

State-prescribed (*re*)productivity?

The Philippine Legislation on the Rights of Indigenous Peoples and Local Crisis

(Re) productivity, as understood in the German scholastic discourse, transports a concept of sustainable society where boundaries and distinctions between productivity and “reproductivity” and therefore between different forms of work (paid work, which is seen to be productive and unpaid work, which is called reproductive) and forms of productivity (that of nature and that of labour) are subject to annulment. The approach integrates socio-ecological research perspectives with feminist criticisms of economics (see Biesecker/ Hofmeister 2006 who also provide an overview of earlier approaches of *(re)productivity* pp. 53-60, see also English article on *(re)productivity* by Biesecker/ Hofmeister 2010). Unpaid forms of labour or processes of production and regeneration done by nature are identified as excluded from monetary valuation by the economic system but not so from the exploitation (Biesecker/ Hofmeister 2006: 32-33). The vision of a *(re)productive* society includes multiple integrations (Biesecker/ Hofmeister 2006: 159) such as that of the productivity of nature and society, of the use and the protection of nature, of sinks and sources, of conservation and creation. The deconstruction of such dichotomies falls into line with social-ecological and feminist criticisms on multiple dichotomies such as society and nature (see e.g. Katz 2006: 212, Kropp 2002, Schön 2005: 81, Jahn and Wehling 1998: 80-81).

In the Philippines, the Republic Act 8371, the Indigenous Peoples Rights Act of 1997 (IPRA), recognizes the right to collective ownership of land for Indigenous Peoples and considers a broad variety of economic, social and cultural land uses (chapter 2, sec. 3). The underlying concept of land covers “not only the physical environment but the total environment including the spiritual and cultural bonds” (chapter 3, sec. 4). Also the parameter of time is seen as included into land itself, since land is meant to be owned by “all generations” (chapter 3, sec. 5). Even if not titled the same, the concept of *(re)productivity* can be found in the idea of indigenous lives and sustainable development transported through the Indigenous Peoples Rights Act.

The paper to be presented at the conference examines the extent of these parallels both from the theoretical point of view and from that of a local level field study. Within the IPRA the lives of the Indigenous Peoples are conceptualized as holistic cultures, which have to be provided with holistic legislative approaches. During the analysis it is revealed that, for the specific framework of an “Ancestral Domain” (chapter 2, sec.3), a *(re)productive* economy

might be at the aim. At the same time, the space that is given to *(re)productivity* is foiled through a comprehensive exclusion: the distinction between tradition and modernity. For an alleged traditional society, a *(re)productive* economy serves as mode of subsistence, but for its counterpart, the capitalist modernity, the exclusion is produced with the effect of having the Indigenous Peoples and their ancestral domains as an object to be absorbed depending on the needs of current economic development. The Ancestral Domain is subjected to economic exploitation, without economic valuation. In the manner of an industrial reserve army (Marx), Indigenous People(s) stay ready to serve the economic development of the country. Boundaries between the *(re)productive* Ancestral Domain under people's self-determination and the modern postcolonial society are adjusted due to the temporary demands of the underlying modes of exploitation (for these mechanisms see Biesecker/ Winterfeld 2014). The right to take part in the government-prescribed *(re)productive* society, on the other hand, has to be actively and with "modern means" defended by the alleged traditional actors themselves (see Hirtz 2003).

The empirical research on local level, which took place in central Mindanao in late 2013, focusses on the *crisis of the reproductive* as the underlying socio-ecological crisis of the concept of *(re)productivity*. The local group, the *Matigsalug Manobo*, is holding a collective land title of 102 000 ha under the conditions of the IPRA. The findings show, that an alleged *(re)productive* economy prescribed by the state, while being excluded from valuation as a whole, is accompanied by a variety of phenomena of the *crisis of the reproductive*. The male free-of-payment work for the sustainable management of the Ancestral Domain, that is obligated through the IPRA, is taken for granted by the state, while a good meal for lunch, prepared by women, is taken for granted by the "managers". The hope of being employed one day compromises the idea of free, flexible and multiple land uses for the implementation of mono-cultural plantations or mines. Projects for "ecotourism" commoditize natural hot-spots, while the undescribed "other" of natural spaces is put into even deeper shadow. Knowledge about nature can be transferred ex-situ only due to environmental degradation. If people have the chance to find paid work outside the Ancestral Domain, thus, to get valued by the system, they would do so, leaving a care-gap behind.

The paper shows empirically in which terms the idea of state-prescribed *(re)productivity* is congruent and how far it is becoming effective on local level. This is done through the assessment of the *crisis of the reproductive* and the analysis of inclusions and exclusions in

the relation of the Ancestral Domain and its capitalist surroundings, which put a *(re)productive* sustainable development into question.

References

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