A TALE OF TWO PROVINCES: AN ASSESSMENT OF THE IMPLEMENTATION OF DECENTRALIZED FORESTRY FUNCTIONS BY TWO PROVINCES IN THE PHILIPPINES

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Introduction

"It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair..."

Decentralization, as it is happening in the Philippines, is a critique to development approaches that have failed to respond to the needs of the people. The trickle-down approach did not eradicate poverty and draw in more of the public in the democratic processes. Widespread dissatisfaction from the grassroots triggered a rethinking of the development model, which eventually became a compelling reason for the Philippine government to initiate decentralization.

The decentralization process is anchored in the principles of devolution. In the Philippine's context, the term refers to "the act by which (the) national government confers power and authority upon the various local government units to perform specific functions and responsibilities" (RA 7160, 1991).

Republic Act 7160, otherwise known as the Local Government Code of 1991, is a bold move to give life and meaning to decentralization and local autonomy enshrined in the Philippine Constitution. The Act shifts powers, authority and responsibility from the national to the local governments. It is premised on the belief that effective local governance coupled with people's participation results in the empowerment of people and the improvement of their quality of life. In January 1992, the spirit of the law was put to the test.

One important and novel aspect of local governance espoused by the Code is environmental management. Local government units (LGUs) are mandated to integrate environmental aspects in local development planning, implement environmental protection programs and projects as well as enforce laws and regulations. Like other basic services such as agriculture, health, public works, social welfare and tourism, environmental management was devolved to LGUs. It is believed that since LGUs are closer to their constituents, they are in a better position to secure resources and to turn the theory of sustainability and ethics of equality into real activities.

The emerging issues: are we getting there?

Although the devolution process was initiated in 1992, the Department of Environment and Natural Resources (DENR) has yet to review the performance of LGUs in the implementation of the devolved functions. The five-year periodic reviews stipulated in DENR's administrative guidelines still remain to be conducted to identify problems and enhance implementation. Given the concern over the state of the environment, it is crucial to determine the extent and impact of the LGUs' accomplishments. There is a need to ask the questions: "What has happened and how far have we gone in the decentralization process?"

This paper aims to draw lessons from the performance and experience of selected provincial governments in devolving functions particularly in forest management. Using some indicators, it evaluates how far decentralization has enhanced the delivery of services to the DENR clientele and raised the ability of the LGUs to protect and develop its forest resources. Specifically, it attempts to compare the performance of two provinces - Capiz and Negros Occidental - in Western Visayas, using the following parameters:

- Organizational development, as an indicator of readiness;
- Allocation of resources, to ascertain priorities;
- Scope and level of devolved functions, to weigh competence;
- Linkages and alliance-building, to evaluate popular support; and
- Strategies and initiatives, to determine resourcefulness and commitment.
This paper also discusses emerging issues that affect implementation, and offers some final words that aim to contribute to the continuing debate on how best to improve the process of decentralization.

**DENR's Preparation for Devolution**

**Principles governing the devolution of DENR functions**

"The idea was so acceptable in the prevalent absence of any idea, that the crowd caught it up with eagerness..."

Administrative orders implementing the Code required the DENR to draft a set of guidelines for devolving its functions to LGUs (Department Administrative Order No. 30, series of 1992). Under the administrative order:

- The DENR shall remain the primary government agency responsible for the conservation, management, protection, development and proper use of the country's environment and natural resources and the promotion of sustainable development;
- LGUs shall share with the national government... the responsibility in the sustainable management and development of the environment and natural resources within their jurisdiction; and
- Implementation of the devolved functions... shall be pursuant to national policies and subject to supervision, control and review of the DENR (Section 1, DENR Administrative Order No. 30, emphasis by the author).

**Environment and Natural Resources (ENR) tasks**

The task of implementing the devolved DENR functions and projects in the various environment and natural resources sectors fell on the Environment and Natural Resources (ENR) offices of LGUs. They are as follows:

**Forest management functions/programs/projects**

- Implementation of community-based forestry projects.
- Management and control of communal forests (areas not exceeding 5,000 ha) provided that the concerned LGU endeavors to convert these into community forestry projects.
- Management, protection, rehabilitation and maintenance of small watersheds that constitute sources of local water supply, as identified by the DENR.
- Enforcement of forest laws in community-based forestry project areas, small watersheds and communal forests.

**Protected areas and wildlife**

- Establishment, protection and maintenance of tree parks, greenbelt areas and other tourist attractions in areas identified and delineated by the DENR, except those covered by the Integrated Protected Areas System, as defined by law, and the collection of fees for their services and the use of facilities therein; and
- Implementation of the Rescue for Important Conservation Hotspots (RICH) projects and the Community Awareness on Resources and Environment (CARE) project in areas identified and delineated by the DENR.

**Other ENR functions.**

Other related functions were devolved as well, such as the enforcement of pollution control and environmental laws involving sanitation, waste disposal and the abatement of nuisances. Lastly, the enforcement of small-scale mining laws and the implementation of cadastral surveys are also covered.

**Oversight mechanism of the devolution process**

Based on the DENR's Manual of Operations for the devolved General Management Functions, the following general procedures were prescribed:

- The smooth transition of functions is supported by a memorandum of agreement (MOA) signed by the DENR and the LGU. The MOA defines the roles and responsibilities of each party.
The assumption of devolved functions carries with it the transfer of personnel, appropriations, equipment and other resources.

In order to acquaint the LGU with their new functions, the DENR must conduct intensive briefings to the LGU's personnel.

Under RA 7160, a monitoring system is established to: 1) hasten the decentralization process; 2) support the oversight committee in the supervision of the transfer of powers and functions; and, 3) provide LGUs with valuable information to promote local autonomy.

Apprehensions Prior to Devolution

"Is it possible? ...'Yes. And a beautiful world we live in, when it is possible, and when many other such things are possible, and not only possible, but done...'"

DENR's perspectives

Prior to devolution, some DENR officials harbored certain reservations regarding the capability and sincerity of the LGUs. They said that:

- LGU officials face elections every three years. Hence, efforts during their terms are geared towards their re-election.
- The administration of LGUs, which is affected by constant successions and political squabbles, is not appropriate to sustain long-term environmental projects.
- Regulatory and development projects require a special breed of people with a unique set of organizational values and work ethics. The LGUs might overlook this important requirement.
- Budgetary support for salaries and other benefits of the devolved personnel as well as the operational expenses for implementing projects might be beyond the financial capacity of the LGUs.
- Watershed areas transcend political boundaries and watershed projects may not be appropriate for implementation by LGUs.

LGUs' perspectives

Some politicians openly discussed inadequacies within their units and the hesitation to assume decentralized forestry functions and programs. This was due to a lack of funds. The budgetary constraints were compounded by the new functions added to the already gargantuan tasks that LGUs have to handle. Some devolved functions are also very complex and technical which require special expertise and precision, not necessarily available at each local unit.

Devolved personnel's perspectives

Devolved personnel were worried of their tenure security despite the protection accorded to them by civil service regulations. This is largely due to the nature of partisan politics. People also feared the prospect of exercising new tasks totally unrelated to their training and professional background.

Survey of the Performance of Negros Occidental and Capiz Provinces

"They differed principally in the passions they expressed..."

By Philippine standards, Capiz is a typical province in terms of ecological, social and economic aspects while Negros Occidental represents a dynamic and progressive society with quite sophisticated concerns.

The Negros Occidental Experience

Negros Occidental is considered the Philippines' premier sugar-producing province. Its economy largely depends on its once-solid sugar industry. Vast tracts of forests were long-ago lost due to wanton conversion to sugarcane plantations. The province encompasses ten cities and 22 municipalities served by four ENR offices, strategically located in the province. It has six congressional districts, excluding Bacolod City.
The provincial leadership

Negros Occidental Governor Rafael L. Coscuella witnessed how the devolved functions sailed through during his two terms in office. He is a staunch environmentalist, a certified mountaineer, and has a heart for the poor. It was no surprise that he made the environment the centerpiece of his programs. Immediately after becoming governor, he created a potent and well-staffed Provincial Environment Management Office (PEMO) and launched an environmental war in the province, adopting the battlecry "Balik Ilahas" (Bring Back the Wild). The program revolves around four basic concepts: 1) Education, Information and Advocacy; 2) Enforcement and Protection; 3) Reforestation and Rehabilitation; and 4) Alternative Livelihoods.

Organizational buildup

The governor expanded and strengthened the province’s environmental office. The PEMO grew to 58 staff members from merely 19 in 1992. Three major divisions handle the operational matters of the office: the Ecosystems Research and Development Services (ERDS), Mines and Geo-Sciences Services (MGS) and the Field Research and Special Projects (FRSP) Services.

Logistical and budgetary support

Devolution increased the province's annual budget share considerably. Aside from salaries and other benefits, the employees receive monthly traveling funds. Project beneficiaries are also provided with the necessary support services like farm inputs.

Facilities and equipment

The PEMO has its own office equipped with computers and ten vehicles for the use of its personnel, four of which are large trucks to transport seedlings and farm inputs for upland farmers and other recipients. This is a far cry from the pre-devolution period when a DENR field office had only one vehicle for the same tasks.

Scope of devolved functions

Aside from programs or projects defined under the Code, the provincial government rehabilitated five critical watersheds. Forest cover in the province increased to seven percent from a mere 4.7 percent. The province has also gained ground in providing alternative sources of livelihoods to hinterland residents and mobilized the upland and coastal communities as "soldiers of the environment."

The Integrated Social Forestry (IFS) Program

The ISF program aims to improve the quality of life of upland dwellers by restoring the ecological balance through reforestation, alternative livelihood programs, technology transfer, environmental protection and education.

The community-based forestry program vigorously implemented the social forestry objectives by adapting the strategies to promote soil and water conservation. It also designed a human resource development program for field implementers and project beneficiaries through technical training and cross-farm visits, and provided farm inputs and other benefits to improve and sustain the productivity of agroforestry systems. In 1992, there were only 32 ISF organizations registered by government agencies. By 1998, their numbers had risen to 65, of which 62 are accredited.

Reforestation projects

Covering five cities and 14 municipalities, the upland reforestation of Negros went full swing in 1994. With food-for-work support, about 16,148 ha have been planted since 1994. Coastal reforestation began in three cities and 12 municipalities in 1994. The province organized 46 coastal people's organizations. By the end of 1997 about six million surviving mangrove seedlings were counted throughout the province.

Other areas of concern

Alliance-building/strategies/initiatives

"Balik Ilahas" is expected to build a broader and vibrant constituency advocating ecological enhancement. In waging its “environmental war”, the province has enlisted the support of schools, volunteers, NGOs, people's
organizations, the Church and other groups. Building alliance was the main strategy to generate popular support for its activities.

The Kahoy Ko, Kabuhi Ko (My Tree, My Life) Program is the brainchild of the governor and was effected through an MOA between the education department (DECS) and the DENR in 1996. It solicits the province-wide participation of students in establishing school nurseries and planting trees.

Prior to the creation of the PEMO in 1992, the Food-for-Work Program assisted DENR personnel in the ISF program. Between 1992 and 1995, it provided food for 16,577 beneficiaries. It also provided funds for the purchase of seeds, tools and other agricultural inputs to support the reforestation project.

In 1995, the governor created the “Task Force Itahas” to strengthen enforcement and prosecution. Task Force Itahas is a multi-agency body composed of members from the Office of the Governor, DENR, Philippine National Police (Provincial Command, Criminal Investigation Command and the Regional Mobile Forces) and, perhaps more significantly, volunteers from the private sector, especially upland communities.

After two and a half years, Task Force Itahas has been able to curb timber poaching and kaingin (swidden agriculture) activities, which have been the leading cause of deforestation in the province. The volume of forest products seized by the Task Force during the first half of 1996 was the highest in the country. For these achievements, the Task Force Itahas received the prestigious 1997 Presidential “Galing Pook” Award for Best Environment Project among LGUs in the country.

Creation of other special bodies

The North Negros Forest Reserve (NNFR) Management Council was created in 1996 by Executive Order 96-14 to plan, initiate and coordinate development efforts for the protection and rehabilitation of the NNFR. It is composed of local chief executives from various municipalities, representatives of national government agencies, NGOs, socio-civic and religious organizations.

The Southern Negros Coastal Management Council was created under Executive Order 96-20 as a policy-making body to conserve and rehabilitate the interconnected ecosystems of coral reefs, seagrass beds and mangrove areas, as well as the shorelines, mudflats and estuaries found within the coastal strips and wetlands in southern Negros.

The Bantay Dagat (Sea Watch), Bantay Katunggan (Mangrove Watch), Kanlaon Green Brigades (KGBs) and other similar community-based groups were organized to protect Negros’ natural resources. All these groups closely coordinate with concerned agencies to conduct patrolling, surveillance and intelligence-gathering activities in line with the program's goals.

The Capix Experience

Capiz Province is endowed with vast natural resources from which most of its income has been derived. It has very rich fishing grounds and almost 25 percent of the fishpond areas of the region. It shares the billing as the "Rice Granary" and "Sugarlandia of Panay" with Iloilo Province. It has strategic importance as the bread basket of the country.

The province is covered by only one CENR Office that performs all the functions and responsibilities mandated by law. The province is divided into two congressional districts consisting of 16 municipalities.

The provincial leadership

Dr. Esteban Contreras, a physician by training, was at the helm of the province's leadership when devolution was initiated. His professional background influenced his priorities and program thrusts. Therefore, his projects were confined to health, sanitation and infrastructure.

Organizational buildup

In Capiz, the devolved personnel - only five employees - of DENR were placed under the Provincial Planning and Development Office (PPDO), Economic Development Division. The five staff have to coordinate efforts in the monitoring, evaluation and providing technical assistance in 55 ISF projects province-wide.
Logistical and budgetary support

Only the personal services allotment and other benefits are provided by the provincial government to the devolved ISF personnel. Unlike in Negros Occidental, which experienced considerable budget increases with devolution, Capiz province's budget increased only modestly.

Scope of devolved functions implemented by the province

Devolved personnel were assigned only to major ISF functions and activities such as monitoring and evaluation, provision of technical assistance and processing of cutting permits. There was no record of inputs provided by the province for support to farm households. Certain regulatory functions on mining, such as licensing or permitting, were also performed by the province, although not by the PPDO.

The new governor: Capiz' second wind?

With a new governor in the office the province is now in a transition period and there is hope that the ISF projects will receive more attention. The new Capiz Governor had made environment a focus of his campaign. He plans to create a separate environment office as promulgated in his Environment Master Plan. Besides many other functions, the new office will handle the rehabilitation of degraded mountain areas perceived to be the cause of lowland floods.

Comparative Assessment of the Performance of the Two Provinces: a Dichotomy

The differences between the two provinces are obvious (Table 1). To some extent, the differences reflect the local chief executives’ commitment in the implementation of devolved ENR functions.

Constraints affecting the level of decentralization

Although LGUs professed a concern for the environment and initiated environmental activities, the devolution process has had limited success. Several devolved functions or projects were defined ambiguously. As a result some were never devolved to the LGU level. Among the few and remarkable exceptions is the ISF Program, where component activities and functions to be devolved were clearly spelled out. This program is implemented by the national government (Sabban 1993).

Table 1: Comparative assessment of accomplishments on decentralized forestry functions Provinces of Capiz and Negros Occidental

<table>
<thead>
<tr>
<th>Parameters</th>
<th>Capiz</th>
<th>Negros Occidental</th>
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<tbody>
<tr>
<td>A. Organizational Support and Development</td>
<td>Devolved five DENR personnel and forestry function subsumed under PPDO No additional staff hired</td>
<td>Created the Provincial Environment Coordinating Council (PECC) to directly supervise 19 devolved personnel</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In 1993, established a Provincial Environment Management Office (PEMO) to handle ENR devolved functions</td>
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<td></td>
<td>Hired 29 additional staff for the PEMO's 3 major divisions</td>
</tr>
<tr>
<td>B. Logistical Support 1. Facilities and Equipment</td>
<td>Provided devolved staff with office space and</td>
<td>PEMO has its own office with typewriters and computers</td>
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<td></td>
<td></td>
<td>Maintains 10 vehicles, 4 of which are tables trucks</td>
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<td></td>
<td></td>
<td>Funds for operating expenses in addition to the personnel services and benefits Annual budgetary allocation</td>
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After almost five years, several issues - both administrative and operational in nature - are prominently surfacing and explain the effectiveness of devolving various functions:

**LGU leadership priorities**

Priorities of LGU officials are not based solely on environmental concerns and necessities. Local officials have at times a different understanding, appreciation and interpretation of the ENR functions, programs and activities. New laws, rules and regulations are dictated by their program priorities, experiences and political management style. For example, the governor of Negros Occidental, implemented the environment and natural resources programs with the savvy of a corporate manager, who treats the components with minute details and all systems as functional. On the other hand, the governor of Capiz focused on health and fishery issues. The former focused on the dynamics of implementing policies, rules and regulations while the latter visited personally the remotest areas of the province to promote health care and sanitation programs or initiate infrastructure projects.

As LGU officials are elected every three years, it is rather likely that their efforts reflect their ambitions to get re-elected. It is inevitable that partisan politics spoil noble environmental endeavors. Politicians know that popularity cannot be gained by enforcing rigid forestry regulations. Historically, the forestry industry is a haven for the richest of the rich and the poorest of the poor, both significant players in an election game.

Nonetheless, Governor Coscolluela did not compromise regulations, but strengthened devolution through the right policies. On the other hand, Governor Contreras was far more hesitant on environmental matters and often settled for minimum compliance.

In a preliminary study on the priorities of LGUs, environmental concerns did not rank uppermost in the local officials' list (Metin and Bacalla citing Brillantes 1992). This observation seems to describe the decentralization experience in Capiz.

If the budgetary allocations for the various programs are used as an assessment indicator then Negros Occidental is far ahead of Cadiz in the devolution process.

*Lucrative turf*
Some DENR functions, programs and activities were not substantially devolved because of vested interests and personal preferences. This is the case in those programs and projects endowed with considerable funding. Further, concerned agencies hesitate to let go some of the advanced reforestation and other community-based projects. This is a case of bad habits dying hard.

Many employees at the technical level feel that the devolution process is a power play, vulnerable to abuse and jeopardizing past developmental efforts. Still others believe that some activities such as watershed projects transcend political boundaries and may not be appropriate for implementation by highly localized government units like a municipality.

**DENR's passivity**

Devolution within the DENR has generally been met with passive or lukewarm reception. Many of its old hands believe that environmental and natural resources projects should remain the domain of the DENR. A common view is that administration by LGUs, which undergo constant succession and are affected by internal animosities due to political squabbles, is inappropriate to sustain long-term projects.

**Technical capability**

Only few staff members are capable of handling special development areas. Thus, general capacity building and providing technical expertise are crucial. Some devolved ENR functions, unarguably, demand highly specialized skills and complex supervision. Currently, many LGUs lack personnel, experience and know-how, and efforts in skill development are virtually non-existent.

In Capiz, all devolved staff members had previous experience only in ISF. They were not trained to handle ENR activities in other sectors. In Negros Occidental, despite the generous budget allocations, the province failed to survey all ENR projects and other environmental concerns within its domain.

If professional local surveyors and engineers are available, they are unlikely to conduct forest inventories due to unfamiliarity with the terrain, inaccessibility and the harshness of the working conditions. Others shun from being identified with the reigning political block or are disqualified for having supported political rivals.

**Policy Shortcomings**

**The optional ENR office**

While the Code states that ENR officers may be appointed for towns, cities and provinces, such provision is optional, not mandatory. This provision became the proverbial "Achilles heel" in the enforcement of ENR programs and policies. When local government executives regarded environmental protection and management as minor issues, they can hide behind that provision, which is a convenient excuse to save on the high operational costs of an additional office.

This happened in Capiz, where the ENR functions were subsumed under the Planning and Policy Development Office (PPDO), a branch within the provincial government's office. As a result, it has no full-time ENR officer, only a token designation of a caretaker official.

**The interim oversight mechanism**

The DENR has also been quite fickle in the execution of its devolved functions. In its haste, it failed to support and assist LGUs during the "weaning" years of devolution. Unfortunately, the DENR has failed to institutionalize oversight measures or functions to address the complexity of devolution. This weakness has disrupted the smooth functioning of many LGUs. Despite an earlier provision for a mandatory review of decentralization every five years, no concrete action was taken by the DENR. Presumably, the tricky issue of who should take the lead is a problem in itself. It may create rancor among politicians. Also, the review process may be a remote possibility in the face of a constantly changing political landscape.

**Funding problems**

One of the major barriers to taking over DENR functions by LGUs is their capacity to pay the salaries of devolved personnel and cover field-operating expenses. In addition, the local executives' prefer their
employees to stay in the office and make field visits only when absolutely necessary. Devolution changed this set up because many employees are now sent to the field on a regular basis, which requires substantial funds to cover traveling expenses, supplies and materials.

The DENR employees assigned to Capiz were witnesses to this reality. They have yet to receive their fully standardized salaries. Chances are they will have to wait for quite some time, until the LGU can find enough funds.

Another woe of devolution is the fact that not all ENR devolved functions, programs and activities are adequately funded and prioritized by LGUs. LGUs can hardly allocate funds for ENR programs given the limited internal revenue allotment (IRA) or development funds from the central government. In a nutshell, the objective of rehabilitating natural resources and empowering the people to become self-reliant communities appears unattainable.

Too Much, Too Soon

"It is very high; it is a little difficult. Better to begin slowly"

The limited period allowed for instituting devolution has caused confusion among local government officials, notwithstanding the sincerity of the national government to effectuate local autonomy. Although the government promulgated many new policies, LGUs have not been adequately consulted. Some sectors feel that devolution is a “political blunder” because government units are slow to learn the ways of effective governance.

Some Final Words

This paper has analyzed typical decentralization scenarios in two provinces of Western Visayas region. The purpose of the comparison is not to point out which of the two provinces did a "better" job, but rather to illustrate the gaps in the process of devolution. Negros Occidental and Capiz were simply chosen to stress how the provinces, given their available resources, mandate and leadership styles, influenced the effectiveness of devolving functions and responsibilities, a reality they have to undertake not by choice but by design. The discussion has delved on the realities and possibilities, strengths and weaknesses, and constraints and opportunities. Negros Occidental has passed the test with flying colors. For Capiz it appears that the time allowed for change to take place and for strengthening its commitment to the environment was insufficient.

The tale of the two provinces is typical in the country. So is the fate experienced by other provinces still struggling with their new tasks and responsibilities brought about by devolution. The following could have been considered to enable them to adapt to their devolved environment, namely:

1. **The mandatory creation of ENROs in all towns, cities and provinces**: The creation of ENROs makes it obligatory for local government units to take over the devolved functions.
2. **Formulation of a national policy prescribing local budgetary allocations for ENR purposes**: A policy, similar to the IRA ensures that substantial financial allocations are used to operationalize the ENROs.
3. **The adoption of oversight mechanisms for monitoring, support, training and supervision of compliance**: This facilitates smooth and coordinated efforts to guarantee that functions are devolved.
4. **Formulation of clear and measurable indicators for assessing compliance and impacts of decentralization**: A legislative act is needed to realize this commitment.
5. **Return of the highly technical functions, in which LGUs lack technical capacity - not just in forest management but in other areas too - to central offices**: The idea of returning some functions and projects to the DENR where LGUs admittedly are at a disadvantage gives justice to the principle of devolution.
6. **Amendment of the Local Government Code**: Policy analysis should be initiated with the objective of updating and amending the Local Government Code by integrating lessons learned in national and local government offices.

"(T)he great magician who majestically works out the appointed order of the Creator, never reverses his transformations. 'if thou be changed into this shape by the will of God,' then remain so..."
References


\(^{1}\) All italicized quotes in this paper were taken from Charles Dickens' *A Tale of Two Cities*. 