

## THE GOVERNMENT MORO POLICY

Pelagio S. Mandi\*

### THE MORO PROBLEM

Crises have a way of compensating for their occurrences: They are productive of good fruits. Spanish oppression brought forth a Rizal and the assertion of Philippine nationalism. The Huk menace produced a Magsaysay and land reforms. And Kamlon of Sulu, if nothing else, caused the immediate restudy of the Moro Problem and an examination of the Government Moro policy.<sup>1</sup> The latter, in turn, caused the creation of the Commission on National Integration.<sup>2</sup>

Today, Kamlon is suffering imprisonment for sedition in Muntinglupa.<sup>3</sup> And another sentence of death is pending review, both *en consulta* and on appeal,<sup>4</sup> by the Supreme Court. At last, after four successful years of defying the Government's might, and after three Army operations, Kamlon and his small band of men<sup>5</sup> have been subjugated by the Government.

The Government has clipped off a twig, a wee bit of a twig, from the Moro Problem Tree. It does seem.

The Moro Problem still exists. Kamlon shows this. What is the Moro Problem? Writers and observers of Philippine events have been giving their own version of the Moro Problem.<sup>6</sup> The Congressional Committee

\* LL.B. 1958. The writer is the son of Datu Ramon T. Mandi and the grandson of the late Datu Lajamura Mandi of Zamboanga City. Editor's note.

<sup>1</sup> Kamlon aroused public discussion and interest on the Moro Problem. To illustrate: Philippine Free Press, Aug. 9, 1952; Aug. 16, 1952; Nov. 20, 1954; *The Moro Problem*, The Manila Times, Oct. 31, 1954; *This Is My Own*, The Manila Times, Oct. 6, 1954; *Editorials*, The Manila Times, Oct. 31, 1954. ELLINGER, FRIEND OF THE BRAVE. The Congressional Committee on the Moro Problem itself submitted an urgent memorandum to Congress to stop military operations against Kamlon and to follow another policy. COMMITTEE REPORT ON MORO PROBLEM.

<sup>2</sup> R. A. No. 1888, approved June 22, 1957.

<sup>3</sup> (CFI) Sulu, Crim. No. 1162.

<sup>4</sup> G.R. No. L-12686.

<sup>5</sup> It is said Kamlon had only 150 men. Roces, *This Is My Own*, The Manila Times, Oct. 14, 1954.

<sup>6</sup> SALEEBY, Moro Problem; HURLEY, SWISH OF THE KRIS; HAYDEN, THE PHILIPPINES: A Study in National Development; Dandan, *The Moro Problem*, The Manila Times, Oct. 31, 1954; Tarhata Kiram, *Sulu's Problems*, Philippine Free Press, July 24, 1954.

on the Moro Problem' which made a first-hand study of the problems of Moroland when Kamlon was gripping the minds of citizens and the Government, defines, rather, describes the Moro Problem, thus:

The Moro Problem... is nothing but the problem of integrating into the Philippine body politic the Muslim population of the country, and the problem of inculcating into their minds that they are Filipinos and that this government is their own and they are part of it. This, in a nutshell, is the Moro Problem.<sup>7</sup>

But the Moro Problem is not a Nutshell; it is a Tree. These are the problems that have been hamstringing the Moslem Filipinos, or Moros, and Moroland. There is the constant outlawry;<sup>8</sup> rampant piracy;<sup>9</sup> land squabbles.<sup>11</sup> Poverty is conspicuous in Moroland,<sup>12</sup> so also illiteracy and ignorance.<sup>13</sup> The Moros do not feel part of the Philippine Government.<sup>14</sup> They do not like to go to school;<sup>15</sup> and about 80% of them are ignorant of the religion they have been professing, and even dying and killing for.<sup>16</sup> There has never been any love lost between the Moros and the Christians, observes a writer and an American officer who had dealt extensively with the Moros.<sup>17</sup> And a thick, dark curtain of prejudice against Christian Filipinos and the Philippine Government prevails over the Moro mind.<sup>18</sup> These and more: economic stagnation;<sup>19</sup> cultural retardation;<sup>20</sup> and social cancer.<sup>21</sup> Hurried marriages,<sup>22</sup> and broken ones, and divorces<sup>23</sup> are not infrequent too. The effects and fruits are broken homes and confused,

<sup>7</sup> The Committee was created by H. R. No. 19, adopted by the House on May 20, 1954, through Speaker Jose B. Laurel, Jr. The composition was: Congressman, now Senator, Domocao Alonto of Lanao, Chairman; Congressman Umbra Amilbanga of Sulu, member; and Congressman Luminog Mangelen of Cotabato, member. The Committee was designated "Special Congressional Committee to Investigate the Moro Problem". Its purpose was to investigate and find a definite solution to the so-called Moro Problem, especially with regards to peace and order in Mindanao and Sulu. We shall cite the Committee as "Congressional Committee on the Moro Problem" and the report it made to the House as the "Report" only.

<sup>8</sup> REPORT, p. 13.

<sup>9</sup> ELLINGER, *op. cit.* *supra* note 1. F. Sionil Jose, *Smuggler's Paradise*, Sunday Times Magazine, July 28, 1957.

<sup>10</sup> Villasanta, *Pirates of the South*, Sunday Times Magazine, July 14, 1957.

<sup>11</sup> Dandan, *Moro Problem*, The Manila Times, Nov. 3, 1954; F. Sionil Jose, *Promised Land In Mindanao*, Sunday Times Magazine, Sept. 22, 1957.

<sup>12</sup> *Editorial*, The Manila Times, Oct. 14, 1954.

<sup>13</sup> *Supra* note 8.

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*

<sup>16</sup> *Id.* at 52.

<sup>17</sup> SALEEBY, Moro Problem, *supra* note 6.

<sup>18</sup> *Supra* note 8.

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*

<sup>21</sup> F. Sionil Jose, *The Maranaws and Their Maratabat*, Sunday Times Magazine, Aug. 4, 1957.

<sup>22</sup> People v. Bitdu, 58 Phil. 823 (1933).

<sup>23</sup> *Ibid.*

neglected children. And these children grow in a land where school education is a distasteful thing.

And some fifty years of Philippine education has not done much for the Moros. In fact, the popular indictment is that Philippine education has been a failure with the Muslim Filipinos.<sup>24</sup>

If these are the problems that have been striking away at the people who once were "master of the land and the lord of the Southern Seas,"<sup>25</sup> they could not, at the same time, be the cause or causes. The Moro Problem, we have analogized, is a Tree. We have seen the gnarled branches, crusted twigs and venomous fruits of it. We shall now look to its roots.

#### CAUSES OF THE MORO PROBLEM

Writer Dandan of the Manila Times, at Kamlon's Hour, ran a series of articles in the Manila Times.<sup>26</sup> He believes these are the causes of the Moro Problem:

It is clear to this writer that the cause of the Moro Problem runs deeper than the known complaints of persecution, maladministration of justice, land-grabbing and official ineptitude. These are the outcrops of the main and bigger Moro Problem: that of curtailing isolationism, of removing religious and cultural barriers, and of remedying the present ineffective educational system.<sup>27</sup>

Rev. Father Pio Pi, in a little volume referred to by the Philippine Census (1903) Reporter, named these causes for the Moro's adamant, if not hostile, attitude towards change by Spain and America: first, the Moro's character; second, his history or tradition; third, his fanaticism; and fourth, his interests.<sup>28</sup> On the other hand, the Congressional Committee on the Moro Problem outlines the Moro Problem in the following manner: (1) Historical, (2) Economic, (3) Educational, (4) Social, and (5) Political.<sup>29</sup> The Moslem Filipinos are suffering under these difficulties and deficiencies.

To this writer's mind, however, the basic causes are threefold: first, the Moro character; second, Moro history; third, Moro religion.

This writer believes that the various problems and causes observed by those mentioned above are but the flowering of the threefold root-causes enumerated in the preceding paragraph.

We shall show these basic causes individually.

<sup>24</sup> *Supra* note 8.

<sup>25</sup> SALEEBY, *supra* note 6.

<sup>26</sup> Dandar, *supra* note 6.

<sup>27</sup> *Ibid.*

<sup>28</sup> Quoted by Philippine Census Reporter, p. 573 (1903).

<sup>29</sup> *Supra* note 8.

#### MORO CHARACTER AS CAUSE

Writers are generally agreed on the matter of Moro bravery.<sup>30</sup> Only very recently, Mr. Tutay of the Philippines Free Press said that the Moro, as a general rule, would sooner die than go to jail.<sup>31</sup> And Moro bravery is not the only aspect of Moro character. Dr. Najeeb M. Saleeby gives us a typical portrait of the Moro:

The Moro is a Malayan of prominent type, reared in his infancy by Hinduish panditas and brought up to maturity under the care of Mohammedan priests. He rejected his idols as early as 1450 and had been for more than a century prior to the arrival of Legaspi at Cebu, a faithful and devoted worshipper of "Allah hu Ta' ala", the Almighty and only God, according to the teachings of Prophet Mohammed and the Holy Koran. He had laws, an established government, an organized state, an alphabet and a system of education. By trade he was a planter and a fisherman, and both land and seas yielded him plenty. He turned the timber of his rich forests into boats and utilized the currents of the sea and the movements of the wind. Navigation came natural to him, and he sailed to distant lands and traded his pearls for silk and spices. He had a wide range of experience, and his knowledge of the world was by no means restricted to one island or to one group of islands.

Every able-bodied man was a soldier and a sailor, always armed and always ready for a call to arms. His immediate neighbors were pagans or infidels who paid him homage and tribute. He was the master of the land and the lord of the Southern Seas. He was chivalrous in his manners and received friends with liberal hospitality; but he wasted no sympathy or kindness on his enemy. The enemy of the state was also an enemy of Allah hu Ta' ala and no life was deemed too dear to sacrifice for the cause of God and home. It was the idea of his home that started the blood rushing through his veins and religion fittingly fanned the flame and heated his blood to the boiling point. There is honor even among thieves, and a nation made up of fierce pirates need not go begging for dignity, gallantry and self-pride.

Let the Moro be idolatrous or a fire worshipper and he will go juramentado on the strength of his faith in the wooden or fire gods before he yields to a master or serves as a slave. He will die before he surrenders. Such metal is what make the Moros brave, independent and unyielding.<sup>32</sup>

Here we can see three aspects of Moro character: bravery, fanaticism, stubbornness and pride. The Moro is non-servile. As observed above, he is, during his best days, pretty much self-sufficient. Pride further sharpens his self-reliance. He becomes a veritable "island unto himself." The Moro has also a good streak of cruelty.<sup>33</sup> He was, in the words of an American writer, a composite portrait of a competent savage.<sup>34</sup>

<sup>30</sup> 1 ZAIDE, POLITICAL AND CULTURAL HISTORY 306.

<sup>31</sup> Philippine Free Press, Nov. 20, 1954.

<sup>32</sup> SALEEBY, *supra* note 6.

<sup>33</sup> Hurley says: "In common with other savage people the Moros were ruthless and brutal and cruel and they spared none in their crimson path..."

<sup>34</sup> *Supra* note 6.

What results from such high pride, stubborn bravery and fanaticism?

The Moros will not serve. They will stay an island unto themselves, proud of their history, customs and traditions. They will rise up against an imposition, real or imagined; they will fight, and, if fighting is futile, resist against every attempt at changing their customs and traditions.<sup>35</sup> Strain, even blareups between Christian-Moro relations<sup>36</sup> and between government-Moro relations could be accounted by the Moro pride. The Moros' customs and traditions have been tying their progress to the past. There is something more than just historic antagonism towards westernization that makes the Moro shun western living and education; there is something deeper, more subtle, than faith and belief that ties the Moro to his religion. *Maratabat*, says writer F. Sionil Jose, may spell the Maranaws' salvation or extinction. Thus far, *maratabat* has spelt disintegration. And *maratabat* stands for pride, honor, and a host of other things.<sup>37</sup>

Moro bravery has exacted heavily on the lives and progress of the nation. on the Moro especially. Patriotism and vengeance launched the Moro raids into Spanish territory and possessions. Moro bravery, and pride, kept them up. Piracy, banditry and outlawry are today's telling effects.

#### MORO HISTORY AS CAUSE

There is no question, — opinions to the contrary notwithstanding, — that the Moros fought a just war. It was Spain who fired the first shot that was to begin the long, bloody and costly Moro Wars.<sup>38</sup> Professor Zaide, noted Filipino historian, gives the two major causes for the Moro Wars to be the old-time antagonism between Mohammedanism and Christianity and the Moros' resistance to Spanish invasion of the Moros' land.<sup>39</sup> In the melee that ensued, patriotism, zeal, fanaticism and piracy intermingled. The Spaniard attacked the Moro. A war was declared. *And everything is fair in love and war.* If it be argued that the Moros had been raiding the islands even before Spain came even unprovoked, the same argument could be thrown back at the Spaniards. Wasn't the Moro the "master of the land and the lord of the Southern Seas"? Anyway, if there had been previous piracy, that was a matter of tradition, of history.

Force begets force *The fruit of the sword is sword.* Slavery, as one of the spoils of war, became an institution. Hatred and prejudice for the white man, and his ally, the Christian Filipino, took hold of the Moro mind. The Filipinos had to fight with the Spaniards! Years of self-government and "enlightenment" have not wiped out the evils of the Moro Wars.<sup>40</sup>

<sup>35</sup> SALEEBY, *supra* note 6.

<sup>36</sup> *Supra* note 6 at 17.

<sup>37</sup> F. Sionil Jose, *The Maranaws and Their Maratabat*, *supra* note 21.

<sup>38</sup> ZAIDE, *op. cit. supra* note 30 at 308.

<sup>39</sup> *Id.* at 307.

<sup>40</sup> *Supra* note 6.

Spain gave the Moros a unifying cause.<sup>41</sup> She gave them a name;<sup>42</sup> Spanish colonial ambition, indeed, impressed indelibly on the country. It united one sector, albeit the bigger sector, and unified another. It has worked good for the first, and bad for the second. Spanish war attempts accentuated the Moros' nationalism — their common religion, common culture, common customs and traditions, common sentiments and cause.<sup>43</sup> The Moros, at their best, were quite a lordly people, doing very well in a country of no account.<sup>44</sup> The Moro Wars laid waste and destruction on Moroland, halted progress, stagnated the growth of culture. Clearly, the warrior, specially if he is a Moro warrior, is not the most cultured man. Spain drove the Moros from the better centers of civilization and built up the Christian Philippines. The Spanish Insular Government was exclusively and completely a Christian affair. America came, divided the country and the nation into two;<sup>45</sup> put up one government for the Christian Filipinos and another for the Moros.<sup>46</sup> And there flowered forth separatism and isolationism.<sup>47</sup> So now the Moro sentiment is that the Philippine Government is a Christian affair and the school a Christian invention.

#### MORO RELIGION AS CAUSE

The Philippines was a theater of a miniature war of *the Cross vs. the Crescent*.<sup>48</sup> Defense of the Moro religion went side by side with defense of the Moroland.<sup>49</sup> And the cause of religion with its promise of heaven for death in martyrdom could easily inflame the faithful into insane fanaticism.<sup>50</sup> The inflaming is easier when the religion one is fighting for is

<sup>41</sup> The Moros at Spain's coming lived in separate states or tribes. The attack on Moroland and the affront on Islam by Spain's attempt at christianization of Moroland united all the Moro "states" against Spain. See: ZAIDE, *op. cit. supra* note 30.

<sup>42</sup> Spain originated the name "Moro". ZAIDE, *op. cit. supra* note 30.

<sup>43</sup> The Moros today feel as one people. Actually, they are made up of several distinct tribes and used to live independently of each other. Spain unified them with, among others, the common designation "Moro".

<sup>44</sup> SALEEBY, *op. cit. supra* note 6; HISTORY OF SULU 105.

<sup>45</sup> The Philippines was, for administrative purposes, divided into two territories, the Christian Filipino territory and the non-Christian Filipino territory. The first form of Moro government was the Moro Province created by Act 787 of the Philippine Commission on June 1, 1903. The Christian Filipinos were under the regular or Insular Government.

<sup>46</sup> See note 45, *supra*.

<sup>47</sup> To illustrate: Hurley quotes Grandfather, the Datu Lajamura of Zamboanga, when the Moro province was about to be abolished, Grandfather spoke before the United States Secretary: "If the American government does not want the Moro Province anymore, they should give it back to us. It is a Moro Province — it belongs to us." There were two other Moro leaders who expressed the same sentiment. HURLEY, *op. cit. supra* note 6 at 274-275.

<sup>48</sup> ZAIDE, *op. cit. supra* note 30 at 306.

<sup>49</sup> *Id.* at 307. SALEEBY, *op. cit. supra* note 44 at 171.

<sup>50</sup> Death in defense of Islam is martyrdom and merits Paradise. See, REPORT, 151.

not pure but had been encroached upon by innumerable superstitions and pagan practices and beliefs. Such was the state of the Moro religion during the Moro Wars.<sup>51</sup>

Vic Hurley, who spent some time with the Moros and who published a book in 1936 about the Moros, writes:

With the Moro, courage is a fetish and when pitched to the heights of religious fanaticism by his *Imans* and *Panditas*, there exists no more dangerous fighter on the face of the globe.<sup>52</sup>

And as late as 1954 the Congressional Committee on the Moro Problem found out that about 80% of the Moslem Filipinos are ignorant of their religion;<sup>53</sup> that what has passed on as the Islam religion is a mass of superstitious beliefs and practices which are highly conducive to religious fanaticisms.<sup>54</sup>

Let us examine the part Moro religion played in the Moro Wars.

Historian Zaide says:

Spanish invasion of their homeland aroused the Moros of Mindanao and Sulu to wrathful temper. They took the warpath, declared *jehads* (religious wars)<sup>55</sup> against Spain and launched devastating raids against the Christian towns and villages of Luzon and the Visayas.<sup>56</sup>

The fear of the Moro *juramentado* lasts to this date. This religious practice had a part in the Moro Wars too. Of the Moros of Sulu in one of the episodes of the Moro Wars, Professor Zaide writes:

...they plunged the island (of Jolo) into terrorism by unleashing *juramentados* and *amuks*, who butchered Christians everywhere...<sup>57</sup>

The same author estimated that more than 300 Christian soldiers were slain by *juramentados* from 1891 to 1899.<sup>58</sup>

Religion furnished the very good excuse for unleashing Moro bravery, cruelty and even, perhaps, piracy. It further drew, in red, the line marking off the Moslems from the Christian Filipinos. Hatred and prejudice were abetted further. Indeed, in the long, bitter, bloody struggle of the Moro for existence, freedom and independence, it was his religion which held him up in the forefront of battle — where bravery and strength failed.

<sup>51</sup> SALEEBY, *Origin of Malay Filipinos* (Manila, 1911) 10.

<sup>52</sup> *Supra* note 6 at 239.

<sup>53</sup> *Supra* note 8.

<sup>54</sup> *Ibid.*

<sup>55</sup> *Jehad* in the way of God is one of the obligations of a Moslem. See: GIBB, *MOHAMMEDANISM*, 57. *Jehad* is urged in many passages of the Koran. For instance: "And fight them until persecution is no more, and religion is for Allah. But if they desist, then let there be no hostility except against wrongdoers."

<sup>56</sup> ZAIDE, *op. cit.* *supra* note 30 at 309.

<sup>57</sup> *Id.* at 320.

<sup>58</sup> *Ibid.* Religious significance of the *juramentado* practice may be seen by the circumstance of the *juramentado* killing Christians only.

The *jehad* in the way of God is one of the obligations of a Moslem.<sup>59</sup> The practice of *juramentado* may have been an offshoot of the same. It is true the *jehad* is never a war of offense, of aggression. It is a matter of defense only.<sup>60</sup> But during a war, specially when it is a defensive war, one is not given to nice distinctions. The religious wars have all the effects of Moro history, but the results are even more deep-seated.

Islam is not the religion that teaches its faithful to give the right cheek when the left cheek is struck by the enemy. On the contrary, it exhorts war on the enemy, on the disbelievers.<sup>61</sup> Islam, like all universal religions, is a great religion. It is a religion of peace.<sup>62</sup> But we have to consider Moro character, Moro history and traditions, and the difficulties of the Moro mind. The prevalence of ignorance about their religion and primitive religious superstitions among Islam's followers<sup>63</sup> add to the confusion.

Universality of Islam is rarely, if ever, impressed on the mind. What is thoroughly brought to mind is that the infidels, the disbelievers in Islam, no matter how honestly convinced they are of the truth of their religion and how observant they are of the teachings of their religion, are prospective fuel for Hell. Thus, the existence of two different worlds for the Moslems and non-Moslems in the hereafter is made positive even as the Filipino Moslems live here in a world of their own. Another delicate doctrine of Islam concerns the belief in predestination.<sup>64</sup> Our creations, by this belief, are predestined by God.<sup>65</sup>

There is a recurring expression among Moros which has served them a handy retreat for the misfortunes, perforce or by default, that they, the Moros, have been suffering in this world. And it is this: That the earth is heaven for the infidel, the disbeliever, the Christian; and hell for the *faithful*, the *Muslim*. Muslims must wait for the world without end for their share of God's bounty. This feeling, rather, attitude, may be explained by the Muslim's belief in predestination.

This mental attitude, and supposedly sanctioned by Islam, renders the Moslem Filipinos indifferent to worldly concern. They will not work to improve themselves, to better their conditions: Let the non-Moslems enjoy. Their misfortunes in life: poverty, physical ills, other human wants; the government actions against Moslem disruptions of law and order — are taken as god-sent. So let them persist; they were meant to be.

<sup>59</sup> See, note 55, *supra*.

<sup>60</sup> *Ibid.* The injunction is clearer in this passage: "Fight in the way of Allah against those who fight against you, but begin not hostilities. Lo! Allah loveth not aggressors."

<sup>61</sup> See notes 55 and 60, *supra*.

<sup>62</sup> The Moslem's greeting is: "Salaam walai 'kum", meaning "Peace be unto you." The meaning of "Islam" is "Submission to the will of God." REPORT, 47.

<sup>63</sup> *Ibid.*

<sup>64</sup> *Id.* at 43.

<sup>65</sup> *Ibid.*

There are other aspects of Islam which — due to the gross ignorance about the Islam religion — have proved harmful to Moro society: polygamy,<sup>66</sup> divorce,<sup>67</sup> the lower status of women,<sup>68</sup> and even, in some remote places, slavery.<sup>69</sup> Love-making being alien to Moro society, it is not hard to conceive of the troublous existence of the Moro family.

Moro history sowed isolationism, hatred and prejudice for the Christian Filipinos. And the Moro religion keeps it alive.

A doctor who had spent about twenty years in Jolo, Sulu, propounded this question to the writer: *Why are the Christian Filipinos now in very much better condition than the Moslem Filipinos, the Moros, when the Moros even preceded them in the Philippines and were then in a much better state of living?*

The answer to this very incisive question is: Moro character, Moro history, and Moro religion — the Moro Problem. All three — Moro character, Moro history and Moro religion — go to make up Moro education, passing their red tales and pernicious effects to one Moro generation after another.<sup>70</sup>

Now that we have the problem diagnosed, we shall proceed to examine the remedy that has been applied to the same. This brings us to the Government Moro Policy.

#### MORO POLICY DURING SPANISH TIMES

Centralization was the keynote of the Spanish administration of the Philippines.<sup>71</sup> Spain, in her days here, wanted, and attempted, to unite the entire Archipelago under one God, one Flag, one King. She succeeded with a bigger portion of the Philippines. With the Moros, however, she did not do as well.<sup>72</sup> Force brought slender fruits. In the end she tried tact and diplomacy, treaties.<sup>73</sup>

Spain's policy towards her overseas possessions was characterized by

<sup>66</sup> HURLEY, *op. cit. supra* note 6 at 240. The Koran sanctions polygamy.

<sup>67</sup> The Koran also sanctions divorce. In *People v. Bitdu*, *supra* note 22, the Solicitor-General observed the prevalence of divorce according to the Koran. The situation hasn't changed much. Only now Koranic divorce is recognized by R.A. No. 394, approved June 18, 1949.

<sup>68</sup> HURLEY, *op. cit. supra* note 6 at 242. SALEEBY, *Moro Problem, op. cit. supra* note 6 at 5. This lower status of women is decreed in many passages of the Koran. To illustrate: "Men are in charge of women, because Allah hath made the one of them to excel the other..." Hurley writes that the best efforts of the American government had been insufficient to prevent the relegation of women to the chattel state.

<sup>69</sup> *Ibid.* Many passages in the Koran sanction slavery. In Lanao and in Jolo, F. Sionil Jose of the Sunday Times Magazine heard of presence of slavery. In 1946 the Secretary of the Interior received report that 200 Filipino Christians were held in bondage in Lanao which report was subsequently confirmed. Report of the Secretary of the Interior for 1946, 12.

<sup>70</sup> *Supra* note 8.

<sup>71</sup> ZAIDE, *HISTORY OF OUR REPUBLIC*, 274.

<sup>72</sup> ZAIDE, *op. cit. supra* note 30 at 306.

<sup>73</sup> *Id.* at 314.

the *reducciones* or town system.<sup>74</sup> All her native subjects were to be gathered into *poblaciones* or communities with facilities of water, lands, husbandry and passage way.<sup>75</sup> The communities were to have native mayors and aldermen.<sup>76</sup> Spaniards, negroes, *mestizos* and *mulattoes* were to be kept out because they, it had been found out, had a bad influence on the natives, maltreating and exploiting them, and endangering their "salvation, increase and tranquility."<sup>77</sup> The purpose of these *reducciones* was to afford the natives better instruction of the Catholic Faith and the evangelical law and so that they, "the native 'Indios' or Filipinos may forget the blunders of their ancient rites and may live in harmony and in a civilized manner."<sup>78</sup>

The Governor-General enforced this policy in a decree bearing the date of January 14, 1881. The prevalence of isolationism was still rampant and the Governor-General desired the scattered native tribes to live in *reducciones*.<sup>79</sup> Three classes of regulations were issued, their application to depend on the degree of civilization already attained by these tribes.<sup>80</sup> When possible and practicable, the general law was to be applied in these *reducciones*.<sup>81</sup>

However, with respect to the Moros, a different policy had to be employed. The Moros resisted Spanish efforts at colonization and christianization of Moroland. A policy of force was, therefore, applied.<sup>82</sup> This gave rise to the long and bitter Moro Wars.

The introduction of steam vessels in 1861 turned the tide in Spain's favor. The vessels tolled the death of Moro power.<sup>83</sup>

In Mindanao, in the areas pacified by Spanish arms, and in Basilan a politico-military government, designated the Government of Mindanao, was established.<sup>84</sup> Christianization<sup>85</sup> of the areas, exploration and further occupation of territories,<sup>86</sup> the development of the natural resources of the region,<sup>87</sup> and the courting and winning peaceably, of the Filipino tribes<sup>88</sup> were the expressed purposes of the Government. The general law was to be observed in the territories under the Government of Mindanao.<sup>89</sup>

<sup>74</sup> Book IV, Title III, LAWS OF THE INDIES, cited and quoted in *Rubi v. Provincial Board of Mindoro*, 39 Phil., 660, (1919).

<sup>75</sup> *Id.* Law I; Law VIII.

<sup>76</sup> *Id.* Law XV.

<sup>77</sup> *Id.* Law XXI.

<sup>78</sup> *Id.* Law I.

<sup>79</sup> *Rubi v. Provincial Board of Mindoro, supra* note 74

<sup>80</sup> *Ibid.*

<sup>81</sup> *Ibid.*

<sup>82</sup> See, ZAIDE, *op. cit. supra* note 30 at 306.

<sup>83</sup> SALEEBY, *HISTORY OF SULU, op. cit. supra* note 44 at 214.

<sup>84</sup> *Ibid.* Created by a Royal Order and Decree.

<sup>85</sup> *Ibid.*

<sup>86</sup> *Ibid.*

<sup>87</sup> *Ibid.*

<sup>88</sup> *Ibid.*

<sup>89</sup> *Ibid.*

Sulu offered a more formidable and unyielding enemy. Spain, therefore, proceeded on its work through treaties. In the last two treaties<sup>90</sup> entered into between Spain and the Sultan and people of Sulu, the latter finally recognized the sovereignty of the Spanish King over them<sup>91</sup> and declared themselves Spanish subjects,<sup>92</sup> and Sulu was incorporated into the National Government.<sup>93</sup> Spain, in turn, guaranteed the freedom of religion<sup>94</sup> of the Sulu Moros, granted the Sulu Sultan and his datus annuities,<sup>95</sup> recognized certain powers in the Sultan,<sup>96</sup> and agreed to respect the traditional ranks and titles of the Sulu Moros and the privileges attendant to them.<sup>97</sup> The last of these treaties was never abrogated and, therefore, may be considered to define the final relations between the Spanish Government and the Sultan and the people of Sulu.<sup>98</sup>

Dr. Saleeby says that the Spanish Government entered these treaties without any intention to keep them permanently.<sup>99</sup> And Professor Zaide says that the Moros considered the treaties as mere "scraps of paper."<sup>100</sup> There were Moros who disagreed with the Sultan with respect to Spain and these Moros kept on with the fighting.<sup>101</sup>

According to Dr. Saleeby, the status of Sulu as defined by the treaty of July, 1878, resembled that of a protectorate rather than a dependency.<sup>102</sup> The internal administration of Sulu, its customs, laws and religion were fully respected and were not subject to Spanish jurisdiction, confirmation, approval or interference of any sort, except in matters pertaining to regulations for use of arms.<sup>103</sup> Spanish garrisons were stationed in Jolo, but Spanish influence and jurisdiction did not extend beyond their limits.<sup>104</sup> No material reform or progress reached the Moro communities.<sup>105</sup> No effort was made by Spain to educate the Moros and no adequate measures were proposed which were applicable to the Sulu people and acceptable to their ideas. "It is clear, therefore," says Saleeby, "that, strictly speak-

<sup>90</sup> These treaties are that of April 30, 1951, and July, 1878. Text of first treaty is found in SALEEBY, HISTORY OF SULU, *op. cit. supra* note 44 at 209 et seq.; that of second treaty on pp. 227 et seq.

<sup>91</sup> 2nd treaty, Art. I.

<sup>92</sup> *Ibid.*

<sup>93</sup> *Ibid.*

<sup>94</sup> *Ibid.*

<sup>95</sup> *Ibid.*

<sup>96</sup> These powers were: To collect duties; to issue passports and to fix the fees therefor; and to issue license to carry firearms.

<sup>97</sup> *Ibid.*

<sup>98</sup> Treaty of July, 1878; SALEEBY, HISTORY OF SULU, *op. cit. supra* note 44 at 225-226.

<sup>99</sup> SALEEBY, Moro Problem, *op. cit. supra* note 6 at 10.

<sup>100</sup> ZAIDE, *op. cit. supra* note 30 at 315.

<sup>101</sup> SALEEBY, HISTORY OF SULU, *op. cit. supra* note 44 at 218-219.

<sup>102</sup> *Id.* at 231.

<sup>103</sup> *Ibid.*

<sup>104</sup> SALEEBY, Moro Problem, *op. cit. supra* note 6 at 10.

<sup>105</sup> *Ibid.*

ing, the Moros were no more citizens of the Philippine Islands than the Filipinos are American citizens.<sup>106</sup>

Spain also invented the term "Moro" which, it seems, is here to stay.<sup>107</sup>

The Philippine Commission of 1900 made this report to the United States President on the Spanish policy on the Moros and the other non-Christian tribes:

The process of leveling, of overturning native authorities and destroying native institutions, kept pace with the process of Spanish arms, until nothing but useless rudiments remained, at least in Luzon and the Visayas, when Maura inaugurated the reform of municipal government.... In Mindanao and Sulu Archipelago native chieftains (datus) with their primitive councils and institutions still survive.... In those other parts of the Archipelago which have only been slightly touched by Spanish influence, and in which native institutions still flourish in their original vigor, Spain ruled through the native datus or chiefs, with whom she made agreements, as England did with the kindred tribes of the Malayan states, a policy which the United States has already followed with the Sultan of Sulu Archipelago and is now continuing among the chieftains of the numerous tribes who inhabit the vast and little explored island of Mindanao.<sup>108</sup>

#### AMERICAN MORO POLICY

The cornerstone of American policy in the Philippines is embodied in President McKinley's Instructions to the Commission of 1900. The government that was to be established was not for America's satisfaction but for the happiness, peace and prosperity of the people of the Philippines;<sup>109</sup> and the measure adopted should be made to conform to their "customs, their habits, and even their prejudices" to the fullest extent consistent with the accomplishment of the indispensable requisites of just and effective government.<sup>110</sup>

Laying the foundation of the American non-Christian, and Moro policy, President McKinley said:

In dealing with the uncivilized tribes of the Islands, the Commission should adopt the same course followed by Congress in permitting the tribes of our North American Indians to maintain their tribal organization and government and under which many of those tribes are now living in peace and contentment, surrounded by a civilization to which they are unable or unwilling to conform. Such tribal governments should, however, be subjected to wise and firm regulations and, without undue or petty interference, constant and active effort should be exercised to prevent barbarous practices and introduce civilized customs.<sup>111</sup>

<sup>106</sup> *Id.* at 14.

<sup>107</sup> *Supra* note 30.

<sup>108</sup> Report of the Philippine Commission (1900) 61.

<sup>109</sup> President McKinley's Instructions, par. 12.

<sup>110</sup> *Ibid.*

<sup>111</sup> *Id.* at par. 16.

The Philippine Bill of 1902<sup>112</sup> and the Jones Law of 1916<sup>113</sup> recognized the policies expounded by the President of the United States. The latter law expressed the final purpose of complete independence for the Philippines.<sup>114</sup>

The Bureau of Non-Christian Tribes<sup>115</sup> was duty-bound "to continue the work for advancement and liberty in favor of the regions inhabited by non-Christian Filipinos and foster by all adequate means and in a systematic, rapid, and complete manner the moral, material, economic, social and political development of these regions, always having in view the aim of rendering permanent the mutual intelligence between and complete fusion of all Christian and non-Christian elements populating the provinces of the Archipelago."<sup>116</sup>

In these and other acts passed by the United States Congress and the Philippine Commission the purposes of the American Government, and its policy towards the Filipinos, Christian, non-Christian, and Moro, were made unmistakably clear.

Up to September, 1903, the relation of the Sulu Moros to the government was determined by treaty.<sup>117</sup> Mindanao and Sulu were placed under military occupation from May 1, 1899, to August, 1903.<sup>118</sup> The Moros were practically left alone in the management of their internal affairs.<sup>119</sup> The Moro Province, created on June 1, 1903,<sup>120</sup> was the first bold attempt of the American Government to take a hand in the administration of Moro internal affairs.

The Moro Province was provided with a legislative council<sup>121</sup> which was, among other duties, to enact laws for the creation of local government among the Moros and other non-Christian tribes, conforming as nearly as practicable to the lawful customs of the natives.<sup>122</sup> The tribal leaders were to be vested with traditional authority over their people.<sup>123</sup> District courts were specially organized for cases involving Moros, civil and criminal.<sup>124</sup> Moro customs were to be collected, modified, and to be applied in said cases.<sup>125</sup>

On December 20, 1913, the name Moro Province was changed to the Department of Mindanao and Sulu<sup>126</sup> and on July 23, 1914, the Philippine

<sup>112</sup> Act of Congress of the United States, July 1, 1902.

<sup>113</sup> Act of Congress of the United States, August 29, 1916.

<sup>114</sup> *Ibid.*

<sup>115</sup> Act 253 (October 2, 1901).

<sup>116</sup> *Id.* at Sec. 1.

<sup>117</sup> SALEEBY, Moro Problem, *op. cit.* *supra* note 6 at 14.

<sup>118</sup> *Id.* at 13.

<sup>119</sup> *Ibid.*

<sup>120</sup> Act 787.

<sup>121</sup> *Id.* at sec. 12.

<sup>122</sup> *Id.* at sec. 12 (h).

<sup>123</sup> *Ibid.*

<sup>124</sup> *Id.* at sec. 12 (k).

<sup>125</sup> *Id.* at sec. 12 (j).

<sup>126</sup> Act 2309.

Commission passed its organic act, Act 2408. Special provinces for Agusan, Bukidnon, Cotabato, Davao, Lanao, Sulu and Zamboanga were established.<sup>127</sup> Act No. 2878, in turn, abolished the Department.<sup>128</sup>

The Philippine Bill of 1902 divided the Philippines into the Christian and the non-Christian territories,<sup>129</sup> charging the Philippine Commission with the non-Christian territory.<sup>130</sup> This jurisdiction and authority of the Philippine Commission was transferred to the Philippine Legislature by the Jones Law.<sup>131</sup> The Department of Mindanao and Sulu was made the twelfth senatorial district together with Mt. Province, Baguio and Nueva Viscaya<sup>132</sup> with appointed senators.<sup>133</sup> Slowly, the general law was applied to the Department.<sup>134</sup>

The Jones Law also created the Bureau of Non-Christian Tribes to take charge of the twelfth senatorial district.<sup>135</sup> Later acts modified the Bureau.<sup>136</sup>

Another American policy which is peculiar to the non-Christian peoples and which seems to be a carry-over of Spain's *reducciones* is the establishment of reservations<sup>137</sup> where non-Christians could, at the pain of a penalty, be compelled to reside.<sup>138</sup>

Sec. 2426 of the Administrative Code of 1916 expresses the purpose of these compulsory settlements:

Sec. 2426.—Ends to be accomplished in the administration of law.—The constant aim of provincial governors, provincial boards and of the Secretary of the Interior in exercising the powers conferred upon them in the administration of the affairs of the non-Christian inhabitants shall be to aid these people to acquire the knowledge and experience necessary for successful local self-government and their supervision and control over such people shall be exercised to this end, and to the end that law, order and individual freedom may be maintained.

Hayden, an American political observer of Philippine affairs, writing

<sup>127</sup> Act 2408, sec. 19.

<sup>128</sup> Act 2878.

<sup>129</sup> *Supra* note 112.

<sup>130</sup> *Id.* at sec. 6.

<sup>131</sup> *Id.* at sec. 12.

<sup>132</sup> *Id.* at sec. 16.

<sup>133</sup> *Ibid.*

<sup>134</sup> To illustrate: 9, PUBLIC LAWS OF THE PHILIPPINES ISLANDS, contains a list of Acts of the Philippine Legislature made applicable to the territory inhabited by the Moslem Filipinos and other non-Christian tribes by various acts of the Philippine Commission. There are 218 of them in the list. The same volume contains acts of the same character.

<sup>135</sup> Sec. 22.

<sup>136</sup> The Bureau of Non-Christian Tribes was first created by Act 253 (Oct. 2, 1901). Act 841 (Oct. 2, 1903) changed the name to "Ethnological Survey for the Philippine Islands". The Philippine Legislature restored the name by Act No. 2674 (Feb. 20, 1917).

<sup>137</sup> Adm. Code § 2745 (1917).

<sup>138</sup> *Id.* at § 2759. These provisions on compulsory settlement of non-Christians were cited by the Supreme Court in the case of Rubi v. Provincial Board of Mindoro, *supra* note 74.

in 1942, says that the policy of the Philippine government has been to prepare the non-Christian people of the country for equal citizenship in a democratic state.<sup>139</sup>

#### MORO POLICY UPON ADVENT OF PHILIPPINE INDEPENDENCE

Unto Quezon's shoulders fell the full impact of Philippine government. In 1936 the Philippines social-justice President visited Lanao. He told a gathering of Filipinos made up of Moros and some Christians:

Now, as for you, you must feel and act from now on as the constituents of one great nation. Let us have no more of the fiction that the Moros and Christians cannot get along together; no more of that nonsense that Christian Filipinos cannot govern their non-Christian brothers. You, the Mohammedans, and you, the Christians, constitute one people and over you preside a Chief Executive and a National Assembly elected by you, and you alone. Mohammedan Filipinos will receive exactly the same consideration, the same protection, the same treatment as the Christian Filipinos. In this country Mohammedan Filipinos will feel the weight of the hand of justice as much as the Christian Filipinos, if they violate our laws.<sup>140</sup>

One year later President Quezon embodied his talk to the Lanao Moros in a memorandum to the Secretary of the Interior which was to be the Moro policy of his administration.<sup>141</sup>

No. 2 of President Quezon's three-point Moro policy bears repeating:

2. It has been, in my opinion, the weakness in the policy heretofore adopted by the government of the Philippines in dealing with Mohammedan Filipinos or Moros in Mindanao and the Sulu Archipelago to give some sort of recognition to the datus, so that they have become in practice *ex officio* officials of the government. It gives the impression that there is a dual government for the Moros — one exercised by the appointed or elected officials of the government and the other by datus or sultans. It perpetuates the over-lordship exercised through the ages by these datus as they were under the Spanish regime. The government is in duty bound to protect the common people in Moroland, as much as it is bound to protect the common people in other provinces and regions of the Philippines, from the control or exploitation of these Moros and Christian Filipinos, whether they be called sultans, datus, leaders, or hacenderos or caciques, who would exploit or abuse them. Therefore, from this time on, you should instruct the governors and municipal presidents in the provinces composing the territory under the jurisdiction of the Commissioner of Mindanao and Sulu to deal directly with the people instead of with the datus, sultans, leaders or caciques....

These datus and sultans should never be allowed to have anything to do with the functions that are official. They should be heard exactly and precisely as every other citizen has the right to be heard on matters effecting the nation, his province, his municipality, or his district. Their help should

<sup>139</sup> *Supra* note 6.

<sup>140</sup> On "Development of Mindanao", delivered at Camp Heithy, Lanao, June 6, 1936. 1 MESSAGES OF THE PRESIDENT, 112.

<sup>141</sup> 3 MESSAGES OF THE PRESIDENT, 357.

be sought no more than the help of any other citizen in any other part of the Philippines is sought, if and when the services of such citizen may be needed. By this, I mean that nothing must be done by this Government or its officials that would give the impression that men without official responsibilities and powers may exercise any authority or intervene with authority on governmental or administrative affairs of the nation, the province, the municipality or the district.<sup>142</sup>

President Quezon also initiated and advocated the abolition of the Bureau of Non-Christian Tribes.<sup>143</sup> It was abolished and the Commission for Mindanao and Sulu was created.<sup>144</sup> The Department of the Interior finally assumed full charge of Moro affairs and development of Mindanao and Sulu,<sup>145</sup> then, the Department of the Interior abolished,<sup>146</sup> the Office of the President which, later on, created<sup>147</sup> the Office of Local Governments to supervise over the special provinces, including those originally under the Department of Mindanao and Sulu. These special provinces were made regular provinces on April 20, 1955, by Rep. Act No. 1205. The Commission on National Integration which was created only on June 22, 1957, is the latest expression of the Government Moro Policy.

Public laws passed by the Philippine Legislature and the Philippine Congress manifest the Government Moro Policy.

The Public Land Act<sup>148</sup> contains provisions protecting and favoring non-Christians.<sup>149</sup> The Act contains a section on non-Christian reservations.<sup>150</sup> The new Civil Code of the Philippines<sup>151</sup> provides for a privileged marriage for the Moros and non-Christians living in non-Christian provinces.<sup>152</sup> Rep. Act No. 394, approved on June 18, 1949, is, however, the Moros' biggest triumph in a country strongly, and predominantly against, and condemning, absolute divorce. Other non-Christians are not accorded the right. And Moslem divorce will stay legal and valid till June 18, 1969.

The Moslem Divorce Law, it may here be noted, was sponsored by two Moslem Congressmen then in Congress.<sup>153</sup>

<sup>142</sup> *Id.* at 358.

<sup>143</sup> On "Abolition of the Bureau of Non-Christian Tribes". The recommendation was addressed to the First National Assembly in his Message to that body of July 16, 1936.

<sup>144</sup> C.A. No. 75 (Oct. 24, 1936). C.A. No. 75 created the Commissioner for Mindanao and Sulu at the same time.

<sup>145</sup> The Commissioner for Mindanao and Sulu was abolished by the Appropriation Act of 1945, leaving matters with the Department of the Interior.

<sup>146</sup> EXEC. ORDER No. 383 (1950).

<sup>147</sup> EXEC. ORDER No. 392 (1951).

<sup>148</sup> C.A. No. 141 (1936).

<sup>149</sup> To illustrate: Sec. 21 gives a non-Christian a right to apply for a piece of land within the reservations set aside by the President of the Philippines per Sec. 84 of the Act. Sec. 120 protects the illiterate non-Christians in their conveyances by requiring the approval of the Commissioner of Mindanao and Sulu (now the Commissioner on National Integration) for said conveyances.

<sup>150</sup> Sec. 84.

<sup>151</sup> R.A. No. 386. It took effect on August 30, 1950.

<sup>152</sup> *Id.* Art. 78. The privileged marriage will last for 20 years from Aug. 30, 1950.

<sup>153</sup> Congressman Amilbango of Sulu and Congressman Mindalano of Lanao.

The Philippine courts have not been behind in the formulation and development of the Government Moro Policy.<sup>154</sup>

In *Rubi v. Provincial Board of Mindoro*<sup>155</sup> which came to the Supreme Court in 1919, the Court defined the term "non-Christian"<sup>156</sup> and held that pursuant to the policy of the government with respect to non-Christians, Rubi and his Manyan companions could be compelled to live in reservations.<sup>157</sup> The case of *Adong v. Cheong Seng Gee*<sup>158</sup> dealt with the validity of Moslem marriage. The Court held the same valid and observed:

... Various responsible officials have often announced the purpose of the government not to interfere with the customs of the Moros, specially their religious customs, as to make quotation of the same superfluous.<sup>159</sup>

Judge Macapanton Abbas<sup>160</sup> of the Court of First Instance of Sulu suspended a sentence for bigamy<sup>161</sup> which he imposed on a Moro accused whom he found guilty of bigamy "considering the policy of the Executive Branch of the Government with respect to the religion and laws of the Muslim inhabitants...; considering that bigamy under certain conditions is not a crime under Muslim Law; and in the interest of public policy..."<sup>162</sup>

The Department of the Interior, now defunct, which had variously been assigned to the work of advancing the Moros and other non-Christians and their areas, gave its share also. It promoted development work in Mindanao; encouraged immigration of Christian Filipino settlers into Moroland; gave out public money for constructional work therein; and granted government scholarship to non-Christian students.<sup>163</sup>

Latest, and very recent, expression of the Moro policy of the government is the Commission on National Integration. Creation of this special Commission was recommended by the Congressional Committee on the Moro Problem.<sup>164</sup> Sec. 1 of Rep. Act No. 1888 which created it puts down the general public policy:

Sec. 1. It is hereby declared to be the policy of Congress to foster, accelerate and accomplish by all adequate means and in a systematic, rapid and complete manner the moral, material, economic, social, and political advance-

<sup>154</sup> In these cases the Supreme Court considered Moro customs and practices: *Adong v. Cheong Seng Gee*, 43 Phil. 43 (1922); *People v. Bituanan*, 56 Phil. 23 (1931); *People v. Bitdu*, 58 Phil. 817 (1933); *People v. Dumpo*, 62 Phil., 246 (1935). One good case on the matter is *Cacho v. Government of the United States*, 28 Phil., 616 (1914).

<sup>155</sup> 39 Phil., 660 (1919).

<sup>156</sup> *Id.* at 693.

<sup>157</sup> *Id.* at 719.

<sup>158</sup> *Supra* note 154.

<sup>159</sup> *Id.* at 55.

<sup>160</sup> Judge Abbas is a Moslem. He was born in Lanao.

<sup>161</sup> Judge Abbas' case was printed in II FEU LAW QUARTERLY, No. 1, at 1-11 (1955).

<sup>162</sup> *Id.* at 10.

<sup>163</sup> Annual Report of the Secretary of the Interior for 1947, pp. 12-17; pp. 55-56. Also Annual Report of the Secretary of the Interior for 1946, p. 12.

<sup>164</sup> *Supra* note 8.

ment of the Non-Christian Filipinos, hereinafter called National Cultural Minorities, and to render real, complete and permanent the integration of all the said National Cultural Minorities into the body politic.

The Commissioner on National Integration has the rank of a Department Secretary and is a member of the cabinet.<sup>165</sup> He has two associate Commissioners.<sup>166</sup>

Sec. 4 lines up the powers, functions and duties of the Commission which, in general, is to further agricultural, industrial and social development of the National Cultural Minorities and their progress in civilization.<sup>167</sup>

Let us now re-examine the Government Moro Policy in the light of the Moro Problem.

#### FOR A MORE REALISTIC APPROACH

The Philippine Government can adopt either of two measures with the Philippine Moros. The first is, in its extreme, secession for the Moros or, by way of compromise, a separate, distinct government for them; the second is, in its extreme, full, complete integration or, by way of compromise, integration in administrative matters only, leaving the Moros a people within the Filipino nation, a nation unto their own, with their own customs and traditions, laws, system of education, culture and social classes.

The first alternative, in its extreme, is catastrophic. *It is cutting off the head for a headache.* In its mild form, it is retrogression. It is going back to American colonialism and there in that colonial past, stagnate. The Philippine Government, in its ultimate end, aims at integration, full and complete, in principle at least. Integration, in application, has been a hesitating, reluctant attitude.

But we do want "real," complete" and "permanent" — these are terms used by Rep. Act No. 1888 — integration. Even these, however, are general terms, capable of various meanings. President Quezon was clearer, more definite, in his Moro policy. But war cut short, rendered abortive, his "good fight." What, then, does the Philippine Government desire with the Philippine Moros?

We take it, as the word "integration" means,<sup>168</sup> that the Philippine Moros and the other non-Christians and the Christian Filipinos are to be made into one "complete or perfect whole." By this we mean that there will only be one Filipino nation with a common history, common customs and sentiments and a common social living, culture and education. Integration, in other words, not only in matters governmental or administrative.

<sup>165</sup> R.A. No. 1888, sec. 2.

<sup>166</sup> *Ibid.*

<sup>167</sup> *Ibid.*

<sup>168</sup> WEBSTER, NEW COLLEGIATE DICTIONARY (Second Edition) defines integration as "act or process of integrating; specific; act or process of making whole or entire" "to integrate" is defined as "to form into a whole; to unite or become united so as to form a complete or perfect whole."

It is good to remember here that the Moros the Philippine Government wants to integrate "into the body politic" do not feel part of, do not want, the Philippine Government. And Moro leaders, specially political leaders, could profit much from the separation, datuism, of the Moro people. It is good to remember too that "there has never been any lost love"<sup>169</sup> between the Moros and the Christian Filipinos.

Seen in the light of today's Philippines and today's aching national desire for full, complete and perfect integration or unification of the Filipino people, may one be critical of Spain's purposes in the Philippines and her policy towards the Filipino people and towards the Moros specially? Spain wanted all old customs and native institutions in the Philippines leveled and eradicated, like so many evil diseases. She did not succeed with the Moros; but she did succeed with the better and bigger portion of the Filipino people.

America came after Spain. She wanted to "salvage" what remained after Spain's leveling process.<sup>170</sup> Thus the Moros, and the other non-Christians, were set separate and apart with a peculiar government of their own. Datuism was to be preserved; Moro customs and laws were to be "purified" and adopted into the Moro government. The country was divided into two. And terms and names like "non-Christian," "Christian Filipino," "Filipino peoples," "cultural minorities," "wild tribes," and "uncivilized tribes" were brought into law books and reports.

Spain started the idea of the *reducciones* at a time when the Filipino nation was not in existence, when the country was inhabited by tribes scattered, and wandering, in mountains, hills, valleys and villages and sea coasts. Spain gathered them into communities where they could be brought up properly and in community living. Thus, she built up a slow growing nation, the Filipinos. The term "Indio" only gave the scattered, tribal peoples a common name. Spain, though not positively, unified the Moro people. Where before there were several distinct tribes with different names, the Filipinos professing Islam are now known by a common name, "Moros."

America found here a nation. Civilization was considerably advanced. There were centers of habitation and civilization. America took up the idea of reservations; introduced them into Philippine governmental system. Thus, a part of the Filipino nation was segregated; to be forced into secluded settlements; to be governed differently. The institutions, the customs of the Moros, which now prove to be a difficult obstacle towards unification or integration, were given a semblance of legality, of force and

<sup>169</sup> SALEEBY, *Moro Problem op. cit. supra* note 6 at 15.

<sup>170</sup> *Ibid.*

effect. Of course, the final goal was integration. Views to the contrary were not absent, however.<sup>171</sup>

The American Indian policy might have done wonders in the United States. But the Indians are not Americans. Their color and blood are not American. Indian origin and American origin are unlike. The Filipinos are all of Malayan race — same blood, same color, same built, history, origin, and descent and birth place. Why, we could have asked then, set the Moros apart from the other Filipinos in the way the Indians were set apart from the Americans?

America won the friendship and confidence of the Moros. But America also helped foster old animosities and prejudices. Separation, isolationism, was enkindled in the American special government.<sup>172</sup>

Why, we ask now, didn't America bring the Philippine Moros and the Christian Filipinos together, make them live together, and tell them: "Now, you, the Moros, and you, the Christian Filipinos, you are no longer enemies; your common enemy has been driven away by us. Live together now, for you belong to the same nation; you are one people."? Difficulties might have been encountered then; so the same must be avoided then. And now these difficulties we suffer. Would, we ask again, it not be very much better to have experienced the difficulties then rather than face them now?

President Quezon, had he lived long, might have accomplished some concrete results in the way of final, complete and perfect integration or unification of the Filipinos. But Quezon is long dead; America is longer gone; Spain longest. And we are already approaching the twelfth year of our Independence, our complete statehood and, even longer, nationhood. And up to this late hour, our "integration policy" has not worked.

The time, and the results, demand a re-examination of our Government Moro Policy.

The Moro Policy of the Philippine Government has been, more or less, a carry-over from the American. The same general policy is still reiterated in our statutes: the same colonial terms appear — "non-Christian," "Christian Filipino," "cultural minorities." And the Commission on National Integration is not much different from the Bureau of Non-Christian Tribes. The case decided by Judge Abbas in 1954 is the same in point of

<sup>171</sup> To illustrate: The Bacon Bill introduced twice by Representative Robert L. Bacon sought to separate Mindanao and Sulu from the Philippines and to retain them permanently under America. The bill was introduced as H. R. 12772, 69th Congress, 1st Session on May 6, 1926; reintroduced as H. R. 15479, 69th Congress, 2nd Session Dec. 20, 1926.

<sup>172</sup> To illustrate: Hurley in his book "SWISH OF THE KRIS" cites and quotes the following Moro leaders: Speeches before a convocation in honor of the American Secretary of War in 1910. The Moro Province was then rumored about to be abolished. The Moro Sacaluran: "I am an old man. I do not want any more trouble. But if it should come to that that we are to be given over to the Filipinos, I still would fight." The Moro Ulankaya: "If we are given over to another race, we had better all be hanged." See also note 47 *supra*.

policy as the case decided by the Supreme Court in 1922 and even earlier.<sup>173</sup>

In 1903 America worked to collect, modify, and codify Moro customs and Moro customary laws and applied the same to Moro cases; in 1954, the Congressional Committee on the Moro Problem submitted practically the same recommendations.<sup>174</sup> The traditional datu were to be accorded original authority, decreed the Philippine Commission in 1903; datuism must be 'perfected' and brought into Moro government, argued Dr. Saleeby in 1913;<sup>175</sup> datuism is very much alive, found the Congressional Committee on the Moro Problem in 1954 and the traditional Moro leaders must be accorded some sort of recognition.<sup>176</sup> The Moslem Divorce Law in 1949 and the new Civil Code in 1950 are along the same pattern. Moslem divorce means the *Agama Court*<sup>177</sup> and the *Agama Court* has not only been a conservator of Moro traditions but a frequent instrument for exploiting the subjects of the presiding datu.<sup>178</sup>

Our Government Moro Policy has been consistent indeed. From the last part of Spain's stay to America through the Commonwealth and down to the Republic, the policy has been to recognize Moro customs and traditions, except the most obnoxious, like slavery and polygamy.

These customs and traditions have been found to be anti-social, anti-democratic<sup>179</sup> and anti-progress and, therefore, anti-Filipino. They have bound the Moros together, tied them to the past.

Shall the government, too, be a creature of tradition, of judicial and administrative precedents? Shall our government Moro Policy be a driftwood in the current and undercurrent of political and national developments?

The Moro Problem must ever be kept in mind. The Moros have always felt themselves a nation, complete with religion, government, laws, education, economy, customs and traditions and even a definite and distinct territory, Moroland. Moro character, Moro history, and Moro religion have been vivifying factors. And the government policy has been of help. The combined effects are still telling on the nation. The Christian Filipinos, Philippine education, and the Philippine government are a foreign, external force.<sup>180</sup> Moro prejudice is not yet dead.

The Commission on National Integration was recommended by Moslem

<sup>173</sup> The case decided by the Supreme Court in 1922 is *Adong case*, *supra* note 154.

<sup>174</sup> *Supra* note 8.

<sup>175</sup> SALEEBY, *Moro Problem. op. cit.*, p. 29.

<sup>176</sup> *Supra* note 8.

<sup>177</sup> Moslem divorces are litigated in the *Agama Courts* which are presided over by the datu.

<sup>178</sup> F. Sionil Jose, *The Sultans and their Lost Empire*, Sunday Times Magazine. The Congressional Committee on the Moro Problem also found existing abuses perpetuated by the *Agama Courts*.

<sup>179</sup> *Supra* note 6 at 240.

<sup>180</sup> *Ibid.*

Congressmen. The bill creating it was sponsored by the same. The Commissioner is a Moslem *hadji*, a traditional spiritual leader, and political too, who has done his pilgrimage to Mecca.

Clearly, before taking one step further, the National Government must pause to re-consider our, the Philippines', ultimate end in all its policies and public undertakings: complete integration, the building up of a perfect Filipino whole.

Spain, if ever she negotiated treaties with the Moros, wanted to serve a temporary purpose — the avoidance of further bloodshed. And President McKinley, in instructing the Commission of 1903, wanted "constant and active effort" to be exercised "to prevent barbarous practices and introduce civilized customs."<sup>181</sup> The final, hazy and distant goal was nevertheless integration. Spain used force, "a leveling process"<sup>182</sup> and she succeeded in building a nation out of many diverse conflicting Filipino tribes or ethnic groups. But Spain failed with the Moros and the Moro Problem since then has grown. No doubt, if, as of today, our object is to retain, revive and build up native institutions, cultures and customs, to maintain and polish the existence of the several Filipino tribes, then, certainly our venom to Spain!

But today our destiny is as one nation, one government. How then could we attain our national destiny? We haven't thus far, with the Moros. But we have to; we must.

And we can. It is painful. It is hard. But if we, the National Government, are earnest in our work, honest in our avowed purpose, we can.

#### CONCLUSIONS

1. *The Christian Filipinos must understand the Moros as a people and the Moros must help themselves on matters beyond the reach of Christians.*

The Moro Problem, as we have tried to show, is not only political. It is not so much the problem of the Moros alone but of the entire Filipino nation. Hence in its final and complete solution all three — the Filipino people, the National Government and its branches, and the Moros must all work as one.

The Christian Filipinos must understand: Here are Filipinos who have misunderstood and had been misunderstood. The Moros' history has been very rough. A history as theirs could not be productive of patient and tolerant people. Let the Christian Filipinos, then, go out of their way to embrace their blood brothers.

But more than the Christian Filipinos, the Moros themselves hold the remedies to their own ills. The truism is still true that *no one but you can help you*. Let, therefore, the Moros help themselves!

<sup>181</sup> President McKinley's Instructions, *supra* note 109.

<sup>182</sup> *Supra* note 6 at 61.

There are some recesses of a man into which others cannot go. There are some parts of the work which a third person cannot do.

The Moros must, first and foremost, want to rise up. They must be willing and ready to cast off old practices, beliefs, customs and traditions which have proved to be prejudicial. The Philippine government can trim down, cut off, Moro polygamous marriages, slavery, and, even perhaps, restrict Moro divorces. But the government cannot curve hostile thoughts and traditional prejudices. There are Moro practices and customs which, though harmful and anti-progress, are nevertheless within the realm of law and democratic government. These, the Philippine government could not reach.

The Philippine government can put up schools, encourage Moro education. But it cannot force — force is difficult and painful — Moro children to attend school. The government could encourage the teaching of Islam. But it cannot itself undertake to bring the full teaching and meaning of Islam to the Moros, Moslem Filipinos.

And the Moros must go to school, if they ever hope to rise up. The difference in civilizational levels between the Christian Filipinos and the Moros is, perhaps, education merely. Education was very limited in the pre-Spanish past; education is widespread now and the Philippines is a very much happier and healthier country now. It needs no citation of authorities to show the part of education in the march and rise of men towards the pinnacle of modern civilization.

Dr. Saleeby observes that the religion of the Moros is not pure Islam.<sup>183</sup> This observation given in 1911 was verified by the Congressional Committee on the Moro Problem in 1954.<sup>184</sup> That is why in this paper Moro religion has been emphasized rather than Islam. Again, like education, religion has contributed immensely to the progress of civilization. So has Islam in the countries professing, and knowing, it fully.<sup>185</sup>

Islam must be taught and fully understood. Schools, or centers, for the teaching of Islam must be established. The great teachings of Islam, its principles of brotherhood and universality must be brought out. Let us not have more of the *jihad* part of Islam. And, certainly, let us not have schools for the learning of the Arabic phonetics and the Arabic script merely, and only.

A good Moslem makes a good citizen.<sup>186</sup> This is said repeatedly. And Islam, to the Filipino Moros, Muslims, is not only a religion. It is a way of life.<sup>187</sup>

Hence the urgency, under the present state of things, of knowing it fully.

<sup>183</sup> SALEEBY, *Origin of Malay Filipinos*, *supra* note 51 at 9-11.

<sup>184</sup> *Supra* note 8 at 52.

<sup>185</sup> It is generally admitted. See also GIBB, *MOHAMMEDANISM*, *op. cit. supra* note 55.

<sup>186</sup> F. Sionil Jose, *The Sultans and their Lost Empire*.

<sup>187</sup> *Supra* note 8 at 52.

And the Philippine government could not undertake the teaching. It, therefore, behooves the Moros, citizens and leaders alike, to learn Islam.

2. *Moro history should not be considered as separate and distinct from Philippine History. There is only one Philippine History for Christians and Moros alike.*

Moro history has been so much alluded to in this paper. It is done with a purpose: to bring home the effect of Moro history on the Moro mind and life. There should not be a "Moro history"; there should only be one history for the Filipino people. And this is Philippine history.

But actually, and in our schools, there are two distinct histories in the Philippines — the Philippine history and Moro history. In one, Philippine history, we are told of how the Filipinos, helping and being helped by Spaniards and the Americans, have tried to build up one strong nation and one strong government. This same history tells how the Filipinos, with their white partners, have been harassed by the Moros who have done nothing but pirating and slave-trading. In the other, Moro history, we are told — at least, the Moros are told, — of how the Moros fought hard and long to prevent invasion and usurpation of their native land and the banishment of their religion. This same history tells us, and with telling effects, how the Spaniards and Americans, being helped by Christianized Filipinos, drove the Moros from their domain, killing them by hundreds, destroying their possessions. The everlasting effect is, of course, division of the Filipino people, disintegration of any common bond existent.

Yet this paradoxical and lamentable situation should not exist — since it does exist, could be avoided. The Moros' fight against the Spaniards and the Americans could be, should be, identified with the cause espoused by the Katipuneros and their kin and with the cause upheld by Gen. Emilio Aguinaldo and his army. Lapulapu struck against Magellan and we now honor him with a stamp. The Filipinos in Luzon and Visayas, in abortive bands and attempts, struck at the Spaniards and failed: We sing their deeds in school books. Emilio Aguinaldo and his men resisted, futilely, the Americans and today Gen. Aguinaldo is a living hero. The Moros of southern Philippines did the same; in fact, they succeeded where their brothers of the North failed. Yet our history books today have nothing but piratical roles and slave-trading positions for them.

It is admitted that Philippine education has not been very effective. With the Moros it has been a failure.<sup>188</sup> How else could we explain the existence of division among the Filipino people? the isolationism and the feeling of not belonging on the part of the Moros? Many Moros complain:<sup>189</sup> how could we feel part of the Filipino People, part of Philippine Government,

<sup>188</sup> *Ibid.*

<sup>189</sup> The REPORT contains references to these nagging questions.

when Philippine history, our schools, tell us that we have been nothing but pirates, obstructing the progress of the Philippines, fighting and being fought by Filipinos? How teach nationalism and patriotism with such means?

Integration, it needs reminding, is the final goal. We are no longer subjects of Spain, nor nationals of America. Our historians are no longer Spaniards. They are not any more writing for the edification and glory of the King of Spain. They are writing for the Filipino People. Their object is nationalism and patriotism.

The Moros today are awakening to the importance of education.<sup>190</sup> They are asking a place in the history of their country.<sup>191</sup> Let the Filipino people, the Filipino writers, and the Philippine Government, heed the voice. It is a healthy sign — and coming from the Moros too! The result will be integration. And the Filipino Moros have qualities that could prove invaluable to the upbuilding of the Philippines.

Integrate the Filipino people? Then integrate their history!

3. *Philippine education should not look down on Moros as pirates and what-nots, but should be imbued with a mission of integrating Moslems into the national fabric.*

The Moros have refused to go to school with reasons. And they have thus been a problem. But today they are awakening. They want to go to school — at least, there is a growing feeling among the mass.

There are in existence in the country today two systems of education: Philippine education and Moro education.<sup>192</sup> Philippine education is given in the schools. Moro education is taught in Moro homes. Moro education is principally based on the Koran<sup>193</sup> and on Moro customs and traditions. Those suicidal bravery of the Moro warriors of the Moro Wars are taught in poems and songs. The effect of these two different systems of education is division of the Filipinos. On the Moros, the effect is many-fold. Moro customs and traditions are perpetuated. Moro deeds of the historic Moro Wars are immortalized and glorified.<sup>194</sup> And hatred, shimmering to thick prejudice, for the traditional enemy of the Moros then is kept alive. The lack of formal education, Philippine education, brings many evils too.

The Moros do not want to go to school, with reasons. There is Moro history. There is the fault of Philippine history. Education in the schools, the Moros say, is a Christian thing — which, at least, in the Philippines — is true. Philippine education certainly, and urgently, needs re-examina-

<sup>190</sup> See REPORT, *supra* note 8.

<sup>191</sup> *Ibid.*

<sup>192</sup> *Ibid.*

<sup>193</sup> *Id.* at 57.

<sup>194</sup> *Ibid.*

tion, integration. Philippine education, to repeat, has been a failure with the Moros. And we do want them to be integrated into the body politic, into the Filipino Nation. There are elements of the Moro culture, facets of Moro character, which are good and admirable. Let Philippine education make them national heritage. After all, the Moros, Moslem Filipinos, are part of the Filipino Nation. Let Philippine education make them, then, really and actually so.

*Handle education with a mission.* Teachers for the Moro schools, we suggest, should undergo special instruction and training. They should be imbued with the full view, the proper perspective, of Philippine history. Let them put efforts at spreading nationalism and patriotism and in impressing them in the Moro mind and Moro heart.

The Moros, we have said and we say again, are realizing the value of education. Let the government help and encourage them. Let them be integrated. And Philippine education too.

4. *The Quezonian Policy of Integration should be adopted with vigor and the colonial mentality should be cast aside.*

*There's a long, long way a-winding into the land of my dream.* Thus goes an old song. The task is big and heavy. The way is difficult and long. But the Philippine Government has embarked upon the task of integrating the Filipino people, of nation building. Let it, then, do its best. Any half-hearted attempt at the work is worse than done. In the first place, it will further confuse the situation; in the second place, the efforts will further depress the Government's austere finances.

Here we submit a national policy, a Moro policy, for the Philippine Government.

Let us not delay on past mistakes and miscalculations. Let us assume the strong, definite tone of President Quezon and cast off colonial ideas and concepts.

The first term we should delete from our colonial dictionary is the concept of "non-Christian."<sup>195</sup> The Supreme Court, basing its opinion on legislative and executive usages, has defined the term to refer to a geographical area, and more directly, to natives of the Philippines of a low grade of civilization, usually living in tribal relation, apart from settled communities.<sup>196</sup> The term does not have any religious significance,<sup>197</sup> although it includes the Mohammedan or Moslem Filipinos, Moros, and the pagan Filipino tribes.<sup>198</sup> This definition was given in 1919.

The term, any way we look at it, has a disintegrating effect. It divides the Filipino people. And, what is more, the Christian Filipinos, are made

<sup>195</sup> The term still appears in C.A. No. 141, in the Civil Code, and in R.A. No. 1888, among others.

<sup>196</sup> *Rubi v. Prov. Board*, *supra* note 74.

<sup>197</sup> *Ibid.*

<sup>198</sup> *Id.* at 684.

the point of reference. And why should they, at least, as of today? The concept, moreover, adds insult to disintegration. *You are a non-Christian whatever you are; wherever you go: You belong to a low grade of civilization!*

From the surface, the term "non-Christian" is evidently religious. And why, asks the Moro, the Moslem, should Christianity give us, the Moros, our name? Now, try explaining that to a people who, by a big majority, do not even know what their religion is all about! The concept, if it ever had any utility in the 1919's, is pernicious now.

The term "cultural minorities" is as harmful too. It accentuates the Moros' being in the small minority. If we consider the Moros as one people, distinct from the Filipino Nation, then we might say that they are in the minority. But this would be defeating integration. There is only one nation in the Philippines. Islam, a Philippine religion, is professed by a minority; but this should not set Islam's followers as a people distinct and apart. So Islam is followed by a comparative few? So what? *So is Aglipayanism; the Iglesia ni Cristo; the Methodist Church; the Evangelical Protestantism.* But the followers of these different denominations are not in the minority as Filipinos, as citizens of the Philippines.

It may be true that the Moros have had a distinct culture which is different from the rest of the Filipinos. *But this is the problem itself.* We would want to erase the distinction; the difference in cultures. And, besides, a different culture does not make a different people or nation. The Filipino people have had different stages of culture. But they have never been anything but Filipinos. Perhaps, they had been subjects of Spain and nationals of America; but they were never Spaniards, nor Americans. They have, we have, always been Filipinos. Our culture was low and diverse before; but the march has been upward. Let us not emphasize the stark or the *jihad* part. Let us accentuate the national and the universal.

The Filipinos who profess the religion of Islam do not want to be called "Moros."<sup>199</sup> They will rather be called Muslims or Moslem Filipinos.<sup>200</sup> The term "Moro," they claim, has a bad connotation.<sup>201</sup> It conveys nothing but the idea of a pirate or the *juramentado*. The fault lies with Philippine history for the connotation attached to the name. But, in any case, the elimination of the term "Moro" will work towards integration.

The Moro, even if Philippine history be given the proper perspective, stands for a people with this history, this religion, customs and traditions. The Moro is the hardy warrior who fought Spaniard, American, Filipino and even the erstwhile Japanese. The concept implies division, disintegration. Let it, then, be stricken off the record.

<sup>199</sup> Agnam, *Moros*, CAMPUS LEADER (July-August 1956).

<sup>200</sup> *Ibid.*

<sup>201</sup> *Ibid.*

Let us call this valiant Filipino a Muslim or Moslem Filipino. Then, the difference between the Christian Filipino and the Moslem Filipino will be the difference of religions only. *And this is integration also.*

Let us not hesitate, in our leveling and clearing process, to chop down stumbling blocks and fell down encumbering trees that tie our progress. This is the national policy we submit for the National Government to apply. The national policy must be strong and firm, definite and fixed, like President Quezon's.<sup>202</sup>

Datuism, to say the least, is anti-democratic.<sup>203</sup> It must go too for the sake of the Filipino whole. The *Agama Court* perpetuates Moro traditions, Moro justice. It is the last last outplant of datuism. It must go too. As long as it stays, the datu and the other traditional Moro chieftains must stay. It is the last breath of a people, old and aged, that still hovers over a new birth. Let us strike it out; and let the new, young and dynamic breath of the Filipino come in. Moslem divorce is not incompatible with a democratic form of government. As of now, this writer believes, it has been loosely employed. Easy marriages mean shaky, if not tumultuous, families. Tumultuous families equal even more tumultuous children.

We do not recommend the abolition of Moslem divorce, although its revocation may work towards fuller integration. But we do ask its restriction, strict application. Perhaps, Philippine courts could be assigned the jurisdiction. We leave the subject for fuller consideration.

Other anti-social, anti-progress customs and practices must be banished too.

Environments have been a force to be reckoned with in the history and life of mankind. Spain made the Filipinos live like Spaniards; America made the Filipinos act like Americans. A harsh history has made the Moslem Filipinos harsh. Some Americans stayed with the Muslims. They showed goodness, friendliness and sincerity. And the Moslem Filipinos, up to this day, have borne nice feelings for the Americans.<sup>204</sup>

Despite difficulties, there have been contacts between the Muslims and the Christians. These contacts have been harbinger of good relations. Then Brig. Gen. Eulogio Balao, during the days of Kamlon, indicated the healthy results of Muslim-Christian contacts.<sup>205</sup> He favors the bringing of Christian settlements into the Muslim provinces.<sup>206</sup> Two Secretaries of the Interior encouraged immigration of Christian settlers.<sup>207</sup> In Zamboanga,<sup>208</sup> in

<sup>202</sup> Memorandum to the Secretary of the Interior, *supra* note 141.

<sup>203</sup> HURLEY, *op. cit. supra* note 6. See also Tarhata Kiram, *Sulu's Problems*, *op. cit. supra* note 6.

<sup>204</sup> *Supra* note 8.

<sup>205</sup> Philippine Free Press, July 24, 1954.

<sup>206</sup> *Ibid.*

<sup>207</sup> See, *supra* note 153.

<sup>208</sup> Writer's own observations.

Sulu,<sup>209</sup> and in Cotabato<sup>210</sup> social intercourse between Muslims and Christians has borne good fruits. Let, then, the Moslem Filipinos and Christian Filipinos stay and live together.

There will be some friction, some uneasiness. *But rough surfaces are made smooth by rubbing.* There will be, then, no call for the Government to show its leveling hand as it does its work of pruning native customs and traditions and practices which have proved fatal to the nation. There will be no need of public introduction of modern, progressive ideas, manners and ways of living. Contacts with modern ideas and living as represented by the Christians will do this good office. Integrate the Muslims and Christians socially, if integration is to be attained. *For integration equals integration.* We cannot, it is easy to see, bring about integration by segregation of the Filipino people; by calling a segment thereof "non-Christians," "cultural minorities" and, even, "Moros." Let us not forget that *"a house divided against itself cannot stand."*

Immigration, amalgamation, will strike away the "oneness," the integrity, of "Moroland" and with it, all its connotations, its history and its past. If we must have integration, we cannot have a distinct, a separate "Moroland" in Filipinoland. Hence, "Moroland," this misleading term must go.

The Moslem Filipinos have not been given the attention their number deserves.<sup>211</sup> Let the National Government give this attention and the interest that it deserves,

Properly brought up, the *Tausogs* of Sulu could be trained into the best fighting army of the Philippines. The *Samals* with their background of the sea, and the *Badjaos*<sup>212</sup> who live on the sea, are the prospective nucleus for a strong Philippine Merchant Marine and Philippine Navy. The *Maranaws* with their native skill in smithery could be the best of Philippine mechanics and steelmen. The *Itanons* of Cotabato and the *Yakans* of Basilan with their life on the farm may yet enliven our agricultural economy.

The Moslem Filipinos are capable of more distinctive contributions to Filipino strength and Philippine progress, if they can be integrated and brought up. *And they can.*

<sup>209</sup> *Ibid.* Gov. Leon Fernandez, Christian Governor of Jolo, Sulu, is reported to be doing good.

<sup>210</sup> F. Sionil Jose, *Promised Land in Mindanao.*

<sup>211</sup> Roces, *This Is My Own*, Manila Times, Oct. 6, 1954.

<sup>212</sup> The *Badjaos*, Filipino sea-gypsies, are often associated with the Moslem Filipinos (See Philippine Census Report (1903) p. 465). However, Muslims disclaim the relation. They seem to be correct. See also Beyer, Population of the Philippines in 1916 (Manila, 1917), footnote 1, p. 66.

## REFERENCE DIGEST

CIVIL LAW: CAUSATION. The concept of causation in the law of Torts has been described by the author as "unscrewing the inscrutable." Causation has been, as it is today, a vexing problem. This has been due to "the difficulty of achieving a satisfactory balance between social interest in the general security as a basis of tort liability and the social interest in the individual life as the basis of limitations upon liability."

How is this balance to be preached? No hard and fast rules can be formulated. Only broad principles may be made the basis or "starting points for legal reasoning."

Tracing the history and comparing the varied theories advanced from the Fault Theory to Efficient Cause, Natural and Proximate, Direct Cause, Insulation, to "But For" Theory, the author states the problem of causation thus: to ascertain the ambit of risk created by the defendant as determined by the gravity of the threat to the general security. To ascertain this "ambit of risk" Mr. Pound advances this test: "the degree of threat to the general security, under the conditions of today, in what the defendant did or how he was doing it." (Roscoe Pound, *Causation*, 67 YALE L. J. No. 1 at 1-18 (1957). \$2.00 at Yale Law Journal Company, Inc., New Haven, Conn. This issue also contains: Ward S. Bowman, *Tying Arrangements and the Leverage Problem.*)

CIVIL LAW: CULPA CONTRACTUAL IN CONTRACTS OF COMMON CARRIAGE. A & B board a TPU jeepney driven by C, which jeepney, as appears from the records of the Public Service Commission, is owned by D who actually sold said jeepney to E who in turn leased it to F who now operates said jeepney. C, the driver, under the influence of liquor, rams the jeepney against a Meralco post. What are the respective rights, liabilities, and remedies of the parties involved?

This article is a brief but concise and comprehensive answer. It traces and points out the various rights, liabilities and remedies of parties to a breached contract of carriage from the moment a person steps on the running board of a bus up to and until he is six feet beneath — and even thereafter.

Of special interest is the number of remedies available to the plaintiff.