Reviewing the indigenous rights of Iraya Mangyan in Occidental Mindoro, Philippines

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Abstract Indigenous people are typically known to be alienated from mainstream societies as an impoverished group of individuals. This can be associated with how their rights are recognized and upheld by society. Stirred by this common notion, this ethnographic research explored how the indigenous rights of Iraya Mangyans in Mamburao, Occidental Mindoro are exercised. Guided by unstructured audio-recorded interviews, questionnaires, field observations, and thematic interpretation of the responses, the study unveiled that the indigenous rights of the subjects were found to revolve around empowerment, representation, self-governance, customary justice and peace-building processes, and education. The results further revealed how modernization elevated their native oppressed status to more functional individuals exercising the aforementioned rights within and outside their domains. Findings, therefore, highlight how the exercise of their rights in different aspects can serve as an instrument for upholding cultural integrity and identity construction, especially in the shifting landscape of modern times.

Keywords: ethnography, Iraya Mangyan tribe, indigenous rights

1. Introduction

As an archipelago, it is estimated that 17 million people in the Philippines belong to 110 ethno-linguistic groups that account for 15% of the total population of the country as of 2010 (UNDP, 2010). Among the indigenous peoples (IPs), 61% are found in Mindanao, while 33% are in Luzon, especially in the CAR (Cordillera Administrative Region), and the remaining are in the Visayas Region (Hirai, 2015). There has been a stigma that these groups of people are small and vulnerable ethnic minorities. Cited in the work of Camacho et al. (2015), these indigenous peoples of the country are commonly found in remote hilly and forested uplands in which few have sustainably preserved a close connection to their ancestral past and were able to uphold their traditions despite suffering from injustice and oppression in the past and are still disadvantaged in the present in some aspects of their lives (He, 2011). Rooted from their ancestors, it is reflected in their inherent traditional knowledge. Ryser (2011) defined traditional knowledge as a generalized expression of knowledge associated with a group of people’s ideas and practices, such as their dance, music, rituals, and folklore. Knowledge is limited not only to know-how and customs but also to those that are connected to natural resources, traditional lifestyles, and biodiversity (WIPO, 2012). Putting the foundation of justice, unity, and peace in their community, indigenous peoples conform to their customary laws to protect and conserve their identity. This conservation led to policies that enabled the creation of protected areas inhabited by indigenous people, especially at the beginning of the 19th century (Colchester, 2004). In the era of modernization and advancement of society, indigenous peoples emerged as a social movement that posed a category in human rights law. Colchester (2004) explicitly described this approach to conservation based on respect for IPs as bearers of traditional knowledge. Carey et al. (2000, p. 25) highlighted the need for this mechanism since “the loss of traditional rights can reduce people’s interest in the long-term stewardship of the land”.

According to international law, the exclusivity of the rights of indigenous peoples and minorities is crucial for developing and interpreting a dispersed mode of human rights (Agybay et al., 2020). There are international law provisions that provide arenas to increase the interests and welfare of indigenous peoples regarding their knowledge, traditional lands, human security, and ability to uphold cultural integrity (Phillips, 2015). The Universal Declaration of Human Rights secures the fundamental rights of human beings, as well as the indigenous peoples as members thereof (UN General Assembly, 1948). Enshrined in the declarations by the United Nations, which are regarded as “general principles of law recognized by civilized nations” (Anaya, 2009), it specifically gives the IP what they deserve by creating the Declaration of the Rights of Indigenous Peoples to develop themselves and protect their rights (United Nations, 2008). Of the 46 articles in this declaration, what are included are their right to their ancestral domain, rights for autonomous education systems, environmental rights, and many others (Rubin et al., 2016). Prior to this, the UN established a Permanent Forum on Indigenous Issues in 2002, which became a sustained advocacy of international laws and jurisprudence highlighting the rights...
of indigenous peoples (MacKay, 2002). These rights include self-determination, free disposal of their natural wealth and resources, nondeprivation of their means of subsistence, ownership, and development of their communal lands, restitution of their lands, informed consent before doing activities on their land, representations through their own organizations, enjoyment of their own culture, and exercise of customary laws.

The Philippines also has its share in regard to policy reforms that address the rights of indigenous peoples and local communities. In the context of its main legal mandate, Article XIV (Section 17) of the 1987 Constitution stipulates that “the state shall recognize, respect and protect the rights of the indigenous cultural communities to preserve and develop their cultures, traditions, and institutions. It shall consider these rights in the formulation of national plans and policies.” In fact, the Philippines is the first country in Asia to pass a law governing the rights of indigenous people (Tauli-Corpuz, 2016) and is relatively advanced with neighboring countries in regard to this subject (Prill-Brett, 2007). To support the constitution, the Indigenous Peoples Rights Act (IPRA) in 1997, or Republic Act 8371, was enacted and was considered the cornerstone of the Philippine IP's national policy, which served as the legal backbone for the recognition of IPs’ traditional rights (De Vera, 2007). This is anchored to the characteristics of indigenous peoples, as stated by Molintas (2004, p. 275): “the distinct characteristics of the indigenous peoples are (1) the conservation of their vernacular languages, traditional socioeconomic institutions, and cultural and religious practices; (2) self-identification as distinct societies; (3) subsistence-oriented economies; and (4) a special relationship with their ancestral lands”. Capistrano’s (2010) examination of the experiences with the institutions and property rights of Tagbanua, an indigenous group in Palawan, about the declaration of ancestral waters and fishing rights moved toward self-determination, which is what indigenous peoples find essential not only in their territories but also to their existence and survival.

Despite clear representations, legal implications, and advocates through years of struggle, IPs in the Philippines remain the most marginalized sector (De Vera, 2007) and were proven not to be working in suppressing aggressors (Phillips, 2015). Although efforts are underway, in Asia, the overall pattern of the denial of the rights of indigenous peoples remains clear (Colchester, 2004). They still face serious threats, even though their existence is now in danger. They are being discriminated against in schools, while in the workplace, they are being exploited. Indeed, their rights are not totally respected (Hanna & Vanclay, 2013). Although legislation and frameworks are provided to address the circumstances facing indigenous people, issues related to the rights of indigenous people are yet to be resolved. In fact, the United Nations Office of the Commissioner (2013) affirmed that the implementation of the rights of indigenous people is far from perfect. Some of these challenges include pressures on their domains, territories, and resources as a result of human activities related to development. Their cultures are threatened, and the promotion of their rights is resisted.

However, even with the enactment of this law 22 years ago, the IP in the Philippines is still the most disadvantaged and poorest group in its population. Hirai (2015) assessed the situations of IP communities in the Philippines and found that IP groups “make up one-third of the world’s poorest peoples, suffer disproportionately in terms of health, education, and human rights, and regularly face systemic discrimination and exclusion.” Molintas (2004) affirmed that the Philippine government failed to give full effect to the rights recognized in the IPRA in recent decades. De Vera (2007) pointed to conflicting policies, capacity gaps, and questionable commitment to empowering the IP communities as one of the rooting reasons for the country’s failure to fully implement the mandates of the law regarding the rights of IPs. Although there is a lack of literature on the indigenous rights of the different ethnic groups in the Philippines (Navarro, 2015), some scholars have attempted to examine how indigenous rights are practiced among some ethnic groups in the country. Castillo and Castillo (2009) pointed out in their work that the existing law is not enough to protect the rights of IPs and raised the concern of increased mining interests to the fore questionable free and prior informed consent despite IPs’ right to autonomous decision making regarding their lands and resources. In the case of Badjao in Tawi-tawi, Navarro (2015) noted that they were not satisfied in terms of government services such as housing since it seemed inconsiderate of the cultural needs of their ethnic groups. Ting et al. (2008) examined the plight of IPs in the country through different historical, cultural, legal, and political perspectives and stressed that the government should take courses of action to protect IPs, allocate funds, acknowledge the intricate relationships of IPs with nature, and vigilantly and assertively exercise their rights.

To see how the rights of the people in the community are exercised, the place of empowerment has become a leading topic in community development. Hennink et al. (2012) defined community empowerment as a process of allowing communities to mobilize toward change. He identified six mechanisms that foster empowerment: capacity building, agency, opportunity structure, resource provision, and sustainability. The agency addresses the skill of the community to make its own decisions and priorities. Capacity building allows the community to build networks and mobilize it to take action on certain issues. Resource provision involves supplies or services to facilitate capacity building. Sustainability enables a community to be self-sufficient. Furthermore, empowerment revolves around four domains: health, economic, political, and natural resources. The health domain identifies the activities that allow people, individually or as a community, to control and maintain their health, such as in decision-making, health services, and knowledge. The economic domain focuses on security and sustainability, which revolves around income generation, the formation of cooperatives, and the support of local partner organizations. The political domain dwells on people’s legal rights, imposes on the government to protect those rights, and advocates legal and political change. Finally, the spiritual domain addresses how people strengthen their faith and
how values are transformed in the community. Mcachlan et al. (2020) affirmed that to provide culturally responsive services to empower the community, it is important to consider the cultural and geographic context and history of the community. To push through with empowerment in the context of indigenous people, they typically pursue control over their territories as crucial to building their community and practicing self-governance (Berkes & Adhikari, 2006). However, this is threatened by modernity, in which the possibilities of combining conservation and development goals are being debated and tested (Dove, 2006).

With the aforementioned gaps presented, this ethnographic study examined the plight of one of the first indigenous groups to inhabit the seventh largest island of the Philippines, Mindoro. Mindoro Island is divided into two administrative areas, Occidental and Oriental, which have populations of approximately one million. Approximately 10% of the total population of the island is composed of indigenous people (Mangyan Heritage Center, 2014). Mangyans are said to be the first group of indigenous people to set their feet on the island, and the population of this group varies from 300 people near the plain to 30 people in the mountains (Askeland, 2010). Twenty percent of the population of Mindoro, Mangyans, is categorized into eight groups, namely, Iraya, Hanunoo, Alangan, Tadyawan, Buhid, Tau-buid, Bangon, and Ratagnon, each of which has its own language and set of customs (Kim, 2018). There are historical accounts of the oppression and exploitation experienced by Mangyans, which led to the loss of their forest, changing their lifestyle from hunting to farming and developing inferiority. Through time, Christianity and lowlanders influenced them, which introduced changes in their culture (Stroeck, 2020).

Among the groups, the Iraya tribe is by far one of the richest tribes, as manifested by its long-standing tradition of food preparation, health practices, and livelihood (Tuscano & Avilla, 2015). They are called “Iraya”, which literally means “person” in their language and from the name of their god “Apo Iraya” (San Jose, 2012), in which his rules and the obedience to the associated belief systems toward him shape their vernacular landscape identity (Darapisa, 2020). Their ancestral domain is one of the largest ancestral domains in the northern part of Mindoro, extending into the mountainous interior of the province, watersheds and lands near the vicinity of national roads (San Jose, 2012). The Iraya mangyans are geographically scattered and seasonally reside in the coastal portions of the northernmost and southernmost tips of Mindoro Island. They commonly dwell in Mamburao, Occidental Mindoro. However, they also live in the towns of San Teodoro, Baco, and Puerto Galera in Oriental Mindoro, while they can also be found in Occidental Mindoro in the towns of Abra de Ilog, Sta. Cruz, and Paluan in Occidental Mindoro (Bawagan, 2009). As a common mode of living, they practice swidden agriculture or slash-and-burn agriculture of sweet potatoes, rice, corn, and other vegetables (Erni, 2006). The struggles experienced by these tribes included the effects of bad weather and natural disasters because of their location (CIA, 2010) and discrimination from Tagalog society because of their language, hygiene, and physical appearance (Bawagan, 2008). However, they are known to be peaceful (Ledesma, 2016) and “shy but friendly tribes” (Domingo, 1993). As cited from the work of Darapisa (2020), Iraya Mangyans are “anthropologically known for having no warrior society as compared to the other ethnic groups in the country” (p. 23).

Several accounts have attempted to place Mangyans as the subject of inquiries. Askeland et al. (2010) deduced that in examining the social position of the Mangyan community, religious beliefs, education, and status are emerging representations of the tribe. Stroeck (2020, p. 29) revealed “a coexistence of the traditional leadership through elders and formal leadership based on local government unit structure in the existing Mangyan community”. Bawagan (2009) explored the customary justice system among the Iraya Mangyans and its impact on the daily lives of the group and how their rights are protected in the community.

It is in this light that the researchers would like to review and explore how the traditional rights of the Iraya Mangyan of Mamburao, Occidental Mindoro, were practiced and how they were affected by changing times. This perspective points to a view of how their experiences and voices weave into a larger and collective disposition on how their rights are upheld in what David-Chavez et al. (2020) identified as an intergenerational story of survival, adaptation, resilience, and regeneration.

2. Materials and Methods

2.1. Research design

This study utilized a qualitative research design with an ethnography approach to obtain a great and deep understanding of indigenous rights and their shared experiences with these rights in the community of the Iraya Mangyan Tribes. As defined by Creswell (2007), ethnography is “a qualitative design in which the researcher describes and interprets the shared and learned patterns of values, behaviors, beliefs, and language of a culture-sharing group” (p. 68). Researchers who use this type of qualitative design often give “particular attention to the everyday life, narratives of events, social interactions, and the cultural meanings and practices of a community” (Morgan-Trimmer & Wood, 2006, p. 2). Ethnographers may use different combinations of data gathering techniques, such as participant observation, focus group discussion, interviewing, collection of life stories, surveys, plotting social networks, checklists and aide memoirs, and other interactionism methods. Thus, to fully encapsulate Iraya Mangyan’s life and awareness of how their rights are being practiced in their tribes, the researchers believed that an ethnographic mode of qualitative research design is the best method suited to the study.

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2.2. Participants and Locale of the Study

The participants came from the Iraya Mangyan Tribes of the Mamburao, Occidental Mindoro. First, the participants were chosen using purposive sampling on the grounds of the credibility of having extensive knowledge and awareness of the subjects being explored. Hence, the chieftain and three elders of the tribe were initially selected as participants. However, as the data collection and analysis ensued, the chieftains and the elders were asked after their interviews about particular members of the community that could contribute to the subjects being explored. From their suggestions, the next participant to be interviewed was selected. Through this technique, a total of 10 participants (6 males and 4 females) were interviewed until data saturation was met.

2.3. Data collection

To facilitate the data collection, a combination of field/participant observation and interviewing as data gathering techniques was utilized. First, the researchers immersed themselves in the community of the Iraya Mangyan Tribes in Mamburao, Occidental Mindoro. To ensure the researchers’ security, they were escorted by military personnel to the study site as members of the New People’s Army (NPA) also roam the area. Observations were made through journaling. In this journal, personal impressions, feelings, and subjective reactions, in addition to field observations, were also recorded to trace biases that may affect the data analysis (Balansag et al., 2018).

For the individual interviews, the following research questions were used:

1. What experiences do Iraya Mangyans have in terms of their rights?
2. What meanings do these indigenous persons ascribe to these rights?
3. What are the thematic structures in terms of the indigenous rights they still practice, and how do the changing times affect this practice?

Through the interviews related to these questions, the researcher enabled the participants to give their stories of the incidents concerning their rights. To understand more about these issues, each participant was asked the following questions: (1) What are the different rights that you practice interwoven in your tribe as Filipinos related to your day-to-day activities? To have a more elaborate answer, general probing questions such as (1) How do you feel? (2) Please tell me more about that, and (2) Aside from the questions asked, what more can you say? were asked.

All the interviews were conducted in a location in the community where the participants were relaxed. The researchers used a pseudonym instead of the participants’ names to ensure confidentiality. Each interview lasted for 15 to 45 minutes and was documented with their permission using an audio device. The interview for each participant was finished when data saturation was achieved. Data saturation was reached when there was redundancy in the data and no new emerging concepts were noted even when probing questions were used. The interviews were transcribed, checked for accuracy, and translated into English. The translations were checked by a language expert.

2.4. Data Analysis

After translation, the interview transcripts were analyzed, and themes sharing the same meaning were classified. The researchers used the seven-step data analysis procedure of Dory et al. (2017) and Fu et al. (2008) to probe the data, develop the codes, and construct the themes. The interview transcripts were read and reread and were immediately followed by the identification of codes and key quotations that give meaning to the research question. After this step, the coded statements were categorized, and major themes from the quotations were identified. A careful analysis of the quotation file was also conducted. The themes created were reviewed and validated through the interview data. Furthermore, the transcripts were reviewed. A review of the data analysis processes was performed to check for the accuracy and reliability of the data. The data generated through journaling of the observations were also analyzed to provide more meaning. Through this process, essential themes were created to illuminate the indigenous rights that are still practiced by Iraya Mangyans.

2.5. Data Validation

Data validation through member-checking of the data, peer review, and data triangulation was conducted to ensure the trustworthiness, accuracy, and reliability of the data obtained and analyzed. Member checking, also known as participant validation, is performed to determine the credibility of the result and to check for its accuracy if it reflects the experiences of participants. This was expounded by O’Connor and Gibson (2003), who state that “the best way to examine the validity of the research findings and of the researcher’s interpretation of them is for the researcher to go back and ask those individuals who participated in the study or who can speak on behalf of them” (p. 74). In the study, the generated themes were checked by the chieftain as a member-checking validation technique to determine whether the results truly reflected the experiences of Iraya Mangyan. For peer review, a colleague with expertise in qualitative research was asked to scrutinize the data and interview transcripts. Furthermore, the colleague was asked to analyze the data and determine whether the same findings
and themes were obtained. As part of the data triangulation process, the results were compared to the observations made by the researchers in the field.

3. Results and Discussion

This section discusses the results of the field immersion with the Iraya Mangyan and interviews with the participants. Amidst the nature of their mode of living as indigenous people and the preconceived ideas about their oppressed status, this ethnic group still practices their rights as Filipinos, which is interwoven in their day-to-day activities. The results of this research fall into the following themes: self-governance and empowerment, representation, the customary justice system and peace-building processes, education, government support, rehabilitation, health services, and awareness of intellectual property rights.

3.1. Self-Governance and Empowerment

The right to self-governance includes the right to self-determination through the political process and the establishment of governing bodies to run the institution (Wiessner, 1999). It revolves around indigenous people’s right to determine their status politically and ensure their social, cultural, and economic development freely, as ordinary Filipinos do.

In terms of political status, they adhere to the practice of traditional leadership, where structures can be clearly seen in their community. Primarily, they believe in their ancestors as the ultimate and original source of the kind of leadership that they have at present. It became an effective system of social order that functions for all the members of the tribe. As time passes, they remain rooted in their old rules and traditions, which unite them as their collective identity. One of the participants shared,

“Ang pamamahala na mayroon kami ay bahagi ng tradisyon na pinasa sa amin. Kahit makabago na ang panahon, importante na mapagpatuloy namin ito.” (The kind of governance that we have here in our community is part of the tradition that was passed down to us by our ancestors. Even in modern times, it is important that we preserve it.)

According to Domingo (2004), these custom laws are unwritten but are passed on to succeeding generations as bases for community action and decision making. For the Mangyans, preserving this traditional leadership that they inherited from their ancestors is a sacred way of preserving their culture and identity. They pay respect and adoration to their chieftain and board of elders, who they believe are the right and deserving leaders of their community.

How the Mangyan tribes practice their right to self-govern can be traced to their own laws for the purpose of maintaining peace and order among the members of the community. Their community-based regulations allow them to set a standard of living from a very basic subsistence form of living from slash-and-burn farming of rice, corn, and other root crops.

In terms of the government’s intervention in the structure that they have, they strongly observe the idea that this is a right vested to them to have their own rules in accordance with their norms and traditions. As one of the Mangyans said,

“Hindi nakikialam ang gobyerno sa amin. Kapag may mga problema na makakaapekto sa miyembro ng tribono inaayos namin. May sinusunod koming batas.” (The government does not interfere with us. If we have issues or problems to settle, especially concerning the members of the community, we deal with it among ourselves. We have laws to follow.)

The economic mode of living of these people is primarily based on agriculture. They sell these to lowlanders at agreed-upon prices, which, in turn, they use to meet the basic needs of family members. They learned how to transact with the Tagalog and make some negotiations in regard to the trade of goods. One member of the community even established an association for farmers for the purpose of acknowledging the rights of the Mangyans. According to him,

“Nagtayo ako ng samahan ng mga magasasakang Mangyan na tinatawag na Upland Farmers’ Association. Tinatawag ito para maprotektahan ang karapatan ng mga magsasaka dahil ang pagsasaka at kaingin ang pangunahing hanapbuhay namin. Nagtatanim sila ng palay sa bandang baba ng bundok na namana na ng bawat miyembro ng pamilya. Nagsumula ito sa 49 na miyembro.” (I established an association for Mangyan farmers, the Upland Farmers Association. It was established to protect the rights of farmers since upland agriculture or the Kaingin system is their main source of living. They usually plant rice in the sloping areas of the mountain where almost all members of the family inherited that livelihood. It started with 49 members.)

When asked how they were able to encourage the mangyan to be part of the association, it was explained to them that it would benefit them, especially their families, during the time of harvest. One participant affirmed that “Dahil sa samahan, madali sa mga Mangyan na makakuha ng binhi sa pagtatanim. Kunwari, binigyan sila ng asosasyon ng 40 kilos, ibabali kun ng Mangyan na 50 kilos kapag anihan na.” (Because of this association, Mangyan can easily obtain their binhi for planting. If the association gives them 40 kilos, they will return 50 kilos during the harvest time). To date, the association
between mangyan farmers remains a strong link and has been part of their day-to-day economic engagement and exchange. This is far from the custom of their ancestors, wherein forest byproducts such as timber, honey, and plants were traded in a very cheap amount since the lowlanders dictate the price of the products. Indeed, modernity has taught them how to address the real world of the “economy”. In fact, they are the laborers behind the production of corn, rice, sweet potatoes, and other crops in the region of Mindoro.

However, despite their strong adherence to this old practice of governance, their community is gradually being affected by the modern influence of the lowland people. Due to the introduction of accessible routes down to the lowlands in 2008, communication between them and the municipal government was maximized. They became part of the local government platforms in terms of community development. As new generations become knowledgeable about this, they learn a new system of governance, such as participating in local and national elections.

3.2. Representation

Initially, when the right to vote for local and national elections was introduced to the community, the resistance not to participate was strong because of the feeling of being discriminated against by nonnatives. According to the chieftain,

“Naong araw, ang mga ninuno namin ay hindi sumasali sa eleksyon. Dito lang sila kasi may sistema silang sarili. Ibang iba kami sa mga hindi Mangyan kaya di kami komportableng bumaba sa bundok.” (For a long time, our ancestors did not participate in the election. They just stayed here because we have our own system here. They feel that they are very different from the non-Mangyan, which is why they find it uncomfortable to go down the mountain.)

As time progressed, political campaigns entered their domain, and they were encouraged to register themselves as voters in early 2010. Currently, there are approximately 80 registered voters from the community. As literacy was introduced to some Mangyan by the lowland people, they became capable of voting for the candidates of their choice. They learned how to read and write and use it during the time of election.

If a mangyan does not know how to read and write, he/she will be assisted by the literate. “Kung ang marunong bumasa at sumulat ay nagdala ng tatlong boboto na hindi marunong bumasa at sumulat, lalagyan ng tinta ng tatlo niyang daliri bilang katunayan na siya ang sumulat para dun sa tatro.” (If a literate (assistant) brings another three voters who do not know how to read and write, an indelible ink will be applied to his additional three fingers as a sign that he helped them). They have the right to choose who they want to vote for depending on how they recognize the political candidates. When asked about their basis in choosing the candidate that they want to vote for, one Mangyan said, “Kung tutulungan ng kandidato ang pamilya namin, boboto namin siya.” (If the candidate can help our family members in terms of our basic needs, we will vote for him). It can be ascertained from this statement and from the field observations on how the members of the community put their family as first and foremost priority beyond anything else.

When asked about how important it was for them to vote during election, one participant said, “Wala namang problema noon nung hindi pa kami nakakaboto. May pamayanan naman kami. Ngayon na kasama na kami, natutuwa kami hindi lang dahil may nakukuha kaming benepisyo dahil din kinikilala na kami.” (There is no problem before when we were not part of the election). We still exist as a community. Now that we are counted as voters, we find it overwhelming not just because of the benefits that we can obtain but more so because we are recognized). This proved how they upheld the ideal of putting their cultural integrity first.

3.3. Religion

Religion has also been introduced to the community by the outside world even though they have their own culture based on ancestor worship. As shared by one of the participants, “May kapilya kami na tinayo ng mga misyonero. Lider dun Mangyan din na tinuruan nila.” (We have a church established by the missionaries. The leader there is a mangyan who was taught by the missionaries). Most of the people in the community are protestant. However, this did not stop some elders from the community from believing in supernatural beings such as bathalas and other forms of natural divinities that they worship. Asking them how important religion is to them, “Naniniwala kami na may dahilan ang mga baqay at dapat kaming magpasalamat. Bagay man yan o tao, tinuruan kami ng mga niunno namin na magpasalamat sa lahat ng baqay na mayroon kami.” (We believe that there is a reason for everything and that we need to be thankful for. May it be a thing or a person, our ancestors taught as to be thankful to all the things that we have).

3.4. Customary Justice System and Peace Building Process

One of the remarkable features of the studied mangyan community is its way of maintaining peace in the community. They have high regard for peaceful and desirable norms among the members of the tribe. Pursuant to Section 15 of the Philippines Indigenous People’s Right Act of 1997 (IPRA 1997), “The ICCs/IPs shall have the right to use their own commonly accepted justice systems, conflict resolution institutions, peace building processes or mechanisms, and other customary laws
and practices within their respective communities and as may be compatible with the national legal system and with internationally recognized human rights.” Even though Mangyans may have high regard for peacefulness, they are not free from conflicts that arise within the community. They have customary justice systems and peace-building mechanisms when some members of the community commit crimes or practices that are not acceptable to the norms of the tribes. They practice customary law as a form of local governance. They still adhere to these practices and are continually passed on to succeeding generations. Consistent with the research of Martinez (1999), he stated that customary laws are being used in the Mangyan community to define proper behavior, provide protection, empower the seniority of elderly people, and serve as a mechanism to maintain law and order in the entire community.

When asked how often conflict arises in the community, “Madalang namang masamang gulo ang mga miyembro. Kung sakali, may karampataang parusa sa nagkasala na tinatawag na pangaw pagtakapos pagpupulong.” (It is very rare that members of the community are involved in trouble. When they do, there are corresponding punishments to offenders called pangaw after careful deliberation). Pangaw is a wooden contraception in which at least one foot is raised from the ground and attached to a large mango tree. There are at least two holes in the wood where the legs of the offender are inserted. Offenders can be in this position for a certain number of hours or days, depending on the gravity of the crime/offense. Section 7 of the IPRA 1997 supports this as indigenous peoples’ right to resolve conflicts in accordance with customary laws of the area where the land is located.

Common cases that will merit punishment by pangaw include minor cases from making scandalous acts in the community and not paying debts to major ones such as stealing, adultery, and damage to one’s reputation. In their village, there are elders who resolve the tribe’s concerns, such as peace and order, and they tend to build connections with the lowland government. According to the indigent, only the Mangyan people are allowed to be part of the ordeal. As revealed, “Ang pagpupulong tungkol sa kaso ay pinamumunuan ng kapitan. Mayroon kaming kapitan, vice kapitan at mga konsehal na binoboto din namin. Hindi pwedeng sumali ang tagalog.” (The deliberation of the cases will be handled by the Kapitan. In this community, we have Kapitan, Vice Kapitan, and Konsehal, who were voted by the mangyan. Tagalogs are not allowed to participate in the process). Conflicts can also be escalated in the municipal town if the case is a criminal, such as a murder. Traditionally, Pangaw was also a punishment for murder after careful deliberation by the elders. However, changes occurred when Iraya Mangyans had constant interactions with lowlanders. Since there were times when Iraya Mangyans were also brought to barangay because of disputes with lowlanders, Iraya Mangyans learned about the severity of murder; thus, they adopted the practice of reflecting the murder case to the municipal town.

A specific personal case raised by one of the participants is about not paying debt. “May manukan ako sa barangay. Naranasan kong magpahiram ng pera sa ka-Mangyan pero hindi nagbayad, isang taon na. Dinala ko sa Kapitan. Tinanong ako ng kapitan kung ano gusto kong parusa, kung pangaw ba. Nang malaman nila, kaagad silang nagbayad ng utang.” (I have poultry in the community, I have experienced lending money to a fellow mangyan but was not paid for almost a year. I brought the case to Kapitan. The Kapitan inquired what I wanted to do to them, and he suggested pangaw. When they knew about it, they immediately paid the debt).

Indeed, it has been their tradition to maintain the culture of peace and order between and among members of the community as well as with those with whom they communicate in the lowland areas.

3.5. Education

Because education has the power to promote both intellectual and personal growth, it is frequently referred to as society’s equalizer (Natividad, 2022). However, it has long been an issue at educational institutions around the globe for varied student groups and underprivileged communities—such as those with disabilities, those from different ethnic origins, and people from lower socioeconomic backgrounds—to be excluded (Jardinez & Natividad, 2024).

Cultural dispersion can be considered one of the reasons for the separation of Mangyans from the other tribes. They are raised in different regions with different environments, historical accounts, dialects, traditions, cultures, and values. As an inherited right of every human, education has also found its place in their community to remove the stigma of being bagged as oppressed, poor, and illiterate. From the mathematics of counting the harvest seasons and observing the sky for the number of days and nights to the economics and exchange of goods and the science of natural healing, Mangyans saw the impact of education on their children.

The Mangyan community that the researchers visited truly valued education, as they say “Ayaw naming lumaki ang mga anak namin na kaagya namin. Dapat silang pumunta ng eskwela para matutong mahusay at magpakita at nang di sila maloko sa kapatagan” (We don’t want our children to grow up like us. They need to go to school so that someday they will know how to read and write and that no one will fool them in the lowlands). When education was introduced to them, they learned how to communicate with the lowlands, promote their cultural integrity, their societal involvement and participation, and promote peace and community building. Education for them means valuing their identity as indigents. Askeland (2010) affirmed education as a crucial factor in increasing their social position because it would bring respect from others in the village.
“Ang paaralan dito na may dalawang silid ay halos dalawang taon pa lang. Project ito ng pamahalaang local ng Oriental Mindoro. Ang plano ay dito mag eelementarya ang mga bata at hayskul ay sa boyan na” (The current school with two classrooms in the community is almost two years old and was a priority project of the local government unit of Oriental Mindoro. They spend their elementary years here while they continue their high school in the town proper). The participants most of them are prone to discrimination.

Previously, elderly people served as teachers, particularly in their language, dances, weaving, and traditions. At present, they openly embrace education in their community because of the great influence of missionaries who introduced to them the value of being educated in society. However, it was difficult in the beginning for their children to be sent to school to study because what they usually do is to join their parents in the field for planting and harvesting. One participant shared, “Hindi naman yun ang pinakaunang paaralan. Yung nauna ay itinayo dun sa kabila ng bundok pero nasira dahil sa militarisasyon.” (This was not the original school established here in the community. The original one is found on the other side of the mountain but was destroyed by militarization). This militarization of the government was due to its reported presence in the province of the New People’s Army (NPA), a leftist group in the Philippines.

When asked if they are not afraid of losing their identity because of educating their children with modern education, one said, “Iba na ang panahon ngayon. Dahil nakikisalamuha na kami sa mga Tagalog, kailangang maging edukado ang mga anak namin.” (The present time is different from before. Now that we interact with the Tagalog, our children truly need to be educated).

3.6. Government Support

In regard to government support and services. One participant shared that “...madalang lang naming nararanasan ang suporta at programa ng gobyerno...tuwing panahon ng eleklyon lang.” (...we rarely experience support and services from the government...it is only during the season of election).

When the researchers inquired about their awareness of the Pantawid Pamilyang Pilipino Program (4Ps), which is “a human development measure of the national government that provides conditional cash grants to the poorest of the poor, to improve the health, nutrition, and the education of the children” (Official Gazette 2020), one of the participants shared that they receive such services on an irregular basis. “Maraming buwan ang aabutin ng aabutin bago namin natatanggap ang 4Ps. Ang pinakamataas na halaga ay P3600” (It takes many months before we receive financial aid from the 4Ps of the government. The highest amount given is only for P3600).

Community infrastructure was developed by local officials through the establishment of roads and bridges and the installation of electric posts to provide light to the Mangyan community. This effort has given Mangyans the opportunity to interact with lowland people when needed, such as by selling goods and communicating with local town officials. In fact, when the first road was built in the community, many Mangyans bought motorcycles as their means of transportation to the lowlands.

3.7. Rehabilitation

Mangyan communities cannot escape threats caused by natural calamities such as typhoons. In times of calamities and natural disasters, they shared that they also received relief goods from nongovernmental organizations. More often than not, the items that they usually receive include a kilo of rice, 2 cans of sardines, 1 pack of noodles, 25 grams of coffee, and 1 kilo of sugar. During the time of calamity, the common problems that they encountered were the wreckage of their local bridges, excessive flooding, destruction of their crop fields, and landslides. They usually stay in their community and wait for aid from the town. In the work of Valera and Visco (2015), it was highlighted that the Mangyan community has developed internal adaptations and strategies that allow them to ensure community resilience in times of disaster. This resiliency is a result of internal and external factors manifested in their right to make decisions to adapt and cope with the changing environment. Among the mechanisms that the Iraya Mangyans have are the areas where they build their houses in the community in consideration of their stability in times of disaster, adjustment of their livelihood brought by changing seasons, and possible migration or evacuation during the calamity. Valera and Visco (2015) further noted the role of local government units (LGUs) in developing plans based on the Climate Change Act of 2009 and the Disaster Risk Reduction and Management Authority (DRRMA) of 2010, which enabled all levels of government to address the adverse effects of disasters and hazards caused by climate change by ensuring more resilient communities, including indigenous peoples.

3.8. Health Services

In terms of health services, they rarely receive health aid from the town since most of the elderly members of the community have inherited traditions on how to cure simple diseases using the different parts of the plants available on the mountain. They still practice their traditional ways of healing through the marayaw. “Kapag ang sakit ay dulot ng lamang

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lupa, dinadala namin sa marayaw.” (When the disease is brought about by supernatural beings, we bring them to marayaw). Common diseases include measles, diarrhea, and dengue fever.

They also have albularyo (traditional healer) in the community, but since most of the families with elderly members know what to do, they rarely ask for help since the materials that they need for healing are already available in the community. In fact, some people from the lowlands even travel to their community to look for albularyo, and sometimes they are also invited by Tagalog. When serious diseases are encountered, the patient will be admitted to health centers and hospitals in town. In addition, kitchens are commonplace for giving birth to young mangan. They know what specific plants are to be used for pampahilab and pampapakapit. The circumcision of young boys is also performed only in the community. With regard to their accessibility in terms of modern health services, they are usually visited by nongovernmental organizations through outreach activities. Politicians usually visit them as part of their platforms during election campaigns.

3.9. Awareness of Intellectual Property Rights

None of the participants are aware of intellectual property rights or the existing provisions on these rights, but they are aware that the cultural and social practices that they have are unique to Mangyans. Their historical accounts, songs, dances, marriage rituals, funeral rituals, and natural healing, for them, are cultural expressions solely for Mangyans. Being central to maintaining the blueprint of their identity as indigenous people with regard to their traditional knowledge and cultural expressions and because control over these things is the main concern in their struggle for self-determination, it has been a natural response for the community that they have the right to protect and uphold. However, due to the absence of formal education among elderly people, they have limitations in regard to the specific legal mandates concerning intellectual property rights. It may have never been translated to them by their ancestors that they have the rights to these things from a legal perspective, but the strong adherence of the succeeding generations to sustain and conserve these rights accounts for their strong response on how to protect their rights. In the context of the Iraya Mangyan in Mamburao, the presence of schools in the community can be a jumpstart to orient young Mangyans about their intellectual property rights over this traditional knowledge and cultural expression.

4. Final considerations and Recommendations

The study revealed that rights indeed exist in the Mangyan community in Occidental Mindoro. It is worth noting that despite their oppressed status, they assure that all the members of the community can live their lives to the fullest in terms of self-governance and empowerment, adherence to customary justice systems to protect the rights of the members, maintenance of peace-building processes to assure that the natives in their community conform with the norms of the group, representation to the society and access to social services. These rights are expressions of their inherent identity as human beings.

The strong adherence and awareness of the tribes under study with regard to the exercise of their rights pointed to a significant direction in terms of how these aspects can be used to preserve their identity. The upholding of their cultural integrity inherited from their ancestors realigns their social, economic, and cultural ways of connecting to the nation and considering themselves part of society. The field researchers envision that this study can contribute not only to expanding our awareness of the status of the Iraya Mangyan in their ancestral domain but also as a basis for restructuring the services that the government needs to cater to these groups of people in the remote areas of the country. While there have been many accounts describing the lives of this group of people, this study has several implications. First, it brings us closer to the lens that magnifies the actual conditions of these people in terms of how their rights are being practiced in their community. Second, in pointing out the rights of Iraya Mangyan, this study can unpack the complex reasons why the national government rarely responds to the needs of the indigenous group of people in regard to services. The fact that Iraya Mangyans in Mamburao have not been awarded a Certificate of Ancestral Domain Title (CADT) for their land, which is an important document in the agreement of the state and tribes. It is important to note that several other tribes in Mindoro have this important legal designation. Tribes without this document may not enjoy the same rights to self-governance in practice and in services, which may affect different relationships with the government and with nonindigenous communities. In addition, it is very much evident that there is a great need to design and establish a comprehensive program for this group of people in terms of education, health services, etc. etc. They should be accepted as part of society because they are also Filipinos. Their natural communities need to flourish, and their rights should be respected; however, at the same time, their natural habitat must be protected. Finally, reinforcing the role of indigenous education in promoting the rights of indigenous people, including mainstream education, will pave the way for a mutual and beneficial understanding of indigenous people’s way of living.

It was also evident that modernization has already invaded their cultural structures, such as their interaction with Tagalog, which has greatly influenced not only their lives but also their way of living. The accounts shared by the respondents are testimonies of how the lives of the indigenous people exist in modern times, specifically in terms of how they use their rights to coexist, such as ordinary Filipinos. Theirs may not be as strong as how lowland people defend their rights but time
mold them gradually to see their identity on the map. It was also revealed how education serves as an instrument for them to exercise these rights and maintain in their community its value in terms of introducing them to their younger generation. Although they are not aware of their intellectual property rights, modern education hopes to give them the opportunity to discover them.

Moreover, in light of the findings of this study, for future researchers who are interested in exploring the rights of indigenous people, researchers further recommend extending the documentation of data through document analysis from secondary sources of data such as reports from various agencies and organizations to establish a more comprehensive treatment of the subject.

**Ethical considerations**

Before the interviews were conducted, consent from the authorized person and from the respondents was respectfully secured. To avoid bias regarding their responses and to avoid miscommunication, the interview questions were answered sensibly. Questions such as their appearance and other harsh topics that may hurt their feelings were avoided. Questions were delivered carefully such that the dialog between the researcher and participant was conversational. This was done to promote better engagement and to have a fluid discourse during the interview between the researcher and the participant. Ethical considerations in interviewing indigenous people were strongly followed to avoid ethical dilemmas. To ensure that the study followed proper procedures and ethical standards, the researchers sought the approval of the concerned government agencies. Letter requests were prepared and submitted to the proper offices. The researchers explained the details of the study before the participants were interviewed. Informed consent for the recording of the audio interview and transcription was obtained from the participants before the interview commenced. Furthermore, the participants were assured that the data collected would be treated with confidentiality in the interest of their rights to privacy aligned with the 2012 Data Privacy Act of 2012 of the Philippine Republic Act 10173.

**Conflict of interest**

The authors declare no conflicts of interest.

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