossed the mountains several times but did not achieve a real victory. Well aware that submission of the Igorots was not possible without a good transport infrastructure the Spaniards concentrated in the following decades on the extension and maintenance of trails, but they were still attacked in their fortresses and along the way. It was only during the last ten years of Spanish rule in the Philippines that they succeeded in building up a network of *guardia civil* stations covering the Cordillera Central and introducing a system of formal school education by force but with little efficiency.

At the turn of our century the Americans took over the Philippines and replaced the Spaniards in the mountains of Luzon. They were welcomed as allies against colonial cruelties. The Americans continued the policy of "pacification", above all by condemning headhunting practices. By building a highway along the Cordillera they increased the effectiveness of their order. Through public executions of headhunters the Americans demonstrated their power and sovereignty. Within the system of local government from the level of municipalities downwards they sanctioned leadership through certain in-

signia of power under American control and overlordship.

The Japanese invasion of Luzon interrupted this partial integration into the American colony and later dominion. The Igorots suffered more than others under the short but cruel interregnum. Whole valleys were abandoned and the population fled to the higher mountains where they existed by foodgathering only. Desperate attacks against Japanese forces from caves where they were hiding and their bravery as guerillas in the national forces brought them the fearful recognition of their fellow Philipinos.

Tribes and tribal consciousness were lacking among Igorots in the pre-Spanish period and during early colonial rule. According to linguistic and cultural distinctions they are until today subdivided into ethnic groups such as Ifugao, Kalinga, Bontoc, Kankanaey, Inibaloi, Isneg, Apayo etc. Neither within nor above these ethnolinguistic groups did a centralized political power exist. Group cooperation and consensus normally ended with kin group boundaries as flexible units of a feud group character, clashing with others for rights over water resources. Confederations were practised on special occasions and peace treaties are well known especially among the Kalinga and Ifugao. For this reason it is surprising when many foreigners report towards the end of Spanish colonial rule that mountainers had accepted the formerly discriminating name and were proud to be "Igorot", thereby distinguishing themselves from the rest of the population of the Philippines. Through common interest in the face of foreign invasions the mountainers welded together into a new identity<sup>4</sup> in the sense of tribal consciousness. The event which expressed this growing identity was the establishment a little later of a province of their own, the Mountain Province, with an Igorot governor.

After the Republic of the Philippines became politically independent in 1946 a local elite took over the government of the former American dominion. The "Nation" within the boundaries of the Republic was, however, dominated by and identified with the Hispano-Western influenced Christian population of the lowlands and coastal areas of the central and northern parts. Other segments of the population like the Islamic-Arabic Sultanates of the South and the only slightly foreign dominated ethnic groups of the mountain regions continued to be minorities in this new state. The Igorots were maybe the least Philipinos of all but they could on the other hand claim that their culture and society was the one reflecting to a certain extent continuity by adaptation from pre-Spanish times to the present.

Clearly there was a gap between the different segments of the national society. In the search for a common identity the dominating Christian population of the Philippines used its power to define the unity into which the Igorot and others had to be politically integrated. As elsewhere they were opposed to a simplified model of assimilation pressure whereby the Igorot had to "come up" to the national standards, being targets for development strategies and civilizing efforts. Not surprisingly their natural resources (the basis of their existence) like water, forests and minerals had to benefit the national society first. It was never a question of whether the Igorot should have the right to

determine their future together with the others or integrate themselves into a foreign dominated society on the condition that they would be allowed to retain their uniqueness, thereby contributing to the colourfulness and strength of society.

#### IV. DIVERGENCE OF NORMATIVE TRADITIONS AND THE LEGAL FIELD

To include in this short paper the complete normative traditions is certainly not possible. Some of them are more integrated or assimilated than others so it would take too much space to discuss them in detail. However, according to my observations the most divergent norms are in the legal field<sup>5</sup> and for that reason we prefer to narrow the discussion to that segment of societal institutions. Of the greatest importance within the legal field are the political structure and the law, including law procedures as potential conflict solving strategy. One comes closest to an objective view of society with all its tensions and changes by analysing the legal system.

Authority among the Igorot was built up through a long process of qualification and publically recognized promotion. Prestige was enhanced by economic success, knowledge and living up to the imperatives of an orally transmitted normative system. It could increase as well as decrease and needed approval from the divine ancestors who indicated their agreement or disagreement. The promotion associated with it included public recognition and was channelled step by step through increasing feasts of merit in which pigs and rice, sometimes water buffalo and horses, were distributed among the kin group, hamlets and also the wider area. While meals were for everybody the meat bundles demonstrated the kin relation or status of the receiver and were exchanged within a credit-debit system of relations. Through these procedures kin groups and hamlets obtained rich men (*kadángyan*) and politically and economically defined clientel. The biggest feasts of merit included "donations" to other settlements and made the feastgiver well known in a wider area. By this method of prestige-gathering political influence and authority assumed a regional quality.

Igorot society was acephalous, which means that a centralized, commonly accepted power structure was absent. Authority did not allow for usurpation of office. While within kin groups some *kadángyan* could be quite powerful their position above that level was always weak and only qualified for mediation in certain matters. Status relations between individuals were dyadic, distinguished by seniority and prestige (merit). The widest sociopolitical unit was limited to the kin group which defended common interest against outsiders. While conflicts within this group could be settled peacefully through the influence of the *kadángyan*, external redress was of feud character until mediation through regionally accepted authorities was successful and temporary

agreements were reached. Hamlet and village affairs were dealt with through the intermediation of ad hoc councils of old and prestigious men representing the different kin groups.

Law among the Igorot before and during colonial rule in the Philippines was limited to certain social and territorial units. Any conflict within this area was treated as an individual case whereby the distinctive conditions of its environment were the predominant factor in the considerations and suggestions for appeasement according to the common interest. Through reference to similar cases rules were defined and orally transmitted to the future generations. This body of abstracted rules was however only a remote source of reference since analogy to a previous case was established strictly through detailed evidence of a comparable conflict environment in the past. In this way treatment of each case as unique was guaranteed and the body of abstracted rules only functioned as a guiding-line for the institutions of conflict solution. The process of foundation, defence and reproduction of law among the Igorot was thus very dynamic in comparison to colonial (imperial) law since it could adjust to social change far more quickly than was possible within a codex-oriented law with its moment of inertia between case and relevant paraphrase in the codex.

Igorot law procedures consisted of four steps: hearing (finding), suggestions for appeasement, public resocialisation and purification of the parties involved. The hearing had to discover the truth and reveal the background of the conflict. In case of controversy oath and ordeal were applied. "Punishment" took the form of suggestions for appeasement since a commonly accepted executive force did not exist and conflict solution required voluntary cooperation of both parties. Appeasement consisted of material compensation for the claimant and was immediately followed by public resocialisation which was intended to appease emotional resentment and thoughts of revenge. Mostly both of the conflicting parties were asked to eat from one plate and drink from one cup in front of an audience under public witness. The guilty party had to perform a ritual burial of the "crime" while the accusing party also removed its bad influence through a ritual purification for which the guilty party had to bear the expenses. Compensation for the specialist's function within law procedures was granted as part of material atonement. Needless to say, law procedures had to benefit the material and ideal interests of the local population.

During American colonial and dominian rule the Igorot were "pacified" and slowly integrated into the new nation. In the early period they were allowed to handle their affairs more according to their interests and practise a moderate form of indirect rule which was organized within a single Mountain Province with an American as governor. From the beginning the need for assimilation of the Igorot, like the Philippines as a whole, to American democratic traditions was, however, never questioned. While the Belgian Schouten congregation was invited to continue the Catholic Mission among the Igorot, the American colonial authority consequently forced them into their administration. "Elections" were propagated for local government and gave an opportunity to use American influence for the personal usurpation of official power by Igorots

backed by the colonial administration and its legislative and executive bodies. The Province was subdivided into municipalities, governed by a mayor chairing a council. These power positions qua office required different qualifications which could not be fulfilled by traditional authorities among the Igorot. Formal education and familiarity with Western values including first hand knowledge of principles of their administration became the domain of the younger, aggressive and colonially assimilated personalities among well-to-do families who, economically, could spare their children's labor force and send them to secondary schools and upwards.

Integration through assimilation also included in political terms subjection of the Igorot to the legacy of colonial law and its executive arms. Colonial law was imperial in its implementation since it forced the Igorot into conformity with Western value traditions strange and foreign to their needs of social control, and confronted them with a situation in which their local cases were brought into analogy with the corresponding paraphrased rules of a codified normative system stemming from Western tribal laws, Roman imperial law and the Civil Code of Napoleon.

The Igorot communities tried to adapt themselves to the new conditions. Within the political structure a division between formal and informal authority took place. The formal authorities were the ones officially recognized by the colonial administration but tied by narrow instructions from their fellow seniors. The informal authorities on the other hand governed the local scene on the basis of the traditional qualities of seniority and prestige and used the others as loud-speakers of their decisions, "spies" upon colonial (national) interest and translators of foreign intentions. Usurpation of power through colonial-backed officialdom was not unknown among the Igorot but was kept well under control of an acephalous nature until present times.

The Philippine national government has replaced American dominion rule since independence. In the process of integration it now represents the imperial power pushing for assimilation of the Igorot. Now even the principle of moderate self-government is undermined since lowlanders, predominantly Ilocanos, are competing for official authority of Igorot areas as governors. This was made possible by the national government which subdivided the old Mountain Province into five provinces, also preferring outsiders to run for governors and board members in Igorot country.

The national law of the Republic of the Philippines is still colonial because it is of Western origin and does not accommodate to the needs of the Igorot; it was not even adjusted for their benefit. While in local government they feel represented at the lowest level there is no Igorot presence at all on the national legal level. Here positions are held predominantly by Tagalog and Ilocano who in general do not honour competing legal procedures. Since the Igorot discovered that the greatest danger to their identity comes from national law their strongest resistance is concentrated in this field. Igorot communities abide by autonomous legal procedures as long as they can, which means that local cases are treated with secrecy towards national authorities and are solved internally

under public pressure as long as there is a chance to do so. While the national legislation does allow for local procedures in certain tortious acts within civil law it claims delicts specified in criminal law as its domain. The principles of ascribing individual blame and guilt, punishing culprits by enforcement of expiation in prisons where they work for the national benefit are unacceptable to the Igorot values of compensation. For that reason they prefer settlements according to local procedures even for homicide, in all secrecy framing the event before national authorities. In cases of homicide involving two judicial communities, practised formerly as head-hunting and resulting in external redress or feud, a tendency to "national legacy" is obvious. The same is true of civil cases in which Igorots and non-Igorots are involved. These developments increase the domain of national statute law.

Igorot culprits who, after warnings, do not conform to the appeasement suggestions of local authorities or notoriously repeat the same tort or crime are losing the protection of their community. Through public action they are virtually removed from the community by the resituating of their houses or killed by cooperative action. The "pacification" of the mountain area, of course, had relaxing effects on the latter judicial discipline due to the absence of former deadly dangers. Efforts of assimilation and progressive integration work in the same direction since they offer alternatives to the strains of local social control and protection. Escaping to a distant sawmill, mine or farm means participation in a multi-ethnic community with stronger influence from the national political and legal domain.

## V. CONCLUSION

Most of the present countries of South East Asia are the result of competing colonial interests in the past. The nation was formed through imperial assimilation policy; in the case of the Philippines norms are defined today predominantly by the Christian, Hispano-Western lowland population. Political integration into the new independent state is demanded from segmentarian societies. Their minority status within normative traditions results from resistance to Spanish pressure for submission and developed through detachment from the mainstream socio-political changes during colonial times. Integration efforts are imperialistic since they do not allow for the maintenance of different traditions and subject the minorities to the legacy of colonial codified law stemming from Western tribal laws, Roman imperial law and the Civil Code of Napoleon. Adjustments and adaptations of new institutions can be observed in different fields of normative traditions. The strongest resistance, however, takes place in the legal field because of its imperial neglect of the crucial importance of the maintenance of cultural identity and the ruling out of possibilities of syncretistic adjustments. Local social control, and protection too, can, how-



ever, only function through permanent membership in the judicial community. Within multi-ethnic communities like sawmills, mines or farms and trans-migration settlements the national legal domain increases its influence. It is therefore not surprising that big scale resettlement projects under the present government of Ferdinand Marcos whereby segments of the Igorot population are subjected to removal from their homelands and are "integrated" in low-land areas continue Spanish efforts of relocation as the most effective assimilation policy. The scheduled dislodgment of thousands of Bontok and Kalinga families for the sake of the Chico river hydro-electric power station points in that direction.

#### Notes:

- + ) Empirical data was collected in situ from 1970 to 1975 with financial aid from the German Research Foundation, Bonn/F.R.G.
- 1) Immigrants to the Philippines in early times arriving by boats (*barangáy*) were identified and organized on the basis of boat-membership. At present the term more commonly refers to pre-Spanish socio-political organization and was revived by the Marcos administration (i.e. *barangáy capitan*).
- 2) See e.g. the "Conservation Master Plan" for the island of Siberut, Mentawai, Indonesia (CMP, 1980).
- 3) For details see Scott: 1974.
- 4) When we talk here about identity we mean Igorot self-awareness towards their fellow citizens in the Philippines. Of course Igorot have more than one identity depending on the social context in which identification takes place.
- 5) By "legal" we define that part of normative traditions which is subject to social control through sanctions from commonly accepted political authority within a judicial community. (Definition based mainly on the analytical concept of Pospisil: 1971).

#### References:

- Barton, R.F., 1969: *Ifugao Law*. Berkeley: University of California Press.
- Broekman, J.W., 1979: *Recht und Anthropologie*, *Kolleg Rechtstheorie*, Editor Jan W. Broekman, Bd.I, 3. Freiburg/München: Karl Alber.
- Ehrlich, E., 1913: *Grundlegung der Soziologie des Rechts*. München: Duncker und Humblot.
- Fried, M.H., 1967: *The Evolution of Political Society; an Essay in Anthropology*. New York: Random House.

- Hannett, I., 1977: *Social Anthropology and Law*, A.S.A. monograph 14. London: Academic Press.
- Hoebel, E.A., 1954: *The Law of Primitive Man: A study in Comparative Legal Dynamia*. Cambridge: Harvard University Press.
- Hooker, M.B., 1975: *Legal Pluralism; an Introduction to Colonial and Neo-Colonial Laws*. Oxford: Clarendon Press.
- König, R., 1975: *Das Recht in Zusammenhang der sozialen Normensysteme*, in: Luderksen, K. u. Sack, F., *Die selektiven Normen der Gesellschaft*, Bd. 1. Frankfurt: Suhrkamp.
- Moore, S.F., 1972/73: *Law and Social Change: The Semi-Autonomous Social Field as an Appropriate Subject of Study*, in: *Law and Society Reviews*, Vol. 7, pp. 719-746.
- Pospisil, L., 1971: *Anthropology of Law. A comparative Theory*. New York.
- Scott, W.H., 1974: *The Discovery of the Igorots*. Quezon City: New Day Publishers.
- Tanner, N., 1971: *Minangkabau Disputes*. Unpublished Ph.D. Thesis, University of California, Berkeley.
- Tauchmann, K., 1973: *Sozio-ökonomische Grundlagen der sozialen Schichtung in südostasiatischen Stammesorganisationen: Verdienstfeste als Regulative innerhalb der Besitzstruktur*, in: Tauchmann, Kurt (Hrsg.), *Festschrift zum 65. Geburtstag von Helmut Petri*, Köln/Wien: Böhlau Verlag, S. 520-537.
- Tauchmann, K., 1974: *Socioeconomic Developments and their Relation to Multidenominational Missions in a Benguet Community*, in: *Philippine Quarterly of Culture and Society*, Special Issue: *The Cultural Minorities of the Philippines*, Quezon City, Vol. II, Nos. 1-2, pp. 61-71.