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Ifugao Custom and the Moral Law

FRANCIS LAMBRECHT

THIS paper deals with the Ifugao Law of Custom viewed in the light of the Natural Moral Law and Primitive Revelation, insofar as Ifugao Custom contains moral precepts which are not religious in themselves though they may be connected in some way with the tribal religion, and insofar as these moral precepts impose the duties of charity and justice.

When St. Paul, in his Epistle to the Romans, declared that, "there are times that the Gentiles carry out the precepts of the Law," i.e., the positive law, such as that given to the Hebrews, "unbidden, finding in their own nature a rule to guide them," and that "the obligations of the Law are written in their hearts," he no doubt had in mind chiefly the moral precepts contained in the last seven commandments of the Decalogue, which regulate man-to-man morality.

The question of man-to-man morality, whether or not in line with the Natural Moral Law, bears not so much on conduct or the actual observance of the precepts which constitute the Law of Custom, but on the man-to-man moral code itself. This means that our starting point is not the behavior of the Ifugao as such, which may or may not be in conformity with the precepts of their code, but rather their type of behavior viewed as prescribed or obligatory.

Furthermore, this code is not to be understood as that which is in operation to-day, but the genuine tribal code, handed

down by the ancestors from time immemorial. Consequently, I shall have to rely mainly on information that is void of extra-tribal influence and on those sources which as a rule resist changes, such as folklore, types of transactions, standardized stipulations and, last but not least in importance, the genealogies.

When last year I made an estimate of the morality of the acts of worship in vogue among the Ifugao, and analyzed the nature of the relations that were believed to exist between them and their supernatural beings, I came to the general conclusion that *no morality*, except perhaps in a vague manner, could be attributed to those acts of worship and hence declared the Ifugao religious acts to be negatively at variance with the Primitive Natural Law.

It is clear that the conclusion to the part of the problem now in question will be different, and I may even make the *a priori* statement that the words of St. Paul I have quoted can rightly be applied to the Ifugao Law of Custom. It would be unreasonable to suppose, even in advance, that the Ifugao culture is so full of aberrations and inconsistencies that not even those moral precepts which are most fundamental and necessary in society could be discovered and recognized in it.

Indeed, the Ifugao Law of Customs requires that children respect, obey and love their parents and elders, and that parents love and care for their children; it condemns murder and violence, adultery and unwarranted divorce; it protects property rights against theft and damage; it regulates inheritance and alienation; it reproves lying and provides sanctions for slander and libel; in a word, the Ifugao man-to-man moral law is a sort of replica of the second part of the Decalogue.

However, the problem of Ifugao man-to-man morality is not solved by a simple enumeration of moral precepts, which gives no clue to the real value of the terms used nor to the practical application and motivation of those precepts. I shall therefore have to show how the Ifugao understands and applies these precepts and what motives prompt him to compliance. Finally, some practical considerations may find apt place, such

as may be of some use to those who devote themselves to the Christianization of primitive pagan peoples.

Is the summary of the Ifugao's moral precepts, which I have formulated in terms that more or less match those of the Decalogue, an authentic and recognized formula which every Ifugao knows by heart, calls to mind, and recites when he wishes to inculcate the tribal obligations of charity and justice upon his children? This question seems ridiculous, for it is only too evident that no such formula exists, since that would imply the existence of a *formal* code expressed in words with a definite and fixed meaning. Such a supposition would, in turn, suggest something that might be called "formal education." But parents and elders actually inculcate moral precepts only occasionally and by parts and fragments. Besides, they go about it in the same manner as that in which they warn their children to prevent the transgression of one or another taboo. For example, they admonish their children not to steal in just the same way as they forbid them to swim on the *túngaw* day of rest after the harvest; the term used, *lawá* or *paníyo*, would be the same for both: *lawá* for the theft, *lawá* for the swimming! Father Sals, in his article, "Primitive Education among the Ifugaos,"¹ is quite correct in his categorical statement, "Education, formally understood, does not exist in the native tribe of the Ifugao," and further, "Education is reduced to the tribal law: 'So said our forefathers.'"

"So said our forefathers," or its equivalent, "We, Ifugao, must do what our ancestors have told us," beyond all doubt is the only expression which can be raised to the dignity of a *formal* moral precept. It is the basic principle *par excellence*, the hundred-handed norm which is invested with unchallenged power and authority to command, to forbid, to justify, and to determine to-day, just as it did in the past, what exactly shall be right or wrong, good or bad, obligatory and essential.

Moreover, this all-important phrase puts in evidence the concept of ancestral descent, for though, in itself, it represents

¹ Florent Joseph Sals, "Primitive Education Among the Ifugaos: Physical, Mental and Vocational," *Philippine Studies* 2 (Sept. 1954): 266-285.

only an indistinct and vague reality by referring to remote ancestors whose names are no longer remembered, yet it implicitly reminds every individual of his own lineage that links him to the source, and thus amplifies the importance of his own group of forebears.

In a word, the phrase, "We Ifugao must do what our ancestors told us," puts us in the presence of the very structural pattern which underlies the complexity and apparent confusion of actualities in Ifugao society, the very structural pattern which brings out the essential unity of Ifugao social life.

Before trying to show how the various component parts of the Ifugao Law of Custom have actually been interpreted in the light of this supreme norm ("So said our forefathers") and have partly been given a deviating or wrong direction, I must first deal with another exceedingly important cultural trait, one which is not only the off-spring and the companion of that basic norm, but also has maintained, reinforced and specialized to a certain extent its decretal force. This peculiar cultural trait bears the name of genealogies, the remarkable Ifugao genealogical trees.

The Ifugao have a most astounding knowledge of pedigrees. Among the men who by their age and social standing have won for themselves some importance in the community in which they live scarcely any can be found who cannot recite without difficulty a fairly long list of names of ancestors, and assign to each his proper place in the genealogical lines of descent. Even women, who in general are quite reticent and readily affirm that they know nothing worthwhile of their ancestry, prove in the course of conversation with their kin that they are by no means as ignorant as they pretend to be.

This common knowledge of genealogies, however, is markedly surpassed by that of the shamans and go-betweens, among whom there are some experts who can recite with an amazing assurance interminable series of names of ancestors, both male and female. They start with one pair of remote ancestors and enumerate all their descendants, branch after branch, sub-branch after sub-branch, adding bifurcation to bifurcation,

until they come to the names of those who are actually living and who prove to be direct descendants of the eleventh, twelfth or even fourteenth generation of the initial pair.

The very fact that such extensive genealogical trees exist, i. e., exist in the mind of those specialists, is in itself a most impressive proof of the importance the Ifugao attach to their ever-repeated basic principle of morality—"We must do what our ancestors have told us." For, indeed, those trees would have no *raison d'être*, if that universal law of custom that enjoins them to believe, hold, accept and practise whatever those worthy ancestors believed, held, accepted and practised, were but a mere pronouncement without vitality, a mere reference to a distant and enigmatic past, instead of the universal norm guiding and ruling their whole social life.

Although those spectacular genealogies spring from this basic principle, nevertheless they also singularly reinforce its compulsory power. When recited in the form of invocations, calling the ancestors back to their former abodes in Ifugaoland to share in the offerings of their descendants, they confer some kind of supernatural authority on the ancestors. But this is by no means the main function of the genealogies; they are also used time and again in Ifugao conversations, as if to bring to life once more those forebears that they might uphold the rights of their descendants, justify their policies and lend weight to their claims. Thus, they not only maintain the paramount influence of the "we must do what our ancestor have told us," but make it the compulsory factor upholding genuine Ifugao charity and justice.

Yet this is not all. Considering all laws need not be observed by all, a distinction has to be made. Among primitive peoples devoid of a law-making body, nature itself makes the distinction, chiefly if not entirely by tacitly inculcating that the obligations existing among relatives are not the same as those existing among non-relatives. The former can be roughly called "obligations imposed by charity"; the latter "obligations dictated by justice."

The Ifugao genealogies help nature in making that distinction inasmuch as they form categories; that is, they determine for every individual the group of his relatives. Of course, everybody knows up to a certain degree who are his relatives; therefore, my statement that the genealogies impart this knowledge may sound ridiculous. Nevertheless, I have to stress the point for two reasons: First, because in some instances, as for example, in the case of a dispute involving land ownership, the law of custom recognizes relationships that are more distant than those which are, on the average, known to the interested persons; hence expert genealogists may be needed to solve the matter under litigation, by making it clear which persons are bound by the law, which I have called roughly the law of charity, to support the claim or establish the defense of either party. The second reason is even more weighty: it is the fact that Ifugao genealogies determine exclusively relationships by blood, saying nothing about those of affinity. Indeed, the lines of descent in these extensive pedigrees run strictly from father and mother down to sons and daughters.

By establishing categories of blood-relationships, the Ifugao genealogies have, since time immemorial, interpreted the fundamental expression underlying all Ifugao moral laws, for they have made it clear that every individual has two sorts of social duties to comply with. The first, those based on direct descent, which is neither patrilineal nor matrilineal, are the more cogent the nearer the relationship. The second are those of every individual towards persons who are no longer regarded as blood-relatives.

I call the former "obligations imposed by charity," because as a whole they partake more of the nature of charity and need no other enforcing factor than that which is contained in the basic principle itself. The latter I call "obligations dictated by justice," because they are almost always requirements of strict justice and call for the help of definite coercive factors that enforce observance and anticipate the violation of the rights of individuals. The fact that coercive factors exist in the form of fines or enactory payments most clearly differentiates the duties

of justice from those of charity because fines are not demanded of relatives by relatives.

If the influences exerted by this fundamental principle together with its ally, the genealogies, is so tremendous, then one can easily understand why the Ifugao moralize in terms of ancestry-and-descent and construe their whole moral system in that light. Therefore, if I now raise the question: How do the Ifugao interpret those various man-to-man moral laws, which from the start I enumerated and codified artificially in more or less the same order as those of the Decalogue?—the answer is not far to seek. The “we must do what our ancestors have told us” and its concomitant pedigrees have guided the Ifugao in their practical observance of their moral law and, furthermore, account for eventual deviations and aberrations from the natural moral law.

Let us then examine a little more in detail those various moral laws. The first in order and importance is the one corresponding to the 4th commandment of God, which I have expressed in the following words: Children must respect, obey, and love their parents; parents and elders must love and care for their children.

Respect and obedience! Obedience! Care for the offspring! How in the world can I speak of filial obedience and parental care as the two components of the first among the man-to-man laws! It is an undeniable fact that the children simply do not obey or do so only when it suits them, that the children feel themselves encouraged to disobey by the certainty that they can do it with impunity, since neither reproach nor punishment will follow. It is equally undeniable that parents and elders do not care whether their children will be good or bad, whether their sleeping quarters are safe enough to provide protection against the common dangers to which all are subject, or whether the children will be exposed to moral corruption.

There seems to be no answer to this objection. The actual conduct of both children and parents seems to deny the very existence of the law which regulates the duties of that most perfect form of charity, which moralists call ‘piety’. And at the

same time, does it not deny all that I have affirmed in connection with the basic moral principle of charity, which finds its very first application in this law of filial obedience and parental care?

The truth is that the Ifugao concept of obedience towards parents and care of parents for their children is quite different from ours. As I mentioned before, the Ifugao moralize in terms of ancestry-and-descent. The many petty acts of disobedience of capricious children, however frequent, and the lack of care by parents are not at all regarded as infringements of the precept. If they were, they would be universally reprov'd. It is a fact that they have been tolerated for generations.

What then would be considered as disobedience deserving reproach? The kind of disobedience and disregard for parents which would seem to hinder the continuity of the line of descent or in some way break or weaken the ties binding them to their forefathers, beginning with the immediate ones, the parents—such disobedience would not be tolerated. Indeed it is inconceivable that the parents would not provide their children with all they need to grow up and live and, should they happen to be so poor as to be able to procure only one full meal a day for themselves, would not think of their hungry children first. It is likewise unheard of that the children, once married and with sons and daughters of their own, after having inherited all the property of their parents, would not provide what the aged parents need.

After all there is nothing extraordinary in all this. I mention this point only to show that where the marriage of their children is involved, marriage which prolongs the line of descent, the parents feel themselves bound to put their sons and daughters in the best possible condition to raise children. This is how they comply with what they consider their most important parental duty towards their offspring, the duty of arranging the marriage of each of their children, and even of procuring a divorce if eventually after some years the marriage prove to be childless.

On the other hand, the children themselves know that their reluctance to accept the partner chosen by their parents, perhaps without the latter's even consulting them, will have no determining influence on the agreement already made, and that any complaints about their not having been consulted or informed will not be heard; they know that any resistance or unwillingness on their part would be considered grievous disobedience towards their father and mother, their grandparents, and the whole clan of elder brothers and sisters, uncles, aunts and cousins. In fact, the general attitude of marriageable boys and girls is that of reliance on their parents, whom they recognize to be more concerned about their future than they themselves. Of course these statements no longer hold entirely true in those few places where tribal customs have begun to lose their force, but they do not misrepresent the conditions that still exist in almost all Ifugao communities and are reflected in some of their ballads and tales.

Furthermore, in the lifetime of any Ifugao there are other circumstances which demand observance of the precept of obedience and care: those that come along with illness and death and those that are caused by transgressions of obligations dictated by justice or by accusations that may be divulged.

Sickness and death. According to the teaching of the ancestors, no one gets ill or dies unless he fall a victim to some malicious action of the gods, who manifest their displeasure or their covetousness by taking hold of his soul in order to have the offering of his chickens and pigs, or carabaos if he has any. The sacrifices would make the gods release the soul of the sick Ifugao and restore him to health and prolong his life. This inveterate belief, in itself a religious dogma established by the ancestors, has invaded the domain of that law of charity which we have enunciated vaguely and inadequately by using the terms of love, obedience and care. Being an ancestral dogma it has despotically imposed itself and proclaimed that, if there be any duties of parents towards their children, of children towards their parents, of relatives towards one another and among themselves, these are the duties of offering sacrifices, though it

would mean the loss of all their pigs, even if it be necessary to sell or mortgage all their property or go into heavy debt simply to secure victims for those sacrificial rites. Should all their efforts prove unable to bring relief or prevent death, there remains the obligation towards the deceased parents, grandparents and other elders. These require more offerings of chickens and pigs while the corpse is sitting on its death-chair under the house. There are also duties of everlasting respect, which demand that their shamans will henceforth include the name of the dead in their invocations of the ancestors and give them their proper place in the genealogies.

Should any fail to observe these precepts of filial piety, there would not be any Ifugao of the community who would not despise or reproach him for such formal disobedience and lack of zeal in fulfilling the tradition of the ancestors.

To illustrate the force of this particular law of custom, which compels without the aid of stipulations or other coercive means, I could recount specific facts that show how the various explanations and interpretations I have given were actually applied, or I could give excerpts from ballads, tales and epics which imply in one or another manner what I have advanced. However, I will confine myself to a brief description of one case.

A certain Wangiwang, a native of Banaue, a man already in his fifties, was one day faced with a problem on which he thought his reputation depended. His elder sister, an aged childless widow, who lived alone at a short distance from Wangiwang's house, suddenly fell ill. Her nearest neighbors, being aware that something was wrong with her, called for her brother without delay. Wangiwang came at once and, seeing her in a pitiable though not hopeless state, thought that it was his duty to have a sacrifice offered for her recovery, in accordance with custom. He first informed his son and daughter, both married, who had moved to another group of houses in the neighborhood. He asked his daughter to go and watch over his sick sister and told his son to take the pig he was raising over to his sick sister's house and there to begin preparing for the sacrifice, while he himself would try to borrow a

pig of sufficient size for a second first-class victim for his *kan-yaw*. Believing there was no need for hurry, he took his time, but before he had secured his pig, his sister died.

Now he was forced to hurry. Besides, he felt morally obliged not only to sacrifice both the small pig his son had brought and the one he might borrow if he would accept the conditions of the owner, but also to secure more pigs and a quantity of rice to be offered for his deceased sister during the three days she would be installed in the death-chair. Both his son and daughter volunteered to mortgage the small rice field they had inherited when they married in order to have a number of pigs. Thus Wangiwang and his folks were relieved of their fear of being accused by their neighbors of lack of care and love for their sister and aunt from their having neglected to offer any sacrifice towards her recovery. The performance of a grand series of funeral rites would prevent any critical or contemptuous remarks by proving tangibly their attachment to the law established by their ancestors. Such was Wangiwang's line of reasoning, not merely suggested but dictated by that precept which I have called the precept of charity.

When duties dictated by justice have been transgressed by a relative, or else by another person to the disadvantage of a relative, this same law of charity enjoins the whole group of relatives to sustain the interests of their relative against any claim of the other party or, as the case may be, against any attempt on the part of the other party to disregard his claim, no matter how much they may be convinced of the injustice or groundlessness of that claim. This obligation of support is admitted by all, and any failure in this regard would be universally considered a grave violation of the law of charity, deserving reproach and even contempt. Hence the observance of the law, based on the tradition of the ancestors, is a matter of cogency.

The law of inheritance is also a component of this general law of charity among relatives. Rice fields, houseyards, forest lands within the inhabited region and heirlooms, such as gold ornaments, jewels, rice-wine jars and precious gongs, can be

called *kinship* property; such property, indeed, must be transferred by inheritance to the children or, in cases of childlessness, to the nearest blood relatives. In other words, kinship property follows the direct lines of descent as far as possible; if the direct line of descent is extinguished, it reascends the line until it meets an ancestor whose line of descent is not extinguished and then descends by a lateral line to the first living descendants. Even illegitimate children are entitled to inherit, but only after the legitimate ones have received their share.

This matter of transfer by inheritance creates no difficulties when there are children, since these inherit at the time of their marriage in accordance with the arrangement of the parents, who also consult and ask the approval of the parents of the other party to the proposed marriage. But the distribution of the property owned by somebody who has no children may occasionally fail to be made to the satisfaction of those two or three or more persons who are entitled to inherit. Childless persons, as a rule, assign their kinship property to one or more of their blood relatives, say, their nephew or niece, and that in accordance with an agreement they make with their brothers and sisters and eventually other relatives, before their death, or even long before. Their will, since it was made in agreement with the interested relatives, will no doubt be respected. But there may be cases when no such provisions have been made, either because of unexpected death or because of lack of care to make a definite and more or less detailed distribution of their property for fear of displeasing one or another of the prospective heirs, since the property could not be divided in more or less equal parts. In such cases, an older brother may grasp the greater part of the inheritance leaving but a wholly disproportionate share for the younger ones, or else males may impose their will over females, especially if their ability and diplomacy in conference is not met with much opposition. Evidently greed of that kind is resented by those who are imposed upon, who certainly consider the matter a violation of the law of charity between blood relatives; yet they cannot but acquiesce.

The point I wish to stress is that the aggrieved persons must yield because the law of charity strongly prohibits disputes among blood relatives; and no one in the community may openly condemn the greedy interference of the stronger party, some may perhaps even praise the self-favoring heir for his cleverness and diplomacy. Although some may simply think that the division into shares is a private affair, yet those who are believed to have been the cause of an eventual dispute will most certainly be criticized and reproved. That relatives simply may not dispute among themselves is a law of custom which no one can violate with impunity, that is, without universal disapproval — and well-merited disapproval, indeed, because those who are involved are of the same ancestry and consequently must display solidarity to the extreme.

Still, I must say that although the group which considers themselves injured must abstain from making trouble or objections, this does not mean that they must consider the arrangement as definitely settled; they may await in silence an opportunity to obtain redress, hoping that they themselves or their children or even grandchildren will some day get the upper-hand and be able to do a sort of grabbing, too.

In support of these various elucidations connected with the law of inheritance, I give the following example.

Some 50 years ago a certain Pungayun, a native of Mayaw-yaw, a very influential shaman, go-between and specialist in genealogies, succeeded in seizing three-fourths of the kinship property of his elder sister, who died without children. He took three out of the four groups of rice terraces for himself. When his sister protested that she should be given at least the smallest of the three, he maintained that on account of his sex, leadership and prestige in the community he was entitled to a bigger share than she. She answered but very little then, but shortly before the rice-culture cycle called for preparing a terrace for the seedlings, she renewed her complaints with her brother, hoping that he would realize how unreasonable he had been; but to no avail. She had no other choice than to let him have the rice field which ought to have been her share, since any

dispute with him would make her appear in the eyes of all guilty of grievous transgression of the law of charity.

When her son was old enough to understand the situation, she informed him fully and repeatedly explained why that particular rice field should be his, hoping that one day he would be able to come into possession of the much coveted property. In the meantime, the relations between brother and sister were as good as before; meanwhile also, her son, Mungkolnon, was initiated by her brother in all that he knew of invocations, prayers, tales, genealogies and all the rest, so that he too might grow up to be a full-fledged shaman and go-between.

After the death of Pungayun, his uncle, Mungkolnon's prestige grew by leaps and bounds, and a few years later he explained to his cousin, the daughter of Pungayun, who was in possession of the group of rice terraces his mother had not been able to inherit, that the property in question was part of his mother's inheritance, and therefore, his wife would henceforth clean the field, plant the rice, and that he would offer the harvest sacrifice. Being now the weaker party, she had more or less to accept the reasons given by her cousin. She too felt that it would be wrong for her to make trouble by a refusal.

Mungkolnon, however, not feeling so sure that she had yielded, asked somebody to draw a kind of document to be presented to his cousin in which she would declare that she waived all her rights of ownership of the particular rice field. An informal document was made that satisfied Mungkolnon. He informed his cousin she was to affix her thumbmark; she agreed at first, but when she was to execute the contract, she refused. Was there any dispute between the two? Not even the shadow of it. She simply said that she would not take back the rice field, but that she could not sign the paper. Mungkolnon simply said, "She refuses." Those few who had accompanied to act as witnesses, simply said, "You may not dispute; it is not good, for you are relatives."

The bond of consanguinity that unites relatives is the only factor that enforces the law of custom among themselves; and although it is not supported or strengthened by any other coer-

cive device, it is a fact that charity, as the Ifugaos understand it, is maintained. One can even assert that there seems to be little danger that this charity will ever degenerate, as it does sometimes among civilized people, because the supreme rule that upholds it is so palpable, if one may call it so, and is recognized in the highest superlative within every group descending from common ancestors.

The obligations dictated by justice, that is, those that exist between non-relatives of a given Ifugao community, like those imposed by charity are also based on the fundamental norm, "we must do what our ancestors have told us." However, because of the naturally looser bond among the various individuals, and because, in the conception of the Ifugao, transgressions of such duties are violations of rights and, therefore, injustices, the ancestors have increased the power of the supreme norm by a whole system of coercive factors in the form of *standardized fines*.

Every Ifugao knows that if he violates the law of justice, he shall not escape punishment in the form of a compulsory fine. He shall be forced to pay, first, because of the threats used by the injured party to reinforce their claim: they threaten with death in cases of adultery and homicide, with arson or destruction of property in other cases. Second, his refusal to pay would draw upon him the contempt of all, which certainly would make life impossible for him. On the other hand, if he pays, he knows that he indemnifies the injured party for the damage suffered and at the same time he obliterates his guilt.

I need not enumerate all the various fines that may be imposed; it will be sufficient to state that every violation of justice has its corresponding fine. All of them are exacted from non-relatives except one, and this is inflicted for damage done to the valuable property of a relative. The amount demanded is greatly reduced because of the relationship. Why? Because the damage caused to the property of a relative is, by virtue of the law of charity, presumed to be void of malice, so that only the bare damage must be paid for. For example, during a feast an invited relative may happen to drink too much rice wine.

Being wholly intoxicated he may be too violent in his movements and thus break a precious rice-wine jar. He must, of course, pay for the jar, but not for the alleged injury which would be demanded from a non-relative.

To give an example of such payments I shall mention the fine imposed for homicide in the region of Mayawyaw. It is called *pálit*, meaning *requital* (for the life taken). It consists of three sorts of payments, inasmuch as it is payable to three classes of persons:

1. *Pálit proper*: amount payable to the parents of the victim and to the wife (or the husband) in consideration of the children. Should there be no children, the wife would receive nothing at all, a point which must be stressed and which will be clarified when I deal with the offense of adultery and divorce. This amount is subdivided into three:
 - (1) *Olbát*: amend for the destructive effect:
2 large rice-wine jars and 2 smaller ones, all four termed *dinalmán*, which are most valuable among the Ifugao;
 - (2) *Haynub*: additional payment (additional to the first):
4 broad iron pots of the larger size;
 - (3) *Inangát*: facing payment (facing the other two):
2 broad iron pots of the smaller size.
2. *Úhdung*: looking-down payment; amount payable to the relatives of the person killed. It consists of two equal payments:
 - (1) *Úhdung proper*:
10 large single or double-edged knives;
 - (2) *Angál di úhdung*: counterpart of the looking-down payment:
10 crowbars.

Some knives must have a blade of two spans—they are to be given to the nearest relatives; those for the other relatives may be shorter. Likewise the size of the crowbars depends on the number of relatives that are entitled to receive larger ones or must be satisfied with smaller ones.

3. *Lakbú*: wage; amounts payable to the go-between and to the witnesses who are present when the fine is actually paid:
- (1) *Lakbún di munkálun*: wage of the go-between; it includes 6 different fees:
 - (a) *Iyab*: peace-maker's commission:
1 large rice-wine jar of the dinalmán type;
 - (b) *Gohádna*: For his coming-down, i.e., for accepting the commission and starting the conferences:
1 broad iron pot;
 - (c) *Dalána*: for his going:
1 ordinary (middle-sized) pig, which he must catch himself, for it will not be brought to his house;
 - (d) *Binangádnas* for his returning:
1 ordinary pig;
 - (e) *Kalákagna*: for his food:
1 pig of smaller size;
 - (f) *Típlag*: wrapping; refers to the blanket go-betweens use to cover the upper part of their body, when they actually exercise their function:
1 ordinary blanket
 - (2) *Ūhdung di lakbú*: the looking-down payment of the wage:
The witnesses, four in number, receive each one ordinary-sized knife.

This is the standard fine, which according to the tradition of the ancestors must be paid by the murderer. I say the standard fine, for obviously no Ifugao is in a position to pay exactly those various ingredients of the fine: jars, pots, knives, etc.; therefore, equivalents will be offered, rejected or accepted, combinations will be proposed, and most certainly the go-between will have a hard time, having to go up and down many a time before everything will be satisfactorily settled.

All the other fines have a similar set-up, even the other customary payments, that cannot be called *háliw* (*háliw* is a generic term which is sometimes used for any fine), such as purchase prices for kinship property, settlements of accumu-

lated debts, water-rights for irrigation, and the like. All of them have a similar set-up, consisting, first, of a series of payments proper to the fine or transaction in favor of the person or persons who are primarily injured or interested; second, of a series payable to the relatives; third, a series payable to the go-between and the witnesses.

It is especially the second series, the amounts payable to the relatives, which is characteristic. It puts in evidence once more the structural pattern which brings out the essential unity of Ifugao social life, for it proves in a peculiar manner that the union brought about by common descent is far-reaching, inasmuch as it produces persisting common interests and rights.

Indeed, these amounts payable to the relatives of the injured person show that any injury suffered by one is borne by all; and in cases of transactions of property, say alienations of land property, houses or heirlooms, they prove that the relatives are in some way co-owners of such property and have therefore the right to receive a part of the proceeds. This co-ownership is based on the fact that, in accordance with the will of the ancestors, such property must remain among the kin and may not be sold unless it be necessary. For example: the real owner, who inherited a certain rice field, may be constrained to sell it because he is urgently in need of a number of pigs for sacrificial purposes. Now pigs are usually exchanged with rice fields. Such property is therefore rightly called "kinship" property. Moreover, it is so persistingly kinship property that even after it has been sold and conveyed, the owner and his relatives have the right to claim from the purchaser, or from his heirs, any profit he or his heirs may have made afterwards by selling the same property to a third person. Should he not easily receive payment of that surplus, he would have the perfect right to threaten and even use violence by destroying the standing crops in one of the man's rice fields. "Of course," say the Ifugao, "the second vendor must pay that surplus, for it was not his rice field, it was not he who inherited; the real heir, who was already so unfortunate that he was forced to sell, should not be constrained to see that another makes profits on property which did not belong to his ancestors."

The fines payable for the offenses of adultery and illegal divorce place in evidence, in a still more conspicuous manner, the reality of the bond that unites the various members of a group of normally recognizable relatives. Whereas blood-relatives are mutually bound by the duties imposed by what I have called the law of charity, the relatives of affinity are mutually bound by the obligations dictated by justice, much in the same way as those among non-relatives. The bond that exists between husband and wife is in no way so close as that which must exist among their respective blood relatives. The Ifugao sometimes express this by the following comparison: Blood relatives are like the fingers of a hand that cannot be severed; husband and wife are like two hands that are joined. The hands can be pulled apart quite easily when there are no children, not so easily when offspring have brought about the crossing of the fingers, which nevertheless cannot prevent the hands from being disjoined.

This conception explains at once why the bond of marriage is so frequently broken among them. It explains, moreover, why both the adulterer and the adulteress (at least if she cannot prove her innocence) must pay a fine to the offended one's wife or husband and their respective relatives.

I just said that divorce is frequent. Does this statement insinuate that it is not penalized by any divorce fine? To answer this question, I must make a distinction between legal and illegal divorce. Divorce is considered illegal when the husband deserts his wife, that is, he does not come home for a considerable time and lives with an unmarried woman; he will then have to pay a comparatively high fine to his legal wife and her relatives. Since it is practically impossible for a wife to desert her husband, I need not speak of the other alternative. Divorce is admitted to be legal when it is the result of mutual agreement between both parties and their respective relatives. A divorce fine must then be paid by the husband to the wife, even though the wife and her relatives may have opened the negotiations. But this divorce fine is low, amounting to a few chickens if the wife took the initiative, so that its coercive power is negligible; in fact, it is merely a sort of

compensation given to the wife because remarriage will not be so easy for her as for her husband.

A heavy fine is exacted from the husband by the wife and her party in case of maltreatment; divorce is then a *fait accompli*.

However paradoxical it may seem to be among a people who often approve divorce, the bond of marriage is not wholly severed by the death of either the husband or wife. Widowers and widows are strictly bound to observe the mourning rules for three years and, moreover, must show outwardly that they grieve about and have not forgotten their deceased wife or husband. Should they remarry within that period, or should a widower drink too much rice wine and, being intoxicated, shout and sing as drunkards do, they shall have to pay a comparatively heavy fine to the nearest relatives of the deceased wife or husband. Since the natural law fails among the Ifugaos to inculcate mutual love between husband and wife, the law of custom intervenes in some way by punishing maltreatment and lack of grief, both considered grievous insults and violations of rights.

Since the various fines that make amends for theft, damage to valuable property, slander and false accusation, do not alter or add to the particularities already dealt with, I can now return to the statement made in the beginning: that the words of St. Paul can rightly be applied to the Ifugao Law of Custom.

Certainly its various components prove that the Ifugao have found in their own nature a rule to guide them. I could even affirm that the guiding principle, "we must do what our ancestors have told us," is the equivalent of the primitive natural moral law which has been written in the hearts of the ancestors and transmitted to their descendants, were it not that the force of this basic norm has been and is over-emphasized. It has the defect of its quality, for it is, negatively and even positively, the cause of most if not all Ifugao aberrations and deviations from the line traced out by the natural moral law.

Because this basic norm makes the Ifugao almost exclusively attentive to their line of descent and concentrates their

efforts on this alone, parents and elders fail to see that they have the obligation to safeguard their children against the dangers they are exposed to in the *agámang* or sleeping places. It is also because descent is directly involved in the matter that they deprive their children wholly of their natural freedom to choose a partner for life.

The law of charity, in the sense I have exposed, notwithstanding its qualities, appears to be exceedingly despotic; by prohibiting any kind of dispute among blood relatives, it fails to protect the weak against the strong and thus occasionally fosters injustice.

The law of justice forbids and strongly punishes homicide, it is true, but has no jurisdiction over its subjects insofar as they are related to one another by blood, and thus the Law of Custom tolerates infanticide. If twins are born, and the parents and relatives decide that one of the babies must be buried in an earthen jar lest the neighbors despise the family by saying that the mother of the twins resembles a pig, the law of charity remains silent; it never operates by the intermediary of fines, for its enforcing factor is merely the fear of general reproach. Since in this case the law is in default, it tacitly approves the false fear of being derided.

The Law of Custom punishes homicide and all attempts to kill, yes, but only within the limits of its jurisdiction, that is, in the territory inhabited by those who belong to the same ancestry. Anyone from other communities, excepting those with which they are on friendly terms by virtue of an existing peace pact, is a potential victim of their head-hunting raids or revenge expeditions. That these raids have primarily the character of vendetta is clearly unfolded during the rites performed when someone who was killed by an enemy is buried: the tradition of the ancestors requires that, after the burial, all the nearer male blood relatives assemble at the houseyard of the person who was killed. When all are there, the shaman takes his stand in the middle of the yard and tells them to squat down in a circle around him; then he slashes off the head of a cock with one stroke of his knife and, quickly removing his hand which

held the cock against the ground, he allows the decapitated fowl to jump up and down. The person before whom the be-headed cock falls is believed to be pointed out by the gods to organize and lead a revenge expedition at some time in the future. Among primitive peoples, revenge may in some way be conceived as a sort of defensive war, but certainly the manner of taking revenge has no other effects than provoking counter-revenge upon counter-revenge without end.

Furthermore, their head-hunting exploits, though they are celebrated as feats of bravery and entrusted to the memory of their descendants, are merely outright assassinations. (Among the Ifugao, this law of organized revenge is no longer enforced; it survives only in some cursing sacrifices.)

It is also the law handed down by the ancestors that tolerates polygyny by not providing sanctions against it; it recognizes and promotes divorce or successive polygamy by the mildness of its fines, which can hardly be said to have enforcing power.

In the introductory paragraph of this article, I affirmed that my paper deals with the Ifugao Law of Custom only insofar as it contains moral precepts which are not religious in themselves. This limitation of my subject has constrained me to leave out as much as possible the religious element, which time and again tended to intrude itself. And now that I am summing up the aberrations and deviations from the Natural Moral Law contained, implicitly or explicitly, in the man-to-man Ifugao Law of Custom, I have to bring in formally the intruder and declare that the tribal religion, by perpetually invading the domain of civil affairs, vitiates much of what otherwise would merit the complete approval of the missionaries who devote themselves to the Christianization of the Ifugao people.

The tribal religion vitiates both the law of charity and the law of justice: the law of charity by assuming the right of interpretation and declaring that, among the duties of love and care of children and of relatives towards the parents, elders and co-relatives, none is more binding than that of offering

bankrupting sacrifices when they are ill and when they have passed away and are installed in the death-chair under their house. The religion vitiates the law of justice by attaching special ritual performances to most of the coercive means the Law of Custom has established to safeguard observance.

Indeed, when those traditional fines are actually in the process of being exacted, the tribal religion insinuates itself and makes the Ifugao kill their chickens, sometimes their pigs. Should they not do so, religion announces that the supernatural beings will render their legal claims inefficient, in part or in whole. Furthermore, it makes the Ifugao invoke in a special manner the *halúpe* deities, whom the claimants must send to the transgressor of the law and his party in order to harass them and thus render them unable to put in effective counter-proposals. These same deities the transgressors also employ to cripple the diplomatic abilities of the claimant's go-between.

But there is more, for thus far I have not said anything about those practices in which religious interference reaches so to say, its culminating point: the ordeals. The Ifugao resort to ordeals when they cannot settle in conferences a dispute about the ownership of land property, and when the accusation of theft or adultery meets with persistent refusal to pay the exacted fine.

The Ifugao settle such a dispute by means of the wrestling ordeal or that of hurling canes, each party having chosen its champion. The matter under dispute is believed to be decided by the supernatural beings in favor of the party whose champion wins. The ordeal of the fat-pot is imposed on the person accused of theft or adultery, if he refuses to acknowledge his guilt; he must then with his bare hand extract a potato from a pot full of boiling grease. If the man's hand shows blisters, he is believed to be condemned by the gods and therefore forced to pay the customary fine. I need not show the odiousness of this fat-pot ordeal, since it is quite clear that the accused person, who may be wholly innocent, is certain to be condemned, although he may believe that he has a good chance. To refuse to submit would be implicitly to admit his guilt;

to comply means to suffer the pain and the blisters as well as the burden of a heavy fine.

Yet the tribal religion not only invades the domain of ancestral legislation but pervades it through and through. The forebears of the Ifugao have proved themselves to be masters in deification. This statement finds ample justification in their extensive ritual, which shows that there is hardly anything of importance in the world wherein they live which has not been raised to a sort of superhuman, supernatural dignity. Consequently, would it not be a real moral miracle if they had not deified in some way those very ancestors whose advice, teachings and precepts they are bound to follow, accept and observe? The miracle has not been wrought though, for in all their ritual performance those worthy ancestors are worshipped, invoked and given their share of the offerings. But if the ancestors are believed to be supernatural beings, who will dare to deny that their laws and institutions, their stipulations and interpretations are held sacred, and that the supreme norm, currently expressed by the words, "we must do what our ancestors have told us", is conceived as a kind of religious dogma? What is in itself a norm regulating morality has been overruled by the tribal religion.

Ever since I brought in formally the religious element as an important factor of aberration and deviation from the Moral Natural Law, I have been preparing for the statement with which I shall conclude this paper. It is the answer to the question: "What practical deductions, practical for missionaries, can be drawn from all those elaborations about the structural pattern which brings out the unity of the Ifugao's social life, about the ancestral norm, the genealogies and the laws of charity and justice?"

In my opinion, all these deductions can all be reduced to one. It would be wholly wrong for a missionary to take a hostile or adverse stand against the Ifugao Law of Custom. With the exclusion of those components which carry the aberrations I have just expounded, the Ifugao man-to-man moral law, with its basic principle, its system of laws and sub-laws, its coercive factors,

its stipulations, its regulations of inheritance and transactions, is but the Natural Moral Law, interpreted since time immemorial by the Ifugao people for the Ifugao people. That the precepts of the Natural Moral Law come from God is most certain, but for the Ifugao they come through the intermediary of their ancestors. No one can deny this.

Consequently, missionaries should not endeavor to abolish their basic principle of morality, but rather divest it of its wrongly imposed garment of superstition and insist that, ultimately, it is God who wrote the obligations of the law in the hearts of their ancestors.

Neither should they wound the feelings of the Ifugao by belittling the ancestors in their eyes or showing how ignorant they were. It would be wiser to point out simply that it is a mistake to attribute to them any supernatural power to molest people, and that it is equally erroneous to raise them to the level of gods. After all, might we not here raise the question: How ignorant were they? Granted that many things were unknown to them, we cannot dub them ignorant in matters of legislation, for they have built up a marvelous system of coercive laws which effectively forestall crime, of standardized rules which maintain justice, of universally accepted axioms which foster the mutual relations of charity among relatives. It is not because aberrations have crept in that the whole system must be condemned: it works and it does so because it fits the Ifugao communities where no single individual is invested with real authority.

Only the encroachments made by the tribal religion on the system need to be removed. Then Christianity, instead of being hindered by the Ifugao Law of Custom, will find in it, as long as it survives, a powerful ally. If the Ifugao see that the missionaries let them keep their institutions and their ancestors, they will more easily realize that the chasm which separates them from Christianity is after all neither too wide nor too deep to be bridged.

COMMENT ON

IFUGAO CUSTOM AND THE MORAL LAW

I cannot endorse too strongly Father Lambrecht's insistence on the importance which allegiance to the customs and will of one's ancestors plays in the faith and morals not only of the people of Ifugao but of all pagan peoples in the Mountain Province. One has simply to turn his head to find examples ready at hand. Just last week, for instance, an old pagan gentleman of Sagada came to visit Father Harris after Mass to explain, however naively, that he would be playing the role of the *homegnas*, or head priest, during the coming big community *kanyaw*, and so would not make his Communion during that period. Father Harris got into a discussion of the significance of the *begnas* ceremony in question and learned that it really was based on old head-taking rites. But since headtaking is a thing of the past, why was it necessary to continue this mock ceremony? "Because that's what our ancestors did before." And what would happen if you stopped doing what your ancestors did before? "Oh, our ancestors would make us go crazy."

Those of us who live outside Ifugao cannot match Father Lambrecht's spectacular demonstration of this point by genealogical tables—perhaps because the Ifugao have been occupying the same farmland longer than other Mountain Province peoples and have enjoyed a corresponding stability of ancestor-worship—but there is another aspect of the same pattern common to Benguet and Bontok. This is what Father Lambrecht's people call the *tulud*, or "God-pushing," a prayer ritual in which some deity's route of travel is recounted mountain by mountain and stream by stream in order to make the rite efficacious. In Sagada this "geographical genealogy" is a part of all important prayers, beginning with some divine enlightener, even God himself, and recounting how knowledge of this formula was passed on from barrio to barrio, from people to people, down through the generations to the very present.

If sanctifying or hallowing in Christianity means to make something "whole" in a metaphysical sense, that is to say, by restoring it to its proper relationship with its Creator, so these genealogies sanctify the transient world of the Igorot worshipper by establishing his relationship with the divine world of the worshipped. In newer communities like Sagada, where the exigencies of wandering *kaingin* farming required such social deviation as marrying off daughters "out of order," i.e., a younger before an elder, or even brother-and-sister unions, sanction is enjoyed by resorting to a myth in which the divine enlightener Lumawig himself approved such conduct. An illuminating example of how the Igorot sage finds it necessary to tie any narrative into divine reality by this method comes to mind from the recent Christmas season in Sagada.

Where a want of butchershops moves one to butcher his own pig for the Christmas dinner, we have in our household adopted the local custom of inviting old men in to sing on Christmas night over the head of the pig and other customary refreshments. The style of singing on such occasions requires that a topic be suggested and that various soloists vie with one another in composing extemporaneous verses to develop the theme. The theme on Christmas night is always the obvious one suggested by the Holy Day, and I was therefore a little confused the first time I tried to grope my way through the Igorot words to discover that everybody seemed to be singing about completely extra-Christian things. First, the pagan creator god descended on sacred Mount Kalawitan, and then he sent a flood and saved two individuals to be the progenitors of the present Igorot race, and finally, after a half hour of this, we worked our way down to the local founding father and each and every campsite he stopped at in his wanderings en route to Sagada. As this hero's exploitation of his dog as a fertility symbol was being expounded, an old man who happened to be a pillar of the Church leaned over to me in some embarrassment and whispered, "Our Lord will come later." And darned if he didn't—in 1904, to be exact, with the advent of the first American missionary!

I think Father Lambrecht's development of this theme into the relationship of parents to children is also valid as a pan-Montane norm of conduct, that is, the duty to fit them for continuing the customs of their forebears but not to inflict any displeasure upon them meanwhile. Igorot metaphysic tends to equate the desired with the desirable, and it is unthinkable that a parent would cause a child to feel unhappy, or that a child having attained the age of discretion would not accept his parents' decisions for his own good. In western Bontok the same verb is used for coddling or distracting an infant as for the kind of loving attention expressed toward dying parents in lavish pig sacrifices. Unpleasant things like sickness, moreover, are always explained as malice, recalcitrance or annoyance on the part of spirits.

I find Father Lambrecht's Charity and Justice dichotomy a profitable way of thinking about Montane ethical patterns. This division into a double set of standards for the "we and the "they" groups is brought into even sharper focus in the Bontok culture area where a conscious effort is made through the *ato*, or political ward system, to redefine these groups so that close neighbors who are not related will form a strong village united against people living outside the village. In Sagada, for instance, the term *makedse* is a term of opprobrium covering ideas like arrogance, cruelty, roughness, aggressiveness and pride but is a quality sought after in old pagan prayers of warfare

and shared by mountains like the Old Testament "strength of the hills." But the Bontoks themselves are aware that such cooperation among non-relatives is "unnatural," so to speak, and submission to village authority against the interests of one's own family is a goal highly to be desired but difficult to obtain. It is probable that the intensified family loyalty which shows up in modern business dealings, politics and job preferments is more than coincidental with the decline of pagan community tribunal authority.

In my own thinking, I must say, I have been inclined to see a third category of sanction—although I would not insist on it—which might be added to Father Lambrecht's Charity and Justice as "Nature". By this I would mean both the requirements of such goals as landslide-proof stone walls which, in Sagada at least, recognize intelligent forces not considered to be ancestral spirits, and the use of the term *kadawyan* to mean one's personal nature as well as custom. It might be one barrio's *kadawyan*, for example, to produce less rice than another, and it might be individual farmers' *kadawyan* to spend more time squatting on their haunches than working in the fields. I would suggest this category to cover those situations in which the dictates of Charity or Justice seem to bow to individual personality, as, for example, in the case of the "greedy interference of the stronger party" referred to by Father Lambrecht.

At only one point do I find a difference between the ethical conduct described by Father Lambrecht and that which I have observed in Sagada, and that is the matter of lying as an intrinsic wrong. In western Bontok one of the commonest forms of trial used to be the swearing of oaths—something not found in Ifugao, Father Lambrecht assures me—yet the loser of the case seems not to have been punished for the falseness of his oath but only for whatever was at stake in the trial. Similarly, the commonest legal situation facing the village wise men is a case in which two parties claim logically opposed facts so that by definition at least one, and possibly both, must be lying; any decision, therefore, automatically imputes perjury to the losing claimant. Yet he seems not to be punished for this crime although he will be severely punished for slander or other premeditated intent to inflict harm on the innocent. Whether or not Christian Igorots always tell the truth, at least it is common to hear them castigate a liar among themselves by saying something like, "and him a Christian, too," implying that the non-Christian does not find attempted deceit to be an automatic sin.

Finally, to endorse with heart and mind Father Lambrecht's well-stated appeal that the missionary take no hostile or adverse position toward the Mountain peoples' Laws of Custom, permit me to make a clumsy layman's comment on what my theologian friend has called the Natural Moral Law. Man has been endowed by his Creator not only

with life, but with certain insights, knowledge, or wisdom to enable him to survive as the gregarious social animal that he is. If we examined Montane moral codes with the idea that they had been promulgated by the tribal founders around some primordial conference table, we would conclude that all these laws had as their final aim the preservation of the family and the prevention of discord and violence within the group, in short, the rendering of society well-oiled and smoothly-operating.

Such a Natural Law may teach an Ifugao to sacrifice himself for his clan or an Athenian for his state, but it will not, as Father Lambrecht aptly puts it, "protect the weak against the strong." How much less can it shift its goals to the upholding of abstract justice, the search for truth, or entrance into the Kingdom of Heaven! It must ultimately and inevitably happen, therefore, that the Final Goal of Christian Revelation and the immediate goals of the Natural Moral Law as we observe it here on the Cordillera Central will present opposed alternatives to the individual Christian convert. It behooves the missionary in those moments to take an attitude neither of hostility nor of uncritical acquiescence, but to behave with responsible understanding of, and charitable sympathy toward, the existential situation in which that individual finds himself and the form of conduct upon which he decides.

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