

## **Americanizing the Sulu Sultanate: Fragrance/Nightmare of U.S. Foreign Policy (circa 1898)**

**MICHAEL VINCENT P. CACERES**

*mikey\_vpc@yahoo.com*

Zamboanga State College of Marine Sciences and Technology  
Zamboanga City, Philippines

*Abstract* - When the war broke out between Spain and the United States, the Spaniards had fought only with wooden ships against modern American warships. This event was known as the Battle of Manila where it made the United States a world super power. The Filipinos fought side by side with the Americans against Spanish colonialism. There was a sense of euphoria a certain scent of fragrance on the interference of the United States as a new player in the Asia Pacific region. When the Treaty of Paris was concluded between Spain and the United States on December 10, 1898 it finally gave the U.S. government an access to enter the Philippines. The presence of the Americans in Sulu was regarded as a new form of colonialism better known as imperialism in the modern age of West America. It affected the status of the sultanate and weakening the century old institution in the east. The coming of the Americans can be considered both as a form of blessing and cursed. The United States, represented by its military and civilian governors introduced policies that affected the entire Sultanate in almost its entire political facet. The paper looked into the strategic programs and designs that made their campaign in Sulu either as a success or a failure coated with fragrance of promises on one side and nightmare on the other side.

*Keywords* - Imperialism, Treaty, Assimilation and Land grabbing

## INTRODUCTION

It was on May 1, 1898 that Admiral Dewey destroyed the Spanish fleet in the Bay of Cavite. The combined efforts of Americans and Emilio Aguinaldo on August 13 pacified Manila against the Spaniards. This alliance entered by the Philippines and those from the United States was not recognized by the American Government after the signing of the Treaty of Paris on December 10, 1898. "...the Muslims did not know that the Treaty of Paris which had ceded the Philippine Archipelago to the American, include their land as well" (CCP Encyclopedia of Philippine Arts, Vol. 11, 1994). The American authorities believed that those Americans who participated in the signing of alliances between the Philippines and the United States do not have the mandate from the American authorities to do so. The treaty ended the three century rule of Spain in the Philippines (333 years) and the rise of new found imperialist from west America.<sup>1</sup> The treaty as also signified the culmination of the war between Spain and the United States (E. Aguilar, 1994). This agreement was approved by Rear Admiral Dewey, who asked only for the occupation of Manila by the American forces. However, it luck the signature of President McKinley."<sup>2</sup>One of the principal considerations of the treaty was to define the territorial limit of the Philippines to be ceded to the United State from Spain.<sup>3</sup> The treaty of Paris gave the United States government an access to occupy the Philippines. Eventually, found them penetrating the interior of Mindanao. The American Government, like Spanish authorities, put up their own version of Moro Campaign in Sulu. On January 1, 1899, Emilio Aguinaldo proposed to congress that the Republican Government be given the power and authority to negotiate with the Moro of Sulu and Mindanao on establishing national solidarity and respect regardless of beliefs and traditions (Majul, 1999.370).

On November 16, 1899, Zamboanga was occupied by the American naval forces and the neighboring Muslims flocked to the town for trading and petty business. This event signaled American grand planed on pacifying the Philippines. Since the American occupation, the condition in Sulu turned to worst. This can be described by a letter of Kiram II informing the Governor of Sulu that while he was in Singapore his subjects were in turmoil because of the armed conflict

among them (Majul, 1999.370). It provided armed conflict and feuds among local communities. "The rise of internal conflicts such as the *Kadatuan* (datus), *Kahadjian* (religious leaders), *Kabanuwahan* (local leaders), and the *ambarayat* (masses) struggle against each other seeking to get American favors and support (Tan, 2005.xxxviii)." Kiram II informed to Governor Sweet, on the current situation in Jolo. Below is the report on Local Conflict related to bandit, that if he resists, he should be killed (Tan, 2005.23).

1. There had been so many people killed by the soldiers of Jolo; these were women, children, the old who were unarmed and not the relatives of the bandits, deprived of their livestock. Moreover, the market on the other side which was attacked by the soldiers witnessed people killed as well as wounded. They were also unarmed.
2. In the month of Ramadan, five good people, followers of Panglima Bandahala, were pursued by the soldiers and killed at sea in Buhangin Putih (white sand). They were unarmed and were all killed.
3. People like Imbang and his two companions, who were tending their fishing nets, were accosted by the soldiers. One was killed, and two were wounded.
4. within the month of Ramadan, Isad, in Tayungan mosque was killed by Nasilim, the secretary in Bual, for being armed with a Barung.
5. Sattamari was arrested by the soldiers in an island and upon reaching Pitugu was killed for resisting arrest.
6. Within the month of Ramadan, Abu, an old man, sixty years old, was plowing his farm with a weapon for protection against the outlaws. He was met by the soldiers and killed. I was told by the wife who escaped to the island of Tulayan.

The letter appealed to the Governor and to his men to stay within the Jolo fortification as well in Fort Bakud. The event was referring to the current armed conflict among the Taosugs, that the "*arm conflict in Europe was far different from Sulu*", stressed by Kiram II. The governor was also informed that these troubles were not coming from the

Sultanate but from lawless elements. This should take effect until such time condition would be pacified (Surat 17 see Tan, 2005, 42).

### **Weakening of the Sultanate and the Moro Resistance**

The “*Benevolent Assimilation*” was issued by President McKinley on December 21, 1898. The proclamation was the first official indication of American policy regarding the Philippines. The proclamation stressed the intention of the United States to stay in the Philippines. It should exercise American power over the Filipinos. <sup>4</sup>The period from 1898 to 1903 was five years of American military operation and government in Tawi-Tawi. Colonel Sydney A. Cloman was the first military commander and military governor of Tawi-Tawi. The outbreak of the war in the Philippines gave the idea to the United States to take advantage of the situation.

The power of the Sultan lay mostly on the strength of the Datu. Alliances of some Datus to the Americans strengthened American position in Sulu for this would mean that the alliance of every datu as well the Sultan would weaken the sultanate. The Americans were successful in taking over the Walled City of Jolo in 1899 the series of battles continued from the brave Tausug of Sulu. This provided no option for local leaders but to be submissive to the Americans.

Muslim sentiments in Sulu further felt against the American administration. An example of this sentiment was in 1902, Kiram II asking the Governor of Sulu, Colonel Sweet for help for the use of the boat and if not available at least riffles expecting that this should be provided in the same way the Spaniards did (Surat 75 see Tan, 2005.214). However, his request was not granted completely. In 1903, Kiram II, explained to the Governor General of the Philippines on the money that he received from Major Scott was not enough. This caused the Sultan humiliation in his territory. Sultan Kiram-II, further expressed his sentiments (Surat 82 see Tan, 2005. 234):

Before I own the land and sea in the archipelago an eagle in the cage appreciating whatever is your offer to me. At first you gave me \$5 a month and late \$500 still it is not enough looking at my lifestyle as the Sultan.

You are my elder, and as an eagle I am waiting for my food because I have no income and no resources.

The political pressure exerted by the American authorities left the Sultan with no option but to give up his power. Sultan Jamalul Kiram II gave his temporal power to colonial America under the Carpenter Agreement in 1915 (Abubakar, 2007.3). This symbolic gesture marked the Sulu Sultanate's existence from 1450 and lasted to 1915. However, resistance against the American authorities continued in 1913 like the Battle of Bud Bagsak and again in 1951 kamlun uprising.

The American invasion to Sulu without a clear manifestation on the declaration of war was a violation of article 1, section 8 of the American Constitution. The invasion and occupation was done through the "Bates Treaty" as a way of friendship (Julkarnain, 2010).<sup>5</sup> On June 9, 1921 the neighboring sultan and other 57 prominent Sulu Muslim leaders petitioned the United States appealing for the full restoration of the independence of Sulu sultanate, and reiterated strongly with greater patriotic fervor a resolution for independence and self-determination of political which was placed the official record of the United States congress in 1926 was the "declaration of rights and purpose (Julkarnain, 2010).

A conservative estimate of deaths from the abrogation of the Bates Agreement in 1904 to the end of Wood's tenure as Governor in 1906 puts Muslim dead at 3, 000 and Americans at 70.

The most sensational attack Wood ordered was the battle of Bud Dajo in Sulu. Balking on the peso cedula tax imposed by the Americans and the American sovereignty this implied, 1, 000 Muslims (men, women and children) grouped by the crater of the extinct volcano Dajo hill, armed with no more than kris, spears, bolos, and a few rifles. Opposite them were 800 crack American soldiers, equipped with the most modern weapons in the American arsenal. The result was of course expected. The Muslims were annihilated,

with only 21 Americans killed.

Leonard Wood was convinced that deaths and killings were the only means to take Mindanao-Sulu. The battle of Bud Dajo was in itself insignificant, militarily speaking; its principal purpose was to serve as a lesson to Muslims that there was no alternative to resistance but death.

Wood's successor, Tasker H. Bliss, continued the same armed policy of his predecessor, as can be seen from the many military expeditions ordered across Moroland during his term (Salgada see Abinales, SN. 17-19).

When John Pershing, who would later become an American hero of World War I, assumed the reins of governorship of Moroland, he introduced a measure that sent the Muslims into a war footing. This was the disarmament order of September 8, 1911, wherein it was declared "unlawful to any person within the moro Province to acquire, possess or have the custody of any rifle, musket, carbine, shotgun, revolver, pistol or other deadly weapon (Salgada see Abinales, SN. 19).

In a parallel moved to prevent the eventual annexation and incorporation of Mindanao and Sulu to the body politic of the Philippines under the proposed 1935 Philippine Constitution as mandated by the Tydings-McDuffie Law, otherwise known as the Philippine Independence Act of 1934 providing for a 10-year transition period as Commonwealth Government before the final grant of self-government to the Philippines, on March 18, 1935, a historic assembly of more than 100 Maranao Leaders passed a strongly-worded manifesto known as the Dansalan Declaration addressed to the United States President vehemently opposing the annexation of Moro Homeland to the Republic of the Philippines upon proclamation of its independence and self-government on July 4, 1946 in compliance with the Tydings-McDuffie Law.

Despite the petition of the 57 prominent Sulu Muslim leaders on June 9, 1921 and the Declaration of Rights and Purposes in 1924

signed by Sultan Jamalul Kiram II for the Sultanate of Sulu to be either made a permanent American territory or to remain as constitutional Sultanate. The Sultanates of Sulu and Mindanao were incorporated to the Philippine Republic when the Government of the United States granted independence on July 4, 1946 (Julkarnain, 2010).

The Moro fought for home and country, for freedom to pursue their religion and the way of life, and for liberty to rove the seas which so ever they would, for over three hundred years they made a shambles of Spain Moro Policy. Expert guerilla fighters, the Muslims exacted a heavy toll of casualties...they fought ferociously, and their usual tactic was to wear down their attackers, obliging them gradually to withdraw," (Gowing, 1977.12).

### **Bates Treaty: The United States Foreign Policy (1899)**

The Americans later controlled the Sultanate of Sulu and abandoned its earlier policy of "noninterference" on the belief the Sultan was unable to govern (Kiefer, 2003.3). The United States immediately implemented its colonial policy in the Philippines that would ensure United States objectives in the Far East. The U.S. government planned to come up with a separate treaty to the Sultanate of Sulu. Aside from the operation of the Moro Province some special arrangements were also made with the Sultan of Sulu. The First was the Bates agreement in 1899 wherein the Sultan acknowledged the sovereignty of the US government, and his capacity as the spiritual head of Islam in his realm was in turn recognized by the US government (B.R. Rodil, 2004.26). The American government appointed General John C. Bates to negotiate a treaty with the Sultan by which the Muslims and Americans could co-exist peacefully. Brigadier General John Bates (Assigned in the American war and Cuban campaigned) was commissioned on this project. It was through the effort of Gen. John C. Bates, the Americans were able to conclude a treaty with the sultanate to station their forces in Sulu (Orendain, 1984.91). "The Bates treaty, provided (Agoncillo-Guerrero, 1977. 221);

"The sovereignty of the United States of the whole archipelago of Jolo and its independencies are declared and acknowledged" that the "rights and dignities of

his highness the sultan and his datus shall be fully respected," that the Muslims "shall not be interfered on account of their religion," and that no one shall prosecute on account of his religious beliefs".

John C. Bates concluded a treaty with Sultan Jamalul Kiram II in August 1899 (Bates Treaty), which made the Sulu Sultanate a protected state of the United States. It was through the effort of Gen. John C. Bates, the Americans were able to conclude a treaty with the sultanate to station their forces in Sulu (Orendain, 1984.105). The treaty was ambiguous in its nature and made it appear that the Sultan was unable to understand international legal matters. The Bates was a reflection of American foreign policies, which expressed its intention on the suppression of piracy and slavery and at the same time recognizing the sultan's power in Sulu (Salman, 2001.69. Article IV of the Bates Treaty concluded between the United States of America and the sultanate of Sulu on August 20, 1899 states;

"Any person can purchase land in the archipelago of Jolo and hold same by consent of the Sultan and coming to a satisfactory agreement with the owner of the land; and such purchase shall immediately be registered in the proper office of the United State Government "The United States will not sell the island of Jolo or any other island of the Jolo Archipelago to any foreign nation without the consent of the sultan of Jolo."-article XIV of the Bates Treaty.

The Bates Treaty had a total of 15 Articles that tackled United States role in Sulu including the sovereign power over the Sulu archipelago, though American authorities respected the rights and dignities of the sultan and the Datus. The Sultan and his Datus agreed to cooperate in the suppression of Piracy. The American Government agreed to pay the Sultan and his leading men monthly salaries in Mexican dollars ranging from \$15 to\$250. In 1900, Kiram II informed Brig. Gen. John Bates that the Spaniards returned Siasi to him and the American government should not deny this to him. At the same time asking what

was due based on the recapitulation at the soonest possible time (Surat 85 see Tan, 2005.252). Later it abrogated the Bates Treaty on March 2, 1904 because of the inability of the sultan to suppress resistance.<sup>6</sup>

Paduka Mahasari Maulana Sultan of Sulu and the colonel of Regiment No.23 entered into provisions on John Bates and the Sultan in Sulu. The agreement could be revised from time to time. For examples, if a Taosug committed a crime against fellow Taosug or other nations within the Jurisdiction of American soldiers, he must be surrendered to an American judge. A crime committed by a Taosug to fellow Taosug outside the American jurisdiction, the sultan should render justice (Surat 53 see Tan, 2005.154).<sup>7</sup>

### **Schurman-Taft Commissions (1900)**

The first Philippine Commission also called the Schurman Commission by Jacob Schurman as chairman. The participation of rear admiral George Dewey, major general Elwell Otis, Dean Worcester and Charles Denby served as members. They arrived in Sulu in May 1899 and discussed the 1878 Treaty (of Spain) and the Bates Treaty in 1899. One of the many unresolved issues was on slavery, which was started by Spain. Issues on colonialism and slavery on the Philippines took shape in the form of race, labor, and progress (Salman, 2001.4). It was McKinley who denounced slavery on October 4, 1900 as inhuman and yet Sulu was still practicing the century old tradition.

In 1901, Kiram II informed *Maj. Gen. Arthur MacArthur* on the delivery of the ordered bullets to be delivered by the *Kat Balaguier Company* and therefore seeking permission for the transport of these bullets (Surat 84 see Tan, 2005.245).

On November 4, 1901, the *Sedition law* was enacted by the Philippine Commission. It expressed that any advocacy of independence was punishable. Whether by peaceful or forcible means, death penalty or long imprisonment should be imposed. From Schurman Commission, McKinley appointed the *second Philippine Commission (also called the Taft Commission)* with William Howard Taft as chairman. This was in preparation of the groundwork for the gradual Filipinization of the government. Jamalul Kiram II confirmed to the Philippine Commission in 1908, the \$500 monthly budget was received by the Sultan. It further

informed that the budget was not enough to support his children and wife.

### **Moro Province and the Department of Sulu and Mindanao (1913)**

It was during the time of Sultan Jamalul Kiram II when the Mindanao settlement took effect. The American colonizers encouraged the coming of the Christian settlers. By 1903, the Moro Province was created by the Philippine Commission Act No. 787 and General Leonard Wood became its first governor. When the Moro province constituted as workable government unit, its Legislative Councils on October 29, 1903 created municipalities in the Moro province (Kurais, 1979.85). Reorganization was made in the Act 2408 in the Philippine Commission on September 1, 1914 in this new setup; Tawi-Tawi was gradually integrated into the Philippine Commission scheme. The Battles in Sulu continued in Bud Dajo in 1906 and Bud Bagsak in 1913 as the last resistance against colonial America in Sulu.

The Philippine Commission created the Department of Mindanao and Sulu in 1913 and lasted in 1920. Its first civilian governor was Frank Carpenter who introduced the policy of attraction. In 1915 governor Carpenter entered in an agreement recognized the Sultan as spiritual leader of the Muslims in Sulu Archipelago.<sup>8</sup> On December 20, 1930 the five districts were created namely Cotabato, Lanao, Davao, Sulu and Zamboanga and by the Act 2309 provinces of Agusan and Bukidnon were included in the new setup.<sup>9</sup>

The Jones Law in 1916 intensified the Filipinization of Moro land by increasing the number of natives from the north (Abubakar, 2007.5).” It also enacted in 1916 to give representation to the Muslims in the National Legislature, and it was Hadji Butu who represented Sulu from 1916-1931. In May 1919, the last treaty was signed between the Sultan of Sulu and the United States. It renounced its temporal sovereignty within the Philippines including their claim to lands (Ututalum-Hedjazi, 2002. 106). Some Muslims desired to incorporate the Philippines, Sulu in particular to the United States. Series of initiatives and petitions were made by Muslim prominent leaders in Sulu in 1921. In 1924, “*Declaration of Rights*” was sent by the group of Muslim datus at the United States Congress. By 1935, Maranao Datus requested President Roosevelt for the continuation of American rule or

to grant them separate independence. This petition was signed by 121 Maranao datu at Dansalan in Marawi city (Turner, 1992.126).

In 1926, the coming of the Christian families from Cebu to settle in Tawi-Tawi took place. The second wave for Mindanao settlement was to offer land to the Huks, the Philippine communists in Luzon (Mercado, 2002.312). Sultan Jamalul Kiram II replaced Hadji Buto as senator from 1932 to 1934 for the District of Sulu and Mindanao. Sultan Kiram II died on June 7, 1936.

Having become uncomfortable with the continuing exercise by traditional Moro leaders, chief among them was the Sultan of Sulu, of lead roles in the resolution of conflicts among their people; the American government insisted that the Sultan signed the Memorandum of Agreement between the governor-general of the Philippine Islands and the Sultan of Sulu-the second arrangement. In 1914, the Moro Province was abolished and the Department of Mindanao and Sulu which had jurisdiction not only the former Moro Province but also over the special province of Agusan (B.R. Rodil, 2004.27).

### **From Commonwealth to the New Republic (1935)**

Sydney A. Cloman became the first governor of Tawi-Tawi and was the commanding officer of the US 23<sup>rd</sup> Infantry Contingent of 185 officers who were ordered to occupy and govern Tawi-Tawi (Kurais, 1971.91). After Cloman, Lieutenant Jose Tando (one of the heroes in Bataan in World War II) administered Tawi-Tawi and achieved a relatively peaceful Taw-Tawi. During his incumbency in the thirties, there was a relative peace and order in Tawi-Tawi. In 1932, the first election was held in the province of Sulu which the Sama of Tawi-Tawi and other communities of the Sulu archipelago experienced the membership of the House Representative of the Philippines.

The American controlled bicameral legislature where Wazir (Prime Minister) Hadji Butu Abdul Baqui accepted the appointment as senator in December 1915 representing Sulu. His appointment was made possible through Governor General Francis Burton Harrison, reappointed in 1928 by Governor General Henry Stym普森 making him as the first Filipino Muslim parliamentarian. Senator Hadji Buto, sponsored the bill on the creation of the Philippine Military Academy,

Philippine Naval Academy and military training to all colleges and schools in the Philippines.

The Commonwealth of the Philippines was inaugurated on November 15, 1935. After the death of Sultan Jamalul Kiram II in 1936, there was no male heir to the throne. This prompted a great dilemma creating a vacuum in the sultanate. A number of claimants came out since 1936 to the present claiming as the legitimate heir. However it simply worsens the condition.

### **The Law that Made Land Grabbing Legal (1935)**

The Quirino-Recto Colonization Act" also known as the Legislative Act No. 4197 enacted on February 12, 1935 (Ocampo, 2010). Constituting the core of the Philippine land property system, the regalian doctrine has been and is still enshrined in the Philippine Constitution of 1935, 1973 and 1987.

With it, the state declares right to classify it for purposes of proper disposition to its citizens. Thus, lands classified as alienable, and disposable may be owned privately and title to themselves, by individuals or corporations; a land forest areas, bodies of water, and so on which were described as inalienable and nondisposable are state-owned and are not open to private ownership. They may; however be lease for a specified period (B.R. Rodil, 2004.30). The Republic of the Philippines inherited the regalian doctrine from Spain, as it also adopted hook, line and sinker all laws affecting land and other natural resources enacted and implemented by the American colonizers (B.R. Rodil, 2004.30).

Following the Tenth Philippine Legislature first session begun and held at the City of Manila on Monday, the sixteenth day of July, Nineteen Hundred and Thirty-Four. An act *to facilitate and promote the occupation and cultivation of public land at present unoccupied by the establishment of settlement districts, appropriate the sum of one million pesos*

*for the said purpose, and for other purposes* was passed. It was enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same.<sup>10</sup>

## **The American Administration**

Major General Leonard Wood (1903-1906) was named the first military governor of the Moro province which included all non-Christian areas in Mindanao and Sulu. He was followed brigadier general Tasker H. Bliss (1906-1909) then by the brigadier general John Pershing ward administration as headmen- but only with authorization from the American district governor (civil governor) Frank W. Carpenter (Tan.xxx71).

The US Congress Passed, the Jones Act of 1916 replaced the Philippines Bill of 1902. Part of the government reorganization that followed was the creation of the Bureau of Non-Christian Tribes (1917-1936) - not the same entity as that headed by Dr. Barrows (B.R. Rodil, 2004.28). In 1912, Gen. John Pershing made Zamboanga as the autonomous city through the legislative Council of the Moro Province It was through the effort of Gen. John C. Bates, the Americans were able to conclude a treaty with the sultanate to station their forces in Sulu (Orendain, 1984.91).

In 1921, the Bureau of Non- Christian Tribe took over of the role of the Department of Mindanao and Sulu. In 1922, Hadji Muhammad Kurais of South Ubian, Datu Muhammad Maulana of Tandubas, Tuan Salip Masdal of Balimbing, Datu Halun Sakilan of Bonggao, Datu Amilbangs Ulanhutan of Simunul, and Datu Jaafar Salapuddin of Sibutu were appointed municipal district presidents under the new Bureau of Non- Christians Tribes. All were replaced in 1924, except Datu Jaafar who served until 1932 (Tan, 2001.171).

Commonwealth Act No. 75 (24 October 1936) abolished the Bureau of Non-Christian Tribes. All the powers of the Bureau were conferred upon the Secretary of the Interior. Also, the position of Commissioner for Mindanao and Sulu was created with the rank and salary of Undersecretary of the Department of the Interior (B.R. Rodil, 2004.28).

In 1906, Act No. 167 (20 June 1906) on compulsory education for children of school age, not less than seven and not older than 13 years

old, was implemented in the Moro Province (B.R. Rodil, 2004.61).

In 1913, 1,825 Moros and 525 pagans were enrolled in the public schools of the Moro Province. In 1918, the enrollment of the Moros in the five provinces (of Sulu, Zamboanga, Cotabato, Lanao, Davao) had increased to 8,421 and pagan pupils to 3,129 (B.R. Rodil, 2004.61).

In 1914, public schools were established in Tawi- Tawi. Primary grade was set up in south Ubian, Tandubas, Bonggao, Simunul, and Sitangkai (Tan, 2001.171). A Girl's dormitory managed by a Christian Filipino matron and financed by American ladies in New York was established in 1916 in Jolo. This contributed substantially in breaking down Moro prejudice against sending their daughters to school (B.R. Rodil, 2004.61).

The First Christian settlement was established in Batu- Batu in 1926. The First Protestant Mission to operate in Sulu and Tawi-Tawi was the Christian and Missionary Alliance with their boat ministry among the Sama. The First school to operate was the Notre Dame in Bongao under Fr. George Dion, OMI, who later opened another branch in Ungus Matata. Subsequently, several Notre Dame high schools were established: in Sibutu under Fr. Gerard Rixhon, in Cagayan de Sulu under Fr. Maurice A. Hemann, in Tongkalang under Fr. Henri Lavallee, and in Tabawan under Fr. Leopold Gregoire (Tan, 2001.171). From 1903 to 1936, Moro lives lost from the fighting were estimated by the Americans to be 15,000 to 20,000 (B.R. Rodil, 2004. 60).

### **Economic Development in 1900s**

From Marine economy Sulu shifted to the agricultural economy to sustain the demands of the western powers till the advent of American imperialism. American Policy towards slavery affected the sultanate of Sulu as an institution. Its survival primarily depended on its man power specifically on slavery. When piracy ceased, both the sultan and the Datu lost their income. The practice of slavery was not only common in Sulu but also in other Southeast Asian Kingdoms.

The operation of piracy by the Sulus mostly occurred within the Philippines, probably from the Visayas Islands of the Philippines, and at the end of the nineteenth century, from the highlands of Mindanao (Salman, 2001.54). During the American occupation more and more of these slaves were seeking freedom and the most common means was

to escape. On October 4, 1900 McKinley denounced slavery and yet he recognized slavery in Sulu. Efforts were exerted for the abolishment of the slavery system in Mindanao.

In 1901 Jamalul Kiram II negotiated to the Governor General, regarding the opium contract he entered into since the time of the Spaniards that, *Kapitan Tiana* (Chinese trader) was to operate the opium trade and shall remit the dues and pay the levy of five pieces and thirty pesos (Surat 11 see Tan, 2005, 24). In 1902, Kiram II requested the Governor of Sulu for the lease on the opium trade in Jolo. The Chinese paid three hundred pesos (P 300) a month. They were willing to pay exactly same about like the Chinese if granted (Surat 69 see Tan, 2005 198). In 1903, the legislative council enacted act. No. 8 making the ownership of slaves a crime punishable for twenty years of imprisonment (Umehara and Bautista, 2004. 40).

In 1903, Kiram informed Governor Sweet on the lease of Palawan for 50 years to A. Torrey an American trade (Surat 36 see Tan, 2005.90). By 1911, the logging industry came to Tawi-Tawi which was started by William Schuck, a German factor who held a rank of rajah (superior datu) in the sultanate of Sulu, a rank awarded to him by Sultan Jamalul Kiram (Kurais, 1979.88). Tawi-Tawi's first national office was the Bureau of Customs with a sub-port in Sitangkay. Mr. Percy Machlin was the first custom official designated as Deputy Collector of Customs, and he remained in that post until the 1920's (Kurais, 1979.88).

## Concluding Note

The coming of the Americans in the Philippines was of no accident, it was not even a coincidence to establish political programs and designs in Sulu. Their interference to the political affairs of Sulu was part of their mandate to control all political entities around the world for the preservation of their power. The reshaping of the political affairs of the sultanate with the promised of abundance was a perfumed of hope, but in reality it was a nightmare in the preservation of the sultan's power which eventually collapsed and ceased to exist. It will remain a debate whether the United States intervention in Sulu was successful or not. What is certain, they controlled the sultan through false promises which formed part of the changing landscape of Sulu.

**(Endnotes)**

<sup>1</sup>Treaty of Peace between the United States and Spain; December 10, 1898

*The United States of America and Her Majesty the Queen Regent of Spain, in the name of her august son Don Alfonso XIII, desiring to end the state of war now existing between the two countries, have for that purpose appointed as plenipotentiaries: The President of the United States, William R. Day, Cushman K. Davis, William P. Frye, George Gray, and Whitelaw Reid, citizens of the United States; And Her Majesty the Queen Regent of Spain, Don Eugenio Montero Rios, president of the senate, Don Buenaventura de Abarzuza, senator of the Kingdom and ex-minister of the Crown; Don Jose de Garnica, deputy of the Cortes and associate justice of the supreme court; Don Wenceslao Ramirez de Villa-Urrutia, envoy extraordinary and minister plenipotentiary at Brussels, and Don Rafael Cerero, general of division; Who, having assembled in Paris, and having exchanged their full powers, which were found to be in due and proper form, have, after discussion of the matters before them, agreed upon the following articles: Article III. Spain cedes to the United States the archipelago known as the Philippine Islands, and comprehending the islands lying within the following line: The United States will pay to Spain the sum of twenty million dollars (\$20,000,000) within three months after the exchange of the ratifications of the present treaty. Article V. The United States will, upon the signature of the present treaty, send back to Spain, at its own cost, the Spanish soldiers taken as prisoners of war on the capture of Manila by the American forces. The arms of the soldiers in question shall be restored to them. Spain will, upon the exchange of the ratifications of the present treaty, proceed to evacuate the Philippines, as well as the island of Guam, on terms similar to those agreed upon by the Commissioners appointed to arrange for the evacuation of Porto Rico and other islands in the West Indies, under the Protocol of August 12, 1898, which is to continue in force till its provisions are completely executed. Article VIII. In conformity with the provisions of Articles I, II, and III of this treaty, Spain relinquishes in Cuba, and cedes in Porto Rico and other islands in the West Indies, in the island of Guam, and in*

the Philippine Archipelago, all the buildings, wharves, barracks, forts, structures, public highways and other immovable property which, in conformity with law, belong to the public domain, and as such belong to the Crown of Spain.

1. The Independence of the Philippines shall be proclaimed;
2. A federal republic , a government with provisional members named by Emilio Aguinaldo shall be established;
3. This government shall recognize the temporary intervention of the American and European commissioners designated by admiral Dewey;
4. It shall recognize American protectorate under the same condition as those that will be made in Cuba;
5. Philippine ports will be opened to international trade;
6. Precautionary measures shall be taken against the Chinese immigration in order that it will not harm the livelihood of the natives;
7. The existing corrupt (sic) judiciary system shall be reformed and, in the meanwhile, the administration of justice shall be entrusted to competent European judges;
8. complete freedom of the press and of association shall be proclaimed;
9. General religious toleration shall be established; measures shall be adopted for the abolition and expulsion of the religious orders which have demoralized the present civil administrations;
10. Measures for the exploitation of the natural resources of the country shall be adopted;
11. Development of the wealth of the country shall be facilitated by the construction of roads and railways
12. Existing hindrances to industrial enterprises and the heavy taxes on foreign capital shall be lifted;
13. The new government shall maintain public order and impose rules to prevent all reprisals against Spaniards;

<sup>3</sup>REGALIAN DOCTRINE/ Generally, under this concept, private title to land must be traced to some grant, express or implied, from the Spanish Crown or its successors, the American Colonial Government,

and thereafter, the Philippine Republic In a broad sense, the term refers to royal rights, or those rights to which the King has by virtue of his prerogatives. The theory of jure regalia was therefore nothing more than a natural fruit of conquest. THE 1973 CONSTITUTION REITERATED THE REGALIAN DOCTRINE AS FOLLOWS-Section 8. All lands of public domain, waters, minerals, coal, petroleum and other mineral oils, all forces of potential energy, fisheries, wildlife, and other natural resources of the Philippines belong to the State. With the exception of agricultural, industrial or commercial, residential, or resettlement lands of the public domain, natural resources shall not be alienated, and no license, concession, or lease for the exploration, or utilization of any of the natural resources shall be granted for a period exceeding twenty five years, except as to water rights for irrigation, water supply, fisheries, or industrial uses other than development of water power, in which cases, beneficial use may by the measure and the limit of the grant. THE 1987 PROVISION HAD ITS ROOTS IN THE 1935 CONSTITUTION WHICH PROVIDES— Section 1. All agricultural timber, and mineral lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of potential energy and other natural resources of the Philippines belong to the State, and their disposition, exploitation, development, or utilization shall be limited to citizens of the Philippines or to corporations or associations at least sixty per centum of the capital of which is owned by such citizens, subject to any existing right, grant, lease, or concession at the time of the inauguration of the Government established under this Constitution. Natural resources, with the exception of public agricultural land, shall not be alienated, and no license, concession, or lease for the exploitation, development, or utilization of any of the natural resources shall be granted for a period exceeding twenty-five years, renewable for another twenty-five years, except as to water rights for irrigation, water supply, fisheries, or industrial uses other than the development of water power, in which cases beneficial use may be the measure and limit of the grant.

<sup>4</sup>EXECUTIVE MANSION, WASHINGTON, December 21, 1898 (<http://filipino.biz.ph/history/benevolent.html/> Accessed April 11, 2011)

The destruction of the Spanish fleet in the harbor of Manila by the United States naval squadron commanded by Rear-Admiral Dewey, followed by the reduction of the city and the surrender of the Spanish forces, practically effected the conquest of the Philippine Islands and the suspension of the Spanish sovereignty therein. With the signature of the treaty of peace between the United States and Spain by their respective plenipotentiaries at Paris on the 10th instant, and as a result of the victories of American arms, *the future control, disposition, and government of the Philippine Islands are ceded to the United States*. In the fulfillment of the *rights of sovereignty* thus acquired and the responsible obligations of government thus assumed, the actual occupation and administration of the entire group of the Philippine Islands becomes immediately necessary, and the *military government* heretofore maintained by the united states in the city, harbor, and bay of Manila *is to be extended* with all possible dispatch *to the whole of the ceded territory*. Finally, it should be the earnest wish and paramount aim of the military administration to win the confidence, respect, and affection of the inhabitants of the Philippines by assuring them in every possible way that full measure of individual rights and liberties which is the heritage of free peoples, and by proving to them that the mission of the United States is one of BENEVOLENT ASSIMILATION substituting the mild sway of justice and right for arbitrary rule. In the fulfillment of this high mission, supporting the temperate administration of affairs for the greatest good of the governed, there must be sedulously maintained the strong arm of authority, to repress disturbance and to overcome all obstacles to the bestowal of the blessings of good and stable government upon the people of the Philippine Islands under the free flag of the United States.

<sup>5</sup>Be invaded and occupied eventually by the American force without a separate declaration of war by the U.S Congress as explicitly required in the American Constitution (1787), which prohibits a war of conquest, unless actually invaded, to wit: "To declare War, grant Letters of Marque and Reprisal and make Rules Concerning captures on land and water." and "To define such and punish piracies and Felonies committed on the Law of Nation."- Article I, section 8 of the 1787 U.S Constitution. Article I, Section 8 (10). "No state shall, without

the consent of Congress, any Duty of , keep troops, or Ships of war in time of peace, enter into any Agreement or Compact with another State, or with foreign Power, or engage in War, unless actually invaded, or in imminent Danger as will not admit delay.”-Article I, Section 10(3)

<sup>6</sup>AGREEMENT BETWEEN GENERAL JOHN C. BATES, UNITED STATES ARMY AND THE SUTAN OF SULU, TOGETHER WITH CERTAIN SULU CHIEFS, SIGNED AT JOLO, AUGUST 20, 1899 (Excerpt from Ututalum-Hedjazi (2002). *The Rise and Fall of the Sulu Islamic Empire (1675-1919)*. 137). Between Brig. Gen. John C. Bates, representing the United States, of the one part, and His Highness the Sultan of Jolo. The Dato Rajah Muda, the Dato Attik, and the Dato Calbi, and the Dato Joakanain, of the other part, it being understood that this agreement will be in full force only when approved by the Governor of the Philippine Islands and confirmed by the President of the United States, and will be subject to future modifications by the mutual consent of the parties and interest..

ARTICLE I. *The sovereignty of the United States over the whole Archipelago of Jolo and its dependencies is declared and acknowledged,*

ARTICLE II. The United States flag will be used in the archipelago of Jolo and its land and sea.

ARTICLE III. The rights and dignities of His Highness the Sultan and his datos shall be fully respected; the Moros shall not be interfered with on account of their religion; all their religious customs shall be respected; and no one will be prosecuted on account on his religion.

ARTICLE IV. While the Unites States may occupy and control such points in the archipelago of Jolo as public interests seem to demand, encroachment will not be made up in the lands immediately about the residence of His Highness the Sultan, unless military necessity requires such occupation in case of war with foreign power; and where the property of individuals is taken, due compensation will be made in each case.

Any person can purchased land in the archipelago of Jolo and hold the same by obtaining the consent of the Sultan and coming to a satisfactory agreement with the owner of the land; and such purchase shall immediately be resigned in the proper office of the United States Government.

ARTICLE V. All trade in domestic products of the archipelago of Jolo, when carried by the Sultan and His people with any part of the Philippine Islands and when conducted under American flag, shall be free, unlimited, and undutiable.

ARTICLE VI. The Sultan of Jolo shall be allowed to communicate direct with the Governor General of the Philippines Islands in making complaint against the commanding officer of Jolo or against any naval commander.

ARTICLE VII. The introduction of firearms and war material is forbidden except under specific authority of the Governor General of the Philippine Islands.

ARTICLE VIII. Piracy must be suppressed, and the Sultan and his datos agree to heartily cooperate with the United States authority to that end, and to make everithing possible effort to arrest and bring to justice all persons engaged in piracy.

ARTICLE X. Where crimes and offenses are committed by Moros against Moros, the Government of Sultan will bring to trial and punishment the criminals and offenders, who will be delivered to the government of the Sultan by the United States authorities if in their possession. In all other cases persons charged with crimes and offences will be delivered to the United States authorities for trial and punishment.

ARTICLE X. Any slave in the archipelago of Jolo shall have the right to purchase freedom by paying to the master the usual market value.

ARTICLE XI. In case of any trouble with the subjects of the Sultan, the American authorities in the islands will be instructed to make careful investigation before resorting to harsh measures, as in most cases serious trouble can thus be avoided.

ARTICLE XII. At present, Americans or foreigners wishing to go into the country should state their wishes to the Moro Authorities and ask for an escort but it is hoped that this will become unnecessary as we know each other better.

ARTICLE XIII. The United States will give full protection to the Sultan and his subjects in case any foreign nations should attempt to impose upon them.

ARTICLE XIV. The United States will not sell the island of Jolo or any other island of the Jolo Archipelago to any foreign nation without

the consent of the Sultan of Jolo.

ARTICLE XV. The United States Government will pay the following monthly salaries:

Mexican Dollars

To the Sultan	250
To Dato Rajah Muda	75
To Dato Attik	60
To Dato Calbi	75
To Dato Joakanain	75
To Dato Puyo	60
To Dato Amir Hussin	60
To Hadji Butu	50
To Hadib Mura	40
To Serif Saguin	15

Signed in triplicate, in English and Sulu, at Jolo, this 20<sup>th</sup> day of August, A.D. 1899 (13th Arabuil Abil 1317).

(Signed) J.C. Bates

Brigadier General, United States Volunteers

(Sgd) THE SULTAN OR JOLO

(Sgd) DATO RAJAH MUDA

(Sgd) DATO ATTIK

(Sgd) DATO CALBI

(Sgd) DATO JOAKANAIN

<sup>7</sup>Shortly after the sneak invasion and occupation of the Sultanate of Sulu by the American forces, the Sultan of Sulu was pressured to sign an acknowledge otherwise referred to as the Bates treaty, wherein he was asked to acknowledge the sovereignty of the united State over the Sultanate of Sulu which only officially and documentarily negated its sale and cession to the United State by Spain under the December 10, 1898 Treaty of Paris. The Bates Treaty is the most authentic and valid doo document which explicitly attests and confirms that the Sultanate of Sulu still belong to the propriety right of the Sultan of Sulk up to the present since the Bates treaty was abrogated by the United State President without the concurrence and consent of the other party in interest... (Julkarnain, 2010).

<sup>8</sup>MEMORANDUM OF AGREEMENT BETWEEN THE GOVERNMENT OF THE PHILIPPINE ISLANDS AND THE SULTAN OF SULU BEING THE COMPLETE RENUNCIATION BY THE LATTER OF HIS PRETENSIONS OF SOVEREIGNTY AND DETERMINATION OF HIS SATUS ZAMBOANGA, MARCH 22, 1915 (Excerpt from Ututalum-Hedjazi (2002). The Rise and Fall of the Sulu Islamic Empire (1675-1919). 140) (Note- Prior to American occupation the Sultanate of Sulu had been for more than 400 years an independent sovereignty; during the latter portion of the Spanish regime the Sultanate had partially relinquished the exercise of that sovereignty as to foreign relations and to a lesser degree as concerned the port of Jolo and the four other points occupied by Spanish military garrisons; a temporal- sovereignty, partial but nevertheless de facto, existed and was recognized by the Bates treaty in the term "Government of the Sultan," to which the American authorities were by that agreement required to turn over and trial cases " where crimes and offenses are committed by Moros against Moros" (Art IX).

(The Abrogation of the bates treaty was premised upon other matters than the de jure sovereignty of the Sultan, who subsequently neither by conquest or otherwise lost or relinquished his claims to sovereignty so far as concerned internal affairs of government of the Sulu Archipelago until he signed this agreement of March 22, 1915, at Zamboanga.) Copy of the agreement of August 20, 1899, between Gen. John C. Bates, United States Army, and the Sultan of Sulu (the Bates treaty) also herewith.

The Government of the Philippine Islands  
 Department of Mindanao and Sulu,  
 Office of the Government  
 ZAMBOANGA P.I., MARCH 22, 1915

MEMORANDUM .The Governor of the Department of Mindanao and Sulu, Frank W. Carpenter, duly authorized by His Excellency the Governor General and the Sultan of Sulu, Hadji Mohammad Jamalul Kiram, together with the officers of the government, as well as various councilors of the Sultan, after due discussion of the declarations of

the Governor General and president of the Philippine Commission, Luke E. Wright, and the said Sultan of Sulu, and their respective associates, in certain hearings held in Manila on July 19, 20, and 26, 1904, following the abrogation of the so-called Bates treaty by the President of the United States, March 21, 1904, reach the following mutual understanding of the result of said hearings: Whereas the Sultan of Sulu is titular spiritual head of the Mohammedan Church in the Sulu Archipelago, with all the rights and privileges which under the Government of the United States of America may be exercised by such an ecclesiastical authority, and subject to the same limitations which apply to the supreme spiritual heads of all other religions existing in American territory, including the right to solicit and receive voluntary popular contributions for the support of the clergy, rites, and other necessary lawful expenses of an ecclesiastical character. The Sultan of Sulu, on his own account and in behalf of his adherents and people in the Sulu Archipelago and elsewhere within American territory, without any reservation or limitation whatsoever, *ratifies and confirms his recognition of the sovereignty of the United States of America*, and the exercise by His Excellency the Governor General and the representatives of that Government in Mindanao and Sulu of all the attributes of sovereign government that are exercised elsewhere in American territory and dependencies, including the adjudication by government courts or its other duly authorized officers of all civil and criminal causes falling within the laws and orders of the Government. The Sultan of Sulu and his adherents and people of the Mohammedans faith shall have the same religious freedom had by the adherents of all other religious creed, the practice of which is not in violation of the basic principles of the laws of the United States of America. In testimony of the above mutual understanding we, the undersigned, the governor of the department of Mindanao and Sulu and the Sultan of Sulu, do hereby affix our signature in permanent record thereof. (Signed) HADJI MOHAMMAD JAMALUL KIRAM

*Sultan of Sulu*

(Signed) FRANK W. CARPENTER

*Department Governor*

Witnesses to above:

(Signed) DATO RAJAMUDA  
(Signed) PETER E. TRAUB  
*Colonel, United States army*  
*District Chief, Philippine Constabulary*  
(Signed) HADJI BUTU  
Special Assistant to the  
*Provincial Governor of Sulu*  
(Signed) DATO MOHAMMAD  
(Signed) ISIDRO VAMENTA  
*Department Secretary*  
(Signed) ABDULLAH AWANG  
*Secretary to Sultan*  
(Signed) PACIANO REYES  
*Department Attorney*  
(Signed) HADJI MOHAMMAD  
(Signed) GUY N. ROHRER  
Governor Province of Sulu  
(Signed) PANGLIMA TAHIL  
(Signed) H. GULAMA RASUL  
*Aid- de- camp of the Department Governor*

<sup>9</sup>Sulu Sultanate was unilaterally and unconstitutionally joined with Mindanao Sultanate by virtue of Philippines Commission Act No. 2408 notwithstanding these officially documented attestations and declarations of top American Officials that Mindanao and Sulu were not component part of the Philippine Islands. The Americans continued the unlawful occupation and position of American sovereignty over the Sultanate of Sulu and proceeded to create the Department of Mindanao and Sulu by virtue of Philippines Commission Act No. 2408 providing for Temporary Government of Mindanao and Sulu as a separate political subdivision from the Philippines Islands known as Department of Mindanao and Sulu without the express consent of their reigning Sultans, their Royal Datus and their respective adherents and in contravention to the universal right of peoples to self-determination as enshrined in the Law of Nations and specifically Article IV, Section 3 of the United States 1787 Constitution which explicitly states that; “New states may be admitted by the congress into the Union; but no

new states shall be formed or created within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states without the consent of the states concerned as well as the Congress" (Julkarnain, 2010).

<sup>10</sup>Section 1. Six months after the approval of this Act and from time to time thereafter, the Director of Lands, with the concurrence of the Directors of Forestry, Plant Industry, Health and Public Works, shall recommend to the Governor-General the reservation of tracts of public land of not less than three hundred hectares each, taking into consideration their conditions as regards fertility, accessibility, proximity to markets, and sanitation and hygiene, for the establishment of such settlement districts as may be approved by the Governor-General, subject to the conditions hereinafter specified.

Section 2. Immediately upon the reservation of settlement district by the Governor-General, the Director of Lands shall order the same to be surveyed and subdivided into four-hectare lots. Upon receipt by the Governor-General of the certificate of the Director of Lands that a settlement district has been properly surveyed and subdivided into lots, the said Governor-General, by proclamation or executive order, shall declare said district open for settlement and shall turn the administration thereof over to the Secretary of Labor. The Secretary of Labor shall in due time announce and publish the lots surveyed in the vernacular of the province in which said districts are located, and in two newspapers, one in English and the other in Spanish of general circulation in the Philippine Islands.

Section 3. Any citizen of the Philippine Islands or of the United States, over the age of twenty-one years, who has the other qualifications required by existing law of homestead applicants may apply to the Secretary of Labor for the occupation and cultivation of four lots of the land subdivided as provided in the next preceding section. When a reasonable number of applications has been received and the Secretary of Labor is satisfied with regard to the good faith of the applicants and their capacity to properly cultivate the land applied for, said Secretary shall address a request for the preparation for cultivation of said lots to the Director of Plant Industry, who shall order the lots included in the approved applications to be cleared and broken. As soon as the

lots applied for have been cleared and broken or when an applicant is ready to take possession immediately, the Secretary of Labor shall place the applicants concerned in possession of said lots. The Secretary of Labor may, if he deems it necessary, provide for the construction of a suitable house for each applicant and his family, which houses shall be built at a cost not to exceed fifty pesos each, and he may also turn over to the applicants one carabao for each lot applied for, as well as the agricultural implements and the seeds required by the applicants for the first crop year, in the judgment of the Director of Plant Industry. The Secretary of Labor may also grant to each applicant a loan not to exceed two hundred pesos during the first year of occupation, which shall be paid in periodical monthly payments and shall be repaid beginning with the first harvest, with interest at the rate of four per centum per annum: Provided, That naturalized citizens shall not be entitled to the benefits of this Act until five years after the date of their naturalization.

Section 4. The Secretary of Labor shall concentrate as many settlers as possible on contiguous land in a locality, organizing them into settlements in such manner that the government aid and cooperative action between them shall be easiest and most effective. Whenever such settlements are founded, the Secretary of Labor may, if he should deem it advisable, set aside a suitable portion of the lands selected for town sites and the necessary area for roads, schools and other public necessities.

SEC. 5. The Secretary of Labor is authorized to appoint for each district or for two or more contiguous districts a superintendent with a salary not to exceed thirty-six hundred pesos per annum and such additional personnel as may from time to time be approved by the Governor-General, on recommendation of the Secretary of Labor. When necessary, the Secretary of Labor may also provide for the construction of a house for the office and residence of the superintendent, at a cost not to exceed one hundred pesos.

Section 6. Each applicant shall state in his application: (a) that he binds himself to cultivate and plant not less than sixty per centum of the area of the land applied for and assigned to him, to such crops or products as the district superintendent, with the advice of the Director of Plant Industry, may prescribe; (b) that in case he should be declared

incompetent to engage in agriculture, or for any other good reason, his application may be cancelled, in which case his rights and interest in the land assigned to him under the provisions hereof shall revert to the Government; (c) that he, his successors or assigns, will not sell, assign or transfer the land awarded to him to any person not a citizen of the Philippine Islands or the United States; and (d) that he will strictly comply with the regulations and by-laws of the settlement and with the orders and instructions issued from time to time by the superintendent thereof.

Section 7. Whenever in the judgment of the district superintendent the number of settlers in any of the settlement districts established hereunder warrants it, it shall be his duty to establish therein an organization whereby a cooperative spirit and action can be easily encouraged among the occupants and through which Government aid can be efficiently extended to them, and for this purpose he may, with the approval of the Secretary of Labor, purchase tractors, agricultural implements, draft animals and other equipment, to be used under his administration and control or under those of his authorized representative, for tilling the land and, in general, for carrying on such work as the individual settlers cannot carry on unaided, with their own resources and of their own initiative. In the performance of this duty, the settlement district superintendent shall to the greatest extent possible employ as laborers the settlers of the respective districts at such wages as are generally paid by agricultural concerns in the locality. In case the laborers are the settlers themselves, they shall be paid only the portion of their wages considered necessary for the subsistence of each and his family, and the balance shall be retained and credited as payment on their indebtedness to the settlement. The district superintendent shall debit each settler with the cost of the survey, clearing, and breaking of the land he occupies, including all expenses defrayed by the Government for the construction of his house, the cost of the carabaos and implements issued to him or purchased on his account, and the unpaid balance of the two hundred pesos he received in accordance with section three thereof, plus a sum equivalent to four per centum per annum of the money spent by the Government on his lots. The total sum so charged to each settler shall be paid by him in ten equal annual installments, beginning on April first of the fifth year of

occupation of the lots concerned.

Section 8. In order to facilitate the sale of the produce of the settlements established under this Act, the settlement superintendent, whenever it is possible and advisable, may, with the approval of the Secretary of Labor, provide for the construction in the district of a warehouse for storing the produce and shall in every possible way aid in securing the most favorable prices for the same. To this end, the settlement superintendent is authorized to grant loans to the settlers pending the sale of the produce belonging to them, on the security of their warehouse receipts, not to exceed fifty per centum of the current market price of the produce stored, after deducting the expense of transportation to the market. Such warehouses shall be managed as nearly as possible like bonded warehouses. Any money lent to the settler under the provisions of this section shall be used for paying his indebtedness to the settlement or for such other purposes as may be approved by the Secretary of Labor or his authorized representative. From the proceeds of the sale of the of the produce of any settler, the district superintendent shall retain such sum as may be necessary to pay his indebtedness to the Government, in such manner as he Secretary of Labor may prescribe.

Section 9. As soon as the conditions of a settlement district permit it, the superintendent thereof shall promote among settlers the organization of a corporation under the Corporation Law for the purchase and administration of the Government property and equipment such as warehouses, buildings, tractors and other agricultural machinery, and draft animals, used in the settlement, and to this end the settlement district superintendent shall direct each settler to invest annually, after paying his indebtedness, part of his income in stock of said corporation. The money derived from such investments shall be used for the purchase of the Government property and equipment on the installment plan, as above provided. When said property and equipment shall been fully paid for, the superintendent shall surrender the same to the corporation.

Section 10. To foster or insure the success of a settlement district, the Director of Lands, on recommendation of the Secretary of Labor, shall grant title to the property applied for the settler, subject to the following terms which the applicant must accept under oath:

(a.) The settler must, during the time that he occupies the land, cultivate at least sixty per centum of the area thereof each year. The heirs and assigns of the applicant shall likewise be subject to these conditions.

(b.) Beginning on April first of the fifth year after the occupation of the land, the settler, his heirs and assigns, shall refund to the settlement district superintendent, in ten equal annual installments, the expenses incurred in surveying, clearing, and breaking the land, and the cost of the house, carabaos, implements, and seeds furnished to him, with interest at the rate of four per centum per annum.

(c.) In case any occupant, his heirs and assigns, should without good reason fail to cultivate at least sixty per centum of the area of the land occupied by him or them for three consecutive years during their occupation, before having completely paid their indebtedness in accordance with the next preceding paragraphs, unless prevented by force majeure, the title to the said land shall, after due investigation by the settlement district superintendent, be revoked and the property shall revert to the Government of the Philippine Islands, and the settler, his heirs and assigns, may thereafter continue to occupy the land as lessees, subject to the condition specified in paragraphs (a) and (b), upon payment of a monthly rental of fifty centavos per hectare from and after the date of the revocation of the title, and in case the settler, his heirs or assigns, fail to pay such rental for two consecutive months, the Secretary of Labor may eject him or them, without need of any judicial proceedings. However, the settler shall be entitled to have his rights restored to him upon payment of his indebtedness.

(d.) Any transfer of the land and any contract relative to it shall be approved by the Secretary of Labor and recorded in the office of the local register of deeds, subject to the conditions prescribed in this Act. Any sale of the land shall be null and void unless the settler, his heirs or assigns, have paid the entire indebtedness to the Government before the transfer is made in accordance with this section.

Section 11. The Secretary of Labor is hereby authorized to promulgate such regulations and by-laws for the settlement as may be necessary to properly enforce the provisions of this Act. The settlement district superintendent shall also be authorized to request the assistance of the Bureaus of Public Works, Plant Industry, Animal Industry, Forestry,

and Commerce in connection with the direction and supervision of the cultivation of the district, the construction of buildings and roads, the care of the draft animals, the sale of the produce, and in any other form or manner insuring the success of the settlements provided for in this Act.

Section 12. The Secretary of Labor, with the approval of the Governor-General, is hereby authorized to make the necessary readjustment in the personnel and activities of the Bureaus and Executive Departments concerned in order to bring such personnel under the jurisdiction of the Secretary of Labor, in which case, and until the Legislature shall provide otherwise, the salaries and expenses of the personnel transferred shall be paid out of the appropriation made in this Act.

Section 13. The sum of one million pesos, or so much thereof as may be necessary, is hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, to carry out the purposes of this Act, in accordance with the provisions of the next following section and with such rules and regulations as the Secretary of Labor, with the approval of the Governor-General, may prescribe.

Section 14. The fund created by this Act shall be under the control of the Secretary of Labor who, through his representatives, shall have charge of all disbursements there from, of the amount thereof, and of all transactions concerning the establishment of the settlement districts herein authorized, and all refunds of expenses incurred in laying out, clearing, plowing, and surveying the land, and the cost of the houses, carabaos, agricultural implements, and seeds furnished to the settlers, with interest at the rate of four per centum per annum, and all other collections that may be received from the settlement districts shall constitute a special fund which shall be available for disbursement in the same manner and for the same purposes for which the original fund authorized in the next preceding section was established.

Section 15. No settlement superintendent shall engage in any private business within the settlement in which there shall be transactions with the settlers.

Section 16. Upon the express or implicit approval of this Act by the President of the United States, as provided in the Act of Congress approved on August twenty-ninth, nineteen hundred and sixteen, entitled "An Act to declare the purpose of the people of the United

States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those Islands." The Governor-General shall so announce forthwith, by means of a proclamation, and this Act shall take effect on the date of such proclamation.

For one thing, President Manuel L. Quezon did not show enough respect for the customs and culture of the Muslims. The Americans, in fact, had accepted as laws of the land a codification of certain Muslim customs and traditions. But Quezon did not want any of these, arguing that all Filipinos are equal. There was to be no exception to the universal laws and customs of the nation. He laid down his policy in a speech to Lanao Moros on June 6, 1936 (Salgada see Abinales, SN.24). Quezon and his associates likewise followed the land policies of their American predecessors. Plantations were encouraged and more American and Japanese entrepreneurs came to establish plantations. Mindanao became a real haven for huge abaca, rubber, coconut, pineapple and other plantations, for the benefit especially of foreign owners. The huge size of Japanese land holdings, for example, "could easily be gleaned from the fact that no less than 231, 700 hectares of Japanese agriculture lands mostly located in Davao, were confiscated and transferred by the Americans to the Philippine government by the of the war" (Salgada see Abinales, SN.25). Of course, the problem would have been solved by breaking up tenancy in the Visayas and Luzon as the farmers demanded. But the local elite would not let go of their haciendas. They had been accustomed to the good life, amassing wealth at the cost of the tenants' sweat, that it was unthinkable they would divest themselves of their lands. For them, the answer lies in Mindanao. To defuse unrest in Luzon and the Visayas, the excess peasants were to be brought to the "land of promise". Never mind if in the process the Lumads and Muslims get disposed of their lands. The important thing is that there is peace in the Visayas and Luzon, and the landlords' land remains intact (Salgada see Abinales, SN.22).

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