

**ASSESSING IPRA KNOWLEDGE AND PARTICIPATION IN
ANCESTRAL DOMAIN MANAGEMENT
AMONG THE AGUSANON MANOBO**

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This paper presents a survey of the extent of knowledge of the Agusanon Manobo in Barangay San Andres, Bunawan, Agusan del Sur pertaining to R.A. 8371, otherwise known as the Indigenous Peoples' Rights Act or IPRA. The analysis focuses on misconceptions and gaps of knowledge, along with the prevailing patterns that influence familiarity of the said law within the community. The participation levels of the members of the tribe in terms of planning and execution of projects for the Manobo community have also been observed. This paper also outlines the role played by external forces (mining corporations, NGOs, academic institutions) in the formation of 'indigenusness', which has affected the interactions between the Tribal Council and the State. The findings present internal and external reasons for the weaknesses of Tribal Council governance of their Ancestral Domain and seeks to give a more detailed perspective by showing the ways the members of the Manobo community have been marginalized in terms of participation, along with their implications for the management of the Ancestral Domain.

Keywords: IPRA, participation, Brgy. San Andres, Agusan del Sur, Tribal Council (TC)

Introduction

This article focuses on the knowledge of indigenous peoples (IPs) about the law that was specifically crafted for them – the 'Indigenous Peoples' Rights Act' or IPRA. The study attempts to assess the perceptions of the people about IPRA, and not just of those who are part of the Tribal Council. The aim is to evaluate and explain the differences in knowledge of IPRA, and in this light to suggest ways that IP communities can better manage their Ancestral Domain. Participation levels of members of indigenous

communities have been studied elsewhere (Mayo-Anda et al. 2006). This paper seeks to give a more detailed perspective.

Methodology. In initially exploring the topic of conflict between IPRA provisions and the practices of the community, I had the assumption that all members of the IP community understood IPRA. The validity of the assumption proved to be a topic more relevant however as well as being doable within the period of fieldwork that took place in the summer of 2012.

Census data are from the Tribal Council, and map and other records are from the Barangay Council. Interviews and discussions were conducted with purposively chosen informants. A survey of randomly selected respondents was also attempted to check knowledge of certain keywords related to IPRA in correlation with specific variables.

For the survey, identified Manobo clans¹ were ranked based on the number of members that were land claimants² in the Ancestral Domain. The number of land claimants per clan was assumed to be an indicator of the length of stay and power of the clan in the area. For each rank, ten individuals were selected with emphasis on getting an equal number of individuals from each clan with the same rank³. One hundred respondents were identified in this way, of which however not all were eventually interviewed due to lack of time. Tribal and Barangay Council members were also surveyed, including individuals who were not included in the original list of selected respondents but who were available for interview. From this method of purposive sampling, a total of 51 respondents was gathered, of which 7 were Tribal Council members and 3 were Barangay Council members. Two of the respondents were also identified as ‘*Bagani Force*’ members.

The respondents were asked to respond to a questionnaire in Cebuano inquiring into their knowledge of the IPRA law, starting from the basic definition, history, and purpose of such terms as “IPRA”, “CADT” and “NCIP”. Later, the terms “ADSDPP”, “Ancestral Domain”, and “*Yutang*

¹ ‘Clans’ were operationally defined by their surname.

² Under their Ancestral Domain Sustainable Development Protection Plan (ADSDPP), the claimants were to each have 3 has. of land within their Ancestral Domain.

³ E.g. five individuals each from the Belar and the Cullantes families clustered at rank #1, and so forth, for a sampling of 10 respondents representing each rank. See appended table showing the clusters in the ranking of clans.

Kabilin” (local translation of Ancestral Domain [Cebuano]) were added to the list.⁴

Among the research difficulties encountered were: a) absence of some individuals to be interviewed, b) incapability of hearing and speaking well due to old age of some elderly informants, and c) not all interviewees responded to the same number of questions, as some terms that turned out to be significant were added only in the latter part of the research. Validation of the research findings was conducted by inviting the informants, members of the Barangay Council and Tribal Council to a presentation of the data and findings at the end of the research period. However no TC members attended this meeting.

A point to be clarified is that it is the extent of knowledge of the individuals sampled that was investigated. The question of "how much is enough" of knowledge about IPRA cannot be a fully answered.

Other members of the community chanced upon by the researcher in the course of interviewing the sampled 100 were also interviewed. Although not part of the sample and the quantified data, they nevertheless provided insights which proved to be valuable.

This research started out with the variables of ‘Age’ and ‘Membership/closeness to the Tribal Council and Barangay Council’, i.e. ‘being a member of, having a relative or a neighbor that was a member of, Barangay and Tribal Councils, or the absence thereof. A third variable is ‘Clan Ranking’ or belonging to clans with many claimants to lands within the Ancestral Domain.

The hypotheses are as follows: a) that certain facts regarding the objects inquired upon are known across ‘youth’, ‘adult’, and ‘senior citizen’ age brackets; b) those with positions in the Tribal Council or close ties with its members would have relatively more knowledge than those who do not; c) persons who belong to clans with many claimants to the lands within the Ancestral Domain are more familiar with IPRA than the clans that have fewer claimants.

History and demographics of San Andres, Bunawan

San Andres is one of the 10 barangays that comprise the Municipality of Bunawan, Agusan del Sur. The place is said to be named after Andres Lacasa, supposedly the first Manobo to settle in the area in the 1940s. According to the 2009 census of the NCIP, 378 (34%) of the population are

⁴ A list of the acronyms and a glossary of local terms is appended to this article.

Agusanon Manobo, while 746 (66%) are migrants. Protestant, Roman Catholic, Methodist and Sabadista are the religious denominations in the area, though exact figures cannot be given for each.

San Andres was formerly under the jurisdiction of the Municipality of Talacogon. Waves of migrant entry coinciding with the operation of logging companies however precipitated the formation of a separate municipality, Bunawan, of which San Andres would be a part. *Bunawan* means 'valuable mineral' (in this case, gold). Several logging companies operated in the area before small-scale mining began, although the Manobo had already been cutting trees for swidden agriculture and panning for gold in the creeks and rivers found in the area. Other IP and migrant families moved to San Andres from various places in the later part of the 70s and 80s after hearing and fearing the sound of passing machine-powered boats in the Simulao and Agusan Rivers (this was their first encounter with such sounds and they thought that they would cause harm).

Mining and logging are the main sources of livelihood in San Andres. Upland farming is still practiced along with wet-rice agriculture, but root crops have been replaced by oil palm and rubber plantations. Hunting and trapping is rarely practiced now, although in some parts of the year a member of the community catches game, such as *baboy-ihalas* or wild pig, and shares it with the community.

Two forms of governance units oversee the peace and order within the San Andres area: the Barangay Council (whose constituents include the migrant families in the area), and the Tribal Council, now seen as the counterpart of the Barangay Council for the IP population. The Tribal Council was formalized a few years after the enactment of the IPRA, which recognized the right of IPs to have their own leaders. During the period of research, various sources confirmed that there were clashes between the Tribal Council and the Barangay Council. Though one council has no jurisdiction over the other, the constituents of the Tribal Council often resort to the Barangay in times of need. The Tribal Council also created a 7-member '*Bagani Force*' against illegal logging and mining.

Interestingly however, no significant movements have emerged against commercial logging and mining companies that have settled in the area. A possible reason for this is the position of the former governor of Agusan as a shareholder of one logging company, identifying the company with himself, as well as employing Manobo in the area.

As of the moment only one small scale mining company is in operation in the area: the Camarin Mining Company. Started in 1986, the company

has had a series of stops in operation, but has resumed a few years ago. The barangay and the Tribal Council are beneficiaries of a royalty share from PhilSaga, a large scale mining operation in the area, which (along with its partnerships with NGOs) has been a primary source of funds for their projects.

Overview of the CADT process, assessing knowledge of IPRA

Under IPRA, the Certificate of Ancestral Domain Title (CADT) serves as the officially recognized claim of the IP to their territory or Ancestral Domain. The process begins with a CADT application from a representative body of an IP community, followed by a briefing on the process of CADT application, which entails the following: validation of the claims of the IP community through accounts, genealogy, pictures, maps, histories. This is followed by an inspection and survey initiated by the NCIP to delineate the land claimed, with a conflict resolution process to attend boundary disputes. After notification of the Ancestral Domain claim in the community and validation by the NCIP, the endorsed claim is submitted to the NCIP regional office for review. Approval and issuance of CADT is then granted at this level.

Throughout this article, ‘knowledge’ will be defined as familiarity with the IPRA, along with a familiarity with the working process of the Tribal Council or TC. ‘Participation’ will be defined as conscious efforts to be aware of the TC's affairs, especially with regard to the management of the AD.

In the survey, knowledge about IPRA was classified into three categories: 1-the respondent can define and explain the term; 2-the respondent has heard about the term, but has no greater knowledge of it; 3-the respondent has never heard of the term, and therefore has no answer. It must be noted that for the first category, the information of the respondents is frequently mixed with misconceptions, which will be discussed later in this paper. The findings are as follows:

Individuals in the ‘adult’ age bracket are more knowledgeable than the ‘youth’ and ‘senior citizen’ age brackets. Although almost all informants were able to define “*Yutang Kabilin*” in their own terms, the individuals who could define or who have heard the term (categories 1 and 2) are mainly ‘adults’ (see Tables 1a and 1b). A possible explanation is their having become aware of IPRA after it was passed in 1997, and they may have been involved or were witnesses to the IPRA-related developments in the community ever since.

Interview data show a generation gap between the ‘Youth’ and ‘Adult’ brackets. In the words of a young informant, ‘we don't know anything about it, it's only Mama and Papa [that have had something to do with it]’ (*"Wala man mi kabalo ana, kay sila Mama ug Papa ra man gud"*). A compartmentalization of IPRA knowledge by age exists.

Table 1a. Knowledge categories for keywords “IPRA”, “CADT”, and “ADSDPP” across age brackets.

Age Brackets	Keywords								
	“IPRA” (51 Respondents)			“CADT” (50 Respondents)			“ADSDPP” (50 Respondents)		
	Category 1 <i>Can define</i>	Category 2 <i>Has heard of</i>	Category 3 <i>No info</i>	Category 1 <i>Can define</i>	Category 2 <i>Has heard of</i>	Category 3 <i>No info</i>	Category 1 <i>Can define</i>	Category 2 <i>Has heard of</i>	Category 3 <i>No info</i>
30 and below	3	1	22	2	2	35		3	25
31-60	6	5	12	5	7	9	13	8	14
61+			1		1				3
Total	9	6	36	7	10	34	8	8	34

Table 1b. Knowledge categories for keywords “NCIP”, “Ancestral Domain”, and “Yutang Kabilin” across age brackets

Age Brackets	Keywords								
	“Yutang Kabilin” (50 Respondents)			“Ancestral Domain” (36 Respondents)			“NCIP” (34 Respondents)		
	Category 1 <i>Can define</i>	Category 2 <i>Has heard of</i>	Category 3 <i>No info</i>	Category 1 <i>Can define</i>	Category 2 <i>Has heard of</i>	Category 3 <i>No info</i>	Category 1 <i>Can define</i>	Category 2 <i>Has heard of</i>	Category 3 <i>No info</i>
30 & below	22		5	5	3	9	5	1	10
31-60	21		1	8	5	3	11	5	1
61+	1					1	1		
Total	44		6	13	8	13	17	6	11

‘Membership in the TC/Closeness to the TC’ does not mean relatively greater knowledge of IPRA. Conversations with several informants also showed that sectoral leaders or individuals appointed to watch over particular regions were not seen have the necessary familiarity with their areas of designation. In the words of an informant, ‘before, if you are the leader in there, you are really the one knowledgeable. Now, they (who are appointed as leaders) do not know even where the mountains are’ [*Sauna kung ikaw ang leader dira, ikaw jud ang kabalo. Karon, wa man gani katuod sa bukid*"]. This dissatisfaction with the TC will be discussed later in this paper.

Table 2. Knowledge of IPRA and Formal Participation in Ancestral Domain and Barangay governance

Keyword	Categories of knowledge of the keywords	Participation in Governance		
		Tribal Council Members	Barangay Council Members	Bagani Force Members
“IPRA”	<i>1-Can define</i>	3	3	
	<i>2-Has heard of</i>	1		1
	<i>3-No info</i>	2		1
“CADT”	<i>1-Can define</i>	4	1	
	<i>2-Has heard of</i>	1	1	1
	<i>3-No info</i>	1	1	1
“ADSDPP”	<i>1-Can define</i>	4	2	
	<i>2-Has heard of</i>	1		
	<i>3-No info</i>	1		2
“NCIP”	<i>1-Can define</i>	2	1	
	<i>2-Has heard of</i>	2		
	<i>3-No info</i>			
“Ancestral Domain”	<i>1-Can define</i>	6	3	
	<i>2-Has heard of</i>	1		
	<i>3-No info</i>			
“Yutang Kabilin”	<i>1-Can define</i>	6		2
	<i>2-Has heard of</i>			
	<i>3-No info</i>			

We asked informants what processes they had had to go through for the CADT (Certificate of Ancestral Domain Title). Those identified as ‘knowledgeable’ (Category 1) frequently answered in one general and vague statement: *“Niadto diri ang NCIP, tapos nangutana-nangutana”* [‘The

NCIP came here and asked questions’]. We also asked for relevant documents pertaining to the CADT application. The only text available was the list of CADT claimants (from which our respondents to the survey were picked). Problems in the CADT application had arisen when it emerged that some privately owned lands would be part of the Ancestral Domain.⁵

Although membership in the Tribal Council does not mean relatively greater knowledge, closeness to the Tribal Council members in terms of being family relations, or as their neighbors, does correlate with having some knowledge of IPRA (though most responses still fall in Category 2 rather than 1).

An apparent compartmentalization of knowledge also occurs here. One informant was quick to say in the middle of an interview: ‘You should have interviewed my uncle, because he is a member of the Tribal Council’. Another informant stated, ‘I do not know about that, because only they (referring to the Tribal Council) are the ones who know’ [*"Wala man ko kabalo ana, kay sila-sila ra man ang kahibalo"*].

Membership in the families with more claimants to the Ancestral Domain does not mean greater familiarity with IPRA. It is not surprising that the clans with most claimants are also the oldest families in the area. It also turned out that many claimants who were classified as belonging to the low-ranked clans were actually members of the oldest families before they had married and changed their surname. However, the assumption that those belonging to the high-ranked or older families would be more aware of the issues of the AD, since they have the most at stake and had lived here for a longer time, proved to be invalid as a lot of the interviewed members of the higher-ranked clans (clans with more land claimants) do not have any idea at all of the recent developments in the management of the Ancestral Domain such as renewal of land areas under Community-Based Forestry Management (CBFM), formulation of the ADSDPP, or the appointment of new Tribal Council members.

Those who had been members of the families with most number of claimants before they were married and now had settled in areas of considerable distance from Brgy. San Andres had generally never heard of many of the keywords (Category 3) [see Table 3]. Though maintaining kinship ties with those knowledgeable, it seems that the physical distance hinders the interaction and therefore, limits knowledge.

⁵ [In IPRA, CADT honors privately acquired or owned lands prior to the enactment of the law.]

Misconceptions About IPRA

As previously mentioned, there are misconceptions about IPRA. It must be made clear therefore that familiarity with the keywords related to IPRA does not necessarily mean validity of the said awareness. The misconceptions not only come from ordinary Manobo, but also Tribal Council members. We can evaluate that so far, the holding of seminars and other efforts of the NCIP have had little effect on the agency of the tribal members in dealing with the technicalities of the IPRA law. The following are the notable misconceptions gathered in the course of this research:

'IPRA is the law of the tribe'. As most informants phrased it: "*Ang IPRA balaod sa tribo*". IPRA representing the customary laws of the community is of course not the case, although IPRA does stem from previous and various struggles of IPs across the country. IPRA was created by State legislation and passed in 1997.

Table 3. Knowledge of IPRA and Respondent's Clan Ranking

Keyword	Categories of knowledge of the keywords	Respondent's clan (Ranked 1 – 10)	
		Higher ranks (1-5)	Lower ranks (6-10)
"IPRA"	<i>1-Can define</i>	5	3
	<i>2-Has heard of</i>	5	
	<i>3-No info</i>	16	9
"CADT"	<i>1-Can define</i>	4	2
	<i>2-Has heard of</i>	8	
	<i>3-No info</i>	22	4
"ADSDPP"	<i>1-Can define</i>	6	2
	<i>2-Has heard of</i>	6	1
	<i>3-No info</i>	22	6
"NCIP"	<i>1-Can define</i>	10	5
	<i>2-Has heard of</i>	4	
	<i>3-No info</i>	10	1
"Ancestral Domain"	<i>1-Can define</i>	8	3
	<i>2-Has heard of</i>	6	
	<i>3-No info</i>	11	2
"Yutang Kabilin"	<i>1-Can define</i>	20	10
	<i>2-Has heard of</i>		
	<i>3-No info</i>	5	1

'NCIP wrote the IPRA'. When asked who wrote the IPRA, some informants would refer to Congress and the Senate. But some informants also stated that it was the NCIP (National Commission for Indigenous Peoples) which wrote the law. In fact, the NCIP was created upon the enactment of IPRA.

IPRA will precipitate the return of the traditional way of life. Most Tribal Council members think that as stipulated in the ADSDPP, they will return to their traditional life ways. IPRA however does not require this, but only indicates openness and respect should such community wish to uphold their customary way of life.

Genealogy of Knowledge

The sources of information for knowledge of IPRA keywords were also inquired into. Respondents who could define or had at least heard of many of the the keywords, although not asked why they were knowledgeable in the Ancestral Domain affairs, provided reasons almost immediately for their case after they responded to the survey. Although not aware of the inner workings of the Tribal Council, they could still identify whether or not the terms are related to the said governing body.

From the data gathered, those with the most Category 1 responses (able to define the keywords) were members of the Tribal Council and had participated in seminars sponsored by the NCIP. Respondents who had held positions in the LGU also gave mostly Category 1 responses as did the marital partners of Tribal Council members who were able to attend the seminars given the by the NCIP.

Those who gave mostly Category 2 responses (i.e. they had heard the keywords although they did not know what they meant) either: a) have had some interaction with Tribal Council members who were their relatives or neighbors (specifically, they had overheard conversations, or seen documents pertaining to the Ancestral Domain management); b) had recently been appointed into the Tribal Council; or c) have had an interaction with the NCIP at some point in their lives (e.g. seeking certification of IP status in applications for scholarships for indigenous peoples).

Respondents with mostly Category 3 responses (or no information on the keywords) had: a) limited exposure to the issues and concerns of the Ancestral Domain due to their age or their living at a distance from the barangay's center of activity; b) expressed disapproval of the Tribal Council's management, thus social distance from the Tribal Council's members and affairs; or c) a livelihood activity away from the community; spending long

hours for their jobs in far areas they interacted less with other community members.

The Tribal Council

Noted earlier was a negative image the Tribal Council had created for itself. Before this subtopic is discussed, the background of the said council will be reviewed, and then tied to the traditional mode of governance of the Manobo, in order to appreciate in greater detail the reasons why there is distance between the Tribal Council leaders and the people.

The Datu. Tracing back, becoming a *Datu* was determined by two factors: a direct bloodline relationship with the existing *Datu*, and a recognized capacity for leadership. Traditionally, according to *Hawudon* Crispin Barrios (head of the confederation of tribal leaders in the area of Bunawan), the next *Datu* was a male member of the present *Datu*'s bloodline as it was believed that the *Datu* could better enforce discipline on his own kin. The *Datu*'s family also was seen as providing a better upbringing than the rest, being models of good conduct. It would then be natural that the next leader must come from the family of the former *Datu*, who also had more training and exposure in ruling over the tribe and greater knowledge in its affairs.

The next *Datu* was traditionally determined in two ways: one, the *Datu* appoints someone to succeed him. The second way is for the *Manigaons* (Elders) to identify the next *Datu* should the current *Datu* die without being able to appoint a successor. In both cases the next *Datu* usually comes from among the sons of the *Datu*—or his grandsons, should the *Manigaons*' consider his sons to be lacking in capability for the position or morally unfit. Should there be no appropriate choice from the male members of his bloodline, the *Datu* can choose someone from any of his people. The *Manigaon* can do the same if the *Datu* is unable to appoint someone before he dies.

In socioeconomic terms, the *Datu* lived no better than his people. He planted the field and would hunt along with other men. The only difference is the greater respect and constant referral to the *Datu* during conflict resolutions. In these cases the *Datu*'s capabilities are tested, specifically the power to gain respect from others and to settle conflicts (*Husay*). Such deliberations demonstrate the ability of the *Datu* to speak with authority and wisdom (*Mamulong*). This trait—the ability to speak with eloquence and great sense (“*hawud mamulong*”, a good speaker)—also has to be found in the *Datu*'s successor. In fact the term *Hawudon* is also used synonymously to refer to the leader or *Datu*, the term *Datu* being perceived as a Muslim category adopted by the government to label tribal leaders. The Manobo

community has asserted that they use the title *Hawudon*, though they still refer to their leader as “*Datu*” on a daily basis.

A *Kahimunan*, or ‘Assembly’, was traditionally called to inform the people of news or events to be concerned about. According to some of my elderly informants, *Kahimunan* have been called several times before; they could still remember the time when they were young and clung to their parents as the community discussed important matters. The younger generation, however, seems to have no idea of what a *Kahimunan* is; ‘What is that?’ (“*Unsa man na siya?*”) they replied, when asked about it. School activities may have taken a significant portion of the time of the youth away from traditional matters. Livelihood may be a factor too, as some teenagers prefer to seek employment instead of staying in school.

History of the Tribal Council. From what the researcher has gathered, originally ‘there were no Datus’ in San Andres. People said, ‘there was no Datu before, it is only now we have Datus, since when the NCIP arrived’ (“*Wala man to’y Datu sauna, karon lang man ning Datu pag-abot na sa NCIP*”). Meaning to say, it seems that the past institution of Datu was by and large less formal compared to the the present arrangement where the Datu have to recognize State procedures and their authority stems from the approval of the NCIP.

Some informants have identified certain ‘Datu’ or leaders in the past. Although some of these leaders are not mentioned by other informants, the accumulated list of the supposed Datus who have since led the community in San Andres is as follows: 1) Andres Lacasa, 2) Teodorico Sawe, 3) Marcelino Belar, 4) Bonifacio Guma, 5) Jesusimo Cullantes, 6) Roberto Cullantes (present).

It is interesting to note that when asked their names, some informants immediately identified themselves with Andres Lacasa, the known patriarch of San Andres, and with Jesusimo Cullantes, who was the first NCIP ‘baptized Datu’. Informants themselves used the term ‘baptize’ (*bunyagan*) as Datu to mean the legitimization and inauguration of the Datu as the leader of the tribe.

It can be said that Andres Lacasa is claimed by some people as the ‘first leader’ or the first ‘Datu’ since the place is named after him. But as one informant narrated, ‘Andres Lacasa was the first (man) here, but it was Simo (referring to Jesusimo Cullantes) who actively exerted efforts (to strengthen the community). Like, he was really the one who joined the seminars (sponsored by the NCIP), he was always moving around’ [*“Si Andres*

Lacasa ang una diri, pero si Simo jud ang naglihok. Kumbaga siya jud tong nag-apil sa mga seminar, sige lang to siya ug suroy-suroy”].

When asked who presided over the resolution of conflicts (*pag-husay*) among the Agusanon Manobo during their younger years, those who claimed that ‘there were no Datus’ would refer to Marcelino Belar. In this sense, Marcelino Belar could be considered as a person with Datu qualities. In the later part of the research, I discovered that Marcelino Belar had served as a barangay *Kagawad* (Barangay Council member). It is possible that in a time when the IPRA was not yet crafted or in implementation, cases of conflict in the barangay were handed over to the member of the LGU who was also an Agusanon Manobo. His position in the local government together with the claims that Marcelino Belar was an intelligent and capable man, cemented his identity as a leader or ‘Datu’. The case of Marcelino Belar shows fluidity in leadership as he performed roles moving between two different political spheres: functionary in the State-organized local government, and presiding mediator during conflicts in the Manobo community. Interestingly, Marcelino Belar acted to ban the performance of all forms of traditional ritual, and thus played a role in the ‘erasure’ of the traditional ways of life of the Manobo in San Andres.

Teodorico Sawe and Bonifacio Guma were recognized as ‘Datus’ due to their abilities, but they were not given this title by NCIP since they were migrant IPs who had settled in from a different area. It is difficult to ascertain however when the NCIP marks the coming of the original settlers and of the migrant IPs.

It was during Jesusimo Cullantes' time that the NCIP came into existence as a result of IPRA. As previously noted, it was also he who was able to attend the seminars and link the affairs of the community to the NCIP. Upon formulation of IPRA, Jesusimo was recognized as Datu of San Andres and the first Tribal Council was formed under his watch sometime in the period 1999-2000. Roberto Cullantes, his son, inherited the title and was proclaimed ‘Datu’ in 2007 (and is the current leader). The NCIP had validated Cullantes’ genealogy (in order to verify the claim that they were part of the original settlers of San Andres), as well as ‘baptized’ them as Datu.

Issues in current Tribal Council governance and participation. Three issues regarding the Tribal Council deserve attention. First is the imposition by the State of a bureaucratized political structure; second, the contested claim to power of the current *Hawudon* or Datu; and third, the marginalization of the non-TC members from the planning process for

Ancestral Domain management. The marginalization of non-TC members is essentially an issue of participation being denied, through: a) lack of information dissemination on the part of the NCIP and the TC on the issues related to the Ancestral Domain claim (e.g. land allocation per family, compliance of legal requirements, protection of AD against intruders); b) the discussion of important TC affairs without the knowledge of affected members of the community; c) the appointment of new TC members without consultation or any election process from their constituents.

The homogenization of land and tenure rights by IPRA (cf. Gatmaytan 2002, Alonso 1994) along with the bureaucratization process enables the State to control the land and resources of the IP. Upon review, Tribal Council documents amount to the imposition of a political organization that is assumed in IPRA to be universal among the Manobo and all IP communities in the past (cf. Loquias 2013). However, several positions or roles in this political structure were non-existent before the NCIP imposed them. The result is the creation of a political governing body which has the air and sound of traditional authority but creates positions that accommodate outside influences (such as companies who wish to work in the ancestral domain). The IPRA law, aimed at ensuring that traditional ways of the IPs are protected, also secures the control of the State (following Foucault 1980, cited in Gatmaytan 2002:3). One informant gave the following harsh criticism of the efforts of the government to 'indigenize' the IPs (*lumad*): 'This is the problem, that it is the outsiders who teach us, as if they are the ones to know what we, the *lumad*, are' ("*Mao na jud ni ang problema, nga ang mga taga-gawas pa ang mutud-lo sa amua, sila pa hinuon ang kabalo kung unsa mi, mga lumad*").

The current Hawudon faces challenges from the population under his care or control (*sakop*), as many individuals assert claims that they are the rightful Hawudon. Critics of the current Hawudon claim that he is not originally from San Andres but from Surigao, meaning he is not a native of the area, and he could not even speak Manobo. He has handled only one case of conflict since being proclaimed Datu in 2011. Earlier it was noted that the eloquence of the Datu was one of the traits that earned him respect from his *sakop*. As of the time of writing, four individuals have asserted that they are the rightful Datu, including the son of Bonifacio Guma, who is not a native of the area but is looked up to as an intelligent leader, and who can speak Manobo.

Earlier it was said that the current Hawudon's position was being contested. This does not go far enough to be formally heard in meetings however. When an informant was asked if he would join a Tribal Council

meeting, he said: 'There will be a meeting, but I cannot come because I have a child (to look after). That is, if they would inform us (that there will be a meeting)' [*"Naa may miting, pero di ko kaadto kay naa may bata. Kung mag-pahibalo pud sila. Karong petsa dose naa man daw".*]

With members with little or no experience in management, planning and in implementation of development projects the Tribal Council came up with limited programs for its constituents. During the course of the research there were only two programs recorded as having been initiated by the Tribal Council: a 'Back-to-school program', which consisted of giving out school materials and happened only once, and a program for those who have been widowed, which consisted of a monthly allowance of P400.

Throughout the research period, it was not uncommon for interviewees to say "*Ay, sa Tribal [Council] man na*" ('Oh, that's for the "Tribal" [Council]), as if to say that they do not have any participation or say in it. It can be said therefore, that the political designation "tribe" given by the NCIP may have operational problems, in the sense that the notion of a "tribe" assumes a community that has strong kinship and social links between the members, thereby assuring political stability. One informant, when asked why he does not participate in the Tribal Council affairs, replied "*Ahw kanang mga laki dira hadlok man malupigan sa uban para sila-sila ra pud lage*". ['The men there are afraid of being upstaged by others, they want to be the ones who always take part']. Given a political structure imposed from the outside and the play of personality-politics, the knowledge and the participation of its constituents in the Tribal Council is limited.

Knowledge of the IPRA vs. understanding rights to land

Is lack of knowledge of IPRA equivalent to the lack of knowledge of the Manobos of their rights to land? While this may appear to be the case in the situation presented above, a different picture is painted upon deeper analysis. In the interviews made, the notions of ownership of land 'since time immemorial', right to delineation by the IPs of their own land, and the demand for shares in the profit made by outsiders before, now and in the future in the Ancestral Domain was articulated by the Manobos themselves, in their own terms, even without having knowledge of IPRA. This was made clear when several informants who were asked to define Ancestral Domain were unable to do so. But when asked about "*Yutang Kabilin*" (which means 'Ancestral Domain' in the vernacular), the informants were able to give definitions, as well as to express themselves in statements that echo some provisions of the IPRA.

The concept of Native Title, which is defined in the IPRA as ownership of land “since time immemorial”, is evident in these words of an informant, who very much echoes the sentiments of others: ‘This ancestral land, this is the land that we own, which comes from our ancestors’ (*"Kaning yutang kabilin, mao kini ang yuta nga amo gipanag-iyahan, gikan pa sa amu mga apu-apuhan"*).

Among those without information on the IPRA (Category 3), there were those who perceived unfair sharing of the royalties received from the mining companies and CBFM areas in the Ancestral Domain. Asked how those who receive royalty shares are determined, one informant replied that ‘it depends’ on whether one is close to a Tribal Council member. ‘If you are (a) distant (relative), then you receive none’. (*"Depende, naa man nai politics bitaw nila. Kung duol-duol ka sa ila, naa jud na. Pero kung layo ka, wala."*) In this statement, the informant clearly understands that she deserves a part of the royalty share, and is also critical of the apparent reason why she has not received any.

External factors affecting knowledge and participation

The internal factors which affect the knowledge and participation of the IP's are also affected by external agencies, which are: a.) NGOs; b.) ASSCAT (Agusan del Sur College of Agriculture and Technology), at which many of the Manobo youth are enrolled at the moment, and c.) the PhilSaga Mining Corporation (PMC).

Earlier it was mentioned that the scholarships offered by PhilSaga to IP youths had to be validated by the NCIP. This process may have been a means for the youth involved to have become familiar with the keywords.

Asked ‘If the old ways of the tribe are to be followed, would you allow mining and logging operations here in San Andres?’, majority of interviewees said ‘No’. They further commented that these would result to further degradation of the environment, and that large scale mining was never a part of the IP culture before. Those who responded ‘yes’ expressed sadness over the fact that they would have to respond this way. Their reason was that this (logging and mining) was the only source of livelihood that they had.

A beads/accessories-making project of the NGO PAFID (Philippine Association For Intercultural Development), in partnership with the youth sector failed, after about two meetings the members became inactive. The

main reason, members of San Andres Tribal Youth Organization (SATYO) said, was that schoolwork interfered with the bead-accessories project.⁶

Another NGO, referred to as “Silatan”⁷, attempted to operate in San Andres, but was rejected by the Barangay Council. The entry of Silatan was controversial since its office had linked up with the TC in order to provide livelihood for IPs in the area. Lands owned by the IPs in the Ancestral Domain were to be utilized for the agricultural projects planned. The stated policy of Silatan was that IPs should be the priority members, and that membership for non-IPs would be allowed if the number of IP members does not reach the project’s membership quota. It was unknown to many Agusanon Manobo however, that their names had been listed down as members of the said project, and that it would be their lands that would be used. The Hawudon had also given non-IP individuals membership in the project. Furthermore, the land area identified per IP member was five hectares in size. Those Agusanon Manobo whose names had been listed down were outraged, not only had they not been informed beforehand, and these transactions had been done behind their backs, but their share in the Ancestral Domain only totalled to three has. per claimant. In a meeting convened by Silatan and the TC, the Agusanon Manobo concerned expressed their disapproval of the said project, which resulted to the current ‘pending’ status of operation of Silatan.

Further observations and analyses

Misconceptions and self-understanding of IPRA. The findings on the limited knowledge of IPRA show that many members of the Manobo community are not well-versed in terms of how the State articulates their needs. ‘Adults’ were the more frequent persons with information about IPRA keywords (Category 1), since it is from their age bracket that members of the Tribal and Barangay Council come. The misconceptions held by some show that the seminars sponsored by the NCIP do not achieve high results in

⁶PAFID had also initiated livelihood projects like livestock raising (pigs and chickens were given out to be raised by the members of the community), along with communal gardens in the Ancestral Domain. However some of the livestock died due to sickness, or were consumed. Only one single beneficiary of the project raised her pig to maturity, while the current appointed PAFID representative was the only one able to raise two out of the six chickens given per beneficiary. Floods also destroyed the crops in the communal garden. Seeds for planting distributed by PAFID ended up resold.

⁷This may be the Silatan Farmers Producers Cooperative (CDA-Caraga Extension Office 2012:#887).

terms of information dissemination. The fact that IPRA had never been heard of by some community members does not mean however that they are unaware of their rights as indigenous people. In a deeper sense, they do not need to attend seminars in order to understand that they have a claim in the Ancestral Domain.

Two-way restriction of knowledge and participation. It can be said that the secondary reason why most members of the community were limited in terms of knowledge and participation emerges from the primary situation: that the Tribal Council is composed of closely related relatives, conducts meetings to which not all are invited, etc. Members alienate themselves from the management of the Ancestral Domain in response to the closed-operation of the Tribal Council and instead use their share of the land in their own way. One informant captured the sense of apathy towards the Tribal Council when interviewed, saying: 'I don't know about that, it's all among themselves. I don't have anything to do with them, I just exert my own efforts to make a living here' ("*Ah, wala ko kabalo ana, sila-sila ra. Wa koy paki-alam ana nila, basta manginabuhi lang ko ug ako diri*"). The lack of participation eroded the links between members of the IP community, leading to failure of some community projects introduced by NGOs.

Ecological and social mismatch of NGO projects. The efforts of SATYO to strengthen IP culture through the beads-accessories project were commendable. However, its failure can be attributed not to the conflict between the time for bead-making and schooling by the SATYO members, but to their inability to have foreseen this. Similarly, the communal gardens later became a failure due to the floods that followed the year it was implemented. What we have here therefore is a mismatch of the projects initiated by the NGO's in the area to the reality of the everyday lives of the IP community members.

Inexperience in management of the Tribal Council. Given the lack of programs initiated by the Tribal Council, they had to resort to the projects developed for them by external bodies such as the NGOs. But the sometimes disastrous consequences are the result of the lack of foresight of the TC, along with almost total dependency on NCIP on the decisions in terms of AD management instead of internal discussions within the tribal community.

Another issue with the TC is that it cannot provide protection to the lands of its constituents, although it did create a 7-member 'Bagani Force' to guard these lands. It is difficult to imagine, however, how seven *Baganis* could guard thousands of hectares of land. One informant reported that although

she had secured two hectares of her own land and sworn to maintain it, she was forced to clearcut it since illegal loggers continue to operate in their area. In her own words, 'better that we are the ones to cut down the trees, because if we don't others would, and they would be the ones to benefit' ("*Ma'y pa'g kami na lang ang mamutol, kay kung dili namo putlon kay lain man gihapon ang makinabang*").

The problematic of information dissemination. The genealogy of information in the previous part of this paper outlined how some people had access to the information, and why they had such access while others had none. This leads to organizational weakness during community projects, as the members did not know or follow instructions given. The blame may be poor communication of instructions on the part of the NGO, or with the IP community, in the probability that they were unable to follow instructions. But in the case of Silatan, the community stood up against their own TC and the said NGO. These two cases illustrate the point that the participation of the ordinary IP community members depended on what situations are present. There can be cases where self-interest becomes more paramount, but there can also be occasions wherein the community can be united even without the mandate of the Tribal Council, if the cause is to preserve the little land that they can claim as theirs. This research has shown that the Agusanon Manobo community in San Andres is mindful of their rights to land even without knowing how the State has acted upon these rights. Participation (or non-participation, in this case) is therefore a result of the distance the Tribal Council has created between itself and the rest of the IP population, and not the ignorance of the technicalities of IPRA. There are different ways of articulating rights to land. IPRA is an imposed system that does not fully capture the ways of life of IP communities, therefore ignorance of IPRA may even be a form of resistance in itself.

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APPENDIXTable 0. Ranking of Clans
(By # of Land Claimants)

Rank	# of Claimants	Clans
1	18	Belar Cullantes
2	12	Munoz
3	11	Parcon
4	10	Durango Rodrigo
5	8	Espanola Castillo
6	7	San Bello Lacasa Ayala
7	6	Tajanlangit Sawe Saludag Hallasgo Gunga Dublen Batosin-in
8	5	Sahay Morales
9	4	Montadas Ibarra

LIST OF ACRONYMS

ADSDPP - Ancestral Domain Sustainable Development Protection Plan

ASSCAT - Agusan del Sur College of Agriculture and Technology

CADT - Certificate of Ancestral Domain Title

CBFM - Community-Based Forestry Management

IP - Indigenous Peoples

IPRA - the 'Indigenous Peoples' Rights Act of 1997' (R.A. 8371)

LGU - Local Government Unit

NGO - Non-Government Organization

PAFID - Philippine Association For Intercultural Development

PMC - PhilSaga Mining Corporation

SATYO - San Andres Tribal Youth Organization

TC - Tribal Council

GLOSSARY OF AGUSANON MANOBO TERMS

Bagani - 'warriors'; the title of individuals tasked by the TC in the protection of the Ancestral Domain against illegal loggers and mining.

Bunyagan – 'to be baptized' [in the study, as Datu]

Datu – 'ruler' or 'head' of the Manobo community

Hawudon – 'capable person', 'knowledgeable person'; a new term in replacement of "*datu*", *datu* being perceived as a Muslim category adopted by the government to label tribal leaders. The IP community have asserted that they use *Hawudon* nowadays, though they still refer to their leader as "*Datu*" on a daily basis.

Husay - 'trial'; examination of statements of 2 conflicting parties

Kagawad - Barangay Councilor.

Kahimunan – 'assembly'; meeting of all members of the tribe, commonly occurring in the big decision making events.

Mamulong - 'to speak with wisdom'

Manigaon - 'elders'; members of the tribe who serve as advisers to the *Datu*

Sakop - total population under the watch of the *Datu*

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