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The Philippine Islands

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pensation law in lieu of the elective type of act which is permissible under the present Constitution. If an elective act were passed at the present session, it would have been in effect approximately two years before a compulsory law could be enacted to take its place, should the constitutional amendment also be adopted. This was what took place in Ohio and, after the public had become familiar with the workings of their original elective law as a substitute for damage-suit litigation, the majority in favor of making the system compulsory was overwhelming. From present indications, it appears highly probable that the General Assembly now in session will place Kentucky in line with the thirty-three other states, comprising over 80 per cent of our population, in which compensation laws are now in force.

THE PHILIPPINE ISLANDS

By N. DEVERA.

(Ed. Note.—Mr. Devera is a student of law in Kentucky State University and his home is in the Philippines.)

The Philippine Islands is an archipelago east of Asia with an area of one hundred and twenty-seven thousand and eight hundred and fifty-three square miles. The islands are mostly of volcanic origin with the interior lined with mountain ranges. The mountains are covered with forests of many varieties of hardwoods, suitable for interior woodworking, furniture, shipbuilding, etc., and other trees affording dyewoods, gums, resins and flowers used in the manufacture of perfumery. Between the mountain chains are luxuriant plains and wide fertile valleys. There are rivers, very few navigable, feeding from mountain ranges. The coast lines are very irregular, thus forming many small but safe natural harbors. The climate is a continual summer. The rainy season begins about the middle of May and lasts for more than six months. Many parts of the archipelago are subject to terrific hurricanes.

These islands, first known as "Western Islands," were discovered by Magellan in his famous voyage around the world on May 17, 1521.

Magellan landed on the island of Cebu. He made friends with the natives, but unfortunately his restless spirit of conquest cost him his life. A monument in his honor now stands where he was supposed to have fallen. Blood compacts were made between him and the native chief and the island was formally taken in the name of Spain.

The original inhabitants of the Philippines were the "Negritos." They are small in stature, rarerly more than five feet tall, belonging to the black race. They were once numerous in the mountains but today they are quickly disappearing.

The Filipinos, as they are now called, originated from the Malay peninsula and belong to the pure Malayan stock. Induced perhaps by the spirit of adventure, or forced by their northern neighbors, they took to their ships and sailed away to unknown destinations. The first adventurers were supposed to settle the large islands of Malaysian archipelago. Later adventurers sailed farther north and settled on a group of islands now known as the Philippine Islands, in honor of King Felipe II, of Spain. The negritos, who were a helpless race, fled before them to the mountains.

In the year 1565, fifty-four years after the discovery by Magellan, the King of Spain sent Miguel Lopez de Legaspi with three hundred men and five Augustinian priests to explore the Western Islands. In spite of Urdaneta's protest that the Western Islands lie on the Portuguese side of the Demareation line, the expedition went on. They landed on the same place where Magellan made friends with the natives. The treaty was revived and the Spaniards were allowed to live in equal terms with the natives. Commerce in the form of barter took place. The natives were in good terms with the Spaniards and the friendship became more of a reality when one of Legaspi's men married the chief's niece. The ceremony was performed in the Roman Catholic rite. Later the Spanish colony was visited by famine. A discord arose and the natives were suspicious of their presence. Food was scarce. The natives refused to plant the year's crop in order to get them to leave. Legaspi then made some ventures in other islands and found a favorable condition. The friendliness of the natives in the island of Panay and food being plentiful caused Legaspi to move his colony here. It was then Legaspi's tireless work on the one hand and Urdaneta's influence on the other that

the success of the colonization was attributable. It was his fearlessness that saved the colony from many threatening disasters.

The early education of the natives was through the work of the priests. These early priests consecrated their lives for the sake of the Saviour. In many cases they were the advance guards of the colonizers. They were armed by the word of the Gospel. When the colonies grew up they built monasteries. These monasteries were also devoted for the education of the youth. Trade schools were included in the curriculum besides reading, writing, and religion. Much emphasis was, however, placed upon the study of religion.

In the middle of the seventeenth century the monasteries were no longer able to accommodate the growing number of students. The students needed a higher education under competent instructors, so the priests began to establish the colleges and theological seminaries, the latter was wholly devoted to those preparing for priesthood. Afterwards graduates of these colleges looked for professional courses. So before the end of the seventeenth century the "Universidad de Santo Torras" was established. This university became the center of learning for many years. The students from all parts of the islands have met in this institution and thus a chosen union of people from different islands began. Now there are many private institutions in the Spanish language. Since the coming of the Americans the English language is taught in the public schools. The University of the Philippines, a government institution, was established in 1908.

The soil is of extraordinary richness and fertility. Large proportion of cultivable areas are entirely undeveloped. Very nearly all economic plants of the tropics are successfully grown. Leading products are hemp, sugar, copra, and tobacco. Rice is the staple food. Carabao is the principal work animal.

Minerals are few and scanty. Gold is found in limited quantity in different islands. Pearl fisheries in the Sala Island are a source of wealth.

The population of the Philippines is about eight million. Manila, the center of commerce and education, was founded in 1571 by the Spaniards. It fronts the Manila Bay and is crossed by the navigable

Pasig River. Its population is about half a million. The bulk of foreign commerce is carried on in this port.

From the Spanish conquest to the year 1898, the Philippines were under the Spanish sovereignty. Spaniards came with their religion, customs and jurisprudence and forced the natives to adopt them. The Philippines share with Louisiana for the blending of the two great systems of jurisprudence—the civil law of the Romans and the common law of the Anglo-Saxon. In their early occupation the Spaniards abolished the Malay laws and customs.

The Spaniards were the pioneer codifiers of modern times. As far back as the beginning of the thirteenth century, northern Spain produced a code known as the "Siete Partidas." The Siete Partidas was a sort of common law for the Philippines, but after two centuries of her reign the "Siete Partidas" was superseded by the "Codigo Civil." This is a concise but comprehensive codification of the laws of domestic relations, property, wills, decedents' estates, contracts, etc. Later on the code of commerce (negotiable instruments) was introduced.

The American jurists in the islands uphold the merits of the Spanish jurisprudence. The substance of the laws was good but the greatest defect was in the mode and provision for their execution. One weak point in this judicial system was in its remedial law. During the American administration the American jurists made some changes, notably in procedure in civil cases. The discussion of the introduction of jury trial occupied the attention of jurists for some time, but at last they came to the conclusion that such a scheme can not be worked successfully among a people schooled for three centuries in the traditions of Latin Europe.