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Sociological Time Travel: Criminality and Criminologists in the Philippine Past

This essay is a reflexive assessment of the authors' research experiences crossing from sociology to history and back for her Ph.D. dissertation on criminality using old archival documents. It highlights the differences in the methodological approaches and data collection practices between the two disciplines, from notions of sampling to the regard of what constitutes authoritative sources data. More importantly, it recognizes the common quest of historical sociology and social history to draw intellectual inspiration and fresh research impetus from the orientations and techniques from one another's discipline. Finally, the piece narrates her post-dissertation work on the history of knowledge production on criminality in the Philippines, a project that necessitated the historical grounding of biographies, social scientific knowledge, and of research itself.

Keywords: Historical sociology, social history, primary sources, secondary data, Philippine criminology



Valga para el sello 4.º de oficio en los años de 1851 y 52.

Al Sr. Jefe de la
Policia

Señor Jefe de la
Policia

Don
Pedro
Guay
Lubas
Hija
Porac

Procurar la aprehension y captura
del ausente Simplicio Gonzales foren
de mediana estatura cara redonda y
lana color trigueño, y otros caracteristicas
nativo del Partido de Sibacani del pueblo
de Sta Cruz Pro de donde procesa
de en la causa criminal sobre su persona
y habida su persona se remite a
este juzgado con la seguridad necesaria
para hacer igual remision al Sr.
Jefe de Sta Cruz para que lo solista
tomare razon de su estado y del
ultimo sueldo con sus obsequios.

Alcalde 13 de Agosto de 1851

[Signature]

El Sr. Jefe de la policia de esta Cor. para
su orden en la parte de la ley

Arrest Warrant Ordering the Capture of a Criminal Fugitive. (Source: Philippine National Archives. Asuntos Criminales, Varias Provincias, 1850-1901)

Sociology is notorious for doing cross-sectional analyses of contemporary society. For many Filipino researchers in sociology, the ‘biography-history’ or the ‘troubles-issues’ guidepost of C.W. Mills (1959) translates well to locating individuals in their contemporary milieu rather than in sustained temporal continuities that engage social life in the Philippine past. Doing the latter is typically entrusted to historians. Much of the sociological researchers in the Philippines have the tendency to relegate the history of the topic being studied as a section allotted to the background, providing some cursory context of what had happened in the past about such a problem.

In response to abstracted and grand theorizing, however, some sociologists since the 1960s have argued that stronger analysis can be developed by recognizing that social structures and processes are historically grounded (see, for example, Tilly 1980, 1981; Skocpol 1987). Historical sociology has argued for the value of “situating social action and structures in historical context, examine their historical unfoldings... [and] exploit the temporality of social life” to further elucidate social theory (Griffin 1995:1245).

SOCIOLOGY DISSERTATION AND POST-DISSERTATION CRIMINOLOGY RESEARCHES

This essay reflects on my research experiences on criminality in the Philippines from the late 19th and early 20th century for my Ph.D. Sociology dissertation and for my post-dissertation inquiries on the production of scientific knowledge on criminality. Here I reflect on

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how I “exploited the temporality of social life” and dabbled in history, particularly social history.

My earlier work on crime data from police reports, jail populations, and offender interviews demanded familiarity with another discipline—criminology. To my relief, criminological research and theory since the 1940s are mostly and increasingly the turf of sociologists. Trail-blazing criminologist Edwin Sutherland, prison studies expert Gresham Sykes, feminist criminologist Meda Chesney-Lind, and leading penal theorist David Garland are all sociologists. Thus, I was in familiar territory in my venture in criminologist.

What I wanted to do in the dissertation back then was to ascertain the patterning of crime, gender, and social class in view of the prevailing hypothesis on these topics. Indeed, formal sociological method has been critiqued for its tendency to unravel structures and processes through conceptualization, operationalization and hypothesis testing (see Tilly 1981; Skocpol 1987). For example, one of the key observations offered by my study was that the crime ratio between men and women diminished over time, thus lending credence to the women’s emancipation hypothesis: that the change in criminal pattern over time is linked with women’s increased access to legitimate as well as illegitimate opportunities (Adler 1975; Simon 1975).

ENERGIZING AN OLD PROJECT

I wanted to stretch the intellectual dimensions of my crime research and “shake up” my crime data crunching procedures somewhat away from the quantitative sociology I was schooled in the late 1980s. I suggested this shift to my then-mentor, social deviance expert Prof. Ricardo Zarco, who supported my venture to study historical crime documents. Energized by this new material to pursue an old project, the prospect of infusing the vitality of the *quality of pastness* or of the *processual unfolding* (Griffin 1995:1247), more deeply in my analysis of crime, gender, and social status, I plunged into unfamiliar waters. The new direction stretched the challenge of accounting for the social milieu by increasing the historical grounding of the models and theories, and the significance of time and place on the social processes (Tilly 1980) of, in the case of my research interest, crime and punishment in the Philippines.

How did the social environment at particular points in Philippine history bear on crime and punishment? How is criminality historically embedded? Somehow criminality as the specific unit of analysis could not be easily modeled alongside the macrosocial forces that were subjects of historical analyses of Marx on the history of society and Weber on religion and economy or of Skocpol on political revolutions or Tilly on social movements (Aminzade 1992). However, studying criminal records, from police to court data, have become the interest of social historians in their to construct *collective biographies* using non-elite sources of history (Skocpol 1987:19).

AT THE ARCHIVES: CRIME RECORDS AND DOCUMENTS

I first encountered archival documents in the embodiment of one hundred-fifty year old hand-written Spanish scripts on crumbling paper when historian Ma. Luisa Camagay brought the Philippine historiography class, a class I enlisted in view of my dissertation project, to visit the Philippine National Archives on T.M. Kalaw Street, Manila in 2001. The serendipity of pages of documents labeled *Asuntos Criminales* (Criminal Cases) piled on the archives floor for digitization that day beckoned as portals to research possibilities.

Browsing through those documents confirmed social historian Greg Bankoff's regard for crime documents as "the stuff of social history," that provide vivid insights into the everyday lives of Filipinos. On the other hand crime records also reveal the extent to which state institutions, the criminal justice system in particular, was instrumental in Spain's effort to salvage its declining power over the Philippines in the late 19th century (Bankoff 1996).

A Readjustment Of Perspectives, Tools And Strategies

Apart from the eyestrain of deciphering handwritten police, court, and jail records from the pages of archival bundles labeled *presos* (prisoners), *asuntos criminales* (criminal cases), *denuncias por abusos* (complaints against abuses), etc., my Spanish language inadequacy despite my twelve units of compulsory Spanish courses in college handicapped my early efforts. But the greater challenge remained was the adjustment in perspective. As my dissertation critic Dr. Luisa Camagay demanded,

beyond crime episodes and their patterns and simply attaching dates to past events and outcomes, I needed to address temporal concepts that situate events in a context of relevant large-scale and longer-term processes (Griffin 1995:1248; Aminzade 1992:458).

Thus, I plunged into the agonizing but what is now ever-familiar experience to many Ph.D. dissertation pilgrims: hitting the literature of an adjunct discipline that embeds the chosen topic. I had to be familiar with the vocabulary of historians on the Philippines during the Spanish and American periods including the structures and bureaucracies of the colonial regimes, in particular, the operations of criminal justice system of these colonial regimes, on top of socio-economic conditions, racial, ethnic, class and gender relations during those periods. In short, pretty much everything.

Sampling Archival Documents

I went to the Philippine National Archives (T.M. Kalaw and Paco, Manila branches) equipped with the tools not even of a novice historical research but with the default formal methods of empirical sociology. To the dismay of the archives staff, I wanted to sample the 2000 plus bundles of *asuntos criminales*. I was trained to determine crime patterns premised on the representativeness of the population. My historian colleagues at the University of the Philippines Diliman and the researchers that I met at the archives said, they simply “don’t do it that way.” They usually study the documents comprehensively and exhaustively by specific province or region within a defined period, for example: Capiz, 1860-1895.

The specificities of methodological vocabulary were lost on me such as what historians and historiographers refer to as *primary sources*, original materials, artifacts or documents produced contemporaneous to the event being described is by default, given my training in sociological methods, addressed as *secondary data*. (Examples of primary sources on the Philippines would be the ethnographic work, *Customs of the Tagalogs*, by the Franciscan priest Juan De Plasencia (1903-1909) in the 14th century or the statistical report and analysis of Ignacio Villamor contained in his work, *Criminality in the Philippines* (1910). In sociological methods jargon, such material would be referred to as secondary data sources—where data were collected by others and not by the current researcher

(Neuman 2009:226) or *secondary analysis* –where data collected and processed by another researcher are reanalyzed, often for a different purpose, by another researcher (Babbie 2011:306)

Theoretical Saturation, Theoretical Sampling

Under the supervision of my dissertation adviser, sociologist-demographer Dr. Josefina Natividad, I proceeded to gather a relatively representative sample of criminal cases utilizing the systematic random sampling scheme with random start of *asuntos criminales* digital data discs (equivalent to approximately 5 printed bundles of documents each) from a list given by the archives staff. To verify the patterns of the sampled cases, I matched and compared the trends with summarized statistical reports that spanned some 60 years, to mirror patterning. The further sampling of non-digitalized bundles for example, *presos*, *varias provincias* and *expedientes gubernativos*, to say the least, did not endear me to the archive staff who returned from the mountainous pile of old documents in the archives warehouse powdered with dusts of the past century.

To address the conceptual questions on gender and social class in relation to crime I applied further principles of *theoretical saturation*, the gathering of cases until categories or themes have become repetitive and no new data and the concepts have already been developed (see Strauss and Corbin 1998). To pursue specific concepts of interest such as criminality of women or of high status men, I veered towards purposive sampling and *theoretical sampling* where I pursued “specific times, locations, or events to observe in order to develop a social theory or evaluate theoretical ideas” (see Neuman 2009:224). In case of my study, these pointed to documents which would lead me specifically to crimes of women and of high status men.

Later reconciled with the peculiar way I accessed the documents, archives personnel enlisted me as consultant to help devise a sampling guide (“since you’re the only researcher doing it here”) in condemning (destroying) documents. It is a common, if not standard, practice that archives keep no more than 7 percent of their acquisitions with the exception of indestructible documents such as birth, marriage and land certificates, etc. The archives office needed to adopt a prudent sampling

scheme from which to base the destruction of extraneous documents turned over to their repository, for example, daily time records of thousands of government employees, etc.

WHOSE TRADITIONAL METHODS?

I gained an overwhelming realization that one can rewrite history contingent on the serendipity of the documents unearthed. Which paper trail of documents should one pursue? Which paths of histories should one tread? This realization also came to me a time when many Filipino historians and their students have long *evacuated* the archives to gather oral narratives and histories directly from the communities, doing what anthropologists and sociologists have “traditionally” done: ethnography, face-to-face interview, and survey.

Historical sociologists, in turn, reacting to the grand theorizing and quantitative tradition of sociology, draw upon historical works and approaches, and the need to ground historically the phenomena being studied. Thus sociologists and historians “cross the border” between their disciplines to transcend the limitations of their disciplines only to find out that they adopted approaches that their host discipline has already considered traditional, e.g. archives.

Just as my crime research was energized by going to the archives, already considered “traditional historiography” by historians, the work of historians found new zeal in conducting collective biographies or oral local history through interviews and surveys, methods that have been considered traditional in sociology, particularly the analysis of archival documents (see Tilly 1981; Skocpol 1987). Interestingly, the foray of some historians to examine quantitatively-framed data sets such as in the work of historian Francis Gealogo on demographic history (see, Gealogo 1999), and the interest of social historians in statistical data, techniques and analysis as reaction to the “traditional” archival methods used in historiography (Skocpol 1987:20-21).

Critiquing western colonial orientation that privileged political history, social history valued more the experiences of ordinary people over the participation of the elite that focused on statescraft and national politics (Skocpol 1987; Tilly 1985). For Philippine social historians, this reorientation widened the path toward a postcolonial Philippine

historiography that gives voice to indigenous and local rereading of historical sources (see, for example, Dery 2001; McCoy and De Jesus (1982); and Rodao and Rodriguez 2001). Social history also paved the way for the articulation of marginalized perspectives and discourses, such as those of peasant and revolutionaries (see Iletto 1979), of women (see, for example, Camagay 1992 and 1995), and of criminals and outlaws (see, for example, Greg Bankoff 1996; Rafael 1999; and Hau 1999).

It was revelatory to find the expression of the Spanish colonial state surveillance in the lives of local Filipinos through statistics and cases of arrests of *indocumentados* (undocumented) and *vagos* (vagrants), and the authorities' pragmatic alarm over public health (more than moral anxiety) with the deportation of hundreds of suspected prostitutes in the late nineteenth century (Bankoff 1996; Gutierrez 2006). Indeed, police and court records became new sources of evidence to be exploited in constructing "collective biographies" and the experiences of non-elites (Skocpol 1987:19)

EMBEDDED IN HISTORY: CRIME, GENDER, AND SOCIAL CLASS

There are a few points from my dissertation on crime, gender in the Philippine past that I'd like to outline as examples of the embeddedness of criminality in historical contingency.

First, although colonial in origin and structure, the criminal justice system¹, has been appropriated and used by Filipinos to resolve disputes and conflicts among themselves and seek justice for grievances against persons of their own and at times even above their class and racial status. Locals also questioned, resisted, and reinterpreted the law. Women offenders, in particular, skillfully negotiated the system through selective compliance to secure release or those of their sons, husbands, or relatives.

1 The *Código Penal de las Islas Pilipinas* introduced in 1886 derived from Spanish Penal Code of 1850 and 1870 (Guevara 1928), the criminal laws of the Philippines was and reflected the modernist-rationalist view that crimes result from the individual choices.

Second is that the record keeping of crime data beginning in the late 19th century bolstered two trajectories: it helped manage and control the colony, and it facilitated the practice of positivist study of society through the supply of empirical data on the population. The second track allows inquiry into the criminality of men and women, and through the examination of specific court cases, reveal how scripts of social class and status particular to that time informed gender, behavior and conformity.

Such important historical contexts of criminality and production of information on criminality led me several insights about crime and gender which I wouldn't have found if I did not do historical work. One is that, the chivalry of the Spanish criminal justice system was palpable. It relaxed punishment to women offenders, but only when crimes committed while upholding roles as mothers, wives, and daughters. Harsher punishments were reserved for unfeminine and masculinized women such as physical brawlers or entrepreneurial "swindlers" who stepped outside traditionally expected roles.

Another is that, the shift from the inquisitorial-private approach to criminality during the Spanish period toward the accusatorial-public American legal jurisprudence criminalized sexual-moral crimes related to marriage. The church-state separation in the American period empowered the criminal justice system to arbitrate marital issues, inadvertently increasing statistics on adultery, and catapulting adultery as the leading crime of women from 1904 to 1909 (Gutierrez 2006:167-168).

Finally, the harsh punishment was reserved for crimes representing errant or dangerous masculinity (Collier 1995), embodied, for example, by unemployed vagrants or "sexually depraved" rape offenders. Ambivalence was reserved to the covert crimes such as graft and corruption committed by high status men. Thus, the historical location of emphasized femininity and hegemonic masculinity (Connell 1995) come into specific play in the interpretation behaviors for men and women from different social class backgrounds in my study (Gutierrez 2006).

SOCIOLOGY OF KNOWLEDGE: ARCHEOLOGY OF CRIMINOLOGY

Wading through archival materials took my post-dissertation interest to the history of knowledge production on criminality.

The studies of two Filipino ‘criminologists’, Ignacio Villamor (1909; 1915; 1924) and Sixto De Los Angeles (1919), in the early 1900s referred extensively to Cesare Lombroso’s criminal anthropology. Lombroso ([1911]1918) theorized that criminality takes root in the atavistic inferiority of human biology. Although later repudiated as pseudoscience, the theory not only gripped the scientific and cultural imagination of Europe and the United States at the turn of the 19th to the 20th century (Horn 2003; Gibson and Rafter 2006; Knepper and Ystehede 2012) but also the intellectual discourse in the Philippines at the same time up until the 1930s (Gutierrez 2010, 2012). Such “fall from grace” of an influential theory exemplifies the notion of Kuhn (1996), that scientific paradigms do not predictably unfold according to some logical progress of knowledge but are molded by the contingencies of the social and political milieu.

SCIENTIFIC DEMYSTIFICATION OF CRIMINALITY FOR NATIONAL DEVELOPMENT

The vitality of scientific knowledge production on criminality in the Philippines came first from law and medicine, not from the social sciences in the late 19th and early 20th century. The impetus came from Filipino *ilustrados* who viewed criminality as an impediment to national progress in the wake of the violence political turmoil brought by the transition from Spanish to American regimes.

Highly educated, either from Philippine colleges or European universities, the *ilustrados* consisted a mix of individuals belonging to the rising middle class drawn from prosperous peasant and merchant classes, or from the more progressive families of the native, Chinese or Spanish *mestizo* upper classes. Modernist, progressive and scientific in their worldviews, they were anti-clerical, critical of Spanish and Filipino traditions, and patriotic. They campaigned for the national autonomy of the Philippines from Spain, and extended this ideal to the conditions of the American period. They eagerly, if not impatiently, anticipated the promised independence of the Philippines from the United States.

Two such *ilustrados* who happen to express their patriotic notions of national development took issue with the rising criminality in the early 1900s were Ignacio Villamor and Sixto Delos Angeles. Lawyer



VENTRO-LATERAL VIEW OF THE CEPHALOGRAPH AT WORK AT TAYTAY, PROVINCE OF RIZAL, ISLAND OF LUZON, IN 1909.

PLATE I.

Fig 1.: Robert Bennett Bean's Cephalograph used to Measure the Head and Face Dimensions of Young Men in Taytay Rizal. (Source: Bean, Robert B. 1909. "A Cephalograph: The Description of an Instrument for Reproducing the Outlines of the Head and Face." *Philippine Journal of Science* Vol. 4 No.5: 447-450.)

Villamor proposed the understanding of crime through crime statistics, while physician Sixto De Los Angeles took to examining the biological links to criminal behavior. The two men can be considered pillars of the academe in law and medicine respectively in the founding years of the University of the Philippines. They were among the Filipino *ilustrados* who supported the revolutionary campaign against Spain and early resistance to the US occupation. However, the turn of political events offered pragmatic assimilation to the new regime. Careers in the academe and positions in state agencies with the Americans realistically presented opportunities for both professional growth and achievement of Philippine nation-building ideals.

ACADEMIC INTERESTS: CRIME STATISTICS AND CRIMINAL ANTHROPOLOGY

The career and academic biographies of Villamor and De Los Angeles demonstrate that the serendipity of personal interest of individuals may potentially lead the development of particular theories, methodologies, and data sources.

Villamor studied crime statistics and directed their collection and preservation during his term as Attorney General and as Director of the Bureau of Census in the early 1900s. Using crime records from 1903 to 1918, he published *La Criminalidad en las Islas Filipinas* (1909) and *Crime and Moral Education* (1924). He treated crime as an outcome of a confluence of social factors (such as cultural and religious superstition, and lack of education) and physical factors (referring extensively to Lombroso's theory of atavism as proxy discussion). Villamor recognized Lombroso's work as "occup(ying) a preeminent place in the study of the causes of crime" (1915:220).

De Los Angeles' position as medico-legal expert who autopsied bodies of crime victims, and later on, of convict remains, earned him the status as leading Filipino forensics professor. The fortuity of his interest in biomedical research projects in the early 1900s placed him in the direct path of the most provocative theory in the period—Lombroso's criminal anthropology.

To test Lombroso's hypothesis in 1916, De Los Angeles clinically examined 100 male and 8 female inmates in Bilibid Prison and took their

anthropometric measurements (dimension of ears, pelvic bones, thorax, fingers, etc.). He measured convict skulls and autopsied 44 deceased convicts for cranial anomalies to investigate regressive features. He compared his measurements to the non-criminal data collected earlier by American anatomist Robert Bennett Bean and anthropologist Daniel Folkmar, and French ethnologist Joseph Montano—men who brought physical anthropology to the Philippines and back to the Western world by illustrating the measurements of Filipinos. Figure 1 shows the cephalograph, an instrument developed by Robert Bennett Bean (1909) that reproduces the outlines of the head and face, tested on young Filipinos in Taytay, Rizal.

The only anthropometric measure that De Los Angeles found significant was the smaller cephalic index of the convicts; other measures such as height, weight and nasal index registered lower figures but no significant differences to merit a conclusion (De Los Angeles 1919:87). His scrutiny of skulls of deceased inmates convicted of serious crimes, however, revealed cranial and brain anomalies that bolstered the Lombrosian hypothesis (Gutierrez 2012:333).

SCIENTIFIC COLLABORATION AMONG FILIPINOS: CALL THE UNITY OF DISCIPLINES

While sciences and social sciences in the West were vying against each other for a spot in explaining natural and social phenomena, such tension did not resonate in the discourses of Villamor and De Los Angeles. The two men instead called for the unity and collaboration among Filipino scholars from different disciplines. They saw positivism as call for a culture of interdisciplinary research involving various fields—criminal anthropology with law, medicine, psychology, sociology, and statistics—in the study of crime, a menace that hinders national development so it can be remedied (Gutierrez 2010:368).

Interdisciplinary competition may have receded to the background because Filipino scholars likely felt that dwelling on such divisions would be futile. Instead, their priority needed channelling toward collectively contesting the Americans' doubt on their ability to conduct original and independent research and address their hesitation to relinquish leadership of scientific institutions over to Filipinos (Anderson 2007). Their

efforts were finally rewarded in 1915 when Ignacio Villamor became the University of the Philippines' first Filipino president, and Sixto De Los Angeles became the head of the university's newly created Medical Jurisprudence and Ethics Department.

HISTORY AND SOCIOLOGY: INTERSECTING PATHS

The examination of the professional lives of these scholars, made me acutely aware of how the historical location of biographies, of individuals and their actions, have been underutilized in sociological researches (see Abrams 1982; Griffin 1995). History demands sociology to account for social change, locate social phenomena in a time continuum, and acknowledge the contingencies of the milieu that bear upon individual actors, and vice versa.

The inquiry on how the criminal justice system operated and in what ways it was appropriated by Filipinos highlighted for me the importance historical sociology: one should not only to theorize the past in order to explain it, one must arduously reconstruct past events, assess historical evidence, and critically interpret them.

Social historians find renewed energy by taking on sociology's practices such as delving deep into social theory or employing quantitative data analysis. Conversely, sociologists reinvigorate theirs by taking temporal locations of events and biographies (individual and collective) more seriously, and minimizing the secondariness of the so-called secondary data abundantly offered by archival documents.

Indeed, "social history and historical sociology seem in some ways like trains passing in opposite directions in the night, the reason lies in the disciplinary orthodoxies each has sought to criticize and surpass" (Skocpol 1987:21). However, it is interesting how methods or materials considered as "old fashioned" or "traditional" from one side of the track can freshly infuse research momentum into the other.

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