

BOOK REVIEWS

Tiruray Justice, by Stuart A. Schlegel (Berkeley, Los Angeles, London, University of California Press, 1970), xii, 183 pages, US\$5.50.

MARY R. HOLLNSTEINER

Until 1970 few Filipinos had ever heard of the Tiruray. For decades most of these peaceful kaingeros of the hills of Cotabato lived out their relatively isolated lives planting and harvesting their swidden plots, and supplementing their horticultural diet by hunting, fishing, and gathering. An occasional trip to the lowlands to exchange rattan and other forest products for salt, iron tools, cloth, and ceremonial exchange items brought them into fleeting contact with Christian settlers and the politically dominant Muslim Magindanao.

But 1970 marked the end of Tiruray isolation. Front-page headlines pushed them into national prominence. Long-smoldering tensions between the tribal Tiruray and their Christian Filipino allies, on the one hand, and the Muslim Magindanao, on the other, had violently surfaced at last. In the flurry of newspaper and magazine articles featuring the more sensationalist aspects of the problem, one looked in vain for more thorough analyses of those societies involved in this clash.

Schlegel's *Tiruray Justice* appears at a particularly opportune time, therefore. It represents one of the most important contributions to Philippine social-science literature of the post-war period. More than that, it is certain to become a standard reference for serious stu-

dents of tribal law and morality anywhere in the world. By examining these subjects in depth, Schlegel gives the reader a deeper appreciation of the cultural underpinnings basic to the behavior and values of one party to the Cotabato conflict. His treatment of Tiruray concepts of justice enables us to empathize with these beleaguered people, not in the sense of taking sides against the Magindanao, but in terms of gaining some insights into the painful choices inherent in acculturation. We take, on the role of bystanders, as it were, watching with mixed emotions a people grapple with a traditional culture that is integrative but increasingly obsolete as the national society makes its inroads into their once remote world.

Schlegel's book is the result of 22 months of painstaking field research in the period 1965-67 by an anthropologist who had earlier served as a high school principal in Upi, Cotabato, for three years (1960-63) and lived in other parts of the Philippines since 1950. The stamp of both the authoritative social scientist and the affectionate, respectful friend appears indelibly on every page. The author heightens the reader's interest by sharing with him two levels of involvement. Most of the time he invites us to join him as objective social scientist dispassionately analyzing his data. But at other

times he gives us the vicarious experience of conversing with Tiruray informants through first person excerpts from field notes scattered liberally through the text. This dual sense of participation enhances the reader's feeling of empathy with the Tiruray.

In the tradition of anthropological reporting, Schlegel begins with a holistic account of Tiruray society and culture. The first chapter surveys Tiruray geography, history, economy, kinship, family roles, property concepts, religion and world-view. Commenting on the society's gradual fusion with the nation's cultural mainstream, Schlegel aptly describes (p. 26) the dilemma of modernization facing all tribal groups.

Gone with the forest are the rich rewards of hunting and gathering, as well as the swidden mode of agriculture. The legal system which, with juristic elegance, knit together these forest farmers, and a religious system which projected their legal and moral concepts to a superhuman plane of social relations, are both vanishing entirely, and with them, the influential legal and religious leaders so crucial to the fabric of the old Tiruray culture. The people are becoming, in short, ever less Tiruray and ever more Filipino.

Having described the cultural environment, the author then presents a gem of a chapter on Tiruray morality (reprinted in full elsewhere in this number of PSR). He summarizes his exposition (54) in this manner.

Tiruray moral ideas define what, for them, is good, and they guide behavior that, for them, is right. Similarly, they define what is bad and identify conduct that is wrong and "foolish." They establish an ultimate moral standard — respect — and they tie it to a pervasive moral symbol, the *fedew* [one's state of mind]. They set forth the responsibility of the wrongdoer for the consequences of his disrespect, stressing that human nature is such that the consequences could be bloody indeed. They institutionalize the obligation of respect into specific customs and into a general, variable standard: the *adat*, in both of its senses [custom and respect]. It is in terms of these ideas that the Tiruray attempts to behave in a respectful and responsible manner.

To give the reader an understanding of how the traditional morality regulates conflict and fosters cooperation, Schlegel then explains the society's problem-solving mechanisms. These center in the *tiyawan*, a formal discussion group conducted by the *kefeduwan*, respected non-partisan representatives of negotiating or clash-

ing parties. We learn in detail the circumstances and procedures entailed in "good" *tiyawan*, usually held for marriage arrangements, and "hot" *tiyawan*, called to forestall blood revenge in potentially violent situations. The chapter-length case of Amig clearly illustrates the intricacies of the adjudicative machinery, telling us of "the comings and goings of messengers, of the long informal discussions, of the raving and anger of the directly hurt, and of the patient concern of the *kefeduwan* for soothing and healing . . ." (118).

But, Schlegel points out, any society which attempts to resolve the strains of group life through the moral system alone faces serious disadvantages. First, the diffuse sources of the social pressures favoring conformity make moral obligations difficult to maintain. Second, since moral obligations are of a general nature and refer to classes of acts and persons rather than to specific acts or specific persons, ambiguous cases pose problems of classification. And third, change cannot flow out of a moral system believed to be rooted in the very nature of the world itself and therefore inherently unalterable by man.

Every culture works out a system for overcoming these difficulties. While strategies differ from one society to the next, the particular institutionalized responses a society evolves for handling difficulties in the recognition and observance of moral demands constitute a society's system of law. To what extent have the Tiruray developed a true legal system? Have the *tiyawan* and the actions of the *kefeduwan* given rise to a body of secondary rules, namely law, which introduce, modify, and control and primary rules, that is, the traditional moral precepts that guide individual behavior?

Schlegel suggests that they have, but with serious limitations. The first problem, namely, the maintenance inefficiency of moral rules, is satisfactorily resolved in the authoritative position enjoyed by the *kefeduwan* engaged in *tiyawan*. Their status in effect establishes a secondary rule of adjudication, giving an aura of legality to their decisions. Consequently,

despite the lack of a formal enforcement mechanism, conformity with tiyawan rulings comes about through the community's acceptance of their correctness.

The second problem, that of generality in the traditional moral code, is likewise adequately managed. In applying the norms of primary obligation to a case, kefeduwan establish a secondary rule of recognition. For in selecting those norms appropriate to particular circumstances, they imply a generality that suggests a system of law.

It is in the third problem area, the unalterability of moral rules, that the Tiruray have had the greatest difficulties. As Schlegel puts it (171):

The most straightforward types of secondary rules of change would govern some sort of legislative process by which new primary rules for obligation could be enacted as needed and existing ones could be repealed as they became ineffective or maladapted to the society's needs. Such rules simply do not exist among the Tiruray.

Because the society has no official means of changing custom, many of its members faced with the pressures of change coming in from the outside learn to ignore the tiyawan system altogether. Those who still strive to abide by it find they must retreat deeper into the mountains to keep it viable. In real life, of course, the choice is far from clear-cut. A range of responses develops among people caught in the tensions of having to resolve conflicts and obtain agreements in circumstances where the moral code basic to their system is not shared by all. In showing how this process has occurred among the Tiruray, Schlegel is telling a story repeated around the world wherever tribesmen are suddenly brought face to face with their peasant neighbors.

This book, therefore, speaks not only to Filipinos interested in developing an enlighten-

ed policy for dealing with the cultural minorities. Its appeal extends to men of all societies faced with the same problem and to all those interested in man's ability to adapt to his social environment.

When one reads it in this light, he can dismiss its deficiencies as minor. And they are few. For example, the reader would have been greatly assisted by a glossary of indigenous terms. Schlegel uses them liberally throughout the text and one is sometimes hardpressed dealing with sentences like this (61).

...all kefeduwan participating in a tiyawan are expected to strive earnestly to achieve a situation where all benal has been recognized, where those responsible for the trouble have - through their kefeduwan - accepted their responsibility and fault and have been properly fined, so that all fedew have been made good (fiyo).

Another difficulty inherent in a book concentrating on a specific aspect of culture like morality and law stems from the impression it gives that the Tiruray live in a constant state of quarreling and disagreement. One knows of course that this is not so, but the feeling remains. Nor does Schlegel say much about the system of leadership which presumably might prevent some of the conflicts experienced by the group. Perhaps this lapse is not his but the Tiruray's in the sense of their not having developed a separate pattern of leadership beyond the authority of the family head.

These complaints assume little importance, however, when compared with what Schlegel has accomplished in his warm analysis of Tiruray justice. The reader closes its covers with the earnest hope that the author will write another book about the Tiruray, this time detailing their response as they come into greater and greater contact with the national society.