

## PAPERS

# Forest governance and institutional structure: an ignored dimension of community based forest management in the Philippines

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### SUMMARY

This paper identifies strategic weaknesses in the devolution policy process in forest management and analyses the reasons behind them. Further, it establishes the relationship of devolution policy outcomes with governance and institutional structures. The field research was undertaken in the Philippines, taking six cases of community based forest management (CBFM) sites in the province of Nueva Vizcaya and Quirino and employing a qualitative technique for data collection and interpretation. The study demonstrates that the devolution policy process has two major interrelated strategic weaknesses: one is inadequate policy articulation and the other is a set of differences between policy and the complex reality of implementation. Drawing upon this analysis of strategic weaknesses in the devolution policy process in the Philippines the paper argues that the level of success of policy outcomes is dependent on the interrelation between the levels of devolution with clear policy articulation on the one hand and quality of governance and institutional structures on the other.

Keywords: Philippines, forest policy, governance, institutions, community

## Gestion des forêts et structure institutionnelle: une dimension peu connue de la gestion forestière communautaire aux Philippines

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Cet article identifie les faiblesses stratégiques du processus de politique de dévolution dans la gestion forestière, et il analyse leurs raisons sous-jacentes. Il établit ensuite la relation des résultats de la politique de dévolution avec la gestion et les structures institutionnelles. La recherche sur le terrain a été entreprise dans les Philippines, en considérant six cas de sites de gestion forestière communautaire (CBFM) dans la province de Nueva Vizcaya et Quirino, et en employant une technique qualitative pour recueillir les données et leur interprétation. L'étude démontre que le processus de politique de dévolution a deux faiblesses stratégiques interdépendantes majeures: l'une est une articulation inadéquate de la politique, et l'autre, la réalité complexe de la mise en pratique. En se basant sur l'analyse des faiblesses stratégiques dans le processus de la politique de dévolution dans les Philippines, cet article démontre que le degré de succès des résultats des politiques dépend de l'interdépendance entre les niveaux de dévolution et une articulation claire des lignes de conduite d'une part; et la qualité de la gestion et des structures institutionnelles d'autre part.

## Gestión forestal y estructuras institucionales: una dimensión olvidada del manejo forestal comunitario en Filipinas

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Este artículo identifica los problemas estratégicos del proceso político de delegación de poderes en el manejo forestal, y analiza su origen, además de establecer la relación entre los resultados de la política de transferencia de poderes, y la administración y las estructuras institucionales. La investigación sobre el terreno se llevó a cabo en Filipinas, basada en seis casos de manejo forestal comunitario en las provincias de Nueva Vizcaya y Quirino, y empleó una técnica cualitativa para la recolección e interpretación de datos. El estudio demuestra que el proceso de delegación de poderes tiene dos debilidades estratégicas importantes, interrelacionadas entre sí: en primer lugar, la coordinación política insuficiente, y en segundo lugar, las diferencias entre la política misma y la realidad compleja de su implementación. Basándose en este análisis de las debilidades estratégicas del proceso de delegación de poderes en Filipinas, el estudio sugiere que el grado de éxito de las políticas depende de la interrelación entre los niveles de delegación, junto con una coordinación política transparente y una

alta calidad de gobierno y de estructuras institucionales.

## INTRODUCTION

Most developing countries have initiated decentralisation reforms over the past two decades. In decentralisation, central governments transfer some of their fiscal, political and administrative responsibilities to lower-level government units, local institutions, corporate agencies, community groups and the private sectors (World Bank 1997, Ribot 2004). The primary rationale for decentralisation is to overcome the failure of central government in addressing people's needs and priorities. Other driving forces behind decentralisation are: to achieve allocative efficiency in resource distribution in the context of different local preferences and priorities, to maintain equity and social justice, to increase the competitiveness of government in providing services to their citizens, to neutralise the possible pressure of regional autonomy and provide better and more stable governance (Rondinelli 1981, Cheema and Rondinelli 1983, Smith 1985, Burns *et al.* 1994, Mayers and Bass 1999).

The approach of decentralisation is also linked with neoliberal ideas, which consider that the state is not the only provider of public goods and services, but the private and civil society domain of development could be equally efficient or even better in providing such services (Turner and Hulme 1997, Manor 1999). These objectives are further linked with establishment of good governance, UNDP (1997) views decentralisation as the key to good governance and a logical application of the major characteristics of good governance.

In the forestry sector, the decentralisation and devolution are dominant themes of policy discussion in most developing countries. Many countries in Asia and Africa have recently developed legislation and policies to address the core value of decentralisation and devolution. Some of them are considered progressive in terms of devolving authority and power from central government to local government or community institutions. However, in most cases the genuine transfer of power and authority is not happening as stipulated in the policy and legislation (Fisher 1999, Ostrom 1999, Fisher 2000, Enters and Anderson 2000, Ribot 2002 and 2004).

## GENERAL CONTEXT OF DECENTRALISATION/DEVOLUTION POLICY IN FORESTRY

In the case of forestry, devolution is commonly understood as the transfer of the role of the central state in managing forest under specified terms and conditions to local government units or communities. Devolution policy in forest management has been gaining popularity in most developing countries since 1990 as a strategy to achieve the goal of sustainable forest management and biodiversity conservation (Toha and Barros 1997). The motivation for devolution in forestry is driven by

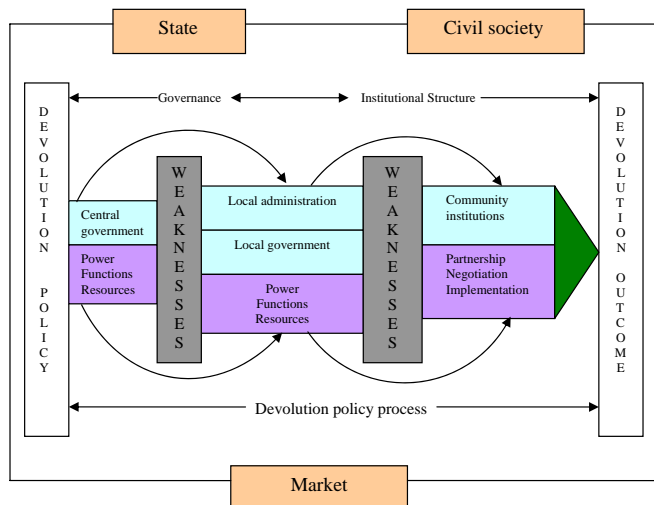
a series of factors such as: the need to overcome increasing forest degradation due to a history of government failure in protection and promotion of the forest, the need to reduce the cost of central bureaucracies, the desire to comply with the concept of economic liberalisation and market orientation, the desire to increase access and control of local community and to ensure equity (Shepherd 1992, Hobley 1996, Fisher 2000, Edmunds and Wollenberg 2001, Colfer and Capistrano 2005).

For the last two decades, conservation and natural resource management approaches have been shifting from costly state control systems to ones in which local people are actively involved in the process. The new system includes the participation of resource users in management decisions and the sharing of benefits through restructuring power relations between the state and communities by transferring management authority to the local level (Chambers 1995, 1997; Shackleton *et al.* 2002).

Despite the aforementioned rationales of decentralisation and devolution in forestry, there is a quantity of literature that views the success of forest devolution as limited in practice (Anderson 2000, Enters *et al.* 2000, Fisher 2000, Edmunds and Wollenberg 2002). The effort towards devolution so far is insufficient, as a result, a number of setbacks have been encountered in the implementation process (Shepherd 1992, and Anderson 2000). This indicates that there is still a lack of meaningful devolution in practice. Edmunds and Wollenberg (2001:190) stated that 'regarding devolution in forestry from the perspective of the poorest farmers, who solely depend on nearby forest for their livelihood through collection of fodder, fuel wood, woodcarving, charcoal making, livestock raising the results are almost disappointing'. In most cases, the livelihood of the poor forest dependents is challenged due to the influence of elites in decision-making about forest management (Shepherd 1992). These all indicate that there are some weaknesses in the devolution process in forestry and as a result the achievement so far is limited or even negative in many cases (Gilmour and Fisher 1997, Roy and Tisdell 1998, Agrawal and Ostrom 2001, Djeumo and Fomete 2001).

Against this backdrop, this research analyses the strategic weaknesses in the devolution policy process in forest management and assesses the reasons for such weaknesses. It also explores the possible links between those reasons and the issues of governance and institutional structure in collective action. For this research, the case of community based forest management (CBFM) in the Philippines is taken as a manifestation of devolution policy in forestry.

Based on the above discussion a hypothesis was developed (Figure 1) against which the results of the study are assessed. It states that there are weaknesses at two levels in devolution policy process. First lies between central government and local government. Second lies between the state (local administration

FIGURE 1 *Framework of the research*

or local government) and civil society (community based institutions) at the local level. Both hinder the process of devolving power, functions, and resources on the one hand and contribute to deviation of policy implementation from its original thrust on the other hand. The framework also indicates that devolution policy is a form of broader governance process (as a manifestation of the relationship between state and civil society) operating within a broader governance framework of state, civil society and market. However, this study concentrates only on the governance and institutional part within the devolution policy process, basically focusing on quality or process of governance. The framework also shows that governance and institutional structure are interdependent and mutually reinforcing.

#### DECENTRALISATION/DEVOLUTION OF FOREST MANAGEMENT IN THE PHILIPPINES

Devolution policy for forestry in the Philippines has a long history, however, more specific attempts to implement forest devolution have been made over the last decade. Until the early 1980s the Philippines' forest policies were characterised as highly regulatory, centrally controlled, and industry oriented (Brillantes 2000, Contreras 2000, Pulhin 2003). Forest policy change in the Philippines falls into three distinctive periods as shown below.

##### Pre-colonial period (before 1521)

This is the period before the arrival of Spanish colonisers in 1521. According to Sanvictores (1997), forest management then was based on communal cooperation among tribal members, who were residing inside or around the forestland. Forest was taken as a sacred creation of God. So, people worshipped the forest as a part of their livelihood gift. Over 92 percent of the total land was under forest cover with naturally grown dipterocarps, narra, mahogany, mangrove swamps, pine and mossy forest.

##### Colonial period (1521-1947)

The colonisers viewed the Philippines forest as state property, so the government always attempted to maintain control over the forest against the indigenous/tribal upland dwellers living inside the forest. For this reason, the government formulated a number of Laws and Acts to evict the indigenous people from the forest. In 1863, the "Inspeccion General de Montes" (IGM) was established as a first forest agency to control and manage the forest in the Philippines (Magno 2001, Poffenberger and McGean 1993). In order to prohibit the slash and burn practice of agriculture (Kaingin) inside the forest, particularly in upland areas, the colonial government formulated a Definite Forest Laws and Regulation (Royal Decree of the King of Spain) in 1889. Later in 1901, a much stronger law was drawn up to control Kaingin, which was termed as the Kaingin Law (Act No. 274).

##### Post colonial period (1947 to date)

Even after the end of colonial period, the government continued to attack upland dwellers against their practice of 'slash and burn' agriculture inside the forest. A new thinking emerged when a FAO research project gave a report in 1957 stating that Kaingin could be continued through the application of a fallow system, which would not pose a threat to the forest ecology, but contribute to the livelihoods of the communities. Further to this report, an additional recommendation was made through a national conference on Kaingin in 1965, where the social dimension of Kaingin was highlighted (Magno 2001).

In 1972, President Ferdinand Marcos declared Martial Law in the Philippines. During this period the president allowed his cronies and relatives to operate concessions to harvest the trees under Timber License Agreements (TLAs) in areas of over 100,000 hectares (Porter and Ganapin 1988, Vitug 2000). During the Marcos era the Philippine forest had one of the worst deforestation rates (as in Table 1) in the Asia Pacific region, losing on average 316,000 hectares of forest a year from 1980-1990 (ADB 1992 1994, Bagadian 1993, MPFS 2001).

TABLE 1 *Forest cover decline in the Philippines*

Year	Forest Cover (in millions of hectares)	Percent of total area
1575	27.5	92
1863	20.9	70
1920	18.9	64
1934	17.8	57.3
1970	10.9	36.3
1980	7.4	24.7
1990	6.7	20.7
2001	5.4	18

Source: RMPFD 2003

To respond to the destructive outcome of the uncontrolled timber harvesting by TLA Concessions and huge conversion of forestland to agriculture, which caused rapid deforestation, a new approach was introduced to rehabilitate areas through reforestation. Some of the related initiatives include the formulation of policies on Forest Ecosystem Management in 1976, Communal Tree Farming in 1979 and the Family Approach to Reforestation in 1981. In 1982, the Integrated Social Forestry (ISF) policy was introduced to include the upland dwellers as partners in resource development and conservation. The emphasis was put on the issuance of secured long-term tenure stewardship contracts for 25 years (Poffenberger and McGean 1993, Magno 2001).

The Marcos regime was overthrown after a historical people's power movement commonly known as 'EDSA'<sup>1</sup>

from the Department of Environment and Natural Resources (DENR) to the Local Government Units (DENR 1992).

Second, the enactment of Executive Order 263 in 1995 by the then President Fidel Ramos declared CBFM as a national strategy to achieve sustainable forest management and social justice. Under this the DENR transferred their role and authority over forest protection to the organised local communities, under community based forest management agreements (CBFMA) for 25 years and conditionally renewable for another 25 years. Since then there have been more than 1500 CBFM agreements made in the Philippines to manage 1.5 million hectares of forestland (Table 2).

The third is the Indigenous People's Rights Act (IPRA) of 1997. This Act mandated a National Commission for Indigenous People (NCIP) to hand over specified ancestral

TABLE 2 *Status of CBFM agreements in the Philippines*

Regions	No. of CBFM agreement sites	Tenured area (Hectares)	No of households	No. of PO <sup>2</sup>
ARMM <sup>3</sup>	10	22,861	2,365	10
CAR <sup>4</sup>	67	48,045	11,909	67
01	126	40,080	14,205	126
02	93	272,509	92,099	93
03	120	78,066	11,544	120
04-A	31	16,914	2,944	31
04-B	79	96,602	10,122	79
05	52	41,703	10,542	52
06	104	42,656	16,978	104
07	133	45,476	11,901	133
08	111	107,557	12,693	111
09	121	66,298	12,030	121
10	295	214,209	30,376	295
11	92	195,396	25,895	92
12	48	88,645	10,197	48
13	95	197,788	28,150	95
<b>Total</b>	<b>1,577</b>	<b>1,574,812</b>	<b>303,950</b>	<b>1,577</b>

Source: DENR 2004

movement in 1986. The changed political circumstances slightly helped to strengthen the devolution process in forestry as government started to formulate new policies and guidelines. In this endeavour, the following three main policy reforms were initiated in the Philippines.

First is the Local Government Code (also known as Republican Act, RA 7160), which transferred certain roles of previously operating integrated social forestry (ISF) sites

domain to the indigenous cultural communities to manage, protect and use the resources in their domain forever.

In theory, the preamble to all these milestone policies stated that local institutions would be given full authority and power to make independent decisions at the local level in terms of management of forests, the policies would ensure that the tenure and use rights of local communities were secured. However, in practice, a considerable literature

<sup>1</sup> Epifanio De Los Santos Avenue

<sup>2</sup> POs- People's Organisation, who undertake a CBFM agreement with the DENR

<sup>3</sup> ARMM- Autonomous Region of Muslim Mindanao

<sup>4</sup> CAR- Cordillera Administrative Region



indicates that the authority, power and resources are not devolved, benefits to the real users of the forest have been limited (Guiang 1996, Bagadion 2000, Uting 2000, Fisher 2000, Borlagdan *et al.* 2001, Contreras 2001, Edmunds and Wollenberg 2001, Pulhin 2003).

Against this backdrop this study aims to analyse empirically the important issues pertaining to the devolution policy process in reference to forest management in the Philippines. This study focuses on the six cases of community based forest management in northern Luzon Island, Region II and has the following objectives.

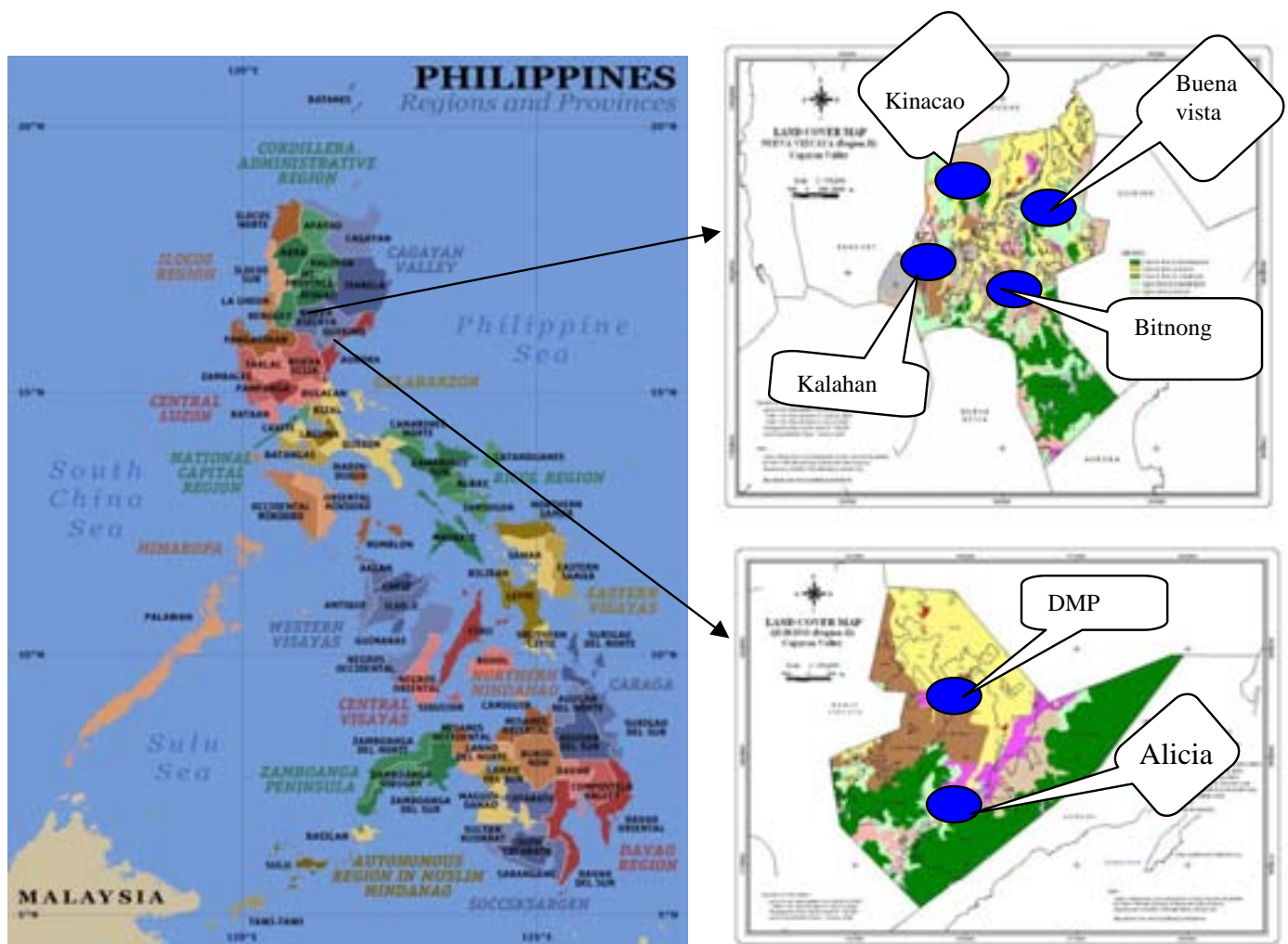
- Identify the strategic weaknesses<sup>5</sup> in the devolution policy process in forestry in the Philippines.
- Analyse the reasons behind the strategic weaknesses in the devolution policy process.
- Assess and establish the relationship of the devolution policy outcomes to the quality of governance and institutional structures.

## RESEARCH SITES, THEIR CONTEXT AND METHODS

In this research, the devolution policy process related to community based forest management is taken as the major field of analysis. In order to select the research sites a set of criteria was established which includes: selection of sites covering all types of intervention (state, foreign donor, or community themselves), sites operating under Local Government Code (LGC) 1991, Executive Order (EO) 263 and IPRA Law 1997, and sites having experience with the commercial harvesting of timber. Under these criteria, the following sites were deliberately selected in the province of Nueva Vizcaya and Quirino (Figure 2).

A total of 87 semi structured interviews, 6 focus group discussions and 18 key informant interviews were taken during the study. The research employed a qualitative technique for data collection, analysis and interpretation. The major tools used for data collection were: document analysis, observation, and interviews as described above.

FIGURE 2 Research sites in the province of Nueva Vizcaya (NV) and Quirino

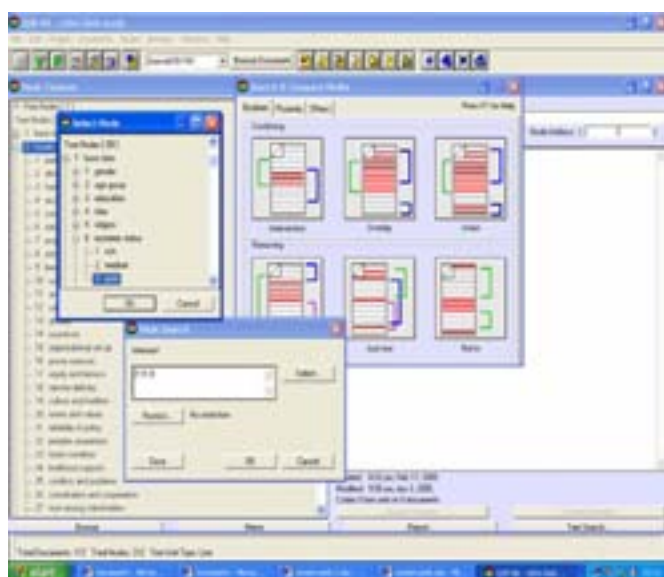


<sup>5</sup> Strategic weakness: lack of strength, power or determination to achieve particular purpose as per plan or to gain an advantage.

TABLE 3 Key features of the research sites in Nueva Vizcaya and Quirino province

Research sites	Key features
Federation of Vista Hill, Kalongkong and Kakilingan Upland Farmers Association Inc. <b>Buнавista, NV</b>	ITTO funded, mixed tribal community, pastureland before CBFM, plenty of physical resources of PO, numbers of collective enterprises, tenure instruments are CBFMA and CSC <sup>6</sup> . 3000 hectares of forest managed by 212 households under CBFM since 1999
Bitnong Guijo Greeners Association Inc., <b>Bitnong, Dupax del Norte, NV</b>	DENR regular intervention site, people from three barangay are using the forest, pastureland before, less plantation effort. Tenure instruments are CBFMA and CSC. Total of 300 hectares of forest has been managed by 86 households under CBFM since 1999.
<b>Kalahan</b> Education Foundation, Imugan, Sta Fe, Nueva Vizcaya	Community initiated, ancestral domain of Kalanguya indigenous community, PO operating livelihood enterprises and community services such as: health and education, local rules in operation, type of tenure: CADC-CBFMA <sup>7</sup> . Total of 15000 hectares of forestland has been managed by 2000 households since 1974 as community forestry.
Kinacao Upland Planters Association Inc., <b>Kinacao, Baratbet</b> Nueva Vizcaya	Devolved ISF site, managed by the LGU <sup>8</sup> , no communal tenure, type of tenure: CSC. Total of 87 hectares of forestland has been managed by 66 households since 1991 as a devolved ISF site.
Don Mariano Perez ( <b>DMP</b> ) Farmers Multi Purpose Cooperative Diffun, Quirino	German funded site, timber potential forest, having RUP <sup>9</sup> to harvest timber by the PO, type of tenure: CBFMA and CSC. Total of 135 households have managed 3100 hectares of forest since 1991.
<b>Alicia</b> Sustainable Resource Development Cooperative, Quirino	It is partially funded by the German project, timber potential forest, having RUP to harvest timber by the PO, type of tenure: CBFMA and CSC. Total of 5520 hectare of forest has been managed by 125 households since 2002.

FIGURE 3 Theme building process in N6- coding, search and exploring the texts



The themes that emerged from the qualitative data were identified using computer software QSR N6. For this, the text of individual interviews was coded and kept in an appropriate node. The data were analysed using content analysis technique discussing the themes that emerged from coding of the text. Themes carrying similar meaning were clustered under a single overarching theme.

The QSR N6 is a computer package designed and developed by the Computer Assisted Qualitative Data Analysis Software (CAQDAS) group to aid researchers in handling textual data for qualitative analysis. Certain tools are provided for managing and exploring data and developing and testing ideas and theories. The QSR N6 version of Nvivo computer software was used to analyse the primary data (Figure 3). The text unit for coding was taken as line and paragraph.

<sup>6</sup> CSC- Certificate of Stewardship Contract

<sup>7</sup> CADC-CBFMA- Certificate of Ancestral Domain Claim- Community Based Forest Management Agreement

<sup>8</sup> LGU- Local Government Unit

<sup>9</sup> RUP- Resource Utilisation Permit

## MAJOR FINDINGS AND DISCUSSION

The status of CBFM implementation at PO/community level gives an overall picture of what is happening with devolution in forestry in the Philippines. The variables that emerged from the field study based on individual responses are mixed in nature. Most of them are related to the institutional process of POs, and enabling factors for implementation while some are related to the outcome of CBFM intervention at the community level. Based on issues that emerged and their status, it is clear that besides having limited positive

outcomes the CBFM implementation at the community level carries many weaknesses and limitations. Table 4 summarises the issues that emerged from the study and their status in CBFM implementation at the PO/community level.

Similarly, the issues that emerged at the provincial and central level indicate that the outcome of CBFM implementation is closely associated with the prevailing status of enabling factors at the provincial and national offices of DENR and LGU. Despite numerous coordination forums designed to avoid confusion and maintain the relationship between the DENR and LGU, there is still confusion on

TABLE 4 *State of CBFM implementation at the PO/community level*

Implementation issues	Status
<b>Institutional process of POs</b>	
Sharing of benefits and resources	Inequitable, discriminatory
Participation, incentives and motivation	Fewer incentives, poor motivation paid participation, lack volunteerism Volunteer culture replaced by project incentive
Membership and community representation in CBFM PO	Eligible members not included, CBFM more PO based than community based
Accountability, decision making and power exercise	Poor compliance with their obligations Structural and policy problems, Elite controlled the decision making and the process of decision making is non participatory
Information, communication and transparency	Poor transparency mainly with funds, no system of auditing in practice
Prevalence of conflicts	Boundary, role and power conflict Unclear policy creating conflict among actors
<b>Enabling factors related to CBFM implementation</b>	
Security of tenure and property rights	Time bond security, CBFM members feel insecure and are reluctant to contribute in CBFM activities, inequitable land distribution
Resources and competencies	Limited financial and human resources Project dependent
Coordination, network, social relations	Poorly functioning coordination and network Too many forums, but mostly non functional
Leadership and personal qualities	Majority with poor qualities and attitude
Process of timber harvesting under resource utilisation permit (RUP)	Complex paper processing, insufficient market information Red tape and loopholes for unethical behaviour
Ethnicity, culture, and norms	Indigenous cultural community with strong social capital. Heterogeneous communities with weak social capital
Ethics and standard of conduct	Stakeholders involved in corruption, and other unethical illegal activities
<b>Outcome of CBFM implementation</b>	
Condition of forest	Better protected in project intervention sites, but poor in regular sites
Support for people's livelihood and enterprise development	Project based, insufficient options available Poor support in technology and marketing Traditional livelihood options are displaced Collective enterprises are mostly failed

policy per se about CBFM implementation. The Table 5 summarises the state of CBFM implementation at provincial and central levels.

The evidence collected from the six research sites, the provinces and the centre indicates that despite there being some positive outcomes from CBFM implementation, there are a number of limitations and weaknesses remaining at all levels. To ensure the effective implementation of CBFM these limitations and weaknesses need to be understood well and addressed in a proper way.

has the greatest knowledge and information about the needs and priorities of community people. Hence, the exclusion of the barangay<sup>10</sup> from the whole process of devolution in forest management has made the devolution attempts incomplete. In this regard, one of the barangay captains stated:

*"I have seen that there are some technical problems with implementation. We are not legally recognised as the partner for CBFM implementation. There is problem in policy also. When CBFM was formed at that time they asked us to sign in*

TABLE 5 *State of CBFM implementation: provincial and central levels*

Resources and competencies	Limited resources to address increasing numbers of CBFM sites, insufficient skills
Monitoring and supervision	Project oriented, traditional and irregular Resources lacking for monitoring
Planning and policy formulation	Top down planning, inconsistent policy
Coordination and cooperation	More forums but less action Tension rather than cooperation
Incentives, motivation and service quality	Little incentive, poor motivation and quality, no special incentives for CBFM, apathy
Accountability structure	Policy conflict, unclear structure, poor accountability in practice
Ethics and standards of conduct	Involvement of key actors in corruption, illegal logging and unethical practices

## MAPPING THE STRATEGIC WEAKNESSES IN DEVOLUTION POLICY PROCESS

The emerged issues that have been presented in earlier sections indicate that there are a number of weaknesses in the devolution policy process in forestry in the Philippines. Looking on the type of these issues, it revealed that the weaknesses are of strategic in nature. Broadly, these strategic weaknesses are mapped into two parts as in Figure 4. The first is attributed to an inadequate policy articulation in devolving the management role from the state to the LGU or POs and is referred to as strategic weakness domain one. The second is a set of differences between idealised policy and the complex realities of implementation, which is associated with the issue of poor governance practice and weak institutional structures and is referred to as strategic weakness domain two.

### Strategic weakness domain one

The study identified the strategic weaknesses domain one as a result of an incomplete and inadequate policy articulation about devolving power and function from the centre to the local level, which is reflected in the following evidence from the field data.

First, the devolution under LGC 1991 is only to the municipality level as it does not include the barangay, the lowest level of the local government unit, which is the closest structure of the state dealing with civil society and

*an agreement paper as a kind of witness rather than having a role. We are not legally required to attend any meeting. We are taking care of all development in the barangay, so, then why are we not given a role in forest management?"*

Second, the power of supervision and control of any forest management activities devolved either to LGU or PO is still retained by the DENR. Under the provision of the LGC 1991, for all the devolved ISF activities, supervision and control is remaining with the DENR, which is against the principle of devolution. In such cases implementation of devolution policy under the LGC seems incomplete, which is due to existing incomplete devolution policy per se. One of the Governors from the project site stated:

*"The power and authority devolved to the LGU is to enforce the forestry law within community based forest management as it is subject to control, supervision and monitoring by DENR. In this case it looks like the Governor is the police to protect forest and will enforce the forest law in the province but the head of the police is DENR/ PENRO. How can it be like that?"*

Third, the property rights of the PO members under 'devolution' in CBFM are limited to 25 years, and tenure rights of the communal area under CBFMA and individual actual land tilling as CSC by the members of CBFM are not guaranteed for further extension after 25 years.

<sup>10</sup> Barangay- the lowest political unit of local government



Table 6 further shows that many CBFM members are still not confident enough about present rights and tenure arrangements as they are time bound and subject to change any time in the future along with the change of political scenarios at the national level.

Fourth, the DENR's retention of authority to make final decisions on any actions of the POs has increased the dependency of the POs on the DENR. For example, in the preparation and approval of CRMF<sup>11</sup>, RUP and AWP<sup>12</sup> the

DENR plays a vital role, whereas the POs comply and act as legitimate agents of the state to implement its agendas. Besides the preparation of documents, it is the DENR that takes action against the defaulters in the POs. The harvesting of any timber and non-timber forest products from the CBFM is also subject to prior approval by the DENR. Contrary to the thrust of devolution the DENR retains all authority. It is due to incomplete and inadequate articulation of devolution policy.

FIGURE 4 Diagrammatic presentation of analysis of strategic weaknesses in devolution policy process in forestry

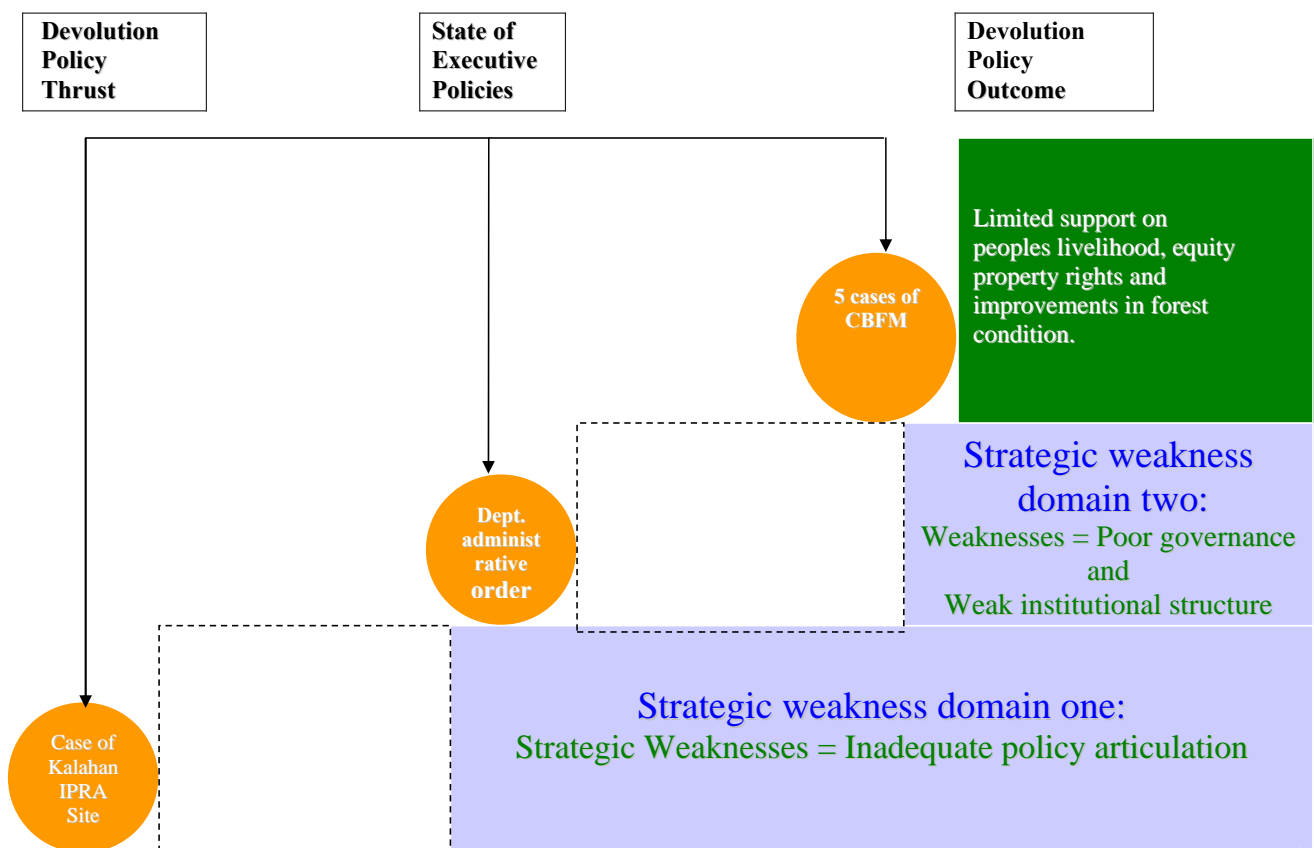


TABLE 6 Perception of community members about the security of tenure

Research sites Research sites	Level of confidence in the security of tenure			
	Fully confident	Confident	Not confident	Total
Buenavista	0	8	7	15
Bitnong	0	1	6	7
Kalahan	0	1	1	2
Kinacao	1	2	0	3
DMP	1	2	2	5
Alicia	1	2	2	5
<b>Total</b>	3	16	18	37

Source: Field study

<sup>11</sup> CRMF- Community Resource Management Framework

<sup>12</sup> AWP- Annual Work Plan

TABLE 7 Respondent's perceptions about prepared CRMF, RUP and AWP

Research sites	Who prepared CRMF, RUP and AWP							Total
	DENR	PO	DENR PO & Project	Project	Project DENR	General Assembly	No Idea	
Buenavista	1	1	2		3		4	11
Bitnong	2			1			2	5
Kalahan		5			1			6
Kinacao	1						1	2
DMP	1	1	1	1	1	1	1	7
Alicia	2			1	1		1	5
<b>Total</b>	<b>7</b>	<b>7</b>	<b>3</b>	<b>3</b>	<b>6</b>	<b>1</b>	<b>9</b>	<b>36</b>

Source: Field study

Table 7 shows that most of the decisions are made by the DENR and the project and very few decisions are made by the general assembly of CBFM POs. Furthermore, a member of Bitnong CBFM stated his view as:

*"We are still depending on DENR for any decisions. Association itself is not authorised to make local decisions about our forest and funds."*

Fifth, the present policies of devolution in forestry do not allow community members to harvest forest products, particularly timber. Any decision in this regard is subject to prior approval by the DENR. In all the research sites CBFM members expressed their dissatisfaction about this kind of control mechanism on forest product harvesting. As one of the CBFM PO members from Alicia stated:

*"Any decisions are subject to supervision, control, and review by DENR", which means CBFM implemented by our PO and LGU, should also be the subject of supervision and control by the DENR."*

### Strategic weakness domain two

These are a set of differences between idealised policy and the complex realities of implementation. This hinders the process of transforming policy into practice and the factors associated with such hindrances are related to poor governance and weak institutional structure in the devolution policy process. Some of the factors that have emerged from the study are explained below as evidence of this situation.

First, the prevalence of corruption and illegal logging at various levels of CBFM implementation signify that the policy practice problem is associated with quality of governance. Unethical practices within POs and the DENR are revealed through different cases noted in the research sites. Illegal timber poaching associated with the exchange of bribes during transportation of timber by the POs is commonly observed in most of the research sites. One of the ex-chairpersons of Alicia CBFM in Quirino stated:

*"Yeah there are the cases of corruption, specifically*

*during extension of RUP it is clear that - no SOP [Standard Operating Procedure- euphemism for illegal activity] no extension. Similarly, sometime DENR delayed the paper processing which is an indirect way to motivate people to go for bribery and support corruption. There are many more other cases, even police, they want lumber without payment, etc. For example, in Cordon there is a big check point of DENR, the lowest amount a motorist gives them is 500 pesos but it will depend upon the volume of your load. They will say hello, who is your lawyer? Is Aquino [500 pesos] or Marcos [1000 pesos]?"*

Not only the DENR, but there are some cases that CBFM POs themselves are also involved in illegal timber poaching activities. For instance, the treasurer of Kalahan Education Foundation in Nueva Vizcaya stated that:

*"There are still cases of illegal logging during the night time and selling of timber to Sta Fe and Cabanatuan. But it is much reduced these days. The community themselves control such kinds of activities. Forester Tamano is very strict in controlling the illegal logging. Even the BOT chairman was penalised just now as his son allowed a truckload of timber transported from Malico to the Sta Fe in the name of the municipal office construction, which does not have any permit to carry such amount of timber".*

Second, the exclusion of some community members and discrimination in benefit sharing is a common issue at all the research sites. It is due to the CBFM agreement, which does not require compulsory inclusion of all the potential members in the CBFM.

Table 8 shows that many members of CBFMs in the research sites still feel that there is discrimination in sharing of benefits and resources within their PO. A huge number of potential households are still not included in CBFM, which further increases the practice of discrimination between members and non-members. A large amount of share capital is necessary to pay for CBFM membership, generally poor farmers are unable to afford the amount and are not registered as a member although they are potential and interested. As one of the non member from Alicia explained:

*“There is no equal sharing. I think it all depends upon the amount of share capital and other benefits are mainly given to its members but the non-members can’t get any benefits. As you have seen, banana suckers were distributed only to the members.”*

Table 9 shows that plenty of potential households in the research sites are still without having CBFM membership.

Third, the institutional practices in terms of maintaining transparency, accountability and participation are not well established within CBFM POs. Attention has not

been fully given to making decisions in a participatory way and informing all members of them. The problem of accountability is prevalent in most of the research sites as there is no clear structure to show who is responsible to whom and for what reasons. In such situations the elites and a few powerful position holders are active in making decisions with a poor level of accountability to the member of the POs.

Table 10 shows that decision making in the CBFM PO is mainly done by the DENR and PO officials, however no responses were recorded saying the decisions are made in

TABLE 8 *CBFM member’s perceptions about distribution of forest resources*

Research sites	Response categories		
	Equal distribution	Discrimination	Total
Buenavista	5	6	11
Bitnong	1	4	5
Kinacao	0	3	3
Kalahan	3	1	4
Alicia	6	2	8
DMP	3	1	4
<b>Total</b>	<b>18</b>	<b>17</b>	<b>35</b>

Source: Field study

TABLE 9 *State of CBFM membership in the research sites*

Research sites	Existing CBFM PO member households	Non member households
Buenavista	212	25
Bitnong	86	30
Kinacao	66	32
Kalahan	514	15
DMP	135	55
Alicia	125	105

TABLE 10 *Perceived level of decision making in CBFM PO*

Decision making authority	Number of responses
PO officials	13
PO president or chairman	10
DENR	2
LGU	NIL
ENRO	1
Board members	4
Management team	2
Project	3
Joint decision by DENR and PO officials	26
<b>Total</b>	<b>61</b>

Source: Field study

the general assembly of CBFM PO, which in theory should be the accountable forum to make decisions.

Fourth, the existing resources and competencies of POs and the DENR are not compatible with what is required to fulfil the plans of POs. A few attempts are made to generate internal resources and capacities, however, the general trend is to expect support from foreign projects, rather than thinking creatively to generate internal resources. The problem of resource limitation exists widely at community (Table 11), province and central level in both state and civil society. This situation is ultimately hindering the process of implementation of devolution policy.

Except Kalahan the physical and financial resources are only available in the project supported CBFM sites, which indicates that there is lack of required resources to support

the CBFM process. Similarly, within DENR the financial problem is considered as one of the major bottlenecks in promoting CBFM programme. Table 12 shows the decreasing trend of budget allocation in the forestry sector and particularly the CBFM programme.

The provincial CBFM coordinator from the DENR Quirino explained the limitation of CBFM implementation in the province as follows:

*“...that is our challenge. We have very limited staff in Quirino. I am only one taking care of all sites at the provincial level. There are 5 PMO<sup>13</sup>s assigned in the sites but not only confined in CBFM, they are also assigned to look after the protection of forest, alienation and disposition of land, which are an extra load for them. We don't have*

TABLE 11 Summary of resources of CBFM POs

Research sites	Infrastructure and physical resource	Fund and its sources	Trained human resources
Buenavista	Furnished office building Computers Motorbikes Mobile phones Officials records Revolving Carabao	ITTO remaining fund from second phase of the project, Award, Income from enterprises Monthly dues, Membership fee (1.5 million Pesos)	Trained members in forest management and enterprises development Paid forest technician Internal auditor
Bitnong	Few registers and files, no office building	Membership fee (29, 500 Pesos)	No training given so far
Kalahan	Furnished office building School Fruit processing unit	Donor support Membership Cutting permit fee Selling of product (3.5 million Pesos)	Paid forest technician Paid social mobiliser Trained account keeper
Kinacao	Few register and files, No office building	Membership Donation (32,000 Pesos)	No training given so far
DMP	Well furnished office building Consumer goods shop Rice mills Solar system for electrification	RP German project Membership and share capital Benefits from rice mills and cooperative store Timber selling under RUP (Fund balance not available)	Paid manager, consumer store and rice mill operators Trained members in forest management
Alicia	Office building Rice mill (not in operation) going to install	German project support Membership and share capital Timber selling under RUP operation Donations (2.12 millions Pesos)	Trained members in forest management Paid rice mill operator

Source: Field study

<sup>13</sup> PMO- Project Monitoring Officer



enough funds to travel around and help every site. So POs are complaining us for not visiting their sites. But we have our problem also.”

Fifth, the prevalence of conflicts of different types at PO level has acted as a barrier for effective implementation of the devolution policy. Manifestations of conflicts are due to unclear boundary demarcation, discrimination while issuing CSCs, discrimination in resource and benefits sharing, poor leadership qualities, unclear policies etc.

Sixth, the existence of more forums for coordination at all levels does not guarantee the establishment of good coordination of actions. This study has revealed that a number of forums are formed at community level such as BUDAC<sup>14</sup> in Buenavista, MOA<sup>15</sup> in Quirino, and PENRC<sup>16</sup> in both provinces. However, in practice these forums are not much functional in maintaining meaningful coordination.

Seventh, the practice of unequal treatment by the PO in resource distribution and sharing of benefits makes the situation complex in terms of implementing the devolution

TABLE 12 Budget allocation for CBFM programme in the Philippines (000 Pesos)

Years	National budget	Regional budget		Province of Nueva Vizcaya	Province of Quirino
	FMS	FMS	CBFM	DENR/PENRO <sup>17</sup>	DENR/PENRO
2001	1504805	17089	1556 (9.11%)	1981	1680
2000	1504805	15746	3667 (23.28%)	1981	1680
1999	1467692	13915	3253 (23.37%)	4370	1918
1998	1610430	15651	3257 (20.81%)	1047	808
1997	2025587	21001	5391 (25.68%)	1499	1449

Source: JICA-DENR 2004

TABLE 13 Collective enterprises initiated by CBFM POs and their present status

Research sites	Enterprises within CBFM PO	Status
Buenavista	Fossil flower production Cattle dispersal Trading post operation Carabao (buffalo) for hire	Not even in breakeven position Running but facing problems Almost closed Problem in maintaining rotation
Bitnong	None	
Kalahan	Food processing plant Swine production Water purification unit School and health centre Carbon sequestration project Water taxation project	Only in breakeven position Already privatised Not yet in operation Not enough fund to run Under process to implement Not operational and legalised yet
Kinacao	Community fish pond Cooperative marketing unit	Stopped due to boundary conflict Conflict about misuse of funds
DMP	Consumer store operation Swine production Rice mill operation (two)	Hardly in breakeven Scale down the size of production 1 in breakeven 1 already stopped
Alicia	Rice mill operation	Purchased but not yet installed

Source: Field study

<sup>14</sup> BUDAC- Buenavista Upland Development and Cooperation

<sup>15</sup> MOA- Memorandum of Agreement

<sup>16</sup> PENRC- Provincial Environment and Natural Resource Committee

<sup>17</sup> PENRO- Provincial Environment and Natural Resource Office

policies. The discrimination between members and non-members, rich and poor, officials and non-officials of POs, etc., creates a situation of conflict and de-motivates community people in participating in the implementation of CBFM.

Eighth, the collective enterprises initiated by the external project are not sustaining in most of the research sites. The practice of volunteer contribution for collective action is replaced by the practice of having remuneration for any participation and contribution to CBFM related activities. The state of collective enterprises in research sites is described below (Table 13).

The weakness in CBFM implementation are not confined only to the above-presented factors, but are also present in the overall socio-political and economic context, traditional norms, values, cultural practices, and quality of leadership is also have a direct influence in the implementation process. It is evident that relatively successful CBFM implementation in Kalahan sites is attributed to their practice of a traditional system of accountability and decision-making (*Tongtongan*: a group of elderly people, who make most of the decisions in Kalahan), a similar cultural identity, strong leadership of Pastor Delbert Rice (A Christian missionary settled in Kalahan since 1965) and a strong network and trust among the members. Referring the evidence from the field some of the broader reasons behind strategic weaknesses are discussed below.

#### THE REASONS BEHIND STRATEGIC WEAKNESSES IN DEVOLUTION POLICY PROCESS

The research study has revealed that 'strategic weaknesses domain one' of the devolution policy process is due to an inadequate policy articulation, but it has also revealed that there are certain factors, which hinder the process of meaningful devolution. Those factors are cross cutting and widespread which are associated with the policymaking process, attitude, structure, priorities of bureaucrats and system of accountability. The reasons for 'strategic weakness domain two' on the other hand, are as a result of a set of differences between idealised policy and the complex realities of implementation, linked with poor governance quality and non-supportive institutional structures such as: elites capturing the devolved power, lack of transparency and accountability, lack of trust and cooperation, not giving any recognition to local tradition, culture and systems, bureaucratic apathy, and poor participation of community people in CBFM activities.

#### Attitude, accountability and structure in government bureaucracy

The traditional command and control approach of forest management still has some effects on bureaucrats. The orientation of this approach is to exclude community people in the management. This is a techno-centric view of bureaucrats who believe forest is only the domain of technical

foresters. Many bureaucrats in the DENR feel devolution of forest management as an act of losing power (Fisher *et al.* 2000). This attitude creates apathy in the promotion of the CBFM programme.

Besides the attitudinal problem, there remains the problem of the structure of the DENR. The traditionally designed hierarchical structure of the bureaucracy still exists and is not compatible with the role and responsibilities of the changed context. Similarly, there exists an institutional incompatibility associated with a hierarchical organization in the DENR. For example, the DENR attempting to sponsor and manage a participatory process, however, very little reflected in practice. Making minor changes is unlikely to address the fundamental problem.

#### Unilateral policymaking process

The process of policy making at the moment is the unilateral task of the DENR. However, without involving all the actors (civil society, private sector, NGOs and POs) and listening their voices in forest devolution, it is hard to believe that the interests of all the actors are properly accommodated/ reflected in the policies.

#### Trust between state and civil society in devolution of forest management

The state has always been a sceptical and unreliable force in the devolution policy process. Many respondents from the study sites were of the opinion that the policy consistency of the government remained always doubtful. The CBFM members are now not sure what will happen after the completion of the 25 year tenurial period of the agreement, as there is a tendency to frequent changes in the forest policies. For example, the policy concerning harvesting of timber by the CBFM PO was withheld unilaterally by the DENR in 1998 and 2005/2006.

#### Corruption as an established covert institution in devolved forest management

The evidence presented above shows that corruption in the forestry sector is highly prevalent even in the devolved context. The emergence of new collaborative forms of corruption is revealed in the study, where the DENR and civil society organisations, particularly POs, are jointly involved in such unethical practices in the case of Buenavista. The president of CBFM PO from Buenavista described the case as follows.

*"...We can not deny the illegal activities happening in the area and the assistance of CENRO Bayombong is always regarded in the conduct of the foot patrol and IEC. However, one of the foresters in CENRO<sup>18</sup> seems to be providing information to the timber poachers of the planned anti-timber poaching campaign of the CBFM project, giving a chance to the timber poacher to elude possible arrest and confiscation of their equipment and lumbers in exchange*

*for monetary benefits or the lumber being delivered to the forester's furniture shop in Bayombong."*

In addition, some other unethical practices were revealed within CBFM POs, particularly about the mis-use of funds, vehicles and forest resources mostly by the presidents and other executive members of the CBFM POs in the research sites. The existence of such unethical and corrupt practices not only challenges the quality of forest governance in the devolved context, but also reflects the attitude and ethics of the actors involved in the whole process of CBFM implementation in the Philippines.

### **Lack of feeling of ownership among community people**

People from the research sites perceived CBFM is the target and the need of the DENR rather than as a community need. There is an argument that full devolution will never happen unless it is initiated through demand and pressure from communities themselves (Anderson 2000). No one wants to give up the power, he or she holds. Apart from Kalahan site, none of the research sites demanded any authority and power from the state. In Kalahan, community people jointly exerted pressure on the DENR secretary to cede the authority for managing the forest as community forestry in their ancestral domain. But in other sites the state has introduced the concept of CBFM and induced people to undertake an agreement to fulfil government annual targets, where the relation is of patron and client. Hence, the CBFM programme is unable to make people accountable for their actions and develop a feeling of ownership.

### **Elites in power centres**

The leaders handling the decision-making in CBFM POs are mostly from economically wealthy categories, have highly educated backgrounds and are representatives of local political parties. At the beginning of CBFM formation the first approach of the DENR is to contact those socio-economically well off members of the community. This strengthens the link between elite members of the community and the state. This relation further strengthens when the DENR undertakes CBFM agreements and provides the training and exposure to those elites in the process of CBFM implementation. Any benefits and resources devolved to CBFM are enjoyed by well off people in the community whereas poor members have been pessimistic about getting benefits out of the CBFM programme in their areas.

### **Broader political and historical context of forest policy development**

Historically, forest management in the Philippines remains under the control of the state authority as the state still believes forest protection and development is only the role of

the forest department. The inclusion of community people as an actual partner of forest management has hardly happened in the Philippines, instead state perceived local communities as enemies in managing forests. During both colonial and postcolonial periods the politician always used the forest as a means to secure their political position in the government. Issuance of TLAs to political supporters, involvement of political persons in illegal logging of timber and unethical links between forest bureaucrats and politicians are some evidence of the non-supportive political context in devolving the forest management role from the state to the civil society organisations.

### **MUTUAL REINFORCEMENT BETWEEN TWO DOMAINS OF STRATEGIC WEAKNESSES**

The issues that have emerged from this research study ultimately contribute to create two domains of strategic weaknesses, but are interrelated as well. Some examples of such relationship are explained below.

For example, the Local Government Code 1991 is a policy document for devolution, which excludes the barangay from the process of devolution of forest management. The implication of this inadequate policy articulation (strategic weakness domain one) has manifested in the form of conflict between barangay councils and PO committees at local level (strategic weakness domain two). Likewise, another example is the unilateral suspension of timber harvesting permit of the POs by the central state, in consequence, local community started feeling sceptical about other provision of CBFM policy as well.

Similarly, under the present policy it is not obligatory for POs to include all the potential households CBFM members, as only seven members are enough to undertake CBFM agreement with the DENR. This inadequate policy articulation has resulted in the exclusion of plenty of potential members from the CBFM, which has created conflicts and discrimination in benefit sharing at the local level.

### **GOVERNANCE AND INSTITUTIONAL STRUCTURE: IGNORED DIMENSION**

As evident from the study, corruption permeates the process of CBFM implementation at all levels. The actors in CBFM implementation have unethical involvements within and around the forest management. Such practices have two implications. First they have reduced the accountability of the actors in performing their roles and functions and second, they have created weak governance practices resulting in poor performance of the policy interventions. The present policies have not concretely addressed these concerns though every actor involved in CBFM implementation is aware of them. The reasons for not taking corruption into account are complex and mixed. First, the practice of corruption in forestry is well established and it is very hard to break the

<sup>18</sup> CENRO- Community Environment and Natural Resource Office

tradition unless there is a strong mechanism to dismantle it. Second, the corruption in forestry is directly related to local and national politics. The network between bureaucrats and politicians in corrupt practices is strong and again is difficult to dismantle as both of them are operating in close partnership as a covert institution to meet their hidden objectives. Hence, along with corruption other issues pertaining to governance such as: accountability, transparency, and participation are also ignored in the whole devolution policy process in the Philippines. Government effort for minor changes to ensure good governance and efficient institution is unlikely to address fundamental problem unless considering the holistic reform.

## WAYS FORWARD TO OVERCOME THE STRATEGIC WEAKNESSES

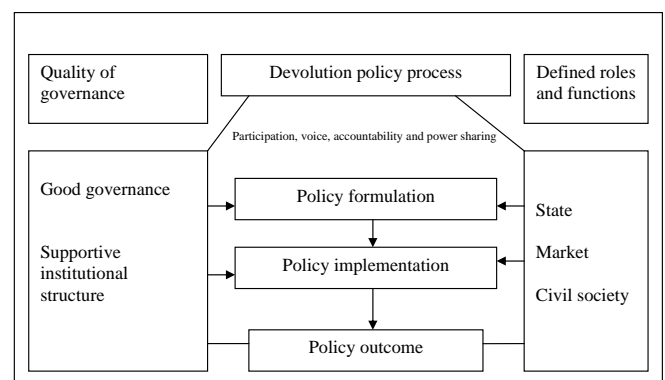
Some recommendations are proposed to overcome the strategic weaknesses identified in the devolution policy process in forestry in the Philippines.

- The existing inadequate articulation in devolution policies needs necessary amendment to ensure the transfer of power to make decisions on forest management at the local level. For this, the devolution of roles and functions should correspond with the transfer of power and authority. In order to fulfil this, tenure security should be guaranteed so as to overcome the poor motivation of the CBFM members to manage the forest. Similarly, the authority to harvest forest products, particularly timber, should be given to CBFM POs once their CRMF and RUP are approved.
- There is a need to pay adequate attention to the issues related to governance such as: clear role and accountability, participation, transparency, fairness, property rights on the one hand, and institutional structures (both formal and informal institutions) such as: norms, network, traditions, ethics, resources and competencies on the other hand. Without more consideration of the above issues it is naïve to expect the desired policy outcomes from devolved forest management in the Philippines.
- Devolution should address the issue of people's livelihoods along with the agenda of environmental protection. Thus, there is a need to balance the priorities of community people's livelihoods and improving forest conditions.
- There is a need to reinforce the restructuring process already started within the state agency, making sure that the state apparatus will have enough capacity to deal with its new roles and responsibilities in the context of changed policies.

- The role transformation process in the state (from a command and control role to the transfer of significant roles to the local people) needs to correspond with a change in attitudes and behaviour from a traditional way of thinking to a more democratic and participatory way of thinking.

In order to make these recommendations functional, the following framework, Figure 5 is presented, which emphasises the need to support the devolution policy process with clear roles, accountability, transparency, sharing of power and participation of all actors in the process.

FIGURE 5 Framework for effective devolution policy process



## CONCLUSION

The strategic weakness domain one, as described in the previous section, shows that the policy documents and instruments relating to devolution in forestry are much too narrow in devolving power, functions and responsibilities to the local government and community organisations. Such incomplete policy explanation has given rise to the second domain of weaknesses linked with the policy practice gap. Inadequate policy pronouncement results in an upward accountability structure and is thus a source of poor governance during implementation. Therefore, in the strategic weakness domain two, the reasons for poor implementation of policy are seen as the result of poor quality of governance and non-supportive institutional structures, which are the ignored dimensions in the whole process of transforming policy into practice.

Much research on community based forest management has focused only on the issues associated with poor outcomes in relation to the process of implementation with the presumption that devolution policy in forestry per se is good. They have not given adequate attention to policy matters, and especially, to balancing the relationship between the policies on the one hand and the issues associated with poor outcomes on the other. However, this research has found that the limited successes of devolution policy are not only due to weak implementation but also due to inadequate policy articulation. Thus, as suggested by the present study, the knowledge concerning the reasons for the limited success of devolution policy in forestry is attributed



to the inadequate policy articulation on the one hand and a set of differences between policy and the complex realities of implementation on the other hand.

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