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More Indigenous than Others: The Paradox of Indigeneity among the Higaunon Lumad

Oona Paredes

In the Philippines there is a stark disconnect between the static notion of indigeneity legalized by the state and an emic concept employed by Indigenous peoples themselves. This paper explores indigeneity as operationalized by the Higaunon of Mindanao, one of the island's many Lumad or indigenous groups. Higaunons conceptualize 'indigeneity' as determined by ancestral pedigrees tied strongly to place and geography, and according to the precedence of founding ancestors, whose direct descendants are recognized universally as being 'more indigenous' than others. In the Higaunon case, indigeneity is a modern legal concept with both national and global pretensions, as well as a deeply embedded, pre-existing, highly localized cultural concept that overrides all other considerations. While efforts at poverty alleviation have seen Higaunons emphasize community unity, this indigenous/emic notion of indigeneity continues to intervene where ancestral precedence is at risk of being superseded by 'universal'/etic notions of indigeneity that romanticize an egalitarian ethic and cultural inclination towards democratization. In Mindanao, at least, indigeneity as a working concept depends heavily on how such disconnects are negotiated and reconciled with respect to codes of national and customary law.

Keywords: Indigeneity, Philippines, Mindanao, Lumad, Indigenous leadership, Indigenous Peoples.

As we attempt to theorize 'indigeneity' within the context of modern global Indigenous peoples' movements, it may be worthwhile to

examine how Indigenous peoples themselves conceptualize it. One common thread is the extent to which the various legal, especially state, definitions of ‘Indigenous’ reflect external conceptualizations imposed by either the state or other external players, and they retain a surprising degree of continuity from the colonial past, whether the colonial experience brought with it foreign settlers or created ethnic minorities out of a population of natives. The Philippines is an example of the latter, with comparable dilemmas of definition, governance and identity found in other Southeast Asian nations. Indeed, a dominant feature of the Indigenous struggle in Southeast Asia, despite its extensive colonial history, is the absence of a dominant class of white Western settlers. However, settler colonialism is not totally absent in the region, and internal colonialism is no less essentialized or racialized (Aguilar 2005, pp. 605–38; Morton 2017, pp. 1–29). That said, a look beyond the concerns of the state and the internationalist pretensions of non-governmental organizations and other local advocates of Indigenous rights shows how cultural realities on the ground inform the way in which ‘indigeneity’ is operationalized, and this helps us to make better sense of what establishing an Indigenous positionality might mean in practice, especially in a country of natives.

This paper explores the multiplicity of meanings that ‘being Indigenous’ may have for indigenous ethnic minorities in the Philippines, and what complexities may arise when divergent but equally compelling concepts of indigeneity are at play in a given setting. I focus on the case of the Higaunon, one of the Lumad¹ groups of Mindanao, with whom I have worked on and off since 1994. I highlight several distinct modes of indigeneity that coexist in modern Higaunon life in the southern Philippines, with a particular focus on how indigeneity is operationalized within the context of long-established customary law. These different modes of indigeneity are informed by very different meanings and contexts that Higaunons must juggle in order to maintain a politically viable Indigenous or ‘tribal’ identity in the twenty-first century.

Long-term Research with the Higaunon

The Higaunon are one of the largest and most diverse of the Lumad groups, with a population estimated conservatively at over 250,000 in previous decades.² This population is distributed across six provinces in northern Mindanao—from west to east: Misamis Occidental, Lanao del Norte, Bukidnon, Misamis Oriental, Agusan del Norte, Agusan del Sur—and is comprised of multiple descent groups whose genealogies do not necessarily connect, in some cases, for more than a century back in time. There is considerable variability in the modern-day lifeways of Higaunons, ranging from rural farming to urban wage labour, but all of them regard a forest-based subsistence, based on swidden agriculture supplemented by hunting and collecting—practices followed by a minority of Higaunons today—as the traditional way of their ancestors.

Since 1994, I have been conducting research on and with Higaunons in Misamis Oriental province, beginning with initial field research on land issues for my master's thesis (completed in 1997), followed by archival research for my doctoral thesis (completed in 2008), and a return to field research with a new collaborative study on oral traditions and traditional political authority since 2012. Most of my research has been centred on the community of Baligiyan, with research in other communities initiated primarily through Baligiyanon kinship ties and their social and political networks. Over the past quarter-century I have actively maintained a connection with my interlocutors in Baligiyan and elsewhere. In the past this was accomplished through letters, text messages on mobile phones and the occasional Skype call when possible. These days, when I am not in Mindanao, I maintain this connection through constant exchanges on Facebook, a social media platform that is easily accessible to anyone with a mobile phone, even in isolated rural areas of the Philippines. Many of these Facebook friends today are the adult children of my earliest Higaunon interviewees, including men and women I first met as small children, some of whom now have their own growing families. For this paper, I draw on my

unique long-term perspective—both personal experiences and my extensive body of work—on how Higaunons across the generations have responded to the challenges of being Indigenous minorities in the modern Philippines.

My own positionality relative to the question of indigeneity and Mindanao also bears unpacking. I am Filipino and American, but was born and raised in the Philippines. I am also from Mindanao and identify strongly as a Mindanawon—that is, someone ‘from’ Mindanao. As a Southeast Asian scholar of Southeast Asia, I have been based in institutions both in the region (National University of Singapore) and in the United States (University of California, Los Angeles, among others), and have as complex a relationship with both ‘the field’ in Mindanao and the field of Anthropology as any of the authors in this special issue (Chua and Idrus, this volume, p. 7). An additional layer of complexity defines my own biography, in that my maternal ancestry in Mindanao can be traced back two centuries through the Church records of Talisayan and Medina in Misamis Oriental province. According to Datu Limpukawan, a Higaunon culture-bearer and traditional leader, as well as my co-investigator and primary interlocutor for the oral history study,³ my earliest known ancestors had an unambiguously *lumad* (indigenous) name, Awitan. As such, he introduces me routinely to other Higaunons as someone whose family is *lumad* to nearby Talisayan. While he is very careful not to call me a Lumad person, he nonetheless identifies my roots as being native to this land. This is his way of mitigating for others my fraught positionality as an outsider who comes from great privilege but, unlike other outsiders, has profound ties to the land. My allyship is welcomed and held to account by Datu Limpukawan and other Higaunons within this context.

Of course, as I explain in the next section below, there is an obvious and important distinction between having indigenous ancestry and being Indigenous. Someone like me—whose ancestors converted two centuries ago to Catholicism, assimilated to the mainstream, and nurtured relationships and built communities with other Catholics, most of them settlers from elsewhere in the Philippines—has no

legitimate claim to Indigenous status, no matter how it is defined today. Despite a clear line to aboriginality generously bestowed on me by my esteemed Higaunon friend, it was, in fact, people like my indigenous ancestors who would later displace, exploit and marginalize Indigenous peoples like the Higaunon. In terms of Indigenous studies, I understand both my positionality as a researcher and my responsibilities as an ally to my interlocutors through this multilayered lens.

Paradoxical Indigeneity

As I have discussed elsewhere, the essential paradox of Indigenous peoples in the Philippines is the fact that, given the negligible percentage of immigrants throughout its history, nearly all Filipinos are—technically, literally—of indigenous descent (Paredes 2018, p. 341). As in my previous work, I am making a distinction between the literal and political uses of the word ‘indigenous’, both of which are, in my experience, often conflated and enmeshed too problematically for productive discussions about Southeast Asia. For the literal dictionary meaning of ‘indigenous’ (indicated by a lowercase initial), I am referring to those who were the original or earliest known inhabitants of a given place. This aboriginality is rooted specifically in a tangible territoriality that—often, but not always—has been disrupted by land-grabbing and population displacement. As pointed out in the introduction (Chua and Idrus, this volume), in this region, both minorities and majorities have, in almost all cases, equal claim to being technically indigenous and, because of the ethnic fluidity that characterizes the region, are not represented accurately by the ‘classic’ settler-Indigenous opposition of white-settler states.

On the other hand, ‘Indigenous’ (indicated by an uppercase initial) is an explicitly political, modern concept and a global social movement. As explained in the introduction by Chua and Idrus (this volume), it refers specifically to a marginalized condition that applies to some native populations in Southeast Asia but not others. This type of Indigenous status also marks such communities in fellowship

with other minoritized and marginalized native peoples in other parts of the world, regardless of their current territorial conditions or history of coloniality, and in opposition to politically and culturally dominant Others (Morton 2017, pp. 1–29). Indigenous status travels with an individual regardless of their territorial attachment, as they actively retain this particular positionality off-territory vis-à-vis their national compatriots, even in diaspora (Ruanto-Ramirez 2013, pp. 569–72; Longboan 2011, pp. 319–26).

With this distinction between ‘indigenous’ and ‘Indigenous’, I discuss the experience of one Indigenous group as an invitation to recontextualize and localize the global discourses surrounding indigeneity. The discourse on indigeneity and decolonization continues to be informed fundamentally by racialized Western histories of settler colonial dispossession, thus proving a challenge for the Southeast Asian context in that considerable attention must always be given to an explanation of its deviance from the presumed ‘universal’ norm (Morton, Wang and Li 2016, pp. 580–89; Erni 2008).⁴

In the Philippines, the stark contrast between mainstream Filipinos and indigenous minorities of today is a product of both the Spanish (1521–1898) and American (1898–1946) colonial periods. Conversion to Christianity alongside colonial incorporation of the lowland and coastal areas of the archipelago over several centuries of Spanish administration resulted in the broad and profound Hispanization of the majority of the population, with the considerably less Hispanized and unconverted remaining in the colony’s political, cultural and geographic periphery (Scott 1982, pp. 28–41; Paredes 2017b, pp. 234–39). Later, in the era of American eugenics in the early twentieth century, Filipinos were racialized ‘scientifically’ by American administrators (Hawkins 2013, pp. 26–53) into three general categories: Filipinos, or the mainstream Hispanized and Christianized population; Moros, the archipelago’s indigenous Muslim or Islamized ethnic groups, considered inherently civilized due to their association with the ‘great tradition’ of Islam; and, finally, a motley assortment of ‘Non-Christian Tribes’ who were regarded as the least evolved of all the Filipino natives (Aguilar 2005, pp. 611–17).⁵

Today, Philippine postcolonial state policies are still built upon these explicitly racialized colonial foundations, though the ‘Non-Christian Tribes’ are now referred to as Indigenous Peoples, often abbreviated, in the usual Filipino fashion, to ‘IPs’. The majority of IPs are further sub-categorized broadly as follows: Cordillerans in Northern Luzon (the peoples referred to historically as the ‘Igorots’); the Mangyans in the central Visayas region; the diverse ‘Negrito’ populations scattered throughout the archipelago; the indigenous ethnic groups of Palawan island; and the Lumads on the island of Mindanao (Paredes 2018, pp. 343–48).⁶ The Higaunons are one of the larger Lumad groups, part of the dominant Manobo language and culture family.

As stated previously, the Philippines is not a settler state like Australia or the United States, both of which were colonized by Europeans for the purpose of resettlement.⁷ Though Spanish and American colonialism played a major role in the transformation of the archipelago into what is now the Philippines, the role of settlers is more nuanced here than in the white/Western-settler states. Prior to the twentieth century, the colonial-era religious conversion and cultural Hispanization of the most directly colonized and incorporated areas led to the present ethnic differentiation we can observe today. Rather than the in-migration of culturally foreign, phenotypically distinct settlers, there was the incursion of other native settlers on to IP areas. Natural resource exploitation, in the name of progress and economic development, has also played an aggressive role in the territorial displacement and marginalization of IPs throughout the archipelago.

On the island of Mindanao, in the southern part of the archipelago, there is a notable history of deliberate settler colonization; a mass migration that was not organic but that was encouraged and subsidized by the government. In the latter half of the American colonial period, restive farmers in the more densely populated islands to the north were encouraged to resettle in the ‘empty’ lands of Mindanao, then loosely populated by indigenous Lumads and Moros. This became a state-sponsored programme after Philippine independence in 1946,

with agricultural subsidies, small loans, infrastructure development and other support provided for thousands of migrant Filipino farmers, all at the expense of indigenous Moro and Lumad interests (McKenna 1998, pp. 113–38). Whereas Moros were once the dominant group on the island, they now make up about thirty per cent of the population, even with a much higher birth rate than the mainstream population. The Lumads, a category that includes approximately eighteen ethnic groups, many of whom speak mutually unintelligible languages and live as small-scale subsistence farmers in the uplands of Mindanao, now represent approximately ten per cent or less of the island's total population. This makes 'Christian' settlers and their descendants the dominant population category today, both demographically and politically (Paredes 2015, pp. 168–70).

Questions of indigeneity in Mindanao typically arise within the context of land conflicts. Because of its scarcity today, land has long been a significant driver of interpersonal conflict in the southern Philippines (Paredes 2018, p. 348; 1997, pp. 270–90). Conflicts over access to and control over land are a recurring problem, whether it be between or within communities, families and ethnic groups or between such parties and government or corporate interests, armed non-state actors, religious groups and others. Against this backdrop, Lumads have continued to assert their traditional rights over their own lands, with several Higaunon communities successfully completing the process to obtain legal titles of ancestral domain, sometimes through joint effort with other communities, in accordance with key provisions of the national Indigenous Peoples Rights Act of 1997, known more commonly as the IPRA.⁸

Among the Higaunon, their own understanding of indigeneity, one based on precedence rather than aboriginality or a concept of authenticity, continues to inform their relationship to specific lands and the legal claims that they make. A closer look at one Higaunon area shows that indigeneity can mean different things on the ground simultaneously. In the section that follows, I discuss indigeneity as multiple conflicting modalities that reflect the complex realities of being Indigenous in modern Southeast Asia. As I explain below, these

modes have their own criteria for the performance of indigeneity, with requirements that often contradict and can, at times, even undermine each other.

Modes of Indigeneity

The primary, default mode for all Indigenous peoples globally is probably best labelled as the presumptively ‘universal’ mode of indigeneity that, though accepted and understood intuitively and broadly, is informed primarily by the experience of oppression and resistance shared by peoples subjected to settler colonization by Europeans, such as in the Americas and in Australia and New Zealand. In this mode, it was the violence of territorial and demographic displacement by culturally and racially distinct, foreign Others that resulted in an Indigenous/non-Indigenous divide in which those with a prior claim to the land became politically, culturally and economically marginalized by newcomers who dominated them militarily and demographically. It is what most people have in mind whenever the term ‘Indigenous peoples’ is used.

Whilst this did not happen as such in Southeast Asia, significant internal migration over the past century has resulted in varying degrees of settler colonialism that produced a comparable effect. In the Philippines, this effect is felt most keenly in outlying areas of the archipelago that were considered ‘frontiers’, such as the islands of Mindanao and Palawan (Ocampo 1996; Paredes 2019, pp. 89–91). In such places, indigenous peoples do have broadly comparable experiences of marginalization, territorial displacement and cultural alterity vis-à-vis settlers from the outside that allow them to find a great degree of resonance with this ‘universal’ mode of indigeneity. This is precisely how Higaunons relate to the term ‘Indigenous’, and the meaning they are communicating when using the English term, which has been adopted into their lexicon using their own unique pronunciation: ‘in-DAI-je-noss’.

Within Southeast Asia, a region characterized by extreme diversity and mobility, each modern state has its own definition of and terminology for ‘indigenous peoples’, which is at odds with the

‘universal’ Western mode in different ways (Erni 2008, pp. 275–304). In lieu of creating new terminology, the Philippines has adopted the English term ‘indigenous peoples’, or IP, echoing the language of the universal mode, thus invoking the ‘classic’ indigenous-settler dynamic. Higaunons and other Philippine IPs also use the English term deliberately, and almost exclusively, when invoking their rights outlined in the IPRA. This national, legal mode of indigeneity is aligned deliberately with the dominant international/Western discourse pertaining to Indigenous peoples. It is no accident that this is also how mainstream, educated Filipino civil servants understand their connection to Indigenous minorities. The original intent of the law was to recognize and protect minority rights and provide a legal mechanism through which such communities could secure their ancestral lands. However, this mode also relies almost exclusively on self-identification and, given that mainstream Filipinos and IPs are indistinguishable phenotypically, the resulting ambiguity sometimes engenders fraudulent claims to Indigenous status by mainstream Filipinos for financial or other gains (Paredes 2019, pp. 98–99; 2017a, pp. 172–73).

One major problem with this national, legal mode is the extent to which it is informed by popular stereotypes of Indigenous peoples. This includes stereotypes of Indigenous cultural practices as being inherently harmonious with nature, beyond the inclinations of ordinary human beings (Perez 2018; Theriault 2014, pp. 346–70). The trope of the ecologically noble savage is so powerful that it affects Indigenous peoples all over the world, and the Philippines is no exception. In fact, one of the key justifications for the IPRA’s ancestral land provisions was the notion that public land would be better off under the stewardship of IPs than corporations, government agencies or ordinary Filipinos. It was enshrined in Department Administrative Order No. 2 (1993),⁹ the government order that originally proposed and outlined a process for the delineation of ancestral domains, which in turn forms the basis of all subsequent ancestral domain titles that exist today. The basic policy includes the statement that,

the government recognizes the importance of promoting indigenous ways for the sustainable management of the natural resources such as the ecologically sound traditional practices of the indigenous cultural communities. (as cited in Abelardo 1993, p. 128)

Based on conversations I had in the 1990s with agents of the Department of Environment and Natural Resources in both Mindanao and Metro Manila as I followed up on Higaunon land issues, this was a sincerely held belief among the leadership and an important reason why extremely stringent requirements for environmental protection are imposed on all ancestral domain holders. Despite the hardships these requirements sometimes cause, IPs “have no other choice but to concede to the State its right to conserve critical areas for the common good” (Abelardo 1993, p. 129).

In addition to these broad global and state-level modes, Higaunons and other IPs must also negotiate more particular ground-level modes of indigeneity that are highly localized. One pervasive mode of indigeneity involves the explicit social reproduction of the more obvious aspects of Indigenous culture that satisfy mainstream Filipinos’ preconceived and highly romanticized notions of ‘tribal’ culture. It is powered by the national nostalgia for an imagined pre-colonial Filipino culture, one uncorrupted by Western influences, as discussed by Scott (1992, pp. 1–14) and others (e.g., Rice 2015, pp. 93–136; Paredes 2000, pp. 74–90). This nostalgia demands readily recognizable and ultimately commodifiable, if somewhat dubious, artefacts of indigeneity; a major reason why impersonation—including non-Indigenous people who ‘self-indigenize’, as in the manner of *pretendians* in the North American context (e.g., Cobb 2014; Leroux 2019, pp. 1–37)—and land fraud are so rampant among Indigenous claims. Nostalgic indigeneity is exemplified by cultural dances and songs, colourful costumes and headdresses, and stylized rituals that are designed primarily for the consumption of the non-Indigenous public—the more exotic-looking, the better. As such, it consists mostly of anodyne samples of material culture that appeal strongly to mainstream Filipinos, including those in the diaspora,

seeking to actualize an ‘authentic’ decolonized identity, such as jewellery, tattoos, fabrics and other objects that register as ‘tribal’ to Filipinos’ highly Westernized sensibilities (e.g., Salvador-Amores 2011, pp. 306–16; Casumbal-Salazar 2015, pp. 74–94). While these performances may occur in a variety of contexts, they are experienced most commonly as part and parcel of public civic events, such as school- or government-hosted ceremonies or celebrations. All the Higaunon college students I knew personally maintained a costume and ‘cultural’ routine for such performances, which, they complained, they were sometimes required, on pain of losing their already limited government scholarships, to undertake on absurdly short notice and at the expense of their studies.

Yet another performative mode is one that signals *pugkahigaunon* or ‘Higaunon-ness’ to other Higaunons who—concerned by their alienation from their own ancestral culture because of urban migration, advanced schooling, intermarriage or other factors—seek reconnection to and revitalization of their identity (Paredes 2019, pp. 95–97). This mode is quite common amongst younger Higaunons who feel the need to assert their identity in the face of discrimination and prejudice from Filipino teachers and classmates in the schools they attend or from their co-workers in the lowlands. For the most part, this seems to involve the redefinition of ‘Higaunon-ness’ without purist concerns about cultural authenticity or customary law, especially as more and more Higaunons become urbanized. In this mode, ‘Higaunon-ness’ is reproduced as a broader, more generic and somewhat calcified ideal of ‘Higaunon’ that downplays the less tangible elements of the culture that are difficult to integrate into modern urban life, such as place-genealogy, discussed further below. Instead, easily adaptable elements are emphasized, such as using traditional beadwork techniques to make mobile phone carriers, using traditional patterns or *dayan-dayan* to ‘indigenize’ modern implements like athletic shoes, motorcycle helmets and belts, composing popular music in the Higaunon language, and converting Christian prayers and sermons to traditional song and debate forms. With the commodification of their culture, the authenticity of one’s ‘Higaunon-ness’ is becoming

less about preserving ancestral traditions authentically and more about managing the reinterpretation of Higaunon culture in response to the needs of Indigenous moderns.

Finally, Higaunons also draw on their ancestral concept of indigeneity that relies on precedence and place-genealogy, as reckoned through the key founding ancestors in their oral traditions and customary law. In this ‘ancestral’ mode, on which the remainder of this paper shall focus, one’s place-genealogy determines one’s use rights and political authority vis-à-vis the land. As explained below, it traces descent from a given settlement’s founding ancestors. At first glance, this ‘ancestral’ mode appears to be about basic aboriginality, but it is paradoxically more exclusionary of other Higaunons and much more inclusive of non-Higaunons than the modes of indigeneity that I have previously mentioned. In fact, it clashes quite directly with how ancestral lands are awarded and administered under the IPRA law. But first, I shall contextualize how this concept is operationalized in Higaunon customary law.

Customary Law among the Higaunon Lumad

My field research to date has focused on the Higaunons of Misamis Oriental province, specifically those in the southeastern corner at the borders of Bukidnon and both the Agusan provinces (del Norte and del Sur). This area is also at the border of two higher-level government jurisdictions. Thus, the main community I have worked with since 1994 has settlements, ancestral lands and long genealogies that straddle the border of Region 10 on the western side and Region 13 on the eastern side. Though remote and difficult to access safely during rainy season, lowland settlers have long penetrated this area, with the ersatz town of Eureka serving as the centre of this sparsely populated *barangay* (village), the term for the smallest local government unit (LGU) with elected officials in the Philippines. Eureka is one of seventy-nine *barangays* within the City of Gingoog, whose centre is located on the coast, some 25–30 kilometres away. Eureka initially exudes a gloomy, economically depressed, muddy frontier vibe that subsequently gives way to

open sky and the breathtaking forested expanse of one Higaunon community's ancestral territory, known as Baligiyan. Eureka proper has a mixed Indigenous and settler population. In contrast, Baligiyan, which accounts for most of the *barangay* in Eureka's extensive acreage, remains an almost exclusively Higaunon settlement and language environment.

I have discussed elsewhere how the current LGU system of governance in the Philippines, with its emphasis on local autonomy, has both empowered local politicians and increased the dependence of Lumads and other IPs on corrupting clientelistic practices (Paredes 2017a, pp. 160–64; 2016, pp. 342–44). In response to national and local politics, Higaunons have developed over time significant new loci of political authority that cater specifically to the current system of governance; a process that continues to evolve in tandem with government policy towards Indigenous peoples, specifically concerning the complex process of claiming ancestral lands and obtaining legal title to such lands. With the success of an ancestral land claim comes the responsibility of managing it in accordance with conservation and other environmental requirements placed specifically on officially recognized ancestral domains. Each domain has a designated set of beneficiaries whose rights to the land extend to their direct descendants.

Beyond the ancestral domain, political authority can also be exercised over other areas of each local government unit, and at different jurisdictional levels, from the smallest *barangay* to the city or municipal level all the way up to the provincial level. In each jurisdiction and at each level, the question of indigeneity surfaces as a matter of establishing the political legitimacy of elected officials and appointees to speak for the Indigenous. There are a surprising number of cases within the jurisdiction of Gingoog of non-Lumads attempting to pass themselves off as Higaunons in order to obtain political appointment and gain control over land (Paredes 2019, pp. 94, 98–99; 2017a, pp. 172–73). But amongst Higaunons, the legitimacy of political leaders is contested not only over their individual suitability and effectiveness for that specific office, but

also over how closely they hew to the standard set by the *Bungkatol ha bulawan daw nangka tasa ha lana* (Higaunon customary law).

Political legitimacy is particularly difficult to gauge because of the acephalous nature of Higaunon communities, in that “in public they emphasise consistently a high degree of social cohesion and solidarity, yet they are in fact highly individualistic, acting on a distinctly libertarian ethic” (Paredes 2017, p. 164). This is true beyond the internal politics specific to each community. While Higaunons are obviously concerned about their plight in general and consider it vital to foster cooperation among different descent groups, each community is also fiercely protective of the political power and legal rights of their own specific descent groups. Ultimately, for Higaunons, the most important type of indigeneity is determined by one’s membership in the original descent groups whose ancestors established the territory in question.

For example, in Baligiyan, a Higaunon from elsewhere who has married into the community would not have any right to assume a leadership role as a *datu* or a *bae* (title for men and women respectively). Such rights are reserved for the descendants of the community’s founders according to principles of precedence established by both customary law and Baligiyan’s *panud* (genealogy).¹⁰ A Higaunon from elsewhere may be a rightful *datu* in his own community, and as such would be accorded some deference and respect, along with the acknowledgement that he is an Indigenous person. But within Baligiyan he would have as much right to leadership as a non-Indigenous settler. Only the *datu* and *bae* of Baligiyan have a legal voice in Baligiyan in terms of customary law. This principle of indigeneity remains essential even though Higaunon social and political organization is quite loosely structured and an egalitarian ethos is asserted regularly both within and between communities (2017a, pp. 164–66).

The Mothers and Fathers of the Land

Place-genealogy is tied directly to recognizing indigeneity in relation to Higaunon ancestral lands—specifically, the residential and use rights connected to that land. As I have explained elsewhere, Higaunons recognize two types of membership in a community whose overall status differs based on the principle of precedence (Paredes 2016, p. 343; 2017a, p. 165).¹¹ The *ininay daw inamay* are the direct descendants of the original founding ancestors, and the term translates to ‘mothers and fathers of the land’. I note that the ‘mothers and fathers of the land’ are not necessarily its original occupants, but those who established the existing community. In fact, Baligiyan’s oral traditions relate that their ancestors arrived from another river system and, through brutal warfare, displaced other natives whom they considered to be ‘without law’. In any case, only members of these special founder lineages are considered legitimately ‘indigenous’ to a particular place and, among other privileges, they are accorded more political authority and respect with regard to the political life of the community, as well as specific rights to decide how the land can be used and by whom. The *ininay daw inamay* are tied to specific jurisdictions, and one’s *ininay* status only applies within one’s own ancestral lands, and not in any other. Being an *ininay* is determined strictly by place-genealogy, regardless of one’s actual residence, cultural competence or other ties to the land.

In contrast, permanent members of the community who are not one of the *ininay daw inamay* are called the *dinawatan*. This is a special class of outsiders that have been accepted by the *ininay* into their community and permitted to reside and farm within the ancestral land. The *dinawatan* are typically the spouses and in-laws of the *ininay* who originated from outside the community, regardless of ancestry. All permanent members of a Higaunon ancestral community who originated elsewhere are *dinawatan*, regardless of ethnicity, whether they be Higaunons, other IPs, Filipino settlers or foreigners from other countries. In contrast, if the government attempted to resettle a displaced Higaunon community in Baligiyan, with the

assumption that all Higaunons have rights to Higaunon land, it would be opposed violently because Baligiyan land belongs to their *ininay daw inamay* only, and is in no way fungible as ‘Higaunon land’. This idea is particularly tenacious despite the united front routinely presented to non-Higaunons when Indigenous rights issues are raised. To someone from Baligiyan, anyone from outside the community is an outsider, and it does not really matter whether they are fellow Higaunons or not.

Regardless of a community’s settlement history, the identity of its own *ininay daw inamay* is always tied to the river system that marks the land they claim. Baligiyan is thus named after the Baligiyan river that runs through that domain, and its people refer to themselves as Baligiyanon. This is how they differentiate themselves from Higaunons elsewhere, whose ancestors likewise named themselves after their own rivers. Migration and resettlement do not invalidate indigeneity claims but are instead occasions for the creation of new riverine identities, as new founders are recognized and genealogies transition accordingly. For example, the ancestors of the first Baligiyan *ininay* were originally from another river system to the west, Tagoloán, who decided to migrate some fifteen or so generations ago, or around three hundred years previously, likely spurred by the outbreak of political and religious factionalism after the arrival of Iberian missionaries in the early colonial period (see Paredes 2013, pp. 122–36). The Tagoloánon families that arrived in Baligiyan then established a new community, and therefore a new *ininay daw inamay*. It is their descendants who, as Baligiyanon, retain legal and political precedence according to customary law. All these events are recorded in the community’s *panud* (genealogy) and legitimize their claim to that land. Though other Tagoloánon may be recognized as related to the Baligiyanon, they are not *ininay* within Baligiyan. For Higaunons, therefore, ‘indigeneity’ is strictly a function of place-genealogy and precedence, and not about an essential aboriginality.

Indigeneity from the Land

At present, the primary, all-consuming focus of all Lumad (and other IP) communities' efforts in the Philippines is on holding on to what little land is left by claiming them as 'ancestral domains' per the IPRA law. Securing the land in the form of legally titled ancestral domains is widely seen as the only real answer to the current plight of Higaunons and other Lumads in the modern Philippines, and perhaps the only sure way to disrupt the downward economic and political trajectories of the country's Indigenous minorities in general. As such, in the two decades since the passage of the IPRA law, IPs and their advocates have focused their energies on fulfilling the many bureaucratic and other requirements for the recognition of their land claims.

While many ancestral domain claims have been successful on paper, problems of implementation and protection from development projects and settlers continue. And the fact remains that population growth and other pressures will increasingly impinge upon these limited parcels of land, making migration away from ancestral lands all but inevitable for most Indigenous peoples in the Philippines. Higaunons and other Lumads thus suffer varying degrees of alienation from their ancestral lands, and this alienation can have a profound influence on how indigeneity is both reckoned and performed, including what role customary law will continue to play in marking ethnic identity and legitimating political authority.

Within communities that remain on their own ancestral lands, the distinction between the *ininay daw inamay* and the *dinawatan* is unambiguous. When it comes to political legitimacy and land rights within a Higaunon community, indigeneity—in accordance with customary law—is reckoned as an individual's direct descent from the founding ancestors of that specific community. This is an ascribed status that is definitive and notably independent of cultural competence or residency. Being accepted as a *dinawatan*, on the other hand, depends entirely on the approval of the local *ininay*, and not a status related necessarily to intermarriage, shared IP status or even

shared Higaunon-ness. In places like Baligiyan, both indigeneity and identity are tied explicitly to territory, though not necessarily limited to it. However, to an *ininay daw inamay*, ‘the land’ is never just any land, and retaining control over ancestral territory will always take precedence over other goals in any broader Higaunon-wide or Lumad-wide struggle or Indigenous rights more generally.

But the most fascinating consequence of the *ininay daw inamay* goes beyond an emic conceptualization of indigeneity as based on precedence and place-genealogy. It also situates Higaunons within a wider social and political sphere that includes all other areas and descent groups who are related historically according to the *panud* or oral tradition. In the specific case of Baligiyan, their *ininay daw inamay* have sole political and land use rights in Baligiyan, but no rights to tell any other community what to do in terms of allotting farmland, etc. However, the Baligiyanon are said to have been the very first Higaunon settlers of this particular area. All other surrounding Higaunon settlements came later and are thus related in some way to Baligiyan, whether genealogically through marriage or through the political alliances that were formed with Baligiyan by their ancestors that allowed them to occupy the neighbouring lands. In other words, Baligiyan’s *ininay* are the ur-*ininay* for the surrounding Higaunon areas.¹²

Baligiyan has a unique history as the original centre of Higaunon civilization in this part of northern Mindanao that also gives it an almost supernatural power, in that being Baligiyanon bestows the highest possible level of authenticity and legitimacy relative to customary law, the *Bungkatol ha bulawan*, which according to oral tradition originated from the spirit world (Paredes 2013, pp. 151–53). In essence, all precedence emanates from Baligiyan, and their *ininay*—being genealogically closest to the ‘source’—are regarded by other Higaunons as having the most potent ‘essence’ of Higaunon-ness, making them more ‘indigenous’ than others in this part of the Higaunon world.¹³ It is almost a type of nobility, except that it does not grant any practical political or legal power over others. In fact, Baligiyan today remains isolated and quite poor and

powerless compared to other neighbouring Higaunon communities. But it is imbued with a kind of cosmic ‘righteousness’ in that any in-fighting in Baligiyan will ripple, supernaturally, out to other Higaunon communities. The recent mass conversion of the Baligiyan community to evangelical Protestantism, for example, is blamed by some Higaunon leaders for supernaturally causing the breakdown in the observance of customary law across Higaunon territory—because Baligiyanons have allowed non-*ininay* missionaries and pastors to exercise religious authority over the *ininay* in Baligiyan itself. These ideas are embedded deeply in the culture and continue to inform internal Higaunon politics, but their long-term implications remain poorly understood.

Marking Indigeneity without Land

In communities that have long had a mixed Higaunon-settler population and where, among other things, Higaunon customary law is no longer relevant in terms of actual governance, the distinction between *ininay daw inamay* and *dinawatan* is all but negated. Instead, such communities are regarded by Higaunons as mostly assimilated into what they refer to as the *dumagat* (sea-based or coastal) mainstream world of the settlers. This is evidenced by the transformation of local land allocation from tenure rights structured by customary law to rights that follow national land laws more closely, as in the larger, more assimilated villages of Eureka and Kalipay, both of which are technically within the supernatural reach of Baligiyan. *Barangay* Kalipay is less than ten kilometres from the coast and is a major destination for both impoverished *dumagat* settlers who cannot afford to live in the city and for upriver Higaunons seeking a limited taste of ‘city life’. Even in cases where no legal land title is given to settlers, it is widely understood that the customary rights of Higaunons have been superseded, most often through the outright sale of land by Higaunons themselves. Here, the *dumagat* settlers are on equal legal footing as the natives, though Higaunons have somehow maintained a moral prerogative in terms of local governance. Despite their numbers, the settlers have not yet openly

attempted to usurp Higaunon political precedence in Kalipay. Though *dumagat* settlers are regularly voted into the *barangay* council, no one has yet been elected without Higaunon support.

One consequence of *dumagat* assimilation is that indigeneity becomes defined more literally within such a community, such as in Kalipay, where all Higaunons, regardless of origin or *ininay* status, stand together as Indigenous peoples in simple opposition to non-Higaunon settlers, regardless of when they arrived. In such situations, indigenous leadership can remain rather inchoate because no one has clear precedence. In Kalipay, for example, there is a large and very active tribal council, but its *datu* and *bae* are not necessarily from *ininay* families, and are not even Higaunons necessarily. Instead, customary law is being actively reinterpreted by tribal council members to serve Kalipay's needs as a way of retaining and performing their Higaunon-ness as visibly as possible. With place-genealogy detached from political legitimacy, Higaunon leaders in Kalipay assert a highly politicized indigeneity that instead aligns more explicitly with global Indigenist politics, prioritizing the maintenance of obvious markers of Higaunon-ness, such as the *sinabaang* (native dress) for the *datu* and *bae* (who refer to it jokingly as their 'uniform') and the public observance of ancestral rituals and prayers to ancestors and spirits. They also express much more anxiety about the decline of customary law and other essential Higaunon values.

In Baligiyan, these obvious markers of ethnicity are largely absent, except for special occasions, in part because most residents are now evangelical Christians. However, Baligiyan is an almost exclusively Higaunon language environment with a mostly *ininay* population, and conversion has not affected their sense of their own indigeneity in the least. In contrast, in Kalipay, where a *dumagat* language, Cebuano Visayan, dominates and the Higaunon language is used mainly ceremonially, debates rage constantly over the impact of Christianity and other external influences on Higaunon-ness. For Kalipay's political leaders, at least, the explicit, public performance of Higaunon-ness supersedes *ininay* descent in the local politics

of Indigeneity. Higaunon-ness here also references stereotypical romanticized notions of Indigenous peoples in that it is spoken of as a special ethos pertaining to interpersonal relationships and a special connection with nature inaccessible to settlers, who are merely *dumagat*. Elsewhere, I have described how Higaunons contrast themselves ethically with the *dumagat*, who are viewed as inherently exploitative and destructive. Whereas Higaunons cast themselves as inherently moral, trusting and respectful of each other and of nature, the *dumagat* are “characterised as ‘business-minded’—i.e., willing to destroy resources and ... social relationships ... in the pursuit of monetary gain” (Paredes 1997, p. 55).

Of course, this facile contrast does not always comport with facts on the ground, as there are indeed *dumagat* who, having intermarried into Higaunon society, have been exceedingly respectful of the culture, speak the language and raise their children as Higaunons. Moreover, there are quite a few Higaunon leaders who have been accused of selling out their own people for personal gain. Higaunons explain that such leaders have been corrupted by *dumagat* values because if they were ‘real Higaunons’ who remained true to their heritage they would never resort to such abominable behaviour. Usually, the reference to heritage is about the *Bungkatol ha bulawan*, which in most places is poorly (or at best, selectively) understood by the majority of Higaunons, in the same way that the US Constitution or the Bible are poorly and selectively understood by the majority of Americans and Christians, respectively. A nebulous ‘immorality’ is therefore attributed to the contamination of one’s Higaunon-ness by non-Indigenous values. In this context, despite literal indigeneity being at play in places like Kalipay, it is not only a leader’s political legitimacy but also their cultural authenticity that is reckoned explicitly in moral terms.¹⁴

Higaunons do retain their own emic concept of ‘indigeneity’ as an essence correlated profoundly to place-genealogy and based on the precedence of founding ancestors. Furthermore, certain descent groups are recognized among all Higaunons as being ‘more indigenous’ than others. Thus, in the Higaunon case, indigeneity is

both a modern legal concept with global pretensions and a deeply held, highly localized value that overrides all other concerns, leading to a profound political and supernatural stratification based on ancestral precedence and place-genealogy. That said, in interactions with the government, especially in relation to social programmes and the broader Indigenous rights struggle, Higaunons consistently emphasize community unity and align themselves consciously and conspicuously with the currently hegemonic Western ideas about indigeneity.

Conclusion

When it comes to being indigenous among Indigenous peoples in the Philippines, there are many factors at play, at multiple levels, resulting in multiple modalities that can be equally compelling depending on the context. In the case of the Higaunon specifically and the Lumad more generally, the question of indigeneity can be addressed at various levels: descent group, community, local government unit, the Higaunon as a people, the Lumad as the Indigenous peoples of Mindanao, at the translocal level of all Filipino Indigenous, and in global fellowship with other Indigenous peoples. This coexistence of multiple interacting modes and idioms of 'indigenous' has significant consequences for IPs that are worth considering.

Some degree of dissonance is unavoidable, not only because people with very different life experiences and goals will, naturally, have divergent ideas about indigeneity. Moreover, as long as IPs continue to be administered separately, there will be a fundamental structural dissonance between the different legal and political systems that impinge upon the daily lives of IPs. Even as cultural attitudes and emic concepts continue to evolve on the ground to accommodate or otherwise articulate with other legal systems, the core concepts of precedence and place-genealogy and the perceived political and supernatural righteousness of the *ininay daw inamay* will likely remain deeply embedded in the thought-worlds of Higaunons and other Lumads for as long as the current customary law is retained. This is because these concepts are truly indigenous, predating the

contemporary Western idea of ‘indigenous’ informed by white settler colonialism. In other words, even if one day the Philippine government invalidates IPRA and abolishes the legal category of IP, for Higaunons the place-genealogies symbolized by the *ininay daw inamay* will likely continue to inform profoundly their own Indigenous positionality vis-à-vis other Filipinos, including other IPs—regardless of how formal/legal state definitions evolve or mainstream perceptions change.

On the other hand, the *ininay daw inamay*, and the customary law on which it is based, could one day be replaced by an entirely new tradition—which is not as radical an idea as it sounds. My interviews with numerous *datu* have made it clear that Higaunon customary law was the product of a religious and political revitalization movement within broader Higaunon society that took place early in the Spanish colonial period. The *Bungkatol ha bulawan*, which forms the basis for customary law, appears to also have been a political and social movement that may have begun as early as the first half of the eighteenth century—accompanied by internecine warfare, internal displacement and the radical reorganization of customary law, eventually into its current form. So far, I have heard—in nearly every ethnographic interview with indigenous *datu* and *bae* leaders, especially from the oldest living generation—a mixture of fear and cynicism regarding the continuing viability of the *Bungkatol ha bulawan* as customary law. In fact, some express an interest in a wholesale rethinking of the *Bungkatol ha bulawan* in order to establish an entirely new law because they consider the existing one to be irreparably broken. This impulse towards wholesale change is reinforced every time *datu* and *bae* leaders fall short of community expectations in terms of either political efficacy or customary law, and every time the tension between these two concerns plunges communities into crisis (see Paredes 2019, 2017a for a detailed discussion of this issue).

Higaunon conceptualizations of indigeneity are undoubtedly shaped by the urgency of their more quotidian struggles as Indigenous

Peoples. This includes but is not limited to modern realities such as the necessity of migration to urban centres for jobs, education and increased consumerism; increasing intermarriage with *dumagat*; political activism; and forced migration because of ecological pressures, armed combatants and development aggression. For now, however, the core meaning of ‘indigenous’ remains embodied for the Higaunon by the *ininay daw inamay*, which privileges the lineages of each community’s founding ancestors. A major problem is that, in prioritizing precedence and place-based identity, this mode imposes supernatural and moral claims of superiority over other lineages in the areas of political authority and access to land, which goes against popular modern ideals regarding democracy and equal representation, as well as the egalitarianism that is presumed—and perhaps even required—by popular stereotypes of Indigenous peoples.

On a more practical level, the concept of ‘indigeneity’ may simply lose meaning over time as direct access to ancestral lands becomes even more scarce with increased displacement and natural population growth. Nevertheless, the connection to land—whether made through ‘indigenous’ or ‘Indigenous’ claims—will likely remain paramount even if the nature of this connection transforms into something less direct, as discussed in the previous section. While at a national or even global level, the ‘universal’ hegemonic Western notion of indigeneity may remain dominant, on the ground, being ‘indigenous’ continues to be negotiated in all its modalities as the current generation of Higaunon youth, and other Indigenous youth, come into their own and take up positions of power and responsibility in their communities.

As Chua and Idrus argue in their introduction to this volume, any theoretical discussion of indigeneity requires grappling with the inadequacies of the term within the context of cross-cultural discussion. This is especially acute for the Southeast Asian context, where ‘indigeneity’ resonates as an idea in most of the region but in a variety of ways that do not necessarily harmonize with how it is understood in other regions such as the Americas. This conundrum

is highlighted in my ethnographic example from the Philippines, which discussed how Higaunons conceptualize and operationalize their own indigenous, ancestral concept of indigeneity in the face of the competing legal definitions, cultural expectations and political realities of mainstream Filipino society that they are compelled to work around for their own protection. This case also outlined the dynamic and situational aspects of how ‘indigeneity’ is applied as a concept, and how it is likely to change over time in response to the challenges that Higaunons face as both indigenous minorities and Indigenous Peoples in twenty-first century Philippines.

Reflecting on my own perspective as a non-Indigenous native of both Mindanao and Southeast Asia, I find myself straddling the epistemological divide between an etic understanding of indigeneity that reflects power-laden Western/academic interests and an emic one that reflects much more complex, sometimes overlapping, indigenous/Indigenous priorities. Certainly, my attempts to decolonize our understanding of indigeneity and Indigenous peoples cannot be uncoupled from my attempts to decolonize my own scholarship and my own identity. What we choose to exclude or render visible can be a profoundly political act, especially as non-Indigenous scholars purport to represent another’s voice that may otherwise remain suppressed in the margins. I note that outsiders are likely to be shocked and dismayed by the fact that Higaunon customary law is no relic from ‘time immemorial’ (to use IPRA terminology) but a living culture subject to direct critique, innovation and potential replacement. The fundamental challenge for many of us may well be how to conduct an authentic and productive conversation about

NOTES

1. Lumad, from the Cebuano Visayan language, meaning ‘autochthonous’, is the category name for the indigenous non-Muslims of Mindanao, to distinguish them from the also indigenous Moros, whose ancestors converted to Islam prior to the arrival of Spanish colonizers in the Philippine archipelago in 1521.

2. There are no reliable statistics with regard to ethnic minorities in Mindanao because of inadequate coverage and the fact that ethnicity is not reported in the national census (Paredes 2018).
3. The Baligiyan Panud Project has been funded in part by the Firebird Foundation for Anthropological Research Fellowship for the Documentation of Oral Literature and Traditional Ecological Knowledge (2014–19).
4. Recently, a special issue on Indigeneity in Southeast Asia was published in the *Journal of Southeast Asian Studies* 50, no. 1 (2019), with seven articles—including Paredes (2019)—dealing specifically with the many ways in which this region's issues with indigeneity do not conform to the Western norm.
5. I should note that, technically, the Moros also fell under the category of 'non-Christian Tribes'; they were always administered both separately and differently by the Americans as part of Moro Province, which was under the jurisdiction of the US military. Similarly, the legal term 'Indigenous Peoples' technically covers the Moro communities as well, but they have almost universally elected to pursue territorial and political autonomy from the Philippine state (currently through the Bangsamoro negotiations). They also refuse to recognize the jurisdiction of the NCIP (National Commission on Indigenous Peoples) over their affairs, especially when it comes to territorial conflicts between IP and Moro claimants.
6. Some IP groups defy easy categorization under these modern labels, such as the majority-Muslim Molbog of Palawan, various Lumad communities that have converted to Islam, and Mamanwa, a Negrito group often classified as Lumad.
7. See Charbonneau (2019) on the short-lived effort to establish a white settler colony in the southern Philippines during the American colonial period.
8. Officially known as Republic Act No. 8371, Chapter 2, section 3(h) of the IPRA (1997), it defines 'Indigenous Peoples' as "a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as an 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 colonization, 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.”

While ancestral domain claims are normally filed by a single community or kin group, sometimes two or more neighbouring small communities will share resources, often with the assistance of NGOs, in order to strengthen their applications. Such joint domains are referred to officially as ‘unified’ claims or titles.

9. Department Administrative Order number 2, series of 1993, “Rules and Regulations for the Identification, Delineation and Recognition of Ancestral Land and Domain Claims”, dated 15 January 1993, by the Department of Environment and Natural Resources, Republic of the Philippines. This order, known colloquially as the “DAO 2”, laid the foundation for the IPRA.
10. The *panud* is not merely a genealogy but a highly complex oral tradition that carries with it the complete cultural legacy of the Higaunon (Paredes 2016, pp. 337–39).
11. For the significance of ‘precedence’ elsewhere in island Southeast Asia, see Reuter (2002) for Bali, and McWilliam (2002) and Palmer (2015) on Timor.
12. I use the prefix ‘ur-’ to convey that they are considered the source *ininay* from which all other *ininay* originated, which also implies that they retain the strongest and purest Higaunon essence. Interestingly enough, I only learned about Baligiyan being the centre or source of essential Higaunon-ness from the *datu* of other neighbouring communities, and not from anyone in Baligiyan.
13. I note that these descriptions of Baligiyan as the source of *pugkahigaunon*, ‘Higaunon-ness’, have all come from interviews with assorted *datu* and *bae* from outside Baligiyan, and never from the Baligiyanon themselves. Over the years, I have heard Higaunon men and women from different areas remark that you can tell how ‘pure’ the Baligiyanon are by some very distinctive physical characteristics—including hazel eyes and above-average height—that are common in those *ininay* families but rare among Higaunons in general, lending some Baligiyanon a somewhat ethereal quality.
14. For more details on modern Higaunon leadership, see Paredes (2017a).

indigeneity and decoloniality when we engage with the actual realities and sensibilities of the Indigenous peoples in question.

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