CONSTRUCTIONS IN CONFLICT: MANOBO TENURE AS CRITIQUE OF LAW[1]

- Augusto B. Gatmaytan

Introduction

The Manobo of Agusan del Sur province tell the tale of two brothers who lived on the coast of Mindanaw:

> "When the Spaniards arrived, the younger brother chose to be baptized, and learned to read and write. Since then, he lived by his reading and writing. He was called Palagsulat —"The One Who Writes"—the ancestor of the *∂umagat*. The older brother refused to be baptized or learn to read and write. He moved to the mountains, where he continued the practices of his ancestors, guided by dreams and visions. He was called Palamgowan, "The One Who Dreams". The Manobo and other tribal peoples are the children of Palamgowan."[2]

The story uses contrasts between characteristics attributed to the Manobo and to migrant or *bisaya* settlers to assert identity and difference in the face of centuries of interaction. What is interesting for me is its suggestion that despite their common ancestry, the children of Palagsulat and Palamgowan have separate ways, making mutual understanding problematic.

The Problem.

In 1994, while assisting an Adgawan Manobo community to apply for a Certificate of Ancestral Domain Claim (CADC), I said that land in their territory was communally owned, except that lots cleared by farmers became their individual property (Gatmaytan 1995: 2). When I prepared my Masters thesis in 1999, I intended to show how Manobo land and resource tenure allowed this coexistence of communal and individual property systems. I found however that my description of Manobo land tenure as communal was a gross mistake.

This paper will present my construction of the Manobo land and resource tenure system. It then explores any differences with the state's construction of indigenous tenure, found in the Indigenous Peoples' Rights Act (IPRA) it is now implementing. While there are critiques of the law, most address only its mechanics or stem from ideological stances that do not engage substantive issues. To assess the impact of IPRA, we need a critique based on a sociological understanding of actual tenure practices rather than on assumptions about it.

To limit this paper to determining how well Manobo and government notions of land and resource tenure fit each other contributes little to our knowledge, however. Even the tale of Palamgowan and Palagsulat offers the insight that there are

differences between state and indigenous perspectives. It is more productive to go beyond noting differences and try to understand the processes that led to those differences. This will provide more useful lessons for the necessary task of constructing a future for the children of Palagsulat and of Palamgowan.

Theoretical Notes.

In this paper, I will use land and resource tenure as a methodological focus on which to build my discussion. For this, I appropriate Giddens' (1982) notion that human action or agency—here taken in relation to tenure—embodies their understanding of their interests, resources, and the contexts they are located in. Following Giddens' injunction to focus on praxis, I hope to draw out the discursive framework/s that govern local practice, as these play out within local social relations.

I adopt Bromley and Cernea's definition of "open-access" and "common property".[3] "Individual" ownership here means ownership by a single person, though control may actually be shared with kin or household.

The Adgawan Manobo

The Manobo live in the Agusan region as well as Surigao del Sur, Bukidnon, and the Davao and Cotabato regions (Beyer 1917: 55; Lebar 1975: 45). My findings refer only to the Manobo of the Adgawan river in Agusan del Sur province, and not to any of the others. 'Adgawan Manobo' here refers to the location of the people I discuss; I do not suggest they are distinct from the Manobo of the Umayam, Agusan or other rivers.

Historically, they relied on farming, hunting, trapping and fishing, and trade for their economic needs and wants. Agriculture, especially rice-cultivation (*pagpanguma*), is highly valued though productivity is low. In the middle Adgawan river area, cultivation of upland rice is conducted using indigenous swidden methods (Gatmaytan 1998). Other crops are sweet potatoes, cassava (*kalibre*), yams (*hupi*) and corn (*batad*). Increasingly, swiddens are supplemented by dry-field plowing (*daro*) and rice paddies (*basak*).

Hunting and trapping of wild pigs, monkeys, birds and deer is declining but still practiced. Fishing was very important in the past (Garvan 1929: 81 et seq.), but has been adversely affected by logging. Traditional trade items are *abaka*, rice, maize and wax (Urios 1891).

Logging began in the area with small-scale operators in the 1950s. Large-scale logging began in the 1960s, peaked in the 1980s, and declined thereafter. Today, much of the Adgawan river area has been stripped of its premier timber species. Corporate tree plantations began operating in the 1980s, replacing the logging firms that shut down as timber vanished. In the 1970s harvesting rattan became increasingly important as a source of cash. Many Manobo now earn money through farm and tree-plantation labor, small-scale logging and

tree farming, and rattan cutting.

Manobo communities in the area are small, autonomous, and linked to local clans. One or more *datu* or *ba-e*, as well as *barangay* and *sitio/purok* officials lead the communities.

Manobo culture is still practiced in the middle Adgawan area. Even communities classed by Garvan as "*conquistas*" (1929: 8); i.e., 'conquered' by the Spanish church/state order, show the tenacity of some Manobo cultural ideas even today.

The social structure, centered on the father/father-in-law, is patriarchal. The male head of a family has much influence over his children and sons-in-law. As the usual post-marriage residence rule is the paternal uxorilocal mode, sons generally 'marry out' of the family and into his father-in-law's. Unlimited polygynous marriages (*duway*) are allowed, but is rarely practiced, even in the past. Arranged marriages (*boya*) are waning, but are still conducted.

Local values—reverence for old ways and elders, productivity (specially in farming), respect for others' rights (*pagtabud*), emphasis on sharing—are widely upheld.

Spirits linked to localities (*tagbanwa*) and other spirits are called on for assistance, permission or forgiveness. As this suggests, rituals are practiced at the household or community level regularly. Spirit possession by hereditary spirit-familiars (*abyan*) in the major rituals is common. Ritual obligations (*tulumanon*) are kept to the extent possible, given the expense of finding sacrificial animals (*sinugbahan*, *ipu*). Taboos (*pamalihi*) are widely observed. Ritual 'pollution' arising from illicit sexual encounters (*sawoy, sawajan* or *kapo-otan*), or bloodshed (*kakuyahagpahan*) is taken seriously. Dreams (*taga-in*p*) and omens (*bagto*, *bala*) are used in decision-making, and actions of spirits taken as explanations of events. The *baylan* is respected at the local level.

This is not to say that mainstream, globalizing culture has not made inroads into Manobo culture, even in the more remote communities. Still, indigenous beliefs and practices are visible in the middle Adgawan communities, compared with other areas in the country.

Manobo Land Tenure

John Garvan is considered to have written the classic ethnographic description of the Agusan Manobo. He describes their land tenure as communal, where families or clans own lands to which members have only usufructuary rights coterminous with their crops (1929: 159-160). Hunting, fishing, and picking wild fruits are theoretically restricted to members of the family or clan, but in practice access is not controlled rigidly.

Land Ownership: From First Use to Inheritance.

Adgawan Manobo landownership is ultimately premised on the principle of first use. One who first clears a forest area (*pamuwayas*) for farming is deemed its owner,[4] along with an indeterminate extent of the surrounding area. As clearings can be made in many places over a

lifetime of farming, one may own different parcels of land at some distance from each other. There are no limits on the number of lots, or the size of the lands a person can claim, so there are people today with more than one holding, ranging from less than a hectare to more than 250 has.

As an agricultural frontier, the area was probably enclosed by the late 19th century. Today, all lands in the area have been cleared/claimed, so ownership based on first use can no longer be made; it is now based on inheritance of pioneering ancestors' clearings/lands.

Today, inheritance tends to be bilateral, limited to the direct line, allowing male and female offspring to inherit equally. The owner has latitude in the disposition (*panagumbilin*, *panugontugon*) of her/his affairs, and the division of land (*pag-gahin*) among the heirs. Refusal to heed the *panagumbilin* is punishable by a supernatural sanction (**t*k*). The individual heirs become the owner of their respective *gahin* or share in the hereditary lands when s/he is given that land by the owner; or at the latter's death. As landowner, s/he has the right to transmit the land to his/her own heirs, and farmers who wish to borrow land must first secure her/his permission.[5]

This is a shift from the previous rule, where owners gave the lands to only one heir—usually but not always the eldest son—*who became its owner*, though with the duty to provide for the welfare of all other co-heirs. The latter have an inchoate interest in the land, and defer to the landholding heir's decisions regarding the land.[6] On the other hand, they each have a right to unrestricted, equal use of portions of the land for farming. While this second, older rule is on the decline, examples can still be found.

There is room for agency or resistance within the frame of these inheritance rules. It depends largely on how assertive the landowner and the heirs or co-heirs are. Descendants may press their father to subdivide the land among them, sometimes successfully. In two cases where the older inheritance rule applied, co-heirs wanting their own individual lots tried to convince their landholding brother to subdivide their inherited land.

I also found cases of husbands 'appropriating' their wives' inherited lands as their own,[7] claiming they were fictive sons ("*isip anak*") of their fathers-in-law. This shows how having inheritance rights does not in itself guarantee enjoyment of that right (following Agarwal 1994, Risseeuw 1988).

Inheritance of land is thus individualized in that the co-heirs receive their own individual, subdivided lots of which they each become owner; or in that one individual heir is given all the landowner's lands, though with the duty to watch over his/her co-heirs. As inheritance is the principal basis for claiming ownership today, it follows that landownership is also individualized.

Transmission through Transactions.

Another way of making a derivative claim of landownership is through donation or gifting. In the Adgawan river area, there are many cases of gifting (pag-b*g*y) of land. Land may be given for particular ends—e.g., to ease marriage negotiations—or out of generosity. As an elder put it, true gifts are given "*para sa kanami sa imong pagpasalamat*" ('for the pleasure of your gratitude'). I have seen lands gifted to neighbors, their children, or even non-residents or non-members of a community. Once given, the recipient becomes the landowner; even the donor must get the donee's permission should s/he wish to farm on the donated land.

Another means of making derivative land claims is through purchase. As a mode of gaining property, this is relatively new and rare, and the two cases I know date from the 1990s. Both involved the purchase of land in one community by a member of that community, from its owner in another community.

These transactions draw their validity from the antecedent rights of the donor or seller. As the donor or vendor ultimately premises her/his own right on inheritance, these transactions reiterate social relations, succession rules, and individual ownership.

The Practice of Manobo Landownership.

Clearly, Manobo land tenure is changing, underscoring how tenure relations are not immutable but negotiable, allowing for individual agency or assertion. The changes however are reinterpretations of indigenous notions of tenure. Thus, the emphasis on dividing land among all heirs is a mere 'spatialization' of the co-heirs' equal, inchoate interest in land under the previous rule. Similarly, selling land is a mere step beyond the basic idea of individual ownership of land, in a context of intensifying commercialism. Thus even as they reinterpret existing cultural ideas, they also reiterate the fundamental cultural ideas on which they are founded.

Individual landownership does not in itself negate a rich community life. One reason is that the Manobo practice of individual landownership is not exclusionary. Manobo landowners lend land, at times year after year, without expecting any return. Everyone is free to pass through others' landholdings, there being no concept of what we would term 'trespassing', and even appropriate resources found there. Landownership here has a social dimension; it does not preclude public access to a critical means of production.

Manobo Resource Tenure

Logging: Chants and Chainsaws.

"In the beginning", said a datu, "there were no trees" ("*Sa una, wadad kayo*"). Before the advent of logging, trees were not considered a valuable resource at all. "They were more like weeds are to us, so commonplace that we all but ignore it, rendering it virtually invisible".

When loggers began here in the 1950s, they met no resistance at all. All the men I talked to—including *datus* and *baylans*—were directly or indirectly involved in logging. "*Lep' an' rayt*", "*basta maka-una*" ("as long as you're first"), and "*halos ibatag ra [ang kahoy]*" ("[trees were] practically

given away") were phrases I heard when discussing the logging boom, reflecting the unregulated manner in which it was conducted. Manobos assisted or joined logging teams. They kindly directed loggers to good tree stands. A logging ritual was developed to protect loggers. Today, there is no sense of regret about their collaboration in the destruction of the forest.[8]

These indicate that timber was originally deemed open-access resources. At that time, trees seemed so plentiful as to be inexhaustible, and may even have been regarded as obstacles to the more highly regarded farming activities. Moreover, the Manobo had no stake in the establishment or maintenance of the trees, nor the means to cut, transport and sell logs. Thus, there was no sense of ownership of timber, and consequently logging went unregulated.

In the 1970s, logging penetrated the Maasam and Umayam river areas. There, landowners demanded payments called 'time' from the loggers, in exchange for access to trees in their lands.[9] Failure to pay the negotiated amount led to violence and death. Adgawan Manobo landowners adopted the practice of demanding payments from loggers in the 1980s. Today, the practice has been carried over by the tree-plantations that replaced logging firms.

This was a major shift in the way commercially valuable trees are perceived by the Manobo. From being open-access resources, commercially valuable trees like *lawa-an*, *naga* (*narra*) and *∂ungon* (*yakal*) became the property of the one in whose land they stood. Anyone who would fell these trees for commercial use must secure the landowner's permission and pay a negotiated 'access fee'. On the other hand, non-commercial species like *anangilan*, *bitan-ag, bungyoy,* among others, remain open-access resources.

Rattan: From Curse to Commerce.

An elderly woman told me that in the past, cutting rattan for the market was punished by a curse (*makaga-ba*), as it had so many uses. By the 1970s however, as rattan in other areas diminished from over-cutting, commercial rattan cutting became an industry in the Adgawan area. The first financiers and cutters were from outside the area, but local people soon learned the trade. When I told him what the old woman had said about ga-ba, a man shrugged, "*mahal naman ang uway karon*" ('rattan has a high price these days').

Like timber, valuable rattan species like *pæsan*, *kæpi* and *tomalin* became the *ugalingon* or property of the one in whose land they were found. One must first secure the landowner's permission and negotiate a percentage of the profit as 'access fee' before taking any of these types of rattan from others' lands. Non-valuable kinds like the *kamajonganon*, *maygatasan*, *pu∂los*, *baya*, *sambunutan*, *hambæ*, *taknigi∂*, *ulisi* and *ka-anan* remain free-access goods.

Again, the shift in the status of these resources is linked to the peoples' realization of these resources' economic value.

Other Forest Resources.
Tree and rattan species that are not (yet?) commercially valuable remain open access resources. Forest resources such as edibles (*ubod* or rattan/palm pith or core, mushrooms and bamboo shoots), construction materials, firewood, medicinal plants and materials (*tambæ, talimughat*), craft and ritual materials, betel-chew ingredients, bamboo, feral growths (*oli*) of cassava and yams, and wild fruits are also considered *komun* or open-access resources.

Hunters, travelers and fruit-picking bands often take the fruits of wild (*turok*) fruit-trees in the lands of others. It is unclear however if the trees are considered the property of the landowner though its fruits are open-access resources; or if trees *and* their fruits are considered open-access resources. On the other hand, planted trees (*tanum*) and their fruits are the property of whoever planted them, and it is improper to pick such fruits without permission.

Resources in this category may change status, just as timber and some rattan varieties did. Another example is *duryan* fruit, which come from *turok* or wild trees here. With the realization of the commercial value of these fruits, there have been attempts to market them, and to assert that the *duryan* trees belong to the landowner in whose land they stand. Others fear this would limit public access to a prized fruit everyone was used to sharing. The issue has not yet been resolved.

Hunting, Trapping and Fishing.
I have a tape-recording of an elderly, dignified Manobo lady losing her composure and laughing long and hard at me when I asked her about the ownership of wild pigs. The very idea of laying claim to wild pigs is ridiculous to her; wild pigs and other game are regarded as open-access resources. People explained that it was pointless to claim the game in one's lands when the animals ignore any and all boundaries. Thus, anyone can hunt or trap in the territories of other communities, or in others' landholdings,[10] without obligation to give these communities or owners a share of any game caught (see Ingold 1987: 136). This practice maximizes the chances of catching game, and as the meat is generally divided (*handog*) among the households of the community, maximizes as well everyone's chances of enjoying fresh meat.

Hunting or trapping is unregulated. There are no 'sacred' or other areas where hunting or trapping is banned, as to serve as sanctuaries. There are no periods in the year when hunting or trapping is prohibited. There are no restrictions on the weapons or traps one may use; Manobo use firearms, *ping-pong*[11] and the brutal *bætik* and *seyngwag*[12] among others. There are no taboo animals among the Manobo. Neither are there restrictions on the number of animals one may catch, nor on their physical condition; piglets, pregnant sows, all are literally fair game.

Only the hunting or trapping of wild pigs—the principal game animal—has ritual prescriptions and taboos. Rather than restricting hunting or trapping however, Manobo ritual negotiates access to resources owned or occupied by spirits. Hence, provided ritual

precautions are taken, the Manobo belief that *tæbungtoð* or other spirits own wild pigs does not prevent them from killing the animals. Even the *limukon* (Calcophaps indica?), the local omen bird—the best candidate for a Manobo 'sacred animal'—may be trapped or shot, and eaten.[13]

Like game animals, fish and other aquatic resources are also open-access resources, even more so as bodies of water like rivers and creeks are considered *komun* or nobody's property. Unlike game however, there are some new, widespread restrictions in terms of fishing techniques; e.g., the ban on using commercial poisons and electricity.

Patterns in Resource Tenure.

Adgawan Manobo resource tenure is dynamic, responsive to changing needs and contexts. When their economic value was realized, premier tree species that were originally open-access resources 'became' property, allowing landowners to exploit the opportunities offered by the intrusion of capitalism in the area.

It is interesting that ownership of timber and rattan were 'allocated' not to the community or other group, but to individual landowners. As timber and rattan were differentiated from the background mass of resources as valuable property, it was in the context of local property concepts. Since property concepts were dominated by individual landownership, timber and rattan were seen as a part or a literal outgrowth of the land, particularly as they were physically rooted there; i.e., the notion of 'land' was expanded to include the timber and rattan there. In the process, the power of individual landowners within the field of social relations was reiterated. This reflects both the degree to which individual landownership is institutionalized here, as well as the Manobos' unfamiliarity with any form of corporate or group ownership or management.

Individual owners therefore are the managers of local resources; they determine if trees or rattan will be cut in their lands. Today the rate of timber and rattan cutting has lead to real fears of over-exploitation.

On the other hand, other local resources which—while locally important—are not (yet?) a source of cash remain in the category of open-access resources.[14] As such, they are rather like the air we breathe; an ubiquitous, undifferentiated mass no one bothers to claim, free for the taking by anyone at all.

With game and fish, it is not their ubiquity or lack of monetary value that is considered. Game and fish respect no human-defined boundaries, and range about somewhat unpredictably. To maximize the possibility of capturing these mobile resources, hunters, trappers and fishers are not restricted by boundaries meaningless to these animals. Indeed, there are hardly any actual restrictions at all.

The data suggests that the Adgawan Manobo—and perhaps other indigenous groups (cf. Van den Top and Persoon 2000: 170-171, Sajor and Resurreccion 1998: 31-32)—are *not* 'inherently' environmentally sensitive.

The Myth of Communal Manobo Land Tenure.

In Manobo communities, there are no mechanisms for allocating lands that transcend the individual landowner or her/his household.

The existence and currency of rules of inheritance also underscores individuality in land tenure. If land were indeed community property, there would be no need for succession rules (following Yengoyan 1971). At any rate, the inheritance rules provide for individual inheritance—and ownership—of lands, particularly where the new rule is applied. Where the old rule is applied, there is still individual landownership, as one heir is singled out to be the landholder, albeit with the obligation to oversee the welfare of the co-heirs.

These inheritance rules highlight the social structure within which they operate. Landownership is premised not on membership in the community, but on one's relationship with a landowner by descent or marriage to a landowner's heir. As a result, the oral micro-histories of landownership are structured as transfers from one individual to another.

The practices of borrowing and gifting, and to a lesser extent, selling or exchanging land, all indicate individual ownership as well. Such transactions would have been troublesome had they involved whole clans. Instead, these are straightforward transactions between individuals from the same or different communities. I have yet to encounter a transaction involving a family, clan or community *as a group*.

The operation of inheritance rules and land transactions allow people who reside in, or are members of, one community to own or claim lands in another. Again, if the community as a group owned the land within its territory, landownership by outsiders would be impossible.

In discussions of landownership in the Adgawan river area, I kept encountering terms and phrases that indicate individual ownership; e.g., references to "my", "your" and "his/her" lands, the "*tag-t*-*n tö pasak*" (owner of land), the "*tag-iya sa sektor*" and "(*mga*) *sektoral*". Lastly, I have heard many explicit declarations that land is individually, not communally, owned.

Clearly, Manobo land tenure is largely individualized, rather than communal. And as tenure rights to timber and major rattan varieties is linked to landownership, resource tenure is also individualized.

This challenges the largely unquestioned assumption that swidden-based groups in the Philippines have communal ownership of land (see for example, TRICOM 1998; Royandoyan and Atillo 2000; Gaspar 2000). Even scholars like Sajor who challenge such assumptions (cf. Sajor and Resurreccion 1998) fall victim to them, as shown by his generalizing statement that indigenous tenure rules "are rather often simple", sweepingly characterized by "rights of first occupants, *common property*, individual-use rights" (Sajor 2000: 67, emphasis supplied).

A Construction of Manobo Tenure.
By way of a summary, Adgawan Manobo landownership is individualized, rather than communal. At present, ownership rights are based on inheritance of land from ascendants, gifting or purchase.

Landownership translates to resource ownership; and as landownership is individual, so is resource ownership. This is true particularly for commercially valuable trees and rattan, which shifted from open-access resources to private property of the landowners. This locates the power to regulate resource use in the landowner. Other trees and rattan varieties, 'minor' forest resources, and game and fish, are considered open-access resources. As such, they may be collected by anyone anytime, even though they may be in others' landholdings.

These rules allow the coexistence of individual landownership and communal use of resources, including, in the case of land borrowing, the land itself.

The changes in tenure praxis shows Manobo culture's dynamism and complexity of Manobo tenure systems, which allowed them to exploit economic opportunities created by the intrusion of capitalism in the form of logging, rattan cutting and tree-plantations.

I do not see this as a capitulation to capitalism. Rather, these practices reiterate basic Manobo cultural ideas. For example, the conversion of timber and rattan into property represents a mere elaboration of existing notions of landownership by expanding the notion of 'land' as to include the economically valuable resources therein. While the expression of the interest or right has changed, the rights themselves have only been reiterated.

These and other changes show that culture is not a fixed set of rules received from some timeless past, but are the result of agency on the part of individuals—landowners and heirs—maneuvering within a field of social relations and a larger context penetrated by capitalism.

Conflicts in Construction

The Indigenous Peoples Rights Act.
The involvement of members of indigenous peoples in armed insurgency during the Marcos regime; the surge in self- and NGO-organizing of indigenous communities in the 1970s and 1980s; the indigenous peoples' growing skill in articulating their interests and mobilizing support; the perceived link between land rights and the environmental movement; the growing relevance of consultative processes and social sciences in the policy-making and legislation; and the general acceptance of indigenous rights gradually *won* grudging recognition of indigenous rights from the state, reflected in the 1987 constitutional provisions on ancestral lands. From then on, there was no longer any legal doubt about their rights to ancestral territories; the question was *how* these rights would be legally defined

and realized.

In response to these developments, individuals in government, indigenous peoples' organizations and NGOs were working for the enactment of a law that would recognize indigenous ownership of ancestral territories. So active were the NGOs that towards the end, a few of them controlled the drafting of the bill. Their efforts produced Rep. Act no. 8371 of 1997, also known as the IPRA.

This law provides a procedure whereby indigenous communities can secure titles—the Certificate of Ancestral Domain Title (CADT) and the Certificate of Ancestral Land Title (CALT)—as evidence of ownership of their ancestral lands and domains. However, sec. 56 of the law states that indigenous communities' rights are subject to existing "property rights", which could include titles, leases, licenses, permits, concessions and patents, among others.

The constitutionality of the IPRA was soon challenged before the Supreme Court.[15] The Court denied the petition however,[16] and the government is now implementing the IPRA.

The State Construction of Indigenous Tenure.

The IPRA is an attempt by the state to come to terms with indigenous peoples' rights within the framework of the nation-state. This is only one aspect of legislation, however. An important dimension of state-making in relation to indigenous peoples is the homogenization, rationalization and partitioning of space (Alonso 1994: 382). This interest of the state affects its approach to the demands of indigenous peoples, and its consequent construction of indigenous tenure.

It is in this light that we should read the IPRA's definition of "indigenous cultural communities/indigenous peoples" in sec. 3 (h) as:

> "(A) group of people or homogenous societies … who have continuously lived as organized community on *communally bounded and defined territory*, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories." (emphasis supplied).

In the same vein, sec. 55 imperatively declares that "areas within the ancestral domains, whether delineated or not, *shall be presumed to be communally held*" (emphasis supplied). Most explicit however is sec. 5 of the law, which specifically declares that:

> "(t)he indigenous concept of ownership generally holds that ancestral domains are the ICC's/IP's *private but community property* which belongs to all generations and therefore cannot be sold, disposed or destroyed." (emphasis supplied).

Indigenous tenure is categorically characterized by the state, through the IPRA, as being communal.

An important and related notion advanced by the IPRA is its distinction between ancestral lands and domains. Ancestral lands, according to sec. 3 (b), refer to lands "occupied, possessed and utilized by individuals, families and clans". On the other hand, ancestral domains are a larger category, defined by sec. 3 (a) as

including:

> "(*a)ncestral lands*, forests, pasture, residential, agricultural, and other lands individually owned whether alienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and … the home ranges of groups who are still nomadic or shifting cultivators." (emphasis supplied)

Ancestral lands thus form only a part of ancestral domains, subsuming them under the latter. In conformity with this hierarchy of tenure rights, ownership of ancestral lands means less rights than of ancestral domains (see secs. 7 and 8).

Relating this to the statute's characterization of indigenous tenure (secs. 5 and 55), it is clear that ancestral domains are presumed communally owned, while individuals, families or clans hold ancestral lands. In concrete terms, individuals own their respective lands, but the community—as a group—owns the resources and un-appropriated land within its territory.

Bureaucratizing Ancestral Lands and Domains.
Discussions of the IPRA rarely consider that the statute does not only provide indigenous communities an opportunity to secure titles, but that it *also* affirms the power of the state. The process of ancestral land and domains delineation in the IPRA 'bureaucratizes' the notion of ancestral lands and domains (cf. Gatmaytan 1999). Whereas the definition of ancestral rights had hitherto been defined by the various indigenous histories, cultural ideas and community praxis, now it is defined by standards set by the state (following Foucault 1980: 131).

Bureaucratization has three inter-related aspects. First, it gives the state a means of surveillance (Alonso 1994: 382) of local resources, communities and leaders (Giddens 1985: 117); and through taxation and registration, of monitoring economic activities and transactions. The state can also use its control of the delineation process to form alliances with individuals willing to collaborate with its state-building agendas (following Breuilly 1993: 158).

Second, the state's inherent "dread of difference" (Nagengast 1994: 110) compels it to homogenize or standardize the notion of ancestral lands and domains, and rights thereto. The IPRA ignores the differences between and among indigenous tenure systems, and declares that all indigenous groups now have one, state-defined form, all with the same state-defined rights and obligations. This homogenization of space facilitates the state's control of land and resources, as it is easier to manage uniform 'ancestral domains' subject to uniform rules than a mosaic of complex, dynamic and internally-differentiated tenure systems (Alonso 1994: 382).

Finally, the process of documentation of land and domain claims within the framework of the state's capitalist imperatives (Giddens 1985: 181) intensifies the commodification of lands and domains. By defining one set of rights and obligations for all ancestral domain

owners, it sets the stage for contractual transactions over lands and resources. The IPRA outlines the procedure by which outsiders may secure access to indigenous territories, systematizing their integration into the market. This means a further growth of the state's role in maintaining a legal order where such rights and transactions may be exercised and protected (Merry 1992: 364).

This imperative of bureaucratization or rationalization of space (Alonso 1994) in the state's political and cultural frontier influenced its approach to indigenous tenure. The state had to accommodate this imperative in its legislative construction of indigenous land and resource tenure, resulting in its assimilating, homogenized, easy-to-administer notion of tenure.

Aside from the demands of bureaucratization, the advocates and NGOs involved in crafting the IPRA also influenced the state's construction of indigenous tenure.[17] These NGOs consciously or otherwise thought of indigenous tenure as communal (see Pavia, ed. 1998). The assumption of communal ownership was widespread in the 1980s and 1990s in NGO circles, whose basic anti-establishment stance valorized indigenous groups as an alternative to the state, projecting onto them characteristics that highlighted the state's flaws. Indigenous people were thus believed to have a notion of development as sharing vs. development as making money, of ecological sensitivity vs. economic exploitation, and of communal vs. 'private' property.

Thus, even as the advocacy of indigenous peoples rights compelled the state to respond by promulgating a law to recognize their land and resource rights, the state has added its own inflection on the definition of these rights (following Giddens 1985: 10-11).[18]

Constructions in Conflict.

The IPRA ignores the variety and complexity of the tenure issues it is supposed to respect, and imposes a universalizing notion of indigenous land and resource tenure. This amounts to a gross oversimplification and political misrepresentation of what are actually varied and changing tenure practices.

It is no surprise that there are outright collisions between the IPRA and actual Manobo tenure practice. For one, the law's prohibition of sales or disposition of ancestral domains (sec. 5) runs head-on against their local practice, which allows landowners to gift, sell or exchange lands and resources as they see fit.

For another, the IPRA would deprive the landowners of their rights to timber and rattan, or other as yet 'unrealized' economic resources. These resources, according to the law, belong to the 'community'. True, there is legal provision for individual ownership, but the economic value of land has shifted from agricultural use to rents based on resource extraction, and it is these resources that the IPRA denies to individual landholders.

If the IPRA is strictly applied and control of resources is taken from the landholders, to what "community" would they be given? There is no resource-managing "community" transcending individuals, households or clans in the Adgawan river area. There *are*

communities, but they do not manage land or resources *as a community* (Van den Top and Persoon 2000: 173). This illustrates the false distinction between ancestral lands and domains. For the Manobo, 'land', irrespective of its size, includes all other resources found there; landownership *is* resource ownership. In IPRA's terms, each ancestral land is an ancestral domain.

True, some communities do have local organizations, but those in the middle Adgawan at least have limited capacity to manage resources given the organization's novelty as a management unit (Gatmaytan *forthcoming*: 61), their inexperience at collective management, lack of environmental sensitivity, and vulnerability to social and other pressures.

Such a rift between actual praxis and the legal theory and construction of tenure rights may also intensify ongoing tensions over resource control (following Li 1996). The reality is that as a field of social relations, all communities are shot through with contests over power, such as over land and resources. The law ignores this and introduces a set of rules that may be used to challenge transactions based on indigenous practices, or the practices themselves. Hence, an NGO or organization might insist that the latter owns the timber and rattan in the community, which per the local tenure rules belong to the various landowners. The IPRA introduces a means by which people—a government agency, military unit, transnational or other company, an NGO, a faction within the community, or even an individual—who control an organization or other 'community' can try to wrest resource control from landowners.

All of which illustrate the complexities and potential problems caused by the state's imposition of a single, universalizing construction of tenure in the face of the variety, complexity and mutability of tenure practices.

These dangers are enhanced by the inflexibility growing from the homogenization of ancestral lands and domains. Whereas, Manobo land and resource tenure is adaptable to changing conditions, the IPRA does not allow for continuing redefinition of rights and privileges. The effect of so limiting the scope of indigenous peoples' creativity in relation to tenure is to reduce their context-derived dynamism, impairing their capacity to negotiate a path through the wilderness of the state's legal system. Tenure rights are then reduced to static, standardized arrangements of entitlements and obligations, infinitely easier for such outsiders as transnational mining companies to understand.

The irony therefore is that the stricter the implementation or enforcement of the IPRA, the greater the political, economic and cultural problems generated at the community level. The IPRA can be a means to improve cultures, but any changes should be made with knowledge and appreciation of appropriate processes, rather than through a unilateral legislative declaration.

Conclusions

Contradictions.

The IPRA thus embodies a number of contradictions. At one level, it is an extension by the state of rights to title and protect ancestral lands and domains to indigenous peoples, and in this may be considered a diminution of its jurisdiction over 'public lands'. At the same time however, it reiterates the state's power, by installing homogenizing, commodifying and surveillance mechanisms that will integrate indigenous territories under its administrative, fiscal and legal control. The state's attempt to meet the political demand for recognition of indigenous peoples' rights to their territories through legislation gave it the opportunity to appropriate the ultimate authority on who indigenous peoples are, what their rights are to which lands and resources, along with the power to decide questions regarding such issues, as provided by the IPRA. In this sense, the IPRA represents the ideological victory of the state.

A second level of contradiction is in the very nature of its response. By offering a legislative response to the demands of the various indigenous peoples, it necessarily had to apply a single set of rules for all indigenous peoples and communities in the Philippines. But the indigenous peoples and communities are so heterogeneous that there is simply no single legislative response that can satisfactorily cope with the variety they present. Consequently, the IPRA's imposition of a single construction of indigenous tenure for all communities works violence on the many, varied tenure practices of the communities it was supposed to protect or develop.

A third level of contradiction here is that precisely because the IPRA cannot avoid being insensitive to local praxis, it may complicate, disrupt or even destroy actual tenure practices. Such tensions may eventually give cause for community-level resistance to the state, and —in an ironic example of unintended consequences—to a statute that was intended for their welfare.

The Need for Reflexivity.

This paper's focus on Adgawan Manobo tenure practices that defy the state's simplistic image of indigenous communities allows us to uncover long-held, largely unexamined assumptions that underlie our praxis of social science and policy making. The assumptions of communal tenure, of indigenous communities' inherent ecological sensitivity, and resistance to capitalism are simply not true for the Adgawan Manobo, even though their culture remains comparatively vibrant.

These findings warn against using unexamined premises and assumptions, and against essentializations or generalizations in dealing with indigenous communities and issues. A greater methodological emphasis on praxis is also indicated. These *are* tired, trite statements. However, analysis of the IPRA's provisions on tenure in the light of the Adgawan Manobos' actual practices shows how intensely habitual—and unnoticed—the deployment of generalizing statements is, particularly in the policy and legislative circles.

As advocates and social scientists, we often find ourselves occupying the position of 'cultural translator' between the communities and the state. It is only right that we re/examine our own understandings of indigenous peoples, their histories and cultural ideas, and of the state, and its own notions and imperatives, especially since as 'translators' we have little accountability.

Palagsulat and Palamgowan.

Beyond confronting the state with the inadequacies of its law however, the practices of the Manobo also allow us to ask what it means to be an indigenous people within the framework of the modern nation-state. How does the state accommodate cultural variety, while at the same time addressing indigenous groups' collective demands as a part of Philippine society? How is their right to self-determination to be realized given the state's bureaucratizing imperatives? These questions must be asked if we are to decide how the story of Palagsulat and Palamgowan actually ends.

Most versions of this story stress the continuing conflict between the two aspects of our national community that the story re-presents. This is understandable, given the sad experiences of indigenous peoples of Agusan del Sur. If the IPRA is implemented without regard for the reality of variation and dynamics, it may end up being seen as the latest attempt by the children of Palagsulat to use the written word to seize the remaining lands of the children of Palamgowan.

These versions of the story however offer little beyond a prophecy of discord that romanticizes conflict and ignores political realities and needs. Fortunately, there *are* versions of the story that imagine a state of mutual understanding and respect between the children of the two symbolic ancestors. Palagsulat and Palamgowan *are* brothers, and this version of the story asks us to look to our shared origin, and help each other build a shared future.

Perhaps it is significant that the story is open-ended, thus an accurate statement of the political relations between the mutually 'othered' halves of our society. For me, this suggests that we should all realize that we are part of this unfinished story, and act with intelligence and grace.

Endnotes

1 This paper is a much shorter version of the masteral thesis submitted by the author to the Department of Sociology and Anthropology of the Ateneo de Manila University in 1999. It has been updated with field data collected from March to June, and September 2001.

2 Froilan Havana, an elderly *datu* of the middle Adgawan river area, told this version of the story.

3 "Open-access" resources are *res nullius*; i.e., "no one's property." These are resources owned or claimed by no individual or group, open for use or appropriation by anyone and everyone (Bromley and Cernea 1989). Usually use of such resources is unregulated. "Common property," is *res communis*; i.e., "shared"

or "group property". Common property resources are the private property of kin or other social groups (1989:15) *as a group*. Common property regimes generally have systems of sanctions and incentives to protect the respective interests of the group members (1989:17).

4 In Indonesia, most swidden groups allow individuals or households who clear land to claim ownership of it; only in a minority of groups do the lands 'revert' to the community once beneficial use ceases (Dove 1988a: 14). Li (1996), Freeman (1992), Jessup and Peluso (1986), and Dove (1988b), all discuss swidden groups where land is owned by individuals or households, and not a community as a group. Gibson (1986:38) compared five Philippine groups and learned that the Buid, Hanunuo, and Subanen allow only usufruct, while the Gaddang and Tiruray recognize some rights to abandoned swiddens. Maceda's survey of "landed property concepts" found that land among "upland shifting cultivators" like the Higa-onon and Manobo is owned by individuals or families (1974: 9). Jocano says Manobo landownership is "not clearly defined"; while among the Higa-onon-Bukidnon, it is communal, though individual rights to access, cultivation and harvest are recognized (1998: 135, 154).

5 Land borrowing (*pagpamæ-id*, *pagpamæsan*) is institutionalized in the area, allowing people access to land for farming. Anyone—including landowners, *bisaya* and non-community members—can borrow land from owners without having to pay any form of rent. The borrower's tenure is limited to his/her crops, ending with harvest; the land remains the landowner's property.

6 In one case, a company wanted to convert a Manobo landholding held under the older inheritance rule into a plantation area. Despite pressure from a younger brother, the landowning eldest son refused; his siblings, including the younger brother, then deferred to his decision. Interestingly, the company negotiators also deferred to his decision, and refused to treat with the younger brother despite his greater openness.

7 I have also found this practice in a Bukidnon community in Talakag, Bukidnon (see Gatmaytan *forthcoming*: 43). In that case, the man justified his claim by saying his wife would not have been able to make productive use of her inherited land anyway, were it not for his clearing the land for farming.

8 This data questions claims that indigenous cultures or religions have a character that is incompatible with capitalism and the exploitative view of nature it embodies (cf. Bennagen and Lucas-Fernan 1996). The belief that spirits dwell in trees, for example, is said to inhibit tree felling or logging (Montillo-Burton 1985: 23, Magos 1996: 114-115). However, the literature provides evidence that such beliefs do not prevent tree felling, provided ritual precautions are taken (see Cole 1913: 176-177, Cole 1956: 97-98, Garvan 1929: 200, Olofson 1996: 98). Lewis (1992: 64) even shows how indigenous religions can lead to ecologically unsustainable economic choices. Other scholars have pointed out that such religious beliefs do not necessarily stem from a conservationist ethic (Van den Top and Persoon 2000: 170-171, Vayda 1992: 297-298).

9 The term '*time'* is derived from the companies' payment of a fee to landowners in exchange for access to trees in the latter's land for a specified period of time. 'Time' payments also refer to 'retainer fees' paid by companies to recognized Manobo *datus* or negotiators who represent the company in negotiations or disputes with landowners.

10 The exception to this rule is trapping with the *bætik*, a trap that shoots a bamboo spear into the side of any animal that trips a trigger-line laid across game trails. Dangerous to the unwary, such traps may not be set up without permission of the landowner; setting up warning trail-signs; and duly informing all neighbors, even when the trap is set up on the trapper's own land.

11 These are small explosive charges made from collected match-heads, inserted into pieces of *kamote* laid out as bait, and which explode when bitten by a pig.

12 *Seyngwag* are sharp bamboo spikes planted in clusters at sections of game trails where the wild pigs have to jump down, so that they are impaled on them on

landing.

13 There is a trapping technique specifically for *limukon* called *panambang*, using a captive *limukon* to call to other such birds, which draw near, perch on nearby branches smeared with resin, and are caught. When I was first given a *limukon* to cook and eat, I wondered aloud if I'd be cursed (*gaba-an*) for doing so. An old woman from a family of *baylans* overheard me and scoffed, as if to say "don't be superstitious."

14 In 2001, landowners in the Comota area threatened to prohibit the gathering of firewood in their holdings when they learned that enterprising bisaya boys sold the firewood they collected on the market.

15 Isagani Cruz and Cesar Europa v. Secretary of Environment and Natural Resources, Secretary of Budget and Management and Chairman and Commissioners of the National Commission on Indigenous Peoples, dated 25 September 1998.

16 G.R. no. 135385, dated 6 December 2000.

17 We should consider how implicated NGOs and advocates are in the process of formulating the state's construction of tenure, and their accountability for it.

18 Advocacy may thus be viewed as 'translation'. In response to the demand for state action on indigenous issues, NGOs 'translated' this demand as a call for legal recognition of tenure rights, which lead to a discourse on ancestral lands and domains. The state then further 'interpreted' the call for legal recognition as a demand for a titling process, hence the IPRA. Thus the IPRA has met a call for political and cultural self-determination with a technocratic response; i.e., a procedure for determining who has what rights to which lands and resources. Something, I think, was lost in translation.

References

Alonso, Ana Maria. 1994. "The Politics of Space, Time and Substance: State Formation, Nationalism and Ethnicity" in *Annu. Rev. Anthropol*. 23: 379-405.

Agarwal, Bina. 1994. *A Field of One's Own: Gender and Land Rights in South Asia*. Cambridge: Cambridge University Press.

Bennagen, Ponciano L. and Ma. Luisa Lucas-Fernan, eds. 1996. *Consulting the Spirits, Working with Nature, Sharing with Others: Indigenous Research Management in the Philippines*. Quezon City: Sentro para sa Ganap na Pamayanan.

Beyer, H. Otley. 1917. *Population of the Philippine Islands in 1916*. Manila: Philippine Education Co.

Breuilly, John. 1993. *Nationalism and the State*. Manchester: Manchester University Press.

Bromley, Daniel W. and Michael M. Cernia. 1989. *The Management of Common Property Natural Resources: Some Conceptual and Operational Fallacies.* Washington, D.C.: World Bank Discussion Papers no. 57.

Cole, Fay-Cooper. 1956. *The Bukidnon of Mindanao*. Chicago: Chicago Natural History Museum.

Cole, Fay-Cooper. 1913. T*he Wild Tribes of Davao District, Mindanao*. Chicago: Field Museum of Natural History.

Dove, Michael R. 1988a. "Traditional Culture and Development in Contemporary Indonesia" in *The Real and Imagined Role of Culture in*

Development: Case Studies from Indonesia. Michael R. Dove, ed. Honolulu: University of Hawaii.
Dove, Michael R. 1988b. "The Kantu' System of Land Tenure: Evolution of Tribal Land Rights in Borneo" in *Whose Trees? Proprietary Dimensions of Forestry*. Louise Fortmann and John W. Bruce, eds. Boulder, London: Westview.
Foucault, Michel. 1980. *Power/Knowledge*. New York: Pantheon.
Freeman, Derek. 1968, 1992. *The Iban of Borneo.* Kuala Lumpur: S. Abdul Majeed.
Garvan, John M. 1964. *The Negritos of the Philippines*. Hermann Hochegger, ed. Horn-Wien: Verlag Ferdinand Berger.
Garvan, John M. 1929. *The Manobos of Mindanao*. Washington, D.C.: National Academy of Sciences.
Gaspar C.Ss.R., Karl M. 2000. *The Lumad's Struggle in the Face of Globalization*. Davao City: AFRIM.
Gatmaytan, Augusto B. Forthcoming. *Issues in Community Resource Management in Northern Mindanaw*. Paper prepared for the International Center for Research in Agro-Forestry.
Gatmaytan, Augusto B. 1999. *Conflicts in Construction: Manobo Land and Resource Praxis and State Legislation on Tenure*. Unpublished masteral thesis, Ateneo de Manila University.
Gatmaytan, Augusto B. 1998. "Traditional Manobo Agriculture: Upland Rice Cultivation in the Upper Adgawan River" in *Kinaadman*. 20: 1-4, at pp. 1-52.
Gatmaytan, Augusto B. 1996. "Lines Across the Land: The State, Ancestral Domains Delineation and the Manobos of Agusan del Sur", in *Philippine Natural Resources Law Journal*, 7: 1, pp. 5-34.
Gatmaytan, Augusto B. 1995. *Manobo Customs and Traditions: Focus on Land Resource Use*. Unpublished documentation submitted to the Department of Environment and Natural Resources in support for the Certificate of Ancestral Domain Claim application of the Manobo community of Sitio Manguicao, Brgy. Lydia, La Paz, Agusan del Sur province.
Gatmaytan, Gus B. 1995. *Uprooted by Trees: Tribal Peoples and Tree Plantations in Agusan del Sur*. Butuan City: SILDAP-SIDLAKAN.
Gibson, Thomas. 1986. *Sacrifice and Sharing in the Philippine Highlands: Religion and Society among the Buid of Mindoro.* London and Dover: Athlone Press.
Giddens, Anthony. 1985. *The Nation-State and Violence*. Cambridge: Polity.
Giddens, Anthonly (ed.). 1982. *Profiles and Critiques in Social Theory*. London, Basingstoke: Macmillan.
Ingold, Tim. 1987. *The Appropriation of Nature: Essays on Human Ecology and Social Relations*. Iowa: University of Iowa Press.
Jessup, Timothy C. and Nancy Lee Peluso. 1986. "Minor Forest Products as Common Property Resources in East Kalimantan, Indonesia", in *Common Property Resource Management*. National Academy of Sciences. Washington, D.C.: National Academy Press.

Jocano, F. Landa. 1998. *Filipino Indigenous Ethnic Communities: Patterns, Variations and Typologies*. Metro-Manila: Punlad Research House.

Lebar, Frank M. (ed.). 1975. *Ethnic Groups of Insular Southeast Asia, Vol. 2 (Philippines and Formosa)*. New Haven: Human Relations Area Files.

Lewis, Martin W. 1992. *Wagering the Land: Ritual, Capital and Environmental Degradation in the Cordillera of Northern Luzon, 1900-1986*. Berkeley: University of California Press.

Li, Tania Murray. 1996. "Images of Community: Discourse and Strategy in Property Relations," in *Development and Change,* 27: 3, pp. 501-527.

Maceda, Marcelino N. 1974. "A Survey of Landed Property Concepts and Practices among the Marginal Agriculturists of the Philippines" in *Philippine Quarterly of Culture and Society*, 2: 1-2, pp. 5-20.

Magos, Alicia P. 1996. "*Mari-it* and Its Impact on Ecosystem Protection and Conservation" in *Consulting the Spirits, Working with Nature, Sharing with Others: Indigenous Resource Management in the Philippines*. Ponciano L. Bennagen and Ma. Luisa Lucas-Fernan. Quezon City: Sentro para sa Ganap na Pamayanan.

Matildo, Miguel D. *A Study of the Socio-Economic, Religious and Educational Conditions of the Manobos of Agusan*. Unpublished Masteral thesis, University of San Carlos, Cebu City.

Merry, Sally Engle. 1992. "Anthropology, Law and Transnational Processes" in *Annu. Rev. Anthropol.*, 21: 357-379.

Montillo-Burton, Erlinda. 1985. "The Manobo Religion and its Rituals," in *Kinaadman,* 7: 1, pp. 13-24.

Montillo-Burton, Erlinda. 1982. *The Impact of Modern Medical Intervention on the Agusan Manobo Medical System of the Philippines*. Unpublished doctoral thesis, University of Pittsburgh.

Nagengast, Carole. 1994. "Violence, Terror and the Crisis of the State" in *Annu. Rev. Anthropol.*, 23: 109-136.

Olofson, Harold. 1996. "Taboo and Environment—Cebuano and Tagbanwa: Two Cases of Natural Resource Management in the Philippines and their Relation to Religion" in *Consulting the Spirits, Working with Nature, Sharing with Others: Indigenous Resource Management in the Philippines*. Ponciano L. Bennagen and Ma. Luisa Lucas-Fernan, eds. Quezon City: Sentro para sa Ganap na Pamayanan.

Pavia, Antonio, ed. July 1998. *A Word, a Comma, Millions of Lives: Perspectives on Senate Bill 1728.* Quezon City: UNAC and Katutubong Samahan ng Pilipinas.

Republic of the Philippines. 1997. *Republic Act no. 8371 (An Act to Recognize, Protect and Promote the Rights of Indigenous Cultural Communities/Indigenous Peoples, Creating a National Commission on Indigenous Peoples, Establishing Implementing Mechanisms, Appropriating Funds Therefor, and for other Purposes)*.

Risseeuw, Carla. 1988. *The Fish Don't Talk about the Water: Gender Transformation among Women in Sri Lanka*. Netherlands.

Royandoyan, Romeo C. and Renato Atillo. 16 July 2000. “Land for Peace: Land Hunger and Polarization in Mindanao”. *Philippine Daily Inquirer*. Newspaper article.
Sajor, Edsel E. 2000. “Local History and Actors’ Strategies in an Ifugao Village”, in *Old Ties, New Solidarities: Studies on Philippine Communities.* Charles J.H. Macdonald and Guillermo M. Pesigan, eds. Quezon City: Ateneo de Manila University.
Sajor, Edsel E. and Babette P. Resurreccion. 1998. “Beyond Dichotomies: Dissecting Power in Environmental Issues”, in *People, Power and Resources in Everyday Life: Critical Essays on the Politics of Environment in the Philippines*. Kristina N. Gaerlan, ed. Quezon City: Institute for Popular Democracy.
Tri-People Consortium for Peace, Progress and Development of Mindanao (TRICOM). 1998. *Defending the Land: Lumad and Moro Peoples’ Struggle for Ancestral Domain in Mindanao*. TRI-COM, SNV, ICCO and AFRIM.
Urios, S.J., Saturnino. 1 October 1891. “Carta del P. Saturnino Urios al P. Superior de la Mision” in *Cartas de los Pp. de la Mision de Filipinos*. Manila. Microfiche file.
Van Den Top, Gerhard and Gerard Persoon. 2000. “Dissolving State Responsibilities to Forests in Northeast Luzon”, in *Old Ties, New Solidarities: Studies on Philippine Communities*. Charles J.H. Macdonald and Guillermo M. Pesigan, eds. Quezon City: Ateneo de Manila University.
Vayda, Andrew P. 1992. “Studying Human Actions and Their Environmental Consequences” in *Forestry for People and Nature: Field Research and Theory on Environment and Development in the Cagayan Valley, Philippines*. Cagayan Valley Programme on Environment and Development (CVPED), ed. Isabela: Isabela State University.
Wolf, Eric R. 1982. *Europe and the People without History*. Berkeley: University of California Press.
Yengoyan, Aram A. 1971. “The Effects of Cash Cropping on Mandaya Land Tenure” in *Land Tenure in the Pacific*. Ron Crocombe, ed. Melbourne: Oxford University.