

**CO-OPTING CONSERVATION: MIGRANT RESOURCE CONTROL AND ACCESS  
TO NATIONAL PARK MANAGEMENT IN THE PHILIPPINE UPLANDS<sup>1</sup>**

**By**

**Wolfram H. Dressler**

**PhD Candidate  
Department of Geography  
McGill University**

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<sup>1</sup> A more comprehensive discussion and further evidence on the topic presented here can be found in Dressler and McDermott (2004) and Dressler's PhD Dissertation. Please contact: Wolfram Dressler, Department of Geography, 805 Sherbrooke St. West, Montreal, PQ, Canada. Email: [wolfram.dressler@mail.mcgill.ca](mailto:wolfram.dressler@mail.mcgill.ca)

## **I: Introduction**

Movement from one place to another is a common feature in the lives of rural Filipinos. Farm laborers and landless workers, who once farmed and fished with few restrictions, have for centuries been drawn elsewhere in search of new bounty, from fish stocks to land title (Cruz et al., 1992). Others are refugees, driven from their homeland due to war and disease (James & Roumasset, 1984; Hirtz, 1998). However, for the original occupants of an area, who also stake a claim to territory, it becomes a challenge to adapt their lifeways to the arrival of newcomers, otherwise known as “migrants.” Increasingly, indigenous peoples face the socio-political and economic fallout of settler migration into their homelands. Migrants may intermarry with the indigenous population, seize forestlands for cultivation and privatization, which invariably reduces access to the forest commons (Eder, 1987; Eder & Fernandez, 1996). Though indigenous people also occupy other peoples’ lands, rarely is it so frequent and on such a large scale as with landless migrants.

Less documented, but increasingly common is the process by which both indigenous peoples and migrants *move to* and *occupy* rain forests of the Philippines uplands, the same areas that conservationists seek to preserve as national parks. For national parks that exist in upland areas, the settler population has often retained management authority and by-passed indigenous peoples’ livelihood interests. Often being the dominant social group, migrants may use their political and economic leverage to incorporate themselves into the institutions that influence forest conservation. In doing so, migrants have in some cases co-opted for their own benefit the institutional structures that shape national park management, such as with the recent shift from “fences and fines” to “community-based” approaches.

Even with “community-based” approaches, however, the apparent benefits arising from devolved management authority seldom reach the indigenous populations living inside and around protected area boundaries. Devolved management approaches have implemented projects under the presumption that rural communities are homogenous, apolitical and ahistorical entities. Community-based conservation projects often fail when local populations are branded as “community members” who willingly take up cooperative conservation, enforcement, and livelihood improvement measures (Li, 1996). As community-based conservation neglects local socio-political and economic complexity it often fails to deal with “situational locality”,

forgetting about how and why so-called “communities” are divided by ethnic and class differences and in differences in accessing external political institutions (Mosse, 2001). If indigenous “communities” “host” migrants with different economic motives how can they be expected to work cooperatively and collectively? Despite devolved conservation, practitioners miss how local ethnic and class differences can compromise newer objectives of integrating livelihood security with biodiversity conservation (Agrawal and Gibson 1999; Goldman, 2003; Li, 1996; Slater, 2002).

Two main types of protected area management regimes have evolved in the Philippines and correspond to such changes in international conservation priorities. First, running from 1932 until the early 1980s, park managers implemented “coercive conservation,” often referred to as “fences and fines” management (referring to how Yellowstone National Park was managed since 1872). The “Yellowstone” model emboldened the concept of national parks as a fortress or gated area, where only researchers and recreationists could enter. Second, arising in the mid-1980s until today is the concept of community-based conservation (e.g., participation in livelihood programs), the benefits of which are meant to pertain equally to indigenous peoples and migrants. Increasingly, national parks incorporating community-based livelihood programs add *multiple use buffer zones* to *accommodate* commercial and traditional resource uses of indigenous peoples (Stevens, 1997). Often buffer zones that encompass ancestral lands are designed to impede encroachment on core zones and invariably regulate indigenous peoples’ access to forest resources. In other cases, indigenous peoples have secured land claims inside protected areas, which grant them priority rights to access resources and the ability to regulate migrant encroachment upon ancestral lands.

This paper examines a case in the Philippines where the transition from coercive conservation (Yellowstone Model) to more devolved management (community-based conservation) has been implemented at one national park, the Puerto Princesa Subterranean River National Park (see Dressler and McDermott). Here, both migrants and an indigenous people (named Tagbanua) coexist in villages adjacent to the park, where the latter faces the brunt of inequitable social relations of production and exchange, while having access to forest resources curbed by park managers. For decades each factor has built on the other to increase indigenous peoples’ livelihood vulnerability. Changes from coercive conservation (restrictive resource access) to current “community-based” conservation (local involvement and livelihood support), has only exacerbated pre-existing patterns of social and economic differentiation. While new

laws grant Tagbanua certain land rights and greater political leverage, migrant control over trade and resources by-passes the efficacy of new legal measures, such as ancestral domain claims, and does little to offset the risks imposed by park management. By using historical accounts, I show how migrant settlers' land uses, political networks, and wealth grew in parallel to and shaped park management to support their own agricultural base. Colonial era classifications of land uses and identity have dichotomized migrants and indigenous peoples and led to inequities in wealth and political power, a pattern further exacerbated by national park management (Dressler and McDermott, 2004).

The paper's second section provides the background for the case study by describing early Philippine land laws, forestry policy and transitions in national park management.<sup>2</sup> Section three introduces the case study area, while section four introduces Tagbanua and migrant settlement periods. These sections trace patterns of socio-economic differentiation by comparing and contrasting changes in social relations and land uses between each group before and after migration. Against this backdrop, section five shows that despite the transition from punitive to community-based management at Puerto Princesa Subterranean River National Park, managers still favor migrant lowlanders' paddy rice over uplanders' swidden agriculture. As park management became institutionalized, so did the suppression of indigenous livelihood strategies around the park. Conversely, since migrant land uses were favored, they were the first to be drawn into the national park's management structure. Section six examines why social inequities persisted despite changes in land classification, particularly ancestral domain claim delineation, management authority and expansion of the park as a World Heritage Site. Section seven finds that the shift to community-based conservation at the park has neither redressed socio-economic differentiation between households, nor achieved the dual objectives of poverty alleviation and biodiversity conservation.

## **II: Colonial classifications of land and people: forests, national parks and indigenous land claims**

### *The colonial legacy*

The classification of lands and people in the Philippines is rooted in early land laws that span the Spanish and American colonial periods. Since Magellan's expedition arrived in the Philippine Islands in 1521, the Spanish imposed the Regalian Doctrine, which held that all lands

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<sup>2</sup> See Dressler (2004) for a complete description of research approach and methods.

not registered as private title are vested in the Crown as public domain. This principle was upheld by the American colonial government's efforts to zone portions of the public domain it had claimed in 1899. By 1903, American foresters re-zoned forest reserves as national parks and, by 1935, roughly 833,753 ha were designated as forest reserves and/or national parks (Anderson, 1983). Most such national parks were created before the enactment of *An Act for the Establishment of National Parks* (1932) (Act No. 3915), which transplanted American-style "fences and fines" park management to the Philippines (Pinchot, 1903). After achieving commonwealth status in 1938, the Philippine state used Act No. 3915 to classify "national parks:" public lands "*reserved and withdraw[n] from settlement, occupancy or disposal*" for their "*panoramic, historical, scientific or aesthetic value*" (Act No. 3915, p. 2). This legal clause gave the Philippine government authority to zone public lands for purposes of conservation and indicated that anyone without private title prior to boundary delineation, which included entire indigenous populations, could not legally occupy forestlands (World Bank, 1994). This aspect of the Regalian Doctrine was adopted by the Philippine Constitution (1987) and land use laws today, which deems all land over 18 percent slope to be "public land" with forests, minerals and water being under state control. Thus, land titles and legitimacy are reserved for lowlanders, while upland residents are held to be squatters, without legal tenure and subject to eviction.

The Philippine state also "released" sections of the public domain as "alienable and disposable" (A&D) lands, on which individuals could apply for private title and or occupy usufruct holdings.<sup>3</sup> A&D lands were often released and occupied in the low-lying areas that flank the uplands of protected areas. Such land laws and biophysical features have partly defined state preferences in agriculture and associated socio-political distinctions in terms of an upland-lowland divide: a dominant "Christian" lowland majority often occupying private lands, and an upland dwelling, indigenous minority occupying public lands (Dressler and McDermott, 2004). Thus, while ethnic differences are "essentialized" by cultural traits, so are associated agricultural and other resource uses; lowland peoples practice productive paddy rice cultivation, while the "tribes" cultivate purportedly destructive swidden cultivation (Vandergeest 2003, p. 21).<sup>4</sup>

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<sup>3</sup> Usufruct land holdings refer to the right to use lands with temporary possession, use or enjoyment of the property belonging to another. Usufruct lands are generally transferable and are not deemed (at least by Philippine law) as absolute property, such as with a private holding.

<sup>4</sup> While migrants in the uplands also engage in swidden farming, it is usually practiced as a temporary stage on the path to establishing permanent farms and other means of livelihood (Conelly, 1985; McDermott, 2000; Dressler, 2004).

From the 1960s on, the Philippine government enacted such policy that complemented parks management and protected timber stands by attempting to eradicate swidden agriculture. Farmers without private title had little defense against such policies. In 1963, for example, a Revised Kaingin Law was introduced to impose additional penalties on “*kaingineros*,” who apparently “robbed” the state of valuable timber (Scott, 1979). In doing so, the state criminalized forest uses practiced by indigenous peoples, while valorizing the agricultural practices of settled migrants, which, in addition to zoning laws, have further reinforced the ethnic dichotomy from colonial times. Being part of the dominant social group, migrants secure access to productive resources, engage in productive agriculture, and become aligned with the state. Where migrants control access to productive resources, and are tied to government structures, they may shape how conservation influences local resource use patterns and trade.

*National Parks in the Post-colonial Philippines: Fences and Fines to Community-based Conservation*

From its origins as a commonwealth onwards, the Philippine government adopted and sustained an American park ethic rooted in colonial law (Nash, 1992). Park managers preserved forests through “fences and fines” and curbed indigenous peoples' access to forest resources in national parks. From 1938-1972, the Government delineated thirty-five (35) such national parks totaling 121, 586 hectares. Few protected areas, however, had enabling legislation and adequate infrastructure (Anderson, 1983). In 1975, Marcos' *Presidential Decree 705* regulated swidden in national parks by reclassifying the management and utilization of all public forests. National parks were a separate category of forest reserve from which “occupants” could be evicted (NRMC and MNR, 1983 p. 9).

When the first “People Power Revolution” ousted Marcos and restored democracy to the Philippines in 1986, the “voices of democracy” arose immediately afterwards (Vitug, 2000). Freedom of the press and the opportunity to organize openly allowed human rights advocates and environmentalists to call attention to mounting pressures of logging on the Philippine rain forest (ibid). NGOs soon proliferated with links to groups working on indigenous rights and forest conservation (Eder and Fernandez, 1996). Concurrently, by building on new “community-based” policy, such as Community-based Forestry Management (CBFM)<sup>5</sup> Order, campaigns surfaced

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<sup>5</sup> CBFM was pronounced national policy by President Fidel A. Ramos in Executive Order No. 263, dated 19 July 1995.

that attempted to curb deforestation under a platforms of “devolved” conservation. Programs advocated tenural security and permanent cultivation in an effort to curb deforestation of “old growth” forest — a policy designed to contain indigenous peoples’ swidden cultivation.

Campaign pressures were most pronounced on Palawan Island, in part due to high biodiversity and rampant logging. At this time, the Haribon Foundation — an influential environmental NGO based in Manila — mounted an environmental campaign that successfully lobbied the Aquino government to declare a logging ban in the province for 25 years (Clad and Vitug, 1988). Concurrently, a new national law and zoning regime was drafted to protect Palawan’s forests, known as the Strategic Environmental Plan (SEP) (RA No. 7611). The law’s zoning system, known as the Environmentally Critical Area Network (ECAN)<sup>6</sup>, prohibits agriculture and all commercial resource uses in various upland zones, including core zones and tribal lands. Each zone could be carved into ancestral lands and national parks (Reyes, 1992). The Haribon Foundation then further pressured the Aquino government to adopt an “integrated protected areas (IPAS) initiative”, an agenda that had existed since the 1980s (Haribon Society, 1983). Backed by USAID/ Debt-for-Nature Swap (DNS) finances, the IPAS initiative provided infrastructure and management support to five national parks, one of which was Puerto Princesa Subterranean River National Park. The Haribon Foundation, WWF-US and the Department of Environment and Natural Resources (DENR) then identified sites to be covered by IPAS, which was formalized as the National Integrated Protected Areas Strategy in 1992 (NIPAS Act, 1992) (Anon, 1988). The NIPAS Act was designed to “maintain ecological processes and life support systems” and held the first provisions recognizing indigenous peoples’ ancestral lands (NIPAS Act, 1992).

On the ground, the state agenda was to ensure biodiversity conservation and livelihood support by involving buffer zone residents, including migrants and indigenous peoples, in “community-based” conservation. NIPAS initiatives and other localized programs ran in parallel with the Local Government Code of 1991. The Code sought to decentralize political power from national agencies, such as the DENR, and grant greater autonomy to Local Government Units (municipalities called *barangays*) (Brillantes Jr. 1993). Moreover, the Code advocated for the involvement of Peoples’ Organizations and NGOs in local governance. As the state instituted

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<sup>6</sup> Note that according to the ECAN the “core zone” is defined primarily on the basis of *elevation* (above 1000 m A.S.L.) and maximum resource protection.

devolved park-based conservation, emphasis shifted from involving locals to achieving biodiversity conservation by restructuring livelihoods toward “less destructive alternatives.”

While human rights advocates used NGOs as conduits to lobby for indigenous peoples’ land rights, others, including environmentalists, used this lobby further to achieve conservation through devolved livelihood interventions. Both camps’ interests were met as the 1987 Constitution recognized the “rights of indigenous cultural communities to their ancestral lands” (Art. XII, sec. 5). The DENR’s Administrative Order No. 2 (1993) (DAO 2) and later the Indigenous Peoples’ Rights Act (IPRA, 1997) executed this component of the Constitution. DAO 2 first granted indigenous peoples a “Certificate of Ancestral Domain Claim” (CADC). The CADC provided for conditional rights to use resources and excluded others within newly-mapped boundaries of ancestral land for which they had to demonstrate occupation since “time immemorial” (McDermott, 2000). The IPRA Act enabled indigenous peoples and their proponents to convert an ancestral land claim to a domain *title* and *individual* land title, even inside of protected areas.<sup>7</sup> Yet despite the NIPAS law stipulating that park managers also recognize “ancestral lands and rights over them,” no guidelines are given on how to resolve conflicting management priorities when park and CADCs overlap.

### **III: Palawan and the Cabayugan Case Study**

One of the last remaining contiguous tracts of “primary” rainforest in the Philippines is found on Palawan. Once being connected to Borneo via the Sundaic shelf, Palawan Island’s flora and fauna show greater similarity to species of Borneo than to the rest of the Philippines. As a result, the island is host to significant levels of endemism and at least a quarter of all Philippine wildlife species (Diamond and Gilpin, 1983).

Puerto Princesa Subterranean River National Park protects one of the largest blocks of forest on the island. Surrounding forests are comprised of lowland dipterocarp and molave forests, karst forest, and montane forests at higher elevations, while coastal regions host mangroves, seagrass beds and coral reefs. Penetrating the area’s karst landscape is the (7 km long) navigable underground river — now a major tourist attraction (MaDulid *et al.* 1998;

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<sup>7</sup> Sec 57 and 58 state that where indigenous peoples’ ancestral domains overlap with protected areas, it is they who have “priority rights in the harvesting, extraction [etc] of natural resources”, since they can own the land. Moreover, for conservation initiatives to proceed in ancestral domain claims, the free prior and informed consent and full participation of residents in managing projects must be sought out. Technically, this legal condition ought to affect how park managers implement projects in CADCs.

Ganapin Jr., 1992). Much of the “original” forest was cut-over by loggers for timber and by migrants for paddy rice cultivation and tree crops.

The park’s surrounding area experiences a tropical/monsoon climate, with rains heaviest between May and November followed by a 2-3 month dry season (MaDulid *et al.*, 1998). Tagbanua, the areas largest indigenous group, cultivate swidden according to these seasons: during the dry season forest is cleared and burnt, so that upland rice, root crops and vegetables can be planted with the onset of the rains. For most households, swidden harvests are generally insufficient for year-round subsistence, being consumed within three or four months. Thus, they are forced to seek cash or payment in kind, which they obtain through a limited amount of wage labor and collecting forest products. Tagbanua collect a range of non-timber forest products, while rattan and honey are the chief sources of income today in Cabayugan, the case study site inside the buffer zone of Puerto Princesa Subterranean River National Park.<sup>8 9</sup>

Although Tagbanua of Cabayugan somewhat resemble lowland Filipinos, they are generally upland agriculturalists who practice swidden with dry rice, root crops, vegetables, and increasingly tree crops. Compared to migrants, most hold a low level of education and rarely move out of the local subsistence economy. Numbering over 500 in Cabayugan, they are Catholic and animist, and like their neighbours, increasingly aspire for modern material goods. How and why Tagbanua originated in Cabayugan and how migrant land uses, socio-political networks and park management approaches merged to change local patterns of resource production is considered below.

#### **IV: Tagbanua and Migrant Settlement and Land Use in Cabayugan**

##### *Early Travels: Migration and the Social Relations of Resource Use Before 1950*

Tagbanua emigrated from the southern communities of Aborlan and Napsaan due to disease, encroaching “Moros,” and new livelihood pursuits, with most arriving in Beunavista/Cabayugan in the early 1900s (Lovering, 1908; Fox, 1954).<sup>10</sup> As Tagbanua left larger

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<sup>8</sup> Rattans are woody, climbing palms (mostly *Calamus spp.*) from which cane products are derived. Honey, wild pig, wild fruits and orchids are also sold for cash, and a much greater diversity are collected for subsistence, medicinal, ornamental, and ceremonial purposes (McDermott 1994).

<sup>9</sup> Tagbanua have harvested and trade non-timber forest products for at least eight centuries, often with itinerant merchants from China and the Muslim south (Hutterer, 1977).

<sup>10</sup> Prior to the 1960s, the entire Cabayugan area was named Buenavista.

villages, smaller, nucleated villages formed upland, from where they were drawn to Buenavista for wage labour in the 1920s.<sup>11</sup> Villages had sparse populations, few roads connected to markets, and social relations supported access to resources during and after migration.

The overland journey to present day Cabayugan consisted of shorter rural-to-rural migrations from Aborlan and Napsaan. Fox (1954) describes how “preliterate and marginal” subgroups from Apurawan traveled to Marufinas, an area 20 km northwest of present day Cabayugan Centro (p. 129). Travel from Aborlan to Napsaan to Cabayugan was apparently indirect, as families made swiddens, “settled”, and then moved on to more fertile lands in Cabayugan.

Tagbanua also formed local epics to understand their place of origin and new homeland.<sup>12</sup> One narrative describes how two heroic brothers, Dego and Coris, left Aborlan fighting Muslim bandits to settle in Buenavista and then Madahon (a village close to Cabayugan Centro) in the mid 1800s. This was well before Fox’s “self contained” subgroup migrated to Marufinas in 1910. The brothers’ travel (including other southern Tagbanua) was sustained by making swidden and harvesting marine species while enroute. Few, if any, had predictable access to carabao and other livestock, with many claiming stray animals. If livestock and rice seeds were exchanged for swidden, it was generally through next of kin or friends.

Social relations strengthened as the number of household’s grew, making it easier to cultivate swidden through reciprocal labour exchanges. As migrants would, Tagbanua also knew the benefits of flat and fertile lands, facilitating the spread of swidden to *Kawili*, a magnificent karst outcrop. Yet Tagbanua assigned cultural beliefs to unique landscape features, which were likely carried over from Aborlan. The *kawili* karst outcrop, for example, was home to an enchanted bee kingdom (see Dressler, 2004). Prominent landscape features and its occupants together supported a new, but fluid socio-political identity and territory, an area flanking the underground river, the central feature of the national park.

#### *Early Tagbanua Social Relations and Livelihood Support in Cabayugan – 1920 -1945*

Several key social relations supported access to and use of important forest resources upon settlement, including harvesting earning opportunities and reciprocal labour exchanges. As household social networks grew, kin-based social relations granted access to forest resources and the ability to adjust to external constraints. Family success in accessing different socio-political

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<sup>11</sup> Oral history interview Lolo Basaya, Summer 2002.

<sup>12</sup> Those believed to be part of Coris' bilateral family (the Bisaya line).

linkages enabled them to capture the benefits from the support that flowed within and between households (Eder, 1987, p. 193).

Early Tagbanua first ensured access to resources to their immediate and bilateral family, rather than to “outsiders,” by sustaining a land use and tenure system rooted in household production<sup>13</sup> and group membership (Fox, 1954; Warner, 1979). Since the household served as the basic unit of residence and production, family norms influenced different categories of land rights and access. Intra-family relations dictated norms for sharing harvests and the division of land among offspring and next of kin, while inter-family relations and custom shaped the use of communal lands. The Tagbanua of Cabayugan recognized two general land use categories with associated kin-based “access relations:” common and usufruct lands.<sup>14</sup>

#### *Kin-based Access to Common Lands*

Common lands belonged to all Tagbanua in Cabayugan and included hunting grounds, bodies of water and uncultivated forestlands. While access to the forest commons had few explicit restrictions (e.g., on non-timber forest products), often only individuals who shared the same ethnicity could access such lands (Warner, 1979). Those with a different ethnicity could not, in theory, settle and or use resources in the Tagbanua commons. However, qualifying for access to resources was not absolute, since identity fluctuates over time and space (McDermott, 2000). Indeed, “outsiders” such as migrants were not entirely excluded from the benefits arising from common lands.

#### *Kin-Based Access to Usufruct Lands*

Immediate family members were the first to be entitled to use usufruct lands and access benefits from swidden harvests. Yet if bilateral kin assisted in cultivating the land, a family had to reciprocate by giving a portion of “new” rice, obligations that weakened further down the bloodline (Fox, 1954). Similarly, land was inherited bilaterally, with children of both sexes receiving equal portions of land down the matrilineal line. Married, but still dependent children could live on his or her parents’ land, receiving support through share cropping. Conversely, if a daughter married a man from elsewhere, matrilocal custom required that the husband move to his wife’s family’s land (Warner, 1979). In this way, as new individuals were brought into the bilateral family, lands were retained by the extended family overtime along the matrilineal line

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<sup>13</sup> Production, in this sense, is steered by family social relations, kinship, and the type of resource being used.

<sup>14</sup> A household’s paritable system of inheritance would only function among the second type of land holding.

(ibid).<sup>15</sup> A household's demographic composition thus influenced how land and labour was exchanged over several generations.

Members of the bilateral family were also granted access to harvest-earning opportunities in swidden plots without any significant qualification, particularly in a time of need. During a crop failure, for example, members of the bilateral family, or persons of a similar ethnicity, were rarely denied access to plant in a swidden. The only condition to plant and harvest in another household's swidden was to ask for the owner's permission to do so in advance (Warner, 1979). Granting harvest earning opportunities, however, was limited to the right of planting and harvesting nonpermanent crops, since they did not constitute a claim to the land. Yet remnant or permanent crops planted in someone else's field did represent a land claim, as their permanence (e.g., coconut trees) represented a longer-term investment in the land. The crop itself and the labour expended represented an ownership claim that attenuated over time (McDermott, 2000). Swidden users thus had access to a family's harvest but not the land itself.

Custom and social norms embedded in swidden cultivation thus facilitated mutual assistance and access to shares of the rice harvest. Reciprocal labour exchanges were used frequently when first opening forestlands for swidden preparation. Under reciprocal labour exchanges, different members of the immediate and bilateral family took turns in assisting one another to clear, plant and harvest their swidden. In turn, the farmer that assisted making the swidden, expected similar assistance from the owner at a later date, which sped up work and distributed the harvest. As with the sharing of rice among households, the offering of mutual assistance for swidden preparation was also done under certain social obligations. Social support was given to those who asked for it, and if it could not be provided, one was taught not to show anger or dismay.

Overall, access to forest resources and swidden was unrestricted until an "expenditure of labour" resulted in the planting of permanent crops and or the marking of trees, which secured a farmer's rights to the harvest and land (Warren, 1977, p. 56). As families cleared land, it became segregated from communal forests and became the founder's property. The more effort exerted in clearing lands, the more could be retained and used by different members of the bilateral family. In short, the farmer's rights to the land and products were bound to the labor they invested during field preparation (ibid).

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<sup>15</sup> Lands were *not* exchanged outside of the bilateral family

Prior to the 1950s, then, most forestlands were common property, and forest resources could be accessed without restrictions. In contrast, household social relations of production, rather than community level rules, shaped resource access rights on usufruct lands. Rarely were social rules rigidly imposed, since most were fluid, overlapping rules-in-use that were sustained during and after migration. Rather than being “lost,” Tagbanua elders stress how vibrant social reciprocity was during initial settlement. Given that such social relations sustained resource access, how would they be “carried over” once migrants facilitated trade and sought private title from the commons?

*Two Waves of Migrants: Altering social relations of production and exchange from 1950 onwards.*

Toward the late 1950s, the first of two waves of migrant farmers came to Palawan to escape an exhausted resource base, land shortages, and civil unrest in home provinces. Agricultural lands and fishing grounds back home were heavily exploited, making it difficult to sustain livelihoods, a process exacerbated by rapid population growth. Though migrants were hardly a homogenous group,<sup>16</sup> most were Christian, farmed paddy rice, and settled in pursuit of new livelihood opportunities. Palawan was a land and resource abundant area with a relatively peaceful and undeveloped forest frontier, an exception to the rest of the Philippines (Eder and Fernandez, 1996; Eder, 1999).

Migrant *pioneers* departed on their own initiative and followed an indirect route to Palawan and then Cabayugan. Traveling by steamship, some migrant families and single men stopped at islands, such as Mindoro, while enroute to Palawan to farm, raise livestock, and engage in wage labour. Money earned was used to relocate to Puerto Princesa City, or other “near-rural” sitios, such as Sicsican and Santa Lourdes. Few, if any, migrants brought farm implements with them and, without support from next-of-kin, they alone sought out employment. In time, however, those living in Sicsican and Santa Lourdes met and established political ties with prominent migrants living near Cabayugan.

Mr. Gonzales, a retired military official, was the first migrant to arrive in the Cabayugan area in 1951. Due to his military history and wealth, he forged political networks to support his appointment as Barangay Captain, which displaced the first and last Tagbanua Barangay Captain. As Captain, Gonzalez convinced the families in Sicsican and Santa Lourdes to transfer to

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<sup>16</sup> Migrants worked as fishers, brick layers, and school teachers, occupations they held while living in home provinces.

Cabayugan Centro<sup>17</sup> by granting them land and farm implements to begin swiddens. With few restrictions on settlement, forest lands were cleared in a “free-for-all” manner; lands cleared were now under one’s own possession, particularly if tree crops were planted. Despite lands not yet being “officially” released, to indicate a claim, *flat fields* remained cleared and cultivated for swidden and then paddy rice.

The second wave of migrants was comprised of the relatives of those who had already settled. Pioneer migrants now informed relatives living in Luzon, and elsewhere, that Palawan had abundant lands and bountiful fishing grounds. As a result, between 1960 and 1968, several families who were already acquainted, departed the shores of Luzon for Palawan. Many landed among friends and family in Sicsican and Cabayugan who offered small loans and/or lands to share crop or cultivate. These farmers now worked with Gonzalez to petition for the release of 378 ha of Timberlands in Cabayugan Centro.<sup>18 19</sup>

Thus, a new farmer's ability to establish a livelihood depended on the availability of socio-political and economic support, which shaped future access to land and capital as well as sustained agricultural production. Farmers’ income and wealth from paddy rice cultivation would, in turn, enable some to invest in local and state institutions to further consolidate their control over capital, forest products and rice production.

### *The Growth of Commodity Relations and Socio-economic Differentiation in the 1960s*

As commodity relations strengthened, new factors facilitated social and economic differentiation between migrant and Tagbanua households. From 1960 onwards, changes in resource production and exchange led to increases in privatization, wage labour, and control over trade, which drew Tagbanua further into unequal commodity relations. Though migrant settlement was buoyed by reciprocal labour and loans from relatives, household formation was also supported further by Tagbanua assistance. Tagbanua taught migrants how to hunt wild pigs, aided them in collecting non-timber forest products, and revealed proper techniques for swidden.

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<sup>17</sup> Cabayugan Centro was the main concentration of housing in Cabayugan; today the area is referred to as “Old Centro.”

<sup>18</sup> Officially, 378 hectares of public lands were released under L.C. Map No. 2598, Project 1-T, Certified on July 1966.

<sup>19</sup> Despite such efforts, it was only in the late 1970s and early 1980s that a full cadastral survey finalized the allocation of private lands. Prior to this, only prominent migrant families had filed for and received private title; in fact, many migrant farmers did not receive the land title promised to them by the state.

Before the 1970s, Tagbanua and migrants also collected and sold rattan directly to buyers in Puerto Princesa City. For migrants, rattan and almaciga harvesting was a “low capital” activity, a coping strategy that smoothed initial household incomes. Few investments were required to harvest rattan, making it an easily attainable, though modest source of initial income, particularly when rice yields were insufficient.<sup>20</sup> Generally, though, recently arrived migrant households cultivated swiddens and harvested non-timber forest products, which they abandoned once their income was sufficient to sustain paddy rice cultivation.

Migrant farmers soon abandoned swidden and forest extraction in favor of paddy rice cultivation. For the first time Tagbanua were hired to cut out tree roots in flat, alluvial lands by the central karst, which, in turn, made plowing more efficient and rice yields abundant. To expand paddy rice fields, migrants secured usufruct lands in exchange for small amounts of cash and household sundries, or claimed lands through land grabs. For example, while “share” cropping with Tagbanua, migrants planted tree crops in order to hold and then convert lands into paddy fields. If lands were “permanently” cultivated as paddy rice or with tree crops, and taxes had been paid, a tax certificate was issued to migrants, who naively used it as “proof” of ownership. Since state bureaucrats supported migrant settlement and paddy rice cultivation, they saw few problems in granting *de facto* rights to such lands.<sup>21</sup>

Control over access to lands was now tied to the ability to access the capital required for paddy rice cultivation. Prominent migrants, such as Mr. Gonzalez and Celino, partly regulated the flow of farm capital. Gonzalez, for example, was known to breed, distribute and sell caraboa, while Celino was expert in welding tillers and ploughs. In both cases, next of kin and families of the same ethnicity were the first to receive or purchase capital, two key ingredients for successful paddy rice cultivation (Connelly, 1983). As relatives provided one another with social support and capital, their inter-dependency and political economic practices were reproduced locally, making it difficult for Tagbanua to access farm implements and flat land.

As a result, few Tagbanua completed the “swidden-rattan-paddy rice” transition. Only in the late 1960s did Tagbanua begin to farm paddy rice, the techniques for which they had learned while working on migrant fields. Few households, however, adopted and sustained paddy rice cultivation since their access to migrant owned farm implements was restricted. Moreover, in

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<sup>20</sup> In order to raise profits, male household heads went together into the forest for one week at a time to harvest rattan in sufficient volumes, especially *sika* (Golden Rattan). Poles were delivered by boat and then cargo bus (jeepney) to the buyer in Puerto Princesa City.

<sup>21</sup> Tax assessment certificates do not in themselves constitute any legal claim to private title.

addition to limited access to capital and knowledge, indigenous farmers had few, if any, savings with which to begin or overcome the establishment costs of paddy rice. Compounding matters further was that since migrants had displaced them upland, indigenes' paddy fields were confined to narrow valley bottoms where land is sparse, clayey, and hummocky. Valley slopes were steep and made planting and irrigation difficult, factors that clearly limited rice yields.

Tagbanua were now further incorporated into marginal forms of resource production, with swidden and the rattan trade being the most predominant. By the 1970s, Cabayugan held several rattan concessions, forestlands rented from the state that granted licenses for the trade and transport of forest products (Eder, 1978). Concessionaires lived close to city markets and now operated through migrant middlemen, who provided harvesters with advances in the form of basic provisions in order to sustain rattan harvesting. After Tagbanua sold poles, they only received cash (or goods) after the middleman had deducted their debt and received his own payment from concessionaires (McDermott, 2000). Middlemen thus controlled the price, size or volume of the product being sold, placing Tagbanua in a permanent debt cycle.

As Tagbanua were drawn into the local cash economy, some migrants benefited from and occupied positions that governed how socio-political networks were reproduced in Cabayugan. Migrants were better educated, shared start up capital, and worked as teachers or politicians, while farming on the side. Control over institutional power and income bases enabled migrants to tap into local decision-making structures (e.g., Barangay Council) and continue to cultivate paddy rice, while unequal trade relations further marginalized and impoverished Tagbanua (and poorer migrants).

#### *Expanding Settlements and Expanding Markets - late 1970s*

From the 1970s onward, there was a marked increase in the number of migrant households, paddy rice fields and a period of extensive primary resource extraction, each of which led to greater competition over forest resources, land and capital. After the second migration period, provincial surveyors released public lands (a.k.a. Timberlands) adjacent to Cabayugan Centro for settlement; once zoned and settled by additional migrant households the *sitio* (village) was named Manturon. From 1983-1984, the original 378 ha of lands released in 1966 were finally subject to a full cadastral survey, granting migrant households additional private title. In turn, the Adinaldo Development Corporation (ADECOR) and Alvarez's Nationwide Timber Production Company (NTPC) commenced operations in the area. ADECOR first created new feeder roads and mining

camps in Cabayugan to extract marble from coastal karst. In doing so, ADECOR hired Tagbanua and migrants to quarry and then displaced them from their lands. NTPC then began clearing low-lying *Agathis philippinensis*, the conifer which exuded almaciga, a main source of income for local indigenes who traded the resin. Only a few trees remained in the uplands and effectively cut off the almaciga trade at Cabayugan.

In sum, during these two migration periods, tenancy contracts evolved between the first and the second settler group (James and Roumasset, 1984). The first wave of migrants was sufficiently educated and resourceful to make the journey and settle successfully. Locating the most desirable land, they claimed it and controlled ancestral lands, often through Tagbanua labour. New socio-political linkages formed and capital was distributed to sustain paddy rice production. Pioneer settlers' initial support and productivity provided the basis for the subsequent wave of migrants to settle in Cabayugan. Conversely, Tagbanua ability to access productive resources and tap socio-political networks was curbed by migrant exclusivity and control over land and capital.

Overtime, migrant control of forestlands, indigenous labour and farm implements enabled them to produce a rice surplus, and, as a result, a consistent annual income. Buoyed by socio-political networks and wealth, new opportunities opened up for migrants to tap into and shape the main political structure that governed forest conservation: Puerto Princesa Subterranean River National Park. Given the state's preference for paddy rice over swidden, foresters soon recruited politically connected migrants as forest guards. Park staff soon criminalized Tagbanua and poorer migrants' swidden, effectively merging unequal trade relations with coercive conservation.

#### **V: The History of Puerto Princesa (St. Paul's) Subterranean River National Park: From Coercive to Community-based Conservation**

The creation of Puerto Princesa (St. Paul's) Subterranean River National Park can be traced back to the late 1940s. At that time, high-ranking provincial officials pushed to extend the provincial conservation apparatus. They spearheaded a draft proclamation that aimed to restrict access to the central karst forest, directly affecting residents of Cabayugan. In 1949, then Governor of Palawan, Alfredo M. Abueg, made an initial recommendation to "His Excellency,

the President of the Philippines" that the area be proclaimed as a national park.<sup>22</sup> During the 1960s, the Bureau of Forestry then drafted the initial version of Presidential Proclamation No. 835: the first order to zone and manage Cabayugan forestlands under the category of "National Park" (as per R.A. 3915). The final draft of the Proclamation circulated in state offices in the late 1960s and was promulgated in 1971. By virtue of the Act No. 3915 and the Proclamation the province claimed 3901 ha of the central karst, including Tagbanua ancestral lands. Foresters now controlled the "scientific, panoramic and aesthetic" value of the entire areas' central karst landscape (R.A. 3915). Continuing to meet these criteria required the maintenance of an unaltered landscape with intact ecosystems. Such conservation ideals reflected the colonial vision of a people-free landscape and bolstered managers' authority to eradicate swidden and displace cultivators. All the while, the land and water that sustained migrant paddy rice cultivation was largely unregulated.

Once ancestral lands in the Cabayugan area were cleared and released as Alienable and Disposable Lands to migrants in the late 1960s, remaining upland forest (not yet capitalized on by migrants) were subject to conservation efforts at the national park. Park managers now built on and exacerbated inequities in trade relations and land holdings between migrants and indigenous populations. Migrant property claims and binding state laws had now converged to constrain indigenous peoples' access to resources and forms of resource use, particularly swidden cultivation.

### *Phase I: The Advent of Coercive Conservation: Promoting Paddy Rice and Criminalizing Swidden Cultivation*

The state has historically suppressed swidden cultivation, the primary agricultural practice of indigenous peoples in Palawan, while valorizing paddy rice cultivation, as practiced by migrants. This imbalance was clearly apparent during the early period of park management from 1971 onwards. Provincial foresters now detailed the park's core zone on a table map and later demarcated its boundary with brush cutting and signs around the central karst. Errors in the survey meant that the boundaries of the park actually fell amidst rice paddies and swiddens, instead of flanking the karst, as had been intended. Uncertain land classification kept resource-

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<sup>22</sup> A Letter to the President of the Philippines regarding a Proposal for the Proclamation of St. Paul Subterranean River National Park. Dated: March 22, 1963. Provincial DENR Files (2002)

users unsure of where and what they could legitimately harvest. After initial migrant settlers had cleared and cultivated lands in Cabayugan, forestry personnel informed them that their land, including swidden and paddy rice fields would also be encompassed by park zones.

However, despite the establishment of park boundaries, migrant farmers in Cabayugan Centro continued to clear forest and cultivate lands flanking the central karst, as swiddens and then rice paddies a few years later. Farmers in the contested area in Cabayugan later claimed that they had believed that they were clearing forest legally, since those lands had been released as Alienable and Disposable.<sup>23</sup> Thus, they argued, forestry personnel had no legal right to interfere with their application for land title. Ultimately, only prominent and politically connected local families were granted title, acquiring large tracts of paddy rice in the fertile lowlands.

Nonetheless, most migrant farmers' failure to obtain private title still did not preclude their access to forestland. Rather, the lack of closure over the land titles granted migrants new political space to negotiate with government practitioners over their pending land claims. Moreover, despite the lack of title, and the unmistakable absence of trees in the paddy rice fields inside the park's core zone (as elsewhere), cultivation continued unimpeded. This bending of the rules was accepted implicitly because not only does paddy rice production sustain local incomes, but it also brings in significant revenue for the state through taxation and rice sales to the national food authority. In 1978, for example, the Regional Director of Forestry attempted to resolve the boundary dispute between his agency and migrant farmers. He would "zone around" the farmers' plots so as to maintain the "economic contribution" of wet rice cultivation.<sup>24</sup> The provincial government suggested in a circulating memo that park management should accommodate the material and economic needs of migrant farmers, while no such allowances were made for neighbouring indigenous residents. The potential benefits of migrants' rice production thus offset the need to resettle the farmers for the purpose of conserving "old growth" forest by the park.

Tagbanua swidden was subject to a vigorous and punitive management approach, an initiative that was clearly aided by ambiguous park zoning. Foresters used their legal and political authority to enforce regulations as they pleased and targeted swidden in forests that they classified

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<sup>23</sup> Occupied and cultivated since July 11, 1966 (as per License Number 2598 in 1966).

<sup>24</sup> A Memorandum Report to the Director of Forestry, Bureau of Forest Development, Dated: March 15th, 1978.

as “old growth.”<sup>25</sup> Tagbanua elders noted that all enforcement focused on eradicating swidden in forests adjacent to or overlapping park boundaries flanking the central karst. Farmers had to distinguish between first (old) and secondary (young) growth forest in order to ascertain where they could cultivate swidden. But even if a farmer could do so accurately, forest guards still punished anyone with jail terms who cultivated swidden when it infringed upon their subjectively imposed regulations, including poorer migrant households. Although foresters had permitted some migrants to cut “secondary growth” for conversion to paddy rice, exceptions were generally not made for cultivating swidden in such forest. Yet it was title-less farmers who worked swidden on public forest land that felt the brunt of this initial enforcement strategy. These farmers, often Tagbanua, operated with the narrowest margins between sufficiency and hunger, and thus had the most to lose. The prohibition of swidden in “old growth” forests was a constraint hitherto unknown to Tagbanua.

First encounters with park enforcement by indigenous farmers (and some poor migrants) added an additional layer of coercive restrictions over those already experienced: the ban on swidden in “old growth,” dispossession of lands, and debt from unequal trade, all of which extended the loss of control over ancestral forests. Forestry officials went to great lengths to outlaw swidden, viewed as an irrational form of agriculture in need of modernization. Conversely, migrant farmers’ paddy rice continued unimpeded, as it was upheld as an important agricultural activity (Lim *et al.*, 1996).

#### *Institutionalizing Punitive Park Management in the late 1970s.*

While enforcement during the initial period following park establishment was fairly haphazard, the late 1970s marked a turn towards a more defined and rigorously imposed management approach. The Bureau of Forest Development (BFD) institutionalized new management procedures and a staffing structure that enabled regular monitoring and enforcement. The Bureau began by recruiting early migrant settlers as new forest rangers in Cabayugan Centro and Manturon, while more senior positions were offered to politically prominent migrants. Damar Diadores fit this description and was appointed by the District Director of Forestry, Ponce de Leon, as the “Official Officer in Charge,” a position he held from

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<sup>25</sup> Note that the classification of forest into primary/old growth and secondary/young forest is arbitrarily defined by the state. In fact, due to several centuries of swidden agricultural and other disturbances the forest there represents a mosaic of different ages.

1979 until 1991. Throughout this term, Diadores and his head Game Warden adopted a militaristic enforcement strategy, claiming to follow international standards of national park management: strict ecosystem conservation (IUCN, 1971).

From 1979 onwards, this policy guided management priorities and the development of an Action Plan,<sup>26 27</sup> both of which strengthened enforcement at the national park. The Plan's first component recruited additional migrants to serve as volunteer rangers in order to enforce the park's boundaries. The rangers were to support the Action Plan's first objective of "Parks and wildlife protection for patrolling and apprehension of forest products and dissemination of the laws and regulations of the park". Informants recall that there were as many as 18 park rangers, who formed an enforcement network that was grounded in kin-ties and political connections. Not only did this network target Tagbanua swidden cultivation, but it also excluded them from participating in park management on grounds of ethnicity.

#### *Tagbanua Displacement and Migrant Incorporation into Park Management*

Under Diadores, volunteer migrant rangers became officially deputized after additional training, thereby replacing forestry officers and park guards. Volunteers could now legally confiscate forest products and control swidden at the park.<sup>28</sup> Certain park officials and "migrant rangers" used their new political authority and socio-economic position as a means to regulate and acquire lands from Tagbanua. Taking orders from de Leon and Diadores, the new rangers began to "advertise" park boundaries to those still living alongside the coastal karst. First they erected "boundary signs" along "critical boundaries and, secondly, the park was now monitored monthly."<sup>29</sup> Patrols began and illegal harvesting activities were logged and then communicated to de Leon and Diadores.

One incident illustrates how the new local Officer in Charge used conservation rhetoric and political authority to justify the displacement of one Tagbanua household in order to claim his own parcel of land. During one monthly patrol, a ranger was told to investigate why a

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<sup>26</sup> To illustrate, the Philippine National Conservation Strategy in 1985 (FAO), the debt-for-nature swap in 1988 (WWF-US), and the Integrated Protected Areas Strategy in 1991 (World Bank), directed under international donors' funding conditions, St Paul Subterranean River National Park's management structures.

<sup>27</sup> An Action Plan for the Saint Paul Subterranean River National Park for 1979. R-4-6. Allotment. Created by OIC, Parks, range, and Wildlife Unit. Date: November, 1979. Puerto Princesa City, Summer 2002.

<sup>28</sup> 1978 Annual Progress Report on the Management of St Paul Subterranean River National park. Prepared by Phil and Elena Glass, US Peace Corps Wildlife Biologists. Date: January 18, 1979.

<sup>29</sup> *ibid*

Tagbanua elder, Gorgonio Pangican, broke a verbal agreement with de Leon allowing him to remain inside the park. The agreement specified that Pangican could cultivate, but not expand, his swidden inside the park. After seeing smoke rise from the forest canopy, the ranger sought out its origin, and reported back in his “Park, Patrol Report” that Pangican had expanded his swidden closer to the park’s core zone, near the underground river. Since the agreement had apparently been breached, the ranger was instructed to visit Pangican again, except now to recommend on the household’s tentative “displacement, location, remuneration (and other) agreements.”<sup>30</sup> However, the officer’s actions did not lead to Pangican’s eviction.

The officer’s information further suggested that the new Officer in Charge, Damar Diadores, had paid Pangican “to clear all land between his current clearing and the river,” an area that overlapped with the park boundary. After paying Pangican to clear forest for swidden, Diadores claimed the land, and then employed him for field maintenance. Diadores soon dismissed Pangican and then secured private title over his lands. After being fired, Pangican moved inland to Marufinas (close to Odiongan). Diadores now owns the land where the Tagbanua first settled — land that overlaps with the park’s core zone. Diadores took advantage of the fact that Pangican did not have private title and that he knew little about the park’s boundary. After receiving news of the incident, provincial officials informed all forestry officers to carefully adhere to monitoring procedures inside and outside the park’s boundaries.

Employment at the park now supported migrant farmers’ interests in clearing lands, options that were not available to Tagbanua. Underlying the power to confiscate and apprehend, migrant rangers, and later the next generation, used their political appointments to influence how forest resources and property around the park were used and managed. Certain local elites, and later others working at the park, used their position to sustain paddy rice cultivation on fields located *within* the park. Provincial officials allowed the continued use of these fields, treating access to these lands as “a tolerated crime” (Wardell and Lund, 2003, p. 34). Few considered such cultivation to be improper, given the political influence of the farmers, and the further fact that the paddy fields had fallen inside park boundaries due to the erroneous survey.

By owning large stretches of productive paddy rice land and employing Tagbanua as laborers, migrants were able to shape the local terms of trade for rice (milling and sale). More

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<sup>30</sup> *ibid*

generally, the control by migrants over markets for non-timber forest products, as well as rice and other trade goods, augmented the restrictions imposed by the park authorities to diminish indigenous peoples' access to traditional resources and to direct their manner of use. Park policies now accelerated local processes of socio-economic differentiation from which the indigenous people emerged as the lowest stratum.

#### *Modernizing Park Enforcement and the Criminalization of NTFP collection*

With the overthrow of President Marcos in 1986, the number and diversity of non-governmental organizations increased dramatically in Palawan (Eder, 1999). Environmental NGOs, in particular, directed their efforts at conserving Palawan's rainforests. Their campaigns succeeded in 1988 with the approval of a USD 2 million Debt-for-Nature Swap (DNS), which involved the Haribon Foundation, the Philippine Business for Social Progress, the WWF-US, and the DENR.<sup>31</sup> Funds from the DNS were allotted to improve the infrastructure and enforcement capabilities at the park. WWF-US now indicated that park management must preserve forests that support "major faunal regions" and emphasized Haribon's role in "facilitating environmental outreach programs" through the park's new infrastructure (World Bank, 1994, p. 10). The park now had a well financed environmental program and significant funds for the construction and management of four ranger stations. The ranger stations were constructed using timber confiscated from "illegal" swidden and located at four strategic entry and exit points used by rattan and almaciga collectors: Cabayugan, Malipien, Kayasan and Odiongan. The funds provided training for park rangers and government bureaucrats and outfitted them with *pump-boats* and hand radio-sets with which to patrol park boundaries. The park now employed fifty people, the majority of whom had migrated to Cabayugan or were the offspring of original migrant settlers from other parts of the Philippines.

With new park infrastructure in hand, the DENR arbitrarily expanded the park from 3, 901 to 5,753 ha during 1988.<sup>32</sup> While indigenous residents displayed no resistance to this encroachment on their territory, in contrast, migrant farmers stopped the demarcation crew in its tracks when it approached their rice paddies in Cabayugan (McDermott, 2000).

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<sup>31</sup> Following the popular revolution of 1986, the Ministry of Natural Resources, which contained the Bureau of Forest Development, was reorganized into the Department of Environment and Natural Resources. The Bureau of Forestry was dissolved into new agencies making up the DENR, including the Protected Areas and Wildlife Bureau and the Forest Management Bureau.

<sup>32</sup> To date, there is no official proclamation or legally zoned map that delineates the coordinates of the park's expanded core zone. In political circles the core zone is still considered to be 3, 901 ha.

Coercive enforcement continued. In a monthly accomplishment report, Diadores described how an initial policy of “constant foot patrol surveys... [and] apprehension,” led to an entanglement over competing over the right to access rattan groves flanking the park at Kayasan (a village near Cabayugan).<sup>33</sup> Attempts to harvest rattan inside the park led to a chase, shots fired by the Philippine National Police, confiscation of rattan, and court dates for the harvesters, a mixed group of Tagbanua and migrants (McDermott, 2000; Vitug, 2000 ).

For the first time, a local non-governmental organization, the Indigenous Peoples Apostolate (IPA, affiliated with the Catholic Church), intervened on behalf of those Tagbanua facing criminal charges, an action that set a precedent for NGOs supporting indigenous rights and livelihoods. Father Limsa, a Tagbanua priest and the head of the IPA, confronted Diadores over the charges. Limsa and Diadores met to discuss the matter in terms of poverty/subsistence security versus forest conservation and the “rule of law,” respectively. As expected, Diadores rejected Limsa’s proposal to drop the charges. Such interventions by NGOs marked the waning of the era of punitive park management, brought on in part by a proliferation of NGOs concerned with the environment and indigenous peoples’ rights.

#### *Phase II: The Shift from Punitive to “Community-based” Conservation (1990-1992)*

Several developments at a national level in the early 1990s brought changes to the park management regime. Pressures to reorient management at St. Paul’s Park began with its inclusion in the Debt- for-Nature Swap program and the initial shortlist of sites for the Integrated Protected Areas System (IPAS). The IPAS consisted of a conservation strategy (backed by the World Bank, IUCN, and DENR) pursuant to the aim of protecting “biodiversity [and] safeguard[ing] the culture and well-being of cultural communities” (WWF, 1991, p. 12). The overall program advocated for “interdisciplinary and devolved management plans” in multiple use buffer zones, which *softened* conservation measures with the integration of livelihood concerns into park planning (World Bank, 1983, p. 1). To implement such a program, the provincial government now enlisted a new park manager, “community organizer,” and the assistance of non-governmental organizations (NGOs). This combination of factors, coupled with growing resistance to Diadores’s self-styled punitive management, resulted in a major change of management personnel. Under a project-oriented approach, a more amicable park manager, Arturo Baltazar, replaced Diadores. According to Baltazar:

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<sup>33</sup> NRCO-SPSRNP, Parks and Wildlife Office (1988) *Accomplishment Report*, Puerto Princesa City.

One reason why he (Diadores) was replaced is because people complained about him. What they said about him was that he did not treat (indigenes) *katutubo* fairly. This complaint was spearheaded by an NGO, who will remain nameless. It was the negative fall out from the confiscation of the almaciga resin that floated out along the river...

Baltazar seized the opportunity to rebuild local support inside areas that he called “*multiple use buffer zones*.” He began by returning confiscated forest products and then by attempting to provide households with alternative livelihood opportunities. New migrant staff was hired to support and monitor project development in accordance with the DENR’s and WWF’s shared mandate of ecosystem conservation and livelihood support. With NGO assistance, Baltazar facilitated a series of pig dispersals, goat raising and handicraft projects. For the first time a “community organizer” assisted in mobilizing Tagbanua to become involved in these projects.

Any goodwill generated among the Tagbanua by these (generally ineffective) livelihoods programs were soon outweighed by negative developments from additional changes to park management. Due to St Paul’s Parks growing importance as a tourist attraction during the 1990s, the City and DENR engaged in a series of counterclaims over the right to control the park. Each argued its claims based on a national law. The City allied itself with the provincial Palawan Council of Sustainable Development (PCSD), which was created to implement the Strategic Environmental Plan (SEP), a national law designed for Palawan. The DENR was armed with precedent and the NIPAS Act, which applies across the nation. On the basis of the SEP, the City and PCSD began maneuvering politically to devolve the park’s management from the DENR to the City Government. In 1992, the politically-powerful and self-styled “green” City Mayor, Edward Hagedorn, was instrumental in persuading DENR Secretary Alcala to sign a series of Memoranda of Agreement (MOA) in 1992. The MOA now stripped the DENR of most regulatory functions and services over resource management in Palawan, granting them to PCSD island-wide, with Puerto Princesa City gaining full jurisdiction over the national park.

By law the DENR was now obligated to “transfer all records, equipment, assets and facilities” to the City, which included full control over the park’s infrastructure (ranger stations, vehicles etc.) (MOA, 1992 p. 2). Yet the tug-of-war continued. The Mayor dismissed the park staff (including Baltazar), replaced them with his clients, and eventually imposed a new name: the “Puerto Princesa Subterranean River National Park.” The DENR ensured that the City Government followed the NIPAS Act’s management requirements as closely as possible, perhaps

best seen as jurisdictional re-assertion. Despite the NIPAS Act mandating the formation of a Protected Area Management Board (PAMB), and that the provincial DENR chair it, the Mayor insisted on chairing the Board. Representatives of the PCSD, NGOs, and community representatives formed the rest of the PAMB. The Mayor appointed his supporters among NGO leaders and local politicians, most of whom were paddy rice farmers from Cabayugan. Only one Tagbanua representative gained a seat (NIPAS Act, 1992).

One of the Mayor's first acts in office was to issue a strict "zero burning" ordinance for swidden cultivation. Being implemented late in the season, those Tagbanua that had cleared but not yet burnt and planted their swiddens were left hungry for up to three seasons, while a number of the bolder migrants subverted it (McDermott, 2000). While the Mayor was attempting to "save the forest," the end result may have been a loss in genetic diversity as new fallows were lost from the mosaic of forest classes, and seed rice from locally-developed cultivars lost viability and/or was eaten (ibid). Since then, limited supplies of "emergency rice" were given to Tagbanua families and a more lenient "controlled burning" ordinance substituted the previous charter.

## **VI. Sustained Community-based Conservation and Land Claims – New Boundaries and Projects**

Problems associated with the City's ban on swidden exacerbated the park's own restrictions over resource access on ancestral lands, beneath which, patterns of unequal resource production and exchange continued unabated. As this crisis came to a head, environmental and indigenous rights NGOs arrived in Cabayugan to explain how the idea of a Certificate of Ancestral Domain Claim (CADC) could be implemented as a result of DAO no. 2 of the DENR. The policy specified that the state recognize Tagbanua territory in the form of a surveyed ancestral domain claim, with a Certificate backing the claim. Backed by international grants, a consortium of local NGOs and foreign organizations collaborated to push through the bureaucratic steps needed to delineate the CADC in 1997. Implementing the ancestral domain claim was no small task, requiring several organizational stages to meet DAO no. 2's own requirements and those of the DENR.

The ancestral domain claim provided several significant benefits for indigenous peoples in Cabayugan. Tagbanua beneficiaries were no longer required to obtain permits for non-timber forest product extraction from the DENR, they could refuse new migrants entry into the domain,

and conservation and market interventions first needed approval under the IPRA's clause of free prior and informed consent (see section II). In short, the domain claim granted Tagbanua greater political leverage to negotiate with park authorities and migrant neighbors over access to and use of forest resources on ancestral lands. However, as with the changes in park management regimes, attaining the CADC did not alter the status quo: indigenes still lacked access to productive resources, external capital, and socio-political influence, factors leading to further marginalization.<sup>34</sup> Tagbanua now had to act like a "community" by managing resources collectively and sustainably according to their own Ancestral Domain Management Plan (ADMP). By extension, since its delineation a growing number of local and foreign NGOs have started up livelihood projects that seek to reintroduce Tagbanua harvesting "traditions" already believed to be lost.<sup>35</sup> Such interventions have led to significant negative social repercussions, such as increases in political factionalism (see Dressler, 2004).

Once the ancestral domain claim had been surveyed and demarcated, rumors spread that the national park was to be expanded once again, except this time to a size that engulfed Barangays and the CADC in buffer zones. By the early 1990s, the Mayor's objective was to have the park nominated as a UNESCO World Heritage Site. Results were negative, however, with UNESCO officials explaining that the park's size was insufficient and that boundaries required expansion for it to be eligible. By the late 1990s, the Mayor submitted the City's proposal for re-nomination, expect this time under the new Presidential Proclamation no. 212 (substituting Marcos' Proclamation no. 835), which rezoned the park from 3, 901 ha to a massive 22, 202 ha. Not only were the City's measures successful, with the park being declared a World Heritage Site in 1999, but it also ended a multi-year tug-of-war involving the DENR's attempts to reclaim the park by revoking the initial MOA.

While City bureaucrats celebrated, the two-month long consultation process designed to appease locals in Cabayugan, failed to do so. By virtue of the NIPAS Act and Proclamation no.

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<sup>34</sup> See Dressler (2004) for a more detailed overview of the establishment of the Cabayugan CADC and McDermott (2000) for the Kayasan CADC.

<sup>35</sup> Since the national park's declaration as World Heritage Site in 1999, a flood of livelihood projects under the UNDP COMPACT project have been implemented within the ancestral domain claim. By subcontracting a NGO, named Buydong, the latest pursuit has been the reintroduction of "communal" swidden in the ancestral domain, where Tagbanua harvesters will presumably share work, plant with traditional seed varieties, and share the harvest equally. This example provides direct evidence of how community-based conservation once again stereotypes classifications of indigenous land uses and identity. Project interventions such as this engage in "salvage conservation," where culture and biodiversity are to be simultaneously revitalized.

212, the Cabayugan CADC and its Tagbanua members were now encompassed in the park's new buffer zone, with few knowing they lived inside of it. Further jurisdictional conflict arose since the Palawan-specific Strategic Environmental Plan's Environmentally Critical Areas Network (ECAN) zones overlapped with the park's buffer zone and the CADC. Conflicting boundaries once again led to power struggles among politicians, while local concerns went largely unheard.

As the CADC overlapped with the buffer zone, the state's management interests narrowed in on Tagbanua resource uses inside the CADC, to the point that DENR officials saw the domain claim as another park management zone. During 2002, national level programs such as the Community-based Forestry Management Agreement (CBFMA) were introduced in the CADC in order to wean Tagbanua off of swidden and toward sustainable utilization of forest products (although only salvage lumber (from the forest floor) could be utilized for such projects). Despite the City having full control over the park's management, the DENR assigned a "Park Superintendent," two park rangers and one administrative officer to manage the Park in line with the NIPAS Act. The results were predictable: two agencies with overlapping mandates appointed their own park managers to enforce the park in different zones using contrasting methods.

City Government park managers have also followed the DENR's lead in requiring that CADCs inside ECAN zones be managed by Tagbanua according to "traditional" pursuits. Currently, the Cabayugan CADC is partly confined to the ECAN's "cultural" or "traditional use" zones wherein indigenes are required to collect non-timber forest products and cultivate swidden "sustainably," as mandated by the City Government. If not, the CADC's concession and transport licenses may not be reissued, as specified by the DENR. Moreover, the park's management plan specified that since the CADC falls within the park's buffer zone that it is obligated to adhere to the park's "ecosystem management" objectives as well as their own Ancestral Domain Management Plan (ADMP) (PPSRNP, 1999). Within this context, it is clear that for the Tagbanua, paddy rice cannot be upheld as a core livelihood project inside the CADC, since it is not classified as a "traditional" livelihood activity.

Overall, then, as the park management unit adopts devolved conservation, those already benefiting from permanent agriculture continue to receive support while those working in the forest are given *unworkable* resource use alternatives. For these reasons, as management approaches and administrations wax and wane, disparities between migrant and indigenous livelihoods persist, while conflicting layers of "management plans" and "zones" further define land uses at the park. Within the CADC, for example, participation in park-supported projects has

primarily supported non-timber forest product collection (NTFP). Compared to paddy rice farming, in which the use of chemicals and mechanization enhances yields, NTFP-harvesting generates little, if any, net profit and few opportunities for capital accumulation. Such opportunities go primarily to those outsiders supplying capital, with a narrow local elite capturing the remainder. Meanwhile, migrants continue paddy rice cultivation and market sales in the multiple use areas within the park's new buffer zone. Procedures that confine and define space have done little to support indigenous peoples' acquisition of productive capital suitable for more intensive and profitable agriculture. Without access to productive resources they remain in the same marginal social and economic position as in the era of coercive conservation. In contrast, many migrants are relatively more successful in offsetting and building on the park's management structure, as they can tap benefits to improve farming and/or spend income on the next generation's education. As a result, older processes of socioeconomic differentiation continue to support migrant production as they tap into, influence, and benefit from park management.

## **VII: Conclusion**

Has the move from coercive to community-based conservation improved the quality of life of migrants and indigenous peoples' equally in Cabayugan? I argue that neither model has led to a fundamental shift in how park managers deal with indigenous people and upland livelihoods. Few strategies have redressed how local processes that lead to socioeconomic differentiation arise between migrants and Tagbanua. In fact, in Cabayugan each approach has supported the socio-political status quo by deepening social and economic differences, which is reinforcing the inequitable distribution of power, wealth and access to resources between indigenous people and (most) migrants.

While community-based conservation and indigenous rights-based approaches seem compatible, and have indeed granted land rights and livelihood support, they as with more punitive approaches have *not* narrowed the socio-political and economic disparities between migrants and Tagbanua. The reason for this lies in a history of migrants securing control over productive resources, including land, indigenous labor and capital, while keeping the upper hand in trade relations. Preferential access to and use of forest resources have thus enabled them to engage in more lucrative forms of agriculture, such as the cultivation of paddy rice and fruit trees. The political and economic benefits generated have supported access by migrants to institutional structures that have shaped park management in their favor. Park rangers are, after all, migrants

who implement the state's own doctrine of criminalizing swidden. Thus, while most migrants sustain wealth through local resource control, they also retain the ability to influence how devolved park management supports their own production base, whilst further constraining Tagbanua livelihood security.

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