

## Chinese mestizo and natives' disputes in Manila and the 1812 Constitution: Old privileges and new political realities (1813–15)

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*Set in Manila in 1813 during the implementation of the Liberal Spanish Constitution of 1812, this case study of the conflict between natives and Chinese mestizos over seating arrangements in a small parish church demonstrates how the new charter challenged the hierarchies of colonial political space. Despite its centralist aim, the Constitution instead empowered multiple ethnic groups, while reinforcing local notions of self-government and autonomy. Though a brief period, it was a significant one, as natives and Chinese mestizos constructed complex political identities. In turn, these identities set a political precedent which re-emerged during the second constitutional period (1820–23) with more wide-ranging political consequences.*

On the morning of 1 August 1813, according to an account by Chinese mestizo authorities, a crowd of nearly one thousand natives under the command of their *gobernadorcillo* (head) rallied through the streets of Binondo, a town on the outskirts of the Philippine capital of Manila, and proceeded to attack the Chinese mestizos inside the church.<sup>1</sup> The origin of the clash was a long-standing dispute between Binondo natives and mestizos<sup>2</sup> over the privilege to sit on the front benches and at the right side of the altar. Although foiled by troops speedily deployed by

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1 'Escrito de los Chinos mestizos a José de Gardoqui' (Binondo, 16 Oct. 1813), in 'Testimonio del expediente seguido por el común del gremio de mestizos de sangley, contra el de naturales del pueblo de Binondo, sobre preferencia de asiento en su común iglesia al lado del Evangelio, Año 1813, 1ª pieza, 1ª vía' (henceforth, 'Testimonio mestizos de sangley, 1ª pieza'), p. 4, Seville, Archivo General de Indias (hereafter AGI), Filipinas 695A.

2 In colonial Philippine parlance, mestizo almost always refers to the offspring of Chinese and native unions. The legitimate offspring of Spanish (or creole) men and Chinese or mestiza women were considered creole; the very few legitimate offspring of Spanish men and native women were usually called Spanish mestizo (*mestizo de español*).

Philippine Governor José de Gardoqui, the attack ended with several mestizos wounded and one mestizo officer and two Chinese parishioners dead.

More than just an anecdotal episode of inter-ethnic rivalry, the conflict over the Binondo church benches is a window into a politically and socially complex period in Manila and its outlying towns. It shows how, despite its brief existence, the Spanish Constitution of 1812 transformed extant social tensions and feuds by providing colonial subaltern groups with a new set of political discourses and greater agency. The quarrel also demonstrates that natives and Chinese mestizos, especially their elites, participated within the political, social, and cultural framework of the colonial system, and not merely outside or against it, as has been generally portrayed by the nationalist historiography. Both creoles (colony-born Spaniards) and *peninsulares* (peninsular-born Spaniards) in Manila spent a lot of time and energy devising ways to restrict the implementation of the political system mandated by the 1812 Constitution for fear of the empowerment and political enfranchisement of the non-white population. In fact, fearing the drastic and uncontrollable effects that the new system could have in Binondo, the constitutional Philippine governor designed a mixed administrative provisional arrangement intended to restrict electoral freedom once the constitutional system was fully implemented. This structure would have been applied in all locales with native and Chinese mestizo populations, but the Spanish Crown's reinstatement of the pre-constitutional political system throughout the empire in 1814–15 rendered it unnecessary.<sup>3</sup>

Nationalist Philippine historiography has too often portrayed natives as 'outside' the Spanish colonial system, that is, struggling against it as something foreign in an attitude of 'patriotic' resistance.<sup>4</sup> And with few exceptions, the historiography has also ignored the two constitutional periods in the archipelago's Spanish period — 1813–14 and 1820–23 — during which the Spanish empire was partially or fully under the Liberal Spanish Constitution of 1812.<sup>5</sup> This lack of historical hindsight comes from an erroneous view of the 1812 Constitution as a 'foreign text with European' concepts that were neither understood nor truly applied in the archipelago. This article tackles these absences in Philippine historiography by showing that native society — and particularly those natives who were closest to Manila — was imbued politically and socially by colonial dynamics, including the two brief constitutional periods which irrevocably transformed Spanish colonialism in the nineteenth century.

Ultimately, this article analyses how the first brief constitutional period in Manila gave native and Chinese mestizo elites new political arguments for their parochial

3 Ferdinand VII abolished the Constitution upon his return in May 1814, but news apparently did not reach the Philippines until early 1815, probably with the arrival of the February galleon.

4 See, for instance, Onofre D. Corpuz, *The roots of the Filipino nation* (Quezon City: AKLAHI Foundation, 1989); and Gregorio F. Zaide and Sonia Z. Pritchard, *History of the Republic of the Philippines* (Metro Manila: National Book Store, 1983), pp. 140–64.

5 See, for instance, Nick Joaquin, *A question of heroes* (Manila: National Bookstore, 1981); Luis Camara Dery, 'The roots of Philippine freedom: The 1812 Cadiz Constitution and its contributions to Filipino emancipation from colonial rule', paper presented at the Museum of the Filipino People on the Fifth centenary of Legazpi, Manila, 4 Mar. 2004. Horacio de la Costa has written important essays regarding the Spanish colonial period in Philippine history, but he dedicated very little analysis to the constitutional periods per se. Horacio De la Costa, *Readings in Philippine history: Selected historical texts presented with a commentary* (Manila: Bookmark, 1965).

social struggles. In turn, those struggles became political conflicts born from wider, colonial processes, which consequently affected the further development and implementation of the new political system.

### The arrival of the Constitution in Manila

Still adapting to the changes and conflicts introduced by the late-eighteenth-century Bourbon Reforms, the population of Manila was thrown into turmoil when news arrived of the Napoleonic invasion of Spain and the toppling of the monarchy in 1809. The Spanish population throughout the empire organised myriad *juntas provinciales* or *juntas de gobierno* to fill the power vacuum left by the forced abdication and removal of King Ferdinand VII.<sup>6</sup> In the peninsula, a Junta Central Suprema was formed which coordinated the empire's defence and more or less substituted for the king. The Junta called for an extraordinary meeting of an empire-wide Cortes (the Spanish unicameral parliament) on 10 March 1810 to set the basis for the empire's present and future government.<sup>7</sup> Although *diputados* or representatives to the regular Cortes were normally elected (or selected) according to their *estamento* (class), elections for the 1810 *diputados* were organised and carried out by *cabildos* (city governments), whose members were elected by (restricted) male suffrage. This election thus opened up the political process in the colonies to an unprecedented degree, as representatives of all the Spanish provinces and overseas territories participated in the promulgation of key laws and reforms and in the creation of the first Spanish Constitution.

The Constitution arrived in Manila in February 1813. After the charter was proclaimed on 17 April 1813, the population swore its oath of allegiance two days later.<sup>8</sup> Aware of the singularities of the Philippines, the Cortes ordered that a representative body of colonial authorities develop specific guidelines to ensure the charter's adequate implementation.<sup>9</sup> Therefore, Governor Manuel González de Aguilar (March 1810–September 1813) established a Junta Preparatoria (composed of himself, the Archbishop of Manila, the *cabildo* members of Manila, and two *hombres buenos* [citizens in good standing]). This junta was a board charged with the tasks of clarifying the Constitution's dictates regarding Spanish citizenship criteria; designing the electoral districts; and instructing and assisting the provinces on how to carry

6 Manuel Chust, 'Un bienio transcendental: 1808–1810', in *1808: La eclosión juntera en el mundo hispano*, ed. Manuel Chust (México, D.F.: Fondo de Cultura Económico/Fideicomiso Historia de las Américas, El Colegio de México, 2007), pp. 11–50. In some South American cities, *juntas de gobierno* were formed as early as 1808 (in Montevideo) and 1809 (in Quito, La Paz, etc.). Ruth De Llobet, 'El poeta, el regidor y la amante: Manila y la emergencia de una identidad criolla filipina', *Istor* 38 (2009): 76. Philippine creoles also sought to create a sovereign junta, but Governor Mariano Fernández de Folgueras (Aug. 1806–Mar. 1810 and Dec. 1816–Oct. 1822) successfully aborted their attempt by immediately incarcerating most of its members.

7 The Junta was then supplanted by the Consejo de Regencia de España y de Indias, which organised the Cortes and continued to act as the 'regent's' governing body until the king's reinstatement.

8 'Testimonio literal del expediente seguido contra el licenciado don Iñigo González de Azaola sobre su procedimiento de éste en la Junta Preparatoria', 1813–1816, 67r, AGI Filipinas 508.

9 'Diario de Sesiones de las Cortes Extraordinarias y Ordinarias, Sesión de 6 de mayo de 1812', p. 3167, <http://bib.cervantesvirtual.com/servlet/SirveObras/c1812/03691732233747962032268/ima0597.htm> (last accessed 23 Mar. 2013).

out electoral procedures and implementing the new institutions.<sup>10</sup> Under the new system, elections were to be held for the (empire-wide) national *cortes*, *diputaciones provinciales* (provincial assemblies), and *ayuntamientos constitucionales*.<sup>11</sup> Since copies of the Constitution were scarce, the Junta was also asked to draft a so-called *Prontuario*, an official abbreviated version focused especially on the electoral process.<sup>12</sup>

The contradictions of applying a Liberal constitution in a colonial setting were soon brought to light. Peninsular and creole elites were concerned that the opening up of the political process might eventually dismantle their political hegemony in the colony. Granted leeway by the Spanish Cortes, the Junta moved rapidly to restrict the implementation of the new political system, but the forces of change unleashed in 1809 were too overwhelming. In the end, the Junta itself contributed to these forces and their paradoxical character as it moved to dismantle the old political structure while seeking to reproduce its class and racial hierarchy.

The Cortes did not take into account the political complexity of the colonies when devising the new political system, characterised as it was by a greater number of elections that fuelled inter-ethnic and inter-class rivalries without changing the socio-racial structure enough to channel their resolution. By keeping the old territorial jurisdiction of Manila intact and denying the right of the other three bishoprics of the archipelago to hold elections, the creole-dominated Junta Preparatoria tried to empower the city's *cabildo* while marginalising their social, economic, and political rivals. Those competitors were Chinese mestizos and natives on the one hand, *peninsular*-controlled institutions and their members on the other, and finally, certain *arrabales* or suburbs of the city which could ostensibly demand to become independent *ayuntamientos*, especially Binondo. One political manoeuvre included setting the elections for the *cabildo* of Manila before the Junta actually finished its work, and then registering native and Chinese mestizo residents in Intramuros and the surrounding *arrabales* who were 'sympathetic' (clients) to the creoles' candidates.<sup>13</sup> But such shenanigans were cut short by the new governor, José de Gardoqui (September 1813–December 1816), who demanded that the constitutional system be applied to the entire archipelago as soon as possible. Although they never took place, the authorities

10 'Libro de Asiento sobre las Actas de la Junta Preparatoria para la Elección de Diputados' (Manila, 1 July 1813), AGI Filipinas 508; and 'Diario de Sesiones de las Cortes Extraordinarias y Ordinarias, Sesión de 18 de mayo de 1812', p. 3191, <http://bib.cervantesvirtual.com/servlet/SirveObras/c1812/03691732233747962032268/ima0617.htm> (last accessed 23 Mar. 2013).

11 See, 'Constitución Política de la Monarquía Española Promulgada en Cádiz a 19 de marzo de 1812' (Cádiz: Imprenta Real, 1812), art. 335, Manila, National Library of the Philippines, Rare Books Collection. Provinces were to be administered by a *jefe político* (governor) named by the king and a *diputación provincial* (provincial assembly). Besides promoting education, agriculture, industry, and commerce, *diputaciones* would redistribute tribute revenues among *ayuntamientos* (city governments); audit *ayuntamientos'* use of public funds; establish new *ayuntamientos* when conditions were met; and recommend to the national government what public works should be undertaken. *Ayuntamientos* had parallel functions vis-à-vis the component parish-districts of their *municipio* (city), but the *alcalde* (mayor), like the city council, was elected indirectly (art. 309).

12 'Prontuario Directivo que de orden de la Junta Preparatoria se acordó circular para facilitar las elecciones de Diputados de Cortes y de individuos de la Diputación Provincial' (Manila: Ediciones Sampaloc, 1813), Madrid, Biblioteca Nacional de España (hereafter BNE), R/33.179.

13 'Libro de Asiento sobre las Actas de la Junta Preparatoria' (3 June 1813), p. 10, AGI Filipinas 508.

began preparing for the elections that were to configure the Philippine Diputación Provincial, which in turn would create new *ayuntamientos*.

### **The politics of privilege: Natives stake their rights over Binondo, 1813**

The 1812 Constitution hoped to transform Spain from a patrimonial to a Liberal empire, wherein the Spanish people were not means for the enrichment of a sovereign monarch and his court, but citizens and shareholders in the public enterprise of a multiethnic, empire-wide nation governed by a monarch who respected the people's sovereignty.<sup>14</sup> However, the Liberal tenets that made citizens out of all Spanish subjects, and that redefined their relationship with the state, also entailed a strengthening and centralisation of government by divesting governmental and economic control from local power-holders and redirecting it towards the Cortes. Nonetheless the political changes wrought after 1809, including, later, the 1812 Constitution, were inscribed in existing political frameworks characterised by a contractual political culture, which, in turn, defeated efforts to centralise governance.<sup>15</sup> Demands regarding rights and privileges in the 1800s by natives and subaltern groups resulted from a historical process consolidated during the eighteenth century, in which subaltern groups were better able to manage Spanish culture and legal practices. Regardless of its centralising intentions, the Cortes paradoxically ended up reinforcing communal autonomy, as revealed in written material accompanying the Binondo church quarrel.<sup>16</sup>

Despite its seeming absurdity, the dispute over the Binondo church benches was a complex conflict with important political ramifications. A church was the physical representation of the cosmic order of the universe and the House of God, and its component elements were imbued with sacred significance. Moreover, the church's place in the community went well beyond its religious role, and the cosmic order it represented related religious principles to the social order. Since the miracle of transubstantiation performed through the Eucharist took place at the altar, this made it the most sacred part of the church, and social status was made manifest in the positioning of individuals and groups vis-à-vis the altar. The so-called 'side of the Gospel', the right side, held more prestige than the left side, the 'side of the Apostles'. And although there were variations throughout the Spanish empire and the Catholic world, the following was always true: the first rows on both sides were reserved for the authorities and the most prominent men of the community. The rest sat behind these front seats, according to socially-defined class, gender, and ethnic differences.

In the Philippines, when natives and Chinese mestizos shared a church, natives had the privilege of sitting in the front rows of the Gospel side, while Chinese mestizos and Chinese sat on the side of the Apostles.<sup>17</sup> But Binondo Church was an exception, for mestizo authorities and the mestizo *Cofradía del Santo Rosario* (Lay

14 'Constitución Política de la Monarquía Española', art. 14 and 15.

15 Antonio Annino, 'Cádiz y la revolución territorial de los pueblos mexicanos 1812–1821', in *Historia de las elecciones en Iberoamérica, siglo XIX de la formación del espacio político nacional*, ed. Antonio Annino (Buenos Aires: Fondo de Cultura Económico, 1995), p. 189.

16 *Ibid.*, p. 12.

17 We do not know how the gender division operated in the churches of the archipelago — that is, whether native women sat in front of Chinese mestizo men, or if all women sat in the back rows.

Brotherhood of the Holy Rosary) occupied the first rows of both the Gospel and Apostles sides, and native authorities and the rest of the population had to sit behind them according to their status.<sup>18</sup> This exceptional order reflected the fact that Binondo Island had been donated to the Christian Chinese population and its descendants on 29 March 1594 by Governor Luis Dasmariñas (December 1593–July 1596), and the Chinese community had therefore founded and funded Binondo's church. But this arrangement had been a point of contention between the Chinese mestizo and native communities for decades.<sup>19</sup>

Located outside the old city walls, the *arrabales* had originally been the native (and later foreigners') quarters of Manila, and by the mid-eighteenth century they had become multi-ethnic communities dominated by natives and Chinese mestizos. Binondo was simultaneously an *arrabal* of Manila and a *pueblo* (town) of the *corregimiento* (district) of Tondo, which meant that even though it was directly administered by the *corregidor* of Tondo, it was subordinated to the capital.<sup>20</sup> Moreover, it had its own *gobernadorcillo* and parish church.<sup>21</sup> Although there are no specific statistics for Binondo, Félix Renouard de Sainte-Croix, who travelled to Manila in 1806, estimated that there were nearly 60,000 natives, 8,000 Chinese, 3,000 mestizos, and a mere 300 Spaniards living in the *corregimiento* of Tondo, which was formed by the *arrabal*-towns of Tondo, Binondo, and Quiapo.<sup>22</sup> The census presented to the Junta Preparatoria in 1813 by the *corregimiento* of Tondo showed very different data, with 16,954 natives and 4,196 Chinese mestizos.<sup>23</sup> The Chinese population was then much smaller than it had been in the previous century because the 1770s were characterised by massive expulsions of Chinese on grounds that they collaborated with the British during their occupation of Manila in 1762. Although there is very little information on the municipal life of Manila's *arrabales* for this period, we know that social life in the *arrabal*-towns was articulated around *gremios*, municipal corporations, which were also tax-census groups, with limited self-governing

18 During the Brotherhood festivities, they occupied the Gospel side, at the lateral wing of the church.  
 19 'Testimonio' (Manila, 9 Nov. 1813), in 'Testimonio mestizos de sangley, 1ª pieza', pp. 8–11. On 7 Sept. 1734, Governor Fernando Valdez Tamón reaffirmed the orders given by Governor Fajardo on 22 Sept. 1650 regarding Chinese mestizos' privilege over the Gospel side in Binondo Church. Less than ten years later, on 23 Mar. 1741, Governor Gaspar de la Torre reiterated this reaffirmation. But he did so after having reversed it earlier as part of a profound transformation of local governance which he implemented throughout the archipelago's towns and cities.

20 Ruth De Llobet, 'Orphans of empire: Bourbon reforms, constitutional impasse, and the rise of Filipino creole consciousness in an age of revolution' (Ph.D. diss., University of Wisconsin-Madison, 2011), see chap. 6. This double jurisdiction of town and *arrabal* would be at the root of the disputes between Binondo and the *Ayuntamiento* of Manila in 1822, during the second constitutional period.

21 Manuel Buzeta and Felipe Bravo, *Diccionario geográfico, estadístico, histórico de las Islas Filipinas* (Madrid: José de la Peña, 1831), vol. 2, p. 215.

22 Félix Renouard de Sainte-Croix, *Voyage commercial et politique aux indes orientales aux îles Philippines, à la Chine avec des notions sur la Cochinchine et le Tonquin, pendant les années 1803, 1804, 1805, 1806, et 1807* (Paris: Clament frères, 1810), vol. 2, pp. 181–91.

23 'Censo original de la población del territorio de Filipinas que existe en la secretaría de la Junta Preparatoria' and 'Estado que manifiestan las provincias de la comprensión de cada diócesis del Reino de Filipinas, número de tributo y el de almas que la componen' (Manila, 28 June 1813), AGI Filipinas 508. The census data usually counted men and women adults, and the Frenchman counted the overall population.

powers. Generally, there were two *gremios*, one of natives and another of Chinese mestizos. Santa Cruz and Binondo had a third *gremio*, that of the Chinese.

According to Edgar Wickberg, mestizos were regarded by colonial authorities as subjects of Spain (like Spaniards or natives) rather than Chinese, although their Chinese (foreign) descent was recalled whenever tensions arose. Despite the dearth of information about the internal structure of their communities and those of the Chinese prior to 1850, we know that by the end of the eighteenth century mestizos had become an essential community in the colonial economy and society.<sup>24</sup> Many spoke both Tagalog and Spanish, especially those who had less contact with Chinese culture and were economically better off, while a middling sector was moderately Hispanicised, but better assimilated into native society.<sup>25</sup>

The attack perpetrated by the natives against the Chinese mestizos of Binondo on 1 August 1813 was followed by more shows-of-force on the part of the natives and demands for protection on the part of the Chinese mestizos. Before the festivities of *La Naval*, the Chinese mestizo authorities complained that after the native authorities of Binondo had petitioned the *corregidor* of Tondo, Manuel Varela, to let them sit on the Gospel side during the mass in honour of the Virgin, Varela had asked the Chinese mestizo *principales* not to attend that mass in order to avoid another clash. Instead of protecting the right that the Chinese had acquired in the seventeenth century, Varela had sided with the natives.<sup>26</sup>

Governor Gardoqui published a decree on 17 October 1813, which stated that the Constitution had abolished native and Chinese mestizo *gremios*, because they ‘all [were] Spanish, equals, and capable of obtaining any work and distinctions that they garnered through their merits and conduct’.<sup>27</sup> And while the authorities reviewed the native and mestizo claims and their written evidence, the decree gave specific instructions on how the authorities of both communities would sit in church: the two *gobernadorcillos* would toss a coin for the first seat next to the *corregidor* of Tondo on the Gospel side, and then the remaining authorities of both communities would sit in alternate seats on that same side. The decree arrived the same day that the first of the nine masses for *La Naval* was to be held, and the native *gobernadorcillo*, Timoteo de Guzmán, drew the winning lot.<sup>28</sup>

The documents and testimonies provided by the *común de principales* (community authorities) of both *gremios* in 1813 reveal the extent to which the (mis)encounter between the abstract language of the 1812 charter and the traditional contractual political sphere in which it was to be inserted was used to reinforce old rights and privileges. The political changes introduced by the Constitution, including the right to

24 Edgar Wickberg, *Chinese in Philippine life, 1850–1898* (Quezon City: Ateneo de Manila University Press, 2000 [1965]), p. 23.

25 *Ibid.*, p. 35.

26 ‘Escrito de los Chinos mestizos a José de Gardoqui’ (Binondo, 16 Oct. 1813), in ‘Testimonio mestizos de sangley, 1ª pieza’, p. 4.

27 ‘Por la Constitución no se conocen ya gremios de naturales y mestizos, pues unos y otros son españoles, iguales y aptos para obtener todos los empleos y distinciones a que se hagan acreedores por su talento y conducta’, ‘Decreto del Gobernador José de Gardoqui’ (Manila, 17 Oct. 1813), in ‘Testimonio mestizos de sangley, 1ª pieza’, p. 5r.

28 ‘Oficio del Corregidor de Tondo a José de Gardoqui’ (Binondo, 16 Oct. 1813), in ‘Testimonio mestizos de sangley, 1ª pieza’, p. 5.

vote, were interpreted by these subaltern groups as promises of full self-government, when in fact the Constitution meant to institutionalise a centralised governance and authority regardless of ethnic origin, bypassing tradition.

To support their claims, Chinese mestizo authorities detailed and included copies of the various trials and verdicts regarding their privilege to sit at the Gospel side of the altar in the Binondo church, arguing that tensions between the communities continued because verdicts were never final, for new sentences could overturn them. They also reminded the authorities that Binondo church was their property, as the records proved. Mestizos brought the 1812 Constitution into play, insisting that '[n]othing is more present and repeated in the Constitution of the Spanish Monarchy, than that all the properties and rights of citizens be protected by the authorities'.<sup>29</sup>

Since the natives of Binondo were staking a political claim without a clear-cut legal basis, their authorities submitted documentation that constructed an argument using various sources, from customary law to the Laws of the Indies, the 1812 Constitution, and royal decrees from different periods. Ultimately, the heart of the natives' claim to the Gospel side of the Binondo church was that they were the primary inhabitants of the archipelago.<sup>30</sup>

Countering the Chinese mestizo claim regarding the church's ownership, the native authorities of Binondo stated that Chinese mestizos were recent parvenus: had not the Spanish 'come to these islands to conquer Indians, and not Chinese or mestizos?'<sup>31</sup> Moreover, as the original inhabitants of Binondo, they were its natural and only legitimate owners: 'Just like other primitive and legitimate nations regarding their countries, for these very [Chinese] mestizos know that the Spanish are naturally the primitive and legitimate owners of Spain, the English of England, the French of France, and the Chinese of China, etc.'<sup>32</sup>

This appeal to the natural law of other kingdoms regarding the rights of nations relies on the primary definition of a nation as a group of people who share a collective identity and the same (cultural) traits because they share the same birthplace.<sup>33</sup> But the native *principales* also understood the notion of nation formulated in the 1812 Constitution: a people ruled by the same government regardless of their ethnic (racial) identities. Citing article 172 of the 1812 charter, the natives included themselves in the Spanish nation, singling out the section that stated that under the new political system even the king was restricted in his handling of the land as a resource, because the

29 'Nada se encarga con más repetición en la Constitución de la monarquía española, que el que sean amparados y protegidos por las autoridades los ciudadanos en sus propiedades y derechos', 'Escrito de los Chinos mestizos' (Binondo, 16 Oct. 1813), in 'Testimonio mestizos de sangley, 1ª pieza', p. 5.

30 'Escrito del gremio de nativos al gobernador Gardoqui' (Binondo, 6 Nov. 1813), in 'Testimonio del expediente seguido por el Común del gremio de mestizos de Sangley, contra el del de Naturales, sobre preferencia de asiento al lado del Evangelio en su común iglesia del Pueblo de Binondo, Año 1813, 2ª pieza, 1ª vía' (henceforth, 'Testimonio mestizos de sangley, 2ª pieza'), p. 5r, Seville, AGI Filipinas 695A.

31 'Nosotros los indios naturales tenemos por testigos a nuestro favor a los españoles que vinieron a estas islas a conquistar indios y no chinos ni mestizos.' Ibid., p. 6r.

32 '[...] del mismo modo y de la misma manera que las otras naciones primitivas y legítimas respecto de sus países pues los mismos mestizos saben y conocen que los españoles son dueños primitivos y legítimos por naturaleza de la España, los ingleses de la Inglaterra, los franceses de la Francia y los chinos de la China etc.' Ibid.

33 In Spanish, the word for birth (*nacimiento*) shares the same root as the word for nation (*nación*).



Spanish territory belonged first and foremost to the Spanish citizens of both hemispheres, and the monarch could not transfer, cede, or exchange even the smallest province, city, or town of this collective patrimony.<sup>34</sup>

Therefore, [stated the natives], this sovereign and inviolable disposition, enforced by all the fundamentals of reason and justice that we have referred to, should not only lead to the dismissal of the resolutions that the mestizos bring as diametrically opposed and contrary to our Constitution, but also to our confirmation, as the natural inhabitants, in our right of primitive and transcendent property.<sup>35</sup>

Defending their violent actions of 1 August, the native authorities argued that they had only sought to recover what was theirs by *derecho natural* (natural law), and if that were not enough, they cited Royal Order of 10 February 1811, issued by the Cortes Extraordinarias of Cádiz, which stated that natives could not be dispossessed of their ‘primitive rights and properties’.<sup>36</sup> *Derecho natural* or *iusnaturalismo* (natural law) was the bulwark of Spanish legal thought and political custom, and it referred to the ‘natural right’ of *pueblos* — which ambiguously referred to both ‘peoples’ and ‘towns’ — to defend their lives and livelihood.<sup>37</sup> On the other hand, since the Cortes did not specify which ‘primitive rights’ were to be respected, the natives cited the Laws of the Indies, specifically Law 16, Book 6, which stated that ‘the native authorities in the Philippines [...] are to keep the right to govern the others’.<sup>38</sup> The law meant that indigenous *principales* were to be allowed to govern over their indigenous subjects, but Binondo native leaders exploited the ambiguity of the terms to their own advantage. Finally, in case their legal and political arguments were found wanting, the natives appealed to emotion comparing their right to defend their territory against Chinese mestizo usurpation to that of the Spanish defence against the French. To emphasise the fact that Chinese mestizos were part Chinese and therefore potentially treacherous, the native *principales* included the 1766 Royal Decree which had expelled the Chinese after their collaboration with the British.

Native discourse reveals that the new political language had also reached native communities in the Philippines, and while some creoles claimed to be the legitimate rulers of the archipelago because they were both of Spanish descent and socio-

34 ‘Constitución política de la Monarquía Española’, art. 172, section 4: ‘No puede el Rey enajenar, ceder o permutar provincia, ciudad, villa o lugar, ni parte alguna, por pequeña que sea, del territorio español.’

35 ‘De manera que con esta soberana inviolable prevención y en fuerza de todos sus fundamentos de razón y justicia que llevamos referidos no solo se deben declarar dichas providencias que traen los mestizos como documentos de su oposición, por contrarias y diametralmente opuestas a nuestra constitución, sino también se nos debe confirmar a nosotros los indios naturales así en el derecho de propiedad primitivo y trascendental que tenemos a él.’ ‘Escrito del gremio de nativos’ (Binondo, 6 Nov. 1813), in ‘Testimonio mestizos de sangley, 1ª pieza’, p. 14.

36 *Ibid.*, pp. 7–7r.

37 José Carlos Chiaramonte, *Nación y estado en Iberoamérica: El lenguaje político en tiempos de las independencias* (Buenos Aires: Editorial Sudamericana, 2004), p. 107.

38 ‘Que los indios principales de Filipinas sean bien tratados y se les encargue el gobierno que solían tener en los otros’, *Recopilación de leyes de los reynos de Las Indias*, Book 6, Title 7, Law XVI. Referenced in ‘Escrito del gremio de nativos’ (Binondo, 6 Nov. 1813), in ‘Testimonio mestizos de sangley 2ª pieza’, p. 6.

politically rooted in the islands, Binondo natives declared themselves 'the children of the primitive and legitimate natural Indians of the islands', and rulers of, at the very least, their own towns:

We the natural Indians are recognised that legitimate right that we have in our respective *pueblos*, and with this faith and also encouraged by that justified and impartial rectitude of the Supreme national Congress [...] we proposed shaking that heavy yoke that oppressed us, returning to claim the privileges, prerogatives and preferences that belong to us, by the natural and legitimate right we have over our town of Binondo.<sup>39</sup>

Chinese mestizos were cast as feudal lords whose despotic rule was rightfully resisted by the natives, an appeal to another major aspect of contemporary Liberal discourse which constructed feudalism and despotism as absolute rot.<sup>40</sup>

Through the defence of their 'natural rights' within this palimpsest of new and old meanings and discourses, Binondo natives constructed a political identity articulated against Chinese mestizos, and not against Spaniards or creoles. But the natives' defence of their perceived territorial rights over Binondo contained an implicit defiance to colonial authority. The *principales* complained that Spaniards and foreigners of diverse origin who lived in the town paid no taxes for the lands on which their houses were built. Native critiques were also directed against the colonial authorities of the recent past, for having adopted an illegitimate and illegal decision regarding the property in question:

Whichever way this right came to be, whether through sale or donation made by said gentleman [Governor Dasmariñas], had he indeed the right, action, privilege or faculties to sell, donate, or cede, not just to the Chinese and the mestizos, but to any other, the smallest territory of the Spanish domains in both hemispheres? Was this governor authorised to perform such sale or donation, hurting the domains of Spain and of the natural Indians of these islands? [...] Well, sir, neither you nor the Supreme Tribunals of these happy times could or should allow such despotism or arbitrariness.<sup>41</sup>

The paperwork generated during 1813 as part of the feud over the church benches reveals a native critique of colonial authorities as well as their appropriation of certain Liberal and constitutional discourses mixed with a profound internalisation of traditional Hispanic legal culture and notions. Moreover, we see that in local struggles

39 'Nosotros somos hijos de aquellos primitivos y legítimos indios naturales de estas islas ....' Ibid., p. 11. Also, '[N]os califican a nosotros los indios naturales en aquel derecho legítimo que tenemos en nuestros respectivos pueblos y bajo esta fe y alentados también de aquella tan justificada rectitud e imparcialidad del Supremo Congreso nacional [...] nos propusimos a sacudir aquel pesado yugo con que estábamos oprimidos, volviendo a reclamar por las preeminencias, prerrogativas y preferencias que nos competen, por aquel derecho legítimo y natural a nuestro pueblo Binondo'. Ibid., p. 11r.

40 Ibid., p. 12.

41 'Ahora bien: de cualquier manera que sea este derecho, ora por venta, ora por donación que les haga hecho dicho señor, ¿por ventura este tenía derecho, acción, privilegios o facultades para vender, donar, o ceder, no ya a los chinos y mestizos, sino a otro cualquiera el más pequeño territorio de los dominios españoles en ambos hemisferios? ¿Acaso este gobernador estuvo autorizado para semejante venta o donación en perjuicio de los dominios de España y de los indios naturales de las islas? [...] Pues señor no es otra cosa, y usia ni los otros Supremos Tribunales de estos felices tiempos, no deben ni pueden autorizar tales despotismos o arbitrariedades.' Ibid., p. 8r.

for power, Philippine colonial communities — native, creole, and Chinese mestizo — developed politics that did not question the legitimacy of the colonial system based on the king's authority, even though they all sought to expand their own rights and their own definition of justice within the system. And yet, despite native elites' grasp and use of various tropes and notions of the Spanish Liberalism that imbued the 1812 Constitution, their political identities and claims for rights could not be encompassed by Liberal politics. Although their identity was inherently colonial — created when the Spanish confronted the various peoples of the archipelago as if the latter were one and the same Other, '*indios*' to be subjugated and Christianised — it was nonetheless the basis for their claims and 'privileges'. As special subjects of the Crown, natives looked to (Spanish) citizenship as an additional layer of political identification and access to rights, rather than as a substitute. Despite the profound differences between the Philippines in the eighteenth and nineteenth centuries and the Viceroyalty of Peru in the sixteenth century, it is useful to think of native and other subaltern groups' relation to colonialism in Manila using Steve Stern's notion of 'resistant adaptation'.<sup>42</sup> This means that, despite resisting some aspects of the Hispanic system and trying to maintain or reproduce precolonial customs, native societies also adapted to the system, finding ways to express and protect their interests and accepting some of their ideological and cultural tenets, such as those associated with Christianity and the monarchy.

#### **The politics of citizenship: Chinese mestizo interpretations, 1814**

In 1814, the dispute between Binondo natives and Chinese mestizos regarding their *gremios*' rights and privileges over the town church acquired profound political connotations as the colonial authorities were trying to figure out how to implement the system created by the 1812 Constitution. The documents generated throughout 1814 highlight the mestizo and native elites' awareness of the potential empowerment and disempowerment that the new system entailed. The documents also reveal the government's mistrust of these subaltern groups' capacity or willingness to adapt to the constitutionally mandated political model, and their subsequent attempts to control and/or manipulate the political process. However, both the subaltern elites' understanding of the changing political dynamics at the local level as well as their unwillingness to lose any of their pre-constitutional prerogatives neutralised the governor's plans. Besides their wrangling with the colonial government, we also get a glimpse of the political dynamics between native and Chinese mestizo communities, their main political concerns, and their strategies to hold on to power in Binondo. Chinese mestizos were apprehensive about the electoral process, for they were at a clear numerical disadvantage, as well as the subsequent loss of their privileges in Binondo Church. Concerned with what equality might bring, natives, on the other hand were bent on regaining the political and administrative prominence which they had lost in 1741.

At the end of 1813, José Ramos, the Attorney General of the Real Audiencia (Royal Court of Justice) of the Philippines, had dismissed the native documentary

42 Steve J. Stern, *Peru's Indian peoples and the challenge of Spanish conquest: Huamanga to 1640* (Madison: University of Wisconsin Press, 1993), p. xix.

evidence as irrelevant to the case, and asked the native *principales* to submit proper evidence. Chinese mestizos, of course, had already done this. This first response was in keeping with the initial interpretation made by the colonial authorities regarding the conflict: that it, and others like it, could be easily resolved once the new political-administrative structure (which eliminated *gremios*) was set in place. But the scope of the natives' claims went well beyond an administrative solution, and a few months later Gardoqui decided to form an inter-ethnic commission that would establish a 'provisional' special government structure for Binondo. Gardoqui eliminated the very category of 'Chinese mestizo' from his writings, labelling all of the (non-white) colonial inhabitants of Binondo as *naturales* after mid-1814. The construal of Chinese mestizos as *naturales* went back to the late eighteenth century, when colonial authorities and mestizos themselves defended the use of this label because of the latter's native maternal ascendance and the fact that they were fervent Catholics, as opposed to the Chinese.<sup>43</sup> This way, Gardoqui hoped to undermine not only the native authorities' argument regarding indigenous primordial rights by implying that mestizos could also claim a 'natural' right, but also the distinctive political identity articulated around natives' unique status as '*indios*', the only truly indigenous inhabitants of the archipelago.

An anonymous document, written on 20 March 1814, proposed the reconciliation of both communities. More importantly, the document addressed the underlying concern of the colonial authorities, especially of Governor Gardoqui: the implementation of the *ayuntamiento*.<sup>44</sup> The constitutional *ayuntamientos* institutionalised a sort of citizen equality that secured the centralisation of power in the municipal authorities. This was in accordance with the constitutional promise to end the privileges and limitations associated with ethnic and racial categories within the Spanish empire, thus giving natives and people of mixed heritage equal political standing among themselves and with creoles and peninsular Spaniards. But this also entailed an erosion of the limited self-government that each community enjoyed under the system of separate *gremios*.

The anonymous author — probably the Binondo priest, given the use of Latin phrases and words — countered the natives' arguments regarding Chinese mestizos' foreignness and illicit presence in the town, stating that both Chinese mestizos and natives descended from native women and were, therefore, legitimate inhabitants of the archipelago. The text's author asked mestizos to find a way to reach a definitive resolution regarding not only the church benches, but also the town's administration, arguing that mestizos and natives had similar rights and should therefore 'share' some of their privileges. The text ended by suggesting that once the mestizo and native *gremios* reached an agreement on how to rule the town, the model should be extended to

43 De Llobet, 'Orphans of empire', pp. 62–3. Evidently, not all Chinese mestizos' mothers in the 1810s were native — some were Chinese mestizas, while others were Chinese women who had married Chinese mestizos — but the origin of the group itself could be traced to the intermarriage of Chinese men and native women.

44 'Ecce quam bonum et quam jucundum habitare fratres in unum ...', anonymous document from Binondo dated 20 Mar. 1814, in 'Testimonio del expediente seguido por el común del gremio de naturales del pueblo de Binondo contra el de mestizos de Sangley y sobre preferencia de asiento en su iglesia al lado del evangelio, 3ª pieza, 1ª vía' (henceforth, 'Testimonio gremio de naturales, 3ª pieza'), p. 4, Seville, AGI Filipinas 695A.

other towns around Manila, and possibly throughout the archipelago, which had similar inter-ethnic politics and conflicts. Although Governor Gardoqui agreed with this plan, some members of the colonial government rejected it altogether. An anonymous colonial authority responded to the letter and insisted that it was unrealistic to expect natives to give up some of their rights and that, in fact, if such a thing were attempted there would simply be more letters and complaints. In any case, the authorities sought to hijack the constitutional mandate of territorial reorganisation instead of speedily constituting the Diputación Provincial of the Philippines that would in turn create constitutional *ayuntamientos*. Given the vague language of the charter, such ‘interpretations’ were, however, not surprising. This was another way in which the 1812 Constitution reinforced the political autonomy of the local authorities.

The 20 March document’s major recommendation to make the provisional governance of both communities viable under the new Liberal state was to elect one *gobernadorcillo* for the town. Its author warned that if the communities could not reach a working agreement, the government would take over and impose its own rules.<sup>45</sup> Perhaps to avoid such an imposition, in April 1814, assisted by the Binondo parish priest, the native and the mestizo *gobernadorcillos* organised the commission that Governor Gardoqui had suggested. Composed of two members of each community elected by both *gremios*’ elites, the commission was to draft an ‘agreement of reconciliation’ and devise a political model to substitute for the present system until the constitutional one was fully implemented.<sup>46</sup> But not all of the members of the colonial government agreed with this ‘solution’. Detractors alleged that it would create too many problems and that, moreover, the recommendations proposed by a local, ad hoc commission of that sort could not legally or legitimately be applied in other towns.<sup>47</sup>

The reconciliation commission elected by the two *gremios* wrote up its conclusions on 11 April 1814. There were eleven points or recommendations meant to facilitate the coexistence of the Chinese mestizo and native communities in a provisional structure until the town of Binondo became an *ayuntamiento*. To begin with, the provisional town junta should have only one *gobernadorcillo*, albeit with a double number of subordinates chosen among the *principales* of both communities. This *gobernadorcillo* would probably be elected by all the men of the town with the right to vote — Spanish citizens (until then, subjects) over 25 years of age who were independent, self-employed, and debt-free. Following the spirit of the 1812 Constitution, they insisted that the town junta should meet publicly and with all its members present; therefore it was necessary to have a provisional building for the town government to meet in order to avoid private juntas in the old *gremio* government quarters. The commission recommended in its last point that, although the Constitution erased the label of ‘Chinese mestizo’ and unified both communities into one, the *cabezas de barangay* (tax-collecting officers in each native ‘village’ or neighbourhood) would

45 Ibid., p. 6.

46 ‘Instrucción que nosotros los cuatro compromisarios nombrados a pluralidad de votos por la junta de principales y demás ciudadanos de Binondo para conciliación entre los dos gremios’ (Binondo, 11 Apr. 1814), in ‘Testimonio gremio de naturales, 3ª pieza’, pp. 1–4r.

47 ‘Respuesta al documento de 20 de marzo’, in ‘Testimonio gremio de naturales, 3ª pieza’, p. 6.

continue to collect tribute until the *ayuntamiento* was finally implemented and the new, unified tax-collecting scheme was in place.

The importance in Binondo of the *cofradías* (lay brotherhoods) becomes evident when the commission specifically dealt with them in the third point. According to the commissioners, all town *cofradías* should be made to include mestizo and native members, and these corporations should be taxed according to their means, while private parties and neighbourhood feasts should be exempted from paying the special tax. Regarding the matter of the church benches, the proposed solution was that the Binondo *gobernadorcillo* would sit on the Gospel side of the church, followed by his sub-officers, the *cabezas de barangay* of each community, and finally, the main representatives of the now mixed brotherhoods. It was not specified where the rest of the population would sit, that is, whether the native or the Chinese mestizo 'masses' would occupy the remaining back benches on the Gospel side, or who would occupy the front rows of the Apostles side.

In the fifth point, the commission insisted that there had to be union of purpose if the endeavour of improving the coexistence of natives and Chinese mestizos in Binondo was to succeed. Then, underlining that under the impending constitutional system *gremios* would be abolished and everyone would be considered Spanish citizens, the commission decided that everyone, native or Chinese mestizo, should henceforth be labelled *naturales* (another colonial term for native), for they were all inhabitants of Binondo. They also stressed that whoever broke these rules would be prosecuted as a revolutionary and punished accordingly. This warning was followed by a more specific development of the same issue: that whoever sowed disharmony between the two communities or offended the other would be reprimanded the first two times by the Binondo *gobernadorcillo*, and the third time by the provincial governor who, in turn, would punish the transgressor. Apparently, the commissioners assumed that, by the time their recommendations were set in motion, the Diputación Provincial headed by a provincial governor would also be in place. In a separate point, commissioners declared that the new town junta could not harbour any ideas that aimed to hinder the reconciliation.

Having declared that mestizos were also *naturales*, the commission suggested that the royal orders emitted by the Regency Council and the Cortes (which pertained to the rights of the inhabitants of the Spanish empire) should be presented in a public reading, keeping in mind that these orders specifically acknowledged that all the *naturales* of the Americas and Asia were to retain their primitive rights, laws, prerogatives, and exemptions, and to inform the people of Binondo of their constitutional rights.

The commission's recommendations were immediately presented to the heads of each *gremio*, and both sent their written responses to the governor. Although the native principals were the first to respond to the commission, on 28 May, they complied with the recommendations and were willing to reconcile with Chinese mestizos and accept the idea of a single *gobernadorcillo*.<sup>48</sup> Chinese mestizos wanted Spaniards who resided in Binondo to play the role of intermediaries in the electoral process, and

48 'Adición del gremio de nativos a través de sus autoridades a la instrucción formada por los cuatro comisionados' (Binondo, 28 May 1814), in 'Testimonio gremio de naturales, 3ª pieza', pp. 8r–9.

possibly also in the provisional municipal government.<sup>49</sup> But the Chinese mestizo *principales* were belligerently against fundamental aspects of the commission's model for governance.

On 25 June, the Chinese mestizo *gremio* proposed a set of reforms to the commission's recommendations.<sup>50</sup> They wanted the Cofradía del Santo Rosario to retain its current seating privilege. More significantly, they requested that instead of voting en masse for a single *gobernadorcillo*, both communities should elect thirteen electors in a segregated voting process, with one community electing seven and the other six in alternate years. It was understood that electors would vote according to their own ethnicity, and that, therefore, the office of *gobernadorcillo* would alternate between communities every year. Mestizo *gobernadorcillo* Remigio Adriano and his *principales* explained that they wanted the number of *compromisarios* (parish delegates), *electores* (district delegates), *alcaldes* (municipal magistrates who had judicial and administrative functions) and *regidores* (aldermen) to be equal between the two communities, for, given the greater number of natives in the town, free and integrated elections would guarantee that the *gobernadorcillo* and all other elected officials would invariably be native.<sup>51</sup> Adriano argued that as *naturales*, mestizo access to official positions in the future *ayuntamiento* should be secured, and as such, their proposed voting system did not limit citizens' electoral freedom, it simply evened the process. He also made the veiled threat that if Chinese mestizos were not going to be taken into account (read, included in the *ayuntamiento*), they would feel deeply offended. The text concluded that the same electoral procedure should be applied to Santa Cruz, where there were similar inter-ethnic conflicts, and with whom the Binondo mestizo *gremio* had close relations. Unless their reforms were adopted, warned Adriano, reconciliation between the two communities as proposed by the commission would not and could not take place.<sup>52</sup>

We have seen that natives built their political claims over the (future) rule of Binondo and the privileges which accrued to this rule upon their (colonial) ethnic identity. Chinese mestizos, however, preferred to reference political rights as they were defined and celebrated in the 1812 Constitution, especially those of citizenship and property. Their ethnic identity was not a source of rights, but of limitations. It was in this context that they spoke of themselves as *naturales* in several of these documents — to stress that as *naturales* they had the same rights as natives, and that as Spanish citizens the authorities had to secure their rights. Clearly, their interpretation of citizen rights was also not encompassed by Liberal politics, particularly as they pertained to the purpose and procurement of elections.

49 'Gobernadorcillo de Mestizos pasa la instrucción para ser inspeccionada' (Binondo, 25 June 1814), in 'Testimonio gremio de naturales, 3ª pieza', p. 7; and 'Adición del gremio de nativos' (Binondo, 28 May 1814), in *ibid.*, p. 8r.

50 'Gobernadorcillo de Mestizos pasa la instrucción' (Binondo 25 June 1814), in 'Testimonio gremio de naturales, 3ª pieza', pp. 7–8.

51 De Llobet, 'Orphans of empire', p. 163.

52 'Gobernadorcillo de Mestizos pasa la instrucción' (Binondo, 25 June 1814), in 'Testimonio gremio de naturales, 3ª Pieza', p. 8.

### The politics of colonial Liberalism: An unresolved paradox

Seeing that both communities could not reach an agreement and that there was not enough goodwill to even attempt it, Gardoqui decided to impose a set of rules for the future (provisional) government of the town.<sup>53</sup> Convinced that the long-standing rivalry between both groups would not allow a peaceful resolution of the present conflict nor the normal development of the constitutional administrative system, Gardoqui hoped not only to reorganise the town's government at the margins of the 1812 charter, but to do so through a top-down imposition. Moreover, he argued that given the 'uneasiness' that existed in other towns around Manila with the two *gremios*, he had decided to apply his model for Binondo in these other towns to avoid further disturbances.<sup>54</sup> The model was built upon the eleven recommendations originally developed by the four commissioners, albeit with some of the caveats introduced by the Chinese mestizos.<sup>55</sup> In the end, the governor contradicted himself, for it was impossible to reconcile colonial identity politics and Liberal citizenship, just as it was impossible to reconcile the autonomy of corporate ethnic communities and the centralisation and rationalisation of power sought by the 1812 Constitution.

The governor supported the idea of having just one *gobernadorcillo* for the town, insisting that no type of ethnic distinction could or should be made about the office. And yet, to placate Chinese mestizo concerns regarding their numerical minority, the governor contradicted his own suggestion, and recommended that the election of *gobernadorcillo* be alternated every year, with a native holding the position one year and a Chinese mestizo the next. To avoid confrontations, Gardoqui added that the community whose representative would become the first *gobernadorcillo* of Binondo would be selected by a coin toss presided over by the *corregidor* of Tondo. After that, if there was a draw in subsequent elections, the *corregidor* would toss for the result to avoid suspicions of preference. Gardoqui accepted Adriano's suggestion of extending the process to Santa Cruz, for this suited his own plans, and he added that when the Binondo *gobernadorcillo* was a native, the Santa Cruz *gobernadorcillo* had to be a mestizo. In his ten points, Gardoqui emphasised that there would indeed be one representative from each community in each municipal offices so that they could be equally divided between natives and Chinese mestizos to avoid accusations of unfair preferences. But there would be only one *alcalde* (mayor) and one *teniente mayor* (justice official). However, an equal number of natives and Chinese mestizos would hold positions as sub-officials of justice. Again belying the very nature of the system that he was devising, the governor insisted that ethnic labels would disappear and everyone would be considered a *natural*. Moreover, the two communities would keep their *cabezas de barangay*, so that tribute collection remained attached to the old *gremios*.<sup>56</sup>

53 'Respuesta de Gardoqui en vista de las dos propuestas hechas por los naturales y mestizos de los Pueblos de Binondo y Santa Cruz' (Manila, June–July, 1814), in 'Testimonio gremio de naturales, 3ª pieza', pp. 9r–12.

54 'Documento para proceder a la armoniosa reconciliación de los mestizos e indios de los pueblos de Binondo y Santa Cruz' (Manila, June–July, 1814), in 'Testimonio gremio de naturales, 3ª pieza', 12–26r.

55 *Ibid.*, p. 25r.

56 'Respuesta de Gardoqui en vista de las dos propuestas hecha', (n.d.), in 'Testimonio gremio de naturales, 3ª pieza', pp. 11–11r.



Regarding the church benches, the governor declared that he would not decree the seating privileges of the different *cofradías*, though he pointed out that the *gobernadorcillo* and other officials of the town must sit on the Gospel side, according to the status of their office, and *cofrades* had to sit on the Apostles side.<sup>57</sup> But Gardoqui was well aware that the natives' political claims in 1813 regarding their right to sit on the Gospel side of the church, and the mestizos' feisty defence of their electoral and social rights in 1814, indirectly challenged his authority and that of the colonial government.<sup>58</sup> He started by pointing out that, if natives claimed to be the owners of the lands of this kingdom because of their parental inheritance, then Chinese mestizos could make similar claims, because their mothers had been native. He then noted that, in any case, all of the lands belonged to the king according to the right of conquest — something which was belied, however, in the 1812 Constitution's assertion that the land belonged to the Spanish 'people' (including natives and mestizos who were Spanish subjects). Using a historical argument, the governor reminded natives that before the Spanish conquest, the Philippines was not ruled by a single king, but by various chiefs who held '*rancherías independientes*' (independent chiefdoms), and whose sovereignty was limited to their specific territories.<sup>59</sup> Therefore, the only natives who could claim legitimate possession of Binondo were those descended from the original inhabitants of the town before the Spanish conquest; however, most of those who now lived in Binondo had come from various parts of the archipelago.<sup>60</sup> Finally, what clinched the illegitimacy of natives' claims regarding their possession of Binondo was the proof that the town had clearly and legally been granted to the Chinese mestizo community's ancestors, as the documents presented by the mestizo *gremio* indubitably showed. Softening his tone, Gardoqui reminded them all that the king loved native and Chinese mestizos alike as his vassals. He added that Chinese mestizos, like natives, were Spanish citizens, and as such all had 'their' rights.

The governor also addressed a key issue which, although not mentioned often in the documents so far, had to be at the back of everyone's minds: the killings of 1 August 1813. He lamented that the criminals could not be prosecuted because the authorities had been unable to find witnesses. This is important because it really demonstrates how subaltern groups could exercise agency successfully even within a repressive colonial apparatus by keeping a close, and closed, solidarity vis-à-vis 'power' or an outside Other. Silence, often associated with the subaltern, could be an effective weapon. Gardoqui also clarified the origin of the massacre, and the relationship between it and the arrival of the Constitution. Apparently, the *corregidor* of Tondo, creole Manuel Varela, had sat the native *gobernadorcillo* on the Gospel side of the church to take his oath of allegiance to the charter, but had not done the same with the Chinese mestizo *gobernadorcillo*.<sup>61</sup> We can assume that the native

57 Ibid., p. 12.

58 'Documento para proceder a la armoniosa reconciliación' (Manila, June–July 1814), in 'Testimonio gremio de naturales, 3ª pieza', p. 25r.

59 Ibid., p. 14r.

60 Ibid. He cited Rev. Fr. Joaquin Martínez de Zuñiga, O.S.A., *Historia de las Islas Filipinas* (Sampaloc: Por Fr Pedro Arguelles de la Concepcion Religioso Francisco, 1803).

61 Ibid., p. 23r.

*principales* interpreted this to mean that the Constitution recognised what they believed was their rightful place (in the church and in the town); and that the Chinese mestizos became alarmed that the *corregidor*'s evident partiality for the native *gremio* endangered their legitimate privileges in light of the coming political changes.

The *apoderado* (representative) of the Chinese mestizo *gremio*, José Cayetano, replied to Gardoqui's ten-point document in early July.<sup>62</sup> Chinese mestizos agreed with dividing the town offices equally between themselves and the natives, but they reminded the governor that the *corregidor*, who should be the arbiter of the first election and further elections in case of a draw, was not entirely impartial. Furthermore, they requested the election of three *gubernadorcillos*, two of them 'reserves' in case the elected *gubernadorcillo* became ill or died. Hereafter, they moved to discuss *cofrades*' seating rights in the church. Mestizos stressed that forcing the members of their *cofradía* to sit on the Apostles side would invariably cause problems. Instead, Cayetano proposed that they sit on the Gospel side, but perpendicular to the main authorities' bench. The towns' lesser authorities could then occupy the first rows of the Apostles side. The most important aspect of the mestizos' response, however, was again related to their self-representation. This time, the mestizo *gremio* emphasised its merits as a well-educated group and reminded the governor that their economic muscle was one of the main engines of the colonial economy.<sup>63</sup> Cayetano pointed out that those qualities were highlighted in the Constitution as conditions to hold high positions in the (new) Spanish government. With this argument, Chinese mestizos seemed to want to counter the supposed primordial identity that natives based their rights on, by staking a superior claim to their pre-eminence in the town. They presented themselves as law-abiding, economically successful, and well-prepared Spanish citizens whose rights to govern were clearly defended in the Constitution.

The debates over the minutiae regarding how to organise the town's government and how to carry out the elections for its members went on throughout the month of July, with several suggestions and responses from mestizos and natives to Gardoqui's model.<sup>64</sup> Their main concern was to retain their present privileges while somehow sharing power in the governance of the town. They also wanted to limit the colonial authorities' capacity to control or design the(ir) electoral process. The last letter on the subject was written by the natives on 23 July 1814.<sup>65</sup> The native *principales* pointed out to Gardoqui that the equal division of power between both groups might be

62 'Escrito del Gremio de mestizos' (Binondo, July 1814), in 'Testimonio gremio de naturales, 3ª pieza', pp. 28–32.

63 'Este gremio que ha sabido dar por ingenua inclinación en letras, bachilleres, maestros, doctores, y abogados y que muchos han obtenido y obtienen honoríficos empleos en diversos puestos que han desempeñado y desempeñan con conocido lustro y conducta. Y en los ramos de agricultura y comercio son los que sostienen su fomento, adelantamiento y conservación con que se ven los pueblos de este pedazo de la Asia, fertilizado. Donde hay naturales de este gremio, que son las bases de la felicidad del estado cuyo notorio relato patentizan fieles testimonios [...]'. *Ibid.*, pp. 28r–29.

64 Several letters dated in Manila and Binondo on 9, 10, 12, and 17 July 1814, in 'Testimonio gremio de naturales, 3ª pieza', pp. 28–40.

65 'Carta del Común de principales de nativos a Gardoqui' (Binondo, 23 July 1814), in 'Testimonio gremio de naturales, 3ª pieza', p. 40.

considered pernicious by some prominent native families. The veiled message was that some among the natives were not comfortable with the idea of being ruled by a mestizo. The natives rightly pointed out, moreover, that such a system went against the Constitution. Therefore, perhaps choosing one *gobernadorcillo* for Binondo would bring more problems than it would solve. Regarding the church benches, they explained that the town and the *Cofradía del Santo Rosario* shared the church only a few times a year — especially during the masses of *La Naval* — and they would be content with sitting at the Gospel side most of the year and finding a special arrangement for *La Naval*.

The *gremios* could not come to any agreement, however, and on 9 August, Gardoqui gave up on establishing a provisional government for Binondo.<sup>66</sup> He declared that elections were to be held by the *gremios* and following the old procedures until the Diputación Provincial created the *ayuntamientos*. Regarding the dispute over the church benches, the governor ordered the Binondo *gremios* to follow the decree he had issued on 17 October 1813, which integrated the *principales* of both *gremios* in alternate seats on the Gospel side after casting lots for the first seat. But instead of complying like they had the first time, Chinese mestizos complained. On 16 August, the Chinese mestizo community explained that they would not give up or restrict their right to sit on the Gospel side of a church that they had proven that they owned, as the governor himself had acknowledged, while the natives had been unable to prove anything of the sort.<sup>67</sup> Even though, as the 1812 Constitution declared, they were part of a single nation along with natives and Spaniards and members of a single family, the Constitution did not abolish, negate, or transfer property rights. Clearly, their message was that property was property, and securing harmonious communal relations did not justify a loss of the rights that property granted.

Tensions between the groups revived when they faced the festivities of *La Naval* again that October. On 3 October, the *corregidor* asked Gardoqui for instructions on how to proceed during the festivities.<sup>68</sup> On 11 October, Gardoqui told Varela that if any type of strife, disturbance, or conflict occurred, the heads of both *gremios* would be punished.<sup>69</sup> But seeking to avoid a clash that seemed inevitable, the *corregidor* requested permission to deny the authorities of both *gremios* access to the Mass of *La Naval*.<sup>70</sup> Exasperated by the constant defiance and bickering in both communities, Gardoqui ordered the removal of all the benches in the church of Binondo.<sup>71</sup> By November of 1814, Gardoqui gave up his role as mediator in the affair and sent the case to the Real Audiencia of Manila for its final resolution. Each community

66 'Renuncia de Gardoqui a un gobierno modelo provisional en Binondo' (Manila, 9 Aug. 1814), in 'Testimonio gremio de naturales, 3ª pieza', pp. 40r–1r.

67 'En el tribunal del gobernadorcillo de mestizos del pueblo de Binondo' (Binondo, 16 Aug. 1814), in 'Testimonio gremio de naturales, 3ª pieza', pp. 42–42r.

68 'Carta de Manuel Varela al gobernador' (Binondo, 3 Oct. 1814), in 'Testimonio gremio de naturales, 3ª pieza', p. 49.

69 'Respuesta del Gob. Gardoqui al Corregidor de Tondo' (Manila, 11 Oct. 1814), in 'Testimonio gremio de naturales, 3ª pieza', p. 52r.

70 'Petición del Corregidor de Tondo' (Binondo, 15 Oct. 1814), in 'Testimonio gremio de naturales, 3ª pieza', p. 56r.

71 'Oficio del Gobernador' (Manila, 15 Oct. 1814), p. 2, AGI, Filipinas 695A.

chose a *procurador* (attorney) and a trial began.<sup>72</sup> By early 1815, news reached Manila that the king had abolished the 1812 Constitution. The Real Audiencia was incapable of finding a resolution, and the case was sent to Madrid. Finally, on 26 January 1818, the general attorney of the Council of the Indies decided that the privilege of sitting on the Gospel side of Binondo church belonged to the Chinese mestizo community, and the case was closed.

### Conclusion

This article has tried to show that the impact of the Spanish constitutional period of the 1810s in Manila was profound enough to colour even a conflict between natives and Chinese mestizos over seating arrangements in a small parish church. Taking into consideration that Manila was the most Hispanicised space in the archipelago, it is only logical that the political impact of a period with transformations and discourses as revolutionary as those between 1810 and 1815 would be significant there, even among subaltern groups like natives and Chinese mestizos.

Despite its centralist aim, the Spanish Constitution of 1812 (1813–15) challenged the hierarchies of colonial Philippine political space by empowering multiple sectors, while reinforcing local notions of self-government and autonomy. Therefore, even though the period was brief and nothing changed at the wider institutional level, it set a political precedent for a certain type of native and Chinese mestizo agency which materialised again during the second constitutional period (1820–23) with more serious political consequences. Natives in particular defied the legitimacy of Spanish rule indirectly by presenting themselves as the only rightful owners of the colony. But paradoxically they did not defy royal authority, for they identified not only as citizens but as vassals of the king. In this way, the Manila native elite developed a political identity that paralleled that of Manila creoles.

The 1812 Constitution, in conjunction with the laws and decrees of the regent bodies in kingless Spain, transformed the social feud of Binondo natives and mestizos into an openly political conflict. This fact was obvious, first, in 1813, through the instrumental use made by both subaltern elites of the language of the Constitution and the decrees emitted during the 1810s, then, in 1814, when the attempts to reconcile both communities derived into a discussion about a new government for Binondo. We have seen that natives and Chinese mestizo elites in Manila had a profound political understanding of the laws of the empire and the Constitution, and they participated intensely and ingeniously in the political and legal workings of this system. Although this case is only relevant to Manila and its urban outskirts, it suggests the possibility that the constitutional period affected the countryside of Luzon in ways that remain unstudied.

Within this 'resistance in adaptation' native elites in particular took to those aspects of the system that allowed them to thrive and retain power. But they were not the only ones — Chinese mestizos, who began at a political disadvantage because they were outside the original system of 'Indians' and 'Spaniards' designed by the

72 'Documento ante escribano' (Binondo, 5 Nov. 1814), pp. 9 and 11, AGI, Filipinas 695A. The Chinese mestizo chose Isidoro Zialcita, and the native gremio kept Geronimo Cristóbal.

Laws of the Indies, gained ascendance and economic success despite the socio-racial barriers and lack of political rights prevalent in the colony. As Governor Gardoqui's distraught reactions and the length of the dispute reveal, both groups were capable of openly resisting the mandates of the colonial authorities, and of attempting to safeguard their own interests. And they did it, in Binondo if not elsewhere, using the 1812 Constitution to the degree that it empowered them by declaring that the natives and Chinese mestizos had equal rights to the Spanish.

The dispute over the church benches in Binondo also provides a window into the complex and perhaps silenced workings of the inter-ethnic relations that permeated colonial Manila society, particularly in spaces such as Binondo, where the majority of the population was non-white. Natives in Binondo did not perceive the Spanish as their enemy or the usurper of their lands and rights — the Chinese mestizos and the Chinese were the rivals to resist. For their part, the Chinese mestizos found themselves confronting the natives and a creole colonial authority who favoured natives instead of remaining simply impartial. Manuel Varela was so sympathetic to the native community that in 1822 — during the second implementation of the 1812 Constitution — he was incarcerated for writing incendiary texts on behalf of the native community of Binondo in which he criticised creole attempts to retain hegemonic power over the colony.<sup>73</sup> It is very probable that Varela's sympathies of the 1810s had developed into political alliances less than ten years later, alliances that transcended the barriers of racial identity and forged the foundation of a 'national' identity of multiethnic membership. Indeed, the writings for which Manuel Varela was prosecuted were apparently the first in which the label 'Filipino' was used — and Varela applied it to natives, Chinese mestizos, and creoles.

In addition, this article has hinted at how creole and peninsular power-wielders dealt with one of their greatest fears: the political empowerment of natives and Chinese mestizos. Although these latter groups did not really threaten creole colonial hegemony until the second constitutional period, from the start the Junta Preparatoria and Governor González attempted to restrict elections to Manila proper, so that the places where creoles and *peninsulares* were a minority would not exercise power through their votes. Indeed, although Governor Gardoqui arrived with the apparent intention of respecting the constitutional mandate regardless of the possible electoral results, he soon became convinced that the inter-ethnic politics and conflicts that characterised the Asian colony were too complex and dangerous for free elections and a Liberal Constitution.

The first constitutional period was short, but it set the tone for later, more serious political claims by natives and Chinese mestizos, as well as by certain discontented sectors of creole society. Chinese mestizos demanded political control during the second constitutional period between 1820 and 1823, but they went a step further by defying the political hegemony of Manila proper. This article reveals how natives and Chinese mestizos both constructed political identities that were parallel to those developed by some creole sectors. We might not know how these identities

73 De Llobet, 'Orphans of empire', p. 225. Manuel Varela wrote these in the context of the struggle between the *ayuntamiento* of Manila and the native and Chinese mestizo authorities of Binondo.

fed into each other or how independent they were of one another, but we can see in this case study an early example of the multi- and inter-ethnic alliances and conflicts that would characterise political events, such as the Tayabas revolt, throughout the nineteenth century. From these beginnings, we can begin mapping the formation of a multiethnic elite in Manila — an elite that would eventually give us Padre Burgos, the 1860s generation, and the *Ilustrado* movement.