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Book Review Essay

Entangled Normativities beyond Iberian Empires (1500–1800)

Manuel Bastias Saavedra, ed., *Norms beyond Empire: Law-Making and Local Normativities in Iberian Asia, 1500–1800*. Max Planck Studies in Global Legal History of the Iberian Worlds, 3. Leiden: Brill | Nijhoff, 2020. Pp. 355. Hb, €139.92.

Christina H. Lee, *Saints of Resistance: Devotions in the Philippines under Early Spanish Rule*. New York: Oxford University Press, 2021. Pp. 216. Hb, £47.99.

As António Manuel Hespanha accurately noted, the implementation of the theological notion of justice did not consist of "making" the law already handed down by the divine order, but of "declaring" it (*iurisdictio*, or *ius dicit*) as a way to establish fairness (*aequitas*) according to the implicit norms of natural law and Christian morals.[1] The context of Iberian imperialism in Asia, marked by complex geopolitics, secular and religious contentiousness, and formal and informal enterprises, offers an excellent window for the study of normative production and change. To quote Bastias Saavedra's own words, "the making of law in Iberian Asia drew from diverse experiences and normative knowledge beyond that of the empire to produce unique configurations of norms from place to place" (vii). And that is precisely what the first book to review offers. *Norms beyond Empire* is an impressive, well-researched book composed of nine case studies plus an introductory essay, which amply does what Saavedra promises: a comparative, interdisciplinary study of the coexistence and interaction of different normative orders across China, South India, Japan, and the Philippines (3).

1 António M. Hespanha, *Vísperas del Leviatán: Instituciones y poder político* (*Portugal, siglo XVII*) (Madrid: Taurus, 1989), 237.

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Saavedra argues that the idea of law is still tied to a metropolitan image of empire. To move the focus of law from the center of empire towards its peripheries, contributors draw on case studies to illustrate how to deal with these historiographical challenges, and most importantly, how the history of Iberian "empires," regardless of the feasibility of this term for the sixteenth to eighteenth centuries,[2] can be revisited with a special focus on the law-making of local normativities in early modern Iberian Asia (6–8). Upon bringing local practices to the fore, the contributors successfully move away from a Eurocentric and narrow concept of law, thereby offering a fresh understanding of different normative systems that were eventually connected.

First, some articles analyze how different normative textual traditions interact. Ângela Barreto Xavier (Chapter 2) reflects on the influences of Dharmaśāstra, Smrti, and other Brahmanical treatises in the customs of Goan villages before the arrival of the Portuguese. Of particular interest is the way how these texts were integrated into the nascent Portuguese imperial order, especially in rules concerning uses of land and inheritance as expressed in the *Foral* of 1526 (32–71). Luisa Stella de Oliveira Coutinho Silva (Chapter 6) similarly analyzes the transformation of marriage practices in sixteenth-century Japan. She draws from the missionaries' conceptions of canonical marriage, as well as from Japanese traditions that regulated families and households, ranging from those norms codified during the Ritsuryō state (律令) in the seventh century to the House Laws of the Sengoku period (171–206). Finally, Fupeng Li (Chapter 10) redefines the imperial calendars in the late Ming and early Qing dynasties as a manual of rituals for guiding the actions and decision-making process of daily life. The calendars combine several genres of knowledge—Jesuit astronomy, traditional Chinese numerology, and Confucian and Taoist philosophy—to construct a synthesis of multiple orders: the natural order, the order of the empire, and the organization of everyday life (329–49).

Second, other articles reveal from different methodological approaches the anchorage of colonial rule and Christianity in the long-term persistence of local normativities. In a beautifully crafted piece, Marya Svetlana T. Camacho (Chapter 5) scrutinizes most of religious chronicles, dictionaries, and treatises to reveal how the Bisayan *bugay* and the Tagalog *bigay-kaya* remained central institutions in marriage between natives in the Philippines even after

2 Although the notion of "empire" constituted a powerful idea that led overseas expansion, I am fully aware that neither Spain nor Portugal ever officially spoke of their possessions as such. See Anthony Pagden, "Afterword: From Empire to Federation," in *Imperialisms Historical and Literary Investigations*, ed. Rajan Balachandra and Elizabeth Sauer (New York: Palgrave, 2004), 255–71, here 259.

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conversion to Catholicism. While in Europe the bride's father used to give the dowry, in the Philippines it was just the contrary: he was the one who received it. Jesuit chroniclers (Pedro Chirino, Francisco Colín, and Francisco Alzina) deplored the notion of purchase and commodification of marriage, which was a usual tradition among the Jews as well as in Asian nations such as China, Japan, and Cambodia). Drawing from an interdisciplinary approach between anthropology and history, she argues that even though Spanish sources referred to dowry (*dote*) and religious authorities strove to adapt local customs to post-Tridentine church precepts, natives succeeded in "localizing" the Spanish *dote* to denote indigenous practices throughout the centuries (131–70). Ângela Barreto Xavier (Chapter 2) also explores several normative orders in early modern Goa, putting special attention to the multi-normative Portuguese imperial order. Abisai Pérez Zamarripa (Chapter 3) sheds light on the participation of native elites and native customs in the administration of justice in the early colonial Philippines. The protocols of pacification, which legitimized Spanish domination over the far-off outpost of the Philippines, and the pacts of friendship between the king and the indigenous peoples, were fundamental to restitute the *principales'* jurisdiction, as well as to denounce abuses and mistreatments by the colonial rule (72–101).

Third, the chapters of this volume distill and directly evidence how Iberian empires were not monolithic, but complex polities. Xavier (Chapter 2) demonstrates that the Portuguese imperial order, like Ulysses, had to navigate through trouble waters, keeping a balance of forces between the interests of the crown with those of the church. On the subject of the normative production over non-Christian population, Patricia Souza de Faria (Chapter 4) explores the responses that ecclesiastical authorities provided to local challenges in the archbishopric of Goa. The dynamic process of the construction of norms, particularly in the removal of Gentile orphans from their kin groups, shows how it was not simply imposed but negotiated among different agents, collaborators, and institutions acting in a multinational empire: the *Pai dos Cristãos* (Father of Christians) and the *Conservador e Juiz dos Cristãos da Terra* (Judge of the Christians of the land) (102–30). At the local level, Pérez (Chapter 3) draws attention to the elusive role of Filipino native elites in the administration of colonial justice. But to say that these local/ metropolitan interactions point to the existence of "subaltern normativities" is another story (23).

Finally, other chapters scrutinize the production of new norms according to new conditions provided by overseas territories. Miguel Rodrigues Lourenço's superb piece (Chapter 7) provides a good example: the Holy Office in Goa created *gentilidade* as a category of religious offence by *cristãos da terra*, who allegedly reverted to their former rituals and practices—for instance, dressing

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in the “manner of a ‘Moor,’” removing their shoes when entering temples as Gentiles used to do, or washing their bodies “in the fashion of infidels.” Unlike Brazil or Angola, which were too far from the inquisitor’s eyes, the local context of Goa’s Inquisition imposed itself on the court’s priorities in Lisbon (207–48). Rômulo da Silva Ehalt (Chapter 8) focuses on local conditions that determined the production of norms or rules for Christian communities during the Tokugawa persecution in Japan (1616–22). Could Japanese Christians lie about their faith as a way to save their lives and those of their co-religionists? Missionary casuistry, as da Silva defines it, was therefore a border-crossing science and discourse oriented toward solving doctrinal problems of Christianity in the late 1610s and early 1620s in Japan (249–84). Last but by no means least, Marina Torres Trimállez (Chapter 9) offers another gem of this collection. She stresses the importance of local conditions to study Jesuit and Dominican missionaries in their roles as lawmakers, particularly as regards to the use of headwear during Mass and confession in seventeenth-century China. What this interesting chapter reveals is the active role of Catholic missionaries during the Canton Conference (1667–68) in the normative order, which eventually demonstrates that norms were justified on the basis on different grounds of authority (285–328).

As recent legal-historical approaches have moved to dissolve the distinction between legal and non-legal norms, for some time now church historians and social anthropologists analyze popular devotions beyond official normativities. At the heart of Christine Lee’s last monograph, *Saints of Resistance: Devotions in the Philippines under Early Spanish Rule* (New York: Oxford UP, 2021), lies the will to test two hypotheses: first, that Spanish colonialism was as impactful in forming the spiritual landscape of the Philippines as it was in Spanish America; and second, that the examination of popular religious beliefs renders a richer and more globally informed understanding of Spanish colonialism beyond the Americas (3). Contrary to John Phelan’s classic study, The *Hispanization of the Philippines* (1959), Lee reveals that some of the most popular Catholic devotions in the Philippines today were forged as a means to recode and preserve the narratives of trauma suffered during the early period of the Spanish colonial project in the Pacific.

Combining history, anthropology, and post-colonial theory, Lee’s research is consistent with her global/ local concerns about how Philippine native subjects expressed agency through specific cultural practices tied specifically to religious devotion. Historians of colonial Mexico and Peru, such as William B. Taylor and Kenneth Mills, to cite a few, have long analyzed religious and cultural transformations of the New World’s people thinking. Lee’s book is clearly

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one of the first ones in paying attention to the role of Catholic icons in the Spanish Philippines.

Certainly, colonialization is an ambivalent, conflictive, fluid process that involves appropriation, cultural borrowing, and effective resistance on the part of the colonized, who, far from disappearing, have continued exercising an active role in the defense of their culture and traditions. However, the response of the colonized to the colonizers' projects, a response that James Lockhart defined as a combination of receptivity and resistance,[3] cannot mislead readers into thinking that the natives of the Philippines were consciously resisting against an oppressive colonial rule. There was more adaptation than resistance, which not only did affect native peoples but also Spanish population, especially in outermost regions, where local customs conditioned the implementation of metropolitan normativities.

Based on critical readings of primary sources, Lee offers an interpretation *against the grain* of the origins and development of the beliefs and rituals surrounding some of the most popular saints in the Spanish colonial Philippines, namely, Santo Niño de Cebu (Cebu City), Our Lady of Caysasay (Taal), Our Lady of the Rosary La Naval (Quezon City), and Our Lady of Antipolo (Antipolo). She explores religious hybridity and Christian identity, and most specifically, how Philippine natives, Chinese migrants, and Iberians reshaped iconographic devotions to the Holy Child and to the Virgin Mary by often introducing non-Catholic elements to their cults, derived from pre-Hispanic, animistic, or Chinese traditions (5–6). In theory, Phelan *dixit*, religious orders tended to reach their goals: natives were evangelized, transformed into loyal vassals and Christians by means of the missionary activity; in practice, though, the devotion to Santo Niño de Cebu, for instance, would not be the result of the divine proof of the Philippines' predestination to Catholicism, but natives' attempts to voice opposition to Spanish authority in the missions of Cebu (15–38).

Likewise, Chinese converts devoted to Our Lady of Caysasay in Taal region (Batangas) adapted iconographic devotions to the Virgin Mary into forms that allowed them to continue to worship their female Chinese deities, such as Ma-Cho, the Goddess of the Sea, without fear of punishment. But there is more: after the massacre of the Chinese Parian in 1639, the *sangley* Juan

3 Lockhart argued that the responses of the colonized to specific colonial policies differed according to diverse variables: the possibility of assimilating the new directives into their conception of the world and society, the degree of aggression represented by the Western policies with regard to their traditional way of life, the negotiating skills of colonizing agents, etc. (James Lockhart, *Of Things of the Indies. Essays Old and New in Early Latin America* [Stanford, CA: Stanford University Pres, 1999], 304–32).

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Imbin shocked the Tagalog residents of Taal when he revived four days after he had presumably been decapitated and thrown into the sea, along with other *sangleyes*. Archbishop Hernando Guerrero (*c.*1635–41), who did not precisely get along with Governor Sebastián Hurtado de Corcuera (in office 1634–44), commissioned an immediate investigation. Lee takes for granted what seemed to have been a miracle, without considering other possibilities. For example, she argues that nineteen witnesses who testified (twelve Tagalogs and seven Spaniards) in the investigation blamed Governor Corcuera, accusing him to give the order to slaughter all *sangleyes*. This episode might have convinced Guerrero to take revenge against Corcuera, his nemesis, who was responsible for banishing him from his archdiocese in May 10, 1636 (39–72). Lee needs to better contextualize what it might have perfectly been the prelate's long-awaited opportunity to avenge himself by criticizing Corcuera's harsh methods to Philip IV (r.1621–65). On February 18, 1640, Archbishop Guerrero took fully revenge and declared that Juan Imbin, the one whom Corcuera's soldiers had mercilessly executed, had experienced a real miracle, which had been performed by God due to the intervention of Our Lady of Caysasay (66).

Third, Our Lady of the Rosary La Naval is analyzed as a Spanish devotion, whose main faculty was to fight for the expansion of the Spanish empire in the Pacific for promoting Catholic evangelization (73–99). As a result, Our Lady of the Rosary was ever-present in the conquest and evangelization of the Philippines, helping the Spaniards to defend the islands from the Moors and the Dutch (1646–47), but also reached the Moluccas and Japan. It should, therefore, not surprise us that this devotion did not gather a significant native following during this period, which raises a concern about its relevance in this selection. Certainly, there were other devotions that might have been included, such as Our Lady of the Light, which was well widespread into the nineteenth-century Philippines, regardless of controversies arisen in the eighteenth century.[4]

Finally, the case of Our Lady of Peace and Good Voyage—later on transmuted into Our Lady of Antipolo—reminded me of Adela Peeva's 2003 documentary *Who's This Song?* In this superb film, Peeva travelled to Turkey, Greece, Macedonia, Albania, Bosnia, Serbia, and Bulgaria searching for the true origins of a haunting melody; one that emerged again and again in different forms: as a love song, a religious hymn, a revolutionary anthem, and even a military march. Peeva's trip was filled with humor, suspense, tragedy, and surprise as

4 Alexandre Coello de la Rosa, "Lights and Shadows: The Inquisitorial Process Against the Jesuit Congregation of *Nuestra Señora de la Luz* on the Mariana Islands (1758–1776)," *Journal of Religious History* 37, no. 2 (2013): 206–27.

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each country's citizens passionately claimed the song to be their own and could even furnish elaborate histories for its origins.[5]

To sum up, the problem of how to approach early modern colonial history is never an easy task. Whereas some scholars decide to present to their audience an interpretation of the society under investigation within its own historical context, others turn to the archives not in order to solve a question, but to validate their theoretical assumptions, thereby confirming the answer they had beforehand. Projecting a historical interpretation of a time forwards to a modern readership often produces very different results from casting back into that same past from the present day. *Norms beyond the Empire* chooses the former approach, focusing on the relationship between law and empire by emphasizing the role of local normative production, while *Saints of Resistance* adheres to the latter, aiming at recovering the voices of colonized Philippine subjects. No doubt Catholicism and religious identity in the Philippines was transformed by the variegated relations entered into with indigenous peoples and persons during several decades. To what extent this refashioning of Catholic devotions was a conscious expression of dissidence and resistance in early colonial Philippines is difficult to say. It would rather seem that natives engaged in an ongoing process of accommodation, appropriation, negotiation, and resignification in a variety of Christian "microcosms" across the Philippines, constructing new identities in the long run.

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5 *Whose Is This Song?* ADELA MEDIA Film & TV Productions, Periscope Productions NV, 2003 https://www.youtube.com/watch?v=NGCURBHF2Ss (accessed August 15, 2022).

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