

LAND OWNERSHIP AND SUSTAINABLE RESOURCE MANAGEMENT: LESSONS FROM THE PROTECTED AREA MANAGEMENT OF MOUNT PULAG NATIONAL PARK, PHILIPPINES

Doreen Ingosan Allasiw^a

^a Department of Agriculture, BPI Compound, Guisad, Baguio City, Philippines.

^a Corresponding author: doreeningosan@gmail.com

©Ontario International Development Agency ISSN: 1923-6654 (print)

ISSN 1923-6662 (online). Available at <http://www.ssrn.com/link/OIDA-Intl-Journal-Sustainable-Dev.html>

Abstract: Mt. Pulag National Park is the second highest mountain in the Philippines rising to 2,922 meters above sea level and covering a total area of 11,500 hectares, deemed as the watershed cradle of Northern Philippines; it supplies irrigation to the main rice producing provinces of the country. Furthermore, Mt. Pulag is hailed as the last frontier of mossy forest in the Philippines. It is also the home of two groups of indigenous peoples called the Ibaloi and Kalanguya.

In 1992, the implementation of the National Integrated and Protected Areas System (NIPAS) Act provided for the establishment and management of protected areas in the Philippines. This law served as the legal basis for *in situ* conservation of biological diversity through the appropriate management of ecologically important areas for conservation and sustainable development.

Unfortunately, in the area around Mt. Pulag National Park, the enactment of NIPAS renewed the resentment of the indigenous residents to the state, which dates way back to the colonial times. According to the local people, the state merely treated the place as a resource base without any regard to the peoples' sentiments. The initial declaration of Mt. Pulag as a national park itself, in 1989, was deemed prejudiced by the local inhabitants of the area. Thus, re-affirming its status as a protected area thru the NIPAS act was like pouring salt to an open wound.

This paper centers on the effects of the establishment of Mt. Pulag as a national park and afterwards the enactment of the NIPAS law to the way the local people managed the forest resources. Through the comparison of the peoples' behavior before and after the protected area status, this paper aims to draw lessons on how to better manage national parks in order to achieve sustainability of resources without withholding development opportunities for the locals living within and around the protected area.

Keywords: indigenous people, national park, protected area management, sustainable development, sustainable resource management

INTRODUCTION

This paper mainly analyses the socio-economic dynamics of the indigenous peoples that lay claim to the ownership of Mt. Pulag, with the aim of understanding how to protect the indigenous people's rights to development and uphold environmental protection at the same time.

Until recently, it has been a widely held belief that resource users will never self-organize to maintain their resources and that the government should impose solutions. This belief resulted in the imposition of many policies relegating the authority to manage resources to the state. One of such policies is the establishment of protected areas like national park, which has been a worldwide trend ever since.



Figure 1: Eight NIPAP sites in the Philippines



Figure 2: Bulalacao Lake located situated at the heart of Mt. Pulag



Figure 3: Commercial farming activities

In the Philippines, NIPAS act was implemented in 1992 which provides the legal framework for the establishment and management of protected areas in the country. The act defines protected areas as the identified portions of land and/or water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploration [1].

Unfortunately in many cases like Mt. Pulag where local people have prevailing issues with the state, the outcome of such conservation efforts does not always turn out positively as it is expected to be. This is consistent with Ostrom's [2] argument that some government policies accelerate resource destruction.

BACKGROUND OF THE STUDY

In 1987, Mount Pulag was initially declared as a protected area through a presidential proclamation. It was later included in one of the five sites in the Philippines to become part of a debt for nature swap administered for three years by the World Wide Fund for Nature.

More recently, the park has been incorporated into the National Integrated Protected Areas Programme (NIPAP), a project funded and partly run by the European Union. Through the implementation of NIPAP, ranger stations were established in strategic areas around the park. With their presence, it is hoped that wildlife studies and conservation enforcement can be carried out more efficiently than it has been possible in the past.

Unexpectedly, the delineation of national park boundaries has been highly criticized and contested due to the local residents claim that even their private lands have been included in the protected area declaration. Unknown to those involved in the conservation initiative, even before the declaration, local residents have already been harboring negative feelings towards the government due to previous unpleasant experiences.

During the early 1940's the government allowed logging concessions and large mining operations in the area. To make matters worse the state constructed dams which displaced a large number of local residents who did not even received any compensation until the day they died.

Yet amidst all the tensions between the state and local communities, the Department of Environment and Natural Resources from 1996-2001 received both European Union (11 Million Euro) and World Bank Funds to establish eighteen national parks and protected area that are deemed necessary for protecting biodiversity which includes Mount Pulag.

However, the events that followed the supposed establishment of national parks funded under the joint DENR-EU program known to the locals as NIPAP, reveals that without a thorough understanding of the arrangements through which the local people make and sustain their livelihoods, sustainable resource management can never be achieved

METHODOLOGY

The present research is based on qualitative analysis methods. The primary means of gathering data is structured in-depth interviews with stakeholders who are living around and inside the protected area. This was further supplemented by a document review and actual field visits conducted by the authors.

CASE STUDY

A cultural and historical landscape threatened by environmental degradation

Mt. Pulag is the highest point in Luzon and third highest mountain in the Philippines. Proclaimed in 1987 as a national park through Presidential proclamation 75, it covers 11,500 hectares, encompassing portions of three different provinces namely, the province of Benguet, Nueva Vizcaya and Ifugao.

Prior to the proclamation, the area was already a watershed reserve for three large dams and most of the park was subsequently included in the overlapping Presidential protected area designation of the Upper Agno River watershed.

The summit is covered with grass and dwarf bamboo plants, below which there are lakes and a cloud forest that supports 528 species of orchids, ferns, lichens and moss. Below the mossy forest are native forests of pine through which pass streams that support multiple rivers on all sides of the mountain that are critical to the water, agriculture, and energy supply of Northern Philippines.

However, according to recent press reports and visual evidence forest destruction has become very rapid driven by local demands for road fueled by the progressive vegetable farming industry. The park superintendent, who is an indigenous woman from the area, said that unfortunately "people see Mt. Pulag National Park as a threat to farming and the Department of Environment and Natural Resources (DENR), sees farming as a threat to Pulag, because national agencies have not agreed on guidelines for ancestral domains in protected areas [3]. The DENR is the government agency in-charged with the management and protection of national parks as stipulated in the NIPAS act.

Local concept of land ownership vis a vis Philippine regalian doctrine

Throughout the Philippines many protected area designations extend across political and geographical boundaries most often including indigenous ancestral domain that involves multiple tenure instruments.

Historically, under both the American rule and subsequent Philippine independence, land without paper title was considered part of the public domain and owned by the basis of the Spanish Regalian Doctrine, regardless of how long the land has been continuously occupied [4].

Occupants could be evicted once the government decides to develop the land such as the construction of dam, and also the government could give concessions to private enterprise to exploit forest, gold and other resources [5].

Although American rule later on classified land into public, private and native reservations of communal resources and encouraged indigenous groups to register their land, only the more wealthy and educated were able to do so. After independence, the Philippine government also adopted the principles of regalian doctrine.

On the other hand, the discourse in land and resources among the local people around Mt. Pulag can only be understood within the context of their day to day practices. Borrowing the words of a local chief, Macliing Dulag who headed a protest against the infamous Chico Dam construction in the 1970's; *to claim a place is the birthright of every man. The lowly animals claim their place, how much more man. Man is born to live. Apu Kabunian, lord of us all, gave us life and placed us in this world to live human lives. And where shall we obtain life? From the land. To work the land is an obligation, not merely a right. In tilling the land, you possess it. And so land is a grace that must be nurtured. Land is sacred. Land is beloved. From its womb springs our life.*

In his statement, he explicitly described the people's concept of land. Like most indigenous peoples worldwide, the locals equate land with life, both of which are given by God the Creator, personified in the local context as Apu Kabunian.

The general principle in claiming land rights in the area is to be the first to occupy the land by clearing it (*primus occupantis*). According to locals, the community recognizes different land use systems, each of which is governed by a different set of customs and rules. Several studies documented that the people living around Mt. Pulag distinguish individual from corporate and communal rights [6].

On a scale from public to private, irrigated rice fields and irrigation systems are the most private and communal while forest and pastures are the most public; however even public properties becomes private once it is "improved". In an interview, improvement of land is defined as when a potential owner invested labor and resources to improve the quality of the land but more importantly when an investment is made in the rituals necessary to construct and maintain them as private owners.

Accordingly, people sponsor feasts and invest in labor acquire the right to turn a public or communal property into private ownership that is recognized and protected by the community.

CHALLENGES TO THE PROTECTED AREA MANAGEMENT OF MT. PULAG

Despite the implementation of NIPAS whose main objective is to conserve the natural resources of the country through the establishment of protected areas in the Philippines, efforts for the conservation of Mount Pulag is far from successful considering the intensive farming activities documented inside the park.

Further probing has revealed that because of the ambiguous status of park ownership due to the stalemate decision on its designation and boundary demarcation; made it even more difficult for the locals to regulate the use of resources.

Prior to the establishment of the park, it was observed that people around Mt. Pulag were practicing forest and watershed conservation based on a corporate system of collective property rights for their kinship groups.

However, recent events such as the declaration of Mount Pulag as a national park weakened this customary system of land ownership. Accordingly, its classification as a public domain fostered the idea of open access and at the same time undermined the legitimacy of customary land owners to regulate resources use.

Thus, during the demarcation of final park boundaries, customary land owners contested the boundary claimed by the state. As earlier mentioned, most of the locals claim that even their private lands, which they have been maintaining, since time immemorial is being included in the proposed park boundary.

Although, the state and other conservation agencies initiated community-based mapping to reconcile the sentiments of the people striving for conservation of the protected area, their outright emphasis on conservation restrictions and the undisturbed nature of parks left some residents with the impression that

they were being excluded from the park where they had either lived their whole life or used resources.

Ironically, the bold emphasis on the unique biodiversity of Mt. Pulag and its importance as watershed cradle of Northern Philippines made the local people feel that their livelihood was of least importance to the conservation program and to the government itself.

This event renewed their sentiments of being only a second priority of the state. Despite the promise of a multiple use zoning scheme and recognition of indigenous people's rights which would give the locals the right to co-manage the park, a perceived conflict between the economic use of resources and national park designation persisted in the minds of the people.

According to the mayor, this sentiment has always been echoed to him during local consultation meetings. This predicament was also documented during an attendance to a consultation meeting conducted by DENR on the proposed revival of community forests in the area.

Consequently, because the issue was never fully laid to rest, it was used by some forces to derail the negotiation process leading to the rejection of the co-management scheme and the delineation of final park boundaries. As a result, final park boundaries were never delineated, thus Mount Pulag did not complete the thirteen steps needed for its re-proclamation as a national park under NIPAP.

LESSONS LEARNED AND THE WAY FORWARD

Because of the stalemate on the park boundary the decision on designation, the already ambiguous status of Mt. Pulag was made even more complicated. Consequently, this led to competition for resources as the different stakeholders raced to benefit from the resources. The resulting over-exploitation of resources is evident in the visible clearing of the forest and conversion to farmland.

As earlier discussed, the power of customary law is weakened by the superimposition of state law through the enactment of the protected areas act. As a result, the customary system of land ownership that used to govern traditional resource user came to be easily bypassed most especially by those from outside the community. In addition, the problem of free-riding also started to occur due to the weakened resource management system.

According to local residents of the area, free-riding behavior had not occurred until the creation of the park because customary sanctions such as ostracism, gossip and other customary sanctions used to be effective in maintaining social order.

In addition to the deteriorating capacity of customary law to govern sustainable resource use, several factors are also attributed to the degradation of Mt. Pulag. Firstly, is declaration of Mt. Pulag as a national park making it a public domain. Consequently, this fostered the idea of an open access property regime that resulted to resource competition.

Secondly, the increasing marginalization of sustainable traditional common property institutional arrangements and their substitution by inefficient government control has further aggravated the degradation of forest resources. It has been noted that forest destruction resulted mainly because although the national government assumed control of the park, it lacked the resources for protecting the forest.

Because of the vastness of the park, forest rangers cannot cover all areas which makes it prone to encroachments and poaching. On the other hand, local residents claim that they no longer feel accountable for forest protection since the law stipulates that national parks are properties of the state, thus losing their incentive to conserve resources.

Instead, park residents themselves acknowledge that they engage in competition for resources ever since they lost their customary ownership to the state.

But more recently, things have taken yet another turn when the Indigenous Peoples Rights Act has been implemented. The said act legalized the recognition of the rights of the indigenous peoples to the land which they have occupied since time immemorial.

Although this is landmark legislation for the local indigenous peoples, it does not serve well the conservation initiatives for Mt. Pulag as the promise of acquiring land title through ancestral claims by the recognition of indigenous people's rights encouraged the people to clear forest areas to substantiate their private claims. According to national analysts, private property rights are the top priority of rural Filipinos, few of whom had ever had land security [7].

Furthermore, the desire for land is made stronger by the shift from subsistence economy to that of a market based economy, when this happened, people started to convert the forest into agricultural farmlands and engage in illegal logging and poaching activities.

In the past, park residents rely on Mt. Pulag for their subsistence. Accordingly, people gather fruits and hunt animals for food in the thick forest. They also collect dried woods for fuel. Notably, these are collected in very minimal amount that is just enough to sustain their daily needs. But because of the increasing need for cash, the subsistence agriculture activities were transformed into full blown

commercial venture accompanied by bulldozing and forest clearing.

During interviews with local stakeholders, they claim that they are aware of the forest destruction that is happening and its environmental impact but admit that they are more concerned of their present financial needs for their children's education and their basic necessities like food and clothing.

The government on the other hand acknowledges that they offer limited alternatives to vegetable farming thus they cannot totally ban such activities because it is the only source of livelihood of the people.

By closely looking at this scenario, it becomes clear that ensuring a productive and sustainable source of income is key to obtaining stakeholder cooperation in environmental protection.

CONCLUSION

In conclusion, ensuring the full cooperation of all stakeholders involved is key to the success of any project undertaken. In the case of Mt. Pulag, the unresolved conflict between the state and the local stakeholders compromised the success of the NIPAP program.

Local residents and the state have conflicting interests to both conserve and develop natural resources. Driven by the shift from subsistence economy to cash economy, the locals compete for land ownership, thus, they take advantage of the ancestral domain title as a mechanism for meeting the demand for land security.

The state on the other hand, lacked the resources to protect the forest from poaching and encroachments from the vegetable farmers and also falls short in providing an alternative source of livelihood.

REFERENCES

- [1] National Integrated Protected Areas System. (2009). Philippine Clearing House Mechanism for Biodiversity. Retrieved from http://www.chm.ph/index.php?option=com_content&view=article&id=104%3Anipas&catid=40&Itemid=73
- [2] Ostrom E. (2009). "The Core Challenges of Moving Beyond Garrett Hardin." *Journal of Natural Resources Policy Research*, Volume 1, Issue 3, July 2009, pages 255-259.
- [3] Panic button pushed in Benguet on water. (2005, May 14). *Philippine Daily Inquirer*. Retrieved from <http://www.inquirer.net>
- [4] Lynch, O.J., & Talbott, K. (1988). Legal responses to the Philippine deforestation crisis. *Journal of International Law and Politics*, 20(3), 680-713.
- [5] Prill-Brett, J. (1988). Preliminary perspectives on local territorial boundaries and resource control

(CSC Working Paper 6). Cordillera Studies Center, Baguio City: University of the Philippines, College Baguio.

- [6] Prill-Brett, J. (2003). Changes in indigenous common property regimes and development policies in northern Philippines. Retrieved March 15, 2010 from <http://dlc.dlib.indiana.edu/archive/00001109/>.
- [7] Serote, E.M., (2004). *Property, patrimony and territory*. Quezon City, Philippines: School of Urban Planning and Development Research Foundation, Inc.

ABOUT THE AUTHOR

Doreen Allasiw is currently working at the High Value Crops Development Program of the Department of Agriculture, Cordillera Administrative Region, the Philippines. Her main research interest is protected area planning and management. Email: doreeningosan@gmail.com

Masahide Horita is a professor at the Department of International Studies, University of Tokyo. He is also affiliated to the Graduate Program in Sustainability Science of the same university. Email: horita@k.u-tokyo.ac.jp