Mapping Ancestral Lands and Waters
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Introduction

The passage by the Philippine government of the Indigenous Peoples Rights Act of 1997 brings to the fore the place of ancestral domains and “Native Title” among the different property regimes of the land. “Native Title” contrasts markedly with other private property regimes in that barring forcible eviction or acts of God, ownership in the former is derived from an open and notorious occupation of a defined territory since “time immemorial”. What this simply admits is that indigenous communities already had defined territories even before the Philippine archipelago’s boundaries had been consolidated through a process of colonial conquest. Because of this sustained relationship, indigenous communities have derived a sense of uniqueness and identity as a people, an identity often immanent or inseparable from their ancestral domains. Hence it is thought that an ancestral domain is not merely the territory per se, but is also the intangible artifacts of an indigenous community, such as its history, social relations, systems of resource use and cultural identity in the sense that these artifacts are a direct expression of a people’s relationship with their traditional territory.

The Calamian Tagbanwa’s ancestral domain underscores this bond very clearly. Their sense of clan territory and identity as an indigenous people is founded not only on a notorious occupation of ancestral lands since “time immemorial” but more significantly, on a unique and sustained relationship with the sea as governed by customary law.

In a historic step, the Calamian Tagbanwa have filed the first formal legal claim in the Philippines for their “ancestral waters” or teeb ang surublien, the “territorial sea inherited from the ancestors”. The Tagbanwa are not alone however in the struggle to gain recognition of indigenous ownership of “customary marine resources”: Molbog communities in Balabac, Southern Palawan; and the Badjao of Jolo all share historical experiences in maintaining traditional lifeways anchored in the sea.

In terms of mapping their marine resources, the Northern Palawan Tagbanwa have much in common with the Miskito and Caribbean peoples of Nicaragua. Like the peoples of the Miskito Reef, the Tagbanwa have used “community mapping” as a way to claim and identify different marine resources or sea territories as theirs. An indigenous group which has successfully claimed their territorial waters as part of their ancestral domain are the Nunavut Inuit of Northwestern Canada. In a treaty ratified in 1992, the Nunavut Inuit entered into an agreement with Her Majesty The Queen in Right of Canada recognizing “aboriginal title” to the Nunavut Settlement Area, “based on their traditional and current use and occupation of the lands, waters and land-fast ice in accordance with their own customs and usage.”

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1 The Calamian Tagbanwa language has 3 sounds which are not found in Tagalog, and in the writing system devised for the language special characters symbolize these sounds, namely: g in bugang (cave); w in awuyuk (lake); and e in ekel (get). The sound “e” does not have the same pronunciation as the Tagalog “e”, rather it is enunciated with the tongue midway from its position when pronouncing the vowels symbolized in both languages as “i” and “u”.
In sum, notions of indigenous seas and customary marine resources are not confined to the Calamian Tagbanwa, but in the Philippines, they are the first to assert their rights over these.

From the point of view of ethnolinguistics, there are three groups of Tagbanwa geographically distinguished as northern, central and southern. In the technical literature, the northern group is referred to as the Calamian Tagbanwa who inhabit various islands in the Calamian and Linapacan groups and areas in the northern part of the main island of Palawan. The central group inhabit an area further south on the mainland in the vicinity of Roxas and are sometimes referred to as Silanganen or Tandulanen (unfortunately, the language and culture of this group is in the process of becoming extinct through loss of ancestral land and extensive intermarriage with non-Tagbanwa). Lastly, the southernmost group is known simply as Tagbanwa, and they inhabit areas to the south of the central Tagbanwa area. These three groups are quite distinct from one another primarily because their languages are widely different and incomprehensible to the other groups. Secondly, unlike the southern group of shifting cultivators described by the anthropologist Robert B. Fox, the Calamian Tagbanwa are chiefly seminomadic fisherfolk. The name “Tagbanwa” is a generic one and means “from the place” or “original inhabitants of the place”. It is still used today by the indigenous or native population to distinguish themselves from the lumalayag (sailors) or “those who migrated to the area by sea”, like the Cuyonon and other hispanicized Filipinos such as Agutaynon, Cagayanen, and the Visayans.

This paper focuses on the Calamian Tagbanwa and their initiative to map their ancestral lands and waters as part of a strategy to secure or regain tenure and resource rights within their ancestral domain. This case study is limited to the following nine Calamian Tagbanwa communities, namely: Barangays (villages) Banwang Daan and Cabugao in Coron Island; Dinuksulan, Kalumbuyan and other sitios (smaller units within a barangay) of Barangay Bulalacao; Kamanga ang dakulu and Tala in Barangay Tara; Barangay Malawig; Barangay Buenavista and Barangay Turda. Their traditional territories spread through three areas in the Calamianes, specifically:

1) the Bulalacao Island Group south of Busuanga Island;
2) Coron Island Group southeast of Busuanga Island; and
3) Tala or Tara Island Group north of Busuanga Island.

The Early Peoples of Northern Palawan

The name Batuanen (dwellers of Rock) generally refers to the Tagbanwa in Coron Island or Batu (Rock), and specifically alludes to those in Barangay Banwang Daan as distinguished from those who live in Barangay Cabugao in the same island. The name Puluanen (island dwellers) refers to Tagbanwa communities in the outlying islands, specifically Tala (Tara) and adjacent islands. Meanwhile, the term Awanwaanen refers to the Tagbanwa inhabiting various locales in Busuanga Island, which is called Awanwaan or simply Banwa. The term sugudun or “interior dwellers” is applied to communities located at some distance from the coast. (See: Map of Calamianes)

2 Timothy Wright writing Calamian Field Station in 1975 observed that the “.. Calamianes or “northern” Tagbanwa follow a seminomadic, ocean fishing lifeway very different from that of the Tagbanwa of the mainland.”
Community elders in Tala, Bulalacao, Buenavista, Malawig, and Bayang narrate that many Tagbanwa clans can trace their origins to Coron Island before the diaspora scattered to other islands and parts of Busuanga Island in the remote past. Elders and leaders from Bayang, Tala and Bulalacao recall that their ancestors had sailed from island to island, setting up camps on beaches while the men fished and the women dug *kapari* and *kurut*, edible tubers which were the staple of the Tagbanwa diet. They also buried their dead in caves along the cliffs and beaches of these islands. In Bulalacao, families had restricted their foraging and fishing to the coral reefs and islands within the Bulalacao group, returning to the same camps that their parents had marked with cashew trees and other edible plants. In this sense, Tagbanwa families in the remote past may be understood as nomadic foragers and fisherfolk ranging within a defined and bounded territory.

Elders from Bulalacao, Tala and Cabugao remember that Banwang Daan was a Tagbanwa settlement prior to the Spanish conquest. In fact, two of the Tagbanwa epic heroes, Ti Makarere and Ti Natambak had lived high up in its cliffs in separate caves facing one another. Their cave dwellings are still well known by the people in Banwang Daan. It is said that Ti Makarere and Ti Natambak were courageous warriors who had successfully defended Tagbanwa territory against foreign invaders, both Muslim and Spanish. They had discovered *anting-anting* or *agimat* (amulets) in the forest that rendered them invulnerable to machetes and able to cross great distances quickly, sometimes in a single bound. From Banwang Daan, Ti Makarere and Ti Natambak would leap to Dumampalit, an island of the Tala group overlooking the China Sea that served as a historic staging ground for attacks against marauding pirates and other intruders. A Tala village elder indicated that Dumampalit was literally a point of no return for many mariners who met their fate on its shoals.

Ti Makarere and Ti Natambak had also rescued a Tagbanwa youth who had been captured by the Spaniards to serve in a Christian mission. With a single step, Ti Makarere and Ti Natambak crossed Busuanga Island, recovered the youth, pillaged the mission and cracked the church bells as a warning. These Tagbanwa heroes eventually succumbed to the bite of the *tatut*, a crustacean with an oversized pincer. A host of these *tatut* attacked the two heroes while asleep in their cave dwellings, a fate meted out to them, as Bayang elder Benjamin Pulilan explains, because they had become inflexible and attacked outsiders indiscriminately.

This epic tale, retold by elders and adults from the Bulalacao group of islands to Coron Island and Bayang in the north, leaves present scholars with intriguing clues on the prehistoric past of northern Palawan. Alfred Marche, a naturalist touring Palawan in 1884 to gather ethnographic data on the province’s indigenous peoples chronicled,

> “… I docked before old Coron, in the island of Peñon de Coron, which is found between Culion Island and Busuanga Island. It is formed of a mass of mountains looking like dead volcanoes … The island has numerous caves and crevasses where swallows’ nests (sic), precious to Chinese gourmets, are found in abundance. It is inhabited by Tagbanwas … A great number live in caves … I found … 5 or 6 natives who fled at my coming.”
That the Tagbanwa’s ancestors may have dwelt in caves from the time of the epics till a
decade before the 1896 Katipunan Revolution is a tantalizing detail considering that the
Tabon Caves of Quezon, Palawan may have been accessible through the land bridges of
prehistory.

The Tabon Caves are a landmark historical archaeological site which provided information
on 50,000 years of Philippine prehistory. Historians posit that Palawan Island and the
Calamianes islands were important stations in the flow of people, goods and biodiversity
between the Philippines and Borneo in the south, and the rest of Asia in the west. From burial
assemblages found in the caves, archaeologists have been able to piece together a portrait of
the early communities peopling Palawan.

Archeologists infer that in 1500 B.C. Palawan witnessed a great movement of peoples who
may have sailed from Borneo in the south or Malaysia, Thailand, mainland China and Indo-
China in the west. From the archaeological evidence, Robert Fox deduced that these early
peoples of Palawan had lived as nomadic farmers and foragers and engaged in fishing and
hunting. They may have had scattered settlements along the coast or rivers, and buried their
dead in caves. These observations led Fox to conclude that the early peoples of 1500 B.C.
shared telling characteristics with Tagbanwa and Pala’wan peoples of the present day.
Continuing these notes to the 1500’s, Nilo S. Ocampo in his comprehensive history of
Palawan confirms that there had already been peoples of proto-Malay origin scattered in
Palawan and the Calamianes islands prior to the arrival of Spanish explorers. Ocampo reports
that these early peoples were called Tagbanwa, Pala’wan and Batak.

It is intriguing to note that Fox’s description of the prehistoric peoples of Palawan resonate
with the stories of Calamian Tagbanwa elders on the lifeways of their ancestors in the remote
past. What is even more intriguing is that for families in Turda, Bayang and Coron Island,
elements of this way of life such as cave burial and nomadic foraging and fishing persisted
right up to the Japanese invasion, after which the Tagbanwa gathered in more permanent
settlements in sitios and barangays. For instance, Tagbanwa living in beaches and caves
ringing Coron Island were still active hunter-gatherers up to 1936 when many seminomadic
families decided to live in the barrio site in Banwang Daan to avail themselves of public
education for their children. If indeed these elements are of proto-Malay origin, then this may
imply that several clans of the Calamian Tagbanwa have, while adopting external influences,
maintained a way of life anchored in nomadic foraging and fishing for nearly 3,000 years.

If the Europeans had just begun to discover northern Palawan, the Chinese had long since
established trade with the region. Historical scholars now opine that the first detailed
narrative of Chinese trade with the Philippine islands contains a description of the
Calamianes. Chau Ju-Kua writing the *Chu-fan-chi* or “A Description of Barbarous Peoples”
in 1225 was an Inspector of Foreign Trade in Chinkiang, Fukien, China between 1205 and
1208. From traders and travelers he describes “Kia-ma-yen” – now thought to be the
Calamianes – as part of San-Su or “Three Islands”, a chain of islands which may have
included Palawan or Coron Island (Pa-lau-yu), and Busuanga Island or the Visayas (Pa-ki-
nung). In his chronicles Chau Ju-Kua described large, independent villages under no single
jurisdiction dotting a coast of tall ridges and steep cliffs. Inhabitants of Kia-ma-yen bartered
cotton, yellow wax, cloth and mats in exchange for porcelain, lead sinkers for nets, tin, rattan
baskets, glass beads of all colors, silk umbrellas, black damask and other silks from the Chinese.  

More than 60 years after Magellan’s voyage and three and a half centuries after the publication of the *Chu-fan-chi*, Miguel de Loarca in 1582 chronicled what scant information Spanish explorers had on the region. At that time, “Calamianes” to the Europeans referred to the central and northern areas of modern-day Palawan province, including “Paraguan” or Palawan Island. Loarca mentions that large quantities of wax were collected in the Calamianes and the region’s barter trade was based on it. Little else was known on the area due to its distance from Spanish military authorities; but significantly, Loarca identified the island of Coron as one of the few, “small” islands in the region known to Europeans to be inhabited.  

The Calamianes also appears in Dr. Morga’s seminal work on prehispanic Philippines, first published in 1609. He too describes trade in the islands, adding in the list of goods bartered with Chinese and Portuguese traders luxury items such as pearl oysters “as large as a buckler”; “beautiful articles” hewn from pearl shells; and the shells of large sea turtles.  

More detailed information on the islands’ inhabitants and their spiritual life was chronicled by Augustinian Recollect missionaries who began preaching in the Calamianes shortly after their arrival in Manila in 1620 and 1622, and continued by other Discalced friars who arrived in 1627 and 1637. In Augustinian annals first published in 1663, Fray Luis de Jesus recounts that the island of Coron was deemed “a sacred place” by its inhabitants:

“That of Coron is also notable, as it is a ledge or rock, very high and rugged, which is fortified naturally by the crags that girdle it. Its ascent is steep and intricate. The Indians retire there as to a sacred place. It cannot be taken except by hunger or thirst, and the crag or island is dry and barren, so that not a drop of water can be found on it. Numerous birds resort thither, and there are also a great number of beehives amid the hollows of the rocks, and a quantity of honey is produced, as well as wax, without its costing any care or labor. The Indians gather that harvest, and, carrying to other places, obtain the things needful for life. All of those islands are defended by reefs, which makes the navigation of those seas very dangerous, even in the time of fair weather.”

Fray Juan de la Concepcion’s 14-volume general history of the Philippines, first published in 1788, documents the Calamianes missions up to the year 1624, identifying present-day

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4 M. de Loarca, Relacion de las Yslas Filipinas (1582 June), in E. Blair and J. Robertson (Eds.), *The Philippine Islands 1493-1893* (Vol. 5, pp. 113-115), Cleveland: 1903.  
6 Fray L. de Jesus, Historia General de los Religiosos Descalzos del Orden de los Hermitaños del Gran Padre, y doctor de la Iglesia San Agustin, de la Congregacion de España, y de los Indias (1663), in E. Blair and J. Robertson (Eds.), *The Philippine Islands 1493-1893* (Vol. 21, p. 226), Cleveland: Arthur H. Clark Company, 1903.
Busuanga Island as “Calamian the great” and Culion Island “Calamian the little”. Fray Juan meticulously detailed two important products bartered by the inhabitants of “Busuagan” (Busuanga Island) with Chinese traders: edible swiftlet nests and sea cucumbers or balates, both highly prized by Chinese gourmets.

Balates, balat or sea slugs are found in the sandy bottom of the ocean. Blair and Robertson identified the sea slugs mentioned by Fray Juan as Holuthuria edulis but there are in fact several varieties in Tagbanwa waters. Of the barter in balat in Busuanga Island, Fray Juan notes:

“The beaches are protracted into very extensive shoals and reefs. There the excellent balate is very abundant. This is a shellfish which, when cooked and dried in the smoke, is preserved dry. This product is highly relished by the Chinese or Sangleys. They lade as much as possible into their boats, paying 30 and even 38 pesos per pico (which is equivalent to 5 arrobas twelve and ½ libras), according to the season. The flesh is very wholesome, and tastes like shrimp.”

This account echoes the stories of village elders in Bayang, Kamanga, Malawig, Bulalacao Island and Coron Island on the livelihood of Tagbanwa ancestors. Benjamin Pulilan and Clementino Alberto of sitio Bayang north of Busuanga Island remember their parents periodically diving for balat and samung (shells prized for their unusual shape, sheen or color) on month-long expeditions past Dumampalit to Apu Reef near Mindoro, rounding Busuanga Island on sails to sell their dried balat in Culion in the south where the capital of Calamianes was once located. Elpidio Calix of Bulalacao remembers his parents sailing for the Gegeteye shoals and reefs searching for balat and samung to sell to Chinese and Filipino traders in Culion. The trade continues to be a major source of income for present-day Tagbanwa families.

China’s trade in edible nests was first documented in the T’ang Dynasty (618 to 907 A.D.). The nests of the swiftlet or balinsasayaw are the key ingredient of birds’ nest soup and is valued in China as a culinary delicacy and as an aphrodisiac. Interestingly enough, the first reference to Chinese trade with Philippine islanders occurred a few years later in the Sung Dynasty or about 982 A.D. when traders from “Mo-yi” (Ma-i, Ma-yi – ostensibly, Mindoro) sold merchandise in the Canton coast. Hong Kong is presently “the biggest official consumer of birds’ nests importing about 100 tons or $25 million annually.”

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7 Curiously, this translates to “Kalamian dakulu” and “Kalamian gesye” in Tagbanwa.
8 The Tagbanwa place name “Busuagan” refers to the western part of Busuanga Island. Perhaps “Busuagan” refers to western Busuanga or the modern-day municipality of New Busuanga, and not the entire island.
10 Ibid, p. 308.
In the colonial past Fray Juan affirmed that swiftlet nests were decidedly “a more profitable product” for the “natives” of Busuanga than beeswax. Despite the “superior quality” of beeswax in the island, the Chinese seemed to have paid large sums for first class or transparent swiftlet nests exported to mainland China, as Fray Juan chronicles:

“The Chinese esteem it highly, and generally pay, according to its scarcity or abundance, 8, 9, and 16 pesos per crate, which contains 21 onzas.” 13

Unlike most observers, Fray Juan correctly deduced that the balinsasayaw was a species of swift and not a swallow.14 He compared the swiftlet nests to fine, transparent vermicelli, resembling ice. Fray Juan also painstakingly chronicled how the “natives” gathered the swiftlet nests which were “usually located in very overhanging and rough places.” Rid of its ethnocentric viewpoint and a few inaccuracies, Fray Juan’s narrative could well serve as a description of swiftlet-nest gathering among contemporary Tagbanwa:

“They are very difficult to gather, for the birds always build them in craggy locations, in whose tortuous and precipitous caverns they are only obtained by descending a rope. Some are obtained by climbing up bamboos, finding a rest for the feet on the knots, which are left with large projections for that purpose … The taking of the nests is repeated 3 times during the calm months of the year. The latter part of December, those to whom are assigned crags – in which it is not right for one to meddle with those of another, a rule that is observed with much fidelity – go out. They gather the old nest … Thus do they force the little bird to make a new nest, as it cannot make use of the old one for breeding … the … bird strives to build its nest … [all] the month of January … The destroyers come and tear them down. The disconsolate birds again begin to build their nest, and at the end of February, or the beginning of March the Indians repeat the robbery … the rainy season generally sets in. That, and the Moros who infest these seas, cause the harvest of nests involuntarily to be abandoned.” 15

More than two centuries later, the naturalist Alfred Marche related chancing upon the huts of “swallows’ nest” (sic) gatherers in Coron Island. In his chronicles, Marche describes Tagbanwa-occupied areas in Culion, the coast and interior of Busuanga Island, and Coron Island and distinguishes the Calamian Tagbanwa from “Indians” or other hispanicized

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13 Swiftlet nest is currently “kati” and “unsas” in Coron Island, with 1 kati equivalent to 1 kilo and 1 unsa equal to the weight of 6 of the large, old 1 ¢ coins.
15 Ibid.
Filipinos. His description of swiftlet-nest gatherers is notable for its similarity to the current problem of usury imposed by Filipino middlemen on Coron Islanders, as follows:

“It is surprising to see these people so poor when they are the only one who gather swallows’ nests (sic) which are sold in Manila, for 5 francs an ounce for the first class, 2 francs 50 for the second class. Moreover they fish for balete (trepang) whose price is quite high. Certain species are sold for even 5 francs a piece. I must say that these unfortunates are scandalously exploited by the Chinese and the Indians who advance them rice and some pieces of cloth against future harvests … clever merchants gain as much as 1,000 pesos for 100 loaned and skin them of all that they could possibly have.”

Swiftlet nests, balat and samung continue to be major sources of income for Calamian Tagbanwa up to the present day. Swiftlet nests in particular figure prominently in the payment of the bride price in marriage negotiations and command a higher price than either balat or samung. The collection of swiftlet nests however is seasonal, unlike balat and samung which can be collected the whole year round. In sum, what the Augustinian Recollects’ and Marche’s accounts signify is that the Calamian Tagbanwa have been gathering and trading edible swiftlet nests and balat for at least 370 years. And since the Chu-fan-chi dates Chinese relations with the Calamianes at a much earlier date, it is likely that the trade preceded the arrival of Europeans and that the Calamian Tagbanwa have been participating in the international market for more than 700 years.

Historical documents also tend to validate the endurance of Calamian Tagbanwa cultural artifacts or beliefs. Among contemporary Calamian Tagbanwa, the mangaluk is a person with malevolent magical powers who can suck out the life of sick or dying people, that is, “kumakain ng tao” (they eat people). According to Rodolfo Aguilar of Coron Island, the mangaluk are the malefic opposite of the bawalyan (baylan in Tagalog) who are the village’s healers or manggagamot. Writing in 1663, Fray Luis de Jesus mistakenly describes the mangaluk to be revered priests, saying,

“Theyir priests were highly revered, and were called mangaloc. The devil showed them what they asked from him, in water, with certain shadows or figures.”

Based on the contemporary use of this form of divination, Fray Luis may have been describing a technique used to determine which spirit has caused a sickness or where a lost item can be found. Alfred Marche affirms the belief in the mangaluk among late 19th century Tagbanwa in Coron Island and Busuanga, writing,

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17 In the technical literature, they are called viscera-suckers.
“I was not able to know anything about their religion, except that they are fetishists (sic) and that they fear very much the spirits, specially the Manaloc. Those who become Christian mix the beliefs of the two religions, which occurrence is almost general in the Philippines.”

Another significant footnote from Nilo Ocampo’s work is that as far back as the period of colonial contact, Spanish missionaries had noted distinctions between Tagbanwa communities in mainland Palawan, inland Busuanga and those found in Coron. From his history of the Recollect missions, Fray Juan de la Concepcion recorded that the Tagbanwa of Palawan Island could be found in the plains or close to rivers, and were to be distinguished from the Batak in that the former was lighter skinned. Fray Juan also observed that the Tagbanwa of Busuanga were more responsive than those of Coron Island who, by comparison, were decidedly “warlike” as he narrates below:

“There are many pagans of good appearance and better disposition [in Busuanga]. The frequent raids of the Moros hold that most fertile island in the greatest abandonment. A narrow channel separates the island of Coron from it [Busuanga]. The latter is a rocky crag about 3 leagues in circumference. The only entrance to it is by a narrow tongue of land, which forms, as it were, a small port. But it is so easy of defense that a few men can prevent any entrance there without danger. Because of the strength and independence of its location many natives of savage inclination, and most warlike, live there.”

From the narrative above it seems the Augustinian Recollects had anticipated serious difficulty or at least bodily harm in contacting or preaching to Tagbanwa families living in Coron Island. Piecing this description with the oral epic of Ti Makarere and Ti Natambak, it would be interesting to explore if there had been episodes of resistance against the Spanish conquest among the Tagbanwa of Coron Island at the time of colonial contact.

Ocampo notes that Spanish chroniclers had grouped the Cuyonon among the Pintados (the Painted Ones) or Visayans on account of similar belief systems and other documentary evidence. Spanish historians also observed that not a few Cuyonon were partly of ethnic Chinese ancestry or Sangleyes, a trait which in the mind of the conquistadores explained the Cuyonon’s savvy for trade.

On a final note, Nilo Ocampo also chronicles the role of the Sultan of Brunei and other Islamic groups in the history of northern Palawan from the period prior to Spanish contact to the outbreak of the 1896 Revolution. Parts of Palawan Island were visited by Islamic religious missions. Indeed, as Tagbanwa communities in southern Palawan exhibited Islamic influences in their faith and material culture, inhabitants of the Calamianes paid tribute to the Sultanate of Brunei (also called Burnay) or to other Muslim groups in southern Palawan and Mindanao. However, unlike the Spanish colonists whose bases for collecting tribute was 18 Visayans were loosely called the Pintados by European explorers in the late 1500’s for the former’s intricate body tattoos.
“God and King,” Islamic groups had more secular, commercial purposes in mind. Failure to render tribute meant that residents would be raided for slaves, specially small children. The Islamic groups may have viewed the Europeans as their chief rival for the control of the province and its peoples. These groups came from Jolo, Sultan Kudarat, Maguindanao or were of the Orang Tedong of Borneo, or even agents of the Sultanate of Brunei before the treaty between Spain and the Sultan was negotiated.

The oral history of the Calamian Tagbanwa affirms these historical accounts. From stories told to them as children, community elders of Banwang Daan recall that their ancestors would hide high up in the caves and cliffs upon sighting the sails of the Muslims’ kumpits. In MalApuso island in the Bulalacao group, there are two towering promontories from which Tagbanwa had dropped boulders to deter Muslim slave-takers from entering Bulalacao. In Bayang, community elders tell the story of a young, Tagbanwa girl who was taken as a slave to Mindanao where she grew into maturity and eventually met a captive Tagbanwa youth. After gaining the confidence of their captors, the pair commandeered a small banca under cover of night and with superhuman effort rowed to Zamboanga. Upon reaching safety, they managed to solicit the aid of the Spanish mission for passage to Puerto Princesa where they were able to make their way back to Tala (Tara) with the help of mainland Palawan Tagbanwa.

Jurisdiction over the Calamianes was contested by Spanish military authorities, the Sultanate of Borneo (Burney) and other Islamic groups for over 300 years. The inhabitants, successively identified as “natives”, then “pagans” and finally “Tagbanwa”, alternately evaded or resisted paying tribute to either Spanish or Islamic authorities. Up to 1884 during Marche’s visit to the Calamianes or just 12 years before the Katipunan Revolution, the Tagbanwa had not been completely “reduced” or gathered into settlements under Hispanic civil administration, as Marche describes:

> “The natives of the archipelago are Tagbanwas, divided into 2 groups: the first is composed of those who stay independent and loyal to their beliefs; the second, a certain number of individuals who live in the village and have been converted to Christianity. Among the first group, however, some have accepted baptism but stay in the woods. Besides, those who live or who have a house in the village live there as rarely as possible. Except for Sundays and feast days everything is deserted. Each one lives in his own area.”

These accounts and a host of others show how the northern Palawan Tagbanwa have responded to new conditions while persisting in their traditional way of life, or as Nilo Ocampo puts it, the unceasing observance of traditional customs among indigenous peoples. They provide important clues to how the Calamian Tagbanwa have continued to thrive as distinct, intact communities in their ancestral territories while ascribing to traditional subsistence strategies. Additionally, the cited documentary sources for northern Palawan have by far supported the historical elements found in the narratives and epics of Tagbanwa community elders.
Role of Community Mapping

Today the Calamian Tagbanwa are again engaged in a struggle to maintain the integrity of their traditional lands and waters. In 1996, five Calamian Tagbanwa foundations representing close to 2,000 families living in seven barangays in Coron federated themselves into the Samahan ng mga Pundasyon ng mga Tagbanwa (Federation of Tagbanwa Foundations) or Saragpunta. The federation’s name is taken from the word “saragpun” which has two meanings, namely “mag-ipon-ipon” (to gather) or “malaking bangka” (a large boat). One of Saragpunta’s main objectives as articulated in its founding congress is to secure, recover and protect all Calamian Tagbanwa territories.

In 1997, the Saragpunta initiated mapping activities with the objective of generating boundary maps for their ancestral domain claim. The effort was undertaken as part of documentation activities required by Department Administrative Order No. 2 s. 1993 (DAO 2) which regulates the application process for awarding Certificates of Ancestral Domain Claim (CADCs). At the time of DAO 2’s inception in January, 1993 there were no legal instruments that directly gave cognizance to “ancestral domains” despite the imperative of the 1987 Freedom Constitution which states in Section 22, Article 2 that

“The State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development.”

Department Administrative Order No. 2

DAO 2 was formulated by the Department of Environment and Natural Resources (DENR) to fill this gap and provide a process for “identifying and delineating ancestral domain and land claims, certify them as such, and formulate strategies for their effective management.” The CADC ensures that no other DENR program can be implemented within the ancestral domain claim without the written consent of the indigenous community concerned. While a CADC concedes all contracts, leases and permits issued by the DENR for the “exploitation and utilization of natural resources” and already in force within its coverage, it nevertheless stipulates that no further renewal of all contracts, leases and permits can be effected without the indigenous community’s written consent. Moreover, a CADC delivers to the indigenous community exclusive management of the natural resources found within its ancestral domain, and no permit for access rights for the purpose of natural resources extraction may be granted to non-members of the claimant community.

The CADC application process relies on testimony from elders of the indigenous community, and requires “documentary proofs” that directly or indirectly attest to the “possession or occupation of the area since time immemorial” by the community or their predecessors-in-interest “in the concept of owners”. Identifying these ancestral domains also requires delineation of their boundaries and producing maps and technical descriptions of the claim.

“Recognising Indigenous Ownership on Indigenous Terms”

Saragpunta’s boundary maps however contain far more than a technical description of boundaries required for a land claim. More importantly, they reflect the ethos of generations
of Tagbanwa and bear witness to the domain’s significance to several hundred Tagbanwa families. In documenting Calamian Tagbanwa place names and other evidences of long-term use and possession, the maps serve to validate their historical claim. Also, in broadly drawing out the current use of land and waters in the ancestral domain, the maps help to promote indigenous perspectives in the use of natural resources. In truth, the mapping activities assumed by the Saragpunta were part of an overall strategy to recover and secure ancestral lands and indigenous seas. In the report of the Social Justice Commissioner Michael Dodson for the Minister for Aboriginal and Torres Strait Islander Affairs under Australia’s Native Title Act of 1993, Dodson states:

“The law can only give full respect to Indigenous peoples’ property rights by recognizing the context in which our rights arise. They arise because of the existence of our systems of laws and customs. The common law system of property cannot accommodate our rights without understanding and acknowledging that they are embedded in Indigenous systems.”

The heart of the conflict over ancestral territory perhaps lies, as with other Philippine indigenous groups, with the claim of the Government of the Philippines that most indigenous territories are the property of the State. Proceeding from a Constitution that has retained vestiges of a colonial past, the State as with European, Japanese and American colonists, assumes that forest lands had been uninhabited and free of prior rights previous to its inception, and that sea and air space has only been claimed by sovereign entities. History, of course, disproves this assumption. Nevertheless the State continues to foist on indigenous groups a system of entitlement originated by a North American colonial Government unfamiliar with prevailing indigenous laws and customary use of resources.

A Separate Discourse

In this sense, the struggle to regain and protect ancestral territory is also a struggle of discourses. Indigenous groups remain invisible to centralized, government planning or worse, “forced to ‘prove’ our native title in an imposed legal system”. As Australia’s Social Justice Commissioner Michael Dodson asserts,

“Our system does not fully fit into your system. The technical manifestation of this is that, unlike any other land owner in Australia, Indigenous people do not derive their native title from the Crown. We derive our title from the system of laws that existed in this country before the arrival of colonists. The political and cultural manifestation of it is that our connection to country cannot be understood by non-Indigenous people within

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the terms of their own cultures. There is something
untranslatable inherent in Indigenous relationships to
land that will never be captured by a declaration of the
connection as a bundle of rights.”

This presents itself dramatically in the claim for ancestral waters where the Calamian
Tagbanwa’s sense of territory meets head on with “the European/Western notion that sea
space cannot be claimed, tenured or owned by nonsovereign peoples or groups … and the
Western notion that all ocean space is a previously … open-access ‘commons’ …”.

Dodson quotes Dr. Dermot Smyth in echoing the disparity between indigenous and European
notions of ocean space, saying,

“Nowhere is the difference between Indigenous and
western concepts of property ownership more apparent
than with submerged lands and sea resources … For
indigenous people, ‘the relationship and sense of
belonging to sea country is as elemental as their
affiliation with the land … traditional right to the
resources of clan estates included right to use and control
resources in the sea. The sea also contains sacred sites
and Dreaming tracks and was created in the Dreamtime
along with all its animals, plants, rocks, and currents.
From an indigenous person’s perspective, therefore,
there is no distinction between native title on land or
sea.”

Indeed, there is a long history in the Philippines of Government implementing its programs
under a dangerous assumption that large areas of the public land and ocean spaces are
unencumbered by private rights or uninhabited and thus may be freely disposed. For example,
the Calamian Tagbanwa have been rendered “invisible” in government maps in at least four
major planning projects in the past three years, specifically:

1) The Environmentally Critical Areas Network or ECAN map reported no indigenous
groups in Coron;

2) The Coron municipal land and water use map reflected no indigenous lands or seas;

3) The Department of Tourism’s (DOT) “Environmentally Sustainable Tourism” maps
for El Nido, Calamianes, San Vicente and other mainland Palawan sites prepared by
the Japan International Cooperation Agency (JICA) reported “Batak” groups (sic) in
Tara Island, and clusters indicated as possessing “the best natural resources in the
Study Area” and thus viable tourism “image leaders” for northern Palawan were

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Report of the Aboriginal and Torres Strait Islander Commission to the Minister for Aboriginal and Torres Strait Islander Affairs
as required by Section 209 of the Native Title Act 1993. Canberra: Australian Government Publishing Services, p. 50.


23 Loc. cit.

24 Japan International Cooperation Agency (JICA) & Department of Tourism. (1996 Aug.) The Study on Environmentally
Sustainable Tourism Development Plan for Northern Palawan in the Republic of the Philippines, Interim Report. Manila:
Department of Tourism.
unreported as ancient Tagbanwa home ranges and artisanal fishing grounds;

4) Municipal “economic development” plans sited a shipyard in ecologically intact, communal fishing grounds fronting Barangay Buenavista, and three provisional pasture lease permits proposed above Malawig’s barangay water system were granted. (See: ECAN Map of Bulalacao Island, DENR Land Classification Map for Coron)

Government control maps continue to erase indigenous groups from the landscape, awarding resources to a non-indigenous, political and economic elite in often inequitable and even bloody circumstances. In effect, centralized planning assigns indigenous groups to the periphery and sets them aside to provide for a perceived majority or mainstream. This is a fallacy in the case of the Calamian Tagbanwa as they comprise between 19% to a quarter of Coron’s total population, a significant segment of the municipality. Thus the State imposes a system which vests “rights” where previously there were none in an attempt to supereven customary use, or in other words, to legitimize the transfer of resources from indigenous groups historically known to use or occupy the territory since time immemorial into non-indigenous control. As Bernard Nietschmann explains clearly,

“… external, centralized jurisdiction is imposed to give non-indigenous groups “rights” to indigenous ocean territorial waters and resources.”

“Community mapping” hopes to counter this tendency by delivering mapping skills and the mapping process into the control of indigenous communities. Community mapping proposes that local communities direct the goals and conduct of mapping activities, and in so doing regain control over how their territory is presented and disposed. Momberg, Atok and Sirait assert that “… transferring mapping technology to local communities enables them to communicate their perception of land rights and resource management systems with the Government and contribute to the process of resolving conflicts.” And in the face of conflicting, external interests, “maps like guns must be accurate” says Nietschmann if they are to be reliably used as evidence in support of indigenous people’s territorial rights. Most importantly, as Flavelle states,

“Maps can be used for defining traditional land rights. When a community surveys the location of its boundary and the locations of its historical sites, it provides evidence of its people’s occupation of the land, and in that way it defines their traditional lands.”

In delineating ancestral waters, the Saragpunta sought the partnership of the Philippine Association for Intercultural Development (PAFID) to prepare maps using GPS or Global Positioning System receivers. The application of technologies associated with Geographical

27 Loc. cit., p. 34-37.
Information Systems (GIS) aided Saragpunta in taking their sketch maps into new realms of accuracy and reliability, and the possibility of mapping marine territory. In an arena of competing interests for valuable marine resources, the accuracy of the maps proved fortuitous in confronting the competing land and water use perspectives advanced by several government maps, as the paper will show.

The use of postprocessing software however proved highly technical and had been assigned to PAFID mapping staff. Aspects of surveying using GPS receivers and differential correction remain far removed from the experience of many indigenous communities. Yet in moving beyond the technological gap, the interface of solid state and indigenous technologies have produced accurate maps rich in content, as the section on mapping discusses.

Case Profiles

Location

The ancestral territories of the Calamian Tagbanwa are found in the municipalities of Busuanga, Coron, Culion and Linapacan in Northern Palawan. Tagbanwa barangays are located in islands off Busuanga and Culion Islands and along the coast and interior areas of Busuanga, Culion and Linapacan, including but not limited to the following barangays: Banwang Daan and Cabugao on Coron Island; Bululacao on Bululacao Island; Biong in Isla Tambon, Culion; Tara on Tara Island; and Marcilla, Turda, Buenavista, Malawig, Decabobo, Decalahao and Lajala in Busuanga Island; Sangat Island as well as barangays in the municipality of Busuanga.

A Note on Demographic Data

The demographics of Calamian Tagbanwa communities in the municipality of Coron as recorded by municipal government planning offices seem to have undergone a significant diminishment between 1994 when Saragpunta’s CADC application was relatively less well known to local executives and the present.

Table 1 shows the 1995 total population of 11 barangays known to host Tagbanwa villages. Of Coron’s 23 barangays, these 11 barangays account for 37.8 % of the municipality’s total population.

<table>
<thead>
<tr>
<th>BARANGAY</th>
<th>Tot Pop</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Banwang Daan</td>
<td>489</td>
</tr>
<tr>
<td>2 Buenavista</td>
<td>492</td>
</tr>
<tr>
<td>3 Bululacao</td>
<td>1,826</td>
</tr>
<tr>
<td>4 Cabugao</td>
<td>1,539</td>
</tr>
<tr>
<td>5 Decabobo</td>
<td>592</td>
</tr>
</tbody>
</table>
Table 2 summarizes the census of families who enlisted as members of the different Tagbanwa foundations belonging to Saragpunta. The census of Tagbanwa foundations is one of the requirements submitted to the DENR as part of Saragpunta’s CADC application. Providing for errors in the change in population between 1995 and 1997 and using the NCSO (National Census and Statistics Office) figure for the total number of households in the entire municipality of Coron in 1995, it can be seen that Saragpunta’s membership accounts for 23.4% of all households in Coron.

Total Saragpunta Membership = 1,195 households or 23.4% of total Coron households

Table 2. Saragpunta Membership

<table>
<thead>
<tr>
<th>BARANGAY</th>
<th>HH</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Banwang Daan</td>
<td>54</td>
</tr>
<tr>
<td>2 Bulalacao</td>
<td>184</td>
</tr>
<tr>
<td>3 Cabugao</td>
<td>230</td>
</tr>
<tr>
<td>4 Tara</td>
<td>312</td>
</tr>
<tr>
<td>5 Turda</td>
<td>65</td>
</tr>
<tr>
<td>6-7 Malawig &amp;</td>
<td>350</td>
</tr>
<tr>
<td>Buenavista</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,195</strong></td>
</tr>
</tbody>
</table>

Source: 1997 Consolidated Census of Tagbanwa foundations

[Note: A new Tagbanwa community organization, the Tagbanwa Foundation in Biong, Culion formally joined the Saragpunta in May, 1998.]

Table 3 shows the official data of the Coron Municipal Planning and Development Office (MPDO) for 1998 tallying the total population of Tagbanwa residing in the municipality. The first column shows the distribution of Tagbanwa in the municipality, revealing that Cabugao and Bulalacao are host to 31.9% of all Tagbanwa in Coron. The second column shows the total number of Tagbanwa in each barangay, while the third indicates the percentage of Tagbanwa in each barangay relative to its total population in 1995 as sourced from the NCSO.

Providing for errors due to population change between 1995 and 1998, the third column indicates that the Tagbanwa only comprise 27.4% of the total population of Banwang Daan and 60.0% of the total population of Cabugao. Note also that the percent distribution of Tagbanwa for Coron does not total to 100%. All told, the 1998 MPDO tally claims that the Tagbanwa comprise only 18.1% of the total population of Coron.
Total Tagbanwa = 4,888 or 18.1% of total Coron population

Table 3. Percent Tagbanwa Speakers per Barangay

<table>
<thead>
<tr>
<th>BARANGAY</th>
<th>% Dist. Tagb.</th>
<th>Tagb. Pop</th>
<th>% Tagb.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Banwang Daan</td>
<td>2.6</td>
<td>134</td>
<td>27.4</td>
</tr>
<tr>
<td>2 Buenavista</td>
<td>8.1</td>
<td>418</td>
<td>84.9</td>
</tr>
<tr>
<td>3 Bulalacao</td>
<td>14.0</td>
<td>722</td>
<td>39.5</td>
</tr>
<tr>
<td>4 Cabugao</td>
<td>17.9</td>
<td>923</td>
<td>60.0</td>
</tr>
<tr>
<td>5 Decabobo</td>
<td>3.4</td>
<td>175</td>
<td>29.6</td>
</tr>
<tr>
<td>6 Lajala</td>
<td>11.6</td>
<td>598</td>
<td>74.9</td>
</tr>
<tr>
<td>7 Malawig</td>
<td>7.6</td>
<td>392</td>
<td>90.1</td>
</tr>
<tr>
<td>8 Marcilla</td>
<td>8.9</td>
<td>459</td>
<td>50.2</td>
</tr>
<tr>
<td>9 Tara</td>
<td>11.2</td>
<td>577</td>
<td>70.1</td>
</tr>
<tr>
<td>10 Others (Bintuan, Tagumpay, Turda)</td>
<td>9.5</td>
<td>490</td>
<td></td>
</tr>
<tr>
<td></td>
<td>94.8</td>
<td>4,888</td>
<td></td>
</tr>
</tbody>
</table>

Source: 1998 Coron MPDO records
* Sic: the distribution does not total to 100%.

In 1996, the Institute of Philippine Culture (IPC) published a paper on Coron Island which estimated statistics on Tagbanwa population based on data obtained from the 1995 records of the Coron MPDO. The estimates on the percentage of the Tagbanwa population in each barangay vary widely from the 1998 MPDO tally. Notably, the IPC paper reports that Banwang Daan and Cabugao are both 95% Tagbanwa. The IPC gives a high estimate of the Tagbanwa population as 25.2% of the total population in Coron. If true, then in a span of two years either the Tagbanwa population suffered great mortality, or Coron experienced a sudden surge of non-indigenous immigration into the Tagbanwa barangays.

Estimated Total Tagbanwa = 6,816 or 25.2% of total Coron population

Table 4. Percent Tagbanwa per Barangay

<table>
<thead>
<tr>
<th>BARANGAY</th>
<th>Tot Pop</th>
<th>Tagb. Pop</th>
<th>% Tagb.</th>
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<td>492</td>
<td>467</td>
<td>95</td>
</tr>
<tr>
<td>3 Bulalacao</td>
<td>1,826</td>
<td>1,643</td>
<td>90</td>
</tr>
<tr>
<td>4 Cabugao</td>
<td>1,539</td>
<td>1,462</td>
<td>95</td>
</tr>
<tr>
<td>5 Decabobo</td>
<td>592</td>
<td>237</td>
<td>40</td>
</tr>
<tr>
<td>6 Decalachao</td>
<td>761</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
The great disparity in data reported by government statistics between 1996 and 1998 or since the publication of the Saragpunta’s CADC cautions against its reliability. The sudden decrease in Tagbanwa population in such major Tagbanwa villages as Cabugao and Banwang Daan alone is suspect. At this stage, it is difficult to find reliable, quantitative official data on the Tagbanwa of Coron.

**A. Coron Island Group**

Coron Island has a special place not only in Tagbanwa history but also in the history of the municipality itself. In an interesting twist, the town took its name after this adjacent island and not the other way around. The name “Coron” is a Cuyonon word for a round-shaped, clay cooking pot which is what the valley in Banwang Daan looks like when seen from the vantage point of the limestone cliffs which surround the village on three sides. The town of Coron was so named because the town site was first established in Coron Island in the mid-1700’s as Peñon de Coron located in Banwang Daan (or in the Palawan Historical Data Papers Banwang Lague) which means “former site” in Hiligaynon.

The town of Coron was founded by mostly Hiligaynon settlers from Panay Island, plus a few migrants from Zamboanga and Cagayancillo. They had taken over the valley of Banwang Daan and dispossessed the Tagbanwa of their land. The town of Coron was established as a visita under the jurisdiction of Culion which at the time was the capital of the Province of Calamianes. The visita was to last for only 50 years in this site as it was repeatedly pillaged by different Islamic groups who perceived it as a threat to the Muslim claim over parts of the Calamianes, and a direct encumbrance to the collection of tribute among its inhabitants. Because of the stiff resistance of these Islamic groups, the local elite transferred the visita to Busuanga Island and the Tagbanwa regained control of Banwang Daan. In turn, Tagbanwa ancestors evaded the successive raids staged by different Islamic groups by scaling the sheer limestone cliffs and hiding in the caves and forests surrounding the sacred lakes or awuyuk of the island.

**Area Profile**

Coron Island is host to two villages located in barangays Cabugao and Banwang Daan, both of which are populated predominantly by Tagbanwa. Though the majority of
Tagbanwa in this island congregate in the two settlements, not a few clans live apart in scattered beaches and coves around Coron Island and Delian Island. (See: Map of Calamianes)

Three such areas are Alimpiu, Diknay, and Salamagi, all sitios of barangay Cabugao. Salamagi is so named owing to the numerous salamagi (tamarind) trees planted in the place. It is a strip of beach in the west coast of Coron Island facing Bulalacao and Culion and has been home to the Manuel clan for several generations, that is, “since the time of the ancestors”. Five families from this clan have settled here permanently and have cultivated crops along the beach such as coconuts, bananas and cassava. Close to Salamagi is Tewa which is a beach once used as a burial area by the ancestors.

There are many burial grounds in the beaches ringing Coron Island such as Lelebngan nye bukidnun, Magtatangaw, Indanan, Dinalak and Dima. In caves which have been relatively less disturbed by robbers, pieces of pottery, utensils, plates and other artifacts can be found, as it was the custom of their ancestors to bury their dead with a few of the possessions they acquired in life. There has been some interest on the part of the National Museum to initiate an organized archaeological study for these caves but these were not carried out possibly due to a lack of funds and, as a Bulalacao elder explains, “It is forbidden in our culture to disturb the graves”.

The limestone cliffs ringing Coron Island are dug for kapari and kurut, the edible roots which were Tagbanwa staples before rice was preferred and are still depended on when rice is scarce. Kurut is poisonous if its toxic sap is not hydrated and extracted. Another plant that can be foraged from the cliffs is the patuyu which is collected in May and tastes like biscuit. The Tagbanwa also collect medicinal plants found in the crags of the limestone cliffs as well as in the interior forest.

Though Bâte extends to over 7,000 hectares, it is covered by mostly limestone cliffs, forest land and the awuyuk or lalaguna (interior lakes found in sink holes atop the cliffs). The latter are features unique to this island and are viewed by the Tagbanwa as “sacred or feared”. Indeed, community leaders stressed that the awuyuk are the most feared among the forbidden places. In crossing the awuyuk to gather swiftlet nests, the Tagbanwa either remain silent or talk in a special language reserved only for conversing in areas within the awuyuk. In their experience, gigantic octopuses live at the bottom of the awuyuks and Tagbanwa who use forbidden speech while in them will be pulled down by these octopuses to the bottom, never again to see the light of day.

There are similar observances for the panyaan as well, the Calamian Tagbanwa equivalent of marine core zones. A high taboo is attached to these sea areas where giant octopuses or the manlalabyut have been observed to prey on Tagbanwas using forbidden speech or otherwise act immoderately. The panyans around Coron Island, as in other areas are generally avoided, and Tagbanwa who deign to fish or dive there usually offer some form of appeasement to the spirits residing in the panyaan, such as gin and coins.

An example of forbidden speech is declaring one’s travel plans before one actually sets out across water. For instance, declaring “Bring the pot because we’re eating in Detaytayan” opens a Tagbanwa to the ire of beings who may lie in wait in the water for
an opportunity to drag down the hapless Tagbanwa to its depths. According to some
erlders in Bulalacao, the manlalabyut are actually beings or “people”, that is, they have a
physical form and have actually been observed. In Coron Island, a large, flat rock marks
the spot where the giant octopus of a panyaan was seen to sun itself by Tagbanwa hidden
high up in the cliffs facing Delian Island.

In terms of agricultural production, only a few families cultivate kuma (swiddens) which
are mostly planted to upland rice or corn. The swiddens in Coron Island typically yield a
rice harvest once a year and this takes place in October. Most families plant cashew trees
in backyard lots and the nuts are sold or exchanged for rice. As local growers attest,
cashew nuts from Palawan are preferred by wholesale traders based in Manila because
these don’t have the bitter aftertaste found in cashews grown from other regions.

The Tagbanwa of Cabugao and Banwang Daan do not primarily depend on agriculture
for their subsistence. Their real income comes from two sources: 1) fish and other
aquatic resources, such as tekbeken (octopus), balat, samung, latuk (edible seaweed) and
others; and 2) edible birds’ nests or luray for those who own clan caves.

Luray is used as a key ingredient in the preparation of birds’ nest soup, a delicacy in
southern Chinese cuisine. Luray is derived from the nests of the balinsasayaw or swiftlet,
a small and delicate bird which spins a milky, semi-transparent nest made of its own
saliva, wave wash and forest litter. Swiftlets make their nests in deep caves and crags
found in the limestone cliffs ringing Coron Island. These nests are very difficult to reach
as the cave entrances are usually found atop great heights and can fall away from nearly
vertical cliffs. Once inside, a cave can also plunge straight down and nests may be
located in the pitch-dark hollows below.

Every December, the swiftlets return to the same caves to spin their nests and lay eggs.
Tagbanwa families have passed on their clan caves from generation to generation and as
mentioned earlier, have traded luray to Chinese and then to Cuyonon and Filipino
middlemen for over 300 years.

Interestingly, Cabugao has a fair share of young widows, their husbands succumbing to
many types of diseases such as falciparum malaria. Widows or families with no males to
support them receive food from their kin or neighbors. A high value seems to be placed
on sharing in both communities. An official of the Tagbanwa Foundation of Coron Island
(TFCI) explains that the reason why a family’s swidden farm is almost never sufficient to
support the needs for a year is because the harvest is always shared among kin. This is
equally true with the fish or other marine resources that are caught for the day.

A high value is also placed on respect for one’s elders and parents. The mepet (elders) are
traditionally consulted on matters affecting the clans and traditionally, they were also
consulted on important issues affecting both communities. It was the mepet who
prescribed sanctions and meted out penalties for infractions against customary laws,
precriptions which were handed down orally from one generation to the next. They
settled disputes on ancestral lands and set the rules for resource extraction. Thus in the
past the mepet were held in high regard for their knowledge of customary laws and
played important roles in decision-making for the community.
However the introduction of the barangay system of political governance brought a profound change to their customary political structures. There was no place for the council of elders in the barangay system and the local government structure tended to centralize decision-making and services in the municipal government and Puerto Princesa, the provincial capital.

**Community Organization**

Cabugao and Banwang Daan are home to some 283 Tagbanwa families, all of whom are members of the local indigenous people’s organization, the Tagbanwa Foundation of Coron Island. The TFCI was organized in 1985 as a response to three problems:

1) The public bidding or *subasta* of the Tagbanwa clan caves carried out by the municipal government;

2) Influx of migrant settlers into Coron Island, most especially into Delian Island.; and

3) Issuance of tax declarations by the municipal assessor on parcels of Tagbanwa land to outsiders.

In 1985 Visayan and Tagalog migrants settled in Delian Island and parts of Cabugao and Banwang Daan. The migrant population soon overtook the number of Tagbanwa in Delian as the migrants invited their kin to settle with them and erect more houses. Unused to outsiders, some Tagbanwa families who had resided in Delian transferred to Coron Island, leaving their cows and cashew trees. A few cows were soon discovered slaughtered, and the Tagbanwa remaining in Delian found themselves a dwindling minority.

What compounded the problem was the tax on real property imposed by the municipal government under Republic Act 7160. The assessments made on the tax declarations proved to be unrealistic sums to pay for many Tagbanwa families who have either persisted in a subsistence strategy of fishing and foraging, or exchanged cash from the sale of *luray* and *balat* for scarce rice. Not a few were bankrupted by debts borrowed against the birds’ nest harvest to keep up with tax payments on the land.

In the early 1970’s, the municipal government took control of the Tagbanwa clan caves. On the pretext of regulating the trade to stem excessive harvesting and nests of poor quality, the municipal government implemented a program to tax the sale of *luray*. It seized ownership of the Tagbanwa clan caves by asserting that these were government property and could not be privately owned. The birds’ nest caves were offered to the general public by way of an auction and the winning bidder paid a sum to the municipal government in exchange for its “rights”. Henceforth, only winning bids had the right to sell birds’ nests and the Tagbanwa were reduced from being owners and sellers to gatherers of their own clan caves. The winning bidder was a Tagbanwa mestiza who was backed by a Chinese merchant from Coron town. The Tagbanwa mestiza hired several Cuyonon to guard the entrances of the caves, many of which were accessed by crossing
the largest of the sacred lakes, the *Awuyuk Dakulo*. So it came to pass that outsiders were able to reach the Tagbanwa’s most carefully guarded sacred grounds.

During the year that the municipal government dispossessed them of their caves, the Tagbanwa of Cabugao and Banwang Daan experienced extreme hardship or as Cabugao elders recounted, “We experienced real hunger, close to death”. Most protested the arbitrary confiscation of their clan caves, but a few families, because of hunger, agreed to gather birds’ nests in their own caves for the winning bidder. The Tagbanwa who signed agreement with this leasing scheme were allowed by the municipal government to harvest their own caves. The bidding of the clan caves was stopped in the following year due to mounting protests from the Tagbanwa of Coron Island.

In the mid-80’s, a Cabugao Barangay Councilor, Rodolfo “Codol” Aguilar, who later became TFCCI chairman, was able to contact Tagbanwa in Lamani, Quezon in central Palawan about the Government’s Community Forest Stewardship Agreement (CFSA)\(^{29}\) program. The Quezon Tagbanwa were the first community to be awarded with a CFSA in Palawan province. The CFSA had been explained to Aguilar as a legal instrument which could guarantee tenure for a limited period in exchange for the management of forest resources. And then in 1985 Aguilar contacted the PAFID\(^{30}\) to gain more information about securing a CFSA. PAFID sent several materials and the communities in Banwang Daan and Cabugao studied and discussed among themselves if such a program was appropriate for their case.

Finally the communities invited PAFID to explain the CFSA program to them and solicited its assistance to organize a foundation that would represent them in issues concerning the CFSA. A large meeting was attended by residents, barangay officials and community elders from both barangays to discuss the application for a CFSA. Most were encouraged that the CFSA would recognize their sole authority to manage or “take care of the whole island”, as this would mean that they could take secure control over the clan caves. Some were concerned that there was a 25-year limit, but since there was an “option to renew” then they could continue to enjoy their rights. A few however were not convinced that a piece of paper could defeat the municipal government and the “wealthy or powerful people” behind the scheme.

Consequently, the assembly chose the officials for the CFSA by consensus. They also appointed 12 community elders (9 in Cabugao and 3 in Banwang Daan) to act as an advisory board or Board Members for the Foundation. The officials prepared a census, a

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\(^{29}\) The CFSA is a contract between the Government of the Republic of the Philippines through its representative, the Department of Environment and Natural Resources, and a forest community through its duly recognized community organization. In this contract, the DENR delegates its authority to manage, develop and dispose the natural resources found in a parcel of forest land within the public domain to the community organization in exchange for forest protection, ecological conservation and communal management of forest resources. The community in return is guaranteed tenure for their homes and upland farms for a maximum of 25 years, renewable for another 25 years.

In the absence of legal recognition of indigenous ownership of territories and their resources, several indigenous peoples’ organizations have taken advantage of this legal tenure instrument as an interim measure to halt the incursions of migrant settlers and aggressive, government development programs into their territory. Still others view the CFSA as falling short of expectations because the CFSA: a) does not recognize that these forest lands are “ancestral lands”, though it does not prejudice the community from claiming it as such at some future time; b) views tenure as contingent and may be revoked; and c) sets a time limit on tenure.

\(^{30}\) PAFID is a nongovernment organization working solely for and with indigenous peoples to secure their tenure in indigenous territories whether land or sea.
sketch map, the organization’s by-laws and a development plan for Coron Island (See: Coron Island CFSA sketch map).

After four years of follow up by the TFCI, the public bidding of the clan caves was stopped (because of the stewardship the swiftlet was protected), the entry of outsiders to the awnyuk ceased, and as TFCI members related, peace returned to the area. When the CFSA was finally awarded in 1990, all the tax declarations issued by the Municipal Assessor on Coron Island were cancelled and no Batoanen has had to pay tax declarations since. Long-term migrants were also advised that they could continue to live with the community so long as they respect its laws, that is, “follow the agreed-upon laws of the Tagbanwa”.

The initial problem that the TFCI had in implementing the CFSA was limiting the opening of new swiddens among the members. Cabugao was beset by floods at the time and the Foundation hoped to prevent further erosion along the forest slopes, but this issue directly affected the livelihood of the members. In time the TFCI leaders were able to convince their companions and colleagues that opening more swiddens would bring destruction to the soil and cause serious flooding and deaths in the community. The next generation of Tagbanwa would also be unable to benefit from the land if it was destroyed.

The TFCI had now fully evolved as a management body charged with protection of the forest resources in Coron Island. In 1996 the TFCI sued the Community Environment and Natural Resource Office (CENRO) of Coron for illegal logging when the latter ordered the cutting of logs in Banwang Daan without a permit and without the approval of the Foundation.

Yet even as the TFCI was following up the application for the CFSA with the DENR from 1985 to 1990, Cabugao and Banwang Daan faced serious problems with the illegal fishing occurring in their area. Migrant fishermen and even local fisherfolk had been caught fishing using explosives or dynamite and sodium cyanide along the coral reefs of Coron Island. A few who were arrested were turned over to Coron authorities but after spending two days in jail, they were released and allowed to return to their illegal activities. Duldog or muro-am, which entails pounding the corals and thus destroying marine habitats, had been seen operating near their traditional fishing grounds. With the exception of boat builders or local officials, families with no birds’ nest caves of their own are dependent on the sea for their subsistence.

Another issue which has plagued the TFCI is the entry of tourists and tour operators into Kayangaan Lake, Kalis and other beaches around Coron Island. The Tagbanwa have observed that tourists and their tour operators leave garbage behind, soap themselves in the lake, create a lot of noise and sun themselves near burial grounds. They fear that tourists soaping in the lake and throwing trash could pollute a pristine environment that is linked with their water reservoirs. Moreover, there are fly-by tours which pass very low over the lakes and create a lot of noise that disturb the balinsasayaw. These planes pass close to the clan caves even during the nesting season of this bird. The almost daily arrival of large tourist boats moored along the cliffs around Kayangaan Lake even during the nesting season is cause for grave concern among the Tagbanwa as swfitlets are known to abandon even clan caves at signs of environmental stress.
Another important change brought on by the institution of an indigenous people’s organization in Coron is the return of the role of the elders in the communities’ formal system of political governance. As TFCI leaders explained, “The elders are once again being listened to”. TFCI plans to re-introduce the prescriptions set forth by customary laws through a gradual process, integrating supportive elements of barangay and municipal ordinances as well as national laws since, as TFCI Chairman Aguilar declared, “Our companions have grown used to the laws in town”.

In the same year that the CFSA was awarded, Tagbanwa communities in the other islands received news from friends and relatives in Bâto that the Tagbanwa of Banwang Daan and Cabugao now had papers for the entire island and could stop the sale of ancestral lands or land inherited from the ancestors. The success of the CFSA in halting the public bidding of the clan caves and in canceling the tax declarations issued by the Municipal Assessor would later play a key role in bringing the different Tagbanwa clans together to support each other’s ancestral domain claim.

B. Bulalacao Group of Islands

Barangay Bulalacao is composed of 13 islands ringing a very large coral reef system that is perhaps twice the size of the main island of Bulalacao itself. The number of islands may be raised to 16 if exposed surfaces of the coral reef system are counted as “islands” or submerged portions of adjoining mangrove forests are considered as divides, as in the case of Dinuksulan. The 13 islands are as follows: Bulalacao, Kalumbuyan, Canipo, Decasakbet, Dialelet, Dinuksulan, Detaytayan, Gegeteye, Ditungaran, MalApuso, Malkapuyaw, Malingpaling, Mininlay, and Pinamintunan. As mentioned earlier, the Bulalacao Tagbanwa’s ancestors fished and foraged for food in these islands, periodically shifting from island to island as the kapari thinned. (See: Map of the Calamianes)

A Bulalacao elder named Elpidio Calix, born in Kalumbuyan around 1920, remembers that during the time of the ancestors there were no other groups of people living in the islands of Bulalacao and Bâto save for the Tagbanwa. The mepet then were very afraid of outsiders and lived such a tranquil existence that the sight of a bolo could send them running up the mountains. When “Moros” or strangers landed in the islands, the mepet hid in the mountains and lived in their fastness, descending to shore only after the intruders had gone. The mepet in the past slept on the beaches, and basically wore no clothes save for the loincloth for men and a short salawal (pants) for women, typically used as an overgarment.

An elder, Apu Elpidio, also remembers that his parents were not baptized, and that the school and chapel in the Tagbanwa barrio of Kalumbuyan were built only after 1930, when Spanish priests first arrived. It may be worthwhile to compare documentary sources to discover how this Tagbanwa settlement remained “non-Christian” or relatively unintegrated well into the occupation of the American colonists despite the proximity of civil and military authorities in Culion.

Apu Elpidio also explained that the climate in the past allowed the mepet to range as far as Nangalau and the Linapacan islands on board balsas (rafts) and balangais, which are
large boats fitted with outriggers, a sail and fixed rows on both sides. The *amihan* was not as strong as it is in present times and the sea was usually calm and crystal clear. The weather was also fairly regular and its predictability allowed the *mepet* to roam as far as Gegeteye and even past Nangalau, using sails when the wind was favorable and rowing when it was not. As a child, Apu Elpidio remembers the *mepet* leaving very early in the morning and returning at about four in the afternoon from diving expeditions for *balat*. They bartered the *balat* to itinerant middlemen based in Coron.

Apu Elpidio remembers that in his prime he routinely dove as deep as 18 *brasas* (approximately 30 meters) on a single breath using only his *antipara* (glass goggles fitted with handmade casings of wood). Bulalacao leaders estimate that the *mepet* typically dove as deep as 10 *brasas* and were able to gather *balat* from corals deeper than that using the *tundalisa*, a 2.5 kilo weight attached to rattan twine more than 25 m long with spokes on the end used to spear the *balat* up to the surface. In the era when the *antipara* had not been invented, the *tundalisa* or similar spoked weights attached to long, rattan twines were used to determine the edges of very deep coral reefs.

The *mepet* bartered their *balat* for rice in Mininlay or Kalumbuyan. (at an exchange rate of 1 dried *balat* for around 2 kilos of rice). The barter trade for *balat* drew to a close in Apu Elpidio’s generation when shortly before the Japanese war, cash was being used as the medium of exchange. In turn, the Tagbanwa bought clothes, rice at 5 pesos a sack, glass lenses and other items from travelling Chinese retailers such as King Ah, Pak Kay and Pe Kim Tiao. Presently, first grade *balat* sells for P700 a kilo in Coron.

In sum, the ancestors’ coverage of the indigenous seas was extensive not only in terms of the vast area they roamed but also in the depths of their dives. As stated previously, documentary sources affirm that the Calamian Tagbanwa have been trading in *balat* for more than 300 years. Their participation in world market is borne out by the historical narratives of their community elders who report a barter trade for *balat* and rice with fairly established trading points. Moreover, trade was a compelling incentive for the ancestors to discover and later on establish long-term use of marine resources over the entirety of the Bulalacao coral reef system and beyond.

**Kalumbuyan**

Kalumbuyan became a “Tagbanwa barrio” or large settlement in 1923 when the seminomadic Tagbanwa clans in Bulalacao were gathered to make way for the expansion of the Culion Leper Colony. The Leper Colony was established by the American military government when it appropriated Culion through Republic Act No. 490 on October 27, 1902. In the 1920’s the Sanitarium had expanded to include Bulalacao Island and the Tagbanwa were relocated to the far smaller island of Kalumbuyan to make way for the lepers. By the 1960’s, however, the Tagbanwa population had grown to a size that could not be supported further by the island’s limited resources. In desperate straits the *teniente del barrio* (village head) at the time, Venancio “Apu Venancio” Salva who had

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31 Among Tala clans, between 1-3 families would live on these large *balangais* during extended fishing trips.
32 One *brasas* or *dipa* is about 1.5-1.7 meters
33 The Palawan Historical Data Papers lists the sitios within the jurisdiction of barrio Kalumbuyan in 1954 as Maninglay (Mininlay), Detaytayan, Malcapuyao, Canipo, Cupit (Kupit, Dinuksulan), Dagasabet (Dicasakbet), Quenleb and VApur-VApur.
been serving as teniente for Kalumbuyan since 1925, circulated a petition to claim back the old settlements of the Tagbanwa from the Leper Colony.

Apu Venancio was untiring in his efforts (he wouldn’t eat until one signed the petition) and the petition was to prosper when he appealed unceasingly first to authorities in Coron, then in Puerto Princesa and finally to then President Carlos Garcia himself. Finally in 1961, Republic Act No. 3379 was passed creating the separate barrio of Bulalacao and placing it under the jurisdiction of Coron instead of Culion. This was supported by two municipal resolutions from Coron, namely Municipal Resolution No. 40, series of 1964 and Municipal Resolution 69, series of 1965, declaring Bulalacao as a barrio for the exclusive use of the “non-Christian Tagbanwa” [Note: The Tagbanwa had been converted to Roman Catholicism. In this era, indigenous groups were commonly referred to as “non-Christian tribes”.]. As soon as the Republic Act separating Bulalacao from the Culion Reservation was passed, there was an exodus of Tagbanwa families from Kalumbuyan to Bulalacao where the present barrio site can be found.

Another instance when local Tagbanwa leaders from Bulalacao successfully regained ancestral territory was again in Kalumbuyan in 1974. A Visayan migrant family arrived in Kalumbuyan in 1968 and over the Tagbanwa’s protests, occupied portions of the island, let loose several cattle and proceeded to cultivate portions of land. The Tagbanwa filed a suit against the family head in Coron with the help of their barangay captain, who gathered the statements of six other Tagbanwa heads of families and presented his case first in Coron and then in Puerto Princesa. It was agreed that the seven Tagbanwa named in the case as plaintiffs would represent the many clans who owned lots in Kalumbuyan.

In the suit, the Visayan asserted that the land was in the “unclassified portion of the public domain, still unalienable” and urged dismissal of the case as the Tagbanwa’s possession of the lots were unlawful and could not be entitled to protection from the law.

Fortunately, the Court of First Instance of Palawan ruled favorably for the Tagbanwa, actually writing in its decision the motto, “Those who have less in life should have more in law.” The Court cited Republic Act No. 3872 which entitles “cultural minorities” to a free patent title to tracts of land, whether disposable or not, by virtue of continuous occupation and cultivation “either by himself or through his predecessors-in-interest.” In 1975 the Court awarded the lots to the seven Tagbanwa named as plaintiffs and directed the District Land Officer to issue “Certificates of Land Occupancy” to them under Presidential Decree 410 as requisite to perfecting a private title for the lots.

Despite receiving the court order, the Visayan family did not vacate the island but merely abandoned the contested lots. A son married a Tagbanwa of Cabinlauan Island in Barangay Decalachao and the intermarriage is the basis of the continuing stay of this Visayan clan in Kalumbuyan, despite the fact that under customary law, the Tagbanwa woman he married has no ancestral land in Kalumbuyan.

**Kupit, Dinuksulan**

The Tagbanwa village of Kupit on Dinuksulan faces the dark, towering cliffs of Coron Island across a still, intensely blue divide of deep water, easily crossed in calm seas by
the *mepet* paddling in bancas. Many of Kupit’s adult males are in fact kinsmen of Coron Island villagers, adopting the sitio of their wife’s parents as is the custom among clans. Dinuksulan itself is not strictly a separate island from Bulalacao, as a mangrove forest and coral reef peering out of the sea surface at low tide connect the two areas at high tide.

From the sworn statement of four clan elders namely, Ceprino Aguilar, 65 years of age; Macao Sanicoy, 92; Husting Aguilar, 72; and Mindong Aguilar, 77, Kupit is the first village in the area as far back as living memory goes. It was founded by a relatively large number of Tagbanwa families who had been attracted by Kupit’s water supply. The beach settlements ringing Coron Island such as sitio Salamagi are chronically plagued by inadequate drinking water. Kupit is comparatively more reliable and in fact, the Manuel clan of Salamagi still paddle across to Kupit’s wells to draw their drinking water. Bounded on one side by the rocky cogonal backbone of Dinuksulan, and on the other by a deep canal (See: Dinuksulan Community Sketch Map), Kupit is dotted by the burial areas of Tagbanwa ancestors who gave Dinuksulan its name.

“Dinuksulan” means *sugurin* or to charge. In the past, the *Luwat* or Muslims raided Tagbanwa bands for slaves. One of the Apus hit on the idea to dupe them with a long, mean *tahuban* (sheath) which concealed an ordinary *ged* (bolo). Now the menfolk routinely carve wooden *kugita* (octopus) figures to fool big fish. The Apu proposed to apply the same principle and, overtaken by enthusiasm for his plan, assured his companions not to fear as he would take care of the *Luwat*.

When the *Luwat* were finally sighted, his companions ran off to hide leaving the Apu behind. He was almost dragged away when, confronting the *Luwat*, the Apu lunged and rattled his menacing sheath holding off his attackers in the process, but not quite. In the clash, the Apu accidentally yanked the *ged*! Seeing that it was too short to be of any real threat, the *Luwat* finally charged the Apu, and so doing the latter entered the annals of Tagbanwa history.

Apart from the burial areas of the ancestors, Dinuksulan is also ringed by coconut, bamboo, mango and cashew trees, the cashew groves formerly covering a more extensive area. In 1961, a Municipal Councilor who was also an entrepreneur operated a mangrove concession in Bulalacao, employing Tagbanwa to load a *batil* with products bound for Manila. As Apus Ceprino, Macao, Husting and Mindong also recounted, before long this town official took an interest in the area and in 1967 planted a handful of coconut trees in the property of Apu Ventura Aguilar. He eventually let loose a herd of five cattle in the area until the total number reached to more than 200 heads. Before long he took over Apu Ventura’s property including 5 coconut trees, 125 bamboo, and 2 large, mango trees.

The extent of the land dispute worsened in 1975 when then President Ferdinand Marcos appropriated land in New Busuanga and Coron for a cattle ranch in partnership with a business crony. Through Proclamation No. 1387 issued on February 13, 1975, Mr. Marcos set aside a pasture reserve which took over 40,000 has. of land including 19 has. of rice land in Barangay Decalacahao owned by the said Municipal Councilor. The Councilor agreed to resettle elsewhere in exchange for 20,040 pesos and a suitable relocation site anywhere in Busuanga. The Resettlement Agreement reached on May 19, 1975 also committed the Secretary of Natural Resources to assist the Councilor in
surveying and facilitating the approval of “survey and titling” of the chosen resettlement site. Apparently, he chose Kupit, Dinuksulan in Barangay Bulalacao, Coron – not Busuanga – as his resettlement area and managed to have a portion of the Tagbanwa Reserve titled and alienated from the public domain. Ironically, the site he chose was a lot earmarked for a Roman Catholic chapel for Bulalacao parishioners. With the Resettlement Agreement in hand, this Councilor introduced more than 200 heads of cattle into the island, a number that could not be supported safely by the limited pasture area. Because of the absence of fences, the cattle periodically strayed into the swidden farms and vegetable gardens of Kupit Tagbanwa. Over time, Tagbanwa families have had to abandon family lots as cattle destroyed their swiddens and took over the water supply.

Finally in 1996, the Municipal Councilor informed Kupit residents Aurelia Sanicoy and Leodario Aguilar that he was going to pay for any crops their families had planted and ordered them to begin moving out of the area. “I’m going to buy your crops because I will put up a house on the land”, he told them. The islands in Barangay Bulalacao along with other Tagbanwa ancestral islands had been singled out by a Municipal Resolution in 1990 for tourism development, and apparently he had planned to introduce tourism infrastructure in the area to take advantage of Dinuksulan’s scenic mangroves, white sand beaches and wide coral reefs. Because of further pronouncements from him, the threat of eviction was perceived as imminent and Dinuksulan residents as well as relatives in Bulalacao and other sitios and islands in the barangay circulated a petition to the DENR to protest his arbitrary move. Defending Kupit, the oldest Tagbanwa village or large settlement in Bulalacao, was the key issue that catalyzed the formation of a local organization aimed at unifying Bulalacao Tagbanwa families and non-Tagbanwa long-term residents behind securing a Certificate of Ancestral Domain Claim and pressing for indigenous people’s rights.

**Public Auction of Barangay Bulalacao Islands**

Kupit was not the only area which was being alienated to non-Tagbanwa; other Bulalacao islands such as Canipo, Detaytayan, Decasakbet and portions on Bulalacao Island apart from Kupit were slowly being “sold” to outsiders through a public auction.

DENR control maps indicate that the entire barangay is still in the unclassified portion of the public domain or in other words “inalienable” or not open for disposition. Additionally, the DENR in the early 1980’s awarded many residents individual Certificates of Stewardship Contract (CSCs), the family or single-claimant equivalent of the CFSA covering family plots and residences only. These facts notwithstanding, the Municipal Assessor had insisted on issuing tax declarations for residents’ land holdings in the barangay. Most Tagbanwa families in Bulalacao as in other barangays are commonly strapped for cash following a subsistence economy and thus have been unable to pay the annual flat tax for a number of years. Since the 1990 Municipal Resolution which identified several Bulalacao islands for tourism development, the Municipal Assessor had gathered these lapsed tax declarations and declared them in default, offering these up for public auction.

The lapsed tax declarations are sold at bargain prices to bidders who offer to take on the back tax payments to the municipal government. In exchange, the tax declaration is
“transferred” or “extended” to the winning bidder by the Municipal Assessor at the same time that the Tagbanwa owners are illegally ordered to vacate the land and sign a waiver of their rights. Possession is conferred and “ownership” is acquired when the tax declaration is used as basis for a patent application for entitlement. Areas in the Bulalacao Tagbanwa Reservation where tax declarations have been “sold” to non-Tagbanwa include Canipo Island, Kalumbuyan Island, Detaytayan Island, Decasakbet Island, Dialelet Island, portions of sitios Bulalacao, Malaroyroy and Manlalara. Other traditional Tagbanwa islands affected by land grabbing through the sale of tax declarations are Isla Lagat and Isla Ditubay in Barangay Tara, Napaskud Island near Bayang, Barangay Buenavista and Kamanga gesye across Tala.

Bulalacao residents are routinely informed that the conversion of their islands to tourist destinations is part of a Government program to enhance the economic development of Coron. Residents are also told that the enterprise will provide employment for their children, even as they are dispossessed of their inheritance. Job generation is confined to low-income employment requiring less specialized skills in the service industry, such as waiters, cooking assistants and so forth. This would totally transform their economic standing from land owners and independent suppliers of marine products to low-income wage earners with no land holdings. Moreover, lease arrangements between resort developers and Tagbanwa owners exclude the role of real estate or sales agents who have been very visible in buying up lapsed tax declarations and earning a windfall in commissions by grossly jacking up property values. Typically, a tax declaration which had lapsed for 20-30 years requires from 17,000 to 30,000 pesos in back taxes per hectare. In turn these areas are offered in public auctions as beach properties at 220,000 to 1.81 million pesos per hectare. Not a fraction of the profits of the sale goes to the original Tagbanwa owners, who had commonly occupied and developed the area for habitation since time immemorial. At most, Tagbanwa owners receive a “disturbance payment” of 10,000 to 30,000 pesos for the entire property, if at all, in exchange for a signed waiver of rights for planted produce. Additionally, beach resorts illegally prevent Tagbanwa and other fisherfolk from fishing in their foreshore areas or docking bancas on the beach, further reducing the sources of livelihood open to residents. It is no wonder therefore that Tagbanwa families have become wary of resort developers, their sales agents, as well as non-indigenous residents of Coron or Culion who act as “tribal dealers”, dealing in the common property of indigenous peoples by taking advantage of past benevolent acts, political patronage and small acts of kindness or goodwill not commensurate to the profits they reap from the sale of ancestral lands.

Community Organization

Due to the public auction of tax declarations issued for Canipo, Detaytayan, Dekasakbet and Kalumbuyan and the continuing threat of eviction from Dinuksulan, the Tagbanwa of Barangay Bulalacao formed a community organization called the Tagbanwa Foundation of Bulalacao (TFB). Its leaders and several clan elders and representatives had been actively coordinating with the Tagbanwa Foundation of Coron Island in the application for a Certificate of Ancestral Domain Claim for the Bulalacao group of islands since 1993, and had grouped themselves in petitions as “citizens of Kupit, Barangay Bulalacao” and supported by barangay officials. In 1995 after several visits to government agencies and appeals to municipal officers in the course of the CADC
application process, the clans formally coalesced into the Tagbanwa Foundation for Bulalacao. Its membership includes non-Tagbanwa who have established long-term, permanent residence in Bulalacao, called the *naturales*. The Foundation’s main goals include the:

1) Recovery of traditional Tagbanwa islands whose tax declaration had been sold to non-Tagbanwa;
2) Securing a CADC for all the islands and territorial waters covered by Bulalacao Tagbanwa clans; and
3) Prevention of illegal fishing or the use of dynamite and sodium cyanide within ancestral waters.

**Discussion**

In conclusion, these cases present a history of alienation and active resistance among the Bulalacao Tagbanwa. It is a story of continuity and eventual triumph as it were, as ancestral islands were defended or recovered either from foreign powers or hispanicized Filipinos. Yet it also a story of chronic uncertainty as the ancestral lands and waters have been continually under threat of fragmentation through different eras. What is notable is that the clans have persisted as integral Tagbanwa communities in nearly every period of Philippine history.

Their responses to outsider aggression during the period of colonial integration ranged from avoidance (hiding in the mountains) to active defense (clash in Dinuksulan). In modern history the Tagbanwa have adopted legal confrontation (the courts) and negotiation in the defense of their home islands. In every case the undertaking was initiated wholly by the clans independent of outside intervention. Further, strong local leaders negotiated their case among outsiders. The majority of clan members, past and present, have been consistent in affirming their choice to live as integral Tagbanwa villages despite the incursion of outsiders into their society. And lastly, in an era when the constituency was almost wholly Tagbanwa, the local leadership adopted the barangay structure to protect the clans’ islands.

**C. Tala and Busuanga**

This section features four areas in the northern region of the Calamianes, namely Turda; Buenavista and Malawig along the coast of Busuanga Island; Kamanga ang dakulu and Kamanga gesye in Barangay Tara; and Tala itself (See: *Map of the Calamianes*).

Like the Bulalacao group of islands, these four areas have been experiencing the slow fragmentation of Tagbanwa ancestral islands to non-Tagbanwa since the implementation of a 1990 municipal resolution promoting tourism in Coron. Moreover, these areas are as severely affected by dynamite and cyanide fishing as Barangay Bulalacao, and suffer overfishing since migrant fisherfolk from Mindoro, Lucena City, Cavite, Cebu and other Visayan Islands have entered the fishing and diving areas to engage in commercial and deep-sea fishing. In sum, there are four issues which spurred the Tagbanwa clans in the four areas to communicate with the Bulalacao and Coron Island clans, namely:
1) Public bidding of ancestral islands and ancestral lands to non-Tagbanwa, and the planned development of a few to tourist resorts.
2) Dynamite and sodium cyanide fishing were beginning to turn the corals white.
3) Pearl farms were being set up throughout the ancestral waters, and some farms had prohibited Tagbanwa from diving within their vicinity; and
4) The RBL Fishing Corporation proposed to construct a shipyard in the foreshore of the Malawig-Buenavista-Bayang coast, an area which has ecologically intact coral reefs and viable fishing grounds.

Most of the clans can directly trace their origins to Banwang Daan. Previously, the Tagbanwa had organized themselves in bands shifting from island to island along the northern region, setting up fishing camps which they returned to every few weeks. Since the population in Banwang Daan began to thrive, several clans sought to open permanent settlements in Tala and in coastal areas in Busuanga Island where they have traditionally fished. Pioneering mepet established villages first in Marcilla, then in Tala, the coast of Malawig and Buenavista and finally in Turda. 34

The Tagbanwa families living in these areas are actually close kin, that is, the four barangays share mostly the same roots. Their affinity was instrumental in the formation of three local indigenous community organizations in this region, namely the Tagbanwa foundations of Buenavista-Malawig, Turda, and Tara. Moreover, since these local organizations faced common problems in illegal fishing and the public bidding of ancestral lands, these formed the impetus for the federation of Tagbanwa foundations into a Calamianes-wide federation which now includes Coron Island, Barangay Bulalacao and Barangay Biong in Culion.

Apart from ties of kinship, members of the three local organizations in northern Calamianes share fishing grounds and marine territories. Their ancestral lands and ancestral islands collectively bound marine sanctuaries, large coral reef systems, as well as deep-sea fishing grounds which are communally used. With a membership of 727 families occupying 117,207 has. of ancestral land and waters, the Tagbanwa clans in Tala and the coast of Busuanga Island are laying claim to the largest and highly diverse CADC among the five foundations in the Saragpunta.

Resource Management

A brief description of key elements of Calamian Tagbanwa resource management and customary laws is pertinent to understanding the bases for mapping the boundaries of the ancestral domain.

The Calamian Tagbanwa studied in this paper still benefit from a subsistence strategy that employs “multiple environmental zones”. These zones echo the five resource zones described by Kress as cited in W. Thomas Connely’s paper on the central Palawan Tagbanwa,35 save for two important variations namely, caves and air space for the collection of edible bird’s

34 According to the Palawan Historical Data Papers, Buenavista was formerly under the jurisdiction of Malawig.
nests; and recently, lowering record depths for deep-sea spear fishing with air compressors. While these “environmental zones” are of some utility, it is important to note that these categories are simply tools of analysis crafted by outsiders attempting to organize and understand indigenous people’s experiences. Ultimately the framework may be artificial. In short, the Calamian Tagbanwa may not divide the natural world according to these “multiple environmental zones”, categories which are based wholly on the environment. Other equally important aspects come into play, specially ethics, spiritual beliefs and prescriptions based on customary law.

An in-depth study is required to fully describe this body of knowledge and how it varies from specialist to specialist in each village, clan or across generations. These principles also change over time as societies and cultures respond to new conditions or initiate changes themselves. A few basic elements which guide the traditional use of resources is discussed here, namely: 1) the observance of the panyaan and amlaran; 2) the customary laws regarding inheritance and marriage; and 3) the role of clan elders in the observance of traditional laws.

As discussed previously, the panyaan are marine areas which are traditionally avoided by Tagbanwa because of a belief that certain areas are sensitive or remain under the influence of an unseen, spirit world. Its direct counterpart on land are the amlaran which are also areas that are known to be inhabited by spirits which can wrought potential harm to human beings, such as cause sickness and the like. The amlaran are separate from the awuyuk or sacred lakes in Coron, which are also believed to be inhabited by spirits in the form of giant octopuses and thus, are only used following strict obervances, such as limiting one’s speech or using an entirely separate language used only in the awuyuks.

These reserved areas are, not coincidently, ecologically intact and sensitive areas. The awuyuks for example are part of Coron Island’s precious watershed and shelter the swiftlet caves which are so valuable to the Tagbanwa’s income. The panyaan too are areas which remain pristine and not a few are adjacent to fish hatcheries or sanctuaries.

Inheritance laws regarding ancestral lands also play a key role in the regulation of resources within Tagbanwa communities. For one thing, ancestral lands are passed on through the women who usually also oversee the land. Upon marriage, the men are expected to move in with their in-laws and seek their inheritance from the families they have married into instead of their birth family. The reason for this is that the women are not expected to leave the land since their traditional occupations, such as tending to the swidden and fields or gathering kapari and kurut, are based on land. The men however seek out their livelihood elsewhere through fishing and diving. Among the Calamian Tagbanwa, passing on the land through the women ensures the continuity of their clan’s occupation.

Strangely enough, an oft-quoted benefit from this arrangement is avoiding the loss of ancestral land through deceit. Unfortunately, there have been cases where Tagbanwa land had been signed away to non-Tagbanwa after the men who had been entrusted with its supervision were lured to sign waivers of rights or other instruments, at times after a good round of gin or in exchange for paltry sums, such as a banjo. Assigning the women to oversee the clan properties for siblings and other relatives avoids this danger.
Another consequence of the husbandry of women over the land is that *kapari* and *kurut* groves mark the extents of ancestral lands. Since the women gather these tubers, then they are most familiar with the sites which mark important sources of these edible roots. In recent times the Tagbanwa have succeeded in domesticating *kurut* and have taken to conceal cultivated groves for the hunger season. A rule which governs the gathering of these tubers is they should not be collected from the root, that is, the root system should be left intact and viable in order that the plant can continue to produce.

An interesting side note is that in the past, families in Bayang and Turda had assigned smaller coral reefs and portions of the forest for private, clan use and were not communally owned, that is, families previously owned clan forests and clan reefs. In the latter, the smaller reefs that were discovered by their *mepet* were claimed according to clans. Thus only clan members could fish on those reefs. Further, only clan members could collect rattan, firewood or timber from clan forests. Apparently, this system was abandoned after the Japanese War and when clan forests began to thin out in their reserves of rattan and timber. The smaller coral reefs individually discovered by *mepet* began to be used communally after conflicts in use rights were referred to the municipal government for resolution. Municipal officials had informed the *mepet* at the time that coral reefs are communal and could not be owned by the clans, hence the practice was dropped and the Tagbanwa in Bayang and Turda began to use the smaller reefs in a communal sense.

Lastly, the clan elders play an important role in the observance of indigenous laws. In the past, clan elders mediated conflicts between opposing parties and settled disputes concerning inheritance. As mentioned earlier, they also set the penalties for infractions against traditional laws and negotiated the bride price. At times, an unusual scarcity of key resources, such as edible bird’s nest, is traced to violations of customs pertaining to social relations. Clan elders are usually sought to ascertain the cause and prescribe the means to restore balance, both in the social and ecological spheres. This also resonates with the treatment of illness among the Calamian Tagbanwa. Sickness seems to be understood as an imbalance or abnormality in the ecological, social and ethical realms. Curing sickness therefore requires the restoration of balance in these realms.

Another unique aspect of the Tagbanwa system is the use of *panglaw*, a type of corporal punishment in which the offender is lashed with a stick in a prescribed manner. The *panglaw* was usually set aside for serious crimes, and the *mepet* usually determined the number of lashes the offender receives. Over time, however, the *panglaw* diminished in use as the roles of the *mepet* as mediators and keepers of traditional law were slowly eroded by the barangay.

It is mainly because the Calamian Tagbanwa have followed these and other indigenous laws and have kept to a subsistence fishing strategy that much of their ancestral domain remains ecologically intact and diverse, despite the incursion of dynamite and cyanide fishing into their area. Indeed, Saragpunta has found institutional support against illegal fishing with the *mepet* who uphold that such modern fishing techniques are in direct conflict with traditional laws. As PAFID staff Dave de Vera recounted:

“At first I was thinking why they kept writing their customary laws when they were preparing a management plan. Then I realized that they had no
intention of leaving the place. Why should the plan set a time limit then? Observing their customary law is the way they protect their area.”

Thus, an important aspect of Saragpunta’s plans for the ancestral domain of the Calamian Tagbanwa involves restoring Tagbanwa laws, supporting the role of the mepet in village life, and translating the precepts of indigenous laws to new problems and pressures. TFCI Chairman Aguilar not only hopes to integrate the traditional role of the mepet in the Tagbanwa foundations, but also build meaningful cooperation between barangay officers who represent national law and the mepet who stand for indigenous law.

Mapping Ancestral Lands and Waters

A. Community Processes

A 1. Identifying the Issues

In 1991 local concern began to intensify over the alienation of traditional Tagbanwa islands to tourism. In the previous year the Provincial and Municipal Boards of Coron passed resolutions supporting then President Corazon Aquino’s program to augment tax receipts from tourism dollars. These resolutions also identified potential areas for development as tour destinations. However, a host of the locales identified in the twin resolutions were Tagbanwa-occupied islands. The list included such historical Tagbanwa villages and reserves as Dinuksulan, Kalumbuyan (declared by a Coron Municipal Resolution in 1965 as a Tagbanwa Reservation), Lagas Island, Camanga Island, Dimakya Island, Napascud Island, Coron Island, Delian Island, Canipo Island, Detaytayan Island and others.

The immediate result of the resolutions was the aggrandizement of the public bidding of Tagbanwa-held islands as the Municipal Treasury in conjunction with the Municipal Assessor systematically gathered lapsed tax declarations for the islands identified in the Municipal and Provincial Resolutions. Conspicuously absent from the resolutions was any mention of occupants or provisions for the impact of the tourism program on local indigenous communities. As tax declarations for portions of Lagas Island and Napascud Island were being transferred or sold at public auction, clan leaders Redem Pulilan of Barangay Turda, who is also Chairman of the Tagbanwa Foundation of Buenavista and Malawig (TFBM); Malawig Barangay Captain Alfremo Carpiano and other barangay officials of Barangay Tara sought the assistance of the municipal government. After inquiries, the Municipal Treasury informed these leaders that the sale or lease of these islands was part of a government program and thus could not be stopped.

2. Gathering Information

It was in this context that the awarding of the CFSA for Coron Island was met. Through word of mouth, news of the cancellation of tax declarations within the purview of TFCI’s CFSA filtered to the Tagbanwa clans living in other islands. Facing the sale of Napascud to a tourist operator, Pulilan visited Banwang Daan to find out what were the island’s papers. Floro Aguido of Turda visited relatives in Banwang Daan and Cabugao to gather information on the CFSA. Most queries were directed to the TFCI Board Members and Chairman who were instrumental in explaining the terms of the CFSA as well as the application process. Finally in 1992, the TFCI Chairman informed a few Tagbanwa clans in Busuanga Island and in other island barangays that PAFID had scheduled an area visit with TFCI to discuss its
water system and the DENR’s Department Administrative Order 2. Clan representatives and barangay officials from Tara, Turda and Malawig went to Banwang Daan to meet with TFCI and PAFID. In this initial meeting, PAFID workers exchanged information on the CFSA, DAO 2, other land tenure instruments and what each application process entailed. In turn, clan representatives expressed interest in the possibility of 1) recovering ancestral islands that had been auctioned; 2) securing currently occupied islands; and 3) protecting their coral reefs from cyanide and dynamite fishing.

Significantly, the TFCI played important roles in emphasizing the need for formal community organizations for the different Tagbanwa villages. TFCI Chairman Aguilar was active in advising the leadership on the steps of the application process, as well as the importance of forming community organizations that could represent the villages in negotiations with government agencies and work with barangay officers in consolidating the claim.

3. Land Tenure Options

After PAFID’s site visit, clan representatives and barangay officers returned to their villages where they related the events in Cabugao and studied the information among themselves. Through informal exchanges, village members from Bayang, Buenavista, Turda and Tara discussed the options explained by local leaders and sought the advice of their clan elders to ascertain whether the CFSA or CADC was appropriate for their case. Unlike Bulalacao, elders in sitio Bayang, Barangay Turda had less than satisfactory experiences with local courts, saying, “We always lose the case. What do we fight with in court when we have no lawyer?” Leaders were encouraged with the experience of Coron Island under the Stewardship Agreement but expressed reservations on the 25-year term limit, observing this puts a time limit to rights. Another aspect important to not a few leaders was whether these courses of action were legal or originating from government. Several church elders were very strong in expressing to PAFID workers that based on their Christian faith, they could only align themselves with government-sanctioned programs.

In Bulalacao, references to “ancestral land” or tanek ang surublien focused the attention of village residents to DAO 2. As Chairman Ben Calix explained, ancestral lands was the focus of intense discussion among villagers at the time, so much so that mere mention of the phrase “ancestral land” in DAO 2 was enough to draw their interest in the application process. Still others felt that a CFSA would leave the coral reefs and ancestral lands unprotected since the CFSA was confined to forest resources. This aspect weighed on TFCI Board Members and TFBM Chairman Pulilan in studying the CADC because in the early 1990’s, cyanide and dynamite fishing began to be more widely felt in the Tagbanwa’s artisanal fishing grounds. The ominous signs of significant reduction in the daily fish catch in near shore areas had begun to intrude in Cabugao, Banwang Daan, Bulalacao, Turda, Tara and Malawig. As Lileta Pulilan, lone woman Saragpunta Board Member and Sunday school teacher admonished, “At this very moment you are cutting off the heads of your children, you are cutting off their lives because the environment is destroyed.”
For other leaders such as Barangay Captain Alfremo Carpiano, self-delineation for ancestral domains was a crucial element, as he explained:

“What I liked was the process. No one else can testify to the place except for the indigenous people. This is what encouraged me, because the community is way ahead in terms of knowledge of the place than those who are selling the island who finished in UP (University of the Philippines), or (with a degree) in Commerce. We fought for our rights as indigenous people, but because we didn’t finish school, they can run rings around us.”

4. Series of Clan and Village Meetings

The informal caucuses led to barangay meetings where barangay leaders, elders and clan representatives discussed the sale of ancestral islands and how the adjoining fishing grounds were being closed off to the community. DAO 2 and the application process were also studied and weighed.

After reaching a consensus on the suitability of DAO 2 to the community, a local organization with a set of officers was formed to represent the village before various government agencies involved with the CADC application process. In most barangays the selection was accomplished through voting while in others, a consensus among elders and barangay officers decided key posts. Age, education, experience in barangay affairs and skill in negotiation -- expressed as an “ability to speak to the people” or “does not seek to be personally injurious when speaking”-- have been known to affect the selection of Foundation officials. Other qualities sought after in leaders seem to be persistence and a proven record in following up meetings, which is no small feat considering that most Tagbanwa families, including those of community leaders, continue a subsistence way of life, securing basic needs on a day-to-day basis. As Lileta Pulilan also declared, “(There is) nothing to rely on for our daily sustenance, (there is) real hardship in livelihood and travel.” Tagbanwa villages are quite distant from the municipal government and DENR offices in Coron. For instance, once short of cash, Chairman Redem Pulilan walked from midnight to dawn into the forests and mountains of Busuanga to attend an early morning meeting in Coron the next day.

The successive barangay meetings in Turda, Malawig, Buenavista and Tara each concluded with the formation of a Tagbanwa Foundation; a set of officers; a census of members; and a petition for a CADC. The petition drew attention to the twin issues of the destruction wrought by illegal fishing and the public auction of ancestral lands in Napascud, Lagas, and areas in Barangay Turda.

5. *Teeb ang Surublien*

Within a short period of time, as news of the petition reached other Tagbanwa barangays, more families contacted Foundation officials to ascertain the possibility of
retrieving ancestral lands which had been auctioned due to lapsed tax declarations. As Tara Barangay Captain Gardo Pulilan explained, “The old people paid their tax declarations only once – on its issuance”. Yangco Bering, a clan elder in Cabilauan Island, Barangay Decabobo appealed to the Tagbanwa Foundation of Buenavista and Malawig to document his claim over Dimakya Island as the DENR had leased the entire island to Ten Knots, a resort development company which owns and manages Club Paradise. In Bululacao, TFCI Chairman Aguilar encouraged them to conduct a census, form a foundation and prepare other requirements for the CADC application. This was in response to a move by a Municipal Councilor, as earlier mentioned, to evict the Tagbanwa village in order to sell choice lots to tourist resort operators. TFCI Chairman Aguilar further spoke to Tagbanwa families in Isla Tambon, Biong within the Culion Reservation who had also expressed interest in applying for their lands.

Since PAFID’s area visit in 1992, Foundation officers had been in contact with PAFID solely by mail. Destructive fishing methods were already taking their toll on major coral reef formations and artisanal fishing grounds. As traditional small fisherfolk, Foundation officers were convinced that they would be unable to survive in their ancestral lands if the teeb ang surublien remained unprotected. As TFCI Chairman Aguilar explained to Pafid, the indigenous sea cannot be separated from the ancestral land claim as each sustains the other and neither is viable as separate entities. As Cairperson Ben Calix also elucidated, the ancestral waters are a natural and integral part of their ancestral domain, “If it [the claim] has land, then it should have seas, because without the seas, the Tagbanwa will not be able to survive.” In short, the indigenous seas are seen as natural, inseparable adjuncts of ancestral land, integral to the survival of the Calamian Tagbanwa people. Since 1990 at the outset of their initiative in claiming their ancestral domain, the inclusion of coral reefs and teeb ang surublien had been voiced by clan elders.

PAFID staff noted that the shape of the Tagbanwa foundations’ ancestral domain had no precedent among the existing legal tenure options open to indigenous communities. In answering the clan elders’ queries on including indigenous seas in the legal claim, PAFID supported the possibility that the Calamian Tagbanwa’s case could extend the definition of “ancestral domain” to include marine territories. There are after all many other indigenous groups whose traditional homelands range into the sea, such as the Dumagat or Ati people, Badjao, Samal, Molbog, other Tagbanwa groups.

Interestingly a Republic Act passed on June 19, 1992 supported this view. Republic Act 7611 or the Strategic Environment Plan for Palawan (SEP) pursues the “sustainable development of the province of Palawan” by adopting a zoning scheme called the Environmentally Critical Areas Network (ECAN) as its main strategy. Section 7 defines the ECAN as

“… a graded system of protection and development control over the whole of Palawan, including its tribal lands, forests, mines, agricultural areas, settlement areas, small islands, mangroves, coral reefs, seagrass beds and the surrounding sea.”
The SEP identifies “tribal ancestral lands” as one of three main components of the ECAN and defines “tribal ancestral lands” in Section 3 as “… areas comprising both land and sea that are traditionally occupied by the cultural minorities.” Apart from adopting DAO 2 in its Implementing Rules and Regulations, the SEP in Sec. 11 underlines the primacy of cultural criteria in zoning “tribal ancestral lands”:

“These areas, traditionally occupied by cultural minorities, comprise both land and sea areas. These shall be treated in the same graded system of control and prohibition as in the others abovementioned except for stronger emphasis in cultural considerations. The SEP, therefore, shall define a special kind of zonation to fulfill the material and cultural needs of the tribes using consultative processes and cultural mapping of the ancestral lands.”

6. Negotiating with Local Government

In less than a year from the passage of the SEP, the Calamian Tagbanwa CADC became the test case for the inclusion of ancestral waters and fishing grounds in the ECAN. On February 19, 1993, Foundation officers filed a consolidated petition for a CADC with the Community Environment and Natural Resources Office for District IV, the local arm of the DENR for Culion, Coron, Linapacan and Busuanga. Before filing their petition, the leaders were careful to secure a “RECEIVED” copy, a facsimile certified or stamped as being received by the government agency concerned. From 1993 to 1995, Foundation officers of Coron Island, Bayang, Turda, Tara and Malawig followed up the CADC application in the Coron offices of the CENRO. In the meantime, barangay leaders also enlisted the aid of elected municipal government representatives in expediting their CADC.

What followed was a Jobian test of commitment for Foundation leaders as the CADC application faced total inaction for more than three years. TFBM Chairman Pulilan recounted, “They asked us to return repeatedly but nothing happened with the CADC.”

From 1993 to 1996, the post of the CENRO was vacated a total of five times in less than three years. The then Director of the CENRO’s Forest Management Section credited the unusual turnover rate as the primary reason for the inaction on the Tagbanwa CADC application. He noted that Coron is an unattractive posting for CENROs, accepted only by DENR personnel who had been on floating status or otherwise plagued by looming administrative sanctions. In his view, political intervention from local elected officials tended to undermine the CENRO’s security of tenure in office. Additionally, with 14 forest rangers assigned to four municipalities or a mean of 3.5 forest officers per municipality, the CENRO’s relevance is contingent on the cooperation of the municipal government.

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36 In Sec. 8 the other 2 components are 1) terrestrial and 2) coastal/marine, which “… includes the whole coastline up to the open sea … ” characterized by “… active fisheries and tourism activities.”
This quid pro quo is not entirely lopsided. The CENRO is charged with 73.9% of the total land area of Coron, or 18,684 has. of timber land and 51,512.6 has. (or 54.3% of the total land area) of “unclassified public forest and reservations.” The fact that nearly three quarters of Coron is retained in the public domain is by and large due to default – the last land classification map for Coron was drawn in 1935 and has not been reclassified since in government control maps.

In the meantime, elected officials sponsoring local infrastructure projects such as piers, roads and school buildings enlist the resources found in these unclassified areas. As mentioned earlier, in 1990 the Municipal Council recommended several islands “in the unclassified public forest” as potential areas for tourism. In both cases, the monitoring, regulation and disposition of natural resources fall within the CENRO’s purview. As such, the degree of cooperation shown by the CENRO in “facilitating” the implementation of said projects is key to local, elected municipal officials.

For instance, a Municipal Councilor was named in a tax declaration issued in 1991 for Lagas Island in Barangay Tara, one of the islands “coincidentally” recommended for tourism by a 1990 Municipal Resolution. From government control maps, this island is clearly still “unclassified public forest” and as explained by the CENRO Forest Management Section Director, tax declarations cannot be issued for such areas. The Municipal Assessor also reported that in such instances, his office requires a “certification” of the land’s status and of the claimant’s long-term occupancy from the CENRO’s Land Management Section.

Similarly, the then Vice-Mayor was named in a tax declaration for land within the Tagbanwa Reservation of Bulalacao. From the tax declaration, it could be seen that he paid 36 years of back taxes all the way to 1961 on a single day in May, 1997. At most, he may be seen as a conscience-stricken taxpayer, scrupulous to the point of paying someone else’s real property taxes. However, on June 6, 1997 or barely 16 days after obtaining the tax declaration, he submitted it as proof of being “in the possession since in the year 1961 up to the present” (sic) of the property. In a letter to the Provincial Environment and Natural Resources Office (PENRO), the Vice-Mayor wrote, “I am submitting this, for your information and precisely segregation from the CADC Ancestral Domain Claim” (sic). Government control maps indicate that this area is also within the unclassified public forest and requires certification from the CENRO prior to the issuance of a tax declaration.

Another obstacle to the processing of the CADC is that since the institution of the Community Special Task Force on Ancestral Lands (CSTFAL) in 1994 up to the present, no budget or program targets for DAO 2 had been assigned to the District IV

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37 District IV CENRO, Municipality Profile for Coron Coron: CENRO.
38 Department of Agriculture and Commerce & the Bureau of Forestry, Land Classification Map of the Municipality of Coron, Province of Palawan, Project No. 2-B, Manila: NAMRIA, 1935.
40 The Supreme Court has ruled that tax declarations are not proofs of ownership of land as persons other than the owner can pay the real property tax on the owner’s behalf.
CENRO. Due to the turnover of CENROs, plans and programs for the processing of CADC or CALC applications had not been forwarded to the PENRO or PSTFAD, therefore no budget had been allocated. 41

After three years of responding to conference calls in Coron from the CENRO, Foundation officers in 1996 faced a new CENRO whose office denied ever having received the Tagbanwa CADC application. Were it not for the “RECEIVED” copy that Foundation leaders had insisted on obtaining, the efforts of the past three years would have been wiped off the record. Finally the CADC application was “found” stewing in a desk drawer in the CENRO offices, unassigned.

In August, 1996 the Tagbanwa foundations sent a petition to the Office of the President requesting prior notice of government projects being implemented in Tagbanwa-occupied areas. This letter was duly forwarded to the Palawan Council for Sustainable Development (PCSD).

Republic Act 7611 mandates the PCSD, a tripartite council directly under the Office of the President, in the implementation of the ECAN. Its functions include coordination with local Governments “... to ensure that the latter's plans, programs and projects are aligned with the plans, programs and policies of the SEP.” One of the avowed policies of the ECAN as stated in Sec. 7 is:

“(4) Protection of tribal people and the preservation of their culture.”

Locally, this translates to a representative for tribal concerns in the Coron ECAN Board, a largely recommendatory, multisectoral body that endorses resolutions to the Municipal Council for further deliberation as municipal resolutions or ordinances. The local ECAN Boards are charged with the implementation of the SEP’s goals at the municipal level. For their part, the Palawan Council Sustainable Development Staff (PCSDS) are charged with the initiation of ECAN Board Meetings.

In the PCSD Staff’s estimation, the implementation of the SEP had been gaining ground in Coron since: 1) an ECAN Board had already been convened; 2) the Board had been passing resolutions for the Municipal Council to consider; and 3) the ECAN map had been validated and even been used as the basis for Coron’s municipal land and water use plan.

On the part of indigenous people’s affairs, however, the PCSD Staff reported that the tribal representative in the ECAN Board is a Calamianen who had yet to attend a meeting in Coron. The ECAN Board had yet to endorse a single ancestral land or ancestral domain claim since its inception. In terms of the SEP’s goal of protecting “tribal ancestral lands”, the PCSD Staff admitted that the Board had no accomplishment. In fact rather than support this goal, Coron ECAN board members called for the suspension of all activities relevant to the CADC application process.

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41 The Provincial Special Task Force for Ancestral Domains or PSTFAD is a multisectoral body tasked with identifying, delineating and validating CADC applications.
and at one point even asked for the termination of the ancestral domains program of the DENR.

In the oppositions filed before the PSTFAD, the ECAN Board did not attempt to discredit the evidence of long-term use and occupation presented by the Tagbanwa foundations. As PCSD Staff averred, the ECAN Board was not disputing the CADC per se, rather it was opposing the “vastness” of the claim, alleging that non-Tagbanwa would be automatically deprived of income derived from coastal resources once the CADC is approved. The ECAN Board also alleged that non-Tagbanwa form the majority in these areas and correspondingly, the demographic profiles prepared by the Coron Municipal Project Development Office showed a dramatic decrease in the Tagbanwa population coinciding with the publication of the CADC application, dropping from 32% of Coron’s total population in 1994 to 19% in 1998.

Meanwhile, not a single CALC or CADC application nor any indication of existing indigenous groups appeared in the ECAN map surveyed in 1996 and validated in 1997, despite the Tagbanwa foundations’ letter forwarded to the Coron PCSDS from the Office of the President. Since the criteria for ECAN zoning are clearly elucidated in the guidelines and mapping officers were required to conduct consultations with barangay officials, the total absence of an ECAN zone for “tribal ancestral lands” or indicative plans to map “cultural zones” was a clear oversight. According to the PCSD Staff, the outcome was due more to the absence of political will in the ECAN Board than a lack of technical skills on the part of the PCSD. “No one has been insisting that these areas be included. There should be someone actively advocating [these issues] with the Board”, the PCSD Staff head said. She further explained that the PCSDS could not assume this advocacy, despite the PCSD’s role in aligning local governments’ plans and programs with the SEP’s goals, because the PCSDS is limited to “coordination”.

The absence of “tribal ancestral zones” marking Calamian Tagbanwa territories on the ECAN map was a grave flaw because the ECAN map not only serves as a planning tool for local and national policy makers but also acts as a control to regulate the degree and type of resource extraction activities allowed in the zones. While PCSD Staff insisted that the “validated” ECAN map might still be changed, it informed policy makers that no Tagbanwa or indigenous groups exist in Coron. This oversight invited future conflicts because it opened up Tagbanwa-held areas as unoccupied or unencumbered by prior rights, as in the case of the JICA-DOT master plan for tourism for Northern Palawan. Moreover, municipal planners had reserved areas for a shipyard and a cattle ranch in a protected Tagbanwa fishing cove and a critical Tagbanwa watershed, both of which did not appear in the ECAN map and the municipal land use map. By the mere act of excluding indigenous groups from a government control map, the Tagbanwa had been automatically removed from the planning process and disenfranchised of their right to participate and decide in projects affecting their areas. Moreover, lacking personnel and guidelines from the PCSD, no consultations were conducted for marine areas, instead personal recall and visual scanning were the tools used to classify the marine zones. Thus, coastal and
marine zones in the ECAN map also did not reflect the Tagbanwa’s ancestral waters.  

On a final note, Tara Barangay Captain Edgardo Pulilan summed up the frustration of the Tagbanwa foundations in dealing with local Government executives when he remarked,

“We went through terrible hardship. We had to deal with different people, with different dispositions. They led us to count on their support, but it turned out they petitioned [against us].”

Mapping Activities

1. Community Sketch Maps

It was in this setting that PAFID worked initially with the TFCI in January, 1996. Set to assist the organization in preparing a complaint against the then CENRO Officer for illegal logging, a field worker of PAFID met with Tagbanwa clans in other barangays dealing with the public auction of ancestral islands. In an effort to clarify the conflict areas, he assisted the clans in Dinuksulan, Tara, Malawig and others in preparing community sketch maps to accompany the petitions filed with the CENRO. In these sketch maps, Foundation officers with the aid of clan representatives and village elders indicated the relative location of houses, Tagbanwa sitios, water sources, mangrove areas, burial sites, coral reefs, fishing grounds, swiddens, cashew groves as well as islands whose tax declarations were being “sold” to non-Tagbanwa. These sketch maps provided the information for the preparation of base maps used in the on-ground survey of the ancestral domain.

2. Consolidation of Boundaries

The on-ground survey of the ancestral domain was undertaken as part of the documentation required by the PSTFAD for Saragpunta’s CADC application. Unfortunately, the Palawan PSTFAD had no financial resources earmarked for ancestral domain delineation in the Calamianes, and were already hard pressed in organizing site visits to validate Saragpunta’s claim. Saragpunta requested PAFID to conduct the boundary survey of the ancestral domain, and the PSTFAD designated PAFID to undertake the survey accompanied by members of multisectoral groups comprising the PSTFAD, such as other nongovernment organizations, the local government unit, representatives from the provincial government, and the DENR.

Narratives of Village Elders, Survey Plans

Saragpunta prepared for the actual survey by collating the sworn statements of village elders and documenting other evidence of long-term use and occupation of their territory. In general, the extents of their ancestral domain are common knowledge and

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42 Interestingly, no terrestrial core zones were identified either for Coron on the ECAN map. Following the altitudinal criteria without reference to the degree of integrity of the forest zones, the ECAN mapping team reported only restricted zones, buffer zones and multiple-use or manipulative use areas.
fairly established among Tagbanwa communities. Some areas such as Coron Island, Barangays Malawig and Tara are widely ascribed as Tagbanwa sectors even by non-Tagbanwa as attested by the Municipal Assessor. Yet decisions had to be reached on selecting corners for the domain. Drawing sketches, leaders of the local organizations as well as elders and clan representatives discussed the placement of corners or boundary points to each of their claims until a consensus was reached. Also discussed were the bases and evidences supporting the placement of boundaries. Saragpunta Board members also weighed which areas were of critical importance to their livelihood, thus requiring special protection or monitoring from fish pirates. Each area had to decide the actual path that the survey team would follow to maximize the provisions and the availability of the mapping equipment.

Each organization had asked its members for contributions to procure the rice and gasoline needed in the survey. Gauging from the response of each area, there was wide support for the survey activities – inspite of being strapped for cash, many members from the five local organizations donated money and offered the use of their bancas apart from volunteering to accompany the survey team. Since the motorized banca used for the survey in the Tara group could only accommodate 15 people, the dozen or so volunteers in Tara could not get on the banca as other volunteers who had crossed from Turda already exceeded the limit.

**Bases for Placement or Selection of Corners**

Despite a wide array of land and marine features found among the three clusters of Saragpunta’s ancestral domain – Coron Island in the east, Bulalacao in the south and the Tara and Busuanga group in the north – the bases for selecting the boundaries hewed to a common theme, namely, areas which had been inherited from their ancestors and taught to them by the *mepet* were included as part of ancestral territory.

Only the Tara group in the northern cluster had indicated boundary points on land, and the basis for selecting these was fairly straightforward: all islands which had been traditionally occupied by their ancestors and determined from customary law to be clan inheritance were included. Secondly, the boundaries in mainland Busuanga followed natural geographic features such as the mountain range which separates the northern Tagbanwa coastal villages from Busuanga’s interior. All their known settlements, swiddens and lands planted to paddy rice were included as well. The survey points in the mountains were traced only far enough to include the trails taken by their ancestors in gathering forest products, such as *kurut*, *pulot* or honey, rattan and others. Other boundary points on land were set by known Tagbanwa taboos, for example, the area inhabited by the *iraw balidbiran*, a winged snake, formed an edge of their ancestral domain. Otherwise the boundary points followed the peaks and ridges of the northern Busuanga mountain range.

Their basis for selecting the boundaries for the indigenous seas was equally straightforward: all coral reefs or marine resources, fishing grounds, *panyaan*, reserves and other marine territories passed on to them by their ancestors and used continuously to the present day were included in the claim. This criterion was especially significant in Coron Island and Bulalacao as their ancestral domain is
completely bounded by the indigenous sea. For example, the boundaries selected for Coron Island and Bulalacao follow the outlines of important coral reef systems and benthic areas. In simpler terms, the boundaries include areas which their ancestors had used not only for fishing, but for gathering *balat* and *samung* as well, articles of significant commercial importance in the Calamianes up to the present day. As explained in the Case Profiles, Tagbanwa ancestors had been able to detect relatively deep coral reefs and sandy flats using lines and weights, and passed on the location of these areas by noting their distances from two to three mountains, a method of reckoning known as *kwadrante*. Thus, their marine territories include not only coral reefs visible from the sea’s surface, but also fishing grounds that are deduced through their relative distances from islands and peaks. Thus the Calamian Tagbanwa’s marine territories include a vast array of aquatic features, such as coral reef systems, sandy or muddy shoals, fish nurseries and preserves, deep sea areas, mangrove forests, taboo areas such as *panyaan*, atolls hosting cave swiftlets, and many others.

**Consolidating Saragpunta’s Position**

There were other pressing issues. Families outside the Saragpunta barangays, such as the Bering clan in Cabilauan Island, Barangay Decabobo near Malawig, had appealed for inclusion in the claim even if there was no local Tagbanwa organization in their area. In the end, as TFCI Chairman Aguilar explained, it was decided that “any Tagbanwa who asks for help will be helped”. And thus the ancestral islands of the Bering clan, namely Dimakya Island and Cabilauan Island, were included in the CADC application.

Characteristically, the three local organizations representing the barangays of Malawig and Buenavista, Turda and Tara set aside a large coral reef system at the back of Butolam Island in Tara for the use of non-Tagbanwa, specifically non-resident fisherfolk and fishing vessels from other provinces, such as Mindoro. They focused instead on the fishing areas bounded by their ancestral lands and islands, assessing that the bounded marine territory was most crucial to their livelihood, relatively more threatened and more easily defended by a network of Tagbanwa bancas proliferating in the area during reasonable sea conditions.

A sensitive issue discussed by Saragpunta Board Members is the mapping of secret areas in their ancestral domain. The organization had to weigh between the necessity of publishing special areas to document their customary use and endangering these areas by divulging their exact locations. Since the maps would be posted for the information of the general public, there was a danger that these areas would be exposed to speculation from outsiders thus threatening their safety. Finally it was decided that all the maps would be “cleared” or validated first with Saragpunta communities and elders before their release to the general public.

**3. Survey**

The method used in the marine survey involved Trimble GPS receivers switched to the GPS marine setting. In this setting, the receiver clocks a line traced by the survey party as it moves through the survey area. The GPS continuously records a stream of
positions as it moves along the survey path, thus building up a boundary line. In the mapping activities, a motorized banca was used to trace the edges of the communal fishing areas and important marine resources. A Tagbanwa timon or boat captain familiar with the area steered the banca and directed the position of the GPS receiver on board. In areas where the coral reefs could be seen from the sea’s surface, the timon navigated visually, otherwise he employed triangulation or kwadrante using local landmarks to locate the reef. If the timon steers with precision, the resulting outline of the reef appears highly irregular. To avoid being gashed by the coral, the boat captain steers some 20-30 feet away from the reefs depending on the current, hence the mapped reefs are larger than actual size even after correction. Because Tagbanwa timons directed the location of the GPS receiver, community members were assured that the surveyed boundaries were the exact points or areas they had indicated.

On land where points are clocked using the GPS receiver’s terrestrial settings, the circular error probable (CEP) is at least five meters. CEP is a gauge for accuracy and simply means that the actual or “real” position can be found anywhere within a radius of five meters from the position measured by the GPS unit. The CEP for line surveys used in marine GPS is estimated at two meters, which means that the actual location is anywhere within two meters of the measured location, which is more than adequate for the purposes of the boundary survey.

Survey of Boundaries

a. Coron Island

The eastern cusp of Coron Island facing Delian Island hosts a number of very large coral reef systems, three of which are each larger than the total surface of Delian. All around the main island of Coron itself are areas for octopus fishing, kurut and kapari groves as well as strips of white beaches used as burial sites or camping sites for swiftlet-nest gathering. Following the banca lanes running parallel to Kayangaan Lake, the survey party followed the outline of the limestone cliffs before heading west to include a large coral reef in front of Diknay. The survey banca then rounded off to the back of Delian Island to include smaller coral reefs and diving areas. It then crossed over to the tip of Coron Island in Kalis which hosts many swiftlet caves and fish sanctuaries. The western side of Coron Island facing Busuanga is dominated by sheer limestone cliffs that shelter a great number of swiftlet nests, nest-gatherers’ camps, burial groves and the houses of relatively autonomous families. The survey banca followed the usual banca lane along the island’s western face with just enough clearance from the water to avoid shallow corals and shoals and to include a panyaan facing Manlalara in Barangay Bulalacao. From Kalis the banca crossed to Smith and back again to Lima also closely following the outline of Coron Island. All told, the land and sea area of the Coron Island claims sums up to 22,284 has. (See: Map of Coron Island Ancestral Domain)

b. Bulalacao Group of Islands
As PAFID mapping staff Bruce Young and Felicity Smith recalled, the sea surface was like glass during the survey of Barangay Bulalacao; the mapping team was able to wrap up the delineation of 40,832 has. in a single day starting at sunrise and finishing at dusk.

Like Coron Island, Bulalacao’s boundaries are determined by its indigenous ocean. The strait between Isla Tambon and Malkapuyaw Island marks the border of the Bulalacao claim. The boundary drops down to follow a sea lane that is nearly parallel to the Culion coast. This rounds down the rocky outcrops of Gegeteye, Bulalacao’s southermost point where the mepet had dove for balat and samung. Past Gegeteye are areas which Bulalacao Tagbanwa acknowledge form part of the territory ascribed to Nangalau residents. A deep channel and rougher, open sea conditions lie south of Gegeteye. From Gegeteye the boundary loops up to a coral reef formation named Tuna (the appellation does not correspond to its English meaning). The eastern boundary follows the deeper portions of the benthos to include corals 8 brasas deep as well as traditional fishing grounds located through their relative distances from Kalumbuyan, MalAposo and Canipo islands. Facing Kalis in Coron Island’s tip, the boundary follows the contour of the very large coral reef system that surrounds the entire island of Bulalacao. Finally the marine boundary encloses several coral reefs in front of Manlarara in Dinukusulan before terminating back to Malkapuyaw.

The larger portion of the ancestral territory in Bulalacao is submerged and cannot be immediately seen. To the Tagbanwa fisherfolk in Bulalacao however, the location of the coral reefs marking these boundaries are well known and readily estimated (See: Map of Bulalacao Ancestral Domain).

c. Tala and Busuanga Island

Unlike the sea conditions in the Bulalacao survey, the survey for Tara and Busuanga were marked by strong currents. The survey banca had to cross from the boundary terminating the land-based corners in Turda to the coral reefs located north and east of Butolan Island, when strong currents drifted the banca inward and westward. As a result, large areas rich in coral reefs located between Turda and barangay Marcilla were excluded from the survey. The survey party continued north of Tara Island but because of worsening sea conditions they had to mark their last position, take cover in Tara and resume when the weather improved.

The Tagbanwa timon was able to return precisely to the same spot where they had broken off the survey due to strong currents, and the survey team headed west past the Kamanga islands to the small island of Kulu-kulu, the site of a Tara family’s swiftlet caves. Because of problems with the banca and strong currents, the survey team was forced to turn away from Kulu-kulu, thus the valuable island was excluded from the delineation.

The banca’s return trip headed south to include the large coral reefs ringing Dumampalit as well as Dibuyayan, Dimakya and Cabilauan Island. The team
rounded the southern tip of Cabilauan near Bungoy to terminate the marine survey where Malawig’s terrestrial corners begin. The boundaries on land, as mentioned above, generally follow the peaks and ridges of the mountain range ringing the Tagbanwa coastal villages and sitios found in Malawig, Buenavista and Turda. In terms of land and sea surface, this survey delineated the largest area, totalling to 117,297 has. (See: Map of Tara, Malawig, Buenavista and Turda Ancestral Domain).

4. Map Validation

Young and Smith applied differential correction to the survey results before preparing a GPS map. Differential correction is a numerical method designed to refine extraneous, satellite anomalies intentionally or unintentionally introduced into the field data. For example, the United States Department of Defense intentionally introduces errors in the satellite signal to prevent real time GPS readings. Without differential correction, the positions read from GPS receivers would be irrelevant to making accurate boundary maps. Another constraint to accuracy is the sensitivity of GPS receivers to obstructions such as a forest canopy. Since GPS receivers deduce their location from overhead satellites, obstacles can introduce echoes or false signals which can distort the GPS reading. In an ocean environment, however, few obstructions are likely to present themselves and the satellite signal can be expected to be clearer.

Young and Smith digitized several features from 1:50,000 maps from the Coast and Geodetic Survey, namely the rivers, lakes, coastlines of islands, the location of peaks and coral reefs. Next they overlaid the corrected boundary points and the corrected outline of major coral reefs on these features and culled the place names from the community sketch maps. From the sketch maps, Smith also created a layer featuring the relative location of swiftlet caves, burial caves, kurut groves, panyaan, fishing grounds, villages and sitios, coconut and bamboo groves and other indigenous uses of the territory.

The resulting maps were presented by Smith to the general meeting of the Tagbanwa Foundation of Malawig and Buenavista where many leaders and residents from Tara and Turda also attended. Written in Calamian Tagbanwa, the maps caused some excitement in the general meeting as residents annotated the maps with place names. For Jimmy Quijano, a young Tagbanwa from sitio Payatpat in Malawig, the spread of Calamian Tagbanwa territories laid out in the maps brought a sense of pride. “We too have a place in the world”, he said, despite the efforts of outsiders to deny the Tagbanwa homeland. The map for Bulalacao was brought back to the barangay by the PAFID field worker, while the Coron Island map was drawn with direct guidance from TFCI Chairman Aguilar as well as a Cabugao elder.

According to Smith, the maps went through several revisions as village elders and local leaders from each of the Tagbanwa foundations weighed the merits of deleting sensitive data from the official map as a precaution against poachers and marine

43 A few nuclear warheads have been developed to use real time readings to navigate and lock onto their targets. The United States Department of Defense fears that its own GPS satellite system could be used against itself.
resource pirates. They used several symbols to indicate important resources such as the swiftlet, *samung*, fish and others. A large octopus was used to indicate the location of the *panyaans*. The validation map was annotated by Foundation representatives to indicate spelling corrections for Tagbanwa place names, data for deletion, additional information on the site of burial caves and location of major *kapari* and *kurut* groves, and so on.

After corrections were made, the maps were redrawn and submitted back to the Saragpunta Board Members for their presentation of the CADC application to the Palawan PSTFAD. The points for the terrestrial corners on Busuanga Island were provided with a technical description following the DENR’s standard format of corner, bearing and distance using the PRS92 reference system. The marine boundaries however are continuous lines, and no standard format had yet been required by the DENR at the time.

5. GPS Technology and Traditional Knowledge

Merging the information gleaned from the Calamian Tagbanwa’s knowledge of the area and the navigational skills of their *timons* with GPS receivers produced maps of exceptional accuracy in terms of position and content. The corrected survey of Coron Island coral reefs not only produced a good fit with the Bureau of Coast and Geodetic Survey (BCGS) maps but also featured coral reefs that were not reported by a circa 1940’s United States military reconnaissance map.

The corrected marine boundary for Tara and Busuanga also showed that the Tagbanwa *timon* had returned the survey party in the identical location as accurately as the post-processed GPS results. In other words, the *timon*’s navigational accuracy had matched that of differentially corrected GPS positions. Navigational waypoints from the GPS receiver would later be used in the survey of major coral reefs to mark the points where the survey broke off due to strong current, equipment problems and the like.

The community sketch maps also corrected many place names labeled in the NAMRIA maps, and more significantly, enriched the GIS maps by overlaying the traditional use of the landscape and seascape. The information contained in Saragpunta’s maps easily surpass the ECAN and Coron municipal land and water use maps of the same areas for several reasons:

1) Saragpunta’s maps locate the major coral reefs in the area and identifies each by name (small or deep coral reefs are usually named after the persons who discovered them, while some of the larger reefs communally used by the clans use qualifiers as place names, such as Talong Dakulo or Big Reef for the “larger” coral reef in front of the village of Cabugao.

2) The maps show the actual, current use of the resources in the ancestral domain. They locate not only the barangay sites and major villages but also the smaller Tagbanwa sitios and camps. Sensitive or taboo sections are also indicated, for instance, Coron Island’s *awuyuks* are clearly marked as a
“Restricted Area”. This shows that the clans have ranged throughout the entirety of their domain and that no portion of the territory is unused or abandoned.

3) The maps indicate the place names of mountain peaks, inland lakes, beaches, coves and other features which remain nameless in circa 1980’s NAMRIA maps. Since the place names are in the Calamian Tagbanwa language, the maps communicate the historical fact that these areas were explored, established and named by Calamian Tagbanwa ancestors.

4) The maps indicate the resources important to the livelihood of Calamian Tagbanwa communities, such as swiftlet caves, bamboo and kurut groves, coconut groves, artisanal fishing grounds, diving areas and places where other marine resources are obtained. Because important natural resources are mapped with their value or use to the community, the area does not appear uninhabited, unexplored nor free from prior rights.

5) Saragpunta’s maps also indicate burial caves and other important ritual sites that evidence long-term occupation and use of the territory.

6) Indigenous knowledge of the ancestral domain is tied to accurate geographic information. This facilitates independent verification of the status of the land and marine areas, and confirms the information gathered from community sources.

6. Uses

The GIS maps have been used for several purposes by the Saragpunta, but mainly they have been employed by members to explain to non-Tagbanwa the issues relating to the CADC application in the hope of resolving disputes.

The maps had been presented to barangay officers as well as co-residents in the community. Also, the maps have been shown to elected municipal officials to explain how a large number of areas in the Calamian Tagbanwa homeland have had their tax declarations sold to non-indigenous entities.

When three Provisional Pasture Lease Agreements were granted by the CENRO in the Malawig-Buenavista area in 1997, the maps were used to show that the contested area was within the bounded portion of the CADC application which had been pending before the same office since 1993. As such, these pasture leases were withdrawn pending the resolution of Saragpunta’s claim.

In Tara and Malawig, the bounded areas in the map have been shown to dynamite and cyanide fishermen as areas where illegal fishing activities can expect to be restricted by barangay authorities and members of the Tagbanwa foundations. It is the hope of Malawig Barangay Captain Alfremo Carpiano that the ancestral waters will be a haven for legal and non-commercial fishing. 44

44 In the meantime, some members in Turda have taken to the GIS maps as aids in fishing expeditions id est, locating favorite
The maps have also been used to explain why the areas around Kayangaan Lake in Coron Island are not only ecologically pristine but culturally sensitive or taboo areas as well. These talks eventually led to the formation of a multisectoral committee called Ugayang Kumite which attempted to find ways in which the competing interest groups eyeing Kayangaan Lake could cooperate or relate to each other. Apart from TFCI and PAFID, the Ugayang Kumite included **EU-IPAS-PAWB**, the Municipal Mayor, the Environmental Legal Assistance Center (ELAC), and representatives from ECAN and the PCSD. The committee was chaired by the TFCI head.

In general, however, Saragpunta members reported that municipal executives and non-Tagbanwa barangay officers reacted negatively when seeing the extent of the claim laid out precisely in the GPS maps. Their objections as encapsulated by more than 12 municipal resolutions voicing opposition to Saragpunta’s claim included the following:

1) Saragpunta’s claim includes islands which are being developed by the municipality as “world class” tourist resorts.

2) The ancestral waters claim would only reduce the municipality’s income from commercial fishing receipts. Since a Saragpunta is an open opponent of muro-ami and other illegal methods of fishing, as well as an advocate of non-commercial fishing within ancestral waters, the Municipal Board claimed that the interests of “commercial” or large-scale fishing would be significantly injured. The Municipal Board also claimed that non-indigenous resident fisherfolk would be deprived of income once the ancestral waters are delivered over to the management of the Saragpunta.

3) The ancestral lands and waters being claimed are disproportionately large considering that the Calamian Tagbanwa are a minority group in the municipality.

4) Kayangaan Lake in Coron Island which is also a sacred lake is being programmed by the Municipal Government for development as a tourist area having won as the “Cleanest Lake” of the region under the Clean and Green campaign.

5) Despite a Supreme Court ruling on the matter, the Municipal Board insisted that the tax declarations it issued to non-residents in Tagbanwa-occupied areas authorize the transfer of possession into non-Tagbanwa hands.

The attempt to drive divisions between indigenous and other small fisherfolk was apparent to the Saragpunta. While the Saragpunta is a proponent of “legal, non-commercial fishing” within ancestral waters, small resident fisherfolk are not prevented from fishing in ancestral waters for as long as they respect Tagbanwa fishing spots!
traditional laws. Transient fishermen are also not disallowed from entering ancestral waters for as long as they seek the consent of the Tagbanwa foundation concerned.

At one point the Municipal Board even claimed that the CADC application was only being put forth by young members of the Tagbanwa communities and did not at all reflect the sentiments of their elders. This issue was settled when Saragpunta presented copies of sworn statements from elders in the different Tagbanwa barangays evidencing their petition against the public bidding of the ancestral islands.

Apart from the instance cited above, the Municipal Board did not attempt to dispute the evidences and proofs submitted by the Saragpunta. Nevertheless, it filed successive resolutions recommending that several areas be excluded from the claim, namely: 1) ancestral lands and ancestral islands where relatives of the then vice mayor, a former mayor and a municipal councilor had obtained tax declarations; 2) all the awuyuks as well as all strips of white beach in Coron Island; 3) the coral reefs and diving areas of the ancestral waters; and many other ancestral islands which had been offered for public bidding after the filing of the CADC claim.

Through all these, according to the Municipal Assessor, the ECAN Board, sensing that any resolution endorsing the CADC application to the Municipal Board would be voted against, refrained from expressing support for the Saragpunta CADC. Finally the ECAN Board passed Resolution No. 11 s. 1997 on October 13, 1997 asserting that in the case of Coron Island,

“... this August Body believes that it is but proper that all lakes found within the island, the two barangays situated therein (Banwang Daan and Cabugao), and the surrounding water areas fronting Coron Bay be excluded from the main application, as well as the whole Delian Island, being segregated from the Coron Island and is presently considered the settlement of transient fishermen as authorized by the island T. D. holder/claimant.”

The ECAN Board effectively recommended the exclusion of the entire claim of Coron Island from the CADC application. Moreover, it did so in favor of “transient fishermen” authorized to stay on the island by the “T. D. (tax declaration) holder/claimant”. The sole “T. D. holder” in Delian Island was none other than the daughter of a former mayor who obtained a tax declaration in 1995 after the CFSA had been issued to TFCI. She obtained the tax declaration, as the Municipal Assessor explained, as a “continuance” of her father’s tax declaration. Yet the former mayor was also a non-resident of Delian Island which puts the issuance and “continuance” of the tax declaration in question. Moreover, the granting of the CFSA in 1990 effectively cancelled all tax declarations issued on Delian Island. Her tax declaration was therefore without basis, yet it was supported by an ECAN Board Resolution, the same Board which, by law, are key players in the local implementation of the SEP’s goals.
The PCSDS officer-in-charge also recounted that the Municipal Board explored the termination of the CADC program in Coron for some time. Municipal Resolution No. 35 s. 1996 passed on December 16, 1996 called for the temporary suspension of any action pertaining to the Tagbanwa foundations’ application for a CADC. The resolution did not specify how long the “temporary suspension” was to hold.

Four months later, Municipal Resolution No. 12 s. 1997 passed on June 9, 1997 ordered yet again another “temporary suspension of any action towards the issuance of the Tagbanwa CADC.” Resolution 12 also alluded to “a sort of indoctrination being conducted by outsiders in the areas of those cultural minority tribes and if such activity would continue, occurrence of chaos and public disorder is inevitable (sic).” Apparently, dissemination activities relating to DAO 2 conducted by PAFID and subsequently the PCSDS were interpreted as “indoctrination” by a few, largely anonymous “concerned citizens”. Because of a Pafid staff’s unceasing efforts in forwarding Saragpunta’s petitions to DENR Central Office and the PSTFAD, he gained the ire of not a few municipal executives, such as the Municipal Assessor. Yet even the Assessor grudgingly admitted that were it not for the persistence of the Pafid staff and the Saragpunta Board, the Tagbanwa CADC application would not have gone beyond the CENRO, nor would it have prospered before the PSTFAD.

Efforts by the municipal government to terminate DAO 2 in Coron seemed to weaken when the PCSDS head impressed on local executives that DAO 2 was a government program and “ancestral domains” were part of the SEP’s coverage regardless of DAO 2. Nevertheless, Municipal Resolution No. 12 found favor with the then Palawan Congressman who was also PCSD chairman who ordered a halt to all PSTFAD endorsements of CADC applications in order not to prejudice the implementation of the Indigenous Peoples Rights Act passed in 1997.

Perhaps the final straw came when a hastily organized “Calamianes Indigenous Cultural Communities Association” (CICCA), claiming to be composed of Cuyonen, Cagayanen, Parianen and Tagbanwa individuals, filed a petition against Saragpunta’s CADC claim with the PSTFAD. CICCA’s membership, however, could not lay claim to a single, intact indigenous community within Saragpunta’s CADC nor trace its occupation since time immemorial through sworn statements from community elders. Further, the CICCA President is the son of a former holder of a pasture lease permit already cancelled by the government in 1964. Despite this, CICCA asserted that “peace, tranquility, camaraderie, and good relationship exist and prevail among these groups … since time immemorial” and that the implementation of DAO 2 in Coron can only “discourage tourism and the influx of investors …”.

To this, not a few Tagbanwa members of Saragpunta replied, “Yes, things were peaceful before .. but we were quiet because we were oppressed, and we accepted this. Now we will not remain silent”. As Chairperson Ben Calix pointed out, “It’s as if we woke up from a very deep sleep. There was one who woke up before being driven off from his place”.

7. PSTFAD “Validation”
The PSTFAD conducted a validation of the Calamian Tagbanwa’s claim between May 27 to June 3, 1997. The report on their investigation was received by the PSTFAD Secretariat on September 20, 1997 or four months after the validation took place. The Validation Report was then forwarded to the DENR Regional and Central Office in March, 1998.

The Validation Report was quite similar to the ECAN Board and Municipal Board Resolutions pressing for the reduction of the Saragpunta CADC. In fact, the ECAN and Municipal Board Resolutions restated in full the findings of the Validation Team’s report.

The Validation Team recommended that Coron Island’s ancestral waters be reduced to 100 meters from the shoreline. They reasoned that Tagbanwa elders only practised a “style of fishing that is only done at the shoreline using tirador, kawil and other indigenous way of fishing.” Thus, the Report said, the ancestral waters includes a far smaller area, confined to the shores of the ancestral isands. It is not clear where the criterion of “100 meters from the shoreline” was drawn.

Moreover, while conceding that the Tagbanwa are indeed the original inhabitants of the area and attesting that Tagbanwa communities are still practising traditional methods of fishing, the Team nevertheless recommended that all “lakes and beaches in Coron Island must be excluded” because these are “… not used by Ips [indigenous peoples] since then as well as the beaches has no sign of actual occupation (sic).” The Report said, “Lakes are not used by Ips due to Pania-en, as well as some identified beaches (sic).” Also, since the villages are sited in Banwang Daan, Cabugao and Delian, the Team claimed that other parts of Coron Island were not used by the Tagbanwa despite the Team’s site visits to the various burial caves, kapari groves, swiftlet nests, bamboo groves and diving areas around Coron island.

Moreover, the Team excluded major portions of Bulalacao’s ancestral domain claim, saying the “source of livelihood is fishing and farming in indigenous way could not be done in deep sea only near the islands (sic).” It seems the Validation Team failed to appreciate that the heart of the Bulalacao claim is based on the extensive coral reef system underneath it, an aspect not easily apparent to evaluators with more experience in land claims.

The Team’s conclusions were actually met with much laughter among Saragpunta members. If indeed their ancestors could only catch fish at the foreshore areas of their islands like the children do, then how were their elders able to dive for balat and samung, much less sell them in Culion? As Bayang elder Benjain Pulilan noted, “The elders could paddle as far as Mindoro, so how could the Team argue that the mepet could not paddle across to Tala?”

Apart from contradictions in terms of factual data, the Team reasoned that only areas whose natural resources are being extracted can be claimed by the Tagbanwa as their ancestral domain. If the PSTFAD adopts this reasoning, then the Tagbanwa’s belief in the panyaan and ayuyuk make them the only group of people in the world who can never claim these areas, an argument which is patently ridiculous.
Saragpunta protested the conduct of the validation before the PSTFAD and requested that their case be forwarded to the Regional and Central Offices of the DENR. The PSTFAD was also stymied by the lack of expertise in evaluating an ancestral waters claim, such as how to evaluate evidences establishing long-term use of coral reefs. After many months, the PSTFAD endorsed Saragpunta’s CADC to the Central Office in the early part of 1998. The PSTFAD, however, only recommended the processing of the Coron Island claim and did not include Bululacao and the Tala group in the endorsement. In a formal letter explaining the PSTFAD’s decision, the PENRO asserted that separating Bululacao and Tala from the Coron Island CADC was a tactic to ensure that at least one of the CADCs claiming ancestral waters would be approved more quickly.

For the Saragpunta, however, the exclusion of Bululacao and Tala from the endorsement was perceived as a divisive move. The DENR’s lack of support for these two areas only underlined the overpowering interest of the EU-IPAS to implement a Protected Area Management Bureau (PAMB) structure for Coron Island as a Protected Area. Moreover, the PSTFAD upheld the Validation Team and the Coron Municipal Board’s position that the ancestral waters be confined to 100 m from the shoreline, an artificial and arbitrary criterion that has no basis in traditional law.

8. First Ancestral Waters CADC

In Manila, the Coron Island CADC was submitted to several Undersectraries for their concurrence prior to then DENR Secretary Victor Ramos’ approval. In a legal opinion, the Undersecretary for Legal Affairs Antonio La Viña wrote that the reduction of the ancestral waters had no basis and was not supported by any evidence. Basing his decision on place names, historical markers, the naming of coral reefs, the use of natural resources in and between Coron Island and Delian Island as indicated in the GPS maps, he supported Saragpunta’s assertion that the Tagbanwa communities had indeed been using the marine resources so indicated. From the burial caves, the origins of place names and other markers documented in sworn statements and in the GPS maps, La Viña concluded that the Tagbanwa communities represented by TFCI could not have sustained their long-term occupation of Coron and Delian Island without using and protecting the marine resources between these islands. Satisfied with the documents and maps presented by Saragpunta, he ordered the restoration of the original, proposed boundaries in TFCI’s claim as indicated in the GPS map.

The only problem remaining was that the marine boundary described a closed curved instead of the standard fixed corners used in ancestral land claims, and the PSTFAD and PCSD had yet to prescribe a standard format for marine boundaries. La Viña’s office suggested that the standard format for ancestral land claims using fixed corners be followed. To resolve the problem of finding fixed corners in the sea, the PAFID mapping officer picked GPS points every few hundred meters on the

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45 The Molbog are similarly skeptical in the use of “buya” (bouys) which are not only expensive but are also attractive targets of thieves.
differentially corrected marine boundary. These points in turn formed the marine corners of the TFCI CADC.

Hence on June 22, 1998, the first ancestral domain featuring indigenous seas was issued a CADC by the DENR. Shortly after the awarding of the CADC, the Molbog CADC application which also features ancestral waters was endorsed without changes by the Palawan PSTAD to the DENR Regional and then the Central Office.

Discussion

1. Consolidation of Local Organizations and Territorial Boundaries

A great deal of activities geared towards fostering consensus and the consolidation of local organizations preceded the community mapping activities. Building consensus and encouraging discussion proved integral to the success of community mapping, not only in terms of gaining material and financial support from community members or in heading off internal conflict on the drawing of boundaries, but most significantly, such activities informed the content of the maps and lent them an exceptional degree of accuracy. The twin features of technical accuracy and richness in content and local knowledge proved to be determining factors in clinching the TFCI CADC for the Saragputa.

The process of choosing the corners and selecting the data to be presented were critical in determining how the CADC map presented the Calamian Tagbanwa’s point of view. Since they revised the map several times, Saragpunta was able to direct how the maps presented their ancestral domain and more critically, advance its position on the use of the territory’s resources. The maps document a system of resource management that, while commonly understood in the indigenous community, remains largely unknown to policy makers. As a Bayang elder pointed out, “We know the corners even without the survey. We all know them, but the Government does not.”

Unlike the ECAN and municipal land and water use mapping activites, Saragpunta’s mapping initiative afforded Calamian Tagbanwa communities an opportunity to regain control over what areas would be included and presented as part of their legal claim. They avoided the Balkanization that CADC applications are in danger of when the delineation is left in the hands of known interest groups. In such terms, the CADC map may veer away from the indigenous community’s sense of ancestral domain and instead give way to competing interests.

The Department of Tourism-JICA map of the “Calamian Tourism Cluster” is one such sample. The map indicates a “Batak Taditional Culture Tour” and a “Coron Island Spectacular Air Cruise Circuit” around the awuyuks and ecologically sensitive swiftlet caves. In the literature the Tourism Master Plan proposes a pier in Barangay Cabugao’s mangrove forest as part of tourism infrastructure.

Hopefully, Saragpunta’s maps featuring the actual use of Calamian Tagbanwa territories can help in explaining to outsiders and policy makers why the introduction of tourism has been met by a negative response from local communities. Comparing
Saragpunta’s maps and the DOT-JICA map, it can be seen that the proposed tourist zones intrude into culturally sensitive areas. Moreover, part of the planned tourism infrastructure had been sited in ecologically pristine areas. As such, the impending environmental stress augurs the loss of valuable resources that have served as the matrix of the Calamian Tagbanwa economy for hundreds of years.

Another example of how the shape of an indigenous community’s ancestral domain can be arbitrarily changed is the CADC application of the Tribal Community of Esperanza Association (TCAE). The TCAE’s ancestral domain is located in barangays Salumping and Margues in Esperanza, Sultan Kudarat.

In this case, delineation activities were undertaken by the DENR’s Land Management Office (LMO) in Region XII, Cotobato City. The TCAE had set the boundaries for the survey and accompanied the LMO’s survey team. The LMO, however, reduced the original 22,000 has. in the application to 12,000 has. on the mapping table to give way to the Consunji IFMA. The reduction of the CADC was done before the map was presented to the Sultan Kudarat PSTFAD as the TCEA CADC claim. Because of this, the TCEA unknowingly ceded 8,000 has. of ancestral land to the Consunji IFMA by virtue of acceding to the map prepared by the LMO.

In the case of the Saragpunta, the framing of boundaries parallels the consolidation of local organizations in that the former reflects the territorial relations and imperatives of the latter. For example, the Tagbanwa barangays of Tala, Malawig, Buenavista and Turda along with Cabilauan Island in Barangay Decabobo are enclosed by common boundaries because of close kinship and an established communal pattern in the use of traditional fishing and diving areas. Also, not all coral reefs traditionally used by Calamian Tagbanwa communities were included in the claim. Apart from poor sea conditions, certain reefs were left out because they were intentionally consigned to the commons. In the latter case, the clans provided for migrant fisherfolk whom they identify as “small fisherfolk like ourselves”.

2. Role of Clan Elders and Foundation Officers

Apart from elders and community leaders, mostly married males with children or males who had been married for 4-6 years and had established holdings with their in-laws, participated in the village meetings. Their spouses would either listen to barangay meetings with children in tow, at times cooking or preparing food for the gathering, or take care of children at home. Children, young people or unmarried adults generally learned of delineation activities from their parents if at all, as they could not yet assume responsibility for making decisions on matters of inheritance, such as ancestral lands or waters.

The latter may be of some interest to development NGOs grappling with “community participation” in indigenous communities. The central role ascribed to the family unit is an important feature of traditional Tagbanwa society that has implications not immediately apparent to outsiders. Until the late 1930’s, the band or the family was the highest level of social and political organization in traditional Tagbanwa villages such as Malawig, Bayang, Cabugao and Banwang Daan. As mentioned earlier, clan
elders in the recent past prescribed the penalties for breaches of customary law and mediated disputes on inheritance. Up to the present day parental authority and the role of village elders are significant albeit weakening socio-political formations in traditional Tagbanwa communities.

In such a setting, it is the ascribed role of parents and village elders to teach, guide and discipline the young. Because young people do not yet own land or are responsible for raising children or providing for families, they do not yet take part in decision making in Tagbanwa society. Adult members in the community may see as confusing or improper for the youth to assume this role because apart from lack of knowledge of customary law, they have no immediate stake in the outcome, a condition which may not encourage prudence or caution. Moreover, young people may be burdened to a degree that may interfere with their education, formal or otherwise, and disrupt the full cycle of their development.

A manifestation of this was the confusion among TFCI officials on a plan to involve the youth of Cabugao and Banwang Daan in a paralegal training. Sensing that unmarried members of the community were not cognizant of the CFSA, an NGO proposed to organize a seminar to respond to this perceived issue. The plan was met by general puzzlement: “Why are the young people needed? They have no inheritance yet, no family of their own. Where will they use it? Why can’t the leaders be trained instead?”

Development workers in indigenous communities have come to acquaint themselves with the risk of automatically applying values from a home culture to the culture of partner communities. In the instance cited above, the process of ensuring broad, sectoral participation has been defined by the NGO. Broadening community participation is a sound idea save that the NGO had defined the manner of participation each sector ought to take in the given issue. Perhaps such sectors had already been ascribed roles fitting to the organization and processes extant in the community prior to the entry of the development intervention. Such role assignments may be unfamiliar or even seem unequal to outsiders but it’s important to check one’s perceptions as the community itself may value these roles quite differently and vary on what they perceive as issues requiring intervention.

There is a danger in imposing notions of “community participation” or “gender fairness” which are essentially value-laden and culture-bound. Assuming that women and youth in Tagbanwa society are disenfranchised fails to appreciate the degree of consultation and accommodation in decision making in Tagbanwa communities. Family and inter-clan relations fulfill an important role in building consensus. Introducing interventions which overlook these relations or treat them as obstacles may either undermine the very formations that encourage social cohesion, or even likelier, the interventions may simply be ignored. In terms of ecological conservation and the integrity of their ancestral domain, these structures are also a foundation and a chief proponent of customary law whose operation is a key strategy of Tagbanwa resource management.

3. 1998 Fisheries Code
There are several provisions in the Revised Fisheries Code of 1998 that may be germane to the interests of small fisherfolk. The Code allows Local Government Units to issue permits to commercial vessels 3.1 to 15 gross tons in size within the 10.1-15 km zone of coastal waters provided that these vessels keep to the 7 fathoms or deeper zone. The Code places a total ban on the operation of “superlights” 46 within 15 km of coastal waters, and directs the Department of Agriculture (DA) to regulate the number of superlights used in vessels outside the 15-km zone.

It also directs the LGU to give “priority” to resident fisherfolk in the use of the 15-km zone of coastal waters where the mass of marine resources is concentrated. The Act provides for a Fishery Grant Fund worth P100,000,000 for the “upliftment of the municipal fisherfolk” sector, a fund coursed through the LGU for research, production and marketing assistance, and other services. It also creates local multisectoral fishery councils called FARMCs which shall act as a consultative body to the LGU in the determination of fees and licenses, as well as partners in the enforcement of laws. Demarcated areas may also be set aside by the LGU for the use of fisherfolk organizations or their cooperatives.

There are several provisions which focus on the licenses and permits issued by the LGU and the DA to commercial fishing vessels and fish operators. Some of these grant special tax holidays, duty exemptions and fuel tax rebates to commercial fishing vessels operating in the high seas or farther than the Exclusive Economic Zone (EEZ), an area adjacent to Philippine territorial waters but which does not extend farther than 200 miles from prescribed island baselines. These incentives also include tax and duty exemptions on the importation of fishing vessels.

Overall, the Revised Fisheries Code of 1998 is an expression of a more traditional, bygone view of resource exploitation, that is, it envisions the development of the fisheries and aquatic resources sector as an industry through a system of permits, licenses and tax breaks as incentives. The Code takes tentative steps in the protection of marine resources, in so far as it adopts provisions from existing environmental laws to feature ecological concepts and environmental conservation. It is very clear in penalizing the clearing of mangroves to make way for fish pens. And yet, the Code is virtually silent on ancestral waters and the protection of the rights of indigenous fisherfolk.

Resident fisherfolk are given “priority” over the 15-km zone of coastal waters under the Code, but concrete legal instruments embodying this aspiration, such as use rights regimes or lease agreements with fisherfolk organizations, are absent in the law. It only requires a registration of individual resident fisherfolk, even providing penalties in cases of default. As mentioned earlier, the Code allows small to medium commercial fishing vessels to seek fishing permits within the 10.1-15 km zone of coastal waters, a provision which not only defeats altogether the incentives offered to commercial vessels to fish in the “high seas” or even farther than the EEZ, but also

46 Superlights are high-wattage halogen or metal halide lights attached to commercial fishing vessels (pangulong) and suspended above or submerged in the sea at night to draw marine life to nets fixed across the water column.
perpetuates the adverse impact commercial fishing has had on the overall quantity and quality of the fish catch of small fisherfolk.

Presently, the fisheries sector is challenged by an unsustainable “status quo”: commercial fishing vessels such as large trawls enter municipal fishing waters and harvest a disproportionate share of the area’s fisheries and aquatic resources, at times employing illegal fishing techniques often in collusion with local government executives under a system of political patronage. To stave off economic hardship, small fisherfolk are pressed to resort to illegal fishing methods or over harvesting which has proved destructive to marine habitats, and detrimental to a sustainable fish yield.

Given the existing conditions, the Code is disappointingly vague in safeguarding a more just resource access scheme. A subject that perhaps should be developed in its implementing regulations is the development of legal instruments embodying resource use security or lease agreements with small fisherfolk organizations, to run parallel with its heavy focus on permits and licenses to the commercial fishing sector.

The Code also employs an annual maximum harvest index for an area, and is silent on how the annual harvest should be divided between resident fisherfolk and commercial operators. It points to environmental indices above which harvesting cannot be sustainable, but beyond prescribing “priority” to resident fisherfolk, decision making on the sharing scheme is still within the sole purview of the LGU even with the creation of FARMCs.

The FARMC itself remains a consultative body to the LGU (which shall issue permits and collect fees), and is clearly not a governing management board. Yet even in this capacity the FARMC has been stacked with municipal government representatives. The Code vaguely allows for a “private sector” representative for the FARMC separate from fisherfolk organizations, which is an unusual view given that small fisherfolk are part of the private sector. Moreover, given the more numerous communities whose interests fisherfolk organizations represent, the provision for equal seats for commercial fishing operators in the national FARMC, which shall set policy and formulate development plans for the industry, is at the very least, unequal.

It would be difficult to ascertain if indigenous communities would find the permit system through the DA and the LGU appropriate or even sensitive to indigenous legal systems, and indigenous concepts of ownership and resource use. The Revised Fisheries Code was enacted without undergoing a process of consultation among the indigenous fisherfolk communities, and this has had a telling effect on the law’s present form: it is virtually silent on the rights of indigenous communities over ancestral waters and prior rights over traditional fishing grounds.

While the Fisheries Code highlights the regulation of economic access to the 15-km zone of coastal waters, indigenous communities may stress other non-economic issues, such as self-delineation of traditional territories, cultural artifacts and conflicting cultural values over aquatic resources. The latter may be cause for
reservations in participating in FARMCs, apart from significant concerns over cultural integrity and traditional lifeways.

Finally in the case of Palawan, the Code differs from the SEP’s definition of coastal areas. The Revised Fisheries Code specifies coastal areas or coastal zones as a band of dry and submerged land at the direct interface of earth and ocean processes, which may include areas within 1 km from the shore at high tide. As mentioned earlier, the SEP defines a coastal zone as an area which includes the whole coastline up to the open sea. Apart from a coastal core zone, this may also include communal fishing grounds. The SEP also stipulates that “Tribal Ancestral Lands” may comprise both land and sea areas whose control and prohibition will place a stronger emphasis on “cultural considerations”, employing “cultural mapping” in devising a zoning scheme.

In providing for the Palawan Council for Sustainable Development which adopts the SEP as its core strategy, the Revised Fisheries Code clearly gives way to these issues. In a provision, the Code adopts the PCSD’s special mandate to grant permits within the 15-km zone of coastal waters. It can be argued from this proviso that guidelines covering the PCSD’s zoning scheme also applies to the 15-km zone of coastal waters, and thus, at least in the case of the Tagbanwa CADC, “cultural considerations” and the “material and cultural needs” of indigenous communities will take precedence in the delineation of *teeb ang surublien*.

**Conclusion**

In sum, the import of Saragpunta’s initiative lies in showing that mapping indigenous seas to regain or secure tenure can be done. In this case, a combination of accurately drawn GPS data and the density of local knowledge of the domain in terms of place names, current and historical use, identification of conflict areas and the tenure status of land and submerged areas, evinced a compelling case for the recognition of the Tagbanwa homeland. This in turn paved the way for setting precedents in the Philippines for identifying and delineating ancestral domains which include the indigenous seas. With the Indigenous Peoples Rights Act in place, Coron Island’s CADC will be translated into a CADT effectively extending the legal definition of ancestral domains more firmly into marine areas.

Despite these tools, a clearer grasp of competing interests in the Calamian Tagbanwa territories was necessary in consolidating Saragpunta’s position. These interests were:

1) small non-indigenous fisherfolk who engage in subsistence and commercial fishing;
2) current and former elected municipal officials who have had tax declarations of Tagbanwa-held lands issued in their names;
3) real estate agents fronting Tagbanwa properties for sale as tourist resorts;
4) commercial fishing boats entering ancestral waters;
5) entry of pasture leases, pearl farms and other business enterprises into Tagbanwa territory without the express consent of the communities involved; and lastly
6) the National Integrated Protected Area System (NIPAS) project for Coron Island which requires a multisectoral Protected Area Management Board to supplant the TFCI as the management body.
As TFCI Chairman Aguilar explained, perhaps the NIPAS and small fisherfolk are most in keeping with Saragpunta’s emphasis in protecting ancestral lands and waters. The latter still practise non-destructive forms of fishing while the former most agrees with the Tagbanwa’s great interest in conserving and protecting their natural environment, even if real differences exist in how the domain should be managed and disposed. The TFCI was able to find enough common ground with the EU and IPAS, and employed it to gain support for its CADC application before the PSTFAD.

In the case of elected officials with personal stakes in Tagbanwa-held lands and waters, working from a platform of tripartite cooperation was problematic from the beginning. It can be argued that a multisectoral committee was formed to open talks among groups interested specifically in Kayangaan Lake, thus paving the way for the Ugnyang Kumite. However this did not translate into support on the part of the municipal government for the Coron Island CADC. In the end, the municipal government stood by the exclusion of the entire Coron Island claim from the CADC, citing several areas which it had wanted to develop as municipal tourism facilities.

In Bulalacao, Tala and coastal areas in Busuanga Island, the same theme repeated itself in the efforts to gain local government support for the Saragpunta CADC. In the case of the Coron ECAN Board which is another tripartite entity, personal interests in Tagbanwa lands and waters overpowered the SEP imperatives of delineating “cultural zones”. The ECAN Board itself aligned with the suspension of the delineation program, and proposed the exclusion of the entire Coron Island claim from the CADC. In this context it became difficult for Saragpunta to advance its claim on the merits of the evidence, thus its application languished for nearly five years despite relatively extensive documentation, taking a toll on the resources of its membership.

The Saragpunta then adopted the strategy of “strength by numbers”, consolidating the Calamian Tagbanwa clans similarly affected by tourism development, the sale of tax declarations, and illegal fishing. Strong leaders from the Tagbanwa foundations, guided by clan elders and Foundation Board Members, initiated dialogue with government agencies in the provincial and national levels and gained the support of several nongovernment organizations. Resolving conflicting interests in Calamian Tagbanwa territories phased into clarifying the disputes, the legal status of the areas affected, and the extent of the conflict.

It is in this enterprise that community maps became effective tools. From previous mapping projects undertaken by the ECAN, DOT and the municipal government, it has been learned that the Calamian Tagbanwa people do not appear in government control maps, and that there is a clear need to deliver the mapping process into the hands of the Saragpunta. In this way, the Saragpunta can ensure that the boundaries it had delineated follow indigenous law and practice, and avoid arbitrary reduction in territory.

There was also a clear need to communicate in effective terms the customary use of the Calamian Tagbanwa of these contested resources. In defining both ancestral lands and waters, the Calamian Tagbanwa use a powerfully simple criterion: ancestral territories include all areas which had been passed down from the mepet, regardless of whether these areas are currently being used, occupied, set off as sacred sites or held in reserve. This
criterion, however, assumes an entire practice of indigenous laws which connotes a value system specific to Calamian Tagbanwas. Presenting these territories also implies drawing relationships between its communities and the resources found within, relationships which had been dynamically established for hundreds of years.

Thus in order to support Saragpunta’s ancestral domain claim, the GPS maps not only had to satisfy the technical requirements for accuracy and legally accepted formats, but also had to convey a perspective on landscape and seascape which is particularly Tagbanwa. Moreover, sensitive information had to be weighed between lending credence to the CADC claim and exposing sensitive areas to greater risks. These other aspects required extensive knowledge of the area and precise, maritime navigational skills, a specific field which, as Kapitan Alfremo Carpiano explained, was securely in their sphere.

An interesting facet which the Saragpunta maps communicate is that every portion of their ancestral domain has been assigned a specific use or function. This should come as no surprise since the people have established themselves in the territory for generations, and thus have fully explored, named and used the territory.

Because of their spread and pioneering familiarity with the area, the template of Coron’s economy is also based on the Calamian Tagbanwa’s use and sale of customary marine resources. Recently, however, Coron has been projecting itself in the tourism industry and has enjoyed a measure of success in this sphere. Tourism receipts have more than filled the gap left by diminished income from the commercial fishing industry, which has been feeling the pinch of destructive fishing techniques. In response, the municipality has been programming large areas for conversion into tourist resorts, in keeping with Palawan’s foray into “sustainable ecotourism.”

This much vaunted growth has been made mainly at the expense of the Calamian Tagbanwa. Lack of legal recognition for their ancestral lands has opened their areas to land grabbing thinly disguised as speculative interest. Moreover, due to middlemen the trade in swiftlet nests leaves the Tagbanwa deep in debt despite the upswing in the world price of luray. In the words of Chairman Floro Aguido of Barangay Turda, “They cannot get rich without us. We are their workers. We are the ones on the land.”

In short, Coron’s present scheme in developing itself as a tourist destination is pandering to the wholesale transfer of indigenous lands and waters to non-indigenous control. Municipal planners are in direct conflict with indigenous perspectives in developing traditional territories and may soon endanger the ecological integrity of these areas if left unchecked.

Saragpunta’s position on the role of non-indigenous, resident small fisherfolk in ancestral waters was also clarified: only legal fishing methods may be allowed, and Tagbanwa laws concerning the use of marine resources need to be respected. In the case of migrant fisherfolk, the express consent of the Tagbanwa foundation affected is required, and a clear agreement on other terms such as transient housing needs to be reached.

In the meantime, the PSTFAD or other bodies tasked with identifying indigenous territory require expertise in evaluating and appreciating evidence in support of ancestral waters. Unlike ancestral land claims, evidences for submerged areas and their particular ecology are
relatively less well known. In the case of the Validation Team members, further training in appreciating the testimony of elders and interview skills is inescapable.

Lastly, the community processes leading up to community mapping involved a great deal of informal discussion and consultation in order for consensus to be reached. These activities led to the documentation of elders’ narratives and the community sketch maps which aided in the placement of corners and planning the on-ground survey. The marine survey was done using GPS receivers and motorized bancas navigated by Tagbanwa timons. There were difficulties in drift due to strong ocean currents, otherwise the GPS survey was aided by clearer reception on sea than on land.

Map validation is an important part of the mapping process as it corrects mistakes, clarifies the local organization’s position on its CADC claim, weighs what information should be kept from publication and enriches the content of the GPS map by adding information relating to indigenous resource management. Returning the final map to the community and presenting the results are also crucial, as it prepares for the community’s eventual use of the data in different forums.