

**“YUTA ANG KINABUHI”, ‘LAND IS LIFE’:  
THE STATE AND THE BAGOBO-KLATA  
OF SITIO KAHUSAYAN, DAVAO CITY**

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Members of Sitio Kahusayan in Barangay Manuel, Guianga District identify themselves as Bagobo-Klatas living under the collimation of life and land. This is one of the six *sitio* currently claiming an estimated 7,500-hectare Ancestral Domain. This article focuses on how the Bagobo-Klata in Sitio Kahusayan shift between customary and State laws to deal with threats to their life, land, and domain as a whole. As these threats increase both in number and complexity, the Bagobo-Klatas have sought State intervention in view of the Indigenous Peoples Rights Act—a law that has been criticized for its “enigmatic legal representation” of indigenous peoples. Legal pluralism will be discussed in the case of their *sitio*, and changes in the Bagobo-Klata’s conception of land are also juxtaposed with the perspective and actions taken by agents of the State.

**Keywords:** *Ancestral Domain, land view, customary law, IPRA*

*“...in the strong expression for cultural integrity, the collective leadership of the Kahusayan Tribal Council envisions a culture sensitive society of indigenous peoples consciously asserting customary laws, traditions, beliefs, and practices..”  
- Kahusayan Tribal Council 1999*

**Introduction**

In a Centennial Forum held last October 2008 at Malcolm Hall in UP Diliman, the lectures revolved around the theme of “Indigenous Peoples and the Enigma of Legal Representation”. Dean Marvic M.V.F. Leonen, convenor of the lectures, explained this as a conundrum of how “the variabilities of who we are [as peoples] in the context of our politics and cultures in an era of cosmopolitanism and globalization” can be represented by “the categories and standards of behavior in rules and law.”

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The characteristic implementation of law, according to Leonen, formalizes asymmetry between indigenous and mainstream identity.

In the same forum<sup>1</sup>, Dean Raymundo Rovillos of the UP Baguio maintained that the State and its laws ‘trap’ indigenous peoples “in what is known as repressive authenticity that ignores colonial history” and establish a “false binary opposition” involving tradition and modernity. Prof. Augusto B. Gatmaytan of UP Mindanao also provided a critique of the Indigenous Peoples Rights Act (IPRA)—this law paves the way for the institutionalization of State interference in the internal affairs of IPs, through the mandatory Ancestral Domain Management Plan, which restricts land development of IPs. He stated that “IPRA is a compromise between a dominant economic framework and an indigenous legal framework seeking security over land and resources.”

The IPRA (or Republic Act No. 8371) resulted from the reconsideration of indigenous environmental knowledge and skills in managing resources, apart from the State’s recognition of IP rights to their ancestral domains and lands. Prill-Brett (2007) has examined IPRA and legal pluralism in northern Philippines, and the issues and problems that arose from conflicting viewpoints of varying agencies engaged in the classification and demarcation of Ancestral Domain (AD). Her study also looked at the maneuvering between national and customary laws when access to land, forest, mineral, and water resources are in question. Such manipulations are employed “to promote the continuing plurality of the jural system for [individual and interest groups’] own ends” (Prill-Brett 2007:55).

After IPRA was signed into law in 1997, IP groups like the Bagobo-Klata saw State legal intervention as an option that, while foreign to their own practices, promised to resolve matters concerning the land they consider theirs but which is being encroached by migrants. The Bagobo-Klata have moved between traditional or customary practices and mainstream or national legal means to address conflicts. In order to appreciate the predicament of the Bagobo-Klata, it is important to understand changes in how the land has been used and treated by the Bagobo-Klata and by migrants to the area. This opens a larger discussion on the Ancestral Domain conflicts they have experienced and are experiencing in relation to Philippine laws. In this article, community members’ views of the land and their customary laws

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<sup>1</sup> “The Regulation of Our Identities: Indigenous Peoples and the Enigma of Legal Representation” is one of the thematic lectures organized during the centennial year of the University of the Philippines. A video of the lecture is online, provided by the Diliman Interactive Learning Center (DILC 2008).

are compared with the perspectives of various national laws (such as IPRA) as seen in their implementation. The plurality of legal systems explored by Bagobo-Klatas will be examined.

Sitio Kahusayan of Brgy. Manuel Guianga is one of the six *sitio* applying for the Bagobo-Klata Ancestral Domain.<sup>2</sup> Sitio Kahusayan formally covers 484 hectares of land<sup>3</sup> under the claim, which has been in process for a decade. Alongside their application are land conflicts stemming both from within and outside the community, which are being dealt with simultaneously in varying ways.

### Changes in land status prior to IPRA

Sitio Kahusayan is an approximately 45-minute *habal-habal* or motorcycle ride from Barangay Calinan Poblacion Public Market. This former Bagobo hunting ground located at the foot of Mt. Talomo (“*Kollilan*” to the Bagobo-Klata), at an elevation of approximately 1,000 meters above sea level, has now been reduced to a mere 1.75 hectares. Below the sitio are banana plantations mostly belonging to Sumifru Corporation, and others privately owned by residents of Sitio Dominguez, a nearby local community (named after a migrant in the 60s according to a resident of Sitio Kahusayan). Surrounding the other side and going up the mountain are thousands of pine trees. This area is demarcated by a barbed wire fence that eventually connects with the fence of corrugated galvanized iron sheets located by the rocky entrance to the sitio.

According to the written accounts of Kahusayan Tribal Councilors and Elders, the reduction of the area being occupied by the Bagobo-Klata and their tenured migrants began with “development aggression” at the advent of the Japanese Occupation. Lowland indigenous peoples were constrained to transfer upland “because they were deprived of their land by their sheer ignorance to start land claims [to the land] they [had] tilled [for] so long a time.” From then on, “waves of migration” purportedly drew new settlers

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<sup>2</sup> 6,843 hectares are delineated under the unified Bagobo-Klata Ancestral Domain Claim while around 700 hectares are added to their application as requested by a group of Obo Manobo near Panigan River east of Mt. Talomo. The six *sitio* are Sitio Kahusayan, Sitio Amben, Sitio Diolo, Sitio Sarro, Sitio Sicao, and Sitio Ilando while the five clans federated under the Bagobo-Klata Ancestral Domain Claim are the Diarog, Auog, Udal, Sicao, and Ilando.

<sup>3</sup> The 484 hectares are demarcated under Sitio Kahusayan as verified under Project No. 1–X LC Map No.2903, and as written by Antipas Batingal in a letter addressed to CENRO XI–4D, dated November 10, 1997.

closer in proximity to the integrated Mt. Apo National Park<sup>4</sup> (Kahusayan Tribal Council 1999:11).

In tandem with their remarked “sheer ignorance” regarding land ownership concepts and the laws of the migrant mainstream population, the indigenous peoples did not have any permanent villages. Following traditional rotating agricultural practices, they would till a ‘parcel of land’ (*bossak* in Guiangan and *libuta* in Obo Manobo), and move on to another area after harvest in order to give some time for the former area to regain soil fertility. According to an informant who grew up with Obo Manobo, it was customary for the Bagobo-Klata to conduct prayer rites (*Paka’at kollo / Panubadtubad*: ‘to offer food for the spirits’) for their *galas* or subsistence farm, in order to seek guidance and blessing for good harvest from *Pamowa Kaeyag*, the protector of crops. This practice was founded on the belief that no one owns any piece of land apart from *Manama*, the principal being. According to another informant, the “*netibo*” (native) considers all unoccupied land that he/she ‘can see’ as his/her own to till or hunt upon.

In May 1936, the area of the Bagobo-Klata had been amalgamated into the Mt. Apo National Park through Presidential Proclamation No. 59. As stated in the proclamation signed by former President Manuel L. Quezon, the land was reclassified into a park for “purposes [of] the benefit and enjoyment of the people of the Philippines and [be withdrawn] from sale, settlement, or other disposition, subject to private rights, if any there be.”<sup>5</sup> (Proclamation 59 1936:1).

During the 1950s-60s, logging concessionaires started to engage in harvesting dipterocarp trees growing in Kahusayan and other areas within the Bagobo-Klata domain on the northwest slope of Mt. Apo, although not necessarily all by legal means. The Kahusayan road was opened by loggers to transport poached logs and timber to their log-ponds without passing by the southern Davao highway. As written in historical accounts, it was also in 1960 that “an ethnocentric [*sic*] settlement was established by Datu Kaunda and Datu Awian right on the present [site of] Sitio Kahusayan.” (Kahusayan

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<sup>4</sup> Much IP land in the lowland was lost when, after World War II, the Government through the National Abaca and Other Fibers Corporation distributed Japanese abaca plantations to settlers. Most of these Japanese plantations were actually borrowed IP land; Japanese men married Bagobo women to borrow and use these lands.

<sup>5</sup> This act empowered the government of the Philippines to subject this “parcel of public domain” to the supervision of the Bureau of Forestry (now Forestry Management Bureau), with the administrative control of the secretary of the then Department of Agriculture and Commerce.

Tribal Council 1999:11). It was stated that this resettlement site aimed at reorganizing the Bagobo-Klata with a 'community leadership' that could address the group's current socio-economic demands. In this reorganization, which established a new residential area, the Bagobo-Klatas did not expand their hunting ground.

The Bagobo-Klata' subsistence was initially contingent on the availability of resources such as game food and other provisions they could gather. Conditions limiting the supply of wild foods would then entail resorting to traditional cultivation practices mentioned earlier. Such was also one of the initial responses of the Bagobo-Klata to the depletion of original food resources due to the influx of migrants. As other settlers occupied certain areas of land, starting with the logging workers, the lack of access to resources compelled the Bagobo-Klatas to establish an "integrated system of cultivation" in areas from which more enduring crops such as coffee and lanzones would thrive. A concept of land for the Bagobo-Klatas was beginning to develop where they no longer look at it as mere communal source of food.

An informant narrated that it was around 1970 to 1982 that Visayan migrants, organized as members of the Waray-Waray Association (WWA), entered and began claiming land areas around and within Kahusayan as their own. Despite the national decree declaring the area a national park, this migration into the Bagobo-Klata domain and other neighboring areas by the Visayan (specifically Waray—natives of Samar and Leyte provinces in Eastern Visayas) was supported by the resettlement program of the government of President Ferdinand Marcos (whose wife, Imelda Marcos, is herself a Waray). These migrants succeeded in obtaining land titles for pieces of land within the area ancestrally belonging to the Bagobo-Klata Diarog clan.

After Martial Law was declared in 1972, by 1977 insurgency conflicts in the area had risen to an alarming level. The Bagobo-Klata were forced to flee to other areas in Mindanao, some heading toward Kidapawan City in Cotabato Province. Others, such as the Diarog family, fled to an area in the mountains of Barangay Pinamuno, Asuncion, Davao del Norte, where the late Datu Dominador "Doming" Diarog became a barangay official.

In 1983, as the hostility subsided, the Bagobo-Klatas returned to Kahusayan to find the conflict still continuing, this time against the "Waray-Waray" settlements. As stated in the historical accounts of the Kahusayan Tribal Council (1999), these people used "a simulated Deed of Transfer of Rights and Improvement" from non-existing vendors, to appropriate lands from within the Bagobo-Klata Ancestral Domain. The documents used for

this deed of transfer were handed over to the office of the Department of Environment and Natural Resources (DENR) for the Free Patent Application – another "mode of acquiring alienable and disposable lands of the public domain for agricultural purposes" provided to a "qualified occupant who has acquired vested right by virtue of open, continuous, exclusive and notorious possession thereof" (DENR-LMB 2010).<sup>6</sup>

In the midst of the conflicting claims to the land, the evolving confusion in the usufruct, as well as continuing insurgency problems, the Bagobo-Klata were forced to flee from the area in that same year. They retreated to Marilog District in Davao City, and to other areas in Davao del Norte. In 1985, they returned to their domain once more and decided upon their differences or accounts with the WWA. Hence the Sitio's name: *Kahusayan*, for the former hunting ground having served as venue for the settlement of conflict, and eventually as the center of the Bagobo-Klata community.

In 1992 the late Datu Ambis Diarog of Kahusayan acquired a letter of certification stating that the Bagobo-Klata domain<sup>7</sup> had already been classified as alienable and disposable, and therefore open to land titling. On December 14, 1992 a letter written by Atty. Camilo F. Naraval on behalf of Datu Ambis Diarog "and his group consisting of 300 men and women, more or less," was received by the Community Environment & Natural Resources Officer (CENRO) requesting that a segregation survey on occupants' respective areas be conducted. It was stated in the letter that this survey could help the estimated 300 occupants with land claims located in Sitio Saro, Manuel Guianga, Davao City<sup>8</sup> to apply for titling under the homestead or 'Free Patent' applications. An ocular inspection was then carried out by

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<sup>6</sup> It must be noted that according to the Land Management Bureau of the DENR, there are two kinds of public domain: (1) Alienable or Disposable Lands – agricultural lands which can be issued title to private citizens, and (2) Non-alienable Lands – those that include forest or timber lands, mineral lands, and national parks (DENR-LMB n.d.).

<sup>7</sup> As previously surveyed and now covered by LC Map Nos. 2565 and 2903, under Project Nos. 1-X and 1-A-B respectively.

<sup>8</sup> Sitio Saro is located near Sitio Kahusayan; it has been a place of refuge for Bagobo-Klata particularly when harassments ensued in the latter area. It is my belief that there has been a mistake with regards to the location stated in the letter of request for survey signed by Atty. Naraval. Sitio Saro is stated in the letter as the requested area to be surveyed. However, in an attached list of members, Bagobo-Klata names were listed under Sitio Kahusayan. Also, as stated in the confirmation of request granted by CENRO to Datu Ambis Diarog, the area to be surveyed is actually Sitio Kahusayan.

the DENR in order to validate the land occupation of the 300 individuals. After verification, survey authority was approved. However, the survey did not push through owing to financial constraints.<sup>9</sup>

In 1996, Proclamation No. 882 was signed by then President Fidel V. Ramos. This proclamation amended Presidential Proclamation No. 59, and declared the areas, “subject to prior private rights, if any, as Protected Area under the category of Natural Park and portions of its peripheral areas as Buffer Zone.” Under this proclamation, the land in Kahusayan— including the area that had been occupied by Pastor Apollo Quiboloy (founder and leader of the religious denomination Kingdom of Jesus Christ)—is inside the now reconstituted protected area.<sup>10</sup> In 1992 there had been no legal means yet for the forestal land to become recognized as the land of IPs. This is one reason why the Bagobo-Klata such as the Diarog family had opted for a reclassification of land. The WWA took advantage of this and applied for title to the lands. However, this process was aborted when the National Integrated Protected Areas System (NIPAS) Act of 1992 became a law. In the meantime, Quiboloy had already bought the land from the “Waray-Waray”.<sup>11</sup>

The 1996 proclamation also affirmed that in accordance with the NIPAS Act, any person meeting the criteria for a tenured migrant status is also

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<sup>9</sup> It is stated in a Request for Authority to Survey signed by Datu Ambis Diarog, dated 14 December 1992, and received by CENRO XI-4D office that all survey expenses shall be paid by Datu Ambis.

<sup>10</sup> The proclamation further states that

“Mt. Apo shall be known as "Mt. Apo Natural Park" and its peripheral areas as Buffer Zone (Parcel 1 and Parcel 2). The subject area shall remain under the administrative jurisdiction of the Department of Environment and Natural Resources (DENR) and shall be administered by the Protected Area Management Board as constituted pursuant to R.A. 7586 otherwise known as the NIPAS Act of 1992 and its implementing rules and regulations.

The purpose for the establishment of the Natural Park is to protect and conserve the ecological, biological, scientific and educational features of the area. The peripheral Buffer Zone is established to serve as an extra layer of protection for the Park and certain areas thereof as sites for livelihood projects and sustainable resource utilization.

Insofar as the rules and regulations over national parks are consistent with the provisions of NIPAS Act [of 1992], they shall continue to apply until Congress shall otherwise declare. All other applicable laws shall remain in full force and effect.”

<sup>11</sup> Although it was said that this was subsequently stopped by the Davao City Council.

qualified (through a memorandum of agreement with the DENR) “to become a steward of a portion of land within the appropriate management zone of the protected area, and from which he may derive subsistence.” However, a former member of WWA who had been residing in downtown Davao City was able to illegally sell two to three hectares of land located approximately a kilometer away from the center of Sitio Kahusayan. This parcel of land, allegedly claimed through a Free Patent Application, was then sold in September 1997 to Quiboloy. In that same year, additional tracts of land were sold to Quiboloy by other non-Bagobo-Klata claimants. These claimants argue that they too hold Free Patent Applications, while some others already acquired Torrens Titles.<sup>12</sup> In an official inquiry on the matter by the CENRO in 1997, non-Bagobo-Klata (NBK) claimants argued that their Torrens Titles had been released “on the basis that they have bought occupancy rights of said portions on the disputed land from actual occupants thereof in the early 80s”<sup>13</sup>.

As these dubious claims to parcels of land in Sitio Kahusayan were being made, the Indigenous Peoples Rights Act was ratified in 1997 as “an act to recognize, protect and promote the rights of indigenous cultural communities/indigenous people, creating a national commission of indigenous people, establishing implementing mechanisms, appropriating funds therefor, and for other purposes.” Through this act, IPs may acquire a Certificate of Ancestral Domain Title (CADT) that formally recognizes their “rights of possession and ownership” over their ancestral domain that includes:

“ancestral 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

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<sup>12</sup>The Torrens Title System assumes “certainty over ownership of lands” through presumption of the indefeasibility of certificates of titles, unless a claim of ownership is in question “if the registered owner, be he the patentee or his successor-in-interest to whom the free patent was transferred or conveyed, knew that the parcel of land described in the patent and in the Torrens title belonged to another who together with his predecessors-in-interest has been in possession thereof, and if the patentee and his successor-in-interest were never in possession thereof, then the statute barring an action to cancel a Torrens title issued upon a free patent does not apply.” [*Philippine Reports* 90:858-859, as cited in the *Iglesia ni Cristo vs. the Honorable Judge, Branch I Court of First Instance of Nueva Ecija and Development Bank of the Philippines* case G.R. No. L-35273 (1983)]

<sup>13</sup>As stated by the Manuel Guianga Barangay Captain (10 November 1997, Inquiry into Land Disputes between Contending Parties).



resources, and lands which may no longer be exclusively occupied by ICCs/IPs but from which they traditionally had access to for their subsistence and traditional activities, particularly the home ranges of ICCs/IPs who are still nomadic and/or shifting cultivators” [emphasis added]. [R.A.8371 1997:s3(a)].

### **Dealing with conflicts: customary and other legal options**

The Bagobo-Klata like other indigenous peoples have a customary system of practices, *addat pobiyan gontangan*<sup>14</sup>, that are observed when dealing with conflicts. To settle disputes between themselves and/or with other indigenous peoples, the Bagobo-Klata may opt for amicable settlement facilitated by their leaders, the *Datu*. When agreement between conflicting parties is reached, appeasement in the form of non-monetary compensations are made by the offenders in the form of things such as *agong* (gongs), dogs, *kodâ* (horses), or *ulipon* (slaves). According to the Bagobo-Klata I interviewed, settling land conflicts with other indigenous peoples is relatively easy because they respect traditional boundaries marked by rivers, rocks, hills, and trees— just as the boundary between Sitio Kahusayan and the sitio located right next to it, Sitio Amben or “*Papag*” to other Bagobo-Klatas, is demarcated by the Saro River.

At the same time, the Bagobo-Klata may also opt for another venue for dispute settlement. There are cases when the local government unit is made aware of certain land conflicts between Bagobo-Klata parties and one side seeks for intervention. This happened for example in the case of Letecia Muring (Purok leader) vs. Linda Diarog. In 2003, Letecia ‘bought’ a small piece of land in Kahusayan from Linda ‘as a favor to her’. This small area is located by the entrance to the sitio (if one passes by the main road coming from Barangay Tamayong of Calinan District). After passing by a fence of high galvanized iron sheets separating the Kingdom of Jesus Christ (an estimated 500-hectare place exclusive for its members) from the 1.75-hectare sitio, and after walking down the rocky and often muddy terrain by the banana plantation, one will find on the right side, around four small houses standing near each other. At the back of the houses is a small shelter for a pig owned by the residents, and a common outhouse propped by the laundry area. Two of the houses are built on the land owned by Linda, and Letecia owns one of these houses.

In 2008, Letecia was requested by Linda to return the land in exchange for the amount that she paid her last 2003. Letecia however would not agree

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<sup>14</sup>Or what they call in Bisaya as “*kinaiya*”.

as she had already spent money, time, and effort in the construction of her family's house. When the two parties could not come to an understanding, in that same year Letecia sought help from barangay officials who responded by summoning Linda for a resolution. The summonses were issued twice but according to Letecia, both were ignored by Linda. With Linda being a member of the prominent family in Kahusayan, and Letecia a local leader, it seems clear why Letecia opted to bring their case to the Barangay government instead of taking it to their tribal leaders. On the other hand, this could have been the only option for Letecia at that time since it was also in that same year when the untimely death of Datu Doming occurred.<sup>15</sup> This case is an example of the Bagobo-Klata opting to seek help for settlement of disputes from the mainstream national justice system.

Conflicts between Bagobo-Klata and other indigenous groups also occur, and when amicable settlement cannot be reached and if intervention by the local government was not sought, it is then customary to engage in *Pangayaw* (war), or seeking vengeance or justice through forceful means. Bladed weapons such as the *sundang*, *kampilan* (a sword made solely for killing people), and *bankaw* (a spear originally used for hunting wild pigs) are used against anyone who comes in the way of the tribe engaging in *pangayaw*. Such conflict has further impacts on other groups because when the conflicting parties are both indigenous groups, *pangayaw* occurs “*sa pikas baryo*” (‘the other barrio’), a different area apart from the two groups at odds.

Around 1982-84, there was a disagreement between the Matigsalug and Dibabawon when a Dibabawon killed a member of the Matigsalug. The Matigsalug group avenged the death of their member by attacking the Dibabawon. However, since the Dibabawons were prepared for the retaliation, the *pangayaw* only took place after the Matigsalug got their revenge by attacking the Obo Manobo. In this *pangayaw*, it was the late Datu Ambis Diarog (father of Datu Doming and cousin of Apo Akyaw Duyan who was the leader of the Matigsalug) who served as the “*Bugtos to Samok*” or mediator who will ‘put an end to the fight’.

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<sup>15</sup> There was no immediate successor to leadership after Datu Doming's death. It has been noted that ‘Datuship’ is usually passed on from father to son, not necessarily to the eldest but to whoever “has the capacity and characteristics of becoming a good leader” (Geolagon 2012:10). However, probable successors feared that they may also be hurt, targeted, or killed by the people responsible for their Datu's death. It took four years before the Kahusayan Tribal Council was able to recognize Danny, son of Datu Doming, as the successor.

When Bagobo-Klata collide with an NBK or non-IP party, amicable settlement might also be possible. Talks between parties would be mediated by the leaders to discuss what compensations the offending party should make. The ones affronted might be indemnified through nonmonetary payments which would depend on the nature of the grievance made. However, when the disaccord cannot be settled, *pangayaw* would also be seen as an option by the Bagobo-Klata. This time around, the *pangayaw* becomes a *lusong* or 'collective effort' from several indigenous groups, a mutual cooperative venture.

In October 2006 the Bagobo-Klata in Sitio Kahusayan headed by Datu Doming decided to conduct a *pangayaw* together with other Bagobo-Klata clans distributed in the other *sitio* within their domain. It was a *pangayaw* against those who had demarcated areas they planned to occupy, set up fences, and then claimed ownership of the land where some of the Bagobo-Klata's forefathers were buried. A rite (*Panubadtubad*) invoking the assistance of the sacred spirits had already been conducted. Datu Doming and the other Bagobo-Klata in Sitio Kahusayan who were participating in the said *pangayaw* called for the participation of other nearby groups such as the Matigsalug, and were waiting for the response of their fellow Bagobo-Klata from other clans. However, those from the cadastral area of Sirib headed by Datu Roselito Anub, and those from Udal decided not to join in the *pangayaw*. Thus despite their actions, the *pangayaw* did not push through. According to the informants I interviewed, religious groups, non-government organizations, and the media affected their call for *pangayaw* as issues on human rights violation were raised.

When the *pangayaw* could not be carried out and the opposing party (in this case Quiboloy and other dubious personalities who had conducted forceful acts of claiming lands that were once part of Sitio Kahusayan and Sitio Amben) would not consider amicable settlement, the Bagobo-Klata went back to relying on national laws and decisions that are they saw as means of protecting their interests.

### **Applying for CADT: land conflicts and the law**

It was on the second day of field school when we (I, together with two classmates, a research assistant, and three Bagobo-Klata guides) hiked downhill past the banana and pineapple plantations (an almost ten-kilometer hike that lasted for approximately ninety minutes) to reach Barangay Sirib in Tugbok district. There we came upon a small wooden edifice with the label *Hotipo ngo Bagobo Klata toh Sirib* (United Bagobo-Klata in Sirib) by its doors; it was a venue for Tribal Council meetings. A meeting was held there

that morning where *Datus*, Elders, Purok Leaders, Tribal Council members, and a Barangay Captain gathered to discuss pressing matters regarding the demarcation of *sitio* and their Ancestral Domain (or what is referred to in Bisaya as “*yutang kabilin sa mga tigulang*” (ancestral land), their application for CADT, and the measures they would take to get their land back.

Datu Roselito Anub is a Bagobo-Klata datu in the cadastral area of Sirib. After having accepted the responsibility to be Tribal Leader during the meeting, he discussed with the elders the issues concerning the Bagobo-Klata Ancestral Domain. Regarding the 6,843-hectare area, Datu Anub told the Bagobos present in the meeting to make sure to establish a permanent settlement on their land, no one said that it will be taken away from them (“*Pagplastar na ug dili na muhawa sa inyong lote. Walay nag-ingon na kuhaon na.*”). Concerning the continuing decrease in the area of their Ancestral Domain, Datu Anub took notice of the entrance of NBK settlers (“*Ang uban nga sakop, dili na Bagobo ang nagsulod.*”) and asked where the other hectares have gone and if the parts of Brgy. Guianga belonging to their domain have already been lost (“*Asa na ang sobra nga hektarya? ...nawala na ang Guianga?*”). Their domain can be protected through customary practice, but with these new pressing details, Datu Anub told the council that the IPRA will help. The question now is how to go about it. (“*Unsa ang pag-implement?*”).

A decision to keep the boundaries that were set by past surveys of the Domain was made during the meeting. As for the other indigenous persons (“*lumad*”) in the area, particularly those who were staying within the fenced area of Quiboloy’s Kingdom of Jesus, the Datu and elders felt it was unnecessary for them to transfer to the land of their own group when the CADT is released. They may opt to stay instead within the Bagobo-Klata domain.

According to Datu Anub, what is left for the Bagobo-Klata to do is to really stand up for their area so that the land will not be claimed by anyone else (“*Barugan jud ang area na ang atong area dili mapunta sa lain.*”). A question on how they can stop this from occurring (particularly when their adversary in Sitio Kahusayan is a millionaire) was then raised during the discussion. Datu Anub responded that the right government agency be called to help in the implementation of the IPRA law. Datu Anub asked the Bagobo-Klatas living in Sitio Kahusayan to call other members back and create a larger and permanent settlement in the *sitio*. He said that Quiboloy cannot assault nor harass them when there are a lot of people in the area; ‘they must be afraid only when they are dispersed’ (“*Si Quiboloy dili*

*makasugod kung daghang tao; mahadlok mo kay nagbuwag-buwag man mo*”).

Experiences of harassment from the military, specifically the 73<sup>rd</sup> and 84<sup>th</sup> Infantry Battalion, were also discussed. It was clarified that the presence of these infantry battalions (IBs) was in order to get information on what is happening around and within their domain, and that the military were not under Quiboloy. Datu Anub had been personally assured by the Battalion Commander, so he also reassured the Bagobo-Klata of these soldiers' focus on peace and development. Quiboloy is 'the one who has violated the law and it is the military's job to uphold the law'. Datu Roselito likewise advised the ones present in the meeting not to believe that the 73<sup>rd</sup> and 84<sup>th</sup> IB are on the same side as Quiboloy. When 5 soldiers allegedly escorted a "henchman" of Quiboloy going about Sitio Kahusayan, it was explained by Datu Anub that those were just "dummy soldiers" for Quiboloy's party knew that they, the Bagobo-Klata, were afraid of the military. Those associated with Task Force Davao (TFD) wearing uniforms and carrying firearms were dismissed by Datu Anub and Kapitan Castillo as 'men of Quiboloy' ("*tawo ni Quiboloy*").

Datu Anub repeatedly stated that he does not want to be involved in politics. He addressed the meeting: 'Let's stand up with the mind of a *lumad*. If we don't think like a *lumad*, we are like a carabao that just follows anyone anywhere' ("*Manindog ta isip lumad. Kung dili ta muisip lumad, murag ta kabaw nga bisan asa lang mosunod.*") He continued to assure the crowd and told them not to fret. He said that it is likely that they will be granted their CADT and in turn get their land back as long as IPRA law will be implemented the way it should be. He told those present that that they do not desire to be engaged in conflicts, but will abide by the law. If going this route does not work in claiming their rights to their Ancestral Domain, he reminded everyone that they 'still have their "customary law"' ("*Di ta gusto og away. Ang amoa, balaud. Kung dili madala sa balaud, naa may customary law.*")

Another issue brought up in the discussion was their mistrust of an Igorot migrant who had recently married into the Bagobo-Klata in Sitio Amben. Adopted by the tribe because of his Bagobo-Klata wife, he had subsequently been designated their "tribal adviser" to the National Commission for Indigenous Peoples (NCIP) for the Apo Amben Ancestral Domain Claim. As written on the authorization paper (signed in 2003 by the Tribal Chieftain Datu Julian Auog, Jr., Tribal Head Councilor Carlito Amben, tribal elders, and councilors), he was "tasked to follow up transactions, consultations, application for identification, delineation, recognition and issuance of CADT

and issuance of CALT”. It seemed to the ones present in the meeting that the man was running errands for his personal interests rather than the interests of the Bagobo-Klata. Datu Auog remarked that perhaps ‘the uneducated man would be better in leading the *lumad* compared with the educated man who sells them instead’.

About 3 weeks after this meeting in Sirib, we (I, together with several of my classmates) were guided to a meeting and interview with this man. It was an hour-and-a-half hike from Sitio Kahusayan to Sitio Saro. After some small talk and a few bottles of Emperador Light, the informant finally felt comfortable enough to read out loud his notes (from his diary) and to tell details of what had happened in the past few years during his stay in the Bagobo-Klata Ancestral Domain. He explained that until 2002 he was only a “sidekick” of the Sitio Amben leader.

It was in 1997, the same year of the ratification of IPRA and the expansion of Quiboloy land grabbing in Kahusayan, when the genealogies of the three clans (Auog, Bato, and Ayug) of Bagobo-Klata in Sitio Amben were documented. In the following year, respective delineation surveys were conducted after the petition book for the Bagobo-Klata Apo Amben Claim CADT application was submitted to NCIP.

A year after, Quiboloy expanded his area in Sitio Kahusayan to around 40-60 hectares (according to Dioleto Diarog). In 2001 the deployment of (and experiences of harassment from) the military and TFD began together with the planting of pine trees and extension of the fence by the *sitio*. Meanwhile, a series of cases of malicious mischief had been filed against Bagobo-Klatas in Sitio Kahusayan as early as 1998 by the party of Quiboloy. Subpoenas were received by Datu Doming Diarog, *et al.* to appear in the Municipal Trial Court. These essentially functioned as ‘strategic lawsuits against public participation’<sup>16</sup> by the Bagobo-Klatas.

In 2001, help from the media was sought by the Bagobo-Klata in order to file a case against the Task Force Davao with the Commission on Human Rights (CHR).

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<sup>16</sup>A ‘strategic lawsuit against public participation’ (SLAPP) is “a legal action filed to harass, vex, exert undue pressure or stifle any legal recourse that any person, institution or the government has taken or may take in the enforcement of environmental laws, protection of the environment or assertion of environmental rights” (Rule 6, Strategic Lawsuit against Public Participation, from The Rationale and Annotation to the *Rules of Procedure for Environmental Cases*, Republic of the Philippines, Supreme Court. Manila, April 2010).

As thoughts of unifying the Bagobo-Klata Ancestral Domain claim emerged in late 2003, five Bagobo-Klata clans (Diarog, Auog, Udal, Sicao, and Ilando) were federated into the Mt. Kollilan Tribal Council Federation (MKF) although it was only in 2004 when this federation was registered under the Securities and Exchange Commission and MKF remains unheard of to some Bagobo-Klata in Sitio Kahusayan. The Bagobo-Klata in Sitio Kahusayan “believed and waited” for the action of the Commission on Human Rights on the case charging TFD with harassment. In 2004 a letter appealing for a re-delineation survey in relation with the Bagobo-Klata’ request for the unification of their AD claim was sent to the office of then President Gloria Macapagal-Arroyo. A reply came stating that the matter has been forwarded to the Regional Head Office of the NCIP, which was consequently looking for a funding agency (due to budget constraints), in order to conduct a re-delineation survey.

In late 2004, MKF went into a cooperative and economic venture with Sumifru Corporation to plant bamboo on the area bought and designated by the corporation for a banana plantation. However, the joint project did not push through when MKF asked for a Compliance Certificate for the area which was under the integrated natural park, and the DENR rejected their request on the basis that bamboo was grass and did not comply with their terms and regulations specifying that only fruit trees and hardwoods can be planted.

In 2005, the DENR was requested by the Bagobo-Klata community to release an update regarding the status of their Ancestral Domain (whether it is still integrated within the Mt. Apo Natural Park or already classified as alienable and disposable land). In the next couple of years, cases of harassment from alleged TFD and military groups in Sitio Kahusayan increased. Houses were destroyed as the fence of the Kingdom of Jesus Christ continued to expand from the top of the hill until it encroached near the original *sentro* (center) of the sitio.

In October 2006, Datu Doming called for *pangayaw* in the area of Barangay Tamayong where the Prayer Mountain of Pastor Quiboloy’s church is located. However, being a *lusong* (an intertribal cooperative endeavor), and given opposition from different NGOs, the *pangayaw* failed to transpire; not all clans under MKF, specifically the Udal clan, could agree with Datu Doming.

On September 2007, then President Gloria Macapagal-Arroyo signed Executive Order 661 which directed the local government unit with jurisdiction over Mt. Apo area on the side of Kidapawan, North Cotabato and six other LGUs of geothermal-producing sites, to be assisted by the

Philippine Economic Zone Authority in creating and developing an economic zone on their respective areas. This was designed to address the “compelling need for a more reliable, economical, competitive, and efficient power supply to provide quality electricity to power-sensitive industrial locators in the economic zones and to encourage future locators.” (E.O.661 2007:1).

In February 2008, the Tamayong Barangay Captain (described as a trusted man of Pastor Quiboloy), was escorted by men displaying arms and wearing the TFD uniform as they visited Kahusayan and negotiated to buy the two-hectare farm of Datu Doming for the price of sixteen thousand pesos (₱16,000). However, Datu Doming politely but persistently refused the offer. Several more offers were made to convince Datu Doming to sell his land. Then in March 2008, there were two attempts four days apart to burn Datu Doming’s house. Rubber tires were placed beneath the house and were set on fire. On the third attempt on that same month the house was finally burned down with drums of gasoline left on the area.

In a sworn statement, the wife of Datu Doming said that on April 27, 2008 the Tamayong barangay captain “was escorted by four (4) members of the Task Force Davao who were in complete uniform with long firearms. They forced [her] husband to receive the amount of fifty thousand Pesos (₱50,000), which he refused to accept.”

On the eve of April 29, 2008, three gunshots were fired at the Diarog residence by the *sentro*, injuring Datu Doming and his wife. Successive gunfire followed. In his wife’s affidavit on the incident, she wrote

“All of us managed to go to the other room situated at lower portion of the house crawling to evade the shots despite the wounds we have. My husband was carried by our son Efren in going down to that room. Efren wanted to get out of the house to find out who are the responsible persons but was persuaded by his father as he was already in too much pain with the blood oozing from the gun shot wound at his back. My daughter Lorna got out of the house by crawling at a hole to ask help from the neighbors.

I observed that there was silence for almost thirty (30) minutes before the neighbors went out of their respected houses to give assistance. During these thirty (30) minutes of silence we clearly heard the barking of the dogs coming from the direction of the camp of the Task Force Davao. [*sic*].”

The NCIP regional chairman explained that because no witness had volunteered to testify, no case was filed in court against Quiboloy and his henchmen. According to my informant, in May 2008 the Tamayong



Barangay Captain and Quiboloy, along with around 30 men wearing the TFD uniform, went to Sitio Amben, tore down the houses and fenced the area. This was the time when the people from Sitio Amben evacuated the area, with some fleeing to Marilog District. What is left today are a few small farm houses where a number of Bagobo-Klatas stay when tending their *galas* (subsistence farm).

In August 2008, then Davao City Mayor Rodrigo Duterte went to Kahusayan to assess the situation and he met with the Bagobo-Klata at the house of one lawyer. At the meeting, the Bagobo-Klata were asked what they would want to happen and they voiced out that the fence should be taken down for they can no longer freely move around the area which was once theirs. The Mayor however advised them not to do anything to the fence to avoid possible charges filed against them—Quiboloy may already hold valid titles for the lands. The Mayor advised them instead to stay in neighboring sitios. The people of Quiboloy on the other hand were ordered by the Mayor to leave the vicinity of Diolo, where they had started planting around 60 pine trees, so that the Bagobo-Klata could return to the area.

In 2009, the people slowly went back to Kahusayan and Amben. In January to March 2010, the Bagobo-Klata AD Claim was redelineated by the NCIP Toril Provincial Office and this was supported by the Coalition of Mindanao Indigenous People for Peace Advocacy. However (according to my informant), a unification of Tribal Councils could not be actualized because the Udal clan leader, who was ‘working’ as a member of the barangay staff, and the Ilando clan leader who became a *Kagawad* (Barangay Councilor) were ‘already under the influence’ of the Tamayong Barangay Captain. On May 2011, a technical description of the unified Bagobo-Klata AD Claim was released stating that the 6,843 hectares cover the whole area of Sitios Lipadas, Diolo, Amben within Brgy. Manuel Guianga, and portions of Sitio Kahusayan and Upper Sirib.

Prior to the release of the technical description, on February 2011, Executive Order 26 signed by President Benigno Aquino III mandated the “implementation of a National Greening Program as a government priority.” E.O. 26 orders that around 1.5 billion trees be planted in an estimated 1.5 million hectares of lands of the public domain which includes (1) forestlands, (2) mangrove and protected areas, (3) *ancestral domains*, (4) civil and military reservations, (5) urban areas under the greening plan of the LGUs, (6) inactive and abandoned mine sites, and (7) other suitable lands. Mid-2011, the DENR conducted a survey in *sitio* Diolo, Kahusayan, Amben, and Lipadas in order to implement the National Greening Program (NGP) by planting *lawaan* trees in the area.

In July 2011, a number of people associated with the Sonshine Philippines Movement (SPM) spearheaded by Quiboloy, arrived at Amben to plant trees as well on the 400 hectares they had purportedly purchased. The Bagobo-Klata refused to allow SPM's planned activity, which did not have any 'Free and Prior Informed Consent' from them (as required by IPRA). The implementation of NGP on Amben was put on hold and on August 2011 a barangay level committee hearing with NCIP was held at Sirib to discuss whether participants of NGP should only be actual and/or legal occupants of the Ancestral Domain. My informant narrated that a consultation meeting regarding the NGP problem was conducted with then Davao City Vice Mayor Rodrigo Duterte who told the Bagobo-Klata to oppose SPM for 'they were already asked to leave the area yet they still joined the government program'.<sup>17</sup>

### **Shifting views and laws**

During an interview with a Purok Leader at her *galas*, she expressed how content she would be with being able to plant *kamote*, *mais*, *kamatis*, and avocado among many other root crops, fruits, and vegetables in her farm at Amben and Lipadas, so long as she knows that no one could take that land from her. For her, the release of CADT may provide the Bagobo-Klata 'peace'; even if her family 'will have to eat *kamote* for breakfast, lunch, and dinner this would be all right' as long as "*walay samok*" [there is no trouble]. In a Focus Group Discussion held in May 2012 in the new *sentro* of Sitio Kahusayan, she also remarked that the CADT would not only 'help in preventing other people from settling on their land' but also 'keep the *lumad* from going someplace else' ("*Ang CADT para pagpugong sa lupa na dili masudlan sa tanan para ang lumad dili na molakaw sa laing dapita*"). She added that when the CADT is released, their land can no longer be bought and sold by outsiders.

Datu Danny of Sitio Kahusayan (son of the late Datu Doming), stated that it is important that the *lumad* keep their land. They will lose all their land if they continue selling it off. They should not allow those who have encroached upon their area to profit from their land when they could also continue selling crops they have been planting or start cultivating and selling new and profitable cash crops. Datu Danny remarked they should not be deprived of the opportunity and right to 'make themselves rich as well' ("*magpadato pud mi, sa amoa lang*").

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<sup>17</sup> However it was said that the Vice Mayor admitted later that day in a short closed-door meeting that it was unlikely that he can do anything to help the Bagobo-Klata in getting their land back.

He added during the focus group discussion (FGD) that through the release of CADT for their AD, the area becomes a ‘stronghold’ (“*balwarte*”) for them. (However, I am not sure if in this context Datu Danny refers to their AD as solely Bagobo-Klata territory, or if he also refers to the CADT as a way for the *lumad* in general to defend their area.) For a Bagobo-Klata present in the FGD, the certification means that no harassment, killing, and encroachment on land will take place again and that ‘no Quiboloy name will resurge’ (“*wala jud Quiboloy na ngalan na motumaw*”). He disagreed with Datu Anub’s speech in their Tribal Council meeting at Sirib; for him, thinking like their adversaries rather than ‘thinking like a *lumad*’ will help them in getting their land back (“*dili na mi kaayo magfocus sa isipang lumad*”); only when the CADT is released with no further harassments taking place can they focus on their farming for livelihood.

Datu Danny still believes in the government and its policies, despite the many human rights violations that must not be left ignored. Regarding help extended by different NGOs and religious groups, Datu Danny affirms that they still believe in these groups’ intentions to help but they no longer depend on them.

An individual looked upon as a leader by his fellow Bagobo-Klata asked us ‘How do we get our ancestral domain through your laws?’ (“*Unsa man ang pagkuha namon og yutang kabilin pinaagi sa inyong balaud?*”). For him, the CADT is needed only because it is the legally recognized means of ordering Quiboloy and his people to vacate the area given that that is part of their AD claim. If this makes Quiboloy leave the area, this Bagobo-Klata believe that their CADT should then be cancelled; it is when their land becomes titled that they begin living within the framework of the state (“*dili sa lumad*”, ‘not of the *lumad*’). However, he admits that there have already been changes in the ‘*lumad* mind’ (*isip lumad*): ‘the concept of communal ownership is gone for the *lumad* has already been influenced by the foreign concept of land ownership (“*nawala ang konsepto sa komunal, naimpluwensiyahan naman ang mga lumad sa langyaw na panag-iya sa lupa*”).

For this Bagobo-Klata, changes in the way they customarily handle conflicts are also deemed appropriate for the situation they are in. On one rainy afternoon, in one of the houses in Sitio Kahusayan, he remarked that ‘if only the ‘son of God’ [in reference to Quiboloy], will show respect, he should be made to provide appeasement gifts such as *agong*, *ulipon*, *iro*, *kabayo*, etc.’ (“*kung morespeto lang jud ang anak sa Ginoo, ...pabayron og butang dili kwarta*”). If they can’t come to an agreement (“*dili masabot*”), he proposes a ‘responsible *pangayaw*’ in response to Datu Doming’s death,

which is left unresolved until this day. Since a *datu* was killed, a ratio of 1:10 lives should be taken in the *pangayaw*. (The number of lives need not necessarily reach ten if only an ordinary person was killed.) He also notes however that only those who have trespassed against them should be made to pay because taking the lives of the innocent is already considered a human rights violation.

One can tell that the Bagobo-Klata are trying to reorganize themselves in claiming their land through 'peaceful' and legal means, under due process. And since there could be no dialogue with Quiboloy in order to attain an amicable settlement, they have tried to file cases and have also sought help from authorities such as the officials from the barangay, NCIP, city, and even the Philippine President, all so far to no avail. Even updates on their land were close to zero. Nevertheless, they are now still hoping on provisions of IPRA and are relying on release of their CADT as the means of getting their land back. When the CADT is released, the Bagobo-Klata are expecting all people within the enclosed area claimed by Quiboloy to leave their domain. Non-Bagobo-Klata *lumads* within that area may choose not to leave, however they will be under the Bagobo-Klata domain. If relying and hoping on IPRA and CADT will still not push Pastor Quiboloy out of their domain, or if there be a continued delay of the release of their CADT, the Bagobo-Klatas have been reminding themselves of their customary law that provides them a solution through *pangayaw*, even though resorting to *pangayaw* is still unlikely to happen since they themselves in Mt. Kollilan Tribal Council Federation have divided views and opinions about it.

Gatmaytan has remarked that, when "global or mainstream popular or consumerist culture infiltrates" an indigenous peoples' community, members of that area may seek to "emulate the lifestyle of the (comparatively) powerful" (2006:13). In the Bagobo-Klata's case, these would be the NBK claimants and Bisaya migrants who have been profiting from their lands, and even some of the people from different groups who have been trying to help them. Apart from the view that their land is their life for their subsistence depends on it, this "emulation of lifestyle" could be one of the driving forces behind the Bagobo-Klata's strong interest in getting their land back (e.g. in the case of Datu Danny, and Bagobo-Klatas from other sitios who want to profit too from their own domain). However, there are also still those who continue desiring and trying to get their land back simply as means to manage their own domain, as is their right.

### Conclusion

What is evident today is that changes in the Bagobo-Klata concept of land ownership and use are taking place. Although the concept of land ownership and use has been communal for many, if not all, Bagobo-Klata, and the theory is that only *Manama* owns the land while people are merely stewards of it, as migrants entered their domain and legislations were passed, changes in the Bagobo-Klata view are inevitable and some have adopted the 'new' concept and system of individual ownership. Awareness of the Regalian concept of land (that all lands of the Philippines became owned by the King of Spain, were transferred to the American government and then to the Philippine government), has also influenced the way Bagobo-Klata now conceptualize their land. As the State is able to give ownership of land to private sectors, land use has been commoditized through the use of many instruments such as titling of lands. And so beginning from a notion of land that is owned by *Manama* and can be tilled by anyone as their means of subsistence, the Bagobo-Klata have begun to appreciate a concept of land as something which can be privatized and generated income from.

Meanwhile, there came a bigger intruder in the form of Quiboloy. The NCIP may not have enough funds to defend the rights of the *lumad* and to implement IPRA.

A clear interest of the Bagobo-Klata in securing their rights for Ancestral Domain is evident in their continued shifts between customary and mainstream laws, and in their willingness to amend their customary law—i.e., “responsible *pangayaw*”—with only the end of getting their land back in mind. In the midst of conflicts, the shifts between legal systems by Bagobo-Klatas signify their treatment of land as something equivalent to life. Their subsistence and existence depends on the land, which they shape through cultivation and manipulation. Now, foreign concepts of land tenure and use have also affected and influenced change in their ways of living.

According to Gatmaytan, the IPRA, as “state intervention through legislation”, provides the State an “advantage... of expanding its administrative or bureaucratic control, facilitating surveillance, simplifying tenure, and commoditizing lands and resources” (2006:20). Apart from IPRA, other laws which affect the ancestral domain of the Bagobo-Klata and those of other IPs (i.e. NIPAS Act of 1992, Proclamation Nos. 59 and 882, and EOs 26 and 661) touch around the use and management of resources found in these domains from which the state can profit. Gatmaytan critiqued IPRA as representing the state’s “legal notion of tenure” which holds a “disjunction” with an indigenous community’s changing concept of land ownership and use (2006). As for the State, laws, amendments and

administrative control are implemented as means of expanding, managing and manipulating its own territory or 'domain'.

It is not only the desire of Bagobo-Klata to prevent further encroachments and harassment, but also their changing interest in land which drives them to explore both customary and mainstream (Philippine) laws in attempting to defend their domain and reacquire their land.

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## LIST OF ACRONYMS

- AD - Ancestral Domain  
 CADT - Certificate of Ancestral Domain Title  
 CALT - Certificate of Ancestral Land Title  
 CENRO - City Environment and Natural Resources Office  
 CHR - Commission on Human Rights  
 DAR - Department of Agrarian Reform  
 DENR - Department of Environment and Natural Resources  
 IB - Infantry Battalion  
 ICC - Indigenous Cultural Community  
 IP - Indigenous People  
 IPRA - Indigenous Peoples Rights Act  
 MKF - Mt. Kollilan Tribal Council Federation  
 NBK - Non-Bagobo-Klata  
 NCIP - National Commission for Indigenous Peoples  
 NGO - Non-Government Organization  
 NGP - National Greening Program



NIPAS - National Integrated Protected Systems Act  
 SPM - Sonshine Philippines Movemen  
 TFD - Task Force Davao  
 WWA - Waray-Waray Association

### GLOSSARY OF LOCAL TERMS

*Addat Pobiyan Gontangan* – ‘system of practices observed when dealing with conflicts’ (Bagobo)

*Agong/Agung* – ‘gong’, a percussion instrument

*Balaud* – ‘law’ (Cebuano)

*Balwarte* – ‘stronghold’ (Cebuano term of Spanish origin)

*Bankaw* – ‘spear’; used to kill pigs

*Barangay* – the Philippines’ smallest local government unit (originated from a term that refers to a boat)

*Bossak* – ‘a parcel of land’ (Guiangan)

*Bugtos to Samok* – ‘mediator’ [literal translation: ‘cut the fight’] (Bagobo)

*Galas* – ‘a clearing used to plant crops’ (Cebuano). In Kahusayan, the term refers to a resident’s subsistence farm.

*Hotipo ngo Bagobo Klata toh Sirib* – ‘United Bagobo-Klata in Sirib’ (Bagobo)

*Iro* – ‘dog’ (Cebuano)

*Kahusayan* – ‘place where a conflict was settled’ (Cebuano); also refers to a *sitio* in *Barangay* Manuel Guianga that is included in the ancestral domain claim of the Bagobo-Klata.

*Kamatis* – ‘tomato’

*Kamote* – ‘sweet potato’

*Kampilan* – a single-edged sword, used solely for killing people

*Kinabuhi* – ‘life’ (Cebuano)

*Kinaiya* – ‘nature’; ‘characteristics’ (Cebuano)

*Koda* – ‘horse’ (Bagobo)

*Lanzones* – [*Lansium domesticum* Corr.] A fruit tree with varieties such as *Langsat*, *Duku*, and *Duku-langsat*.

*Lawaan/Lauan* – [*Shorea negrosensis*] A tall hardwood tree; a deciduous dipterocarp with red-brown wood.

*Libuta* – ‘a parcel of land’ (Obo Manobo)

- Lumad* – ‘natives’; ‘indigenous peoples in Mindanao’ [to differentiate from Christian migrants and Muslim populations] (Cebuano)
- Lusong* – ‘to fight together / collectively’ (Bagobo-Klata)
- Magbabaya* – spirits or stewards under the *labaw na magbabaya* who is the Creator or divine being in charge of managing everything in the universe (used by Mandaya and other Manobo linguistic groups)
- Mais* – ‘corn’ (Spanish origin)
- Manama* – the Manobo principal being, cf. *Magbabaya*; attribute of *labaw na magbabaya* (Mansaka, Manobo and Bagobo)
- Nitibo* – ‘native’ (Cebuano term of Spanish origin)
- Paka’at kollo* – ‘prayer rite to offer food for the spirits’
- Pamowa Kaeyag* – the Protector of crops, a divine being (Bagobo)
- Pangayaw* – ‘ritual acts of retaliation seeking justice’ (in Mandaya, Manobo, and Bagobo languages)
- Panubadtubad* – communication rites with the spirits (Ata-Manobo)
- Sa pikas baryo* – ‘next village’ (Cebuano)
- Sitio* – an outlying area of the barangay made up of several residences
- Sundang* – a single-edged, curved large knife (or *bolo*) used as a weapon or for agricultural purposes (Cebuano)
- Ulipon* – ‘slave’; ‘person owned by someone else’ who may be used as non-monetary compensation to settle conflicts (Bisaya)
- Yuta* - ‘land’ (Cebuano)
- Yutang kabilin sa mga tigulang* – ‘Inherited ancestral land’ (Cebuano)

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