

Igorot Ancestral Lands

Among my post retirement activities, two have elicited the most public responses through the years. The first is the Orosa family website, orosa.org, the second being "*The Pensionado Story*." A recent post in Facebook's Manila Nostalgia page rekindled memories of a discussion I once had about the ancestral land referred to in the post.

The ancestral land in question belonged to the Igorot people of Benguet Province, to one family in particular. (Technically they are Ibaloi, but I'm using the more generic and better known term of Igorot.) This stretch of land contained parts of Baguio and what later became Camp John Hay. My encounter with this subject came in a roundabout way, unrelated to the century old claims and disputes, which I initially wasn't aware of. Having come across "*The Pensionado Story*" online, the spouse of a Philippine career diplomat, Mrs. Fides Herrera Lim, sent me a communication asking for some details on a grandfather who may have been a pensionado. As it turns out, her grandfather was the son of an Igorot chief whose land was taken by the American colonial government aka "Insular Government of the Philippine Islands" to create Baguio, establish a military base and an R & R camp. The story of the would be pensionado is interesting and inspiring, but the story of their loss of ancestral lands is compelling and tragic.

Baguio is labeled the summer capital of the Philippines because of its nearly mile high elevation. Families escaped the heat and humidity of Manila by going to Baguio, where they would be rewarded with a 20 degree Fahrenheit drop in temperature. The clean, crisp air had the scent of pine which grew abundantly in the surrounding mountains. When my father was a cabinet level government official in the 1950s, we were entitled to the use of one of the government owned homes on Cabinet Hill. Near Cabinet Hill was the Mansion House, summer home of the Philippine President. There was also a Teacher's Camp, with more modest cabins. Baguio was well planned, thanks to city planner Daniel Burnham. In the center of Baguio city was Burnham Park, a spacious park with a large pond in the middle. It resembled the park that Burnham designed for his hometown of Chicago. The point of all this is that Baguio was, and probably still is (I haven't been there in years), a very desirable location. Unless of course the city administration has completely botched further growth and development. Given Philippine politics, that is not out of the question. The ancestral land, covering hundreds of acres, would be worth a huge fortune today.

By land, the best route to Baguio was via the popularly called Zig-zag, a serpentine road with numerous switchbacks that snaked its way from the lowlands, gaining 5,000 feet of altitude. The Spaniards didn't pay as much attention to the Mountain Provinces as they did to other parts of the country. They already had their hands full, the terrain was rugged and the numerous mountain tribes had fearsome reputations, which have been the subject of books. There was no decent road until the Americans built one, soon after the turn of the 20th century, the biggest road building project up to that time in Philippine history. The road's formal name is Kennon Road, after the Army Corps of Engineer officer who headed the project. As kids, we loved traveling up the zigzag during summer vacations. It was always an adventure. 1950s cars were sometimes not up to the task, with radiators boiling over a common occurrence. Cars had to be on first or second gear all the time. A good chauffeur would always carry several liters of extra

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water. Between the twisting, turning and sometimes terrifying view down ravines, someone would get car sick. A bucket was kept handy. An alternative way to reach Baguio was to fly in, but fog was unpredictable, and many a flight had to turn around.

Camp John Hay was created by an executive order from President Theodore Roosevelt in 1903. The only problem was that someone already owned the land. Expropriated would be a better term than executive order. The Takings Clause of the Fifth Amendment was forgotten. After all, the U.S. had “bought” the Philippines from Spain as part of the Treaty of Paris that ended the Spanish American War. The owner was an Igorot chief named Mateo Cariño, whom everyone concedes had resided and used the land for farming and pasture as far back as anyone can remember. The Spaniards had given Mateo and his forebears free rein. I was shown pictures of Mateo (Matthew) and his family. They were farmers and herders, having goats, water buffalo and cattle. But Mateo dressed as his ancestors always had, with a colorful loincloth. His wife wore a skirt of similar, colorful material. (The Igorots are excellent weavers and woodcarvers, their handicrafts are popular with tourists today.) No one in the family wore shoes, not even the wooden clogs called “*bakya*,” worn by most Filipinos.

Mateo knew enough about what he should do next. He sued. He lost the first round in the Philippine courts. Then a team of American lawyers took the case. Known as Mateo Cariño vs. Insular Government of the Philippine Islands, it went all the way to the U.S. Supreme Court. The decision was penned by none other than Oliver Wendell Holmes Jr. Holmes’ decision favored Mateo, stating “we are of opinion that law and justice require that the applicant should be granted what he seeks, and should not be deprived of what, by the practice and belief of those among whom he lived, was his property.” The final words were “Judgment reversed.” But it took years from the initial filing to the U.S. Supreme Court decision. Mateo had already passed away. Having built an extensive facility on Mateo’s land, the “Insular Government” wasn’t going to turn the land back to Mateo’s nine children. The dispute would fester for the next 100 years.

The recovery of land taken by a colonial power from native peoples is almost always a quixotic undertaking. In this particular case, there are additional complications. The land was returned to the Philippines by the United States. A government agency, the National Commission on Indigenous Peoples (NCIP), was formed to handle native claims. There is at least one other competing claim, people claiming to be Mateo’s true heirs. More development has taken place, with condominiums sprouting like weeds. The Camp John Hay golf course has been turned into a world class course, designed by Jack Nicklaus. But the place is awash in all kinds of litigation between government, developers and condo buyers, unrelated to the indigenous claim. Litigation in democratic countries sometimes move at a glacial pace. In the Philippines, it moves at an even slower, geologic pace. More than a century has passed since Mateo’s land was taken. The quest for justice is unending.

The original subject of the communication from the diplomat’s spouse to me was Jose M., one of Mateo’s sons. Leaving the Philippines in 1914, Jose made it to Chicago, IL. He studied medicine and graduated from Rush Medical College in 1918. Rush Medical was the forerunner

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of what is now Rush University, then affiliated with the University of Chicago. It must have been a struggle for the young would be doctor. I could not find any record of him being a government pensionado. He would have had to raise the needed funds personally, or have a sponsor. Then travel from Baguio to Manila, by ship to San Francisco, finally across the U.S. to Chicago. Like my father at the University of Illinois in 1907, Jose resided at a Cosmopolitan Club. At the time, foreign students attending American universities typically resided at these clubs. Jose became the first of his Ibaloi people, perhaps among all of the mountain tribes and indigenous peoples, to graduate with a medical degree from an American university. He returned to the Philippines in 1919, rejoining his mother and siblings in Baguio. Jose became the post WWII mayor of Baguio city, until his passing in 1950. Dr. Cariño's life and legacy would merit a story by itself. His granddaughter, Two essays have been written about Dr. Cariño. The authors are his granddaughter, Mrs. Fides Herrera Lim and great granddaughter (Fides' daughter), Herrera Lim.

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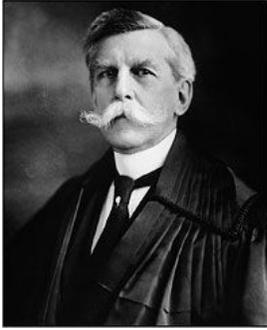


Bust of Mateo Cariño in Manila



Dr. Jose M. Cariño in Chicago in 1919,
prior to his return to the Philippines

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Justice Oliver Wendell Holmes Jr.