

Conceptualizing the Subanen Customary Legal System: An Ethnographic Typology of an Indigenous Legal Order in the Philippines

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Abstract

Indigenous customary laws remain vital systems of governance that regulate social relationships, resource management, and cultural continuity within Indigenous communities. However, existing scholarship has largely documented customary practices without adequately conceptualizing how they function as integrated Indigenous legal systems. This study examined the customary laws of the Subanen community in one of the municipalities of Zamboanga del Sur, Philippines, to develop an empirically grounded understanding of the Subanen customary legal system. Employing a qualitative ethnographic design, the study involved fifteen purposively selected participants, comprising eleven community elders, two tribal leaders, one *Timuay*, and one Indigenous Peoples Mandatory Representative (IPMR). Data were generated through community immersion, participant observation, and semi-structured key informant interviews, and analyzed using Braun and Clarke's Reflexive Thematic Analysis within an ethnographic framework. The findings revealed that the Subanen customary legal system operates through four interdependent domains of governance: Relational Governance, Continuity Governance, Territorial Governance, and Cosmological Governance. Collectively, these domains constitute a preventive Indigenous legal order that establishes reciprocal obligations, reinforces communal accountability, and preserves social harmony before disputes arise. Building on these findings, the study proposes a Typology of the Subanen Customary Legal System, offering a conceptual framework that advances scholarship on Indigenous Legal Orders, legal anthropology, and legal pluralism by demonstrating how customary law functions as an integrated system of governance embedded in the social, territorial, and spiritual life of the community.

Keywords: Indigenous Legal Orders; Subanen; Customary Law; Ethnography; Indigenous Governance; Legal Pluralism

INTRODUCTION

The Indigenous Peoples Rights Act of 1997 (Republic Act No. 8371), commonly known as the Indigenous Peoples' Rights Act (IPRA), is a landmark legislation recognizing and protecting the rights of Indigenous Peoples (IPs) in the Philippines. The Act affirms the rights of indigenous communities to self-governance, ancestral domains, cultural integrity, and the continued practice of their customary laws. It likewise reflects the broader international movement toward recognizing the collective rights of indigenous peoples, as embodied in the United Nations Declaration on the Rights of Indigenous Peoples (Streich, 2020). As Doyle (2020) emphasized, the recognition of customary laws is fundamental to the realization of these rights because customary legal systems constitute the primary mechanism through which many indigenous communities regulate social relationships, resolve disputes, and preserve their cultural identity.

Among the indigenous communities in Mindanao, the Subanen possess a distinct legal tradition that has long governed their social organization, conflict resolution, resource management, and communal relationships. Recent scholarship has increasingly challenged the tendency to generalize the diverse indigenous groups of Mindanao under the collective label "*Lumad*," emphasizing instead the need to recognize the distinct historical, cultural, and legal identities of each indigenous community (Sebrero, 2023; Paredes, 2019). Similar studies have likewise demonstrated that customary laws remain central

to preserving indigenous identity and restoring social harmony, such as the customary settlement practices of the Panay Bukidnon through the mediation of the *Magurangs* and the observance of *bugay* as a mechanism for restoring balance within the community (Berondo, 2023). These studies collectively demonstrate that customary law continues to function not merely as a cultural relic but as a living legal system governing indigenous life.

The growing recognition of indigenous legal systems has also stimulated extensive scholarly discussions on the legal status of customary law. Tobin (2013, 2014) argued that customary law is indispensable to the realization of indigenous peoples' human rights and to effective national and international legal governance. Similarly, Bennett (2015) emphasized the increasing importance of customary law in both domestic and international legal systems, while Butt and Lindsey (2018) observed that although customary law has gained formal recognition in several jurisdictions, its practical implementation continues to face institutional and legal challenges. Studies by Jayus (2020), Sari (2021), Núñez (2016), Morudu (2021), and Winardi (2020) further underscore that despite constitutional and statutory recognition, indigenous customary laws remain marginalized in practice due to conflicts with state legal systems, land tenure disputes, and limited institutional support.

Beyond legal recognition, customary law also serves as an expression of indigenous knowledge systems, cultural values, and collective identity. Minei and Kaipu (2022) explained that customary law emerges from the lived experiences and shared obligations of indigenous peoples, gradually evolving into a normative system governing their social relationships, ancestral lands, natural resources, language, and cultural heritage. Likewise, Kolb (2023) described customary law as one of the enduring challenges in contemporary legal theory, while Chisa (2016) highlighted its significant role in safeguarding indigenous cultural heritage amidst increasing modernization and digitalization.

Although the existing body of literature has substantially examined indigenous customary law from legal, constitutional, human rights, and comparative perspectives, much of the scholarship has primarily focused on the formal recognition of customary law, land rights, legal pluralism, and the interaction between indigenous and state legal systems. Studies documenting the lived operation of customary law within specific indigenous communities remain comparatively limited, particularly those that examine how customary laws continue to regulate everyday social life, govern familial relationships, resolve disputes, and maintain social order through indigenous institutions. More importantly, there remains a paucity of ethnographic studies documenting the customary legal system of the Subanen community in Zamboanga del Sur despite being one of the largest indigenous groups in the Zamboanga Peninsula.

This gap is significant because customary laws are primarily transmitted through oral tradition, ritual practices, and communal participation rather than through written legal codes. As indigenous communities continue to experience rapid social, economic, and cultural transformation, undocumented customary legal knowledge becomes increasingly vulnerable to erosion across generations. Consequently, the absence of empirical documentation not only limits scholarly understanding of Indigenous Legal Orders but also constrains the development of culturally responsive policies and programs intended to strengthen indigenous self-governance and cultural preservation.

Problem

It is within this context that the present study was undertaken. Rather than examining customary law solely as a legal concept or constitutional right, this study provides an ethnographic examination of the indigenous customary laws of the Subanen community in one of the municipalities of Zamboanga del Sur, Philippines. Specifically, it documents the community's customary legal practices and explores how these customary laws are understood, transmitted, and enforced through indigenous institutions and everyday community life. By generating an empirically grounded account of the Subanen's living legal tradition, this study contributes to the growing scholarship on Indigenous Legal

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Orders, legal anthropology, and indigenous governance while providing one of the few contemporary ethnographic documentations of Subanen customary law in the Philippines.

RESEARCH METHODS

This study employed a qualitative ethnographic design to examine the indigenous customary laws of the Subanen community in one of the municipalities in Zamboanga, del Sur, Philippines. Ethnography was selected because customary laws are embedded within the community's social organization, ritual practices, and indigenous governance rather than formal written legal codes. Through prolonged immersion, participant observation, and key informant interviews, the design enabled the researchers to examine how customary laws are understood, transmitted, and enforced within their natural cultural context (Creswell & Poth, 2018).

Fifteen purposively selected participants were included in the study, comprising eleven community elders, two tribal leaders, one *Timuay*, and one Indigenous Peoples Mandatory Representative (IPMR). These participants were selected because they are recognized cultural authorities directly involved in customary governance, dispute resolution, ritual practices, and the preservation of indigenous legal traditions. Their extensive knowledge enabled them to provide rich and credible accounts of the Subanen customary legal system.

Data were collected through a semi-structured Key Informant Interview (KII) guide developed from the study objectives and relevant literature. The interview guide underwent cultural validation by the *Timuay* and the Indigenous Peoples Mandatory Representative (IPMR) to ensure cultural appropriateness, contextual relevance, and the use of indigenous terminology. It was translated into the local vernacular and back-translated to preserve semantic equivalence prior to data collection.

Following the approval of the National Commission on Indigenous Peoples (NCIP) and the tribal leadership, the researcher conducted community immersion from June to July 2025. During this period, participant observation, field note documentation, and community engagement facilitated rapport-building and contextual understanding. Semi-structured key informant interviews were subsequently conducted in the local language and audio-recorded with participants' consent. Interviews were translated, transcribed verbatim, and subjected to member validation to ensure the accuracy of participants' narratives. Field notes and observational records were analyzed alongside interview transcripts.

Trustworthiness was established following the criteria of credibility, transferability, dependability, and confirmability. Credibility was strengthened through community immersion, member checking, and triangulation of interviews, observations, and field notes. Transferability was enhanced through rich descriptions of the research context, while dependability was maintained through an audit trail documenting methodological decisions. Confirmability was reinforced through peer debriefing, reflexive journaling, and triangulation to minimize researcher bias.

Throughout the study, the researchers maintained reflexive journals documenting methodological decisions, assumptions, and emerging interpretations. Continuous self-reflection, consultation with participants, and peer debriefing helped ensure that interpretations remained grounded in the perspectives of the Subanen community rather than the researchers' personal assumptions.

Data collection continued until informational redundancy was achieved and no substantially new information emerged from subsequent interviews. The data were analyzed using Braun and Clarke's (2021) Reflexive Thematic Analysis within an ethnographic framework. Interview transcripts, field notes, and observational records were repeatedly reviewed to achieve data familiarization before generating initial codes. Related codes were subsequently organized into preliminary themes, which were reviewed, refined, and defined through an iterative process. The final themes represented recurring patterns that described the customary legal system of the Subanen community. Throughout the analysis, participant narratives were interpreted alongside ethnographic observations and relevant

literature to ensure that the findings reflected both the cultural context and the lived operation of customary law.

This study adhered to ethical principles governing research involving Indigenous Peoples. Approval to conduct the study and Free, Prior, and Informed Consent (FPIC) were secured through the National Commission on Indigenous Peoples (NCIP) and the recognized customary authorities of the Subanen community. Prior to each interview, participants were informed of the objectives of the study, their voluntary participation, their right to withdraw at any time, and the measures undertaken to protect their confidentiality. Written informed consent, including permission to audio-record the interviews, was obtained from all participants. Pseudonyms and participant codes were used in reporting the findings, while all research records were securely stored and treated with strict confidentiality. Throughout the study, the researchers remained committed to respecting the cultural protocols, traditions, and collective rights of the Subanen community.

DISCUSSION

Theme 1. Customary Laws as Mechanisms for Regulating Social Relationships and Maintaining Communal Order

The findings reveal that the customary legal system of the Subanen extends beyond dispute resolution by regulating social relationships from courtship to married life. Participants consistently described customary laws as socially recognized obligations that guide individual behavior, establish reciprocal responsibilities between families, and preserve communal harmony. Rather than functioning as isolated cultural traditions, these customary practices collectively form a legal process through which relationships are initiated, legitimized, and sustained within the community.

The regulation of social relationships begins during courtship through the *Bembeng*, which participants described as the customary process that formally signifies a family's intention to pursue marriage. As one participant explained:

"Bembeng naa nai kwarta nga iputos... dayon maghulat ug pila ka adlaw ug dili mabalik, buot pasabot nga dawat nila ang imong katuyoan."^a

("The money is wrapped in the cloth... after a few days, if it is not returned, it means that they have accepted your proposal.") (Informant 4)

Another participant further explained the consequence of accepting the *Bembeng*:

"Kung mahikitan ang usa ka babae dili na pwede modawat ug lain... dili na pwede pamasitaan ug lain."

("Once a woman accepts the *Bembeng*, she is no longer allowed to entertain another suitor.") (Informant 1)

These accounts indicate that the *Bembeng* functions as more than a symbolic expression of courtship. Acceptance of the *Bembeng* signifies the community's recognition of an emerging marital commitment and establishes obligations that are expected to be respected by both families. The restriction against entertaining another suitor demonstrates that customary law regulates individual conduct even before marriage negotiations formally begin, thereby minimizing situations that may generate interpersonal disputes or conflict between families. This finding supports Obguia (2021), who observed that indigenous courtship rituals continue to perform socially regulating functions despite increasing modernization. The present findings further suggest that among the Subanen, courtship itself acquires legal significance through customary recognition.

Once the intention to marry has been accepted, participants explained that the relationship progresses through the *Tampa*, where both families negotiate their respective responsibilities prior to the marriage. One participant stated:

"Nabatasan jud sa Subanen panahon sa pamalaye ibutang jud ang katunga sa Tampa unya sa kasal ang kulang"

nga ihatag."

("It is customary among the Subanen to give half of the Tampa during the marriage proposal and the remaining half during the wedding.") (Informant 4)

Another elder elaborated on the expectations placed upon the groom's family:

"Kung unsa may demand sa taga-bayen-an kinahanglan dili gyud ka mosay no kung desidido ka mopadayon sa katuyoan."

("Whatever the bride's family asks for should not be refused if the groom is truly committed to the marriage.") (Informant 1)

Rather than depicting the Tampa as a simple exchange of material goods, participants consistently associated it with the assumption of reciprocal responsibilities between families. The negotiated offerings symbolize the willingness of both parties to fulfill customary obligations before the marriage is recognized by the community. Similar forms of marital exchanges have been documented among other indigenous communities (Hafidzi et al., 2021; Salim, 2017); however, the present findings indicate that within the Subanen community, these exchanges derive their significance from the reciprocal commitments they represent rather than from their economic value alone.

Participants further emphasized that customary law continues to regulate behavior throughout the marriage ceremony itself through the *Gbla-i*. One participant explained that inappropriate conduct during the negotiations is immediately addressed through customary sanctions:

"Kung adunay masulti nga dili maayo ngadto sa pikas pamilya, sala kana ug adunay katumbas nga silot nga ihatag sa Timuay o Gukom."

("If either family says something offensive toward the other, it is considered an offense with a corresponding sanction imposed by the Timuay or Gukom.") (Informant 2)

This account illustrates that the *Gbla-i* serves not merely as a wedding ceremony but also as a mechanism for maintaining respectful relationships between families entering into marriage. The authority of the Timuay and Gukom to determine customary sanctions demonstrates that marriage negotiations remain subject to community regulation until harmonious relationships are restored. Rather than responding only after conflicts escalate, customary law operates preventively by addressing behaviors that may threaten future family relations. Comparable observations have been reported among other indigenous groups where family participation remains central to marriage negotiations (Hafidzi et al., 2021), although the present findings highlight the active role of customary authorities in preserving social harmony throughout the process.

Participants likewise explained that customary obligations continue beyond the marriage ceremony through the *Ganas*, during which newly married couples temporarily reside with each other's families while performing culturally prescribed responsibilities. As one participant narrated:

"Ang babae... gepahawid ug kutsilyo ug luwag kay bo-ot pasabot responsibilidad niya ang pag-andam sa pagkaon... Ang lalaki magbilin ug kahoy ug magtanom ug humay ug mais nagpakita nga responsibilidad niya ang pagpangita ug pagkaon."

("The bride is given a knife and a ladle as symbols of her responsibility to prepare food... The husband leaves firewood and plants rice and corn as proof of his responsibility to provide for the family.") (Informant 2)

The narratives suggest that marriage is understood not as the culmination of customary obligations but as the beginning of complementary responsibilities expected of both spouses. The symbolic acts performed during the *Ganas* reinforce socially recognized expectations concerning mutual cooperation, household management, and family provision. Rather than assigning authority exclusively to one spouse, the customary practice emphasizes reciprocal responsibilities that contribute to family stability. Similar observations regarding indigenous marital responsibilities have

been reported by Enriquez (2020); however, the present findings demonstrate that these responsibilities are institutionalized through customary legal practices that continue beyond the wedding itself.

Participants also described how customary responsibilities extend into pregnancy, particularly regarding the husband's obligation to respond to the needs of his wife. One elder explained:

"Dili pwede nga mangayo ang babaye sa iyang bana unya balibaran... kinahanglan modiskarte gyud ang lalaki."

("A husband should not refuse his wife's requests during pregnancy... he must find a way to provide what she needs.") (Informant 1)

Participants associated this obligation with the well-being of both the mother and the unborn child, indicating that failure to fulfill these responsibilities may have undesirable consequences for the family. Although these beliefs are grounded in indigenous cultural understandings, they likewise reinforce expectations regarding care, responsibility, and mutual support within marriage. In this manner, customary law continues to regulate family relationships beyond marriage by defining the responsibilities expected of spouses during significant stages of family life.

Taken together, these findings demonstrate that the Subanen customary legal system governs social relationships through successive customary mechanisms that regulate courtship, marriage, and family life. Rather than functioning independently, the *Bembeng*, *Tampa*, *Gbla-i*, *Ganas*, and pregnancy-related obligations collectively establish a continuum of reciprocal responsibilities recognized and enforced by the community. Viewed through the perspective of Indigenous Legal Orders, these findings illustrate that legal authority is embedded within everyday social relationships rather than confined to formal legal institutions. Law is continuously expressed through customary practices that define acceptable conduct, reinforce communal obligations, and preserve harmonious relationships among individuals, families, and the wider community. The findings therefore demonstrate that the Subanen customary legal system functions not only as a mechanism for resolving disputes but, more fundamentally, as a preventive legal order that sustains social cohesion through culturally embedded norms and reciprocal accountability.

Theme 2. Customary Laws as Mechanisms for Regulating Succession and Preventing Intergenerational Conflict

The findings indicate that the Subanen customary legal system regulates succession through established customary practices that govern both spiritual leadership and the inheritance of family property. Participants consistently emphasized that succession is not determined only after the death of a leader or parent but is guided through customary processes that identify successors, clarify responsibilities, and communicate inheritance decisions before disputes can arise. These practices collectively function as preventive legal mechanisms that preserve continuity within both the family and the wider community.

Participants first explained that succession to the position of *Balian* is not based solely on hereditary descent but on the recognition of a spiritual gift entrusted to an individual. As one participant shared:

"Ang Balian dili gyud ingon nga kadugo ang musunod... dili pwede balibaran kay dili na hatag sa tawo kundili gasa sa Ginoo."

("The successor of a Balian is not necessarily a blood relative... the gift cannot be refused because it is bestowed by God.") (Informant 3)

This account demonstrates that spiritual leadership is understood as a responsibility conferred through customary recognition rather than biological inheritance. Participants described the successor as someone whose conduct, language, and character reveal the presence of the *kagun*, allowing the community to recognize the individual's legitimacy. Leadership succession therefore derives its authority from communal recognition of spiritual qualification rather than lineage alone, ensuring

continuity in customary governance while preserving the integrity of traditional leadership.

In contrast, participants explained that succession to family property follows a different customary process in which parents determine and communicate the designated heir while they are still alive. One elder explained:

"Ang ginikanan maoy magbuot ug muplastar kinsa maoy binlan... pamilya ra ang nakahibalo kinsa ang binlan."
("The parents decide and clearly identify who will inherit the property... only the family knows who the designated heir is.") (Informant 3)

Another participant emphasized the importance of making these decisions before conflict develops:

"Ang sayo nga pag-anunsyo sa maghuhubad sa kabtangan usa ka lakang aron malikayan ang mga panaglalis ug pagpangulata."

("The early announcement of the designated heir is a measure to prevent disputes and violence.")
(Informant 4)

Participants consistently associated early succession planning with the prevention of future disagreements among family members. Rather than leaving inheritance to be contested after the parents' death, customary law requires that succession be clarified while the parents remain capable of making decisions. This practice establishes certainty regarding ownership and responsibilities, reducing the possibility of conflict over property. Similar concerns regarding inheritance disputes have been documented in other indigenous communities practicing customary inheritance systems (Mustika & Dastina, 2020; Kusmayanti & Suwandono, 2024). However, the present findings further demonstrate that among the Subanen, inheritance is deliberately regulated as a preventive customary process intended to preserve family cohesion.

Participants further explained that inheritance extends beyond land and houses to include culturally significant objects. As one elder narrated:

"Ultimo bangkaw, laapan... iplastar daan nila aron dili magkagubot."

("Even the spear and other family possessions are assigned in advance so that conflict will not arise.")
(Informant 4)

The inclusion of everyday tools, heirlooms, and ritual objects in succession planning suggests that customary inheritance encompasses both material and cultural assets. Participants viewed these objects not merely as personal possessions but as part of the family's collective heritage, making their orderly transfer equally important in maintaining harmonious family relationships. The advance designation of heirs therefore reflects a broader customary principle that values clarity, continuity, and the avoidance of future disputes regardless of the economic value of the property involved.

Across the participants' narratives, succession was consistently described as a process of assigning responsibilities rather than simply transferring ownership. Whether selecting a spiritual leader or designating a family heir, customary practices emphasize continuity, legitimacy, and communal acceptance. These mechanisms ensure that transitions in authority and property occur in an orderly manner, thereby reinforcing stability within both the household and the wider community.

Viewed through the perspective of Indigenous Legal Orders, these findings demonstrate that succession within the Subanen community constitutes a living legal process through which authority, responsibility, and social order are continuously reproduced across generations. Rather than relying on formal legal documentation or judicial intervention, legitimacy is established through customary recognition, communal participation, and advance decision-making. Consequently, the findings suggest that Subanen customary law functions proactively by organizing succession before disputes emerge, allowing customary governance to preserve social continuity while minimizing conflict between succeeding generations.

Theme 3. Customary Laws as Mechanisms for Governing Ancestral Territory and Collective Stewardship

The findings indicate that the Subanen customary legal system governs ancestral territory through principles of collective stewardship rather than individual ownership. Participants consistently described land as a communal resource entrusted to the community rather than private property subject to unrestricted control. This customary understanding shapes how land is occupied, utilized, and protected, reflecting a legal relationship that emphasizes responsibility toward ancestral territory over exclusive proprietary rights.

One participant explained the customary understanding of land ownership as follows:

"Ang sa naandan nga pagtoo ug kasayuran sa mga Lumad kay walay nanag-iya sa yuta. Kung asa taman ang imong makita, ikaw ang nanag-iya ana."

("According to the traditional beliefs of the Lumad, no one truly owns the land. As far as your eyes can see, you are its caretaker.") (Informant 3)

Rather than asserting unrestricted ownership, participants described land as something entrusted to those who cultivate and care for it. The statement reflects a customary understanding that one's relationship with the land is founded on responsibility rather than absolute possession. Land therefore acquires social and cultural significance beyond its economic value, serving as the physical foundation of community life and ancestral identity.

Participants further explained that this customary understanding has become increasingly difficult to sustain following the implementation of formal land tenure systems and competing claims over ancestral domains. As one elder narrated:

"Sa RA 8371 daghan ang nag-claim ug ancestral domain pero daghan usab ang mokontra... tungod sa limitado nga kaalam, daghan ang namaligya sa ilang yuta ug giprenda kini sa ubos nga presyo."

("Under RA 8371 many claim ancestral domains, yet many also oppose these claims... because of limited knowledge, some Subanen sold or mortgaged their lands at very low prices.") (Informant 3)

Participants associated these experiences with changing legal and social conditions surrounding ancestral land. While the Indigenous Peoples' Rights Act recognizes ancestral domain rights, they observed that competing ownership claims, limited legal awareness, and increasing commercial interest in land have created new challenges for the community. Consequently, customary understandings of stewardship increasingly coexist with formal systems of land ownership, producing tensions between indigenous legal traditions and state-administered property regimes.

These findings correspond with previous studies emphasizing the continuing challenges faced by indigenous communities in securing legal recognition of their ancestral territories despite constitutional and statutory protections (Jayus, 2020; Sari, 2021). Similarly, Winardi (2020) argued that although customary rights are formally recognized, their implementation often remains constrained by competing legal frameworks. The present findings contribute to this discussion by demonstrating that the challenge extends beyond legal recognition itself. Participants consistently emphasized that the erosion of customary understandings regarding stewardship has also affected how younger generations perceive and exercise their responsibilities toward ancestral land.

Across the participants' narratives, land was consistently described not as a commodity but as an inherited trust linking present generations with their ancestors and future descendants. The customary legal principles governing ancestral territory therefore extend beyond questions of ownership to encompass collective responsibility for preserving the land that sustains the community's cultural identity and way of life.

Viewed through the perspective of Indigenous Legal Orders, these findings suggest that the

legitimacy of land governance within the Subanen community derives primarily from customary responsibilities toward ancestral territory rather than from formal legal title alone. Land functions as a communal relationship governed by shared obligations, cultural memory, and collective stewardship. Consequently, the findings demonstrate that the Subanen customary legal system conceptualizes territorial governance not through exclusive ownership but through continuing responsibility to protect and sustain ancestral domains for succeeding generations.

Theme 4. Customary Laws as Mechanisms for Sustaining Spiritual Well-Being and Cultural Continuity

The findings reveal that the Subanen customary legal system extends beyond the regulation of social relationships, succession, and ancestral territory to include the community's spiritual responsibilities toward its members. Participants consistently described the *Kanubata* as a customary obligation performed to ensure the protection and well-being of children while introducing them into the moral and spiritual life of the community. Rather than functioning solely as a religious ceremony, the ritual represents a customary practice through which collective beliefs, responsibilities, and cultural values are transmitted across generations.

One participant described the ritual as follows:

"Ang seremonya sa pagbunyag sa mga Subanen kasagaran gidumala sa usa ka sorohano... usa ka espesyal nga altar ang gitukod... ang mga tarwo magkatigom ug mag-ampo samtang gihalad ang mga halad."

("The Subanen baptism is usually led by a sorohano... a special altar is prepared... the people gather together and offer prayers together with the ritual offerings.") (Informant 4)

Participants explained that the ceremony involves not only the child and the immediate family but also customary leaders and the wider community, illustrating that responsibility for the child's welfare is understood as a collective obligation rather than a purely private concern. The preparation of ritual objects, communal prayers, and ceremonial offerings reflects the community's shared participation in safeguarding the child's future.

Another participant emphasized the symbolic significance of the ritual:

"1040amingm ga Subanen, bata o tigulang, nagtuo nga ang bata mabuyagan... ang mga simbolo sama sa kalong ug unggoy nagpanalipod sa bata."

("We Subanen, whether young or old, believe that the child will be protected... symbols such as the kalong and the monkey serve to protect the child.") (Informant 1)

Participants consistently associated the ritual objects with protection rather than ornamentation. The symbols employed during the *Kanubata* were understood as establishing a relationship between the child and the natural world, providing protection during future encounters with rivers, forests, animals, and other elements of the surrounding environment. These accounts suggest that the customary significance of the ritual lies not only in its ceremonial performance but also in the community's continued transmission of indigenous understandings concerning human relationships with nature and the spiritual world.

Participants further explained that neglecting the ritual is believed to expose children to illness and misfortune. When such circumstances occur, the community performs the *Kanubata* regardless of the child's age to restore the protection believed to have been omitted earlier. These narratives indicate that the effectiveness of the ritual is not viewed as dependent upon the child's age but upon the fulfillment of the customary obligation itself. The continued observance of the ritual therefore reinforces the authority of customary law by affirming the community's collective responsibility for protecting its members.

Previous studies have likewise documented the continuing importance of indigenous rituals in preserving cultural traditions and reinforcing communal well-being (Villanueva & Balgoa, 2023).

Similarly, Hekin (2022) observed that indigenous baptismal practices often coexist with religious traditions while retaining their customary meanings. The present findings contribute to this literature by demonstrating that among the Subanen, the *Kanubata* functions not merely as a ceremonial practice but as a customary obligation through which spiritual protection, communal participation, and indigenous beliefs are continually reproduced across generations.

Viewed through the perspective of Indigenous Legal Orders, these findings demonstrate that customary law within the Subanen community encompasses responsibilities extending beyond social and material life into the spiritual well-being of the community. The *Kanubata* illustrates how legal obligations are expressed through ritual practices that define collective responsibilities, affirm relationships with the natural and spiritual world, and ensure the continuity of indigenous knowledge across generations. Consequently, the findings suggest that the Subanen customary legal system sustains cultural continuity not only by regulating conduct but also by preserving the spiritual obligations through which the community understands and protects human life.

Conceptualizing the Subanen Customary Legal System as an Integrated Indigenous Legal Order



Figure 1 Typology of the Subanen Customary Legal System

The findings collectively demonstrate that the customary laws of the Subanen community constitute an integrated Indigenous legal system rather than a collection of independent cultural practices. Building upon the four thematic findings, this study proposes a Typology of the Subanen Customary Legal System, consisting of four interdependent domains of customary governance: Relational Governance, which regulates courtship, marriage, and family obligations; Continuity Governance, which governs succession and inheritance; Territorial Governance, which regulates stewardship of ancestral lands; and Cosmological Governance, which sustains spiritual well-being and the transmission of indigenous beliefs. Together, these domains illustrate how customary law permeates

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multiple dimensions of community life through mutually reinforcing legal responsibilities.

Rather than functioning independently, these domains operate simultaneously to preserve communal harmony and social continuity. The concentric structure of the proposed typology reflects this interdependence, demonstrating that customary law is embedded in the relationships among individuals, families, customary authorities, ancestral territories, and the spiritual world. Consequently, legal authority within the Subanen community is not confined to dispute resolution but is continuously exercised through everyday social practices, collective responsibilities, and culturally recognized obligations.

The typology further suggests that the defining characteristic of the Subanen customary legal system is its preventive orientation. Across all four domains, customary laws primarily establish reciprocal obligations, clarify responsibilities, and reinforce communal accountability before disputes emerge. Whether regulating marriage, succession, ancestral territory, or ritual obligations, the customary legal system emphasizes the maintenance of harmonious relationships rather than the punishment of transgressions. This preventive character distinguishes the Subanen customary legal system as a living mechanism of social regulation that continuously sustains community cohesion.

Viewed through the lens of Indigenous Legal Orders, the proposed typology demonstrates that Subanen customary law functions as an integrated governance system embedded in the social, territorial, and spiritual life of the community. By organizing the empirical findings into four interconnected domains of governance, the study contributes a conceptual framework that extends existing scholarship on indigenous customary law beyond descriptive documentation. While grounded in the experiences of the Subanen community in one of the municipalities in Zamboanga del Sur, Philippines, the typology provides a useful analytical framework for future comparative studies examining Indigenous Legal Orders and customary governance in other indigenous communities.

CONCLUSION, IMPLICATION, RECOMMENDATIONS

This study demonstrates that the customary laws of the Subanen community constitute an integrated Indigenous Legal Order that governs multiple dimensions of community life through interconnected systems of customary governance. Rather than functioning as isolated cultural traditions or ceremonial practices, these customary laws operate as living legal institutions that regulate social relationships, succession, ancestral territory, and spiritual responsibilities through culturally recognized norms and reciprocal obligations. Collectively, the findings reveal that customary law remains central to preserving communal harmony, cultural continuity, and Indigenous self-governance within the Subanen community.

Building upon the empirical findings, the study proposed a Typology of the Subanen Customary Legal System consisting of four interdependent domains of governance: Relational Governance, Continuity Governance, Territorial Governance, and Cosmological Governance. The typology further demonstrates that these domains do not operate independently but function as an integrated customary legal system embedded in the everyday social, territorial, and spiritual life of the community. Across these domains, the study identified a common legal orientation in which customary law functions primarily as a preventive Indigenous legal order, establishing reciprocal obligations, clarifying responsibilities, and maintaining social equilibrium before disputes arise.

The findings contribute to the growing scholarship on Indigenous Legal Orders, legal anthropology, and legal pluralism by providing an empirically grounded conceptualization of how customary law operates within a contemporary Indigenous community in the Philippines. Beyond documenting customary practices, the study demonstrates that Indigenous law is embedded in ordinary social processes through which communities regulate relationships among persons, families, ancestral territories, and the spiritual world. The proposed typology offers a conceptual framework that may guide future analyses of Indigenous customary legal systems and facilitate comparative ethnographic research across Indigenous communities.

The study likewise has important practical implications for Indigenous governance and cultural preservation. The findings underscore the importance of strengthening initiatives that document, preserve, and transmit customary legal knowledge through collaborative efforts among Indigenous communities, educational institutions, and agencies responsible for implementing Indigenous Peoples' rights. Recognizing customary law as a living system of governance may further support culturally responsive policies that reinforce Indigenous self-determination while safeguarding intangible cultural heritage. Future comparative ethnographic studies may likewise examine the applicability and refinement of the proposed typology across other Indigenous communities, thereby contributing to a broader understanding of Indigenous Legal Orders within diverse cultural contexts.

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