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The Manila Council of 1771: The Provincial Council of Manila of 1771 and Father Bantigue's

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Book Reviews

THE MANILA COUNCIL OF 1771

THE PROVINCIAL COUNCIL OF MANILA OF 1771. A Dissertation Submitted to the Faculty of the School of Canon Law of the Catholic University of America... by the Rev. Pedro N. Bantigue, J.C.L. (The Catholic University of America Canon Law Studies No. 376). Washington D.C., The Catholic University of America Press, 1957. Pp. xiv, 261

FATHER BANTIGUE's doctoral dissertation presents the complete Latin text of the decrees of the Council of Manila of 1771, followed by a commentary on the section (*Actio II*) pertaining to bishops. The introductory essay which precedes the text gives the necessary canonical and historical background.

Ever since the Council of Trent, the Holy See has repeatedly urged the holding of provincial councils at frequent intervals. But although the ecclesiastical province of Manila was created in 1595, its bishops never met in council until 1771. The immediate occasion for it was a decree of Charles III dated 21 August 1769 which ordered the immediate convocation of provincial councils throughout the Spanish dominions overseas.

Father Bantigue reproduces this *cédula*, which is an excellent example of regalist legislation. Twenty detailed directives prescribe their agenda to the bishops. The charging of parish fees in excess of the scale established by royal legislation was to be effectively stopped. Catechisms were to be examined and brought into conformity with the Roman. Bishops were to see to it that their parish clergy preached the word of God on Sun-

days and holydays; assisted each other at solemn liturgical functions; and did not engage in commercial transactions unbecoming the clerical state. Regular clergy engaged in parish work were to be brought into due subjection to the diocesan prelates. Diocesan seminaries were to be established and not only Spaniards but natives and *mestizos* were to be admitted to them, in such wise that normally one-fourth or even one-third of the seminarians should be natives or *mestizos*. However, more than the precise number of priests needed in the diocese ought not to be ordained, "lest their excessive numbers should make them less valuable."

The Jesuits receive "honorable" mention. Books by Jesuits which had been proscribed were not to be used in seminary teaching, in order that thus "lax and unsafe doctrines may be excluded, and love and respect for the king and for all superiors may be inculcated as a duty so much enjoined by Holy Writ." It will be recalled that two years previously, Charles III had banished the Jesuits from his dominions, having persuaded himself that they regarded him with less than the requisite love and respect.

Finally, the bishops were urged to concert effective measures for the total extirpation in their respective territories of all heresies, superstitions and idolatrous worship, the solid instruction of their flock in the mysteries of the faith and their formation in Christian virtues.

The Council held at Manila in obedience to these royal instructions opened on 19 May and closed on 24 November 1771. It was attended by Archbishop Basilio Sancho de Santa Justa y Rufina of Manila, Bishop Antonio de Luna of Cáceres, and Bishop Miguel García of Nueva Segovia. Bishop Miguel Lino de Ezpeleta of Cebú sent an accredited representative, the priest Clemente Blanco Bermúdez, who signed the decrees of the Council in his name. Assisting the prelates in their deliberations were ten secular priests, seven Dominicans, four Franciscans, three Augustinians and two Augustinian Recollects. Appointed secretaries of the Council were two Piarists of the archbishop's household. Bishop Luna violently opposed this appointment, and because of this as well as other differences of opinion withdrew from the Council and refused to sign its decrees.

This may have been one reason why the decrees of the Council never received canonical confirmation by the Holy See. In

fact, it is extremely doubtful, as Father Bantigue points out, whether they were ever submitted to the Holy See at all. There is no copy of them registered in the Vatican archives. One of the secretaries of the Council, Traggia, presented them to the king; but Charles III refused to recognize his commission, forbade him to return to the Philippines, and ordered him to retire instead to one of the Spanish houses of his congregation. Thus, the decrees of this Council have no binding force, and possess a merely historical interest. Even so, that interest is not small, as we shall endeavor to suggest presently.

Father Bantigue's edition of the text of the council decrees is based on a manuscript copy which has by some odd chance found its way into the Manuscript Division of the Library of Congress at Washington. I have had the opportunity to examine this codex myself, and found it in an excellent state of preservation. Father Bantigue also made use of a transcript of the copy in the Manila archdiocesan archives, which is not so well preserved. There is at least one other copy in existence, that mentioned by Montero y Vidal as forming part of the Traggia Papers in the Academy of History at Madrid. It is regrettable that Father Bantigue was not able to collate this Ms. with the others, and that his edition does not indicate the variant readings, if any, in the two Mss. which he did utilize. The transcription is reasonably accurate, though there are several mis-spellings (e.g., *despace* for *despache*) which, if they are not mere misprints, should have been noted as occurring in the original.

The document itself is of the highest interest not only to the legal but to the social historian. It is of course a tricky business to derive valid conclusions about the actual state of a given society merely from the statutes that govern it. Laws are commands, not statements. They indicate not what is actually happening but what is desired should happen. The gap between intention and performance, between ideal and reality, is often immeasurable. We have been warned often enough that the history of the Indies cannot be written from the Laws of the Indies.

Nevertheless, it is not impossible to extract factual information—at times extremely valuable information—from legislative material. For one thing, such documents give us an insight into the preoccupations of the legislator—the problems in the existing situation which he considered important or urgent. Moreover,

Spanish colonial laws, both civil and ecclesiastical were not simply commands. The dispositive portion of a decree was usually preceded by a narrative portion, which stated, sometimes in great detail, why the law was being framed. Since the new legislation was often occasioned by some general need or prevalent abuse in the community (or, more significantly, the continued persistence of the need or abuse in spite of earlier legislation), it is explanatory material of this sort that will attract the attention of the social historian.

The decrees of the Council of Manila of 1771 provide many interesting examples. They fall into several broad classifications. The first would include various superstitious practices and vestiges of pagan religion which the Council considered sufficiently prevalent to require remedial legislation. Some will be familiar to all because they still exist. Others have completely disappeared. One or two of the latter involve sacrilege of a particularly horrible kind, such as that of feeding consecrated hosts to fighting cocks in order to make them invincible. And here we come upon a radical deficiency in this type of material. Just how prevalent was this practice? Does the Council legislate against it because it was widespread, or merely because, having learned of one or two instances, they were shocked at its heinousness? It is impossible to say merely from the document. Confirmation from other sources must be sought before a generalization can be attempted.

Social practices considered by the Council as abusive would comprise a second classification. It is interesting to note that the pre-Spanish practice of bride-purchase is still vigorous; and this time we have indications from the decrees themselves that the custom was quite widespread. A related practice, that of the suitor rendering personal services to the family of the bride and residing in the bride's home while doing so is particularly condemned. A third classification would include certain economic arrangements regarded as violating the natural law. These are of the highest interest to the economic historian.

But a second *caveat* must be entered here. Most of the Council decrees are necessarily remedial. They are concerned with abuses. Only one side of the contemporary situation is therefore visible through them—the dark side. It is not necessary to enforce by decree what is already being practiced. Thus, other types of

sources must be consulted before a balanced picture of the period can emerge.

Nevertheless, in spite of all these qualifications, this is a very valuable document indeed, and Father Bantigue has put us all in his debt by making it generally available.

H. DE LA COSTA

THE ORIENT TODAY

RECENT ORIENTAL HISTORY. By Horacio de la Costa S.J. Ginn and Company. 1958. Printed in the Philippines by Carmelo & Bauermann, Inc. Pp. 59.

THIS brochure, according to its publishers, continues the story of the Orient from where Steiger-Beyer-Benitez' *History of the Orient* left off. Father de la Costa, however, has done more than merely continuing the story. He has resurveyed much of the ground that the Steiger-Beyer-Benitez book went over in its concluding chapters. The first twenty-four pages of the brochure summarize important events and developments in India, the various countries of Southeast Asia, Japan and China from the latter part of the nineteenth century to within a few years of the outbreak of World War II in the Pacific.

Compared with the account in the earlier work, Father de la Costa's resurvey is, in the opinion of the reviewer, a more adequate and satisfactory presentation of the situation in each of the countries under review. It brings into clearer focus the basic factors, forces, influences, the dynamics of history, so to speak, which have determined directly or indirectly the course of events.

That Father de la Costa should have a better historical perspective of the situation is not at all surprising. He has had the advantage of counting among his sources many valuable works, primary and secondary, which were not available to the authors of the earlier *History of the Orient*, such as Chiang Kai-shek's *China's Destiny and Chinese Economic Theory*, Gandhi's *Autobiography*, Nehru's *Toward Freedom* and Sun Yat-sen's *San Min Chu I*, among the primary sources, and, among the more important