



*ASSEMBLEA: An Online Journal of Political Science*  
*Volume 1 Issue No. 1*  
**2019**

## **The Construction of Indigenous Lands and Domains in the Cordillera and its Impact on the Quest for Regional Autonomy**

**Christine Jay Z. Abordo**

Saint Louis University, Baguio City  
christinejayzamoranos@gmail.com

**Dennis C. Coronacion, Ph.D.**

University of Santo Tomas, Manila  
denniscoronacion@gmail.com

### **ABSTRACT**

*The study explores the indigenous construction of space and its interplay with dominant state conceptualizations through a close consideration of the historical experience of indigenous peoples in the Municipality of Kabayan, Benguet. It articulates the indigenous imagination of space as a political concept pitted against dominant postcolonial expressions on land and territory. The study derives the indigenous construction of ancestral lands and domains and analyzes how its contrasts with the dominant postcolonial state construction illuminate existing configurations of power with regard to space and territory in the area. The emergent political scientific lessons are used to critique the current debate on Cordilleran regional autonomy. The work employs a phenomenological design and relies on key respondent interviews for data. Maps, official land use plans, and related documents are utilized for secondary supplemental data. The study contributes to the political theory on indigenous peoples (IPs) and power in a Philippine setting. It expands the literature on indigenous spaces, lands, and domains and impacts on the struggle for genuine indigenous regional autonomies. Furthermore, the study aids policy makers in regional planning and governance whose unenviable task combines modernity and tradition, indigeneity and cosmopolitanism, as well as history and spatiality in a framework of sustainability.*

**Keywords:** *ancestral domains, indigenous peoples, power, constructivism*

### **Recommended Citation:**

*Abordo, C.J., & Coronacion, D. (2019). The Construction of Indigenous Lands and Domains in the Cordillera and its Impact on the Quest for Regional Autonomy. Assembla Vol. 1, No. 1 pp. 1-19*

## INTRODUCTION

In contemporary Philippine politics, space occupies a significant proportion in local and national debates. Literally, this is seen in debates over domestic or internationally contested geographic space, whether or not the demarcations in such debates are clear over who is on which side of the disputes (Baviera, 2016). Figuratively, democratic space is contested over inclusions and exclusions in parliamentary representation (Aguilar, 2018). Debates rage on whether the national or the local government is supreme in the planning of space and territory while another debate brews over whether or not indigenous regions (such as the Philippine Cordilleras or Muslim Mindanao) are to be given autonomous governments. Additionally, there is an intense debate over the adoption of a federal system of government to release peripheral geopolitical spaces from an alleged domination from and by the geopolitical center. Then there is a debate over what debate should be preeminent, that over autonomy or that of federalism? Indeed, the latter one on federalism has been feared to occlude or perhaps even take over the pre-existing debate on autonomy (Cimatu, 2018). In the Cordilleras, this debate on autonomy forms a distinctive theme in the struggle for an indigenous region – one that has been on the frontstage for over a quarter of a century (Hamada-Pawid, 1983). This paper argues that the struggle for genuine regional autonomy in the Cordillera continues today as a struggle against persistent and state-supported postcolonial definitions of space and territory.

In the Cordillera Administrative Region (CAR) the debate over space is given a special complexity by an indigenous element. Over several centuries, it is said, Cordillerans have waged a struggle, first and last, over land – for a space of their own (Tolentino, 1994). At the risk of being simplistic, it may be said that land determines the existence of the Cordilleran indigenous. *Ti daga ket biag* (Land is Life) proclaims a work in the Cordilleran literature of struggle and this does not simply mean that the Cordilleran IPs live on agriculture (Cordillera Peoples Alliance, 2009). It also means that they have a special relationship with and to land, a relationship that is often spiritual such that rituals of birth, death, and even fertility are intimately bound to land and nature. It is this indigenous idea – one that has been pitted against the state's rational-strategic postcolonial regimes of control and domination – that remains, even as these regimes have been translated into new formulations that disguise the old nomenclatures of power by seemingly democratic issuances and proclamations.

This struggle has taken several forms in at least two stages of resistance: first, in the colonial wars for baranganic independence against the Spaniards and the Americans and second, in the peaceful parliamentary struggle for land and identity after the formation of the Philippine state (Finin, 2005). Within this rich historical tapestry are woven the autonomy movements and the various subthemes of resistance. In the first stage, extant literature celebrates the armed resistance against colonial rule whether as autonomous (i.e. localized) efforts or part of a larger nationalist movement (Carifio, 2001; Reyes-Boquiren R., 2001). The second stage can be contextualized as

various explorations into the drive for provincehood, regional autonomy, and federal inclusion. (Ferrer, 2005)

After the establishment of the Philippine state, the Cordilleran people sustained their struggle for indigenous rights over their territories. It was a complex struggle as the points of resistance were directed on several fronts or dimensions:<sup>1</sup> first, against the supreme claim of the state by virtue of the Regalian doctrine; second, against the incursions of lowland migration; third, against corporate invasion in the forms of mining, logging, and other commercial interests (i.e. development aggression); and fourth, against state policies that deprive them of, if not their claim to ownership and possession, their rights to plan for and develop these lands in accordance with their own intents and purposes. Admittedly, in most cases, the indigenous quest for lands of their own has been thwarted even as concessions have been won over the long run. (Molintas, 2004)

The problematic point is that, beyond the legal rhetoric of possession and ownership, what the indigenous peoples of the Cordillera are fighting for has not been really articulated beyond generalized political propaganda statements. What does it mean to the IPs to have “a land of their own”? Is such a land construed and defined per construction of law? Is it a domain bounded by cadastral measurements and vested legitimacy by the provisions of statute, whether this be the Civil Code of the Philippines or the Indigenous Peoples’ Rights Act of 1998? If the IPs had the right to the ownership of their domains, why the paradoxical indigenous adherence to the ethical principle that “nobody owns the land,” best articulated by Kalinga *pangat* Macliing Dulag in the struggle against the Chico River Dam Project (Carino & Villanueva, 1995)? Was (is, since the principle has been sustained in contemporary political performances) such a declaration merely political propaganda or does it contain the germs of an indigenous ethos that frames the entire struggle? In short, how do the Cordilleran IPs understand and define their ancestral domains and how are they, in practice and in discourse, sustaining this definition?

The focus of this paper is narrower. It inquires how an articulated indigenous construction matters in the determination of how space is utilized. To construe space is to see in it its possibilities in terms of its various potential and existing uses. To construct space is to plan space. The struggle for indigenous space (and by extension for genuine autonomy) is a struggle not only to enforce the indigenous construction of that space but also a struggle to construct an indigenous planning process for it. If “land is” really “life” in the indigenous lived experience, how will the indigenous construction of land be construed and planned out to carve out an indigenous living space?

---

<sup>1</sup>These struggles against what may be referred to as external threats can be juxtaposed over an *a priori* pattern of inter-tribal/ethnic contestations but this area is introduced merely as background and not as a direct point of interest in this study.

More importantly, in the field of political science, what role do these constructions play in the configuration of power in the region and what can an indigenous land construction, articulated beyond the formulaic constructions of radical propaganda, look like, such that ancestral lands and domains defined in indigenous terms and power configured along relations of contestation create equal opportunities for realizing indigenous aims and goals? This paper shall argue that existing planning models and paradigms are not more than reconfigurations of old dominant structures of colonial power persisting in new forms and nomenclature but existing just the same to thwart indigenous expressions of self-determination and that current definitions of ancestral lands and domains reflect postcolonial conditions of domination and control.

In sum, this paper argues that the struggle for genuine autonomy in the Cordillera is grounded on a field of political contestation where indigenous space has already been determined a priori by postcolonial conditions and where the indigenous has been trapped regardless of seemingly democratic concessions by the state. To proceed to genuine autonomy, IPs must transcend the postcolonial definitions of space and articulate a truly indigenous construction of ancestral lands and domains where power is configured along relations of contestation that create equal opportunities for realizing their aims and goals. Vis-à-vis the seeming dead-end confronting the struggle for genuine autonomy and the pursuit of indigenous empowerment through their development of their ancestral lands and domains, the study adopts the theoretical stance that a radically new approach to defining and delineating the contours of ancestral space and development in indigenous regions is urgently needed.

### **A theory of indigenous space as construct**

Ancestral domains emerge as a production of geopolitically contested spaces. Such a perception propels itself from a platform established on the seminal conceptualizations of space theorized by Soja (2000, 1989, 1996), Lefebvre (1991, 2003), and Murdoch (2006). It was from these theoretizations that the politically loaded spatial constructs of the firstspace, the secondspace, and the thirdspace of geographic entities; the geo-politics of space production and that of abstract space; and the idea of relational space found their way into geopolitical studies. This theoretical platform may be juxtaposed with postcolonial theory, which argues basically that colonial structures of control and domination persist and thrive even after formal conferments of independence (indeed, after colonialism) particularly in textual references and tools of governance and that seemingly independent sovereign voices still resonate with the nuances of subalternism (Allen, 2004; Tiffin & Lawson, 1994; Spivak, 1988).

Such a juxtaposition may be done by connecting and relating extant studies on the indigenization of local government land use planning in the Cordillera and in other countries. This literature has since been mediated by conceptualizing studies of power that makes possible the identification and delineation of a consequentially innovative field of the politics of planning literature (Amin, 2004; Allen, 2003; Massey, 1999). This

is not to say, however, that this new field can be cleanly cloven from the old one although an argument to this purpose may be submitted with its contours having been defined by practicing theorists such as Marbury-Lewis (1992), Sandercock (1998), and Lane & Hibbard (2005). Into this relatively new area of spatial planning studies would come Buhangin (2012) and his relational approach to planning indigenous regions and Gonzales (2017) with the coproduction approach to planning.

In the politically-laden field of local government planning, the definition of space and the strategies on its utilization as well as planning for economic development have embarked on a so-called indigenous turn since a quarter of a century ago (Lane & Hibbard, 2005; Berke, Ericksen, Crawford, & Dixon, 2002; Sandercock, 1998; Lane, Brown, & Chase, 1997; Marbury-Lewis, 1992). However, even as local governments and the supervising agency in this regard (i.e. the Housing and Land Use Regulatory Board or the HLURB) have revised guidelines and integrated cultural considerations in the consideration of space/territory and despite the increasing attention of the academe in such an indigenous turn, there is much still to be accomplished. Indeed, as a distinguished planner points out, Philippine land use planning has been made more complex by the indigenous factor, that is, the question on what constitutes ancestral domains and lands and the issues of power that they write into the planning equation (Serote E. , 2004).

In the literature on the politics of indigenous space, Buhangin (2012) grapples with the issue of power in his groundbreaking research on planning indigenous regions in the Philippine Cordillera. In this study, he identifies two planning settings that exist in indigenous areas in the country. The first planning setting is where ancestral domains and lands *being claimed as such* do not yet have state recognition and are still, therefore, not yet alienated from it. No ancestral domain or ancestral title has, as yet, been issued over parcels of the territory and the indigenous claimants are still in the process of securing these from the National Commission on Indigenous Peoples (NCIP). Political contestations of space are understatedly problematic here since indigenous peoples pursue their claims for ancestral lands individually. Where indigenous people's organizations (IPOs) exist, political contestations of space happen between the state and one entity (i.e. the IPO). Where they are inexistent, the state is engaged in multiple contestations, leading to complex and oftentimes confused results (Rangan & Lane, 2001). These become infinitely more problematic during periods of rapid socio-economic change resulting to what Soja calls "mutually repellent spaces" (Soja, 1989, p. 6).

The second planning setting is where these spaces have already been alienated from the state and their ownerships transferred to the indigenous claimants as proven by the issuances of the Certificate of Ancestral Domain Title (CADT) to indigenous peoples' organizations (IPOs) and/or the Certificate of Ancestral Land Title (CALT) to individuals. Whereas, the Municipal/City Comprehensive Land Use Plan (CLUP) is the sole planning instrument in the first setting, here in the second, the state requires an

Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) side by side with the CLUP. The CLUP governs the land use and development plans of what is purportedly the political territory (i.e. the municipality or city) while the ADSDPP governs the land uses and development plans for the ancestral domains. The reality, however, is that the political territory and the ancestral domain are one and the same space. The two plans, thus, overlap, with the results of varying development strategies and economic opportunities for persons, organizations, and local government entities given to them by one or the other plan. Conflicts at various levels and of different intensities result as a matter of course (Carino, 2007; Allad-iw, 2007; Bengwayan, 2000).

It is necessary to emphasize that the state defined space in both plans. The *municipal territory* covered by the CLUP was referred to as the *town* in the 1970s when the martial law government started to rationalize the use of municipal and provincial lands through Letter of Instruction No. 729, s. 1978 and Executive Order 648, s. 1981.<sup>2</sup> This definition was carried over into the post-martial law period through Republic Act 7160 (also known as the Local Government Code of 1991) and Republic Act 7279 (or the Urban Development and Housing Act). The Town Plan, that is, spatial development plan for the township became known as the CLUP. In pursuit of the devolution program of the Local Government Code, Executive Order No. 72 which transferred the task and responsibility of reviewing CLUPs from the HLURB to the Sangguniang Panlalawigan (SP) was also issued although the former with its expertise on land use planning and development still retained much of its influence over such reviews and ultimate approval (Housing and Land Use Regulatory Board, 2013).

The state was also responsible for defining what constitutes the *ancestral domain* and the *ancestral land*. These definitions are found in the Indigenous Peoples' Rights Act of 1997 (i.e. the IPRA or Republic Act 8371). IPRA was envisioned to concretize the constitutional mandate "to protect the rights of indigenous peoples particularly their rights to their ancestral lands and domains" (Congress of the Philippines, 1997). Ancestral lands and domains covered lands that had been previously inalienable under the Revised Forestry Code.<sup>3</sup> The ancestral space and how it would be planned was to be written in the ADSDPP, the formulation of which was placed under the guidance of the NCIP. The ADSDPP, therefore, is the more recent tool than the CLUP for configuring the contours of juridical space in indigenous areas. Interestingly, however, a deeper examination shows that both documents are similar in their manner of approval and in their contents.

---

<sup>2</sup>E.O. 648 established the Housing and Land Use Regulatory Board (HLURB) and abolished the Human Settlements Regulatory Commission (HSRC).

<sup>3</sup>Presidential Decree No. 705

The renewed calls for a new organic act providing for regional autonomy in the Cordillera and the simultaneous plans for a federal form of government<sup>4</sup> are expected to further complicate the political arena where indigenous space is being contested. In both chambers of Congress, separate bills have been filed to fast-track Cordilleran autonomy even as previous proposals are being revived, reviewed, and updated.<sup>5</sup> With these, the field of contestation over what constitutes ancestral spaces in Cordillera has again become active.

To be sure, the richness and breadth of indigenous knowledge, attitudes, values, and practices have been so thoroughly explored internationally (Reves, 2005; Beneria-Surkin, 2004; Coburn, 2003) and locally (Medina, 2003; Duhaylungsod, 2001; Bennagen & Lucas-Fernan, 1996). Several research forays have also been conducted abroad into the areas and issues of indigenous power as well as the conduct of their struggle for indigenous rights and ethnic identity as they traverse the path of development (Purcell & Onjuero, 2002; Young, 2008; Lane & Hibbard, 2005). In the Cordillera, similar studies have also been conducted (Mendoza & Prill-Brett, 2009; Molintas, 2004). However, despite the plethora of studies in these regards, a gap seemingly exists in the literature on research concerning space, power, and the IP-state dialectics upon which these two concepts are configured. There appears to be none with regard to the theory that such a dialectic of spatial politics is actually happening within a playing field that has already been postcolonially determined and steered. Thus, this study was embarked upon.

### **Postcolonial theory**

The entire Cordillera was a colonial product (Scott, 1974). Colonialism defined not only the land but also its people who were regarded as *infielos* and *salvajes*, external to the civilized world (Scott, 1975). The political nomenclature referring to the Cordillera, its peoples, and more importantly, the government and governance thereof was constructed over two colonial regimes, i.e. the Spanish and the American. So pervasive was the domination of the political governance structures that, even as the Cordilleran indigenous peoples struggled for self-determination, such a struggle was waged *within and using* the language of colonialism.

After the grant of independence, IPs continued the struggle for their rights and privileges, foremost among which were their rights to their indigeneity and their lands. However, such struggles were conducted using still the language of colonialism. Governance, although ostensibly freed from the colonialism of former foreign masters, still was conducted using the old models and paradigms of bureaucratic control that

---

<sup>4</sup>President Rodrigo R. Duterte formed a high-profile constitutional consultative body, headed by former Senator Aquilino "Nene" Pimentel, to draft a new charter for federalism. The body has completed its work.

<sup>5</sup> These initiatives include House Bill 5343 "An Act Establishing the Autonomous Region of the Cordillera (ARC), first read on March 30, 2017 in the First Regular Session of the 17<sup>th</sup> Congress. HB 5343 is the third autonomy initiative, there being two previous autonomy acts, R.A 6766 and R.A. 8438, passed respectively in 1990 and 1998 but rejected in subsequent plebiscites.

even movements for local sovereignties carried the imprint of colonial influences. This pattern follows the general patterns characterizing the post-colonial condition (Kapoor, 2002).<sup>6</sup>

## METHODOLOGY

The study is of a qualitative design, employing phenomenology, “a variant of qualitative research aiming to study the nature of human events as they are immediately experienced within their real-world context—resisting the prior use of any concepts or categories that might distort the direct experiential basis for understanding the events,” as the strategy of inquiry (Yin, 2011). According to van Manen (1990, p.63), phenomenology aims to uncover the individual’s reality as “an object of human experience,” that is, the phenomenon (which in this case is the IPs’ experiences of ancestral lands or domains – or the ancestral domain experience) in order to arrive at the subject’s “grasp of the very nature of the thing” (Van Manen, 1990, p. 177). For reasons centering on the subject of the study, that is, the construction of the meaning of ancestral lands and domains, the researcher focused on hermeneutic phenomenology as the specific design for the study. However, some features of transcendental phenomenology were also utilized as secondary and supporting methodology to provide a contextual background to the development of the construed concepts.

The study was confined to the Municipality of Kabayan (Province of Benguet) and the IPs and ancestral domains generally found within and spilling just outside its jurisdiction. In as much as the research contemplates the qualitative conceptualization of the ancestral landscape, much of which is not commensurate with the juridical boundaries of the municipality, the exact composition of this research area including its composite barangays was determined during the data gathering phase of the study. As a starting point, however, the research was sited in that juridical area derived from official delineations as per the current Kabayan municipal cadastre.

Intensive interviews were drawn from IP respondents whose experiences within and with regard to their relationship with their ancestral land or domain claim a shared meaning for all IPs in the research area. Ten informants from the municipality’s indigenous resident-population were chosen purposively on the basis of representativeness and articulateness. Conventional categorization criteria such as age, gender, and position were set aside in favour of criteria more reflective of the objectives of the paper. Indigenous land awardees and claimants under the IPRA took priority as respondents but the study took pains to include indigenous informants from the business, agriculture, and professional sectors whose unifying characteristic was their

---

<sup>6</sup>A prime example of postcolonial thinking over space involves “gray spacing,” the controlled emergence of IPs from the shadows of exclusion to the extent allowed by governing regimes. While these IPs are “recognized” as “partners and stakeholders” in development, such recognition belies a priori existence of a dominant and still imperial structure that does the recognizing. These peoples, thus remain “at the periphery of peripheries” (Yiftachel, 2009, p. 242). This paper validates the existence of this political reality in the Cordillera.

indigeneity and professed desire to be involved in the planning of the municipality. In a parallel vein, an initial group of ten informants from the public sector was also selected. For these respondents, the researcher relied primary on referrals by well-known experts in the field and leaders of indigenous people's groups in the area. Additional informants, tapped through referrals in a snowball technique, were later interviewed. Narratives sourced from these initial groups were transcribed verbatim with the transcripts to be used as the bases for the subsequent data analysis. When theoretical saturation was attained during the data-gathering stage of the research, logistical and time considerations constrained the researcher to forego further interviews.

Cartographic representations were used as additional units of observation in the study. Documentary analysis on existing and ongoing land use and sustainable development plans were also done in order to draw insights that could be used to further refine the theory. Archival documents were also utilized in the study.

## **RESULTS AND DISCUSSIONS**

Four themes emerged from the key informant interviews as reflective of the constructs of ancestral spaces in the Municipality of Kabayan. These include (a) a construct of space and the indigenous as complementary and unitary; (b) a state construct of space as an external resource to be developed for municipal development purposes; (c) ancestral domain as a relatively new construction, the nature and developmental nomenclature of which is postcolonial; and (d) the new construct of ancestral domain as a political window for the inclusion of the Kabayan Ibaloi in the construction of the autonomous region of the Cordillera.

### **The Kabayan Ibaloi and Land: a complementary and unitary nature**

The lands within which the Ibalois of Kabayan live and thrive do not exist as material space or nature alone. It is seen not solely as home or land and regarded more than as such. The Ibaloi is an Ibaloi of the land, the indigenous identity bound to the land in a complementary and unitary relationship. Ibaloi lands are such because there, the Ibaloi builds a home and lives a life – as Ibaloi. Land and domain are part of an Ibaloi's identity, that is, no Ibaloi can be imagined without a piece of land on which he/she can mark particular life (or death) experiences.

For the Ibaloi, land is "for a good," that is, as *pagimbagan*. It is "for the good" of the Ibaloi, the next of kin, of succeeding generations, and of community. As with other indigenous peoples in what is circumscribed today as the CAR, Ibalois of Kabayan see their relationship with land and resources as a historical relationship that weaves not only political and economic developmental narratives but also a cultural and spiritual history. Commemorative events, for example, are celebrated with traditional rituals, dances, and other formal expressions of collective memory such as the butterfly and

*bendian* dances, performances of which are unique to Kabayan and reflective of Kabayan's rich history of tradition and culture.

The land sustains the life of the Ibaloi. It provides for him until death – and beyond. It does not only give him food and material sustenance but also his home. The land is where the Ibaloi *exists*. The Ibaloi works the land, sustains it, develops it, and makes it productive. He builds his home on it and there he raises a family, supporting them with the fruit of the land. The land also keeps within its heart the material and symbolic representations of Ibaloi life. The individual Ibaloi is not only born on Ibaloi land, his/her afterbirth is buried there and when he dies, his body will be buried on the same land, in a coffin carved from a tree chosen carefully within the forests covering the land. The Ibaloi of Kabayan believes that the spirits of those who had passed on go to reside at the summit of Mount Pulag, a third transect of which lay within the Kabayan territory.

Who “owns” Ibaloi lands in Kabayan? Informants describe three forms of ownership of lands and resources. The first constitute private ownership of family lands. The second covers communal lands which are public in use and ownership. The third is a kind of a corporate ownership of forest, water resources, rice terraces and crop lands. These rights are not handed down to a specific individual but are passed on from one generation to another.

Family lands are passed on from generation to generation, usually from the last-born child to the last-born child. One can do anything he/she wants with and on these lands provided that their actions do not harm or affect the lands of other individuals or families. The legitimacy of ownership of private family lands in Kabayan had been established by continuous actual residence, use, and/or development or improvement such as through the construction of stone walls, earthen dikes, and irrigation. They may only be transferred through inheritance but if the lands were ever by necessity to be sold, they were offered first to the next of kin. When these kin are unable or unwilling to buy the land, it will be sold to more distant relatives. Sale to non-kin is a last resort. In the Poblacion area, three individuals had established titular claims over all lands after the World War II. These titles are now being subdivided among the families currently occupying the lands without protest or contestation from the descendants of the three individuals. In this instance, community acceptance and recognition over the continuous possession of the properties took precedence over the Torrens titles. Over the last two decades, however, an increasing recognition of documentary evidence to ownership (i.e. titling) indicates a shift from traditional proof of claims to “modern” proof of claims.

### **State construction of space as an external resource**

The Regalian Doctrine is the main obstacle in the assertion by the indigenous peoples of their rights over their lands. It stems from the Spanish colonial period when

all conquests were owned by the king who has the sole prerogative of dispensing these possessions to private individuals. From it, thus, stems the beginnings of the idea of private lands. (OPAPP, 1998).

According to informants from the planning sector, the Regalian Doctrine frames the state's developmental vision over the Cordillera. Indigenous lands must be approached from a national framework of planning and development and resources therein must be harnessed to support the national infrastructure of progress and development. This had always been the case ever since the first Cordillera dams were built in Ambuklao and Binga. These dams are located in Ibaloi lands, well within reach of Kabayan, but they were built, not primarily to energize Ibaloi homes (which, as a matter of fact, remained unserved by electricity for several years after the dams started operations) but to supply electricity to lowland cities and towns including San Fernando in La Union, Dagupan in Pangasinan, and Metro Manila.

Currently, these dams are integral components of the tourism industry that largely benefits external agencies and organizations. Even Mount Pulag, long considered the sacred mountain where the spirits of the Ibaloi go when they pass on, has become what Lefebvre (1991) considers abstract space, one that has been subsumed into a capitalist system in which cultural and use values have been replaced by exchange value. The slopes of the mountain are covered by gardens that inexorably and relentlessly expand into the forest which in turn visibly shrink meter by meter. In these agricultural plots, cabbage, romaine, lettuce, and other high value greens are cultivated not for local consumption but for sale in the plush hotels of the lowland cities and their hungry markets.

### **Ancestral domains and postcolonial nomenclature.**

The ancestral domain as a relatively new construction, the nature and developmental nomenclature of which are lingering yet still powerful remnants of a past where rights are granted and not recognized and where legitimation still rested with the state and never with the people.

When Pawid (2003) invokes the indigenous unitary principle, and states that the ancestral domain refers to the inseparable relationship between land and people and not to the territory itself, she uses an anachronistic construct. This is because the term "ancestral domain," or even "ancestral land" did not exist before IPRA.

The term *ancestral domain* was coined by the Congress to define those lands and natural resources occupied and possessed by "indigenous cultural communities/indigenous peoples" from "time immemorial." Prill-Brett (1997) states:

Ancestral domain is applied to the territory occupied and recognized by an indigenous group since time immemorial, long before the existence of a

Philippine Republic. The concept of ancestral domain includes (a) the indigenous people’s right to avail of direct benefits derived from the exploitation of resources within its territories and (b) the right to directly decide how land, water and other resources will be allocated, used, or managed. These are included in the indigenous tenurial laws.

The comparative table below shows the variance between the research findings and the provisions of the Indigenous Peoples Rights Act on how lands and resources of the indigenous are to be defined.

IPRA	Research findings
<p>(Ancestral domains) refer to all areas generally belonging to ICCs/IPs comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by ICCs/IPs, by themselves or through their ancestors, communally or individually since time immemorial, continuously to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals/corporations, and which are necessary to ensure their economic, social and cultural welfare. It shall include 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 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. It is subject to property rights within the ancestral domains already existing and/or vested upon effectivity of R.A. 8371.</p>	<p>The Kabayan ancestral domain (KAD) was delineated using the municipal jurisdiction as main reference. The domain roughly corresponds to the municipality. When the KAD was being delineated, an IPO was organized to represent the Kabayan IP which to be sure did not comprise ONE identifiable ICC or IP since they were Ibalois as the IPs of Buguias and Bokod were also Ibalois. The point is no indigenous delineation of extents of “ownership, occupation, or possession” could be determined before such delineation was attempted post-IPRA. The concept of ancestral domain was, therefore, a postcolonial construction and, thus, no concept of an ancestral domain existed pre-IPRA. Note: Prill-Brett (1997) identified three types of land rights: communal, corporate, and individual land rights. If ever, only these comprise what IPRA calls the “ancestral domain.”</p>
<p>(Ancestral lands) refer to land occupied, possessed and utilized by individuals, families and clans who are members of the ICCs/IPs since time immemorial, by themselves or through their predecessors-in-interest, under claims of individual or traditional group ownership, continuously, to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth, or as a consequence of government projects and other voluntary dealings entered into by government and private individuals/corporations, including, but not limited to, residential lots, rice terraces or paddies,</p>	<p>These are precisely the lands which Prill-Brett (1997) described as governed by the three types of land rights. After World War II, all lands within Kabayan Poblacion were registered under three names. It was only recently that segregation and individual titling among the various individuals and families happened with actual land occupation and utilization as basis. The <i>tongtongan</i></p>

private forests, swidden farms and tree lots. It is also subject to property rights within the ancestral domains already existing and/or vested upon effectivity of R.A. 8371.	was the primary mechanism employed to resolve conflicting claims but the resolution is now followed by legal procedures of titling.
--	---

**Socio-political Implications: The postcolonial ancestral domain as a political window for the inclusion of the Kabayan Ibaloi in the establishment of an autonomous region in the Cordillera**

Tajfel (1981, 1982) says that who a people are depends on how they see themselves as a people. Their identity is based on the characteristics they share and what makes them different from other groups. The people of the Cordillera have been defined externally before. They were referred to as Igorots, from the Spanish *ygorrote* by other people. (Finin, 2005). They had also been called *infieles* or *salvajes* on account of their non-baptism into the Christian faith – by the Christianized Filipinos. In the 1970s, they were called national minorities and made the cultural target of an agency called the Presidential Assistant for National Minorities (PANAMIN) who went to the Cordillera like the American governor generals to pacify the people and use their lands for dams and mines. Currently, they are referred to as indigenous peoples.

Yet, people tend to reject the social branding by outsiders particularly if such brands reflect negative connotations (Tajfel, 1981). In Kabayan, people refer to themselves as Ibaloi (and the other migrant settlers by their ethnic self-ascriptions, such as Kankanaey). It is noteworthy that none would willingly or self-consciously identify himself or herself as Igorot although they acknowledge the term as something used to refer to them and the generalized cultural groups of the Cordillera. The term IP is of a more intriguing use. People of Kabayan use it not to refer themselves (i.e. the common people) but to those of *themselves* who are government officials tasked with the functions of implementing the IPRA. People replied, *Urayen yu a ni IP ta saan mi masungbatan dagita saludsod yu ta saan kami met nga IP*. (“Wait for the IP. We cannot answer your questions because we are not IP.”) Even the IP officer refers to the time *idi saanak pay nga IP* (“when I was not yet IP”).

In other words, how the identity of the people of Kabayan was constructed was a process of colonial and post-colonial impositions whose terms of reference themselves are creations of official proclamation, law, and policy. The declaration, *“Ibaloi kami,”* (“We are Ibaloi”) may be seen as an assertion of an identity which is self-ascribed as well as a defense from external attempts to circumscribe them into a category meant to define them according to nationally-set standard. By declaring themselves as Ibaloi, the people of Kabayan are still waging a symbolic war over attempt to control them through post-colonial governance.

## CONCLUSION

The current moves to resuscitate the notion of regional autonomy must take into consideration the findings of this study. There had been two such initiatives, both of which failed politically in plebiscites. Casambre attributed this to lack of preparation and lists other factors including the scepticism and distrust by the people of the law. She urges a new anthropological approach and argues that a new proposal should be based on local governance institutions. Prill-Brett argues along the same lines and advocates looking more deeply into the interlocking relationships between indigenous conceptions of land and resources, local political institutions, and the resolution of conflict. Indeed, if political development leads to autonomy, the first course of action must be to recognize the reality that what Cordillerans are resisting is their branding into yet another political category like the term indigenous peoples which is neither indigenous nor popular.

The study recognizes other dimensions in the comprehensive struggle for regional autonomy including the promotion of the rights of indigenous labor, women, education, and other sectors. The analysis of these other factors as well as their interactive effects on the struggle for land, resources, and territory also involve a discourse on “space” as they indeed encompass spaces of dissent or involvement in the democratic project. Such fields widen the space covered by discourse and are of extreme importance in acquiring a richer and fuller understanding of the breadth and depth of regional autonomy. However, due to logistical and temporal constraints, this study was delimited to the field of geographic space (i.e. ancestral domains and lands) as only one factor but an extremely important one in the quest for regional autonomy.

## REFERENCES

- Allen, J. (2004). The whereabouts of power: Politics, government, and space. *Human Geography*, 19-32.
- Allen, J. (2003). *Lost geographies of power*. Oxford: Blackwell Publishing.
- Amin, A. (2004). Regions unbound: Towards a new politics of place. *Human Geographies*, 33-48.
- Andaya, J. P. (2006). Demystifying the state and recognizing indigenous peoples as other: An approach to intercultural dialogue. *Proceedings of the Philippine Sociological Society National Conference, October 20-21*. Manila: De la Salle University.
- Baguio City Planning and Development Office. (2014). *The Comprehensive Land Use Plan of the City of Baguio (2014-2023)*. Baguio City: City Government of Baguio.
- Beauregard, R. A. (1987). The object of planning. *Urban Geography*, 367-373.
- Beneria-Surkin, J. (2004). Has multiculturalism arrived? Reflections on indigenous people, power, knowledge in Bolivia. *Planning Theory and Practice*, 109-124.
- Bennagen, P., & Lucas-Fernan, M. (1996). *Consulting the spirits, working with nature, sharing with others: Indigenous resource use in the Philippines*. Quezon City: Sentro Para sa Ganap na Pamayanan.
- Berke, P., Ericksen, N., Crawford, J., & Dixon, J. (2002). Planning and indigenous peoples: Human rights and environmental protection in New Zealand. *Journal of Planning Education and Research*, 115-134.
- Burnham, D. H., & Anderson, P. (1905). Preliminary Plan of Baguio, Province of Benguet, P.I. *Sixth Annual Report of the Philippine Commission, Part 3*. Washington: Government Printing Office.
- Buhangin, J. F. (2012). *Towards a framework for planning indigenous regions in the Philippines: The relational approach*. Louvaine: Katholieke Universiteit Leuven.
- Carifio, L. G. (2001). The first Philippine Republic in Benguet. *Kasaysayan: Journal of the National Historical Institute*, 104-115.
- Cimatu, F. (2018, July 16). *Federalism is the spoiler of the Cordillera autonomy party*. Retrieved from Rappler: <https://www.rappler.com/nation/207454-federalism-spoiler-cordillera-autonomy-party>

City Environment Protection and Management Office. (2010). Enhancing solid waste management capabilities through behavioral modeling: The case of selected urban and rural communities in Baguio City and the Municipality of La Trinidad.

Cleto, M. (2010). *Current state of the Baguio environment*. Quezon City: Toyota Foundation.

Congress of the Philippines. (1997). Republic Act No. 8371 (Otherwise known as The Indigenous Peoples' Rights Act of the Philippines). *Official Gazette*, 5- 38.

Cordillera Peoples Alliance. (2009). *Ti daga ket biag = Land is life: Selected papers from three Cordillera multisectoral land congresses (1983, 1994, and 2001)*. Baguio City: Cordillera Peoples Alliance.

Department of Environment and Natural Resources. (2000). *Baguio Ancestral Lands Master List as of March 1999*. Baguio City: DENR-Cordillera Administrative Region.

Duhaylungsod, L. (2001). Rethinking sustainable development: Indigenous peoples and resource use relations in the Philippines. *Bijdragen tot de Taal, Land en Volkenkunde, The Philippine Historical and Social Studies*, 609-628.

Endrigo, D. (2004). *The language of environmental planning in the Philippines*. Quezon City: School of Urban and Regional Planning, University of the Philippines and UP Planning and Development Research Foundation.

Ferrer, M. C. (2005). The Moro and the Cordillera Conflicts in the Philippines and the struggle for autonomy. *Ethnic Conflicts in Southeast Asia*, 109-140.

Finin, G. A. (2005). *The making of the Igorot: Contours of Cordillera consciousness*. Manila: Ateneo de Manila University Press.

Hale, C. R. (2006). Activist research vs cultural critique: Indigenous land rights and the contradictions of politically engaged anthropology. *Cultural Anthropology*, 96-120.

Hamada-Pawid, Z. (1983). *A people's history of Benguet*. Baguio City: University of the Philippines.

Healey, P. (1997). *Collaborative planning*. London: MacMillan.

\_\_\_\_\_ (2002). On creating the "City" as a collective resource. *Urban Studies*, 1777-1792.

\_\_\_\_\_ (2003). Collaborative planning in perspective. *Planning Theory*, 101-123.

Housing and Land Use Regulatory Board. (2013). *A Guide to Comprehensive Land Use Planning*. Quezon City: HLURB.

*Abordo & Coronacion*  
*The Constructions of Indigenous Lands and Domains...*

---

- Kapoor, I. (2002). Capitalism, culture, agency: dependency vs postcolonial theory. *Third World Quarterly*, 647-664.
- Lane, M. B. (2003). Participation, Decentralization, and Civil Society: Indigenous Rights and Democracy in Environmental Planning. *Journal of Planning Education and Research*, 360-373.
- Lane, M., & Hibbard, M. (2005). Doing it for themselves: Transformative planning by indigenous peoples. *Journal of Planning Education and Research*, 172-184.
- Lane, M., Brown, A., & Chase, A. (1997). Land and resource planning under native title: Toward an initial model. *Environmental and Planning Law Journal*, 249-258.
- Lefebvre, H. (1991). *The Production of Space*. Oxford: Blackwell.
- \_\_\_\_\_ (2003). *The Urban Revolution translated by R. Bononno*. Minneapolis: University of Minnesota Press.
- Marbury-Lewis, D. (1992). *Indigenous peoples, ethnic groups, and the state*. Boston: Allyn & Bacon.
- Massey, D. (1999). Spaces of politics. In D. Massey, J. Allen, & S. P. (Eds.), *Human Geography Today*. Cambridge: Polity Press.
- Medina, C. (2003). *Understanding the Ifugao rice terraces*. Baguio City: Saint Louis University Cordillera Research and Development Foundation.
- Mendoza, L., & Prill-Brett, J. (2009). Communal land management in the Cordillera Region in the Philippines. In J. Perera, *Land and cultural survival: The communal rights of indigenous peoples in Asia* (pp. 35-61). Manila: Asian Development Bank.
- Molintas, J. (2004). The Philippine indigenous peoples' struggle for land and life: Challenging legal texts. *Arizona Journal of International and Comparative Law*, 269-304.
- Murdock, J. (2006). *Post-structuralist Geography: A guide to relational space*. London: Sage Publications.
- Prill-Brett, J. (1990). *Baguio: A multiethnic city and the development of the Ibaloi as an ethnic minority*. Baguio City: Cordillera Studies Center, University of the Philippines College of Baguio.
- Purcell, T., & Onjuero, E. (2002). Indigenous knowledge, power, and parity. In T. Purcell, & E.

- Onjuero, *Participating in Development: Approaches to indigenous knowledge* (pp. 115- 136). New York: Routledge.
- Rangan, H., & Lane, M. B. (2001). Indigenous peoples and forest management: Comparative analysis of institutional approaches in Australia and India. *Society and Natural Resources*, 145-160.
- Reed, R. (1999). *City of pines: The origins of Baguio as a colonial hill station and regional capital, 2nd. ed.* Baguio City: A-Seven Publishing House.
- Reves, D. (2005). *Planning for Diversity: Policy and planning in a world of difference.* New York: Routledge.
- Reyes-Boquiren, R. (2001). Unmasking the colonial myth: The Northern Cordillera and Ilocos during the Filipino-American War. *Kasaysayan: Journal of the National Historical Institute*, 116-125.
- \_\_\_\_\_ (2009). The nature of the land problem in Baguio City. In C. P. Alliance, *Ti Daga Ket Biag: Selected papers from three Cordillera Multi-sectoral land congresses* (pp. 65-98). Baguio City: Cordillera Peoples Alliance.
- Sandercock, L. (1998). *Making the invisible visible: A multicultural planning history.* Berkeley, CA: University of California Press.
- Sandercock, L. (2000). When strangers become neighbours: Managing cities of difference. *Planning theory and practice*, 13-30.
- Scott, W. H. (1974). *The discovery of the Igorots: Spanish contacts with the pagans of Northern Luzon.* Quezon City: New Day Publishers.
- Scott, W. H. (1975). *History on the Cordillera: Collected writings on Mountain Province history.* Baguio City: Baguio Printing and Publishing Co.
- Serote, E. (2004). *Property, patrimony, and territory: Foundations of land use planning in the Philippines.* Quezon City: SURP, UP and the UP PLANADES.
- Soja, E. (1989). *Postmodern Geographies.* London: Verso.
- Soja, E. (1996). *Thirdspace: Journeys to Los Angeles and other real-and-imagined places.* Oxford: Blackwell.
- Spivak, G. C. (1988). Can the cubaltern speak? In N. C., & L. Grossberg, *Marxism and the interpretation of culture* (pp. 271-313). Basingstoke: McMillan Education.
- Tiffin, C., & Lawson, A. (1994). *De-scribing empire: Postcolonialism and textuality.* London and New York: Routledge.

*Abordo & Coronacion*  
*The Constructions of Indigenous Lands and Domains...*

---

Tolentino, D. (. (1994). *Resistance and Revolution in the Cordillera*. Baguio City:  
University of the Philippines Baguio.

Yiftachel, O. (2009). Critical theory and 'gray space': Mobilization of the colonized  
*City*, 240-256.

Young, G. (2008). The culturization of planning. *Planning Theory*, 71-91.