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Preserving 'tradition': The business of indigeneity in the modern Philippine context

Oona Paredes

What are the practical and cultural consequences of embracing the 'Indigenous' label? Despite universalising aspirations, the concept of indigeneity carries distinct political connotations in the Philippines, where the Indigenous Peoples' Rights Act has created a bureaucracy that purportedly responds to the special needs of Indigenous Peoples, including the preservation of cultural traditions and securing title to ancestral lands. While laudatory on the surface, in practice the current legal and bureaucratic framework allows the state to impose its own definition of indigeneity, often compelling indigenous minorities to conform to stereotypes in order to acquire the fundamental rights and benefits that, by law, are supposed to be guaranteed. The Philippine states' requirements for being recognised as 'Indigenous' are transforming how Indigenous Peoples maintain and perform their ancestral traditions, often leading to highly divisive internal debates about proper cultural and political representation. This article examines the case of Higaunon Lumads in northern Mindanao, who have been responding locally to over thirty years of national trends in participatory development that require increased engagement with government bureaucracy. I explore how 'indigeneity' has been defined and employed by Higaunons in the service of 'preserving tradition', the political and other consequences that have emerged in this context, and the perils of representing and commodifying indigeneity in modern Southeast Asia.

The concept of indigeneity carries distinct political connotations in the Republic of the Philippines. Indigeneity is not only defined legally by the national Indigenous Peoples' Rights Act, it is also used to refer to ethnic minorities who are widely regarded by the general public as not merely culturally differentiated but also racially distinct from the mainstream Filipino population. Within Southeast Asia as a whole, indigeneity is a problematic concept given centuries of mobility amongst its Indigenous populations and the fact that, in most places, even the dominant or majority ethnic groups, with few exceptions, are recognised as native to the region. Indigeneity itself is subject to specific cultural meanings at the local level. Despite the popularity of the word, therefore, there are often quite divergent conceptions and objectives in play when the term 'Indigenous' is employed in practice, such as

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when determining what is legitimately 'traditional', 'authentic', or indigenous in the first place. In this article, I discuss how indigeneity is applied to and amongst Lumad peoples indigenous to the island of Mindanao in the southern Philippines. In particular, I focus on the Higaunon Lumads of northern Mindanao, exploring the practical consequences to Higaunons of the state programmes intended to sustain indigeneity and 'tradition' amongst Indigenous Peoples in the Philippines. I draw primarily on ethnographic data from an ongoing field research project on Indigenous governance amongst the Higaunon Lumad people of Misamis Oriental province and the surrounding region.[1]

National trends in participatory development and democratisation over the years have required the increased engagement of Indigenous leaders with broader Filipino civil society, national state bureaucracies, and the local government unit system since the early 1990s, when I first started conducting ethnographic research in Mindanao.[2] The passage of the Indigenous Peoples' Rights Act in 1997 soon added an Indigenous-centred bureaucracy that was intended to respond directly to the special needs of Indigenous Peoples, including the preservation of cultural traditions and territorial retention of ancestral lands. While laudatory and promising on the surface, in practice these developments have only added more layers of bureaucracy, most of which impose their own stereotyped expectations of how Indigenous Peoples, especially their leaders, are supposed to behave.[3] In turn, this has compelled Indigenous Peoples to perform to certain stereotypes in order to claim the particular rights and benefits that, by law, are supposed to be their due. Moreover, as political and cultural minorities, linguistic and cultural hurdles, as well as racial discrimination from mainstream Filipinos, are a daily challenge shared by all Indigenous Peoples. This means that there are a lot of barriers to overcome just to get on with the business of being Indigenous in the modern Philippines. My research reveals a clear dynamic that has evolved over the past three decades under these conditions, and may well be common to the experience of all Lumad ethnic groups in the southern Philippines.

I have found that across many different Higaunon communities in northern Mindanao, two distinct types of Indigenous leaders or *datu* are now recognised informally among the Higaunon Lumad: the *datu ha kultura* (cultural *datu*) and the *datu ha gubilnu* (government *datu*) in response to the bureaucratic challenges of dealing with local, provincial, and national-level state actors in this area. Though both

1 This includes data from ethnographic interviews, oral histories, surveys, participant observation, and other data collection conducted since 2012 with support from the National University of Singapore (FASS Research Grant No. R-117-000-028-133) and the Firebird Foundation for Anthropological Research, United States.

2 This was largely the result of the passage of the Local Government Code of 1991, the proliferation of NGOs within the country addressing poverty and human rights problems, and the global linking of Indigenous rights issues to environmental activism.

3 Indigenous college students in my research area have also reported regularly to me that they are required by school administrators to perform 'traditional dances' for visitors, under threat of cancelling their scholarships should they refuse. See ICL Research Team, *A report on tribal minorities in Mindanao* (Manila: Regal Print, 1979) for examples of this phenomenon during the 1970s. See further Oona Paredes, 'Custom and citizenship in the Philippine uplands', in *Citizenship and democratization in post-colonial Southeast* Asia, ed. Ward Berenschot, Henk Schulte Nordholt and Laurens Bakker (Leiden: Brill, 2016), pp. 157–79. See also Noah Theriault, 'Unravelling the strings attached: Philippine indigeneity in law and practice', this vol.

types are acknowledged and respected as leaders, the latter type of *datu* appears to have emerged specifically in response to both the widespread marginalisation of Lumads and the bureaucratic demands of local governance in the upland Philippines. Within normally autonomous and egalitarian Higaunon communities, these two types of *datu* now compete for authority, power, and legitimacy at the confluence of two overlapping contexts: the internal context of cultural expectations of how 'real' Higaunons and their leaders — as exemplars of Higaunon traditional culture — ought to behave; and the external context of mainstream Filipino stereotypes about how Indigenous Peoples and their 'tribal chieftains' behave, as discussed later in this article.

This dynamic is driven in part by mainstream Filipino stereotypes of 'Indigenous Peoples' that are vague, at best, and rely heavily on the more obvious material aspects of culture such as 'traditional' dress, jewellery, and other accessories that appear to outsiders as seductively colourful, exotic, and primitive. Lumads and other Philippine Indigenous Peoples are also the subject of nostalgic or otherwise romanticised projections regarding precolonial Philippine culture.[4] The idea of the 'noble savage' is a well-established trope around the world, and the Philippines is no exception.[5] For example, ethnic minorities are expected to somehow be more ethical when it comes to nature and to personal relationships. These material and ethical stereotypes are devoid of any connection to the actual lived experience of Indigenous Peoples, and they delimit in a serious way the choices open to Indigenous Peoples when it comes to asserting their citizenship and other legal rights. This 'indigenising' gaze from mainstream Philippine society is also insidious, and easily exploitable by anyone willing to manipulate public perception by reaffirming these stereotypes.

On the surface this internal competition appears to be a simple matter of small-scale, highly localised, electoral politics and the politics of representation. Ultimately, however, it is a more fundamental debate about what it means to be an Indigenous person in modern Philippine society. At the heart of this tension is a larger and more profound internal, cross-generational debate regarding the nature and essence of Higaunon tradition, how it can and should be 'preserved', and what it actually means to be a 'Higaunon'. More broadly, it is a battle over the meaning and identity, specifically over the manner in which indigeneity ought to be performed and propagated. Despite the shared goal of preserving Higaunon cultural heritage and retaining control of ancestral lands, individual Higaunons have several competing priorities that cut across different communities, generations, and religious or political alliances, as well as divergent cultural expectations of the Philippine state and Filipino society as a whole. It is a fierce debate over what, exactly, constitutes an authentic Higaunon identity, how Higaunon culture and traditions (however

4 See Melisa Casumbal-Salazar, 'The indeterminacy of the Philippine indigenous subject: Indigeneity, temporality, and cultural governance', *Amerasia Journal* 41, 1 (2015): 74–94. For the colonial and nationalist roots of this nostalgia, see Filomeno Aguilar, 'Tracing origins: Ilustrado nationalism and the racial science of migration waves', *Journal of Asian Studies* 64, 3 (2005): 605–38.

5 See John H. Bodley, *Victims of progress* (Mountain View, CA: Mayfield). See Leslie Sponsel, 'Our fascination with the Tasaday: Anthropological images and images of anthropology', in *The Tasaday controversy*, ed. T. Headland (Washington, DC: American Anthropological Association special publication 28, 1992), pp. 200–214.

delineated) might remain relevant in the modern world, and the possible consequences of conforming to more 'universal' global notions of indigeneity.

The Mindanao context

It is important to understand the unique context of the southern Philippines relative to the rest of the nation. As a pericolonial area of the colonial Philippines, Mindanao and Sulu's experiences were markedly different from that of the more politically incorporated areas of the archipelago, such as Manila, Cebu, and other population centres to the north. This began to change, slowly but significantly with the systematic arrival of settlers originating from the central and northern Philippines, especially during the American colonial period in the first half of the twentieth century, and increasing after the Second World War and Philippine independence. The mainstream Filipinos who now dominate the south demographically and politically are descended from settlers, but distinct Indigenous minority communities remain, scattered across the landscape and standing their ground whenever possible. Competition and conflict over land and resources has often erupted in violence over the past century, and these ethnic distinctions remain relevant to understanding what it means to be Indigenous in the Mindanao context.

The Indigenous population of the southern Philippines consists of two general ethnic categories: Moros and Lumads. The most recognisable are the various Moro peoples whose ancestors converted to Islam in the centuries before Spanish colonisation began in the late sixteenth century. The Lumads are those peoples whose ancestors remained animists and did not convert to Islam. Both of these categories are characterised by significant cultural and linguistic diversity, as well as multiple historical solidarities and rivalries, both internal and crossing Moro and Lumad lines. Neither 'Moro' nor 'Lumad' originated as Indigenous terms of self-reference. 'Moro' comes from the Spanish for 'Moor' or Muslim, while 'Lumad' is a Visayan word meaning 'born from the earth', adopted from settler languages by Indigenous rights activists in the late twentieth century to foster political solidarity between the different non-Muslim indigenous tribes.[6] Both terms have since been embraced by most Moro and Lumad peoples who continue to build alliances based on shared histories of legal and religious discrimination, state oppression, and social marginalisation in the modern Philippine state. Moro activists, for example, have selected the name *Bangsamoro* (Moro nation) for a proposed autonomous sub-state for all Moro peoples, which has been under serious negotiation with the national government for the past decade.[7]

6 'Lumad', a Cebuano Visayan word meaning autochthonous, came into vogue as a collective term for Mindanao IPs in 1986. Its first official government usage was in Republic Act 6734 (1989), Article 13, Section 8, which mentions 'upland communities especially the Lumads or tribal peoples', in reference to approximately 18 distinct ethnolinguistic groups. See also B.R. Rodil, 'Pagtututol at pakikibaka ng ma Lumad sa Mindanaw, 1903–1935', *Mindanao Focus Journal* 29 (1990): 10–32.

7 See Mely Caballero-Anthony, 'Revisiting the Bangsamoro struggle: Contested identities and elusive peace', *Asian Security* 3, 2 (2007): 141–61. See also the Philippine government's Office of the Presidential Adviser on the Peace Process website at http://peace.gov.ph/milf/introduction/ for the timeline of the Bangsamoro negotiations between the national government and the Moro Islamic Liberation Front.

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Settlers — and their descendants — on the other hand are more recent migrants from the Christianised majority ethnic groups in other parts of the Philippines. As such, they are often referred to today as 'Christians', even though they all belong to many different denominations and sects, including non-Christian or pseudo-Christian cults. Internal cultural and linguistic diversity also marks the so-called 'Christians' of Mindanao, although the archetypical 'Christian' settler is from the Visayas islands immediately to the north, and Roman Catholic. Settlers are 'mainstream' in that they were already considered Filipinos by the close of the nineteenth century, when minorities like the Moros and Lumads were not yet fully incorporated into the Spanish colonial entity known as Filipinas.[8] It was only under American colonisation (1898–1946) that the Moros and the upland minorities would be incorporated more fully into the Philippine state.[9]

On the Southeast Asian upland–lowland axis, the 'Christians' correspond to the lowlanders who dominate society and whose interests are disproportionately represented by the state.[10] Although Lumads and Moros are now recognised as legal citizens of the Philippines, their cultural citizenship — their Filipino-ness — is routinely called into question in a way that mainstream 'Christian' Filipinos never experience.[11] Because of their strong association with Islam, Moros continue to be viewed as culturally suspect by the majority of Filipinos, who are primarily Catholic. This is in large part due to three centuries of Moros being branded as anti-Christian antagonists by Spanish colonisers.[12] The persistence of armed conflict between various Moro rebel groups and the Philippine military has also not helped, especially with the recent emergence of Islamic State-related terrorism from Moro areas. Until very recently, Filipinos were also taught in primary school that lowlanders were both racially distinct from and culturally superior in almost every way to Indigenous upland minorities like the Lumads.[13]

8 See Oona Paredes, 'Projecting order in the pericolonial Philippines: An anthropology of Catholicism beyond Catholics', *Australian Journal of Anthropology* 28, 2 (2017): 225–41.

9 See Michael Hawkins, *Making Moros: Imperial historicism and American military rule in the Philippines' Muslim South* (DeKalb: Northern Illinois University Press, 2013).

10 Mindanao's demographic reality is somewhat more complex than the model. There is a minority amongst the 'lowlanders' category whose indigenous ancestors had converted to Christianity early in the colonial period who are lumped together with more recent settlers. Most Lumads today are Christians of various stripes, while some Lumad groups are closely associated with Islam and are even listed as Moros. Intermarriage and religious conversion have also blurred the lines between all three population categories.

11 I follow here the framework of 'graduated citizenship', which recognises a distinction between formal (legal) and informal (cultural) citizenship detailed by McCargo for Thailand, in which some minorities are viewed as less 'citizenly' — due to cultural factors — than mainstream Thais, regardless of their actual indigeneity. See Duncan McCargo, 'Informal citizens: Graduated citizenship in southern Thailand', *Ethnic and Racial Studies* 34, 5 (2011): 1–17.

12 See Stuart Kaufman, 'Symbols, frames, and violence: Studying ethnic war in the Philippines', *International Studies Quarterly* 55, 4 (2011): 937–58.

13 Language pertaining to racialised differences between lowland/mainstream Filipinos and the ethnic minorities has toned down, but as late as the 1990s primary school textbooks contained explicitly racist statements such as: '*Higit na maganda ang pamumuhay ng mga Malay kaysa mga Negrito at Indones*' [The lifeways/culture of the Malays {the putative 'race' of lowland Filipinos} was much better/vastly superior to that of the Negritos and Indonesians {the 'races' of the Philippines' indigenous ethnic minorities}]. This is quoted from a Grade Three textbook, T. Dimayuga et al., *Isang bansa, isang lahi (Sibika at kultura 3)* (Manila: Vibal, 1994), p. 71. Moreover, this 'evolutionary' explanation for present-day

A discussion of indigeneity in the southern Philippines thus references concurrently both the literal and political meanings of the word. The term 'indigenous' can be applied literally to both Moro and Lumad peoples in that all other inhabitants — those who are neither Moro nor Lumad — are descended from settlers who arrived over the past century, with a majority of them arriving even more recently in the 1960s and 1970s. In other words, the Indigenous Peoples of Mindanao do have clear and verifiable claims to precedence and autochthony — encompassing all of written and remembered history. Politically, given the present demographic, political, economic, and cultural dominance of mainstream Filipino settlers and their descendants, the Indigenous Peoples of Mindanao are also marginalised and minoritised by these relative newcomers, a plight they share with other Indigenous Peoples around the world.[14]

Throughout the twentieth century, Mindanao was regarded as the last remaining frontier in an already overcrowded country, boasting seemingly empty land rich in natural resources just waiting to be extracted.[15] From the point of view of Lumads and Moros, the arrival of mainstream Filipino settlers was a crisis, especially in the late 1960s and early 1970s, when hordes of new settlers displaced Moros and Lumads even from what were formerly isolated interior areas of the island. This invasion was accompanied by largely unregulated private and corporate land grabbing for occupation and commercial exploitation, which in turn triggered conflicts between the settlers and Indigenous Peoples. While Lumads have attempted various armed uprisings, with men in my research area joining the communist New People's Army at one point, these were sporadic and difficult to sustain for long.[16] In contrast to sporadic and highly localised Lumad protests, the Moro rebellion is now halfway through its fifth decade, remains highly effective, and despite extensive overtures of peace, may resume if the latest Bangsamoro negotiations with the government fall apart once again.[17] Many armed state and non-state combatants are now endemic to this region, including the Philippine military, settler cults and militias, private armies linked to corporate interests and politicians, and the communist New People's Army. There are also the long-standing rebel armies of the Moro Islamic Liberation Front and the Moro National Liberation Front, whose various breakaway groups have gone on to commit terrorism in global alignment with the Islamic State. My discussion of Lumad indigeneity and 'tradition' takes place within this culturally entangled and politically volatile context.

differences between mainstream and minority ethnic groups remains firmly established in popular thought. For the colonial origins of this racist framework, see Aguilar, 'Tracing origins'.

14 See further United Nations Department of Economic and Social Affairs (UNDESA), *State of the World's Indigenous Peoples* (New York: United Nations, 2009).

15 See Mark Turner, R.J. May and Lulu Respall Turner, eds., *Mindanao: Land of unfulfilled promise* (Quezon City: New Day, 1992).

16 See Oona Paredes, 'Higaunon resistance and ethnic politics in northern Mindanao', *Australian Journal of Anthropology* 8, 3 (1997): 270–90.

17 See, for example, Mark Turner, 'The struggle for peace in Mindanao', *East Asia Forum*, 6 Oct. 2016, http://www.eastasiaforum.org/2016/10/06/the-struggle-for-peace-in-mindanao/.

The Higaunon Lumad as Indigenous Peoples

Among the eighteen or so different Lumad ethnic groups, the Higaunon are prominent and widespread, occupying the upland border areas of five provinces that span three regional units in northern Mindanao. The Higaunon Lumad have generally been treated by government officials and by most non-governmental organisations (NGOs) as one homogeneous ethnic group. In reality, however, Higaunons are quite diverse as a population, culturally, linguistically, and genealogically. Linguistically, the Higaunon languages are part of the greater Manobo family of languages, the largest linguistic group indigenous to Mindanao, to which most, though not all, of the other Lumad ethnic groups also belong. There are several distinct descent groups scattered across northern Mindanao, each with distinct dialects, separate genealogies, histories of migration over a shared landscape, and oral traditions that relate these movements and the unique experiences and traditions that evolved along the way, including contact with Spaniards and other outsiders. Each descent group and each community carries this knowledge in their *panud* or oral traditions, which contain information on everything from myths, appeasing the supernatural world, genealogies, histories of migration and warfare, ethics, land tenure and other laws, to various instructions on more mundane matters such as the proper division of labour between men and women, protocols for entertaining visitors, and the best way to farm.[18] Another commonality is the political influence of the currently dominant form of Higaunon customary law, referred to universally as the *bungkatol ha bulawan*.[19] The current traditions of Indigenous leadership are constructed around the *bungkatol*, which specifies the rituals, roles, and ethics to which indigenous leaders — including both men (*datu*) and women (*bae*) must adhere. The *bungkatol*, however, is subject to individual interpretation.

As a culture group, Higaunons are generally similar to all other Lumad peoples in that they consider a forest-based subsistence involving hunting and gathering, supplemented heavily by swidden farming of upland dry rice varieties, to be their most 'traditional' lifestyle. In previous centuries, they and other Lumad peoples engaged in the collection of non-timber forest products (NTFPs) such as rattan and tree resins for sale to outside buyers in the lowlands. More recently, many individuals have turned regularly to selling hardwood lumber to lowland markets, by engaging in what is called '*carabao* logging', or the hauling of fallen trees with a rope, typically aided by a water buffalo.[20] Beyond these forest-based activities, some Higaunon communities have been known to engage in other livelihood activities such as panning for gold

18 See Oona Paredes, 'Rivers of memory and oceans of difference in the Lumad world of Mindanao', in 'Water in Southeast Asia', ed. Lindsay Lloyd-Smith and Eric Tagliacozzo, special issue, *TRaNS: Trans -Regional and -National Studies of Southeast Asia* 4, 2 (2016): 329–49.

19 Its full name is *bungkatol ha bulawan daw nangka tasa ha lana* ('the golden whole and the single cup of oil'). This is the simplest literal translation I have found, after many hours of direct inquiry. The prevailing exegesis emphasises a universal social contract amongst Higaunons, one with supernatural aspects, that remains complete, unbroken, intact — like a solid (specifically round) piece of pure gold or, with reference to the latter part of the name, an unspilled cup of oil.

20 Those without access to beasts of burden will haul logs out of the forest on their own, by tying the rope around their torsos, a method known as 'dragging'. Secondary-school children sometimes engage in this dangerous activity to help pay for school fees and related expenses. According to local NCIP officials, this is a common income-generating strategy amongst other Lumad groups as well.

('western' Higaunons in the Iponan river area), or working with cattle and horses ('southern' Higaunons in Bukidnon province, a place known for ranching). Of course, Higaunons also seek out work opportunities in towns and cities amongst lowlanders, and it is also quite common for Higaunon men to join paramilitary groups as a prelude to direct military service. Though education remains a challenge, there are now increased opportunities for Higaunons to pursue education beyond secondary school, and an ever-growing cadre of educated and culturally adept Higaunons have branched further out, joining the civil service, or pursuing a vocation in teaching, for example. Quite a few Higaunons are also evangelical Christians who actively engage in preaching and missionary work, and even pursuing religious training in local bible colleges. There are in fact several highly active Higaunon-dominated Christian churches, including one entirely Indigenous Christian church, operating in and around Higaunon ancestral domains.[21] In sum, today there is no longer a single economic activity or vocation or religious practice that defines Higaunons.

As to material culture, there are plenty of colourful clothes, accessories, and weaponry to distinguish the Higaunon from mainstream Filipino society. With a preference for bright red, supplemented by black, white, and yellow, Higaunon clothing and other material culture is marked easily, visually, as Indigenous, and have been highlighted in previous scholarly work, beginning with American ethnologist Fay-Cooper Cole's classic monograph, *The Bukidnon of Mindanao*, which focuses on western and southern Higaunons in Bukidnon province.[22] Today, however, traditional clothing or *sinabaang* is rare, and Higaunons tend to save them for very special occasions. Even *datu* and *bae* leaders do not always don their *sinabaang* for official functions, unless important state officials will be in attendance. The younger generations — especially those below the age of fifty — are able to blend successfully within mainstream Filipino society, and even Indigenous leaders are generally not identifiable in public without their traditional accoutrements. The *datus*, however, typically travel with a *badi* or machete, housed in a wooden sheath decorated in tin or silver, and slung across the body with red cloth or string. The *badi* here serves both as a sidearm and to signal to strangers that the man in question is travelling in his official capacity as a representative of the *bungkatol ha bulawan*. The *tangkulu*, a beaded headdress made of cloth, is also commonly worn by men when acting in their capacity as *datu*.

This brings us to the matter of how Higaunons represent and are represented in the public sphere, as well as in contact with the state and the local government system. Within the politically saturated context of Lumad affairs in Mindanao, and in this case the micro-politics of northern Mindanao, not to mention the serious imbalances of upland–lowland relations in general, the question of who speaks for the Indigenous

21 In the Philippines, 'ancestral domain' refers legally to the lands claimed by Indigenous Peoples under the Indigenous Peoples' Rights Act of 1997. See http://www.lawphil.net/statutes/repacts/ra1997/ra_8371_1997.html, Chapter II, Sec. 3(a). However, the term was first introduced in: Department Administrative Order 2, Series of 1993, issued by the Department of Environment and Natural Resources on 15 Jan. by DENR Secretary Angel Alcala. It specified for the first time the 'Rules and regulations for the identification, delineation and recognition of ancestral land and domain claims'.

22 See Fay-Cooper Cole, *The Bukidnon of Mindanao* (Chicago: Chicago Natural History Museum Press, 1956).

Peoples is a conundrum of epic proportions, one that has even resulted a few times in open violence.[23] In the past decade or so, around a dozen Higaunon *datus* have been killed for, in some cases, violating customary laws for personal profit, and in other cases, attempting to prevent other *datus* from violating these laws.

Elsewhere I have described in greater detail the evolution of an alternate path of indigenous leadership among the Higaunon Lumad, one that most Higaunons agree deviates substantially from established ancestral traditions regarding what is considered legitimate political authority, as well as the training of *datu* and *bae* leaders and how they are expected to behave.[24] Basically, Indigenous leaders who are seen as hewing most closely to ancestral traditions, and garner respect for their extensive knowledge of oral traditions and customary law, or the *bungkatol*, are identified internally among Higaunons as *datu ha kultura* or 'cultural *datus*'. This is to distinguish them from Indigenous leaders who rise to official leadership positions due mainly to government schooling, familiarity with lowland culture, and the ability to speak outsider languages (i.e., English, Filipino, and the lowland *lingua franca* Cebuano). Such *datus* are referred to, often disparagingly, as *datu ha gubilnu* or 'government *datus*', because their political advantages come at the cost of acquiring the traditional cultural knowledge and experience with rituals normally required of a *datu*. Their mastery of their ancestral language also suffers in that public speaking in Higaunon is either awkward or accented, or else devolves almost entirely into Cebuano except for memorised and ceremonial phrases.

These differences are more than a matter of style or ceremony because they also represent very different approaches towards identity and governance. Regardless of their age or cultural attitudes, Higaunons see cultural and government *datus* as symbolising, respectively, tradition and orthodoxy versus assimilation and culture loss. Yet government *datus* are widely acknowledged, even by cultural *datus*, as much more effective political actors when it comes to dealing with non-traditional concerns, like securing their constituents' access to health care, educational scholarships, jobs, and other government benefits, and dealing with outsiders in general. There is therefore a perpetual tension between not only the *datus* themselves, but also within Higaunon society, about the long-term relevance and sustainability of their cultural

23 See an overview of the internal conflicts over leadership and representation among Higaunon Lumads in Paredes, 'Custom and citizenship'. The assassination of *datus* by unknown assailants has been a regular occurrence in northern Mindanao. In the communities where I have done research, the most shocking killing in recent memory was the 2008 shooting of Berting Pinagawa — see Carl Cesar Rebuta, 'Cry for justice for the death of anti-logging leader', *Inside Mindanao*, 27 Dec. 2009 (http://www.insidemindanao.com/article129.html) — and more recently a wave of assassinations, including that of the notorious 'fake datu' Francisco Baguiz, who was himself blamed for ordering other assassinations. See Jigger Jerusalem, 'NPA owns up killing retired cop-turned-preacher in Gingoog', *Philippine Daily Inquirer*, 19 May 2016. (http://newsinfo.inquirer.net/786566/npa-owns-up-killing-of-retired-cop-turned-preacher-in-gingoog-city#ixzz4vGdOiJYA). However, current reportage on violence in tribal areas tends to focus on abuses and killings by military and paramilitary forces, ignoring the periodic escalations in internecine conflict between leadership factions. See Mindanao Interfaith Institute on Lumad Studies, 'Stalked by death: Lumad killings continue in the Philippines', (http://www.miils.org/type/reports/stalked-death-lumad-killings-continue-philippines) and L. Spear, 'A "civil war" is being waged against Indigenous tribes in the southern Philippines, rights groups say', *Time Magazine*, 15 Sept. 2015 (http://time.com/4028811/philippines-lumad-mindanao-indigenous-military-war-killings/).
24 See Paredes, 'Custom and citizenship'.

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traditions in the face of modern demands. While the *bungkatol* certainly colours the Higaunon experience, participating in modern 'democracy' itself is changing fundamentally how Higaunons view political authority and legitimacy, as well as the practice of datuship itself.

These tensions over datuship resonate profoundly amongst Higaunons, given the widely divergent conceptualisations of Higaunon identity within the society itself. Cultural *datus* embody ancestral traditions and are the sacred bearers of the *panud*, yet the path they must follow as part of this tradition renders them woefully ineffective in dealing with the urgent material needs of their communities, which almost always requires successfully negotiating with lowland politicians and manoeuvring government bureaucracies, which even mainstream Filipinos consider opaque, difficult, and corrupt. Even the wisest and most able cultural *datu* cannot be effective if he is unable to speak fluently and persuasively in the lowland languages, or better yet, in English, to government officials and other outsiders.

Meanwhile, government *datus* may be far more effective bureaucrats, but they have little or no cultural legitimacy, and are often accused of acting like lowlanders, and selling out their culture and/or their land for self-enrichment or to achieve more ambitious political goals. This accusation has been a common refrain in my interviews with *datus* and *baes*, as well as with ordinary Higaunons, when people speak critically of other Indigenous leaders. A few *datus* have in fact attempted to amass enough power and wealth to act unilaterally, in the manner of mainstream Filipino politicians in the lowlands. Even if a cultural *datu* were able to overcome the traditional aversion to self-promotion and showmanship in the manner of lowland politicians, most cultural *datus* are unwilling to bypass the strict ethical demands of the *bungkatol*, whereas government *datus* are seen by most Higaunons as having no such terminal distaste for political bargaining and bribery.

I note that these simple models do not necessarily reflect reality; there are individual *datus* in the modern mould who are regarded as thoroughly ethical, as well as *datus* in the traditional mould who are seen as so thoroughly corrupt that they are ignored even by their own relatives. But the way in which *datuship* is now dichotomised reflects fundamental concerns about 'tradition' and 'Higaunon-ness', and echo competing narratives about the meaning and performance of 'indigeneity' itself: how to become and remain an 'authentic' Higaunon today, within the context of modern Philippine society; how to somehow preserve ancestral traditions in a way that ensures they will still be relevant as the younger generations make strides in conforming to lowland standards for 'success'; which aspects of tradition and identity to eliminate or preserve?

Indigenous authenticity and representation

One area in which government *datus* excel is in the packaging of Higaunon-ness to be legible to lowland officials and mainstream Filipino society as a whole. This has had a powerful impact on who is recognised by government bodies as legitimate representatives of the different Higaunon communities. Because of their greater exposure to lowland society, government *datus* understand more precisely how mainstream Filipinos see Indigenous Peoples and what cultural elements appeal to them. These are the same elements that appeal to Indigenous Peoples who have been raised

at a remove from their own ancestral cultures, or perhaps are the products of mixed marriages, and therefore have limited or no comprehension of the Indigenous language, much less the culture, but nonetheless seek a meaningful connection to that part of their identity. I refer to largely ephemeral elements that can be slotted most easily without disrupting their modern lifestyles or requiring them to return to tending swiddens in the uplands, such as folk dances and songs, folk stories, repurposed material culture like fabrics, jewellery, and traditional clothing, the fetishistic use of the indigenous language or indigenous cultural concepts, thus symbolising a vague allegiance to their ancestral culture, sometimes with little comprehension of any deeper significance.

This has become evident in the now widespread use of the *uniporme* or 'uniform' that, in lowlander's eyes, identifies the rightful *datu* and *bae* leaders of the Higaunon. A type of *sinabaang* or traditional clothing, the *uniporme* is a relatively recent innovation from the late twentieth century, consisting of a tailored outfit consisting of a collared and buttoned men's shirt (either short- or long-sleeved) and matching slacks (and for women, a calf-length A-line skirt) decorated with patches of geometric shapes and colours that recall popular Higaunon designs, but without the meaning or symbolism once attached to leaders' *sinabaang*. The men's *uniporme* is further accessorised by the *tangkulo* headdress. While some *tangkulu* are quite elaborate and made from native cloth and antique glass beads, it is more common to see them made from commercially printed bandanas or polyester cloth, and accessorised with cheap plastic beads. A more recent variation is a billed cap accessorised with beads or special patches, coordinated with the colour and design of the *uniporme*.

These days, it is a struggle to be taken seriously by lowlanders as an Indigenous leader without this *uniporme*, despite the fact that it is not actually 'traditional' gear in the sense of originating from ancestral culture as preserved in the *panud*. Yet all *datus* and *baes* now feel they must wear it in order to be legible, not only to outsiders, but also to the growing number of urbanised Higaunons whose exposure to the culture has come largely from commodified representations during festivals and such. One big issue for Indigenous leaders, however, is that it costs a lot of money to make such outfits, and most Higaunons, especially the cultural *datus*, tend to be rather cash poor. The fabric alone is unaffordable for most. Thus once a *datu* or *bae* manages to acquire one complete outfit, it is never worn except for special occasions, because they are unable to afford a replacement if it becomes damaged. It is also common to see older *datus* at gatherings wearing *uniporme* that are already faded or otherwise the worse for wear.

In contrast, those with greater access to outside money, including government *datus*, do not have this problem. In public gatherings, and often on a daily basis, such persons are easily identifiable for having nicely starched *uniporme* with the crispest colours and newest fabrics, their *tangkulu* headdresses with beading far more elaborate than the rest. Thus they attract far more attention from mainstream Filipinos, including government officials, than the dusty old cultural *datus* whose *uniporme* may be drab or incomplete or who may not even have a *uniporme* to begin with. They also attract more attention from Higaunons who are urbanised, or otherwise less familiar with traditional culture. While this may seem grossly superficial, my own observations in the field have confirmed that emphasising the obvious aspects of

ethnicity does provide definite political advantages in terms of public recognition and the appearance of authoritativeness.

An even more serious problem is when lowlanders present themselves as Indigenous Peoples, whether for self-aggrandisement, to take advantage of limited scholarships, steal land, or for whatever reason. This is surprisingly a common phenomenon in northern Mindanao, and I personally know of four separate cases of such impostors from Misamis Oriental province alone who have had some success in presenting themselves to the public as a 'Higaunon *datu*'. According to Higaunons I have interviewed, such impostors have the most elaborate *uniporme* of all, and often support an entourage of similarly elaborately clothed supporters, so as to appear the most visually exotic and authentic to those who are not knowledgeable about Higaunons. In contrast, anyone visiting a typical Higaunon village in the uplands will normally not encounter anyone in such costume unless it is a special occasion, and even on special occasions often it is only a handful who have any special 'traditional' clothing. However, most ordinary Filipinos — including government officials and foreign visitors — are inevitably impressed by the more colourful impostors, because they conform to stereotypes about how tribal people look.

One major reason why such impostors are able to get away with such cultural appropriation and fraud is that 'indigeneity' remains an extremely vague concept, even within the provisions of the Indigenous Peoples' Rights Act. As mentioned previously, practically all Filipinos are, technically speaking, indigenous to the Philippines. Moreover, the National Commission on Indigenous Peoples (NCIP), as a bureaucracy, relies heavily on self-identification. There is no formal system of registration or paper trail similar to, for example, Indian census rolls in the United States. In fact, ethnicity has never been recorded by the Philippine national census and we do not have any official or verifiable population count of the Higaunons, or other Lumads, or other Indigenous Peoples for that matter. Therefore, the politics of representation is a much larger issue than any single community or ethnic group's feelings about how to preserve their cultural traditions.

The other major reason why such impostors succeed is through the collusion, often unwitting, of Higaunon *datus*. As mentioned earlier, there is already an overreliance on third parties to facilitate many of the bureaucratic processes that Lumads must contend with on a regular basis. One of the ways in which Higaunons and other Lumads formalise such working relationships between their communities and such third-party facilitators is through granting them ceremonial or honorary 'membership' in the community. Given the leadership roles that such outsiders are already taking or expected to take, it should not be much of a surprise that they are often given honorary leadership titles in recognition of this fact. Thus we have the phenomenon of outsiders carrying the honorary titles of *datu* or *bae* because they have been thus 'baptised' by the community anticipating their assistance and intervention, or perhaps financial support. The logic behind this is not simply to show gratitude by bestowing an honorific, but also to incorporate these actors within the jurisdiction of customary law, in the hope that these relationships will operate on the same ethical principles that Higaunons hold sacred.

Though honorary Higaunon *datu* or *bae* status conveys intentions regarding a positive future relationship, in which the honoree will stand as a patron to

Higaunons, protect them, and help them pursue their goals, there is never any intention to bestow the status of actual indigeneity to the outsider. The tie is merely ceremonial, a recognition of a relationship, and not intended to transfer any legal rights or entitlements whatsoever. However, when such an individual then turns around and declares himself or herself to be self-identified as a Higaunon, there is not much that the government can do. Even when they file a complaint that someone is an impostor, the Higaunons themselves are unable to deny that the impostor is recognised within customary law as a *datu* or *bae*, regardless of the intent behind the ceremony that was conducted. In this manner several lowland Filipinos have been able to present themselves to the public as Higaunon *datus* or *baes* without any legal consequences. While this is a recurring problem that has only worsened over time, it is only very recently that some Higaunon *datus* have begun to take a principled stand on granting honorary titles to non-Higaunons. However, the seemingly endemic poverty of Higaunons, as well as the greed of certain *datus*, continues to keep them vulnerable to the lure of outside intervention.

There have been two particularly egregious cases of Higaunon impostors, both involving lowland men who, while initially ingratiating themselves to *datus* with promises to help Higaunons in one way or another, ultimately took advantage of vulnerable populations to acquire land, money, and status. Both men had been given honorary status as *datus* but were not Higaunons themselves. However, in both cases, they married Higaunon women and began to fashion narratives of themselves as authentic Higaunons, and ultimately using the *datu* title for their own benefit rather than the Higaunons', as explained below.

The first impostor, 'Datu Baguiz', a former Philippine National Police officer who was made an honorary *datu* in gratitude for taking care of a popular *datu*'s major medical expenses some decades earlier, had ultimately succeeded in taking over one Higaunon ancestral domain, shouldering out dissenting community members through social and physical intimidation, and by bringing in lowland settlers to displace them. He later attempted to secure the office of the Indigenous Peoples' Mandatory Representative (a position within the local government system mandated by national law), for a major city in northern Mindanao. The position would have granted him complete authority over a percentage of local government funds allotted specifically for the benefit of Indigenous communities. He would have also been able to influence legal decisions regarding zoning, utilities, project approvals, business licences, and scholarships at the local level. He was widely suspected of ordering the 2015 assassination of Marc Anthony Bagaipo, a local politician supportive of Indigenous rights, and was eventually assassinated himself the following year. Although the rebel New Peoples' Army has claimed responsibility for Baguiz's death,[25] his murderers are rumoured in the uplands to have been a mob of some of the Higaunons whom he had wronged.[26]

25 Jerusalem, 'NPA owns up killing retired cop-turned-preacher in Gingoog'.

26 There are many rumours surrounding Baguiz's death, including his followers claiming to have seen him resurrected, like Jesus, after his burial. He was believed by many Higaunons to have had supernatural powers, including immortality, which accounts in part for why his abuses were tolerated for so many years.

The second impostor, calling himself 'Datu Mandipensa', had offered his help to the *datus* of several Higaunon communities to generate much-needed income through a variety of fundraising schemes in the 1990s. With the permission of the Higaunon *datus*, he travelled far and wide, as far as the United States and Australia, to attract the attention of charitable foundations with a grand plan for reforestation, environmental protection, and sustainable livelihoods in the Higaunon homeland. The *datus* had in fact commissioned him to do this, and had raised cash amongst themselves to help pay for this man's travels. With calls to foundations in the different areas where he travelled, I was able to document that he had raised at least US$50,000 through these efforts on behalf of the Higaunon people. However, he kept all the donated money for himself, and committed many other offences against the *datus* in the course of this farce, which lasted several years until he was finally outed in 2005. These offences include lying outright to the *datus* and to other Higaunons, intentionally defrauding them of considerable sums of money they had given him to help pay his alleged travel expenses, passing himself off as Indigenous, marrying an elder *datu*'s niece and then abandoning her and their children to 'marry' other women, bringing one such (foreign) woman to Mindanao and proclaiming her a '*bae*', claiming the development projects of other NGOs as his own, and once, bringing several elderly *datus* and *baes* to Metro Manila to perform for a fundraising event (for cash the *datus* never saw) and then abandoning them without any means to return home.

The same *datus* learned only after the fact that Mandipensa had been presenting himself overseas not as a fundraiser for the Higaunon *datus*, but as the last remaining 'prince' of the Higaunons who needed desperately to save 'his' people. In talks he gave at universities in the United States and Australia, and at organisations such as Cultural Survival, he spun tales, fabricated out of whole cloth, about his 'royal' lineage, about sacred monkeys and other animals that were like siblings to 'his' people, who could speak to trees. He even chanted for Western audiences in 'Higaunon', all while dressed in his 'ancestral' *uniporme*. He was in the process of applying for a multimillion-euro development grant from the European Union at the time he was outed as a complete fraud to both the Higaunon datus and to the NGOs that had supported him.[27] He has since absconded to Australia with one of his female admirers and maintains his fabricated 'Indigenous' persona as a musical performer, apparently using Datu as his legal first name.

27 I participated actively in this process after receiving inquiries from a representative of Cultural Survival (United States) whose claims I found suspicious, based on my knowledge of Higaunon culture and personal knowledge of Mandipensa as a lowlander. I compiled online reports of his public talks and fundraising, which I then reported back to the Higaunon *datus* I knew. An associate of mine also visited the relevant provincial NCIP head to inquire as to Mandipensa's Indigenous status and received an official affidavit from the local Indigenous Peoples representative attesting that he not only knew who Mandipensa was, but also that he was not a Higaunon, did not live in a Higaunon area, and that 'if [he] is soliciting donations, from Philippines sources or outside the country, no Higaonon Community … has benefitted from the same' (official statement by Datu Allan Mandokita, signed 21 Feb. 2006, at the NCIP, Provincial Office of Misamis Oriental, Cagayan de Oro city). This affidavit was then circulated to the various international foundations that had given him money, including Cultural Survival, as well as potential funders in the European Union, and the Philippine Studies listserve online.

Unfortunately, it is not only lowlanders who engage in fraud. Higaunons themselves, especially certain well-established government *datus*, seem to be notorious for enriching themselves at the expense of their own communities. In such cases, there is no question regarding their status as a genuine Indigenous person, yet even 'authentic' indigeneity itself cannot protect Indigenous Peoples from corruption and exploitation. One example is that of a local businessman in northern Mindanao who, through most of his life, had never shown any interest in Higaunon culture, much less in becoming a *datu*. By his own admission in my interviews with him, he was far more interested in assimilating into mainstream Filipino culture and regarded the Higaunon culture of his impoverished grandparents to be backward and of little value in the modern world. Rather than marry within his culture, he dated and married a succession of lowland women, and raised his children within lowland culture. However, as he began experiencing some personal success, he faced increasingly racist treatment from the mainstream Filipinos with whom he competed. With the passage of the Indigenous Peoples' Rights Act, he decided to take advantage of its provisions for Indigenous Peoples by laying claim to his ancestral legacy, fashioning himself into a *datu*, goading and bribing cultural *datus* into 'baptising' him hurriedly as a *datu*, which was his birthright by genealogy.

Today, he is extremely active in local politics and regards himself as the moral representative of Higaunons in northern Mindanao, despite his massive unpopularity amongst Higaunons. Having already learned to assimilate into mainstream Filipino society, this particular government *datu* has had no problem taking advantage of the system to ingratiate himself to local politicians. Lowlanders turn to him regularly on Indigenous issues, and in this manner he has gained access to government funds and local government support, and has risen in status correspondingly, much to the consternation of other Higaunons, especially the cultural *datus*. He has also used his access to provide college scholarships selectively to the children of key cultural *datus* who, given their poverty, are subsequently held hostage to serve his political ambitions in order to afford their children the dream of a college education. His power over other Higaunons — including his power to speak for Higaunons — has thus become grossly disproportionate to any *datu*'s authority within Higaunon customary law. One of his long-term objectives is to gain legal control over the ancestral domains of various Higaunon communities because, by his reckoning, his fellow Higaunons are failing to maximise their potential. He advocates for selling rights to mining, logging, and other extractive industries in order to profit from the natural resources from the otherwise 'unprofitable' ancestral domains. Naturally, he would receive a cut of such profits as a finder's fee, for facilitating the process. While he has not yet succeeded outright, he has managed over the years to scuttle alternative livelihood projects in these communities and has blocked the delivery of government services in some areas in an effort to squeeze indigenous leaders into supporting him. This micro-political battle continues to be fought and its outcome remains uncertain. Meanwhile, the relevant local government officials are aware of the situation, but are loathe to intervene because of the government *datu*'s close ties to influential politicians, and they have taken to treating the situation as an internal squabble among Higaunons.

Regimes of legal indigeneity

With very few exceptions, all Filipino citizens today are native to the archipelago. That is to say, while there has been considerable population mobility within the archipelago itself, immigration to the Philippines from the outside has always been negligible, and practically all Filipinos are indigenous to the Philippine archipelago. While there has been immigration from China, Spain and elsewhere over the centuries, the Philippines is not a nation of immigrants, nor one with a significant percentage of the population descended from immigrants. As a political concept, therefore, indigeneity within the Philippines cannot be primarily about universally recognised notions of territorial precedence and racial subjugation. Instead, it speaks to highly localised politics and demographics, and when examined more closely, is clearly employed within the context of economic inequalities and micro-level disputes over specific stretches of land. Despite the heavy cultural baggage and boundary maintenance that accompany the term Indigenous Peoples in the Philippines, as well as the problems with determining appropriate representation, the label is less about marking culture and identity and more about addressing stark economic inequalities and land disputes that have developed over time.

The Philippine government's definition of indigeneity, as written into the Indigenous Peoples' Rights Act of 1997, legalises a fundamental characteristic of the cultures of Indigenous Peoples as unchanging since 'time immemorial'. There is also, notably, an explicit acknowledgement of the specific political contexts in which Indigenous Peoples have become differentiated and marginalised.

> Indigenous Cultural Communities/Indigenous Peoples — refer to a group of people or homogeneous societies identified by self-ascription and ascription by others, who have *continuously lived as organised community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilised such territories*, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, *through resistance* to political, social and cultural inroads of colonisation, non-indigenous religions and cultures, *became historically differentiated from the majority of Filipinos*. ICCs/IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but *who may have been displaced from their traditional domains* or who may have resettled outside their ancestral domains.[28]

This definition clearly indicates a particular understanding of Indigenous Peoples as those who have, in essence, resisted all change and innovation in order to hold on to their precolonial cultural traditions. Despite the final sentence referring to displacement and resettlement, it also presumes that most Indigenous Peoples today are to

28 Chapter II, Section 3, item (h) of Philippine Republic Act No. 8371, 'An Act to recognise, protect and promote the rights of Indigenous cultural communities/Indigenous Peoples, creating a National Commission on Indigenous Peoples, establishing implementing mechanisms, appropriating funds therefor, and for other purposes'; http://www.gov.ph/1997/10/29/republic-act-no-8371/. Emphasis added.

be found where they were prior to the colonial period. Not surprisingly, given the notion that Indigenous Peoples have somehow successfully resisted all cultural change 'since time immemorial', Indigenous Peoples are understood implicitly to be living exemplars of what Filipinos were like before they became Filipinos. This is problematic for a host of reasons I have already explored elsewhere,[29] particularly the romanticised 'noble savage' ideal that dominates lowland notions and stereotypes of Indigenous Peoples. This definition and understanding of Indigenous Peoples is additionally problematic because, essentially, it has made a legal requirement of what lowlanders' might imagine or expect 'Indigenous' cultures and traditions to look like.

The Moros, for one, recognise the pitfalls of embracing the term. Though they freely assert their indigeneity, they have routinely refused to be categorised under the term 'Indigenous Peoples', preferring to employ the word in other ways in their political narratives. This is due in part to the association of the term Indigenous Peoples with a level of primitivity and lack of cultural development that mainstream Filipinos attribute to the types of culture groups classified typically as such. The Moros' close association with the 'great tradition' of Islam, recognised widely as a major world religion, perhaps also adds to a sense of distinctiveness from the Lumad ethnic groups who, by and large, are not historically associated with any major religious tradition, although most Lumads today are Christians of one denomination or another. Though Moros in the present day appeal to the Lumads as their 'younger brothers' to increase political solidarity, in precolonial times the Lumads were the people they raided for slaves,[30] and the memory of this association remains a barrier to uniting Moros and Lumads politically.

Partly in response to this, Lumad activists have consistently pushed back against their conflation with Moros under the umbrella identity of Bangsamoro, which purports to cover all those whose ancestors were already in Mindanao and Sulu prior to Spanish colonisation — including Lumads. In other words, 'Bangsamoro' references not only Moros but all the peoples indigenous to the southern Philippines, even if they might not be classified as Indigenous Peoples in today's Philippines.[31] As Indigenous rights activist and Teduray Lumad *timuay* (leader) Santos Magay Unsad stated in 2015: 'We want to be clearly identified as distinct, with our rights recognised within the new political entity. We don't want to be assimilated further as the national government did to all the indigenous inhabitants in the Philippines.'[32] With the added struggle over land — that is, broad territorial autonomy in the form of a sub-state for the Moros, and localised autonomous ancestral domains for the Lumads, in some cases located within the proposed autonomous territory — the

29 See Oona Paredes, 'Discriminating native traditions among the Mindanao Lumad', in *Old ties and new solidarities: Studies on Philippine communities*, ed. Charles J.-H. Macdonald and Guillermo Pesigan (Quezon City: Ateneo de Manila University Press, 2000), pp. 74–90.

30 See Thomas McKenna, *Muslim rulers and rebels: Everyday politics and armed separatism in the southern Philippines* (Berkeley: University of California Press, 1998), pp. 70–79. See also Vicente Barrantes, *Guerras piráticas de Filipinas contra Mindanaos y Joloanos* (Madrid: M.G. Hernandez, 1878).

31 Bangsamoro citizenship, as proposed, does not reference Islam even though being 'Moro' is generally understood to mean being Muslim.

32 Santos Magay Unsad, Facebook post, 10 Mar. 2015.

fault lines between Mindanao's Indigenous Peoples have become quite pronounced politically.[33]

While there are cultural, genealogical, and technological distinctions to be made between Indigenous Peoples and settlers in Mindanao, the complexity of contact and frontier life means that these distinctions are as much about the wider imbalance of power as they are about the exclusion of specific territories claimed by Indigenous communities as ancestral domains. Even in clear cases of settler incursion, defining and identifying who counts as Indigenous is ostensibly a political act, one that is often loaded with aspirational subtexts pertaining to nationalism, race, and economic progress. As I have argued elsewhere, Indigenous Peoples in the Philippines are seen as a hurdle to national development, in that 'their cultural distinctiveness is explained in nationalist discourse as primitivity or backwardness'.[34] Within the broader national context, Indigeneity itself is seen as a hurdle to social and economic progress, and the preservation of corresponding cultural traditions, though perhaps appealing aesthetically to elites and academics, comes at a real cost to the necessary progress of those who need it most. To the extent that Indigenous cultures are conceptualised as the result of resistance to change and outside influence, it functions as a wall separating Lumads and other Indigenous Peoples from mainstream Filipino national identity that was born out of the colonial experience and characterised by traditions that are highly Christianised and Hispanicised. This means that when Higaunons or other Indigenous Peoples attempt to assert their citizenship as Filipinos, they face considerable pressure to conform to the aspirations and cultural standards of mainstream Filipino society, yet are also expected in many contexts to conform to that society's notions of what constitutes 'Indigenous' Peoples, cultures, and traditions.

Since the beginning of the twentieth century, the populations we refer to as Indigenous Peoples today have been administered separately from the mainstream population of the Philippines. The American colonial officials who then governed the Philippines felt that both the Moros and the peoples they referred to as the 'non-Christian tribes' ought to be administered separately because they were at different stages of cultural development than mainstream Christianised Filipinos. As subsequent administrations revamped their programmes, the same peoples were labelled 'National Minorities' and 'Cultural Communities' until the term Indigenous Peoples came into vogue globally. A critical look at the work of later post-independence government agencies created to administer Indigenous Peoples — the Presidential Assistant on National Minorities and the Office of Southern Cultural Communities — reveals that, in practice, only those Indigenous Peoples who performed and conformed to stereotype were able to benefit in any way from government attention. The current administrative regime of the NCIP is comparatively more sophisticated and pragmatic, thanks to both Indigenous activism and the large number of Indigenous Peoples from all over the Philippines who have entered the civil service. A persistent problem, however, is the fact that, though the NCIP professes to protect and take care of the needs of Indigenous Peoples in the Philippines, it has very limited jurisdiction,

33 See Paredes, 'Indigenous vs. native: Negotiating the place of Lumads in the Bangsamoro homelands', *Asian Ethnicity* 16, 2 (2015): 166–85.

34 See Oona Paredes, 'Custom and citizenship', p. 157.

specifically, the administration of ancestral domains, and the disbursement of minor financial aid, provided mainly as an act of charity, for urgent needs like education and medical care. This tends to constrain rather than liberate Indigenous Peoples because the corresponding bureaucratic apparatus leaves out other significant needs, like education, health care, voting, vital records, and other social services. For such matters, Indigenous Peoples still must fend for themselves, and unfortunately, endemic poverty, compounded by prejudice and discrimination against Indigenous Peoples, remain major hurdles in the full exercise of their citizenship. The commission, meanwhile, focuses almost exclusively on cultural concerns.

For processing ancestral domain claims, the NCIP itself must contend with the national bureaucracies concerned with land titles and environmental protection, as well as national, regional, provincial, city, and sub-city government units under the country's decentralised local government system. Decentralisation has had mixed results in that the quality of governance now depends largely on the qualities of the local participants involved and, in effect, has intensified local politics. The problems Indigenous Peoples encounter on a daily basis are overwhelmingly localised in nature, whereas the local elites that dominate the economy, for example, also dominate local politics and control much of the land in and around their jurisdiction. Even the administration of Indigenous affairs can be hobbled or facilitated by local politicians — whether they be lowlanders or government *datus*. At the national level, however, Indigenous concerns are subject both to policy abstractions and mainstream Filipino stereotypes about tribal people disarticulated from actual Indigenous realities.[35] Both local and national fronts therefore structure and constrain the forms that indigeneity may take.

A case in point is an ancestral domain claim I have followed since 1995, when I assisted one Higaunon community in the submission of one of the earliest ancestral domain claims in the country to the Department of Environment and Natural Resources (DENR) in the national capital, Metro Manila.[36] The department officials showed me the land claim documents prior to final certification, the first step in a long process to obtaining legal title to the land. In reviewing the thick file, I noted a parallel second claim for the same ancestral domain, submitted by another party.[37] That second claim had been rejected out of hand by the DENR, and I inquired about how they had determined (correctly) that it was illegitimate. They referred to the second claim's rather thin documentation of cultural traditions, in contrast to the wealth of cultural materials that were submitted as 'evidences' with the approved first claim. This cultural material includes detailed information about marriage practices, traditional dress, burial customs, ancestral religion, and other ethnological minutiae, that the Higaunons were required to provide as part of the ancestral domain claim process, regardless of actual relevance to land ownership. In other

35 See also Theriault, 'Unravelling the strings attached', this vol.

36 This predates the passage of the 1997 Indigenous Peoples' Rights Act and the creation of the NCIP, which has taken over the certification of ancestral domain claims. All land titles — including ancestral domain titles — must still be processed through DENR.

37 The claimants who filed the alternate application were already included as beneficiaries of the approved claim. However, as a rival local faction, they filed a separate claim in a bid to gain administrative control over the ancestral domain.

words, the national officials made their determination with no actual understanding of the community's settlement history, land tenure system, or internal partisan politics related directly to the claim. Instead, rather than consult cultural experts, or talk to the various parties themselves, they relied exclusively on the superficial and obvious aspects of culture to gauge indigeneity, political legitimacy, and cultural authenticity — the more exotic the better. The working philosophy of NPIC is similarly problematic. Indigenous culture is immutable, or at least ought to be, which means that change constitutes culture loss, any deviation from tradition a loss of authenticity, and ultimately, the corruption of indigeneity.

That said, Lumads do talk about their own cultural traditions as largely immutable, despite ethnographic evidence of dynamic and culture-changing interaction with outsiders since the beginning of the Spanish colonial period, and likely before that as well. In fact, among the Higaunon Lumad, their *panud* or oral traditions revolve around the changes and innovations introduced by key ancestors across the centuries — including radical religious changes, migrations, and intermarriages with outsiders — that constitute the core of Higaunon cultural 'tradition'. Despite talk of immutability, they do recognise the mutability of their own traditions over time, and do not consider this to be relevant to determining indigeneity. In fact, Higaunons have their own concept of indigeneity, which links specific territories to specific genealogical lines, with use rights determined by descent from or by marriage into these lines. This concept of indigeneity is notably delinked from issues of Higaunon-ness, as simply being Higaunon does not, in itself, grant territorial rights.

With the English term Indigenous Peoples coming into mainstream use, first among NGOs and later by the national government, Lumads have embraced it freely, and Higaunons in particular have done so without substantial critique, either publicly or privately, even though it conflicts somewhat with their own cultural notions of indigeneity. This is because they see indigeneity as largely a means to an end, as a way of achieving highly localised goals revolving around the retention of ancestral territory and control over its natural resources. All other cultural concerns, while undoubtedly significant, are secondary to their territorial concerns. For example, while they continue to frame their economic and political concerns as Indigenous concerns, endemic poverty and marginalisation are widespread problems throughout the Philippines, and not linked exclusively to being Higaunon or Lumad, or to Indigenous status in general.[38]

These examples from the Higaunon Lumad reveal some of the problematic consequences of how indigeneity is operationalised in the Philippines at present. As exemplified by the other articles in this volume, indigeneity means different things

38 Indigenous poverty is perceived generally by Indigenous rights advocates as being materially worse, because they are more disadvantaged socially and politically compared to mainstream Filipinos. In other words, it is harder for the Indigenous poor to alleviate their economic situation. However, over the decades I have heard quite a few Filipinos express a suspicion that some Indigenous Peoples have a hidden treasure trove in the uplands, and that Indigenous poverty is due to 'laziness' or to their leaders' greed. The common use of the word *datu* (male indigenous leader) as slang for a wealthy person in Visayan languages probably feeds this perception. Among Higaunons, minor economic differences do exist, and they recognise themselves as being poor generally, but in general they do not see themselves as categorically worse off than other Filipinos who live in endemic poverty. I suspect it is the same with other Lumad groups.

to different people and in different contexts. To Indigenous Peoples themselves — such as the Higaunon and other Lumads — indigeneity and ethnic identity may be conflated or divergent, depending upon the circumstances. For Higaunons, for example, ideas about 'Higaunon-ness' are, at times, at serious odds with how Indigenous Peoples are expected to present themselves to the world as 'Indigenous Peoples'. To government agencies, indigeneity is quantified through the documentation of cultural ephemera. To mainstream Filipinos, indigeneity is legible only through the public display of material culture whose authenticity is then gauged according to how exotic or obviously different it is from their own. As indigeneity becomes increasingly commodified and monetised by unscrupulous individuals, such conflicts will continue to structure the lives of Higaunons, Lumads, and other Indigenous Peoples, as they navigate the business of being Indigenous.