

# POLITICS OF TENURE REFORM IN THE PHILIPPINE FOREST LAND

*Juan M. Pulhin and Josefina T. Dizon<sup>1</sup>*

**Abstract.** From the colonial period until the early 1980s, the Philippine forest policies had promoted a highly regulatory, centrally controlled and industry-biased approach to forest management. Such policies placed the access and control of the country's forest resources into the hands of the elite who have the resources and political connections to commercially exploit these resources for their own personal gains. Consequently, the uneducated and the less privileged majority – particularly most of the upland communities – have been barred from enjoying the benefits of the utilization of the nation's patrimony. Furthermore, ruthless commercial forest exploitation had totally disregarded the principles of sustainable management that had contributed to one of the greatest forest plunder in the tropical world.

To address the twin problems of inequitable access to forest resources and massive forest depletion, major policy and forest management reforms were undertaken, particularly after the end of Marcos dictatorial rule in 1986. At the core of these reforms was the democratization of access to forest land and resources through the Community-Based Forest Management program or CBFM. Through the issuance of Community-Based Forest Management Agreement (CBFMA), the CBFM program provides land tenure to organized upland groups (People's Organization) that entitles them to benefit from a given forest land for a period of 25 years renewable for another 25 years subject to certain conditions.

At the central policy level, the reform towards democratization of forest resources through the issuance of CBFMA is considered by some as both radical and progressive. Under the government Strategic Plan for CBFM, 9 million hectares of the country's classified forest lands totaling to 15.8 million hectares have been earmarked for community management by the year 2008. This totally departs from the traditional forest management approach which had placed 8-10 million hectares of forest lands – around one-third of the country's total land area of 30 million hectares – under the control of the elite sector particularly the few timber license operators. To date, a total of around 5.7 million hectares have been awarded to thousands of POs nationwide through the issuance of CBFMAs.

This paper traces the evolution of forest policies in the Philippines from the colonial period to the present. The analysis focuses on the tenure reform in the forest land over the last two decades or so and its initial impacts in addressing the problems of social inequity and forest depletion. The paper argues that despite the seemingly progressive policies and recent government accomplishments in terms of the number of tenure instruments awarded to local communities, the anticipated positive impacts of the tenure reform are yet to be seen on the ground. The combined effects of politics at the national and local levels, declining quality of the forests, and the instrumentalist nature of the tenure instrument prohibit genuine tenure reform to take place. This in turn thwarts the accruing of benefits to the upland poor and impedes the promotion of sustainable forest management in CBFMA areas.

**Key words:** Philippine forests, politics, tenure, tenure reforms, forest policies

---

<sup>1</sup> Associate Professor and Associate Dean, College of Forestry and Natural Resources and Assistant Professor, Institute of Community Education, College of Public Affairs, University of the Philippines Los Baños, College, Laguna, Philippines, respectively.

## 1. Introduction

Historical accounts of forest use in the Philippines reveal how massive deforestation has depleted the once lush tropical rainforests of the country. A century of plunder of forest resources has been traced to factors such as conversion of forest to agricultural land, commercial logging and the pressure of population growth (DENR 1990; Kummer 1992; Cruz 2000). However, an important thread runs through most of these realities: “the influence of political power and vested interests on forest management policies and decisions as well on their implementation” (Vitug 2000). The deployment of such a power in the Philippine forests has contributed to the one of the greatest forest plunders in the tropical world.

To prevent the demise of the remaining forest resources, policy reform has been instituted resulting to a shift in the direction of forest management, particularly since the end of the Marcos dictatorial rule in 1986. The reform envisioned dismantling of the quasi-monopolistic forestry industry controlled by a select few, and installation of a community-based forest management system. It was also said to be based on the pragmatic realization that the ultimate survival of the Philippine forests lies in the hands of millions of smallholders. Subsequently, forest policy in the Philippines has become known for its active pursuit of people-centered sustainable forest development (Utting 2000).

To implement the policy reform, a number of social/community forestry programs and projects were established by the government. In 1995 the government adopted the Community-Based Forest Management (CBFM) as the national strategy to achieve sustainable forestry and social justice in the Philippine forest lands. With this development, all the existing major people-oriented forestry programs and projects were unified under a mother-umbrella program termed as the CBFM Program. At the heart of this program is a tenure reform that provides a 25-year tenurial security to participating upland communities renewable for another 25 years. Through the issuance of land tenure instruments called Community-Based Forest Management Agreements (CBFMA) recipient communities may also be allowed to commercially utilize timber from second-growth forest – a privilege previously given only to the select few, the holders of the timber license agreements (TLAs) that belong to the elite sector of the society. As of 2001, CBFM covers about 5.7 million hectares of forest land and involves approximately 496,000 households. Of these, 4.4 million hectares are covered by various types of tenure instruments (DENR 2001).

This paper examines the politics of tenure reform in the Philippine forest land through a historical analysis of forest policy development from the colonial period to the present. The analysis puts emphasis in the last two decades where significant changes in tenure policies in forest land have taken place. The paper is divided into five major parts. Following this introduction is a brief discussion on the key terms used in the paper, namely, tenure, tenure reform and politics. Part three traces the evolution of forest and tenure policies by looking at three periods: colonial period; post-colonial exploitation

(1946-1970s); and the recent policy shift towards local participation from 1980s to the present time. Part four provides a brief analysis of the politics of tenure reform which centered on three issues: the influence of politics at the national and local levels; the politics of “returning the forests to the people”; and the instrumentalist nature of the different tenure instruments. Finally, the paper concludes that tenure reform has to be accompanied by corresponding shift in power if it is to achieve its anticipated positive impacts on the ground.

## 2. Tenure, Tenure Reform and Politics: Some Key Definitions

There are three major concepts that need to be defined before a thorough discussion of the topic as embodied in the title of this paper. These are land tenure, tenure reform, and politics. *Tenure* is derived from a Latin word for “holding” or “possessing”. Hence, land tenure means the terms on which something is held: the rights and obligations of the holder of the land. According to Bruce (1998), *land tenure* is “a legal term that means the right to hold land rather than the simple fact of holding the land.” Bruce emphasizes that one may have tenure over the land but not have taken possession of the land. He thus differentiates land tenure from resource tenure, or the rights to land, trees, and other resources. Meanwhile, (Maxwell and Wiebe (1998) explain that land tenure “consists of the social relations and institutions governing access to ownership of land and natural resources”. It is usually defined in terms of a bundle of rights – specific rights to do certain things with land or property. Along this vein, the Philippines’ Department of Environment and Natural Resources Policy Advisory Group (DENR-PAG 1987) defined land tenure as the bundle of rights that allow individual and groups to gain access to the productive resources on the land (Pulhin, 2000). In this paper, we view land tenure along the definition of the DENR-PAG but also as a type of social relations between the local communities in forest lands and the institutions governing access to these lands and the resources found therein.

The other concept is *tenure reform*. It describes legal reforms of tenure whether by the state or local communities. It can be differentiated from land reform in that the latter involves the redistribution of landholdings and changes the agrarian structure. Tenure reform, on the other hand, leaves people holding the same land, but with different rights (Bruce 1998). Hence, under the Philippine condition, tenure reform over forest land refers to the changes of rights over forest land by the people who have been occupying and/or using these areas as a source of livelihood. In the Philippine uplands, these people constitute the indigenous cultural communities most of who are native to the place since time immemorial and the migrants who are recent settlers in these areas.

For the purpose of this paper, we are using the conventional definition of politics as “the formulation and execution of authoritative policies for society as a whole, where authoritative typically refers to the state and related institutions” (Kerkviet 1991).<sup>2</sup> Thus,

---

<sup>2</sup> This does not mean that we are unaware of the recent conceptualization of politics such as the “everyday form of politics” popularized by Kerkviet (1991) in examining the class and status relations in an agricultural village in Central Luzon, Philippines. While everyday forms of politics also exists in the forestry sector especially in CBFM

our view of politics of tenure reform on forest land in the Philippines involves the formulation and execution of authoritative policies by the state instrumentalities that result to the changes of rights (and responsibilities) over forest lands by the local people that occupy and/or use these lands. These policies include those formulated and executed by the colonial government and the Philippine independent state and its instrumentalities such as the Philippine Congress, the Office of the President of the Philippines, and the relevant government agencies like the Department of Environment and Natural Resources.

### 3. The Evolution of the Forest and Land Tenure Policies<sup>3</sup>

In the Philippines, tenure reform in forest land developed simultaneously with the evolution of forest policies. Pulhin (2003) divided the history of forest policy in the Philippines into three periods: forest policy of the colonial period; post-colonial exploitation (1946 – 1970s); and a subsequent shift towards the promotion of local participation in forest management (1980s – present). This paper follows the same periodic classification but focuses on the tenure reforms in the Philippine forest land from the 1980s to the present.

#### *Colonial period*

During the *Spanish colonial era*, royal decrees were promulgated which placed the Philippines' land and the natural resources under state control and regulation. The introduction of the Regalian Doctrine undermined traditional rights to land ownership as well as other prior claims of indigenous communities to forest resources. Furthermore, rights to forest utilization were granted to a few "privileged" individuals, which led to the conversion of lowland forest land into agricultural crop plantations.

Spanish land law weakened customary Filipino systems of land tenure, depriving the indigenous peoples of their rights to their land. Instead, the colonial government and the local elite claimed the land for themselves. The Spanish colonizers institutionalized the notion of state ownership of forest land and forest resources in the country through the establishment of a forest bureaucracy and its constituent instruments which allocated proprietary rights for forest use. In 1863, the *Inspeccion General de Montes* (IGM) was created, which governed the utilization of the country's forest resources.

As the United States controlled the Philippines beginning 1898, the colonial government asserted ownership over forests and forest land. The 1902 Organic Act and the 1935 Constitution perpetuated the spirit of the Regalian Doctrine that assumes that all forest lands in the entire archipelago belong to the state. With the entrance of the American logging companies in the country, the forest industries in the Philippines flourished

---

areas, we are focusing our analysis at the macro level involving the formulation and implementation of forest policies related to land tenure by state instrumentalities.

<sup>3</sup> This section draws heavily from Pulhin 2003.

throughout the American period. However, the boom in the forest industry also prompted a steady loss of forest throughout the era of American rule. Severe deforestation continued until the Japanese rule due to heavy forest exploitation for war purposes.

It is then very obvious that heavy forest exploitation began during the colonial period when the state centralized its control over the ownership of all forest lands.

#### *Post-colonial Exploitation (1946-1970s)*

During this period, there was no major change in the land tenure policies as the government continued to support and even reinforced the system of ownership promoted by the Regalian Doctrine. Even with the gaining of Philippine independence, subsequent constitutions such as that of 1973 and 1987 stipulated that all lands of public domain, meaning all the classified forest lands, belong to the state. Therefore, the powers to allocate, classify, regulate, and manage the forests and timberlands remained with the government.

Forest exploitation increased even during the post-war period when large-scale logging expanded to meet the increasing market demands for timber in Japan and the United States. This generated more revenue for the government to help accelerate national rehabilitation and development. However, many politicians and well-connected individuals also amassed wealth from the exploitation of natural resources.

Amidst the destructive logging activities in this era, the Philippine Selective Logging System (PSLS), which advocated sustainable forest management and brought about the formation of regulated felling procedures, was introduced in 1953. The objective was to regulate timber cutting “on a sustained-yield basis, to reduce logging damage, and to provide sufficient areas to meet the logging demand of the operators within the working circle” (Uebelhör, Lagundino and Abalos 1990: 6). An administrative order was issued by the government the following year that prescribed the nationwide application of sustained-yield management in all areas declared as permanent forests through the employment of selective logging system. Similarly, Presidential Decree (P. D.) No. 331 (entitled *Sustained Yield*) and P.D. No. 705 issued on 1973 and 1975 respectively, explicitly prescribed selective logging as the silvicultural and harvesting system for the dipterocarp forest to promote sustained-yield management. Despite these policies, however, the PSLS overemphasis on timber, poor implementation, and the unfavorable historical and political context in which PSLS was applied, constrained the realization of its objective (Pulhin 1996).

Deforestation continued to peak during the Marcos regime as the number of logging concessionaires grew. Logging rights in the form of Timber Lease Agreements (TLAs) accorded the wealthy private individuals rights to vast forest concessions. TLAs were used as a tool to cement political patronage and as a means to strengthen Marcos’ political network. Hence, forest concessions were dispensed to the president’s cronies as a reward for political loyalty. Meanwhile, upland communities including the indigenous peoples were continuously treated as squatters in their own ancestral lands.

Several decades of forest exploitation has brought about its inevitable negative impacts. To address these, the Marcos administration in the 1970s formulated a number of programs that rallied the involvement of individuals and upland communities in forest management. These included the Forest occupancy Management (FOM) in 1975, the Family Approach to Reforestation (1976), and the Communal Tree Farming (CTF) in 1978. These programs, while seen as the forerunners of present community-based forest management program of the government, have not really provided land tenure security to forest occupants. Except for the CTF Program, recipients of both the FOM and FAR were treated as squatters and were tapped by the government merely as source of cheap labor to rehabilitate what had been destroyed and protect the remaining forest resources.

#### *Policy Shift Towards Local Participation: 1980 - Present*

Recognizing the potential role of people in the conservation and development of forest resources, Letter of Instruction 1260 was issued on July 28, 1982. This policy consolidated the FOM, FAR, and CTF into one comprehensive program entitled the Integrated Social Forestry Program (ISFP). The program has three major objectives: to stem the tide of forest destruction by shifting cultivation; to help fight poverty among the forest occupants; and to help rehabilitate the degraded forest environment (Agaloos 1990). Unlike the earlier programs, the ISFP granted stewardship agreements to qualified individuals and communities allowing them to continue occupation and cultivation of upland areas which they were required to protect and reforest in turn. The program provides security of tenure for a period of 25 years, renewable for another 25 years through a Certificate of Stewardship (CS) or a Certificate of Community Forest Stewardship (CCFS). ISFP participants have corresponding rights and responsibilities as stipulated in the different policy instruments created to implement the program (Appendix Table 1).

The launching of ISFP signaled the official adoption of social forestry as a forest management and development strategy in the Philippine uplands (Payuan, 1983). The growing local and international concern towards “people-oriented forestry” provided the momentum for the establishment of or related programs and projects in the country under the banner of social or community forestry. On the same year of the official launching of ISFP, and inventory by Bernales and dela Vega (1982) showed that there were already 255 upland projects in the country which may be generally categorized as “social forestry projects”. These projects were implemented by the government and the private sectors including Non-Government Organizations (NGOs).

However, the emergence of social/community forestry as a development strategy in the Philippines should be understood within its broader political context during the 1970s and 1980s. Social forestry emerged not solely in response to the worsening poverty and forest degradation in the Philippine uplands, although these were major contributory factors (Pulhin 1996). Neither was its emergence merely an international import, although this was also instrumental (Aquino, del Castillo and Payuan 1987). Social forestry also arose primarily as a state strategy to control and stabilize the intense

political unrest in the countryside in the 1970s and the 1980s. It was part of the overall rural development counterinsurgency strategy during this period of the Marcos administration (Bello, Kinley and Bielski 1982).

Despite the emphasis on people's involvement in forestry activities and the provision of a 25 year tenurial security to its participants, the first generation of government social forestry projects did not depart from conventional practice sufficiently. These projects mostly aimed to "get the trees in the ground rather than to get the household economies of the rural poor off the ground" (Peluso 1992: 242). The primary rationale was forest resource creation and protection to support the national agenda in forest management. Any benefit to local people was just bonus and intended mainly to win their support and involvement in forestry activities.

The restoration of the Philippine democratic government, starting in 1986, placed the issue of social equity at the center of the country's forest policy agenda (DENR Policy Advisory Group 1987). To guard against the inequities of the past monopolistic allocation, the new Constitution contains provisions mandating equitable access and distribution of benefits from the country's natural resources. Policy reforms were installed to bring about radical transformation in the forestry sector. These policies envisioned dismantling of the quasi-monopolistic forestry industry controlled by a select few, and installation of a community-based forest management system that provide tenurial security to upland communities. Policies were also said to be based on the pragmatic realization that the ultimate survival of the Philippine forests lies in the hands of million of smallholders (Ramos, 1993).

In 1987, the National Forestation Program under the Aquino administration promulgated a new reforestation policy offering market incentives and involving communities, families, NGOs, and corporations in management initiatives. The NFP aims to reforest open lands for plantation and rehabilitate denuded watersheds in order to ensure sustained production of wood and other products for wood-based industries; provide livelihood for upland dwellers; and restore and maintain ecological balance (de Guzman 1993). After about three years of implementation, the program paved the way for the issuance of Forest Lease Management Agreement (FLMA), a 25 year tenurial arrangement that entitles its holders to develop the project site and utilize the products therefrom in accordance to stipulated government rules and regulations.

The issuance of Department Administrative Order (DAO) No. 123 in 1989 by the DENR established the Community Forestry Program (CFP). The program aims to provide the upland farmers legal access to forest resources and to the financial benefits that can be derived therefrom. Further, it also seeks to create strong incentives for upland residents to implement forest conservation, establish multi-use forest management by participating communities, and to optimize forest resource utilization and management (De Guzman 1993). Under the program, tenure is given to qualified community organizations through the Community Forest Management Agreement (CFMA) covering a period of 25 years, renewable for another 25 years.

Community forestry continued to expand in the 1990s with the implementation of other people-oriented forestry programs throughout the country. Its development has been facilitated by numerous agencies providing financial as well as technical support.

The Aquino administration established a system of protected areas and recognized the rights of cultural communities through two policy instruments, namely, Republic Act No. 7586 otherwise known as the National Integrated Protected Areas System Act of 1992 and the enactment of the Certificate of Ancestral Land Claims (CALC). The NIPAS Act encouraged community participation in the delimitation of land boundaries and in the management of protected areas while the CALC reasserted the rights of indigenous peoples to their ancestral lands. These two important policy instruments underlined the role of public and community involvement in resource management.

In 1995, President Fidel V. Ramos issued Executive Order 263 which institutionalized the Community-Based Forest Management (CBFM) program. Declared as the national strategy to attain sustainable forest management and social equity, the program integrated all people-oriented programs that espouse public participation in local forest management. These include the Integrated Social Forestry Program, Upland Development Program, Forest Land Management Program, Community Forestry Program, Low Income Upland Communities Project, Regional Resources management Project, Integrated Rainforest Management Project, Forestry Sector Project, Coastal Environment Program, and Recognition of Ancestral Domain Claims (Pulhin 2003). With the integration of these various programs under one umbrella, new projects were issued CBFMA as the tenure instrument while projects covering ancestral domains/lands were given Certificate of Ancestral Domain Claim (CADC)/Certificate of Ancestral Land Claim (CALC). Just like the other agreements, CBFMA and CADC/CALC have tenure coverage of 25 years renewable for another 25 years. They entitled their holders to develop, utilize and manage specific portions of forest lands pursuant to approved community resource management framework (CRMF).<sup>4</sup>

To operationalize social equity and public participation in forest resources management, the DENR CBFM National Strategic Plan has earmarked 9 million hectares of the country's total classified forest land of 15.8 million hectares for community management by 2008. This represents a drastic departure from the previous forest management approach which placed 8-10 million hectares of forest land (one-third of the country's total land area) under the control of the powerful elite, particularly the timber logging corporations (Pulhin 2003). As of 2001, CBFM covers about 5.7 million hectares of forest land and involves approximately 496,000 households. Of these, 4.4 million hectares are tenured area (DENR 2001).

More recently, the Philippine Congress enacted the Indigenous People's Right Act of 1997 (otherwise known as IPRA Law), the passage of which is considered a landmark in

---

<sup>4</sup> As described in the DENR Administrative Order No. 96-29, CRMF is a "documents that defines the terms and procedures for access, use, and protection of natural resources within the CBFM area, which shall in all cases be consistent with the overall management strategy of the entire watershed area where the CBFM area is located, and shall be formulated by the community with the assistance of its PO and the DENR, LGU and/or private entities".



the history of Philippine legislation. Through IPRA, ancestral domain was finally recognized by legislation as private, discrediting the more than century-old notion of state ownership over all classified forest lands. Under this law, indigenous peoples (IPs) can apply for a Certificate of Ancestral Domain Title (CADT) or Certificate of Ancestral Land Title (CALT) to certify their ownership of the land. The IPRA, however, prohibits the selling of these lands despite the fact that they are private. Nonetheless, traditional rights and practices may be used in determining the IP's bundle of rights in recognition of the cultural diversity of the different IP groups (Luna, 1998).

#### 4. Analysis of the Politics of Tenure Reform

##### *Influence of politics at the national and field levels*

The preceding section clearly traced the evolution of Philippine forestry policies that gave birth to the various tenure instruments that provide some degree of security and access to forest lands and resources to forest-dependent communities. These policies and programs have evolved as products of the interactions, negotiations and decisions among the different policy actors, namely, the legislators in the Philippine Congress; the president of the Philippines; the DENR; Local government units; wood industry; academic and research institutions; civil society; and international funding institutions. The initiatives to drastically depart from the traditional elite-based natural resources utilization to community-based resources management have been well supported by a number of previous DENR secretaries Fulgencio Factoran, Angel Alcala, Victor Ramos, and Heherson Alvarez (Pulhin 2003). In fact during the term of Victor Ramos, CBFM was named as the Department's banner program, thereby gathering support from the various sectors mentioned above. However, the political influence of held by the DENR Secretary is so strong that with one stroke of a pen the policy is voided. Such is the case when then Secretary Antonio Cerilles under former President Estrada, suspended in September 1998 the processing of cutting permits in CBFM areas in six regions in the country (Pulhin 2003). This has disgruntled the CBFMA holders in these areas and cast doubt on the sincerity of DENR to implement the CBFM despite the existing policy that adopts it as the national strategy to achieve sustainable forestry and social justice. Moreover, the suspension adversely affected the economic situation of Peoples Organizations (POs) that depend on commercial utilization of timber in CBFMA areas as source of livelihood. The same affected the forest protection efforts of these POs due to the absence of financial support which could otherwise been sourced out from the income from timber harvesting.

Politics also exists at the local/field level as various stakeholders pursue their own interests given the economic opportunities provided by CBFMA to commercially utilize timber. In the February 3-4, 2003 CBFM Policy Workshop organized by DENR and attended by a multi-sectoral group, there was a consensus among participants including DENR top-ranking officials that a "DENR clean up" at the field level should receive top priority to improve the performance CBFM implementation. Accordingly, about 65

“questionable RUPs”<sup>5</sup> were signed by the Community Environment and Natural Resources Officers (CENROs) in different regions that could have legitimized anomalous timber extraction in these areas. Similarly, instead of conducting actual forest inventory as basis for planning and forest products utilization, “table inventories” were affirmed by professional foresters, presumably for a prize. To address these abnormalities, a CBFM action plan was made specifying that a directive from the DENR Secretary be passed requiring the Regional Executive Directors and CENROs to explain and/or impose appropriate administrative/criminal sanctions for DENR personnel involved in these malpractices.

The charge for deviant behavior, however, is not a monopoly of DENR personnel. In the same policy workshop, even PO representatives agreed that there is a need to identify and “weed out” illegitimate PO holders. These include among others PO members who are just speculating in the area and not dependent on forest for livelihood as well as those engaged in illegal activities.

*The politics of “returning the forests to the people”*

The twin goal of CBFM is to rehabilitate degraded forest lands and at the same time improve the socio-economic well-being of the forest communities. CBFM as the strategy to bring back lost forest cover is said to be DENR’s last hope. After the timber concessionaires and the private sector have failed in their reforestation efforts, the communities are now being tapped as partners in this endeavor. Statistics show that despite the concerted efforts of the government and the private sector in rehabilitating the degraded forest lands, its area continued to decrease from a high 92% of the total land area of the Philippines in the 1500s to a low 18.6% in 2001 (Table 1). The inability of the reforestation efforts can be attributed to a number of factors, including the marginal condition of these reforestation areas (e. g., poor soil, rocky terrain, rain water dependent, etc.) as well as the socio-economic, political, and institutional constraints. To expect the forest communities, who have very limited technical and financial capabilities, to bring back the once lush forest cover without sufficient incentives and technical and financial support is just like asking for the moon. If the well-off timber concessionaires and the government were not able to sustain the productivity of the forests, what more in the case of these subsistence upland farmers?

A famous motto of the Community Forestry Program is “Giving the forests back to the people”. Noble as it may sound, the reality however is that most of the forest areas that are given back to the people through the different tenure instruments are already poorly stocked if not marginal in quality. While some CBFM areas may contain old growth forests, these areas which used to be utilized by the timber license operators for a huge profit have been declared as protection forests and hence not available for commercial utilization. Similarly, in cases where well-stocked secondary forests are available, these

---

<sup>5</sup> RUP refers to Resource Use Plan. As stipulated in DENR Administrative Order No. 96-26, RUP is “a management and utilization plan for each resource, e.g., timber, rattan, resins, covering a specific area of the CBFMA and time period shall be prepared.” The DENR shall conduct resource inventory as a basis for resource use plan the acceptance of the plan of which shall serve as the permit to utilize the resource.

cannot be readily harvested considering the tedious requirements for the approval of Resource Use Plan. In essence, what is actually given back to the people are the tasks of forest rehabilitation and protection and less of the benefits that should accrue from responsible management.

Table 1. Change in Forest land Area (in million hectares).

YEAR	FOREST COVER	% OF TOTAL
1575	27.5	92.0
1863	20.9	70.0
1920	18.9	64.0
1934	17.8	57.3
1970	10.9	36.3
1980	7.4	24.7
1990	6.2	20.7
1995	5.6	18.6
2001	5.4	18.0

*Source: Lim, E. Jr. 1998, DENR 201*

#### *Instrumentalist nature of tenure instruments*

DENR is the primary government agency responsible for the sustainable development of the country's forest resources. It has the legal mandate to exercise supervision and control over all forest lands. Since its reorganization in 1987, DENR has embraced a new institutional mission of promoting social justice and equity by democratizing forest resource access in favor of upland communities. The land tenure instruments in forest lands enables the DENR to legitimately pursue its new mission on forest resource democratization while, at the same time, maintaining supervision and control over these resources. The different tenure instruments offer its recipient upland communities economic and other benefits from having access rights to forest resources. As a form of legal contract, however, these instruments draw their legitimacy from the nation state which institutes them, thereby providing the government with a sense of control over these resources. Under this arrangement, the paramount allocator and enforcer of rights to forest resources is the national government represented by DENR.

Considering that the allocation and enforcement of rights under the different tenure instruments remain with the DENR, their instrumentalist character enables the government to be selective in terms of the types of rights they can give to specific individuals or group. Hence, the issuance of RUPs can be suspended or withdrawn while tenure instruments like CBFMA can be cancelled if such actions could be justified to promote the interest of the state. In essence, tenure instruments can be viewed as government tools to govern the local communities and align their activities to serve the purpose of the state. For instance, through CBFMA, POs can be effectively mobilized without resistance to engage in reforestation and forest protection activities though they

may be poorly compensated. In other words, they may be given more responsibilities and limited rights and yet this may be viewed as legitimate or within the bounds of the formal agreement embodied in the tenure instrument.

Findings from case studies indicate that the instrumentalist nature of the different land tenure mechanisms in forest land have failed to advance neither the community nor the state welfare (Pulhin 1996). On the contrary, it has resulted to the further marginalization of the local communities and further degradation of the forest resources from which these communities depend for their source of livelihood.

## 5. Conclusion

This paper traces the evolution of forest policies in the Philippines from the colonial period to the present. It highlights the trend from a highly regulatory, centrally controlled and industry-biased forest policy that characterized the colonial period up until the early 1980s, towards a more decentralized, participatory and people-oriented approach that has typified the direction of policy formulation over the last two decades. The analysis focuses on the tenure reform in the forest land in the latter period and its initial impacts in addressing the problems of social inequity and forest depletion.

We argue that despite the seemingly progressive policies and recent government accomplishments in terms of the number of tenure instruments awarded to local communities, the anticipated positive impacts of the tenure reform are yet to be seen on the ground. The combined effects of politics at the national and local levels, declining quality of the forests, and the instrumentalist nature of the tenure instrument prohibit genuine tenure reform to take place. This in turn thwarts the accruing of benefits to the upland poor and impedes the promotion of sustainable forest management in CBFMA areas.

As the Philippine experience has demonstrated, tenure reform by the government is a necessary but not a sufficient condition to achieve the twin goals of sustainable forestry and social justice in forest lands. Such a reform needs to be accompanied by corresponding shift in power from the traditional power wielders such as the state and its instrumentalities to the marginalized groups of the society particularly the forest communities (Pulhin 2003). To achieve this, communities must strengthen their political capacity and develop their human and economic resource base. This will put them in a stronger position for negotiation with the other political actors that will advance their own interests and welfare and promote the sustainability of the forest resources upon which many of them depend for survival. A major requirement of the process is the ability of the local communities to establish alliances and partnerships with a wider range of stakeholders. The involvement of the sympathetic and conscientious members of the government, non-government, private and international development institutions is necessary to ensure that benefits of tenure reform in forest land will accrue to those who justly deserve it.

## References

- Agaloos, B. C.** 1990. The Integrated Social Forestry Program: An Assessment of its Social, Economic, Political, and Environmental Impacts. Paper presented at the Forestry Policy Seminar, Philippine Business for Social Progress, 31 July 1990.
- Bello, W., D. Kinley and V. Bielski.** 1982. Containment in the Countryside. In *Development Debacle: The World Bank in the Philippines*. Institute for Food and Development Policy and the Philippine Solidarity Network: 67-101.
- Bernales, B. and A. de la Vega.** 1982. Social Forestry Projects in the Philippines: An Inventory of Listings of Communal Forests and Pastures. Manila: Integrated Research Center, De La Salle University.
- Bruce, J. W.** 1998. Review of tenure terminology. Tenure Brief No.1. Land Tenure Center, University of Wisconsin-Madison.
- Cruz MC. J.** 2000. Population Pressure, Poverty, and Deforestation: Philippines Case Study. Paper presented at the Asian Population Network Workshop on Population and Environment: Methods and Analysis held at Penang, Malaysia, 10-11 April 2000.
- De Guzman, M. V. P.** 1993. A Review of the Applicability of Current DENR Tenurial Instruments to Issues Related to Ancestral Domains. Natural Resources Management Program Report 93-05, Louis Berger International, Inc.
- DENR Policy Advisory Group (1987).** DENR Policy and Program Agenda for the Environment and Natural Resources Sector. Quezon City: Department of Environment and Natural Resources.
- DENR.** 1990. *Master Plan for Forestry Development: Main Report*. Quezon City: Department of Environment and Natural Resources.
- DENR 2001.** Philippine Forestry Statistics. Quezon City: Department of Environment and Natural Resources.
- Kerkvliet, B. J.** 1991. *Everyday Politics in the Philippines: Class and Status Relations in a Central Luzon Village*. New Day Publishers: Quezon City.
- Kummer, D.** 1992. *Deforestation in the Post War Philippines*. Quezon City: Ateneo de Manila University Press.
- Lim, E. Jr.** 1998. Development for Whom? By Whom? Impact of Policies on the Upland People and Resources. In *Pursuing Development in the Uplands: Contexts, Issues, and Initiatives*. Proceedings of the Regional NGO/PO Roundtable Discussions on Upland Development. Upland NGO Assistance Committee: Quezon City.

- Luna, M. P.** 1998. The Uplands from a Legal Perspective. In *Pursuing Development in the Uplands: Contexts, Issues, and Initiatives*. Proceedings of the Regional NGO/PO Roundtable Discussions on Upland Development. Upland NGO Assistance Committee: Quezon City.
- Maxwell, D. and K. Weibe.** 1998. Land Tenure and Food Security: A Review of Concepts, Evidence, and Methods. LTC Research Paper 129, Land Tenure Center, University of Wisconsin-Madison.
- Payuan, E.** 1983. Social Forestry in the Philippines. In Proceedings of the First ASEAN Forestry Congress. Manila: PICC.
- Peluso, N. L.** 1992. *Rich Forests, Poor People: Resource Control and Resistance in Java*. Berkeley: University of California Press.
- Pulhin, J. M.** 1996. Community Forestry: Paradoxes and Perspectives in Development Practice. Ph.D. Thesis. The Australian National University: Canberra, Australia.
- \_\_\_\_\_. 2000. Tenurial Options for Community Forestry. Training paper discussed during the Special Training Course on Community Forestry, February 29, 2000, College of Forestry and Natural Resources, University of the Philippines Los Baños, College, Laguna, Philippines.
- \_\_\_\_\_. Trends in Forest Policy of the Philippines. *Policy Trend Report 2002*. IGES Forest Conservation Project. Tokyo: Soubun Printing Co. Lmt.
- Ramos, V. O.** 1993. Forestry Policy Development in the Philippines. Quezon City: Department of Environment and Natural Resources.
- Uebelhör, B., B. Lagundino and R. Abalus** (1990). Appraisal of the Philippine Selective Logging System. Technical Report No. 7. Philippine-German Dipterocarp Forest Management Project PN 88.2047.4. Quezon City: Department of Environment and Natural Resources.
- Vitug, M. D.** 2000. Forest Policy and National Politics. In *Forest Policy and politics in the Philippines: The Dynamics of Participatory Conservation*, Edited by P. Utting, 11-39. Quezon City: Ateneo de Manila University Press.