

**“Cultural Integrity”: Promoting Cultural Survival
And Decentralizing Good Forest Governance in Ancestral Domains
The Agta-Dumagat People:
Province of Aurora, Philippines**

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Abstract

For Indigenous Peoples, good forest governance is linked not only to livability and sustainability, but to cultural survival. Globalization has continued what colonization began – a disruption of the ties of Indigenous Peoples to their lands and thus concomitantly to their livelihoods, faith tradition, and cultural contexts. In the Philippines there have been reforms in the law recognizing the rights of Indigenous Peoples to their ancestral domains. The efforts of the Agta-Dumagat people, together with other stakeholders in Aurora Province, show that short-term proposals privileging capital gain need not be the dominant paradigm in forestry management, and further that “conservation” need not be preservation of resources without people. The Agta-Dumaga People have used a Cultural Integrity framework to continue to reassert their customary control as managers of the forest while enhancing their cultural cohesion and viability. This paper will discuss the case of the Agta-Dumagat as an example of how the complex interstices of capital interests, local and national governments, and local community interests can be successfully negotiated for an end result of respect for Indigenous Peoples’ customary rights and good forest governance.

Introduction

The Agta-Dumagat people are guided by pre-conquest rights to domains. As far back in time as their collective memory reaches, Agta-Dumagat “...lands have never been public and are thus indisputably presumed to have been held under a claim of private ownership since before the Spanish conquest” (Native Title, IPRA 1997).

In 1997, the Indigenous Peoples’ Rights Act (IPRA) was enacted by the Ramos Administration to recognize, protect, and promote the rights of Indigenous Peoples (IPs). This Act provides the mechanisms for creating the National Commission on Indigenous Peoples, for establishing and implementing guidelines, and the appropriation of funds.

The Agta-Dumagat people’s right to regulate the entry of migrants has created a growing debate among settlers – some of whom are themselves indigenous but come from adjacent provinces, and some of whom are non-indigenous people coming from the lowlands. The scarcity of land and natural resources in the Philippines, coupled with a growing population, has resulted in competition for access and utilization of forest resources. The prior rights and regulatory powers granted by law to the Agta-Dumagat people threaten migrant settlers and have created the fear of exclusion from access to resources within the Ancestral Domains.

The right to “Free and Prior Informed Consent” (FPIC) (IPRA 1997) vests prior rights with indigenous peoples to accept or reject “external” interventions. This situation increasingly builds a “trust and distrust” dilemma between indigenous peoples and other stakeholders. The

confusion revolves around the relationship of the Agta-Dumagat to migrants, Non-Government Organizations (NGOs), private companies, and local or national governments. While the indigenous peoples have and continue to invoke their prior rights in decision-making, they are often perceived to be incapable of making proper decisions by these stakeholders. “Benefit sharing” is yet another complex issue in framing common resource use. The definition and terms of equity vary depending upon the objectives of the different stakeholders. The Agta-Dumagat measure benefit from the intrinsic and subsistence value of their traditional resources, while settlers and other private groups often measure benefit from the commercial potential of resource use. These circumstances outline the complexity of crafting a common framework on forest resource management within Ancestral Domains due to the existence of competing concepts and overlapping authorities of control.

In this paper I will discuss how “Cultural Integrity” – here understood as a holistic framework – promotes cultural development and environmental justice by promoting equal rights among local people. I will argue that strengthening local control through customary processes can enable the framing of common management strategy among stakeholders. Further, I will discuss how national and local social movements of IPs complement to shape mechanisms to decentralize the access to resources within Ancestral Domains, from the government to local people.

Theoretical Framework

Arnstein (1969) states that citizen participation is a redistribution of power that enables “have-not citizens”, those presently excluded from political and economic processes, to be deliberately included in the future. The IPs’ traditional socio-political structures have been isolated by post-colonial governance systems, and have frequently been rendered impotent in participating in the formulation of policies that directly impact upon their rights to cultural survival.

Britt (1998) states “...that stakeholders form networks and regional or national federations in order to broaden their representative base and establish a credible collective-voice...in legislation ... and structures regulating access to and control over forest resources.” Social movement organizations are necessary in providing a mechanism for collective action to decentralize power and authority from the government through the participation of local people. Given the diversity of interests within and among the rural poor, federated forms of organization that are able to bridge some of these differences have a potentially critical role to play in the shifting relationships between poor people, states, markets, and the more powerful interests in society (Bebbington and Carroll 2000). In forming a common management strategy, the varying interests of local people over resource use needs to be balanced by inter-relating cultural development and environmental justice. As related in the case of the Cheslatta T’en in British Columbia, Canada, inter-ethnic interaction was an imperative component in the emerging territorial vision. In this case, the vision allowed for a synthesis of indigenous and Western constructions of nature to coalesce around a problematic or regional powerlessness (Larsen 2003). In the case of the Philippines, the past refusal to countenance IPs’ common property rights has served as basis of unity among various interests of the local people. This in turn led to a broad social movement that resulted in the enactment of the IPRA. This law recognizes the decentralization of authority and control of IPs over access to traditional resources within Ancestral Lands and Domains.

Understanding the histories of social movement objectives is essential to providing effective decentralization and accountability mechanisms. In the context of common property rights of the Agta-Dumagat and migrant settlers over Ancestral Domains in Aurora Province, customary processes are necessary to mechanize the accountability of decentralized power and authority. In Ribot's study in South Africa (2002), he states "...customary authorities are notorious for entrenched gender inequality and divisiveness by favoring ethnic-membership over the residency-based forms of citizenry." However, Bebbington and Carroll (2000) find that within the categories of "indigenous," "peasant," "Andean," and "poor," Andean ethnography has long emphasized the importance of kin-based networks in resolving the problems of resource access and collective action. Through customary practice, the Agta-Dumagat perceive authority as a collective responsibility that revolves around a central leadership. Vesting leadership in clan leaders through lineage manifests respect to customary processes handed to the next generations, and also recognizes the family's ability and authority in unifying a clan. The competence to enforce these consensus decisions embeds customary authority with control and accountability over the decisions of which the people took part in formulating. Henceforth, the customary authorities of the Agta-Dumagat promote inclusive decision-making through consensus processes in a centralized system of collective leadership.

Decentralizing Power in the Playing Field

In 1946, the Philippine Republic adopted natural resource laws introduced by the colonial governments. These were based primarily on the Regalian Doctrine that served as the basis for state ownership and control of all natural resources in the Philippine Archipelago. Also adopted was the Western concept of resource management and conservation policy that perceives protected areas, such as national parks and ecological stations, as empty spaces with no human dwellers. Under this Western view of conservation, traditional dwellers of the forest should be expelled in order for conservation to take place or to be successful (June Prill-Brett 2003).

The democratic space provided for by the Ramos Administration in 1995-1996 paved the way for the enactment of the Indigenous People's Rights Act (IPRA). This law redressed the lack of political will by the government to decentralize ownership of ancestral domains to indigenous peoples, and granted authority to control access to the resources therein.

The Agta-Dumagat People: The Complexity of Control

Located in the eastern part of the island of Luzon is Aurora Province, home to the Agta-Dumagat people (once known as Agta Negritos), the aborigines of the province. These people are comprised of eleven language groups and number in total about 10,000 people. Traditionally nomadic hunter-gatherers living in small temporary camps, they are widely scattered over several thousand square kilometers of dense rainforest in the Sierra Madre Mountains in eastern Luzon. Today they are most definitely a post-foraging society (Headland 1998).

Traditional custom provides that the leadership system is vested by way of inheritance to the clan leader (Kaksolan or Kaksaan), who acts as judge. The Kaksolan promulgates decisions made by consensus, delineates territorial boundaries based on patterns of use, and ensures amiable social relations among clan members. Violation of customary laws is met with appropriate punishment, depending upon the weight of the act. The leader, through consensus with concerned clan members of the aggrieved and of the accused, decides upon guilt and

punishment. Adopting a consensus process strengthens the legitimacy of decision-making. Once a decision is promulgated, it is highly respected by the clan members.

The colonial governments of Spain and the United States transformed the traditional leadership system into one based on Western concepts that alienated and marginalized the clan leaders. Henceforth, the traditional socio-political institutions eroded, reducing the role of the traditional leaders to that of mere advisers. The interplay of the traditional and Western governance systems gave rise to leadership of the later generations – commonly referred to as the council of elders or leaders - of the Agta-Dumagat who have served as representatives to the various structures of the present day governance systems.

Regaining Ancestral Domains

In 1996-1997, the social movement among IPs in the Philippines reached its height with the founding of various national coalitions and federations. Among these were Katutubong Samahan ng Pilipinas, Incorporated (KASAPI), the National Confederation of Indigenous Peoples in the Philippines (NCIPP), and Pambansang Lupon ng mga Nakakatandang Tribu sa Pilipinas (PLANT). The members of these coalitions pursued advocacy for the formulation and adoption of the implementing guidelines of IPRA.

Coalitions at the regional and provincial levels were simultaneously established in response to the increasing need for a venue where the common interest of indigenous peoples could be articulated. TAGPUAN, Inc., the provincial coalition of six Agta-Dumagat organizations, was formed in 1998 after spontaneous land rights initiatives. The main objectives of the organization were to secure rights of ownership over ancestral domains by recognizing rights to access, and to advance cultural development through a multi-dimensional – holistic – approach.

In spite of the passage of IPRA, indigenous communities were left to confront problems with local government units, migrant settlers, national government agencies, and private companies in the implementation of the recognition of indigenous peoples' rights over access to resources. In response, initiatives to regain and secure ancestral domains were actively pursued primarily through the "Campaign for Territorial Declaration of the Agta-Dumagat Ancestral Domains." This campaign fostered the concept of pre-conquest rights to lands and domains, primarily "Native Title" and "Cultural Integrity". As defined in the Act, "Cultural Integrity" covers:

...the protection of indigenous culture, traditions, institutions, and education systems; the recognition of cultural diversity; the community's intellectual rights; the rights to religious and cultural sites and ceremonies; the right to indigenous knowledge, systems, and practices; the right to develop science and technologies; the right to access to biological and genetic resources; the right to sustainable agro-technical development; and funds for archeological and historical sites. (IPRA 1997: 13-16)

As a strategy, the campaign fostered a common understanding about the "Cultural Integrity" framework in the concept of traditional resources to gain support among the diverse stakeholders. The campaign was launched mainly to articulate identification of culture-sensitive programs through gatherings of the Agta-Dumagat. The migrant settlers, on the other hand, agreed with the framework on the premises of environmental protection and conservation. The persistence of the Agta-Dumagat Coalition, TAGPUAN, Inc., has influenced the growing support of the framework as a common planning tool. The Provincial Office of the National Commission on Indigenous Peoples is supporting the ongoing formulation of the management

plan over Ancestral Domains, and supports its eventual adoption in the Municipal and Provincial Land Use Plans.

“Cultural Integrity”: Developing Control over Common Property

Figure 1 is a summary of the metaphor of Datu “Migketay” Victorino L. Saway’s “Cultural Integrity Framework” of 1997. It is a planning tool that makes possible holistic development – social, political, spiritual, and economic – for local people, both migrant and indigenous. The mechanism provides a way for stakeholders to define appropriate development priorities over the management of common resources within Ancestral Domains. The participation of local people is necessary to understand the dynamics of environment and culture, and to define the feasibility of gaining local power and authority.

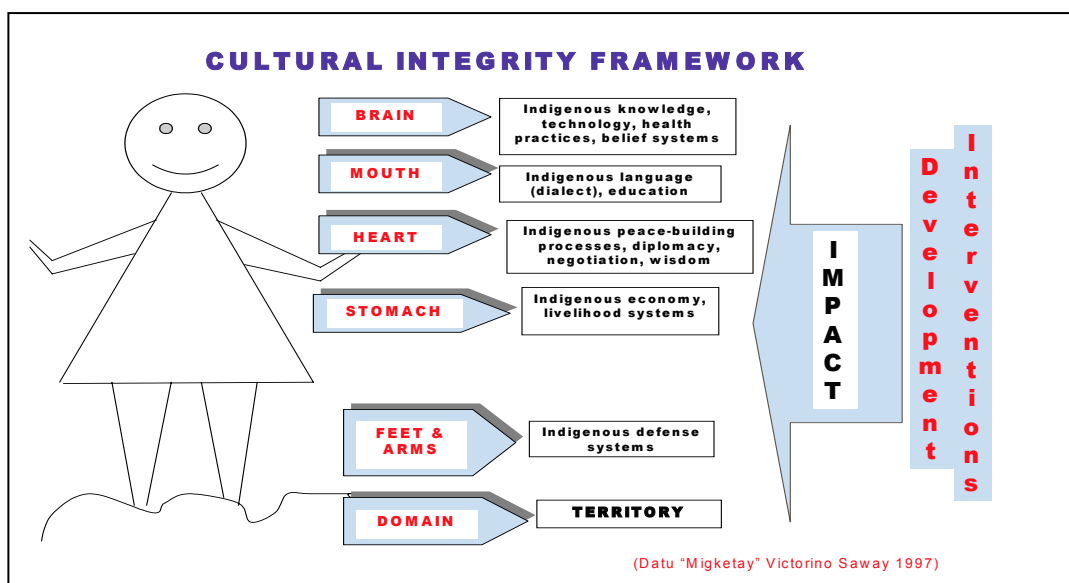


Figure 1: The “Cultural Integrity” Framework

Recognizing the diverse community presently living within Ancestral Domains, “Cultural Integrity” is premised on the common ownership of the local people over natural resources. The main characteristics incorporate the inclusiveness of stakeholders, community protocols, and authority of control. The inclusiveness of the framework provides security of tenure to both the migrant settlers and the Agta-Dumagat people, agreeing upon protocols that eventually will enable the provision of authority mechanisms over common property. The municipal and the barangay, or most localized level of government, may in this process translate the adoption of these protocols into local policies.

Strengthening Security of Tenure

Security of tenure is a fundamental right both for the Agta-Dumagat population and migrant settlers. The legal recognition of the land, as provided by IPRA, establishes a codified security of tenure over resource use for local people. The boundaries of domains are guided by the principle of self-delineation through identifying areas of traditional use. Mapping and

delineation has received technical and financial support equally from the migrant settlers, the Agta-Dumagat people, and NGOs.

Contrary to the external perception that migrant settlers are excluded in the process of declaring Ancestral Domains, the “Cultural Integrity” framework puts more emphasis on the inclusion of stakeholders in the development and access of resources within the Domain. The ability to manage the resources effectively necessitates the involvement of the local people, who in turn form a significant element of common resource management. In conducting the census of the Agta-Dumagat Ancestral Domain – covering approximately 60,000 hectares of forest and coastal areas located in the municipalities of Dinalungan, Casiguran, Dilasag, in Aurora Province – the list included the families of migrant settlers and indigenous families (Census of Claimants, NCIP-Aurora Provincial Office 2001). In most cases, the listings of claimants of Ancestral Domains in the Province follow this pattern.

Due to overlapping policies, rights to the access of natural resources were granted to various stakeholders. In Ancestral Domains, IPRA vests prior rights to IPs for the access of resources derived from within. The issue of prior rights was debated among local people on the basis of the possible exclusion of migrant settlers in the use of resources within the Domain. Though the recognition of prior rights remains very delicate, it is better handled by invoking the change in social relations brought about by intermarriages. This creates space for the equal articulation of the cultural rights and environmental issues of both the Agta-Dumagat and migrant peoples. In this case, the issue of prior rights of Indigenous Peoples – one that is often framed as divisive – has become a unifying factor in the issue of common resource management. Furthermore, the enforcement of prior rights of IPs over Ancestral Domains is beneficial in securing tenure over the resources.

Competition among various stakeholders becomes more complex in the advent of large-scale commercialization of forest resources. IPRA faces complexities by not being able to provide a clear definition on the implementation of “Free and Prior Informed Consent” in cases where permits already exist. This lack of definition has resulted in authorities competing over resource access to areas with previously granted lease agreements and exploration permits by the government to private companies. Due to this, local people’s control over resources that were given previous leases and permits eventually becomes tenuous.

As an example, the Industries Development Corporation, Inc. (IDC), is a logging company located in the northern part of Aurora Province that has been operating since the 1960s. The company’s permit was granted through an agreement with the Department of Environment and Natural Resources (DENR), a national government agency, prior to the passage of IPRA. IDC has established friendly relations with a group of the Agta-Dumagat in the area, offering financial and technical support in rattan gathering and providing other services requested by the community. The municipal and provincial government units obtain logistical and financial support from the company as well. NGOs are raising environmental concerns over large-scale selective logging. Though some Agta-Dumagat people often claim that the situation is economically beneficial for them, NGOs continue to question the environmental sustainability of the industry’s practices. Since the passage of the Mining Act in 1995, applications for the exploration of mineral resources within Ancestral Domains covered 1,199,849 hectares, or 53 percent of the total 2,546,036 hectares earlier awarded Certificates of Ancestral Domain Claims (CADCs) (Gorre 2003).

Asserting prior rights of the Agta-Dumagat and raising environmental issues that affect the sustainable development of Ancestral Domains has constructively resulted in unifying the local

people. The local people have always met the conflicts over resource access and use with private corporations, namely mining and logging companies, with unified opposition. In most cases, short-term economic benefits are used to manipulate the decisions of the local people – to reject or accept – large-scale commercial projects. In confronting the issue of applications of mining companies, the local people have invoked the process of the Free and Informed Consent (FPIC). Lessons were shared from people of mining communities in Benguet Province, Luzon Philippines, where mining operations started in the 1930s. The experience of the local community there has been examined to gain a deeper understanding of the industry’s impact on holistic cultural and environmental concerns. Attempts by the government and private corporations to coerce the leaders into deceiving community members failed.

Promoting Cultural Development and Community Protocols

The development and management of Ancestral Domains requires ensuring cultural survival in correlation with land security in a holistic approach. The promotion of cultural development is one significant tool in advocating environmental justice within Ancestral Domains. TAGPUAN, Inc., members have articulated that development concepts imported by external intervention – of NGOs, national agencies, and local government units – most often are culturally incompatible and perhaps even disruptive to the development concepts of the Agta-Dumagat people.

The “Cultural Integrity” framework implies that it is crucial to inter-relate programs and projects with the socio-economic, political, and spiritual aspects of local people’s needs. Cultural development programs support the processes of a culture’s identity that are independent yet are symbiotic for survival. It can be likened to a life support system in which various elements interact to sustain life. Similarly, cultural survival requires more than sensitivity, but the full complement of knowledge, wisdom, and ability to understand the dynamic continuum of cultural forms. The *kaksaan* and *bunogon* – the traditional leader and healer, respectively – would not exist without the clan, as the clan would not survive without the land and resources, as the resources could not be sustained and protected without the people. These traditional systems and relations shall not outlive the future generations if not developed.

Transcending Cultural Development

The key elements that support the development of cultures within Ancestral Domains are the structures and mechanisms that encourage the development of traditional systems – healing, education, and spiritual, political, and economic aspects. Development in the cultural context is geared towards devising means of promoting the transfer of appropriate traditional practices to the next generations in the community. The designed mechanisms should make possible the strengthening and revival of applicable customs and traditions that would serve as vehicles for transcending the increasing pace of social transformation. This can be demonstrated in the case of transferring local knowledge of customary laws. The language local to each indigenous peoples’ group is a powerful tool that links the young to the older generations in understanding the wisdom of traditional justice systems. Most of the traditions are oral in nature, which allows for the transfer of knowledge through consistent practice while it encourages flexibility to adapt to changing situations. This way, customary laws can take a dynamic form for every given circumstance. In this case, the codification of customary laws would tend to standardize parameters of decision-making, yet similar situations may not necessarily yield similar decisions.

Traditional Education Systems

The education system of mainstream Filipino society does not provide a sound environment for Agta-Dumagat children to acquire knowledge. The traditional education system revolves around the social, political, spiritual, and economic aspects of the everyday lives of the indigenous people; introducing a different system alters their values and worldviews. These changes directly affect the way the Agta-Dumagat manage the natural resources that link all aspects of their everyday lives. In as much as the mainstream language is important to enable them to interact with the larger population, the disregard for the retention of their own language may equally render it impossible for them to participate in their traditions. Parents teach livelihood technologies through hands-on practice, while formal schools teach classes in four-walled rooms. It becomes imperative in this case for the education system to adopt curricula that advocate culture-sensitive transitions to allow for the enhancement of learning abilities for the Agta-Dumagat.

“Schools for Living Traditions” have started in indigenous communities of Mindanao and the island of Visayas. Efforts among TAGPUAN, the NCIP, the Department of Education, and local government units have recommended an exchange program to assess the feasibility of replicating the system. The model espouses formal education curricula alongside traditional learning processes, starting at the primary level. In Lantapan, Bukidnon Province in Mindanao, traditional elders conduct informal sharing of traditions on social values and history as told from past generations. Talaandig, the local indigenous language is used as the medium of instruction. The language widely accepted in the region – Cebuano or Bisaya – is used as well, while English and Tagalog are taught in specific subjects. Learning farms are provided for teaching the traditional farming system where the elders perform sacred ceremonies that bless each phase of the agricultural cycle. Curricula for the secondary level of education are yet to be tested.

Traditional Health Systems

Traditional healing systems have not been developed in spite of the credible history of traditional healing practices. Traditional healers – Subkal or Bonogon – use medicinal forest plants for the treatment of illness. The introduction of the Western medical system transfers the legitimacy of the traditional healer to “professional” medical practitioners: doctors, midwives, and nurses. This system then erodes the function of traditional healers in protecting the forest where medicinal plants are gathered. Furthermore, the growing dependency of the local people on Western medicine increases poverty, due to its expense, and discredits traditional healing practices.

Traditional Spiritual Beliefs

The Agta-Dumagat respect for nature is expressed in guardian spirits or Anitos. These beliefs are directly related to sacred ceremonial sites, which are located mostly in the forest areas, and thus the forests are protected. The restrictions agreed upon for sacred ceremonial sites become the community’s de facto protected area. The people revere spiritual beings as guardians of good faith, and believe that every being on earth – living or non-living – has a spiritual guide. Thus, inflicting destruction on any being shall bring misfortune and illness to the person or people responsible.

The Spanish colonizers used Christianity – “divide and conquer” – to subjugate the extant Philippine society. The introduction of various fundamentalist and non-indigenous belief systems dis-integrates the value of IPs’ spiritual connection to nature and land. These new beliefs

transform respect to land as mere commodity and not as source for survival. The commercial value then overcomes the intrinsic bond of nature to the future generations.

Traditional Socio-Political Institutions

The traditional leadership systems, which facilitate decisions through consensus, have been transformed into structures that espouse decision-making through electoral processes and an accountability system. This implanted system co-opts traditional institutions into venues for the implementation of government projects, rather than acting as accountable representatives of the local people. The core issues that arise from this process are the erosion of accountable political institutions that represent customary authorities, and the centrality of effective resource management as a cultural imperative.

The awarding of Ancestral Domain Titles, and the delineation of their boundaries through the identification of traditional landmarks, makes it authentic. The identification of owners, however, makes the process complex and controversial due to shifts of socio-political structures of the claimants within the domain. The previous process for the application for Certificate of Ancestral Domain Claims (CADC) by the DENR creates complexity. The “holder” or owner is composed of the council of leaders, but the organizational expression is a structure that is created by registering through the government. This form of organization has a very different structure and authority system than the traditional leadership authority structure that is derived from lineage.

Community Protocols: Designing Authority and Enforcing Control

Community protocols are in the process of formulation. Negotiation applies in the process towards balancing the interests among local people by taking into account specific cases of conflict between the migrant settlers and the Agta-Dumagat on land and resource use. These conflicts provide the foundation for establishing specific resource use regulations, including the identification of overlap between Ancestral Domains and municipal and provincial political jurisdictions.

Creating Commonality in Resource Management

Traditional land use patterns serve as the basis for delineating the boundaries and the existing land use. To determine the resource use of the domain, the indigenous population conducts an initial review of traditional patterns of resource use and is overlaid onto those that exist at present. The land and resource use plans based on long-term visions with specifically designed programs for the 5-10 year term are finally identified to conclude the resource use plan.

Ceremonial sites are located in the hunting grounds (*Puhab*) and traditional practice requires the area to be held as sacred. The *Puhab* is a common resource reserved for hunting, gathering root crops, and non-timber products but these activities are restricted in sacred ceremonial grounds. Young animals are spared during hunting season, and in breeding seasons animals that serve as sources of food are protected.

The non-indigenous and indigenous migrant settlers practice slash-and-burn agriculture on the slopes of the forest, while the Agta-Dumagat people do not practice settled or permanent agriculture. The shift in actual forestland use due to slash-and-burn agriculture directly impacts the hunting and fishing grounds that serve as the source of livelihood for the Agta-Dumagat people. Their sacred sites of worship and burial grounds are immediately impacted as well. In the Dinalungan-Casiguran-Dilasag (DICADI) Ancestral Domain – through the use of traditional

consensus building methods – specific agriculture sites were determined by settling the conflict between the indigenous Ifugao migrant’s slash-and-burn site and the *Puhab*. This precedent led to the identification of other areas that could be used for common agricultural purposes. The flatlands and lower slopes of the forests, which are usually barren, have been allocated for agricultural use. Slash-and-burn, small-scale plantations, agro-forestry and vegetable gardening can be introduced to these areas. Agro-forestry is an alternative method to slash-and-burn and is being encouraged within the allocated agricultural area.

Decision-Making Processes

The process of resolving conflicts within the Agta-Dumagat tribe is through consensus and is guided by advice from the elders. This is facilitated by the younger generation of leaders. Advice coming from the elders is shared through stories that state the situations which relate the reasons of how and why these resources were previously managed in a specific manner. Again, decisions are made based on the continuum of resource use from the past, the present, and the future that is acceptable to the people. Deciding conflicts on resource use and social relations involving migrant settlers and the Agta-Dumagat include the officials of the lowest governance structure, Barangay; representatives and members of the migrant population; and in most cases the local agencies with mandates over management of resources and indigenous peoples’ rights like DENR and NCIP.

Access to resources within Ancestral Domains is guided by the principle of “common property”. It involves the negotiation of benefits both for the migrant settlers and the Agta-Dumagat. The local people are allowed to use hunting grounds as a common source of livelihood, while the plains and barren slopes – previously cleared – can be used for agricultural activities. In general, specific land use within the Domain is classified as agricultural, settlement/residential, hunting/fishing ground, and sacred ceremonial/burial sites. Regulatory measures on the defined use and management of the land, as classified, are designed to protect the environment for long-term use.

Enforcing Rights and Establishing Authority within Common Property

The enforcement of community protocols is necessary to realize the objectives of cultural development and common property rights of the local people. However, enforcement requires authority in order to make control feasible. In examining the evolution of overlapping governance systems that exist in ancestral domains, four structures have emerged – the Barangay and Municipal unit of the central government, the representatives of the migrant settlers, officers of mandated national government agencies, and the council of elders/leaders of the Agta-Dumagat. To enforce community protocols, the interplay of the various governance structures are vital to recognize authority that would provide control to agreed-upon systems of common resource access and use.

Key elements of both cultural practices and modern-day structures form part of the agreed upon protocols of the local people. These protocols revolve around the promotion of cultural development and the survival of the Agta-Dumagat people. Furthermore, the regulations agreed upon among the local people provide environmental protection measures. These circumstances offer a common land- and resource-use plan among the local people within the Ancestral Domain.

One of the most controversial dilemmas confronting cultural authority is the intrusion of external development projects introduced by private corporations through the government. The

process through which this challenge can be addressed is by invoking “free and prior informed consent” of IPs. In the Philippines, permission to extract forest and mineral resources is granted to private corporations from the government through lease agreements and permits. IPRA recognizes the right of indigenous peoples to decide – to accept or reject – the entry of external development by way of consent. The process creates controversy when manipulation and deceit are used to foster division among the local people.

Good Forest Governance in a Decentralized Playing Field

The enforcement of community agreements is vital to the implementation of common management of resources. The complementary roles of local government and local people are essential factors to enforce protocols. In 1993, the Local Government Code provided local governments the mandate to formulate Municipal and Provincial Development Plans. These Plans indicate development agendas based on Land Use Plans (LUPs) and further serve as basis for Investment Plans. The Investment Plans indicate fund allocation for specific development agendas as derived from Municipal and Provincial Development Councils, which are comprised of sectoral representatives. The local code also grants authority to local governments for the ratification of local ordinances that conform to proposals arising from development councils. Equally, IPRA endorses the mandatory representation of indigenous peoples to the local councils – in this case, the Municipal and Provincial Development Councils. The recognition of Ancestral Domains development agendas then becomes viable in this arrangement if properly represented in the councils.

This process however, faces an impediment at the national level because Ancestral Lands and Domains are not classified as an official land classification in the Philippines. This situation can be mitigated at the local level where local ordinances can play a vital role in recognizing specific areas of common use within Ancestral Domains – watershed areas and communal forests, for example. Inclusion of development agendas into the Investment Plans can provide supplemental recognition of proposed priority programs within Ancestral Domains.

Since 1999, local coalitions of IPs have made efforts to link with KASAPI, other national coalitions of indigenous peoples, peasant’s organizations, NGOs, and supportive legislators to mediate in the ongoing deliberation of the proposed Land Use Bill. The various groups have advocated for the recognition of Ancestral Lands and Domains as an official land use classification.

To date, TAGPUAN is involved in facilitating community protocols. All agreements relative to specific usage and regulations are still oral. The written agreements are expected to be adopted after negotiations among the local people have resulted in a consensus. Local officials and agencies form part of the process by witnessing the agreed upon points. Their involvement as witnesses equally binds them as accountable in enforcing the protocols.

Conclusions

Examining the dynamism of cultural elements in a historical context can help the development of the diverse cultures of IPs. The persisting erosion of customary processes promoting common property in post-colonial Philippines has encouraged the Agta-Dumagat to engage in a process of regaining Ancestral Domains. This initiative entailed launching a campaign on “Territorial Declaration” that advocates pre-conquest rights, “Native Title” and

“Cultural Integrity” framework. This campaign provides an inclusive process in framing a common management of resources among the stakeholders. The process promotes cultural survival and decentralizes forest governance within Ancestral Domains as well.

Throughout history, outsiders – government and private corporations and organizations – adhere to profit-oriented and/or short-term programs, in the guise of economic and national development. This fact, when translated to concrete impacts on the local people, limits community defined common management agendas and undermines the advancement of holistic development.

The interplay of national and local social organizations is a vital element that enables mechanisms of accountable representation among government and local people, revolving around common property. Strong social movements of national and local organizations are crucial factors in enabling accountable representation between the government and local people. This makes possible the decentralization of power and authority over resources within Ancestral Domains.

On the complex playing field, balancing interests of multiple stakeholders is critical. The means, however, of managing this balance entails justification from each stakeholders and identifying that which is common. Decentralization and participation at this point become equally relevant to tilt the balance between the powerful and powerless.

Recommendations

Strengthening self-reliant capacities of local and national social movements to pursue advocacy on “Cultural Integrity” in developing common resource management within Ancestral Domains and enable a balance of interest among stakeholders.

Pursue the adoption of community protocols to ensure security of tenure over declared territories and strengthen authority and control among the government and the local people in the enforcement of regulatory measures. Moreover, advocate for issuance of local ordinances by local governments in support of common land use plans and require stakeholders to adhere to agreed-upon mechanisms.

Ensure the representation of the local people in local government bodies to enable participation in planning process of development programs, and to advocate for the recognition of Ancestral Lands and Domains as an official land use classification.

Assess the actual mechanisms of implementing the “Free and Prior Informed Consent” as regards entry of development priorities and agendas of various stakeholders in invoking processes on common properties rights.

Conduct a study on principles and parameters in obtaining royalties from large-scale development projects. Additional research has the potential to help determine if an equity mechanism can be designed, and if benefit-sharing can exist among the local people and other stakeholders.

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