

The Church and the “Philippine Referendum” of 1599

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It can be said with historical accuracy that Spain's legitimate sovereignty over the Philippines started with a popular referendum in 1599 and ended with a popular revolution in 1898. Exactly three centuries separate both events. Last year, the Philippines celebrated the first centennial of the revolution and independence. This year, 1999, is the fourth centennial of the first referendum.

I consider very timely to recall today that unknown or forgotten referendum as we hold this cultural program in honor of Philip II. The first forty three years of Philippine colonial history (1565-1598) –the fleeting passing of Magellan set aside– coincided entirely with the forty two years of reign of Philip II (1566-1568), the king after whom the Islands were named in 1534 when he was still Prince of Asturias. It was king Philip who gave instructions to Miguel de Legazpi for a peaceful entry in the *Islas del Poniente*. It was also he who, by a royal decree, distinguished Manila with the title of “*Insigne y Siempre Leal Ciudad*”, and the island of Luzon with the title of “*Nuevo Reino de Castilla*.” Finally, The Philippines has an additional reason to recall his memory with pride. Just before his death, he, the ruler of an immense empire, had the courage of submitting his authority to the deci-

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sion and acceptance of his sovereignty by the farthest and smallest colony of imperial Spain through a referendum.

I would not be surprised if many people would ask me: What referendum are you talking about? What chronicler has ever mentioned a plebiscite held in the Philippines during the reign of mighty Philip II? Was there any need for such referendum? Where are the records of the proceedings and the results of that plebiscite? Actually a plebiscite was indeed ordered by the king, but unfortunately it is the most ignored and forgotten event of Philippine history, of Spanish history and of the reign of Philip II. To my knowledge, only three or four authors have mentioned. Yet, it was a historical fact that must be considered as the first plebiscite in colonial history anywhere in the world, and the only one held before the twentieth century.

But after giving King Philip his due, the credit for that referendum belongs also to the first generation of missionaries in general, and, more in particular, to the Dominicans, the last batch of missionaries to arrive in the Philippines in the sixteenth century. The sons of Saint Dominic were the heirs of the best thinkers of Spain who discussed in depth the complex problems of human rights arising from the colonization of the New World.

1. Some fundamental ideas of Francisco de Vitoria

The Philippine referendum of 1599 did not come as the sudden result of a meeting between two Dominican missionaries and King Philip II at the end of the 16th century. It was the fruit of decades of reflections and debates over denunciations of abuses against human rights reported from the New World. The situation created by the discoveries and conquests moved the best theologians and jurists of the period to formulate new principles of law and jurisprudence regarding the fundamental rights of peoples, the right to exist, to be respected, to be governed by themselves and to live in freedom.

The colonization of America by Spain combined the best legislation on behalf of the indigenous peoples with many blatant infractions of human rights, with commission of injustices and exploitation by conquistadors, colonizers and *encomenderos* and with the most vocal denunciation of such violations in defense of the defenseless peoples. The first public and transcendental denunciation was raised in 1511 by Fr. Antonio de Montesinos, O.P., who, from the pulpit of the Church of Santo Domingo, decried the violations of human rights in front of the

Spanish authorities of the colony. His prophetic denunciation resulted in the conversion of Bartolomé de Las Casas, priest and encomendero, who would soon become a Dominican friar and the most fiery defender of the rights of the American Indians.

The voices of Montesinos and Las Casas found a powerful ally in the teachings of Fr. Francisco de Vitoria, professor at the University of Salamanca, whose lectures, before jam-packed audiences, in the decade of 1530's, produced the masterful principles novel science in jurisprudence, the International Law or the Law of the Rights of Peoples. Vitoria explained, with wonderful clarity, the fundamental equality of all human beings and the sovereignty of their societies, the inviolable rights to life, liberty, self-rule, and to their dignity, whatever form of low culture they had.¹ In our times, when these fundamental rights are acknowledged and proclaimed as sacred in the concert of nations, Francisco de Vitoria is rightfully considered the precursor of the United Nations and named as the "Father of International Law." The bust erected in his honor at the United Nations headquarters in New York calls him "Founder of the Law of Nations."²

For the purpose of our discussion, it will be helpful to reproduce some of Vitoria's statements which would have great repercussion in the Philippine situation of the middle and end of that century. From the thirty seven statements of Vitoria drawn up from primary sources by the Catholic University of America and the University of Salamanca in 1992, on the occasion of the fourth centennial of the landing of Columbus in the New World, we have selected here seven of the most significant:

1. By natural law all men are free. In the exercise of this fundamental freedom, the Indians freely organize themselves in communities and freely elect and establish their own rulers.
2. The Indians may not be deprived of their goods or powers on account of their social backwardness or on account of their cultural inferiority or political disorganization.
3. The Indians have the right not to be baptized and not to be forced to convert to Christianity against their will.

¹ For a brief exposition of Vitoria's central ideas on human rights, see Joseph M. De Torre, "Natural Law and Human Rights in the tradition of Francisco de Vitoria (1486-1554)," in *Philippine Canonical Forum*, I (1999), pp. 157-175.

² *Ibid.*, p. 169.

4. The Indian peoples are sovereign republics and, thus, are not properly subordinate to Spain nor do they form part of Spain (Here are the seeds of the eventual independence of all American colonies).
5. The Indian rulers, whether natural or elected, enjoy the same fundamental rights as any Christian or European prince (the basic principle of International Law).
6. The Indian peoples may freely change their political regime and subject themselves to a different sovereign in order to defend themselves from oppression and rid themselves of a tyrant.
7. Restitution must be made to the Indians for all the goods and territories that have been taken from them as the result of unjust war.³

What Francisco de Vitoria was teaching in his classroom and in his *Relectiones*, was defended by Fr. Bartolomé de las Casas in America and in several appearances in the court of Madrid. But Las Casas was not only a man of action in the field and before the Spanish monarchs, but also a prolific writer and ardent and a solid debater. Leaving aside his books, some of which have been very controversial until today for having provided fuel to the enemies of Spain to ignite the *Leyenda Negra*, let us recall only the debates he sustained with Juan Gines de Sepúlveda, which Emperor Charles V arranged to take place in his court at Valladolid in 1550-1551. In those controversies, Las Casas echoed faithfully the teachings of his brother Vitoria as he defended the principles of human rights, and discussed the morality of the conquests and colonization. Here are some answers with which Las Casas rebutted Sepulveda:

1. The powers given by Christ to Peter and his successors are purely spiritual and moral, not political and temporal, and therefore papal authorization in this case refers only to the evangelization of those peoples.
2. The lands belong to the original inhabitants, who are therefore the rightful owners.
3. No nation can claim moral superiority over another.

³ The thirty seven statements of Vitoria are reconstructed and edited in a bilingual booklet entitled *The Rights and Obligations of Indians and Spaniards in the New World*. I follow the enumeration and enunciation made by J. De Torre, *op. cit.*, pp. 161-165.

4. (Argument of *Sepúlveda*: Realizing the superiority of our culture, those peoples have spontaneously asked us to take them under our sovereignty). *Answer of Las Casas*: Have they actually done so? Can you supply evidence for this claim?⁴

The above-quoted principles had serious implications in the practical order, that is, in reference to the exalted territorial conquests, to the expansion of the dominions of the King of Spain and to the annexation of peoples to his crown and empire. The big question was: All that, by what right? By the right of might and dominion? But the stark reality was that the Indians were human beings with right to be free, to own their lands and to constitute political societies. Neither Pope nor emperor were lords of the universe. And so, by what right was Spain in the lands of the Indians?

Some titles, according to Vitoria, could be forwarded to justify the conquests, titles arising from certain principles of natural law and from the Law of Nations, the *Jus Gentium*: The right to sociability and to human communication, the pacts made with the natives; perhaps also the convenience to civilize those peoples and make them more socially and culturally human; and the right arising from a "just war" (in general a defensive war), like when the natives ill-treated or killed the missionaries of the Gospel or impeded its preaching. And another title: the one coming from the voluntary submission of the Indians to a foreign ruler, submission to be done by their chiefs and subjects together and not separately.⁵

Whether the natives of the new World had violated or not any rights against the colonizing Spaniards, it was not for Vitoria to determine; that was the field of Bartolomé de las Casas and other missionaries who lived in the New World since practically the beginning of the conquest. And in this respect, it is good to recall the debates of Las Casas with Sepúlveda, and listen to one of the arguments of Sepúlveda, the last one listed above. Sepúlveda argued: "Realizing the superiority of our culture, those peoples (of America) have spontaneously asked us to take them under our sovereignty." Las Casas rebutted: "*Have they actually done so? Can you supply evidence for this claim?*"

⁴ Cf. J. De Torre, *op. cit.*, pp. 166-168.

⁵ Cf. Fidel Villarroel, O.P., "Fray Bartolomé de las Casas y su proyección en Filipinas," in *Philippiniana Sacra*, X, 28 (January-April 1975), pp. 112-113.

Las Casas seemed very sure that none from among the native peoples of America had ever asked to be taken under the sovereignty of the Spanish monarchs. No such option was given to them. Las Casas died in 1566, one year after the arrival of Legazpi in the Philippines. Had Las Casas lived thirty three years more, he would have witnessed an event that in his time must have seemed an utopia: The option given to the inhabitants of the Philippines to accept or reject the sovereignty of Philip II, king of Spain.

2. What went wrong in the conquest of the Philippines.

By the time the Spaniards took over the Philippines in 1565, Philip II had been king of Spain for ten years. Fortunately for the Islands, when the Adelantado Miguel Lopez de Legazpi landed in Cebu, the Crown of Spain, had for more than twenty years, committed itself, clearly and unquestionably, to a kind colonization in line with the *New Laws* enacted in 1542. Those laws adopted a policy of peaceful expansion in conformity with the norms of law being taught by Vitoria and other theologians and jurists.

Besides, Legazpi brought with him specific instructions and norms on how to conduct explorations and conquests, which neither Hernán Cortés nor Francisco Pizarro had had in Mexico and in Peru. Gone were the days of arriving to new lands and taking possession of them in the name of the kings of Castile and Leon. Legazpi was bound to follow to the letter the norms of *requerimiento* or the formalities established by law to deal at the encounter with newly discovered peoples. Let us see what happened in Cebu and in Manila.

Arriving in Cebu, Legazpi spent three days to fulfill the law of the *requerimiento*, a notice to the Cebuano ruler that the Spaniard came only to establish friendly relations and for make commercial deals. It was only after the deadline of the *requerimiento* ended with a refusal by the local ruler to negotiate when Legazpi was forced to declare war on him. And so, the Spaniards landed by force to fight the hostility and resistance of the natives. Soon afterwards, conversations were resumed which ended in a treaty of peace.⁶

⁶ "Here are the conditions of peace, or rather, submission concerted: 1) The natives placed themselves under the Royal Crown of Castile, promising to be faithful vassals and to obey his commands. And they promised it for themselves and for their descendants..." (Fr. Fermín Uncilla, OSA, *Urdaneta y la Conquista de Filipinas*, quoted

The conquest of Manila was complicated by the presence of some Muslim chieftains, taken by the Spaniards as the "*moros*" of the Far East, and therefore enemies of the Spaniards, or at least associated by the Spaniards with the "*moros*" they had known in Spain for centuries. A peaceful encounter was unlikely. In fact, the advance group sent there by Legazpi from Cebu, under the command of the *Maese de Campo* Martin de Goiti, ended in a fight between the Spaniards and the *rajah* Soliman, chief of the Muslim settlement in Manila, on the northern side of the mouth of the Pasig river. The first encounter ended in a battle. When Legazpi arrived in Manila the following year, he managed to establish himself there through friendly negotiations with that Muslim ruler as well as with *rajah* Matanda and *rajah* Lakandula—chiefs controlling the opposite side of the river mouth. Yet, war was declared on the Spaniards by other muslims in Macabebe (Pampanga).

Thus, the occupation of both Cebu and Manila was preceded by the *requerimiento*, on one hand, and by the opposition of the inhabitants and by war, on the other. But it can still be said, with a modern historian, that "very few cases are recorded in history, even in modern times, in which so many formalities have been done to avoid war."⁷

It has to be noted, furthermore, that the way Manila and Cebu were taken does not apply to the entry of the conquistadors and colonizers in the various areas of the country. As the first Bishop of Manila, Domingo de Salazar and his fellow Dominican Fr. Miguel de Benavides noted in those early years, "the legitimacy of the conquest in one region did not legalize war against other regions."⁸

3. Objections of the early missionaries against the conquest (1565-1581)

For all the good intentions of the Adelantado Legazpi and for all the safeguards taken against infractions of human rights in confor-

by Jesús Gayo Aragón, OP., *Ideas Jurídico-Teológicas de los Religiosos de Filipinas en el siglo XVI sobre la Conquista de las Islas*, Manila, 1950, p. 48. For a rapid consultation about the entry of the Spaniards in Cebu and Manila, see two Filipino historians, Teodoro Agoncillo, *A Short History of the Philippines*, New York, 1969, pp. 33-37; and Antonio Molina, *The Philippines through the Centuries*, Manila 1960, I, pp. 58-66.

⁷ J. Gayo, *op. cit.*, p. 51.

⁸ *Ibid.*, p. 52.

mity with the *New Laws*, the reality of the takeover of the Philippines by Spain run counter, in many instances, against the pacifist policies of Philip II and the juridical and theological principles of Francisco de Vitoria. There is no denying that the Laws of the Indies were models of colonial legislation. A Filipino historian, little suspected of pro-Spanish bias, Teodoro Agoncillo, recognizes that "the *Laws of the Indies* testify to the humane character, at least theoretically, of the Spanish colonial system, which had no equal in the history of European colonialism up to the end of the nineteenth century. The implementation of the system was, however, another matter."⁹

For the first fifteen years of the conquest, that is from 1565 to 1581, the Augustinian missionaries, companions of Legazpi in his voyage to the Philippines, proved to be imbued with the ideas of Vitoria and Las Casas. For they quickly denounced the abuses committed by colonizers and encomenderos in their treatment of the natives. They went even as far as to put in serious doubt the legitimacy of the conquest and, therefore, the legal presence of the Spaniards in the Islands.

Outstanding among them, for their bold exposition of the abuses, were Fr. Martin de Rada, Superior of the missionaries and Fr. Diego de Herrera. Both of them wrote extensive *Memoriales* to King Philip II as well as expositions to the governors general of the colony. A rapid perusal of some of their documents leaves no doubt about serious differences separating the views of the missionaries and those of the colonizers.

In an *Opinión* submitted to the Governor General, Guido de Lavezares, in 1574, Father Rada draws a dark picture of the injustices prevailing in several parts of the archipelago. The report must have been the worst thing the Governor wanted to transmit to the King.

"The [Augustinian] Fathers," writes Rada, "unanimously affirm that none among these Islands have come into the power of the Spaniards with good title." In the king's first instructions, as well as in a recent letter he sent here from El Escorial, Rada continues, "the monarch declares that any conquest made in these Islands by force of arms would be unjust, even if there were causes for doing so. Here the con-

⁹ T. Agoncillo, *op. cit.*, p. 38. "What distinguished the Spanish colonial system during the period of European colonization was the fact that the king and his ministers had a social conscience and tried hard to humanize the exploitative aspect of their imperialism" (*Ibid.*, p. 40).

quests have been the more unjust that in all of them, or almost in all, there has not been any cause." Tributes are levied on the natives upon entering a village, and if the natives resist, the Spanners declare war on them. "Even if the whole affair [of war and tributes] were justified, the opinion of the majority of the Fathers is that everything taken from each Indian above the value of one *maez*, in food and raiment, is cruelty, and it oppresses them too heavily." Rada suspects that king Philip was not well informed about the situation in the Philippines.¹⁰

For his part, Fr. Diego de Herrera, writing a *Memorial* in name of his Augustinian brethren, severely castigates the abuses of the encomenderos with tone and language resembling those of Las Casas. He refers to "many acts of violence and force" and to the "great outcries, murders and captivities that have been committed both by the captains and by other leaders and soldiers throughout the Islands." The Spaniards, he says, consider a just war "if the Indians say that they do not care for the friendship of the Spaniards; the latter do not make mention of God or king", and "there is in general very little Christianity among the Spaniards." "Many islands and villages are devastated and almost wiped out, partly by the Spaniards or because of them, and partly by famine."¹¹

As in the case of Las Casas, the denunciations of the Augustinians here might contain exaggerations due to some scrupulosity of conscience. But their sincerity and right intention, as well as their zeal for the proclamation of the Gospel principles, cannot be denied. Even though Radas' sense of justice to protect the rights of the Filipinos was later somewhat softened with regard to the collection of tributes and to restitution, "he continued condemning unto his death the way in which the conquest had been done."¹² However, to condemn the conquest was one thing, to abandon the Islands on account of injustices, or to

¹⁰ "Opinión de Fray Martín de Rada sobre tributos de los Indios, Manila, 21 de junio de 1575". Published in English in Blair and Robertson (quoted hereunder as BR), *The Philippine Islands*, III, pp. 253 ff. See a summary of it and a discussion in J. Gayo, *Ideas*, pp. 17-28. The *Opinión* is "evidently addressed to Governor Guido de Lavezares," for transmission to Madrid (BR).

¹¹ Diego de Herrera, *Memorial de los Religiosos de las Islas del Poniente*, published in English in BR, *op. cit.*, 34, pp. 173 ff. See a good coverage of the subject on the Augustinians and the conquest in Lucio Gutiérrez, OP, *Historia de la Iglesia en Filipinas (1565-1900)*, ed. MAPFRE, Madrid 1992, pp. 99-113.

¹² L. Gutiérrez, *op. cit.*, p. 103.

propose a plebiscite to rectify the conquest, was quite another thing. Rada did not go as far as to advise the second alternative.

What is certain is that the oppressive conduct of many conquistadors and *encomenderos* injured deeply the Christian sensibilities of the early missionaries. They were priests, moralists, administrators of God's absolution in confession, and in front of injustices and of ill gotten money from tributes, they could not but demand restitution before absolution. The relations between the missionaries on one side, and the colonizers, *encomenderos* and civil officials on the other, reached the Court of Madrid and the *Consejo de Indias*.

4. Bishop Salazar and his Synod of 1581.

In 1579 the Spanish Crown and the Holy See decided to take a very significant step for the promotion and evangelization of the Philippines. A Diocese was created in the Islands, with its see in Manila. This decision could be taken as an affirmation of the Spanish presence in, and control of, the archipelago. A Dominican missionary in America, Fr. Domingo de Salazar, was appointed as first bishop. He arrived in the Philippines in 1581, accompanied by three Jesuits. These Jesuits represented the third religious institute to come. In 1578, they had been preceded by the Franciscans.

Domingo de Salazar governed the diocese for thirteen years. Along them, he had to deal with the huge task of organizing a local church in all spheres of ecclesiastical administration and pastoral work. With regard to the burning problems of those early years, he would find himself at the center of the storm over the natives' human rights. Other men would feel disheartened at the sight of a colony divided over moral and political issues. But not Salazar, a man fully conversant and familiar with them. For he had been trained at Salamanca along the principles of the great master Francisco de Vitoria, then in the pinnacle of fame. And besides, for many years, he had shared with Bartolomé de Las Casas the same human problems in the same evangelical fields, in which the *Protector of the Indians* had struggled mightily in defense of the rights of the natives.

As soon as Salazar arrived in Manila in 1581 he realized the existence of a delicate situation where the missionaries were deeply troubled by spiritual anxieties over the morality of the conquest and of the collection of tributes. Even some colonizers and *encomenderos* confided to him that they found difficulty in finding priests ready to ab-

solve them in confession. It did not take long before the new Bishops decided to address the situation by convening a Diocesan Synod that would tackle these problems in depth. The Synod actually started the following year 1582 and lasted until 1586.

Under the presidency of Bishop Salazar himself, the synod was attended by the Superiors and learned men of the religious institutes then working in the colony, with some jurists and occasionally with some experienced captains taking part. The purpose of the ecclesiastical assembly was "to discuss the good order and system to be followed in the administration of this new church so that she march forward." The synodal Fathers were aware of the difficult hurdles to overcome and difficulties that had to be met "from persons, things, usages and customs." Reading the *Acta* of the Synod¹³ we find that Chapter One opens precisely with the "matter pertaining to the King of Spain and to the Governors of the Islands." In other words, the Synod started tackling directly fundamental issues such as the right of conquest and, therefore, the rights of the King of Spain in the Philippines.

The synodal Fathers went on record to state that "the King of Spain does not posses these Islands neither by inheritance, nor by donation nor by right of a just war." Strong echoes of the theology and jurisprudence of Vitoria seemed to resound in the synodal hall as the Fathers fearlessly asserted that "the captains and soldiers, the governor and the judges have no more right over these islands than the right given to them by the King of Spain; and the king did not give them more authority than what he received from the Pope; and the Pope could have given the king more than what he received from Christ, that is the command and the right of going or sending people anywhere in the world for the purpose of preaching the Gospel."

But the right to preach the Gospel does not legitimize a conquest through force. Some legitimate titles must be found for Spain to possess the Philippines. In fact, the Synod came out with only two possible legitimate reasons: One, the right to preach the Gospel anywhere, and therefore here; the other, the low degree of culture of the natives

¹³ We are following here the *Acta* of the Synod published by Jose Luis Porras Muniz, *Sínodo de Manila de 1582*, Consejo Superior de Investigaciones Científicas, Madrid 1988. The sections of the *Acta* on the matters pertaining to the King and the Governors are in pp. 301-303 and 384-390. Our quotations below are taken from these sections unless stated otherwise.

which could be invoked as a reason for ruling over them and governing them. But the first title did not condone the use of arms, and the second was among those mentioned by Vitoria as "dubious and never certain titles."

In the end, the solution of the legitimacy or illegality of the conquest was left somewhat uncertain and undecided. But the Synod had to come with some answers of practical application. For on one hand, it had to calm down the anxieties and qualms of conscience of the missionaries and confessors. And besides, there was in this case the reality of the conquest already accomplished and the possession of a great part of the archipelago for almost twenty years. It was a *fait accompli*, something like a right of ownership by prescription. And there was no denying that great benefits had resulted in the religious, social political and education fields, more benefits for the inhabitants of the Islands than for Spain herself. Was Spain now going to abandon the nascent Philippine Christianity to itself? Was not there a great danger for the Islands being occupied by some non-Christian nation?¹⁴

The Synod, therefore, advised that the missionaries would do better by stopping to talk about these problems. It would be better for them to devote themselves to their spiritual ministry than to engage themselves in matters that did not pertain to their mission and could only serve to stir criticism, division and scandal, and would be little advantageous to the natives and to the new Christians.¹⁵

5. Arrival of the Dominicans (1587). Back to the beginnings

But the silence or prudent reserve advised by the Synod was not going to be total in the following years. The doctrinal war over questions of human rights, payment of tributes, right of conquest, and the legitimacy of the Spanish presence in the Philippines was to intensify as another religious institute made its appearance at the end of the same century. In July of 1587, a *barcada* (boat companions) of Dominican friars arrived in Manila to share in the evangelization work in the Islands.

Among the fifteen pioneers, there stood out, because of their relevant human and spiritual qualities: Fr. Miguel de Benavides, future

¹⁴ L. Gutiérrez, *op. cit.*, p. 86.

¹⁵ *Acta*, c. II, n. 14: Porras, *op. cit.*, pp. 389-390.

archbishop of Manila and founder of the University of Santo Tomas, Fr. Diego de Soria, future Bishop of Nueva Segovia, and, in the following year, Fr. Juan Cobo, future first ambassador of Spain to the Court of the Shogun of Japan –sinologue and author of the first book printed in the Philippines. Most of these Dominicans had received their theological training after the school of Francisco de Vitoria and in the spirit of Bartolomé de las Casas –the three above-mentioned had great capacity for philosophical and theological reflection and for leadership. Their presence in Manila reinvigorated and encouraged Bishop Salazar who had lately softened his stand on some aspects of the conquest and means of evangelization. He had, for instance, thought convenient the use of force to open China to the Gospel. He would soon decry this stand with deep sorrow.

But if Salazar rejoiced, the colonial authorities and in particular Governor Gomez Dasmariñas, must have had strong misgivings when the new missionaries begun to manifest their minds, for they were not late in showing their determination to maintain the principles of Vitoria to the letter. Writing to King Philip, Dasmariñas complained about their legalistic language and their return to the strict principles of the early missionaries. "One of them, Dasmariñas reported, is called Diego de Soria, Prior and a youngster, the other is Fray Juan Cobo, who is not as young... The Bishop (Salazar) and the two of them said in their sermons that Your Majesty has nothing here... that it was necessary to see the title by which Your Majesty has occupied these lands, and to see whether Your Majesty has gone too far in conquering them tyrannically as it was done in Mexico and Peru."¹⁶

Actually, the newly arrived Dominicans with Bishop Salazar with them expounded the question of human rights in no unmistakable terms. Going directly to the root of the problem, they starkly asserted that the King of Spain could not be said to have arrived at a state that made him temporal ruler of the Philippines, and, as a consequence of this, the tributes demanded from the natives, especially from the pagans, were illegal. Like Salazar before, Fr. Benavides begun to write extensive expositions to king Philip,¹⁷ in which various doubts were raised

¹⁶ Cf. J. Gayo, *Ideas*, pp. 150-151.

¹⁷ Two reports of Salazar to Philip II are published in W. Retana, *Archivo del Bibliófilo Filipino*, Madrid 1897, vol. III. Of the writings of Miguel de Benavides on the problems of human rights, we mention here two: *Tratado de la Predicación*

against the legitimacy of the conquest, faithfully adhering to the principles of Vitoria.

Expectedly, the King, Governor Dasmariñas and the colonial authorities had far less doubts about the righteousness of Spain's right to be here, and they maintained that Spain had, or eventually would have, perfect sovereignty over the Islands. That was also the attitude of the Council of the Indies, and probably such rights or wrongs were never questioned by the rank and file of the Spanish citizens. In this regard, let it be noted that even the Dominicans themselves were desirous that Philip II were to be acknowledged as temporal ruler of the Islands. "All of us," Father Benavides wrote, "seek that the pagan Filipinos give obedience not only to God and to the Pope but also to the King of Castile." But in the first place he and his fellow Dominicans wanted the legitimate dominion to be established beyond doubt and as soon as possible. It was fundamental to attract the pagan Filipinos to freely choose their submission to his Majesty even before they became Christians.¹⁸

Submission of the natives by attraction and not by force or violence was the only accepted policy for the Dominicans. But for the king and his Council to accept it, they had to admit first the illegality of everything done in the conquest and in the treatment of the natives, particularly the manner of collecting tributes. Such admission of wrong and the correction of errors was a very bold proposal seemingly impossible to follow. But the Dominicans maintained that it could be done without losing face, and Fr. Benavides was quite clear about it: "If we, he wrote, have the ability to do it, let us impress upon the pagan Filipinos so that their leaders and vassals freely and very voluntarily (*voluntarísimamente*) decide to wish, have, choose and swear allegiance to his Majesty and to his successors as their legitimate king and lords, and to pay them tribute."¹⁹ It was a matter of winning over their hearts and wills by conviction not by fears or threats.

Evangélica y del modo de predicar el Santo Evangelio, published serially in *Unitas*, 1948 and 1949; and *Instrucción para el gobierno de las Filipinas*, quoted in full *infra*, footnote 22.

¹⁸ For a fuller text from Benavides, see J. GAYO, *Ideas*, pp. 185-185.

¹⁹ *Ibid.*, p. 188.

6. Salazar and Benavides in the King's Court. Philip's Royal Cedula

In the last decades of the sixteenth century the struggle for human rights in the Philippines reached its climax, with developments in fast motion. In 1590 Bishop Salazar wrote some conclusions about the abuses of the *encomiendas* and injustices in the collection of tributes from the natives. Although the Bishop had earlier softened his criticism and favored a forceful entry in China, now, after the arrival of his fellow Dominicans, he returned to his firmness against injustices and for a direct preaching of the Gospel. In the renewed campaign the Dominicans found themselves alone, without the support of the other religious institutes, Augustinians, Franciscans and Jesuits, who had given up the struggle.

For Salazar and his brethren the only hope for their position to be understood and taken into considerations was the direct and personal recourse to the Spanish Crown, a meeting with Philip II himself. When their plan became known, Governor Gómez Pérez Dasmariñas hurried to prepare a defense of his policies, to be presented by his emissaries.

The Bishop, nearly eighty years old, left Manila for Spain in 1591, undertaking the last voyage of his life across two oceans and the American continent. He was accompanied by Fr. Miguel de Benavides, who had been appointed by his Superiors as Procurator of the Order before the courts of Madrid and Rome. They arrived in Spain in 1593. The Bishop's most successful intervention in the Spanish Court was the approval of his project to have his diocese of Manila elevated to the rank of Metropolitan with three suffragan dioceses to be created, those of Nueva Segovia, in Northern Luzon, Nueva Caceres, in Southern Luzon, and Cebu, for the regions of Visayas and Mindanao.

But this joy was saddened by a serious setback. A royal *Cedula* was issued on June 11, 1594, addressed to the Philippine Governor Dasmariñas, informing the latter that the Council of the Indies, in the presence of Bishop Salazar and Fr. Benavides, had decided that tributes had to be collected, entirely and without exception, from all pacified Filipinos, even if they were not Christians.²⁰ Salazar must have felt this defeat very deeply. Wounded in his sensitive soul by this deci-

²⁰ Cf. J. Gayo, *op. cit.*, p. 232.

sion of the King's Council and "exhausted by age, burdened by so much work, fatigued by his journeys and filled with virtues", he died in Madrid a few months later, on December 4, 1594, without seeing the end of the other objectives of his struggle on behalf of the Filipinos.

But defeated though he was in the last battle of his life, his death showed the kind of religious, bishop and pastor that he was. He died in poverty, which caused great admiration to the people and to the King. It was found that his total worldly possessions consisted only of six *reales*. Deeply impressed by the greatness of the soul of this missionary Bishop and by his loyalty as a good servant, Philip II honored him by ordering that "at his expense, the deceased be buried with all pomp." One day earlier, the Cardinal Archbishop of Toledo, Don Gaspar de Quiroga, also passed away. And according to the *Anales Eclesiásticos de Filipinas*, "when His Majesty was consulted whose burial he would first attend, he indicated his preference for the "poor one."²¹

The demise of Bishop Salazar did not mean the end of the campaign he had started. His torch and flag was taken over by his companion Fr. Miguel de Benavides. At that precise moment, Philip II, recognizing the human qualities of this Dominican, nominated him for the office of Bishop in one the three recently established new dioceses, that of Nueva Segovia, with see in the town of Lal-lo, Cagayan. Surely, this move was not intended to silence the Episcopal candidate on nagging questions regarding colonial policies. But if someone in the court ever thought ever had this thought, he was mistaken, because Benavides vowed to carry on the work of Salazar until the end.

Bishop-elect Benavides was granted an audience with Philip, during which he handed to the king two *memoriales* or treatises. One of them entitled *Instrucciones para el gobierno de las Filipinas*,²² deals with the conditions required for levying tributes and for the right of preaching the gospel. Benavides says that he found the king "very old

²¹ *Anales Eclesiásticos de Filipinas, 1574-1682*, Ms. of the Archives of the Arzobispado de Manila, fols 18-21. We are using a microfilm copy existing in the Archives of the University of Santo Tomas (quoted hereunder as AUST). A concise text has been edited by Fr. Ruperto C. Santos, Manila 1994.

²² Miguel de Benavides, OP, *Instrucción para el gobierno de las Filipinas y de como los (sic) han de regir y gobernar aquella gente* (Ms. of the Biblioteca Nacional de Madrid, 3204); published by J. Gayo, in *Unitas* XXII, 3 (July-September 1949), pp. 605-649). English version in BR, *The Philippine Islands*, X, pp. 277-280.

as regards his corporal strength, although his judgment and mind were better than ever."²³ We do not have specific details about the audience, but the result of it could not be more encouraging for the new bishop.

On March 20, 1596, the king wrote to the president of the *Consejo de Indias* transmitting to him the *memoriales* of Benavides, and ordering him to convoke a special *Junta* or meeting to be attended by members of the Council, and by the king's confessor, Prince Philip (future Philip III) and the Superior of the Jesuits. The Council was instructed to examine and give their opinion on those papers "in order to dispel all scruples [of conscience] and once and for all to determine what to do with those matters"; "and to do the job with all possible speed, not letting it down until the matter were resolved."²⁴

Things would now go well except for one, the speed. All Spaniards know and say that *las cosas de palacio van despacio*. Bureaucratic procedures delayed the convening of the *Junta* for seven months, until October 1596, when the *Junta* met and signed their final decision to be submitted to the King. It took more time for the king to arrive at a final decision. It finally came on February 8, 1597, when the king issued a Royal Cedula addressed to the new Governor of the Philippines Don Francisco Tello, instructing him in severe terms to fulfill the laws of tributes and to provide for the restitution of the ill gotten taxes imposed on the natives. Then came the historic and unprecedented command to organize a popular plebiscite in the Islands, by which the natives would express freely and voluntarily their acceptance of the Spanish monarch's rule. This mandatory part of this Cedula deserves to be quoted in full:

"The King to Don Francisco Tello....

"*Fray Miguel de Benavides of the Order of Saint Dominic*, bishop of Nueva Segovia in those said Islands, has given me certain memorials and accounts of affairs, and of measure suitable for their improvement, and for the security of the consciences of the confessors, of the encomenderos and soldiers, and of other persons, particularly in regard to what affects the spiritual good of

²³ Letter of Fr. Benavides to his Superior Provincial in the Philippines and to the missionaries of Cagayan, Madrid, June 23, 1595, Ms. copy in AUST, *Libros* 210, 4); published by J. Gayo in *Unitas*, XXI, 1 (January-March 1948), p. 157.

²⁴ See the correspondence between the king and the president of the Council of the Indies, in *Unitas*, XXII, 3 (July-September 1949), pp. 605-610.

the Indians, and *the obligation which rests upon me to further them...*

“And to this end, I have ordered to be sent to you – printed, and on separate sheets – the clauses which treat of the order to be observed in preaching in newly-entered countries, and how the tributes are to be levied; and the care with which, in both matters, you are to proceed – all being directed toward the good and contentment of the Indians, and their best condition, preservation, and civilization.

“And this you shall again cause to be published, adding penalty of death, perpetual banishment, or confiscation of property to any or all transgressors, according to the degree of their guilt. This you will execute inexorably, under penalty that, besides considering you lax in your duty, I shall have you punished with all rigor – and this infallibly, since you know my wish; and in these scrupulous matters the peace of my conscience rests upon your discharge of duty. In order that proper means may be taken in these matters *you will meet with the archbishop and the newly-appointed bishops, and the superiors of the Orders; and you will consider the measures to be taken to satisfy the injuries inflicted, and whether the tributes collected from the infidels contrary to the said ordinances can conveniently be returned...*

“And if this cannot be done without great difficulty you will advise me thereof; and in the interval while advising me and while I am providing what appears to me to be best, everything shall remain in the same condition, with the peace and propriety with which I hope that you are governing both spiritually and temporally – as I charge you all to do, each in what concerns him.

“Likewise you will confer with the said superiors and religious, and bring it about that they shall undertake *to restore by love all which shall be found to have been done through force and fear*; for, according to what the bishop tells me of these Indians, they are well disposed (not only in spiritual but in temporal matters), *freely to render me submission.*”

Done in Madrid, on the eighth day of the month of February in the year one thousand five hundred and ninety-seven.

I THE KING

By order of the king our Lord:

JUAN DE YBARRA”²⁵

This transcendental Cedula of Philip II was not only a personal success of Miguel de Benavides, but also a triumph of the cause for justice pursued by the Dominicans in accord with the principles of human rights outlined by Vitoria and Las Casas. As far as the King was concerned, the document shows some traces of an internal conflict between holding all the parts of his empire together and the risk of losing a precious jewel in the Pacific through a referendum of unpredictable results. What is more reflective of the King's religious convictions was the fact that he seemed to be burdened by anxieties and scruples of conscience over the righteousness of his policies in the New World. He had a ready ear for the men of God and of the Church, for his confessor and for preachers of the gospel. Perhaps his sickness made him reflect deeply at the thought of finding himself face to face with his Creator. Whatever moved him to act in that way, this Cedula did not diminish his greatness but increased it by respecting the will of most distant and unknown subjects of his empire.

7. Preparing the stage for the plebiscite

With the Royal Cedula in his luggage, Bishop-elect Miguel de Benavides undertook the journey back to the Orient, to his mission and his diocese. He traveled on foot "with only one companion, his pilgrim staff and his Breviary"²⁶ from Madrid to Seville. In Seville he embarked for Mexico and the Far East, always keeping his Episcopal nomination in secret. It was in Mexico where he had to reveal his secret at the time of his consecration in 1597. Then he embarked in the Manila galleon, and arrived in the Philippines in May of 1598. Upon arrival in the capital he announced his consecration as he was addressing himself to the people on the occasion of the Rogations procession.

Benavides stayed in Manila for one year. He presented the Royal Cedula to the Governor General Francisco Tello, who convoked a meeting on August 4, 1598, in his palace, participated in by the ecclesiastical authorities of the islands, namely the Vicar General and Governor of the Archdiocese of Manila (*Sede vacante*), the newly nominated Bish-

²⁵ Royal Cédula of Philip II addressed to Don Francisco Tello de Guzman, Governor of the Philippines, Madrid, February 8. 1597. The full text is published by J. Gayo in *Unitas*, XXI, 1 (January-March 1948), pp. 157-159).

²⁶ *Anales Eclesiásticos*, fol. 26a.

ops of Nueva Segovia (Miguel de Benavides) and of Cebu (Pedro de Agurto), the Superiors of the Dominicans, Augustinians, Franciscans and Jesuits.

The Royal Cedula was dutifully read in the meeting. Whereupon, it was resolved that the orders of the King had to be fulfilled by exploring the voluntary submission of the inhabitants of the Philippines and by implementing the norms about the proper way to levy the tributes. The following day, August 5, the governor's decree was proclaimed by the public crier "in a loud and clear voice, many persons being present." Here is the concluding part of the meeting's *Acta*:²⁷

The said governor having read to them the said royal decree, and certain ordinances treating of discoveries and pacification, exactly as is contained in the said decree, and they having heard what his Majesty orders, and having consulted thereon, a decision was reached in the said meeting as to what the governor and captain-general should command in regard to the ordinances which his Majesty sent him, and which were publicly read, as herein before stated, with the heavy penalties which the aforesaid decree provides against transgressors. *For the future they understand that our Lord's service demands that, by peaceful means of love, all the Indians should render voluntary and free submission to his Majesty the king of Castile, our lord; and they offered that by themselves and the religious, and the other ministers under their control, all efforts should be made that this might be accomplished in a short time.* As regards restitution for the past, it seems best to them that what can be easily effected by pious works and other means should be done; and as for the rest this means would be taken, that *the religious should gain over the Indians by love and gentleness, and that they should grant the natives freedom from tributes, which were levied in times past, while they were infidels.*

Therefore the following persons have affixed their signatures.

DON FRANCISCO TELLO
ARCHBISHOP OF MANILA ²⁸

²⁷ Published by BR, *The Philippine Islands*, X, pp. 280-281.

²⁸ The Archbishopric of Manila had just been left vacant due to the death of its first Archbishop Ignacio de Santibañez, which happened three days earlier, August 1, 1598 (Cf. *Anales Eclesiásticos*, fols. 23-24). In conformity with canonical norms, the Cathedral Chapter of Manila corporately took over the government of the Archdiocese

FRAY MIGUEL, Bishop of nueva Segovia [Lallo-Vigan]
 FRAY PEDRO, Bishop of Santisimo Nombre de Jesus [Cebu].²⁹
 FRAY BERNARDO DE SANTA CATALINA, Provincial. [O.P.]
 RAYMUNDO DE PRADO, Vice-provincial [S.J.].
 FRAY JOAN DE SAN PEDRO MARTIR [Maldonado, O.P.]
 JOAN DE RIVERA [O.S.A]

Before me: GASPAR DE ACEBO

This agrees with the original,
 which remains in my office: ROQUE LOINO DE CACERES

In the city of Manila, on the fifth day of the month of August in the year one thousand five hundred and ninety-eight, the above-contained decree was proclaimed by Francisco Rodriguez, public crier, in a loud and clear voice, many persons being present, at the regular session of the Audiencia. I certify this.

GASPAR DE ACEBO

On September 13, only forty days after this decree was published, King Philip died in El Escorial. The impact of his death must have been felt immediately in Spain and in Europe. The New World had to wait for the arrival of the galleons. As for the Philippines, the news of Philip's death was not known until the following year, by the middle of 1599. But the demise did not affect the implementation of the Cedula of February 8, 1598. Before the arrival of the fateful news, the referendum was over in many parts of the Islands.³⁰

8. The Referendum

It took months before Governor Francisco Tello's orders communicating the Royal Cedula and his personal instructions could reach

until an ecclesiastical governor was nominated. Presumably the Dean of the Cathedral Chapter represented the Chapter and the Archbishopric in this meeting.

²⁹ Fray Pedro de Agurto, Augustinian, had been nominated as first Bishop of Cebu, at the same time as Fr. Benavides was also nominated for the diocese of Nueva Segovia.

³⁰ On May 17, 1599, Benavides wrote a letter to the King, the bishop still ignorant of the death of the monarch, which occurred nine months earlier. Probably the news arrived in the Philippines with the Acapulco galleon, which used to arrive between the months of April and July. Also to be taken into account is the time taken for news to arrive from Manila to Lal-lo, first Episcopal See, in the Cagayan province.

the *Alcaldes Mayores* (provincial governors), and the latter to do the same with the captains of the various *pueblos* and *cabezas de barangay*. The modern reader must exert some effort to mentally visualize the states of things in the Philippines four centuries ago. The archipelago, every island of it, was a thick, virgin tropical forest all throughout. Most communications had to be done by fluvial ways or by sea. Inland, there were no more roads to speak of than difficult trails leading to hidden *pueblos* or big settlements recently created, sometimes baptized with names of saints. Deeper inside the forests, there were little villages or *barangays* composed of a few families.

The same mental effort has to be exerted by our readers to understand the absolute absence of any kind of administrative mechanism conducive to the organization of a referendum, the very name of which is given to rather anachronistically in the present study: None of the natives spoke a word of Spanish. It would be ridiculous to think here in terms of mass media of communications, radio announcement, television or newspapers, of publicity displays, of political campaigns, registration of voters, of ballots or ballot boxes, or of election surveys. There was only one thing to do, and it was done: to ask verbally the representatives of the native population whether they wanted the king of Spain or not. This and nothing more. The important thing is that we know what happened. The results can be known through various reports sent from the Philippines to the Court of Madrid.

a) The Governor's Report

Luckily two official reports to the King about the implementation of his Royal Cedula of February 8, 1597 have been preserved: one from the Public Notary of the Insular Government, Don Gaspar de Acebo, and the other from the Governor General, Don Francisco Tello. The Notary Public certified on July 14, 1599 that the plebiscite had been taken to effect. Here is the text:

"By virtue of a decree of the king our lord, dated in Madrid the eighth of February of the past year of ninety-seven, in which is directed the order to be followed *in bringing the natives of these islands to render submission to the royal crown*, and in publishing the ordinances for newly discovered countries, these were published in this city; and *the order to be observed in bringing the natives to render submission was provided for by the Archbishop (whom may God keep), Don Fray Ygnacio de Santibañez, and the other Bishops and Provincials of these islands, conjointly with*

the said governor. They have begun to carry this out in several provinces of these islands.

GASPAR DE ACEBO

Notary Public of the government of these
Philippine Islands for the king our lord.³¹

For his part, Governor Tello had his report signed two days earlier, on July 12, on time for the impending departure of the Acapulco galleon. Before summarizing the substantial facts of the events, let us note with some perplexity the tone of his exposition. Tello took the great risk path of revealing to the king his displeasure at the idea of a plebiscite in the Islands, in spite of the severe terms of the Royal Cedula against any opposition to it. Tello tells the king that tributes levied on the inhabitants were not oppressive, and that the Filipinos had for a long time accepted the domination of the King of Spain, without going through the present "ceremony," as he refers to the present plebiscite rather cynically. He even believes, and he tells the king, that the plebiscite could bring difficulties for the Islands if people have recourse to delays, as it happened presently in the province of La Laguna. To top it all, Tello daringly advises the King to "order a review of the affair."

The governor was not entirely accurate in describing the local political situation, for several cases of resistance and of rebellion had actually happened in some parts of the Islands. But aside from this, what was important about the referendum was not so much what Tello thought but what Philip had decreed. And what is more important for us today is whether the King's wishes were carried to practice in the Philippines, however reluctantly or grudgingly implemented by the governor. Tello did comply with the king's command as his report shows. And he informs the King that the areas covered by the referendum as of the date of his writing, were the Ilocos region, the other provinces of the Bishopric of Nueva Segovia, which included the Cagayan Valley and the district of Manila, meaning, probably, the provinces of Central Luzon and La Laguna, south of Manila. Here is the most pertinent part of his report dated July 12, 1599:

³¹ Gaspar de Acebo, "Statement regarding the fulfillment of the decree of His Majesty. Cited in clause 31 of the Governor's letter of June 12, 1599," in BR, *The Philippine Islands*, X, p. 290.

"From the hand of the bishop of Nueva Segovia I received the royal decree of your Majesty in which you ordered me, by the best and most gentle methods possible, to compel the natives of these islands to render submission to your Majesty (this ceremony having been neglected at first), so that the tributes which they pay may be collected with more justice. I was ordered to join with the archbishop, bishop, and other prelates, the superiors of the orders, in its execution.

I acted accordingly, having the said royal decree read to them, and the intention of your Majesty explained, for the greater peace of your royal conscience. Having conferred and consulted in regard to it, the said committee came to a decision regarding the matter, which your Majesty will order to be examined by the authorized copy which I am sending. This is what has been done since then, in virtue of their decision. Instructions and directions have been sent to the *alcaldes-mayores* and to the religious in all the provinces, that by the gracious methods which your Majesty directs, submission shall be rendered to your Majesty.

In the province of Ylocos, in the diocese of the bishop of Nueva Segovia, this was very well done; and submission was rendered to your Majesty. Likewise the whole district of Manila, a mission of the Augustinian fathers, has rendered submission. La Laguna, in charge of the Franciscan fathers, has not so easily yielded; for the natives there have asked a year's time in which to answer; and I have left La Laguna in this state, until I should give an account of it to your Majesty, as you direct me. The same thing will be done in the other provinces which ask delays. Thus far I am not informed of what has been done.

Things have always been as they are now, without there being any scruples; and, when these islands were conquered and subjected, they were placed in obedience to your Majesty with just as many requirements as the other parts of the Yndias. Your Majesty has lost here many troops and much money. It is more than thirty four years during which they have had the true knowledge of God our Lord, and of His holy gospel law, by virtue of which your Majesty has possessed this country and collected tribute from his vassals – who have received great benefit in being such; for in the time when they were heathens they were subjected to many tyrannies, imposed upon them by the chieftains whose subjects they were, who took from them their wives and property during their lives. Now they are secure in all these things, and much benefited in spiritual and temporal goods. They are in no wise oppressed by the collection of the tribute; and if

the effect of this royal decree must continue and be in operation as provided therein, there will be many difficulties, such as have already commenced with the seeking of delay. Your Majesty will hold nothing securely, and for the same reason will have no justification for possessing this land.

I am sending your Majesty a copy of the instruction and directions which are ordered for the execution of these measures, and one of the answers by the natives of La Laguna; so that, seeing these difficulties, your Majesty may be pleased to order a review of this affair and a determination of what is most expedient for the service of your Majesty. In the meantime I shall put matters into the best state possible."³²

b) Reports from the provinces

1. From Bishop Benavides, in Magaldan, Pangasinan, March 21, 1599

Of all the local reports sent to Spain informing on the details of the referendum, the first and the best was drawn in the town of Magaldan (Mangaldan in the report), in the province of Pangasinan. The province of Pangasinan was one of the first ministries entrusted to the Dominicans after arriving in the Philippines. In 1595 its territory was included inside the limits of the newly created Diocese of Nueva Segovia. At the moment of the referendum, therefore, it was under the ecclesiastical jurisdiction of Bishop Miguel de Benavides. The conversions of the natives to the faith were so few in the first years that, according to the *Anales Eclesiásticos de Filipinas*, when Benavides took possession of his diocese he found only "two hundred Christians among innumerable pagans."³³ This means that the Christians in Pangasinan must have been still fewer, and that the majority of the people represented in the referendum were not yet baptized.

The date of the plebiscite was March 21, 1599. Presiding over the act was Bishop Benavides, accompanied by three Dominican missionaries of that province, Frs. Tomas de Castellar, Melchor Pavia and Luis de Luca. These four signed the *acta* or record of the proceedings, which was certified by an Apostolic Notary and Secretary, Don Luis de Herrera,

³² Text published in English in BR, *op. cit.*, X, pp. 253-255.

³³ *Anales Eclesiásticos*, fol. 26b.

and by an unidentified Spaniard, Pedro de Anaza de Benavides, possibly a public official. Also signing the proceedings were two Filipinos, who wrote their names in the pre-Spanish Filipino alphabet, called *baybayin*.³⁴ Fr. Tomas de Castellar, who, by that time had mastered the Pangasinan dialect, acted as interpreter.³⁵ The original *Acta* thus drawn up and sent to the King is now preserved in the Archivo General de Indias, Sevilla.³⁶

Five *pueblos* and seven *barangays*³⁷ had sent people to the assembly in Magaldan, with their leaders. The *pueblos* mentioned are Magaldan, San Jacinto, Santa Fe, Santo Domingo and Calahuacan. Five *barangays* and villages bear the same name of the main centers, the two others being called Santa Cruz and Binloeh. The chiefs are identified by their names and place of origin. Twenty are said to be Christians and nine pagan. Ten of them are classified as *principales* and *cabezas de barangay*, and the rest are *caylanes* and *vecinos*.³⁸

³⁴ *Baybayin*. The name given to the Tagalog Alphabet, the writing system used in the Pre-Spanish times, which originated from the Asokan alphabet in India (G. Zaide). It consisted of three vowels and fourteen consonants. Only three samples are known to this writer to exist today: One, in printed form, in *Doctrina Cristiana*, the first book printed in the Philippines in 1593 (text in Spanish, romanized Tagalog and *baybayin*); the second, in the signatures of the text under study (Ms. 1599); and the third, a deed of sale done in Tondo in 1616, whose original Ms. is kept in the Archives of the University of Santo Tomas. On the latter, see Alberto Santamaría, OP, "El Baybayin en el Archivo de Santo Tomás," in *Unitas*, XVI, February 1938.

³⁵ Fr. Tomas de Castellar, O.P. arrived in the Philippines in 1589 and was assigned to work in the missions of Pangasinan, first in Binalatongan, and, since 1598, in Bolinao. He composed a grammar and a dictionary in the Pangasinan language. He died in 1607 (Hilario Ocio, OP, *Compendio de la Reseña Biográfica de los Religiosos de la Provincia del Santísimo Rosario de Filipinas*, Manila 1895, pp. 23-24). Fr. Melchor Pavia, O. P. arrived in the Islands in 1598, and was missionary in Pangasinan until his death in 1644 (*Ibid.*, p. 39). Fr. Luis de Luca, O.P., was also missionary in Pangasinan since 1598 for a few years. He then returned to his native Spain where he died.

³⁶ I acknowledge with gratitude the valuable services of Sra. Alicia Castellanos Escudier, of Cadiz, Spain, who kindly procured for me a photographic reproduction of the original text of this report existing in the Archivo General de Indias, Sevilla (AI, 76; 68-1-34). The document had already been published by J. Gayo, *Ideas*, pp. 238-240.

³⁷ *Pueblo*: Town, or better, municipality of the Philippines. *Barangay*: kinship unit of 30 families at the coming of the Spaniards, later made a political unit for taxation purposes.

³⁸ *Principales*: Spanish word used in the Philippines to designate the pre-Spanish *datus* or chiefs and their descendants. Their collectivity was called *principalia*.

The solemn act took place in the church of Magaldan on the Fourth Sunday of Lent, when all the people of the towns and villages, men and women, assembled. The Royal Cedula was read to them, and Fr. Tomas de Castellar translated and explained it to the people in their dialect. Then, as the record of the proceedings states clearly, all those present "of their own free will, without any coercion, rather much to their satisfaction, gave freely and voluntarily, in the name of all the pueblos and barangays, for the present as well as for the future, obedience to the Catholic king of Castile and Leon, whom they were taking and actually took for their king and lord, and they placed themselves under his royal protection." Then they knelt down and, joining hands with the Bishop, and the pagans with their own swearing signs, the Bishop received them, in the name of the king, under the king's protection.

The *Acta* deserves to be quoted in full:

"In the pueblo of Magaldan, province of Pangasinan, of the Philippine Islands, in the island called Luzon, on the twenty first day of March of the year fifteen hundred and ninety nine, before the Most Reverend Lord Don Fray Miguel de Benavides, first Bishop of Nueva Segovia, of the Council of His Majesty, and before me, apostolic Notary and secretary, here present, there appeared:

"Don Mateo Pilac, governor of said pueblo and principal and cabeza of the barangay and pueblo of San Jacinto; and Albino Agduman, Christian, and Buat, pagan, caylanes and residents of said barangay and pueblo; and Don Pedro Cagipit, principal and cabeza of the barangay of Magidon; and Tomas Talona [Talana?], Christian, and Yoya [Yaya?], pagan, residents and caylanes of said barangay; and Don Agustin Lumaban, cabeza and principal of the barangay of Santa Cruz; and Don Marti Mamose [Martin Mamoac?], Christian, and Damal, pagan, cabeza and principal of the barangay of Calahuacan; and Don Lucas Casandi, Christian, and Mangalizon, pagan, residents of said barangay; and Don Miguel Caliniquin, cabeza and principal of the barangay of Binloences (Binloeh?); and Don Miguel Cabaua, Christian, and Tolalum, pagan, residents of said barangay; and Don Christobal Ingdon, cabeza and principal of Santa Fe; and Alonso Asso y Bangoso [Bungtao?], residents of said barangay, and Don Alonso

Cabeza (de *barangay*): Filipino administrator in charge of a *barangay*. He formed part of the *principalia*. *Cailianes*: In Pangasinan, persons who belonged to a *cabecera*, forming part of it, under an *anacbanua* (Lorenzo Fernández Cosgaya, OP, *Diccionario Pangasinan-Español*, Manila, 1865, word "cailian").

Lalana, principal and cabeza of the other part of the barangay of Santa Fe; and Don Lorenzo Batauan, Christian, and Marcos Mabalisc [Mabalitoc?], also Christian, residents of said barangay; and Don Agustin Macasbuel, principal and cabeza of said pueblo of Santa Fe; and Don Diego Dalog y Mangaco, pagan; and Don Pedro Lumboy, principal and cabeza of the barangay and pueblo of Santo Domingo; and Don Bernardo Bacani y Magaley [Maguley?], pagan; and many others; and Don Juan Ymangan [Ymungan?], cabeza and principal of the [second?] part of said pueblo of Calahuacan, in the name of Don Juan Gaumratan [Gumtan?], his father-in-law, who does not govern the town because he is sick, and it is governed in his name by this his son-in-law; and Alonzo Macsaguey y Dumpaga, pagan, caylanes of said barangay;

"all of whom, and many others of the said pueblos and barangays, [were assembled] because this act took place in the church, after the high Mass, on that day, which was the fourth Sunday of Lent, when all said pueblos gather in a church, men and women; and all of them being together, they said through the translation of Fr. Tomas de Castellar, of the Order of the glorious Father Saint Dominic, and Vicar of the church of Bolinao, that, of their free will, without any coercion, rather much to their satisfaction, were giving and actually gave voluntarily and freely, in the name of all the pueblos and barangays, for the present as well as for the future, obedience to the Catholic King of Castile and Leon, whom they were taking and actually took for their King and lord, and they placed themselves under his royal protection, and being their vassals they would be defended and protected, living in peace and with security of their lives, honor and properties. And above all, they asked his Majesty that he provide them with bishops and religious [missionaries] and all that pertains to the good of the soul. About all this, they all said that they were not moved by said religious or other persons, but by what they saw by experience; and they gave many thanks to God who had deigned to send such king and lord to them. And they considered as well given all the tributes they had paid until then, both to his Majesty and to his representatives.

"But with regard to the offenses that some Alcaldes Mayores and encomenderos and tax collectors and other Spaniards had committed against them, both by collecting more than what was established by his Majesty or the Governor of these Islands to be paid as tribute, or by whatever kinds of injury inflicted on them, they said that they were not pardoning any of such things; rather they wanted to be repaid in full. They understood that, by this

act, aside from caring for themselves and their children and properties, they were rendering a service to his Majesty our lord, whose intention has never been, nor is, that they should suffer any injury, rather, his royal will has always been, and is, that fair treatment be given to them and to all, and that those who offend them should be punished. Therefore they want and say that if any of said offenders owe them something they make restitution. And this is what they want.

"They added more, saying that if upon entering in these lands, the Spaniards had explained to the people by word of mouth and any actions in a manner understandable to them, the good that derived from being vassals of the king, they [the natives] would have given obedience as voluntarily and as freely as they do now.

"Then, the said principales and many of their timanes *knelt down in the major chapel of the church, before His Lordship [the Bishop], and the Christians among them placing their hands on those of his Lordship and on a cross he had made with his fingers, and the pagans with their swearing signs, all together swore formally to be faithful vassals of the Catholic King of Castile and Leon, who reigns is now and will reign in the future for ever and ever.* And they asked that a public instrument should be made of this act.

"Present to all these acts was, as interpreter, Fr. Tomas de Castellar, of the Order of the glorious Father Saint Dominic. The people present gave many thanks to the religious of this Order because, among other benefits done in favor of their souls and properties, they esteemed and acknowledged particularly this benefit of having given obedience to a good king and of being voluntary vassals of such lord. And his Lordship the Bishop, in the name of his Majesty, received them under his royal protection. He ratified it with his authority and signed it with his name. Witnesses of this act were Fr. Tomas de Castellar, who also acted as interpreter, as was said before, and is now acting Superior of the house the Order has here [Mangaldan], Fr. Luis de Luca and Fr. Melchor Pavia, priests of the same Order, who also know the language of said province of Pangasinan, and Pedro de Anoz de Benavides. *And since the petitioners did not know how to sign in the Spanish letters, they asked one of the witnesses to sign for them; and some of them signed in their own writing alphabet.*

[Signatures]

Fr. Miguel, *Bishop of Nueva Segovia*

[a signature in *baybayin*][a signature in *baybayin*]

Fr. Tomas de Castellar [OP],

Fr. Melchor de Pavia [OP]

interpreter and witness

Fr. Luis de Luca [OP]

Shown to me and I certify:

Pedro de Anoz de Benavides

Luis de Herrera, *Apostolic Notary
and Secretary*

2. In Cagayan

Cagayan is another province of Northern Luzon, at that time belonging to the Diocese of Nueva Segovia. Actually at the beginning, the Episcopal See of Bishop Miguel de Benavides was the town Lal-lo, in Cagayan, until it was transferred to La Ciudad Fernandina (Vigan), in Ilocos Sur, in 1762. Cagayan was also a Dominican mission from the beginning of the evangelization until the end of the Spanish period. The holding of the referendum there is known to us through the contemporary Dominican historian Diego de Aduarte, whose famous *Historia* of the Dominicans in the Philippines covers the period 1587-1637. Aduarte arrived in the Islands in 1595 and became Bishop of Nueva Segovia in 1634.³⁹

The first converts of Cagayan, Aduarte tell us, were eight *principales* led by a chieftain named Siriban, "an *indio* of great bravery and countenance, noble and well respected by his subjects." In baptism he was given the name of Diego, after the first missionary of Cagayan Fr. Diego de Soria. As a consequence of his family having been ill treated by the *Alcalde Mayor* of the province, Siriban fled to the mountains with some of his men to defend himself. Eventually he was convinced to return to his home and to social life by the persuasive words of Fr. Soria. Aduarte calls him "lord of the pueblos of Pitta, and of Masi and of others."

Having rid of his ill feelings, Diego Siriban became an open supporter of the new ways of life taught by the missionaries, so much so that when the Royal Cedula of 1597 arrived in Cagayan, Siriban led his people into accepting enthusiastically the sovereignty of the King of Spain. Writes Aduarte:

³⁹ Diego de Aduarte, OP, *Historia de la Provincia del Santo Rosario de la Orden de Predicadores en Filipinas, Japón y China*, Manila, 1640. Here I use the edition by M. Ferrero, OP., Consejo Superior de Investigaciones Científicas, Madrid 1960, vol. I.

"Hence, within a few years, *when the voluntary offer of their allegiance was asked from them on the part of his Majesty King Felipe II*, to satisfy a scruple which he had felt with regard to the conquest of that province, one of the leading chiefs of the province, *Don Diego Siriban, responded for himself and for his subjects that he gave his allegiance to the king our lord with a very good will*, because of the great blessing which he had given them by sending religious to them.

He went on to say: 'If we had known earlier the good that was coming to us with them, we would have gone to their countries to seek for it, even if we had been sure that half of us were certain to perish in the quest'. The same thing was said by the whole town.

Another town declared that they very readily offered their allegiance to his Majesty for having sent them Spaniards to deliver them from the tyranny of their principales, and religious missionaries who delivered them from some Spaniards."⁴⁰

We have an additional testimony about the same referendum held in the territory of the diocese of Nueva Segovia. Our informer is the Augustinian historian Juan de Medina, who in 1630 wrote the history of the early Augustinian missions in the Philippines. His reference to this plebiscite is so similar to that of the Dominican Aduarte, that both historians could be describing the same event. Both of them made Fr. Diego de Soria the representative of the king in that act, although Medina wrongly calls Soria "bishop" of Nueva Segovia. He actually became bishop in 1604. But at the time of the referendum in 1599 he was still "Father" Diego. This is the version of Medina:

"The bishop of Nueva Segovia, Don Fray Pedro [*sic*] de Soria, collected those Indians together, by order of his Majesty, and told them of the advantages of the Spanish monarchy, and how beneficial it would be for them to have Don Felipe, the King of the Spaniards, as their king, who would protect them peacefully and with justice. Thereupon, the bishop spoke again and asked them whether they had understood the words he had spoken to them, and if they would answer.

Thereupon, a rough Indian arose and said: 'We answer that we wish the King of Spain to be our king and sovereign, for he has

⁴⁰ Aduarte, *Historia*, I, P. 256.

sent Castilians to us, who are freeing us from the tyranny and domination of our chiefs, as well as Fathers who aid us against the same Castilians and protect us from them'.⁴¹

3. *In the province of La Laguna*

The province of La Laguna is situated south of Manila, in the southern Tagalog region, its name deriving from that of the big lake, Laguna de Bay, which is half-encircled by lands of this province. In the early Spanish times, the province must have included other lands of the southern Tagalog-speaking areas. The Franciscans were its earliest missionaries since their arrival in 1578, who also evangelized the Bicol region, the southernmost part of Luzon. We know that before 1600 the Franciscans had missionary posts in the settlements or towns of Pila, Lumbang, Majayjay, Siniloan, Pangil, Nagcarlang and Paete in said province.⁴²

The 1599 plebiscite took place in the town of Lumban, in the month of June, and an *acta* of the proceedings was drawn up by a notary public, Don Juan de Ribera. The convocation with instructions were issued by the *Alferez* Gregorio Ponce de Leon, deputy of the *Alcalde Mayor* of La Laguna province. Witnesses who signed the document were six Franciscan missionaries led by their Superior Fr. Antonio Nombela, plus two laymen, Don Francisco Bagua and Don Jeronimo Aroppora.

Compared with the referendum held in Magaldan, Pangasinan, this one was numerically more representative, perhaps due to better communications by boat through the lake, for here mentioned nominally were 143 *principales*, *cabezas de barangay*, chieftains and *timauas* (43), who came from at least thirteen towns and/or villages, specifically: From Bay, 10 leaders; from Tablero, 3; From Pila la Grande, 5; from Nagcarlan, 2; from Mehay, 10; from Saloanij Gilinguiling, 20; from Panquil, 6; from Paoil, 6; from Santa Cruz 3; from San Pablo, 11; from Pililla, 17; from Moral, 4; and from Lumban, 24.

⁴¹ Juan de Medina, OSA, *Historia de la Orden de San Agustín de estas Islas Filipinas*, Manila 1893 (but written in 1630), published in English version in BR, *The Philippine Islands*, XXIII, pp. 253-254.

⁴² Cf. Apolinar Pastrana, OFM, "The Franciscans and the Evangelization of the Philippines (1578-1900)", in *Boletín Eclesiástico de Filipinas*, 39, 435 (January-February 1965), pp. 83-85.

Understandably, the official organizers and especially the missionaries did their best to impress upon the natives the advantages of accepting the king of Spain, the benefits of the Catholic faith as a safeguard against the "religion of Mohammed"; also, by accepting the king of Spain they would be liberated from the tyranny of their own chiefs and they would avert the possible domination by less-Christian nations.

Unfortunately, with all these preparations and introduction having been made, the result of the plebiscite remains unknown to us. The *principales* asked for a moratorium to express their will, because they wanted to consult first all the absent chieftains, and this would take longer time than the circumstances allowed. It would be done, they said, "before the departure of the ships next year." This kind of reasoning can easily be explained. The yearly Acapulco Galleon was to depart from Manila quite soon, for it usually departed around the month of July, and there would be no other regular galleon until the middle of next year, 1600. And so the decision remained there, in a delay democratically done, with neither an acceptance nor a rejection of the sovereignty of the Spanish king.

For its great importance, it seems useful to reproduce the whole *Acta* here:

In the village of Lumban, province of La Laguna de Bay, on the thirteenth day of the month of June of the year one thousand five hundred and ninety-nine, by command of the alferes Gregorio Ponce de Leon, deputy of the alcalde-mayor of the said provinces for the king our lord, and father Fray Antonio de Nombela, definitor of the Order of St. Francis in the said islands, and guardian of the said convent and village – before me, notary-public of the said provinces of his Majesty, were gathered all the governors, chiefs, headmen, and lords of barangay, and most of the timaguas and common people of all the villages of said provinces, whose names are as here follow.

Don Hernando Larogajon, governor; Don Francisco Volor, Don Phelipe Paguilagan, Don Mateo Umanguil, Miguel Manaycon, Simon Panica, Phelipe Damian, Don Gaspar Culiao, Bartolome Maconan, Bartolome Parahan, chiefs and lords, heads of barangay of the village of Bay, and several of their timaguas. Governor Don Juan Halimao, Don Diego Caya, Domingo Sati, chiefs and lords of barangay of the village of Tableco, and several of their timaguas. Lieutenant-governor Domingo Labaulon, Don Francisco Meglilo, Don Antonio Tobantahel, Don Joan Lagban, Miguel

Bati, headmen and lords of barangay of the village of Pila la Grande, and other chiefs, with common people, and several of their timaguas. The governor of the village of Nacarlandos, Marcos Brigilon; his lieutenant, Lorenzo Manile; Domingo Pasdeyaen, Lucas Mandig, Don Pablo Caranblin, Joan Manglas, Domingo Malapas, Mateo Madhanay, Nicolas Magpisie, Antonio Magsibo, Fruian Lionan, chiefs, headmen, and lords of barangay of the said village, and many other chiefs and timaguas. The governor of the village of Mehay, Don Joan de Mendoca; Don Esteban Luvas, Don Pablo Magbres, Don Diego Magpalo, Damian Pacaviandes, Laramas, Don Antonio Dato, Diego Malapege, Don Lucas Tunuguli, Jusepe Vale, chiefs, headmen and lords of barangay, and other chiefs and timaguas of the said village. The governor of the village of Saloanij Guilinguilin;

Don Juan Puhaban; the lieutenant, Don Francisco Caraguen; Don Francisco Bala, Don Pedro Banguig, Don Diego Limetig, Don Alonso Goor, Don Joan Pile, Don Diego Bagnor, Don Bentura Ulay, Don Christoval Rarac, Don Christoval Banguis, Don Diego Daolor, Don Antonio Quilala, Don Joan Ligno, Don Pedro Alimango, Don Francisco Dales, Don Francisco Danga, Don Luis Guinton, Venito Laquer, Marcos Abal, chiefs, head men and lords of barangay, and other chiefs, and timaguas and common people of the said village. The lieutenant-governor of the village of Panguil, Don Miguel Boag; Don Andres Talamindor, Francisco Valor, Don Juan Mabaylo, Don Agustin Labrian, Don Francisco Laguina, Don Pedro Pazhan, Don Andres Guilla, Don Andres Ama, Don Luis Lanvan, Don Lorenzo Apon, Don Felipe Panindo, chiefs and lords, heads of barangay, and other chiefs and timaguas of the said village. The governor of the village of Paoil, Don Joan Lagary; his lieutenant, Don Miguel Manduga; Domingo Pansas, Sebastian Palangan, Don Joan Valoban, Don Alonso Bulanvel, chiefs, lords, and heads of the said barangay, and other chiefs, common people, and timaguas of the said village. The governor of the village of Sampablo, Don Lorenzo Lansapao; Don Agustin Magapan, Joan Masquiles, Don Antonio Calapar, Luis Lapipir, Pablo Mandol, Ventura Pilapan, Pablo Casyl, Joan Moage, Francisco Mayas, Pablo Caylo, chiefs, lords, heads of barangay, and other chiefs, common people, and timaguas of the said village.

The lieutenant-governor of the village of Santa Cruz, Joan Abalasaval; Gaspar Tosol, Joan Bago, chiefs and lords, heads of barangay, and other chiefs, common people, and timaguas of the said village. The governor of the village of Pililla, Don Joan Yavi, Don Luis Abalo, Don Felipe Bognor, Don Agustin Magcanayon, Don Pedro Canayon, Miguel Togui, Antonio Mabanta, Lorenzo

Lagasia, Bernardo Sampaga, Diego Manira, Martin Cosso, Juan Tanguí, Lucas Ayog, Don Luys Calyas, Clemente Lagnig, chiefs and lords, heads of *barangay*, and other chiefs, common people, and *timaguas* of the said village. The governor of the village of Moran, Don Francisco Laquiao; Don Luis Limetig, Don Pablo Sosil, Don Francisco Baro, chiefs and head men, lords of *barangay*, and other chiefs, common people, and *timaguas* of the said village. The governor of the village of Lunban, Don Juan Burlon; his lieutenant, Don Joan Alaman; Don Agustin Mamija, Don Marco Ral, Don Rodrigo Pananbo, Don Phelipe Tanguí, Don Ventura Marlangaley, Don Alonso Bineg, Don Alonso Posolan, Don Agustin Asum, Don Alonso Tindig, Luis Aveij, Don Diego Laval, Don Diego Gaddola, Goncalo Lima, Don Francisco Pirangaran, Don Pablo Caliox, Alonso Paraorao, Don Diego Lahacan, Don Goncalo Magcoli, Antonio Puragti Habanpoli, Don Juan Bambin, chiefs and lords, heads of *barangay*, and other chiefs, common people, and all the *timaguas*⁴³ of the said village and government. Don Agustin Baticio, Don Marcos Manalo, Don Agustin Sandi, Pedro Cabasao, Dionisio Magsubey, Don Tomas Bagsit, Alonso Sancabo, chiefs of *barangay* of the said province.

And all having assembled and come together thus, both the chiefs and the *timaguas*, with the said Franciscan father guardian, Fray Antonio de Nombela, as interpreter, they were given to understand why they had been called together and were assembled. They were told how God our Lord had granted them great kindness and grace in keeping them under the evangelical faith, which remains in His holy church, in the apostle St. Peter and his successors, who are the pontiffs, bishops, and confessors who in His name administer instruction and point out the way to heaven. Our Lord had liberated them from the blindness and tyranny in which they were as subjects of the devil – who not only caused the damnation of their immortal souls, which are to be cared for, but likewise harassed their bodies and consumed their lives.

What is still more weighty, the most cursed and perverse sect of Mahoma had begun, through its followers and disciples, to spread and scatter through some of the islands of this archipelago its

⁴³ *Timaua* (or *Timawa*). The author of the first Tagalog dictionary, by Fr. Francisco Blancas de San Jose, defines it as "a free person who was formerly a slave" (F. B. de San José, OP, *Vocabulario de la Lengua Tagala*, c. 1610, Ms. copy in AUST, word "Timaua."

pestilent and abominable creed; but the true God was pleased at that time to bring the Spanish people into these islands, which was a cure and remedy for the mortal sickness which the said Mahometan sect has already commenced to cause in them. Besides this, the Spaniards had freed them from the tyranny with which their kings and lords were possessing themselves of their wives and goods, which was the greatest injury which could be inflicted upon them. They were also reminded of the great favor that God our Lord had granted them in giving them for their king and natural lord the Catholic king Don Phelipe, our sovereign, to maintain them and keep them in peace and justice, with much gentleness and love. Our lord might have deferred the conquest of these islands, and it would have been made by other kings who are not so Catholic, as a punishment for the idolatry which they practiced; then they would have fallen into greater blindness and sin than before, and they would not have been so rich and well-provided as they are, nor would their property have been so safe. All this is greater advantage than they had in olden days, while they were infidels.

All this was declared to the above-named persons, so that, in conformity with his will and pleasure they might render submission to his Majesty, and acknowledge him as such king and natural lord; and this, notwithstanding what they may have given by word or deed, for the greater justification of the tributes enjoyed and being enjoyed, which they have given and paid, and henceforth may give and pay, both to his Majesty and to his vassals. And this writing is evidence in all times that of their own will and pleasure they have rendered the said submission and acknowledgment to their said king and lord.

All the said governors and chiefs, lords of barangay, and their timaguas who are present, having understood through the interpreter the address which has been made to them in the name of his Majesty, said together and unanimously – and not only for themselves but for their subjects, descendants, and successors in the dominion and lordship of their barangays – that *they recognized and held themselves fortunate in having recognized our lord*; and this because he has granted them the favors mentioned, and greater ones, since the king our lord is more Catholic and Christian than other kings of the world, and under his temporal laws they have lived and are living in great security of life and property, comfort, and peace, and with more liberty than they ever thought to have, since they are free at present from all the tyrannies to which they were subject in the time when they were infidels.

Therefore, *in answer to what was asked them, as it was of so great importance they sought for a delay, as the time is so short, and they had not conferred and communicated with all the chiefs, nor informed those of their villages of the resolution; and so they separated, saying that there would be enough time from now until the departure of the ships in the coming year, one thousand six hundred, and that information about this negotiation could be sent then to his Majesty. This they declared, and those who could do so signed their names*, also the said father definitor and guardian, and the said lieutenant, as I certify. The witnesses were Father Fray de Ponto, guardian of the convent of Mahayhay; father Fray Tomas de Miranda, father Fray Bartolome Ruiz, father Fray Alonso de Santana, Fray Bernardo de Asuncion, Don Francisco Bagua, Don Heronimo Aroppora, Francisco de Nombela, Gregorio Ponce de Leon.

Before me:

JOAN DE RIBERA, notary-public ⁴⁴

9. Interpreting the events

From June 14, 1599 we lose all documentary tracks left by the historic Philippine Referendum. In the first place, we do not know whether the inhabitants of La Laguna were convened again in Lumban or somewhere else to decide on the issue of the Royal Cedula after consulting with their absent fellow-chieftains of the other towns and villages. And nothing is known by us about the implementation of the Cedula in the other islands of the archipelago, the provinces of the dioceses of Nueva Caceres and Cebu. In the case of Cebu, its first Bishop Pedro de Agurto had actually attended the meeting called by Governor Tello in Manila in 1598, as stated above.

It is quite possible that matters remained where they were left in June of 1599. Firstly, because by June or July of 1599, the news about Philip II's death must have arrived in Manila and now his son Philip III sat on the throne of Spain.⁴⁵ Secondly, Governor Francisco Tello de Guzman had shown little enthusiasm for the plebiscite, as he explicitly

⁴⁴ In the absence of the Spanish original, I am using here the English version published by BR, *The Philippine Islands*, X, pp. 282-288.

⁴⁵ See what was said *supra*, footnote 30.

manifested it to the King in his report of July 12, 1599. He went as far as to advise the king to "revise the whole affair", because the referendum would cause more difficulties than solve problems. The king's death liberated the Governor from displeasure of proceeding with the plebiscite further.

But whatever the outcome of the whole affair might have been, the events so far narrated afford us sufficient ground for making some final considerations:

1. Neither the authenticity of the transcribed documents nor the historicity of the facts can be placed under the slightest doubt. One question; however, may be raised by an attentive reader: whether the natives of the Philippines expressed themselves freely or whether they were subjected to deceit, moral pressure, coercion or fear.

A careful reading of the same documents seems clearly to imply that no pressure, coercion or fear existed. In Magaldan, Pangasinan, the Filipinos who accepted the King Spain were quick in adding that they denounced "the offenses the *Alcaldes Mayores*, the *encomenderos* and the tax collectors committed against them" in the manner of exacting tributes: and that "they were not pardoning them, rather they wanted to be repaid in full." They wanted, not only royal protection, but also justice. This is not the language of intimidated people, by the assertive demand of one's human rights.

For their part, the inhabitants of La Laguna were not forced to vote right away. In perfect use of their freedom, their leaders decided to postpone the deliberation until they could consult with the absent co-leaders of that province. The final result is unknown to us, but what is important for us is that the Filipinos were given the right and the time to think things over before arriving at decision.

2. The Dominican missionaries of the Philippines in general, and Bishop Domingo de Salazar, with Fathers Miguel de Benavides and Diego de Soria in particular, must be credited with having set in motion the official machinery of the State towards concrete action. And they did it by their faithful adherence to the principles on justice and human rights proclaimed by Francisco de Vitoria and Bartolomé de Las Casas. The writer of these lines does not know of any plebiscite like this having taken place anywhere else in the Spanish colonies or any other European colony.

3. All his missionary life, and especially in his last years, Bishop

Salazar was troubled by scruples of conscience at the sight of injustices being committed against the native peoples of the New World. Unfortunately, he died before King Philip took the transcendental decision of ordering the plebiscite Salazar had in mind for the Philippines.

4. But, in the end, it was Fr. Miguel de Benavides, just after his election for the episcopacy, who managed to turn Salazar's momentary failure into a resounding success for the cause of human rights. Benavides' *memoriales*, written at the eleventh hour of his campaign, impressed the king so deeply that they won over his royal will for the cause. The success could not be more complete. He not only set the engine in motion, he himself had the satisfaction of presiding over the first plebiscite in one of the provinces of his bishopric, that of Pangasinan.

5. Philip II's decision to order the holding of a referendum among his subjects may surprise many historians, especially the more critical of his policies and his character. A monarch who ruled over almost one half of the known world, often painted as tyrannical and despotic, insensitive and heartless, was in fact a deeply religious person, principled and magnanimous, pious and conscientious, ready to lend an ear to theologians, moralists and jurists, to his private confessor and to the entreaties of missionaries, just as he heard the advises of his ministers and his Council of the Indies. His interests were not only Europe, England, France or Italy, but also in the right of his most simple and uncultured subjects in the New World and the Far East. It is a pity that the Philippine Referendum has been bypassed by all historians of Spain and the biographers of the King.

We venture to have a little insight into his soul and read some secrets there. In 1597, when Fr. Benavides had an audience with him and presented his *memoriales* to him, the king look "old physically, but at his best in mind and reason." He was above all, a man with a social conscience and a Christian conscience. Reviewing the greatest moments in the life of Benavides, the *Anales Eclesiásticos de Filipinas* underline the circumstance when the Bishop was entrusted with the implementation of the Royal Cedula. The king, the *Anales* says, "*was motivated but some scruples which burdened him on account of the means used for the conquest.*" He had the scrupulosity of the righteous man, of the prudent statesman and of the man of God.

The Philippine Referendum of 1599, even though not much significant for the rest of the world, was a remarkable event for the Phil-

ippines that all promoters of humans rights today should not fail to applaud.⁴⁶ □

⁴⁶ *Anales Eclesiásticos*, fol. 27b.