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THE INDIGENOUS PEOPLES OF THE PHILIPPINES

DEMOGRAPHIC PROFILE OF INDIGENOUS PEOPLES

According to the NCIP, the total population of indigenous peoples in the Philippines in 1998 was estimated to be between 12 and 15 million. However, because NCIP estimates are based on an unofficial count, reference should also be made to the latest complete survey of the National Statistics Office conducted in 1995. Comparing the two sources suggests that the indigenous population might even exceed 20% of the national total. Caution should be taken: the Government may have excluded groups or individuals as indigenous because they did not qualify in the technical definition of the term. It is possible that the actual indigenous population is much bigger.

According to the NCIP, the majority (61%) of the indigenous peoples are in Mindanao while a third (33%) reside in Luzon. The remainder (6%) are scattered among the Visayan islands.

The Summer Institute of Linguistics¹⁴ estimated that there are 171 different languages in the Philippines. Of these, 168 are living languages and 3 are extinct. The same numbers also represent the different cultural entities that speak these languages.

The Philippines was divided into seven ethnographic areas as set by IPRA for representation in the NCIP (see map, page viii):

- Region I and CAR
- Region II
- The rest of Luzon (Regions III, IV[part], and V)
- Island groups (Regions IV [part], VI, VII, and VIII)

- Northern and Western Mindanao (Regions IX [Zamboanga Peninsula] and X [Northern Mindanao])
- Southern and Eastern Mindanao (Regions XI [Davao Region] and XIII [Caraga])
- Central Mindanao (Region XII [SOCCSKSARGEN])

DISTRIBUTION AND SOCIOCULTURAL FEATURES OF INDIGENOUS PEOPLES

Within the ethnographic areas defined above are different indigenous peoples exhibiting varying social, cultural, political, and linguistic features. Each of these indigenous groups has its own history of contact with the dominant Filipino society and this has placed each group somewhere on a spectrum from "isolation" to "acculturation."

In Region I and CAR, the indigenous peoples are concentrated in the northern mountain ranges of the Cordillera occupying the interior hills, narrow strips of flat land along deep valleys, and plateaus. The Tingguian, Isneg, and northern Kalinga are found in the watershed areas of the Abulag, Tineg, and Chico rivers. These groups are largely swidden (slash-and-burn) cultivators who depend on farming rice, root crops, and vegetables. Along the slopes of Mount Data and nearby areas are the Bontoc, Sagada, Ifugao, and Southern Kalinga. They are wet-rice cultivators who grow their crops both on terraces and swidden fields. The Ibaloi and Kankanaey inhabit the southern region of the Cordillera. Like their neighbors to the north, their subsistence economy is based on wet and dry agriculture. In more recent years, these groups have

been integrated into the outside market economy with the growth of commercial gardening of temperate vegetables.

In Region 2, several lowland indigenous groups like the Ibanag, Itawes, Yogad, and Gaddang inhabit the Cagayan Valley of northeastern Luzon. The Caraballo range at its southern end is home to the Ilongot, Ikalahan, Isinai, and some Aeta groups, which continue to carry out wet-rice agriculture, swidden farming, hunting and gathering, and some commerce.

There are other indigenous groups in Regions III, IV, and V. Along the area of the Sierra Madre range of eastern Luzon are the Dumagat, Pugot, and other Aeta groups whose economies have depended on swidden agriculture, hunting and gathering, fishing, and trade. Communities of Paan Pinatubo (sometimes called Hambal, Ayta, and Sambal) live under the shadow of the Zambales range, and Baluga inhabit the northwestern part of Pampanga and the southwestern area of Tarlac. Along the Pacific coast in the province of Quezon, Pollilo Island, and the Bicol peninsula are Agta groups, known as Kabihug (Camarines Norte), Agta Tabangnon, Agta Cimarron, and Itom (Camarines Sur, Albay, and Sorsogon). Increasingly, these groups have depended on cultivation, fishing, gathering of forest products, and wage labor.

The island groups include the seven Mangyan groups in the island of Mindoro: the Iraya, Alangan, Tadyawan, Tao-Buid, Buhid, Hanunoo, and Gubatnon. In the interior foothills and remote coastal areas of Panay and Negros Islands are the Sulod and the Ati. In the island of Palawan, the Tagbanua are found in northern and central areas. The Batak are found in small pockets north of Puerto Princesa City and in northeastern Palawan. The Palawanon are in the southern part of Palawan near Brooks Point.

Generally, the Mangyans of Mindoro; the Sulod and Ati of Panay; the Aeta groups in Negros Island; and the Batak, Cuyonen, Palawanon, and Tagbanua of Palawan practice swidden agriculture, combined with hunting, fishing, gathering, and trade.

Along the hinterlands and coastal lowlands of the Zamboanga peninsula live the Subanen, while toward the uplands of northern Mindanao, particularly on the plateaus of Bukidnon, are the indigenous peoples who call themselves Higaonon meaning "mountain dwellers."

Within the highlands of central Mindanao, particularly along the mountainous slopes of the

provinces of Davao, Bukidnon, and Cotabato are the Bagobo. Groups that occupy the upper headwaters of the Davao, Tinanan, and Kulaman rivers are the Manuvu, Matigsalug, Ata, and others.

In the coastal areas along Davao Gulf and interior hinterlands of southeastern Mindanao are the Mandaya, Coastal Bagobo, Agusan Manobo, and Ata.

For the most part, the indigenous peoples in Mindanao basically subsist through swidden and wet-rice cultivation, hunting, fishing, gathering, and the trade of locally manufactured items.

Outside influences have caused changes in the economic systems of indigenous peoples. The consequences for the communities involved are varied, and it seems that efficient accommodation of elements from the new system is often facilitated by innovative social organization that ensures control of the land by the indigenous community. For example, when the Igorots of Sagada were introduced into the western market economy, the gradual transformation did not entail much conflict because the Igorots have maintained control over their own resources and become involved in social relations that are not commoditized.¹⁵ Similarly in the case of the Buhid of Mindoro, government economic and developmental interventions have not resulted in the outright assimilation and economic deprivation of the group because of ingenuities in landownership among them.¹⁶

In other cases, the introduction of a different cultural system led to the disintegration of indigenous society. For instance, the promotion of American rule among the Tiruray of Cotabato transformed them into peasant communities, as immigrants introduced new lifestyles and a market economy.¹⁷ The same could be said of the Higaonon of northern Bukidnon Province, who suffered abuse and exploitation from immigrants.

After independence, the Philippine Government established a greater presence in the formerly remote areas of indigenous occupation. This required that communities of indigenous peoples elect village captains, mayors, and national leaders. All of this created changes in the leadership structure of the hitherto isolated communities. However, there remain groups little influenced by change and others where the imposed structure and traditional structure continue to coexist.

Among the Agta, the network of intertwining familial and kinship ties continues to provide assistance, privileges, and protection to its members.

Leadership among the Bungkalot, Teduray, and Sulod is assumed by the elder who possesses the personal skill to persuade and influence, and who is a good speaker with knowledge of customary law. The council of leaders, called *intugtukan* among the Bontoc, *tontong* by the Ibaloi, and *pakilukesen* by the Arumanen Manobo is composed of persons of wealth and charisma, and with knowledge of customary law. They meet to settle cases and decide on important social and religious affairs.

The influence, power, and authority of the Datu prevails among the Manuvu, Higaonon, and some Bagobo groups. He is assisted by a council of leaders and other respected members of the community in the performance of his obligations. Among the functions of a Manuvu Datu are settling cases, keeping the peace, and deciding where the village is to move for the next swidden cycle.¹⁸

STATE POLICIES TOWARD INDIGENOUS PEOPLES: A HISTORICAL OVERVIEW

The indigenous peoples in the Philippines are, to a large extent, a creation of history.¹⁹ Prior to Spanish colonization, indigenous communities already had customary concepts and practices of land use and ownership. The indigenous concept of landownership was one of collectivism, where private ownership by one or a few individuals seemed alien.

The customary laws of the ethnolinguistic groups embodied this basic rule, but there were also variations. Among the Manobo, Mamanua, and Hanunuo groups, land was considered as communally owned by the people forming the community. The Ibaloi concept of ownership was one of sharing the land with the gods, ancestors, kindred, and future descendants. But to the Subanon, only the paramount god, Apo Gumalang, had the right to own land. This was also the case with the Kalingas, for whom only Apo Kabunyan, the high god, could claim ownership over land.²⁰ These people saw themselves only as caretakers of their resources.

The indigenous peoples' strong attachment to their land and resources led to intermittent conflicts (the so-called tribal wars) with other groups (kin) that violated their territory.²¹ At varying levels, these

communities had developed social and political structures to regulate their relations within their communities as well as with outsiders. Intercommunity relations ranged from cooperation to conflict. However, the idea of majority-minority dichotomy and its attendant problem of marginalization and discrimination were absent. These problems emerged during the colonial period.

With the advent of Spanish colonization, the "minorization" of the indigenous peoples started. The Spanish colonizers forced their subjects to live in *pueblos* through a policy called *reduccion*. Those natives that refused to live in these *pueblos* retreated into the hinterlands and were called *remontados* and *infielos*. The natives of the mountains, like the Igorots of the Cordillera, put up a strong resistance against colonial intrusions against their territories. Because of this, they were called *tribus independientes* by the Spanish chroniclers. They were also labeled as barbarians, pagans, and all sorts of derogatory names. Soon, even the assimilated *indios* internalized these prejudices against indigenous peoples. Thus, a dichotomy between the assimilated majority and unassimilated minority emerged.

The Spaniards introduced laws that contradicted, even denied, customary concepts of land use and ownership. They introduced the Regalian Doctrine, first, through a policy of *encomienda*. These were land grants by the King of Spain, but were managed by an *encomendero*. The latter was tasked to collect *tributo* (taxes) and enforced the economic policies of the Crown (*bandala, polo y servicio*, etc.). Later, the Spanish Crown enacted the Maura Law, which reiterated that all *pueblo* lands were protected lands; they could not be alienated because they belonged to the King.²² In spite of these colonial policies, the unassimilated indigenous peoples continued to practice their customary practices with regard to their land and resources.

The Americans essentially retained the concept of the Regalian doctrine. They made laws that reinforced the state's control over the public domain, citing the reason, among others, that there was no effective system of land registration during the Spanish period. The laws passed during that period included the following.

- Land Registration Act No. 496 of 1902, which declared all lands subject to the Torrens system

and empowered the State to issue to any legitimate claimant a proof of title over a parcel of land.

- Philippine Commission Act No. 178 of 1903, which ordered that all unregistered lands become part of the public domain, and that only the State had the authority to classify or exploit the same.
- Mining Law of 1905, which gave the Americans the right to acquire public land for mining purposes.
- Public Land Acts of 1913, 1919, and 1925, through which Mindanao and all other areas of fertile lands that the State considered unoccupied, unreserved, or otherwise unappropriated public lands became available to homesteaders and corporations, despite the fact that the indigenous peoples were in these lands.

Postcolonial administrations of the Republic of the Philippines did not veer away from the western concepts of land use and ownership. The 1935 Constitution stated that all agricultural, timber, and mineral lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of potential energy, and other natural resources of the Philippines belong to the State.²³ This constitutional mandate gave rise to a number of laws that continue to deny indigenous peoples' customary land use and ownership. The most controversial of these laws was Presidential Decree (PD) 705 of the Revised Forestry Code, enacted in May 1975.

PD 705 further delimited landownership among indigenous peoples, so that even ownership of rice terraces of the indigenous peoples of the Cordillera (for example), became questionable. This decree stated that "no lands of the public domain with a slope of 18% or more shall be classified as alienable and disposable, nor any forest land 50% or more in slope, as grazing land. Lands 18% or more in slope that have already been declared as alienable and disposable shall be reverted to the classification of forest lands... to form part of the forest reserve... that when public interest so requires, steps shall be taken to expropriate, cancel effective titles, reject public land applications, or reject occupants thereof."²⁴

PD 705 made the indigenous peoples of the Cordillera virtually "squatters in their own land," because most of these lands are located in mountainous areas that are within the 18% slope rule.

The 1987 Philippine Constitution also retained the Regalian Doctrine. Section 2, Article XII, of the 1987 Constitution states that all "lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the State."

At the same time, the 1987 Constitution also contained provisions that recognized "the rights of indigenous cultural communities within the framework of national unity and development" (Art. II, Sec. 22) and the creation of autonomous regions in Muslim Mindanao and in the Cordillera (Art. X, Secs. 15–19).

However, the state's constitutional recognition of indigenous rights "in the context of national development" did not fundamentally change the situation of the indigenous population. This could be seen in the implementation of government policies and programs in their territories, like reforestation programs, the National Integrated Protected Areas System (NIPAS) Act of 1992, Mining Act of 1995, and Official Development Assistance (ODA) projects.

Massive reforestation programs, which are funded by multilateral finance institutions, are linked to commercial tree planting activities. Those taking place in indigenous peoples' lands consider the encroached territories as forestlands, in which the inhabitants are requested to plant certain species of trees.²⁵ Because of this there is no available useful area for them to continue agricultural activities needed for their own subsistence. Often, people are also displaced when government forces conduct military operations in the area to deal with pockets of resistance to the projects.

The NIPAS Act was to protect plant and animal species that are endangered, or have the possibility to become such. The law aims to establish national parks as designated areas for the preservation of biological resources. Its conservation scheme, which excludes local residents while entrusting the areas to state bodies, has limited access by indigenous peoples to the territories in which they carry out their subsistence activities. The provisions for people's participation in protected areas management seem to be confined to an initial level of consultation and not as far as the

identification, planning, and implementation levels.²⁶ Likewise, it is possible for the new bureaucratic structures that accompany the NIPAS implementation to challenge the indigenous sociopolitical system in the area.²⁷

When the Mining Act was signed into law in 1995, it essentially allowed greater control of the Philippines' geological resources by transnational and local mining corporations. The agreements embodied within the law, like the granting of royalty payments for the right to mine in indigenous peoples' lands, have favored the apparent expropriation of these lands as the local people yield to corporate mining interests. Displacements of indigenous peoples have also resulted from mining operations that necessitated the transfer of occupants. Among those affected are the B'laan of North Cotabato, Subanen of Zamboanga del Sur, Aetas of Central Luzon, Igorots of the Cordillera region, and some groups in the Cagayan Valley.²⁸ Environmental disasters from mining activities, like the Marcopper mine accident in Marinduque Province

where mine tailings found their way into rivers, have sparked a series of protests against the Mining Act, and continue today.²⁹

ODA projects carried out during the last quarter of the 20th century to improve the economic condition of the people and to promote social justice were also funded by foreign bilateral and multilateral institutions. The projects have resulted in a number of positive outcomes for the expected beneficiaries, including increased land productivity, a rise in net incomes, and improvements in access to water supply. However, there have also been negative outcomes. In the Cordillera, there have been violations of indigenous land rights, restructuring of the local economy to the advantage of outside market forces, and absence of some expected outputs of projects.³⁰

In 1997, following the 1987 Constitution's mandate, Republic Act (RA) 8371 of the IPRA was enacted. A landmark piece of legislation, the IPRA promises to change the course of history of indigenous peoples in the Philippines.