Still strangers in their own land

by Rorie R. Fajardo
Wednesday, July 25th, 2007

SHE SAID it was a crucial journey for her children’s future.

Weeks before classes opened last month, Myrna Verde packed few clothes, gathered her four school-age children, and boarded a bus for Manila, some 138 kms from their village in Zambales. It was their first time to travel that far from home, but Verde, 57, had a mission: to look for kind-hearted city people who would give her money or any kind of help so that her children — all blind since birth — could continue going to school.

Verde, however, knew that the odds were against her and children in fulfilling their objective. As an Aeta, she had heard from relatives and villagers not a few tales of discrimination and contempt for people with her color and looks in the city.

The Aeta are among the 110 ethnographic groupings scattered throughout the Philippine archipelago. Usually living in less accessible forested areas in central and southern Luzon, the Aeta hunt, gather, farm or trade to earn a living. In recent years, they have also added begging to their means of livelihood. “I don’t mind,” said Verde. “I would rather beg than see my children miss school or go hungry.”

Considering that the Philippines boasts of having a national law that protects its 11.8 million indigenous peoples, Verde and others like her should no longer be seen begging in cities or elsewhere in the country. The groundbreaking Indigenous Peoples’ Rights Act (IPRA), in fact, is still the only one of its kind in Southeast Asia. But as IPRA turns a decade this year, both government officials and rights activists acknowledge that the country’s indigenous peoples are becoming more marginalized and deprived of their rights in their own land.

Although the law has enabled hundreds of thousands of indigenous peoples to gain titles to their ancestral domain, most of them are without basic services and remain disconnected with the rest of society — which may be why they did not merit any mention in President Gloria Macapagal Arroyo’s latest State of the Nation Address. As cultural anthropologist Nestor Castro puts it, “They still cannot identify with the so-called mainstream society or culture.”

If one were to look only at certain numbers, it may seem that significant changes have taken place. According to the National Commission on Indigenous Peoples (NCIP), the government agency tasked to oversee the implementation of IPRA, it has delineated and issued 57 certificates of ancestral domain title (CADT) covering 19 percent of the estimated total of six million hectares of ancestral domain.

This translates to some 1.16 million hectares, and benefits some 300,000 families, says the NCIP; another 280 CADT applications are under way. The commission also says it has distributed a total of 172 certificates of ancestral land title (CALT) covering 4,838 hectares, mostly found in Baguio and General Santos cities.
But Jocelyn Villanueva, executive director of the nongovernmental group Legal Rights and Natural Resource Center-Kasama sa Kalikasan (LRC-KSK), says measuring IPRA’s success should go beyond numbers and must dwell on the actual situation of the indigenous peoples in their ancestral domain. Which, as Myrna Verde could attest, has been far from perfect.

Indeed, life in Zambales has been hard for Verde’s family. Since her husband is blind like their children, Verde is the one tasked to put food on the table through occasional gathering and vending of vegetables.

In June, Verde said she and her children would beg in Manila for only two weeks and then go home. But she added that they might return during Christmas season, which, she has been told, is when people are more generous to even those like her.

**POPULATION OF INDIGENOUS PEOPLES BY REGION**
Source: National Commission on Indigenous Peoples

<table>
<thead>
<tr>
<th>REGION</th>
<th>POPULATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>IP and IP Migrants</td>
</tr>
<tr>
<td>CAR</td>
<td>1,252,962</td>
</tr>
<tr>
<td>Region I</td>
<td>1,039,447</td>
</tr>
<tr>
<td>Region II</td>
<td>1,014,955</td>
</tr>
<tr>
<td>Region III</td>
<td>227,675</td>
</tr>
<tr>
<td>Region IV</td>
<td>717,122</td>
</tr>
<tr>
<td>Region V</td>
<td>185,488</td>
</tr>
<tr>
<td>Region VI</td>
<td>145,959</td>
</tr>
<tr>
<td>Region VII</td>
<td>29,150</td>
</tr>
<tr>
<td>Region VIII</td>
<td>0</td>
</tr>
<tr>
<td>Region IX</td>
<td>1,137,197</td>
</tr>
<tr>
<td>Region X</td>
<td>1,444,503</td>
</tr>
<tr>
<td>Region XI</td>
<td>2,539,767</td>
</tr>
<tr>
<td>Region XII</td>
<td>855,760</td>
</tr>
<tr>
<td>Region XIII (CARAGA)</td>
<td>874,456</td>
</tr>
<tr>
<td>ARMM</td>
<td>313,749</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>11,778,190</strong></td>
</tr>
</tbody>
</table>

**NO ONE**, of course, expected the IPRA to be a magic pill that would be able to solve the problems of the indigenous peoples that had existed for generations. But many had hoped it would at least help give the indigenous the respect and attention they deserve, yet usually did not get.

A product of debates among lawmakers, advocates and indigenous peoples themselves, IPRA had promised to protect the rights of indigenous peoples to their ancestral domains, their culture, self-governance and empowerment, and social justice and human rights. But as it has turned out, the law does not seem strong enough to force the government to address basic social needs of its indigenous peoples, many of who still live — and die — without even getting the most basic support to cure their illness, hunger, illiteracy, or homelessness.

Mangyan Tony Calbayog, for instance, can still vividly recall how he watched his wife Julie die from shock in November 2006, at the height of typhoon Reming, as the heavy rains washed away their home in Barangay Mangangan Uno in Baco, Oriental Mindoro.
Calbayog says, “I could not bring her to the nearest hospital,” a two-hour trek from their home at the foot of Mount Halcon, where there is neither road nor electricity. Julie died a day later, leaving him to care for their six children.

The 44-year-old Calbayog was recently in Manila to attend the National Interfaith Rural Peoples’ gathering, a conference co-organized by the Catholic Church and several peoples’ organizations to discuss the rights of the rural poor, including the indigenous communities, to their lands.

The leader of the peoples’ organization Samahang Pangtribu ng mga Mangyan sa Mindoro (SPMM), Calbayog says lack of basic government services is a too familiar experience for some 390,000 Mangyan in Oriental and Occidental Mindoro.

Village health workers are rarely seen in the Mangyan villages, which can be reached only through hours of walking from the town proper. Because of this, Mangyan still rely on the arbularyo (quack doctor) to cure illnesses, Calbayog says. If ever politicians or government representatives reach the Mangyan villages, he says, they are either on the campaign trail or are eyeing the local peoples’ lands for reforestation and mining.

Nelson Mallari, meanwhile, says the lack of teachers in the public elementary school in his Aeta village in Florida, Pampanga has pushed children to attend classes only thrice weekly. His village is about 15 kilometers from Mount Pinatubo; to get there, one has to be ready to endure about two hours on foot from the town proper.

Their health center rarely sees a doctor or village health worker, too, says the 33-year-old secretary general of the peoples’ organization Central Luzon Aeta Association (CLAA). But the bigger headache for Aeta gatherers and traders now is the low pricing for their products like banana, taro, and other vegetables compared to those of non-Aeta traders — which is partly why Aeta like Myrna Verde have now resorted to begging as well. Says Mallari: “Middlemen shortchange us because they think we are illiterate and dumb.”

**DISCRIMINATION AGAINST** indigenous peoples in a city like Manila is rather blatant. Recently, this writer saw how passengers in a jeepney plying to Diliman in Quezon City avoided getting the seat near three Aeta women and an Aeta child. The indigenous women, meanwhile, looked down whenever they noticed people staring at them. Their bags indicated they were in the city to beg.

Himpad Mangumalas, spokesperson of the non-government Kalipunan ng mga Katutubong Mamamayan ng Pilipinas (KAMP or Federation of Indigenous Peoples in the Philippines), says these only show that indigenous peoples are like squatters in their own land.

**HANUNUO Mangyan folk try to identify the boundaries and landmarks in their ancestral domain through 3-D mapping.** [photo courtesy of Mangyan Heritage Center]
A Higaonon, he has spent most of his life fleeing from his home in Agusan del Norte in southern Philippines due to military operations and conflict from massive logging operations. He remarks, “We are not secured in our own ancestral land and we don’t have equal opportunities.”

Lack of equal access to basic social services, compounded by a long history of discrimination and prejudice, has ingrained poverty in indigenous communities.

According to the 2005 Philippine Human Development Report, eight of the 10 poorest provinces are populated mainly by indigenous peoples or indigenous cultural communities: Apayao, Ifugao, and Batanes in the north; and Basilan, Maguindanao, Sulu, Tawi-tawi, and Saranggani down south. These provinces share high incidence in nutritional deficiency among women and children, lack of education, homelessness, and poor income opportunities among other indicators, the report said.

Yet it may be cold comfort to the likes of Mallari and Calbayog to know that the local situation is a microcosm of the high correlation between ethnicity and poverty among 250 million indigenous peoples around the globe.

In 2005, the International Labor Organization reported that poverty is widespread and persistent among indigenous and tribal peoples and in areas where they are dominant.

The United Nations, meanwhile, has admitted that few gains were made in income poverty reduction among indigenous peoples during the First Decade of Indigenous Peoples, from 1994 to 2004. The UN has declared 2005 to 2015 the Second Decade of Indigenous Peoples, focusing more on the improvement of the well-being of the indigenous peoples. The decade ends the same year that the UN’s poverty-busting Millennium Development Goals (MDG) culminates.

INTERESTINGLY, THE Philippines has committed to both global efforts, with the Arroyo administration highlighting the role of indigenous peoples in fighting poverty. President Arroyo has said in several official pronouncements that indigenous peoples are part of her administration’s 10-point anti-poverty agenda, stressing that indigenous communities “are part of the national mainstream and should not work in isolation from all Filipinos.”

Yet indigenous peoples seemingly remain on the outside looking in. Castro, a professor at the University of the Philippines, is now even convinced that that indigenous Filipinos are virtual foreigners in their birth land and that their being Filipinos is only incidental.

Last May, he stayed for a month in Sabah, Malaysia for an anthropology project with his students. There Castro observed that Filipino Badjao, Iranun, Tausug, and Yakan — part of the Philippines’ Moro indigenous peoples — who settled in Sabah seemed to identify more with the Malaysian system than the Filipino system.

“They are not lost there because they shared the same faith, music and culture with the Badjao of Sabah,” says Castro. He also notes that the Badjao used to live in the borders of the Philippines, Indonesia, and Malaysia before colonizers of these countries arbitrarily set up boundaries.

But what was “most alarming,” Castro says, was that he could not communicate with the Filipino Badjao and other indigenous peoples there because they did not share the same language. He says this only affirms the dichotomized Philippine culture and society: the mainstream and indigenous. Often, indigenous groups cannot relate to the laws, policies, and programs of the “Manila-centric” government to advance their welfare, even if some of these are supposedly geared precisely toward that, he says.
Castro, who has spent more than 15 years of studying the struggle of the indigenous peoples of Kalinga in northern Luzon for his graduate studies, says it is about time for government to prove that its projects are indeed for the advancement of indigenous peoples. Unless no bold moves are done, he says, indigenous peoples would continue to equate government with the mining, dam construction, and logging projects they oppose.

**PART OF** the problem is that while IPRA is laudable, it exists alongside government programs and policies that indigenous communities say are against their interests.

“IPRA is Johnny-come-lately,” admits NCIP chairperson Janette Cansing Serrano. She says that by the time IPRA was enforced, contentious laws were already put in place, particularly the Mining Act of 1995, and environment and natural resource laws on protected areas, and the land reform law. This is why, she says, much of the job of the NCIP is talking with more established agencies to harmonize laws.

To date, NCIP has inked harmonization guidelines with the environment and agrarian reform departments as well as the Land Registration Authority on delineation, titling and management of resources within ancestral domains. NCIP has also talked to the interior department to secure cooperation of local government units to recognize ancestral domain rights of indigenous peoples.

Most local governments were apprehensive to the delineation process, which cuts across political boundaries, says Serrano. They thought these would reduce their internal revenue allotment, she explains. But she says the greater challenge to NCIP lies in securing sufficient money from the national coffers to do its job. She quips, “Our mandate is bigger than our pockets.”

In fact, in its first three years, under the term of ousted president Joseph Estrada, the Commission was not given any budget because its first head was allegedly involved in graft. It was only in 2000 that the NCIP began receiving a budget through the General Appropriations Act. It gets an average of only P460 million a year, or roughly P39 — less than a dollar — per indigenous person annually. Of this average budget, about 70 percent goes to personnel salaries while the rest go to projects and other operation expenditures.

Serrano says that with such measly budget, “our agency also feels we are marginalized.” She also says increasing the budget to finish titling and delineating ancestral domains is a matter of political will. But she insists that the NCIP has advanced well in protecting the rights of indigenous peoples to their ancestral domain despite budgetary constraints.

**LRC-KSK’s VILLANUEVA,** though, is less upbeat. While she concedes that IPRA is a landmark legislation, she argues that it has become a mere “accommodation in the present political system” because it has failed to resolve conflicts in relation to land and natural resources, especially those in state-owned projects.

For instance, the Subanen peoples in Siocon, Zamboanga del Norte did secure their ancestral domain claim in 1997, which was converted into a CADT in 2003. Yet two years later, the Canadian mining firm TVI Pacific Inc. opened its mine operations in Mount Canatuan, which Subanen believe to be a sacred place that should be untouched.

HANUNUO Mangyan recite poetry during an ambahan session.
[photo courtesy of Mangyan Heritage Center]
TVI has been operating in the province since the 1990s despite charges of displacement, intimidation, and loss of livelihood, and environmental destruction from Subanen and small-scale miners.

“I can’t return to my own home now,” says Timuay (indigenous leader) Jose Boy Anoy, who has led more than 500 Subanen families to protest against TVI’s presence in the mountain. Anoy, 64, says he has received threats from paramilitary groups that TVI hired to fence off and guard the mountain from protesting Subanen like him.

In 2005, the Commission on Human Rights (CHR) ruled that the Canadian subsidiary failed to get genuine free and prior informed consent from the indigenous peoples there. The TVI chose to deal with the Siocon Subanon Association, which both the CHR and the NCIP said was a product of midnight deals and did not represent the true Subanen in the area.

TVI over the years has refuted these allegations, stating that it has the consent of the area’s indigenous peoples. In a recent letter to the Philippine Daily Inquirer, it said that it enjoys the support of the Subanen who “have joined in the common effort to judiciously use resources as a means of attaining economic and social progress.” It also said Anoy was not a tribal leader and that Mount Canatuan “is not sacred.”

The NCIP says the TVI continues to give the Siocon Subanon Association a hefty royalty of at least P1 million monthly. In the meantime, Villanueva says it is time for a progressive interpretation of IPRA. “Advocacy should not stop just because there is already a law,” she says. “It should further be used to let non-indigenous peoples understand and respect the rights of indigenous groups.”

She also says the NCIP should work to be truly biased for the indigenous peoples, instead of virtually facilitating the entry of mining projects in ancestral lands.

But Serrano says her commission is not pro-mining, even if it is under the Office of the President, which aggressively promotes the mining to increase investment. Still, she argues, “We have to balance liberty with prosperity. We have to get better deals for the indigenous peoples.”

Cultural anthropologist Castro, for his part, says institutions like schools and media should begin doing their part in helping indigenous peoples into the mainstream. He says that at the very least, there should be an end in stereotyping or putting token representation of indigenous peoples in media stories, books, and films.

Castro says that the contribution of the indigenous people in shaping our history is even usually overlooked. He points out, “Did you know that heroine Gabriela Silang was an indigenous woman, a Tingguian? But it was never mentioned in our history books.”