Participatory Metalegal and Legal Processes for the Coastal Development Plan of Bolinao, Pangasinan

Wenceslao N. Asido Jr.* and Liana Talaue-McManus

Marine Science Institute, College of Science University of the Philippines, Diliman, Quezon City 1101 Philippines Tel. No.: (632) 922-3921; E-mail: jon@msi01.cs.upd.edu.ph

ABSTRACT

The Coastal Development Plan that was passed into law as the Municipal Fisheries Ordinance of Bolinao, Pangasinan, is a concrete example of community participation in policy development. Among the effective metalegal strategies used during the evolution of the plan into an ordinance were the lobbies staged by the federation of people's organizations (KAISAKA), the Municipal Fisheries and Aquatic Resources Management Council (MFARMC), and the Municipal Mayor. The capacity of various sectors to participate actively in the passage of the plan was enhanced through legal consultations and training provided by the Marine Fisheries Resources Management Project, in partnership with Tanggol Kalikasan, the legal arm of Haribon Foundation. The experience underscores the need for development projects to include the metalegal training of community constituents as a requisite for the latter to actively participate in the formulation of policies and laws for coastal resources management.

Key words: metalegal training, coastal development planning, CBCRM

INTRODUCTION

The coastal waters of Bolinao are considered to be one of the most diverse areas in Lingayen Gulf. Yet many resource users have threatened the integrity of this coastal area. To address this problem, a number of management approaches have been introduced to protect the resources from degradation and overexploitation.

One of the approaches used is the institutionalization of people's organizations or volunteer action groups to manage the resources. The institutionalization of these groups had been a long drawn process for both the communities and the project facilitators. From calling introductory meetings to participating in political processes and actually shaping local policy, the communities, the organizers, as well as the local government had gone through numerous challenges to forge a functional partnership.

The objectives of this paper are to: (1) summarize the process undergone by the various sectors in Bolinao to formulate a Coastal Development Plan (CDP) and a Municipal Fisheries Ordinance (MFO); (2) highlight the importance of metalegal training and legal intervention as part of the empowerment process of local communities, including local government units, in the sustainable management of marine fisheries resources; and (3) draw lessons in participatory planning so that may be replicated in other municipal planning exercises.

^{*} Corresponding author

Coastal development planning

The coastal area, like the rest of the marine environment, is perceived as the common patrimony of a nation. As is the fate of many other public properties in the Philippines, it is open access for the citizenry. This open access regime has subjected coastal resources to overexploitation to a level that renders them unable to support the needs of the people, and which eventually results in heightened conflicts between and among users. This situation exacerbates the poverty issue in most of the coastal barangays, as exemplified by the displacement of sustenance fishers by fishpen and fish cage operators, among others. Often, the use of the commons is rationalized through government planning and articulated as policies.

The traditional and usual planning process in the local government can be characterized as top down or table planning. Municipal development planning, as stipulated in section 444 of the Local Government Code (LGC) of 1991 is a function of the Municipal Mayor, with the support of the Municipal Planning and Development Coordinator (MPDC) and the Municipal Local Government Operations Officers (MLGOO). The role of the Municipal Council is limited to legislation. Although mandated by the LGC, people's participation is being ignored in the planning process particularly by the elected officials. This approach in planning contradicts the essence of people empowerment.

Participatory coastal development planning is an innovation in development planning especially in the fields of local government administration and coastal resources management (CRM). It is a deliberate social and organizational activity that involves the preparation of a set of decisions and strategies for action in the future, and which are directed towards achieving goals and/or options. The planning should have the following elements (Alexander 1992): (1) clear formulation of the goals that planning seeks to achieve (the purposes and broad outcomes desired from management); (2) identification of the current situation, including an environmental analysis of both the internal organizational factors and external consideration (often termed as SWOT- strengths, weaknesses, opportunities and threats—ANALYSIS); (3) determination of objectives clearly stating the desired outcomes (goal should be specific, time bound, and measurable); (4) analysis of the difference between the current and desired situations; (5) definition of strategies; (6) implementation of strategies; and (7) monitoring, evaluation, and review.

Project facilitation

Two projects facilitated the development and current implementation of the CDP. The Community-Based Coastal Resource Management Project (CB-CRMP) played an important role in the management of coastal resources in Bolinao. The CB-CRMP began in 1993 as a collaborative action research project of the University of the Philippines-Marine Science Institute (UP-MSI), the University of the Philippines-College of Social Work and Community Development (UPCSWCD), and the Haribon Foundation for the Conservation of Natural Resources (HARIBON). The CB-CRMP was supported by a grant from the International Development Research Center (IDRC).

The CB-CRMP aimed "to develop an integrated program of approaches, strategies and action plans through an interactive and interdisciplinary research process, by which the Bolinao community could evolve into an active, consolidated and self-reliant community, collectively nurturing and equitably benefiting from the sustainable management of its coastal resources," (1993 Project workshop). One of the major outcomes of the CB-CRMP was the CDP which was formulated through a participatory process.

The Marine Fisheries and Resources Management Project (MFRMP) succeeded the CB-CRMP in 1997. Since the commencement of its operations, the project has been involved in organizing, training, resource enhancement and management initiatives in various barangays all over the municipality. A main activity was the formalization of the passage of the Bolinao CDP through continuous advocacy and technical support. More importantly, to realize the development plan implementation, the project had four major components: (1) capability building; (2) resource enhancement; (3) coastal zoning; and (4) harvest regulation.

The planning process

Traditionally, CRM at the municipal level in the Philippines, as in Bolinao, moves around raising revenues for the local government unit (LGU) through taxation of resources and/or area use (Kalagayan 1992). For instance, the municipality of Bolinao made almost P4M from milkfish fry and siganid concessions and leases for fishpens and cages in the early part of 1997. While these seem profitable, the municipal fisherfolk do not actually benefit from these. There is an observed lack of clear management strategy, and of a holistic plan in managing coastal resources. Meanwhile, the successful campaign against the proposed cement plant in Bolinao, which polarized the community, showed that the people have chosen environmental protection over unregulated development.

This realization brought about the idea of formulating CDP for Bolinao. The development of the Bolinao CDP was divided into three major stages: the preparatory stage, the legislation stage, and the implementation stage. Even while the process was in the legislation stage, there were provisions of the CDP which were already being implemented.

The preparatory stage took the most time. Initial discussions about the CDP began as early as 1994, at the CB-CRMP. It was largely a reaction to the then brewing cement plant issue. In 1996, an orientation on coastal zoning was conducted for the four existing fisherfolk organizations in the municipality. The result was a resource use map indicating their proposed management activities for Bolinao. This was a product of their discussions of coastal management-related issues, problems, and concerns, and proposed management actions and options. Parallel efforts to introduce coastal management planning were also directed towards LGU officials and employees.

Although the efforts were temporarily stalled by the cement plant controversy, LGU acceptance of the CDP was realized afterwards. Continuous information campaign and capacity-building activities were undertaken to prepare the communities for the planning process; secondary data were gathered and analyzed, and resource and socioeconomic maps were prepared. In fact, the CDP could be considered as one instrument the communities and the LGU could claim ownership of. As a sign of unquestionable support for the effort, the municipal mayor issued EO No. 6, series of 1996, formally constituting a 21-member multi-sectoral committee, and giving it a P100,000 budget. The multisectoral technical working group (CDP-TWG) was

tasked to draft the provisions of the CDP in consultation with the sectors they represented.

It was agreed that a combination of all possible approaches would be considered to ensure that the active participation of the community and the municipal government was engendered. The process was then conceptualized with the intention of formulating a plan that would regulate coastal resource use, resolve conflicting human activities, and develop a model planning process, using a participatory approach.

Through the CDP, the coastal waters were divided into four zones. The CDP also provided for regulatory mechanisms for municipal fisheries, including the granting of fishery privileges. It highlighted conservation, protection, and resource rehabilitation. It also called for the creation of a Bolinao Coastal Development and Management Council (BCDMC), a multi-sectoral body that would coordinate the implementation of the plan.

The finalized CDP was submitted to the municipal government for adoption. Copies were also given to the regional offices of various agencies and departments, such as the National Economic Development Authority (NEDA), the Department of Agriculture (DA), the Department of Interior and Local Government (DILG), the Department of Environment and Natural Resources (DENR), and the Lingayen Gulf Coastal Area Management Commission (LGCAMC). On January 19, 1998, the Sangguniang Bayan of Bolinao adopted SB Resolution No.6, s. 1998, approving the plan. The approved plan was submitted to the Provincial Council for review. The Provincial Council would later approve the fishery ordinance resulting from the CDP.

Throughout 1998, the adopted CDP was redrafted into an ordinance. In February 1998, the Philippines Fisheries Code was passed and set the mold for municipal fisheries ordinances in general. The Code also provided for the creation of Municipal Fisheries and Aquatic Resources Management Councils (MFARMC), multi-sectoral groups that would assist local governments in addressing fisheries issues. In Bolinao, the MFARMC was created in February 1999 and strengthened during the first half of that year. To transform the approved CDP into an ordinance, the Municipal Council held a series of public hearings from July to September 1999, with the assistance of the

MFARMC. The MFARMC prepared a report reflecting the results of the public hearings. Major changes in the CDP included the removal of the BCDMC provision because it would overlap with the functions of MFARMC and the addition of a provision to establish a CRM Office to be led by a CRM Officer.

The CRM Officer shall have the following functions, duties, and powers: (1) formulate measures to ensure the delivery of basic services and provision for adequate facilities relative to coastal and fishery resource management; (2) develop plans and strategies and implement the same, particularly those which have to do with coastal resource management and fisheries resources programs and projects; (3) extend technical assistance to and ensure equitable access to municipal coastal and fisheries resources and municipal fisherfolk in the context of sustainable management and use of coastal and fisheries management; (4) enforce laws, administrative orders, rules and regulations, and ordinances relating to coastal resources and fisheries management; and (5) coordinate with government agencies, non-governmental organizations and people's organizations that seek to promote sustainable management of coastal and fisheries resources, among others. The objective of the CRM Office is to attend to the needs of the coastal and fisheries resources of the municipality. The Municipal Fishery Technician would function as CRM Officer. The CRM Office became functional in February 2000.

A report on the inputs derived from the public hearings was presented during a special session of the Sangguniang Bayan on December 10, 1999. On the same day, the CDP was enacted as "the Bolinao Coastal and Fisheries Resources Management Ordinance of 1999." By January 2000 the CDP became a municipal ordinance, an official and legally binding plan for implementation. It is significant to point out that the MFRMP facilitated the execution of action plans which, in essence, were activities implementing the CDP since 1998.

Metalegal strategies in coastal development planning

Because a coastal development plan has to evolve into a legal instrument, the participation of various community sectors had to be enhanced through the use of metalegal strategies. Metalegal strategies, or tactics, are creative actions employed by the basic sectors to further their particular interests in cases where the relief or remedy provided by law is too slow or non-existent. They are, therefore, not prescribed by law nor are they prohibited by it. Metalegal strategies derive from the basic rights of the people to express themselves freely, by speech, press, and assembly, and to petition the government for redress of grievances. They are also anchored on the freedom to form associations, and, most of all, on the right to self-determination.

Before employing metalegal tactics, it is necessary to appraise the group involved about the situation and the nature of metalegal tactics in general. The issues and demands should be made clear to all who will participate in decision making. Their reasons and purposes, and their plan of action have to be drawn, as well as the general conduct of implementation. In planning metalegal tactics, a group has to assess its strengths and weaknesses. It has to be certain of its resources, support, and security. Proper timing and relevance are essential, and alternative plans should be made for all possible scenarios. It is important to use all contacts in the media to ensure additional pressure and favorable public opinion.

The MFRMP sought the help of paralegals to facilitate metalegal training for the CB-CRMP. The scarcity of lawyers who are engaged in advocacy for the basic sectors gives paralegals the task of performing many things traditionally undertaken only by lawyers, and also of educating people who need legal services so that they can be freed from dependence on lawyers. The composite of activities provided by paralegals is called developmental legal aid. This includes studying the legal system so that enlightened and critical action within the legal system can take place for the welfare of the majority. It engages in paralegal education and uses as primary tools creative tactics, including legal remedies using the people's initiatives and available resources.

KAISAKA lobby As a metalegal strategy used by the Bolinao community in the process of coastal development planning, the KAISAKA lobby was focused on consultations, lobbying, and networking with the local government of Bolinao, including the office of

the Sangguniang Bayan. Consultations with neighboring barangays were regularly conducted. Community meetings and workshops were held to help clarify local perceptions about the living coastal resources, the legal and social mechanisms that govern access to them, and the problems and possible solutions associated with their utilization. The active participation of stakeholders in the process deepened their sense of involvement and commitment to achieving prospective solutions to the problems they identified. The KAISAKA federation was formed in June 1996 in recognition of the common concerns of four people's organizations (PO) to promote the development of the Bolinao CDP. (McManus and others 1999).

The resource use map originally drawn by KAISAKA was refined into a broader plan that evolved into the CDP. KAISAKA initiatives became a collaborative effort with the municipal government. The federation version of the CDP was subjected to a validation and refinement workshop, with the different sectors represented. At the Multisectoral Forum held in November 1996, the four POs which at the time were federated into KAISAKA, presented their version of CDP. Comments and suggestions were raised by the participants in the forum. Cognizant of their effort and willingness to help, the four POs were given representation in the CPD-TWG created by the mayor in December 1996.

The KAISAKA lobby led to positive results, including (1) networking between the POs and other institutions and coastal communities; (2) training of selected PO members as local resource persons; and (3) facilitation of participatory CRM planning between the local government and the concerned communities.

Lobby by the Municipal Fisheries and Aquatic Resource Management Council (MFARMC). Recognizing the need for a municipal fisheries ordinance, the Sangguniang Bayan decided to turn the CDP, which it had adopted as a resolution, into an ordinance. On February 25, 1999, the Sangguniang Bayan called a public hearing on the passage of CDP as an ordinance. The hearing, however, failed to attract public attention. So, the Sangguniang Bayan decided to conduct additional hearings in Santiago Island and in the mainland. Unfortunately, the public hearings still did

not materialize. A parallel development during the first half of 1999 was the creation and strengthening of MFARMCs as provided by the Philippine Fisheries Code passed on February 25, 1998. The MFARMC in Bolinao played a critical role in the formulation of the MFO.

With the legislation process stalled, the MFARMC sought to assist the Sangguniang Bayan in facilitating mobilization for the public hearings. The Sangguniang Bayan in turn asked the MFARMC for assistence in conducting public consultations in the villages. The MFARMC obliged and held public consultations in July, August, and September 1999. To facilitate the activities, the Vice-Mayor and the Chair of the Environment Committee of the Sangguninang Bayan, Dempsey Abogado, and some members of the CDP-TWG participated in public discussions. By the first week of October 1999, the MFARMC was ready to consolidate and deliberate on the results of the consultations. The appropriate amendments to the draft MFO were made. On October 25, 1999, the MFARMC submitted its report to the Sangguniang Bayan in the form of a revised CDP, now called a draft fishery ordinance.

Mayor's lobby. December 1999 was spent on the refinement and eventual approval of the ordinance. However, it was observed that the original CDP-TWG was not interested in lobbying for the speedy approval of the CDP ordinance proposed by the Sangguniang Bayan. Instead, Mayor Jesus F. Celeste and the MFARMC played the important role of lobbyists. The lobby by the communities for the immediate enactment of the ordinance resulted in obtaining Mayor Celeste's full support for the immediate passage of the ordinance. He recognized that there would be major controversial issues in the trailblazing ordinance. However, he realized that the draft provision had been made consistent with the Revised Fisheries Code of 1998 (CO January 2000 report). Through his intercession, several special sessions were held by the Sangguniang Bayan to facilitate the enactment of the proposed ordinance. These were held on November 10, 14 and 17, and December 10, 1999 so that the ordinance could be approved before the end of 1999. The members of the Sangguniang Bayan approved the ordinance on December 15, 1999, even if some members of the council requested more time to review the draft. The

draft was signed into law on January 5, 2000, with the approval date reckoned to December 10, 1999. The support given by Mayor Celeste for the speedy passage of the CDP, could not be overemphasized.

Initiatives of the Zonal Action Teams (ZATs). Like the FARMC, a ZAT is also a multi-sectoral body designed to advocate, initiate policy and program for resource development and management under a provision of CDP at the zonal level (Pinat et al, this volume). A ZAT could facilitate discussions on the effectiveness of CDP in its particular area or zone. Four zones were delineated: Zone I for ecotourism; Zone II for multiple use; Zone III for fishery management; and Zone IV for trade and navigation. ZATs were formed to identify other issues in their respective zones which were not previously identified by the CDP-TWG. ZATs were formed in Zones I and III and an ad hoc body was created in Zone II. Since October 1998, the ZAT's succeeded in mobilizing barangay councils, conducting barangay consultations to deepen people's understanding of the CDP, and in soliciting recommendations as inputs to the Sangguniang Bayan. They used various approaches to mobilize their constituents. Most of the time, the ZATs resorted to filing or disseminating written documents as an advocacy strategy. These documents include petitions, position papers, draft resolutions, and ordinances (Asido, 1999).

Among the ZATs formed, that for Zone I has been the most active, effective, and most focused. The ZAT was active until September 1999, when it decided to merge with KAISAKA. This decision was reached while planning for the management of the milkfish fry concession for year 2000. The move aimed to consolidate a management body of the concession. ZAT members would join the KAISAKA and participate as part of the federation. The KAISAKA would then address the issues formerly discussed and addressed by the ZAT.

Legal interventions

Perhaps a factor that is pronounced in the planning and enactment of the MFO was the involvement of legal resource persons in the process. Recognizing that CDP involves policy review and formulation, the two projects (CB-CRMP and MFRMP) provided for the conduct of studies on the local fisheries policies of Bolinao as early as 1994 (Ferrer et al. unpublished, Rodriguez 1997). Their findings underscore the inadequacy and lack of innovative approaches to the management of the coastal and fishery resources; hence, the need for an integrated planing process.

These studies and the participatory approaches that were used by the project engendered community sectors to actively take part in the planning process. What was needed however was the capacity and skills to engage government and stakeholders in the legal aspects of policy formulation and adoption. It was in this context that metalegal strategies and paralegal philosophy advocated by Tanggol Kalikasan (TK) of the Haribon Foundation came into play.

Although a core program of Haribon Foundation, TK was not active in Bolinao until the cement plant controversy. In this case, TK acted as counsel for the Movement of Bolinao Concerned Citizens, Inc. (MBCCI), a multi-sectoral organization in Bolinao that led the opposition to the cement plant proposal from 1994 to 1996. Although not directly related to coastal development planning, such engagement led to a deeper involvement of TK in Bolinao issues, most especially in the CDP and MFO.

It was through the involvement of TK that the concepts of paralegalism and metalegal strategies were introduced to the community. More appropriately, it was through this interaction that the community members were trained in doing metalegal work. This led to more activities that enhanced the skills and knowledge of the people on legal work, and in formulating and lobbying for the passage of CDP as an MFO.

When the CDP was presented in a multi-sectoral meeting in March 1998, the CDP-TWG, the technical staff of the municipal government, and the MFRMP decided to draft an enabling ordinance which should be in harmony with the provisions of the Philippine Fisheries Code that was passed in February 25 1998.

In May 1998, when the conceptualization process of drafting and legislation of the proposed ordinance on CDP was ongoing, members of the CDP-TWG agreed

that the draft must be reviewed by a lawyer before it was submitted to the Sangguniang Bayan. The CDP as a plan could not be fully implemented, particularly the provision on prohibition and penalties, without an enabling ordinance. The initial draft was reviewed by lawyers and discussed with the working group before the end of June 1998.

During the latter half of 1998, the CDP-TWG prioritized on its agenda the legislation of the proposed ordinance, information campaigns, networking and lobbying with the different stakeholders. On August 4 and 5, 1998, the MFRMP and the local government of Bolinao jointly sponsored an orientation cum consultation on the Philippines Fisheries Code of 1998 (Republic Act 8550), at the UP-MSI Bolinao Marine Laboratory. The orientation aimed to harmonized the provisions of the draft ordinance with the national fisheries law. The activity also aimed to identify legal and jurisdictional action points to be considered in the implementation of programs and policies, thereby enhancing multi-sectoral participation in resource management. Around sixty participants attended the orientation. The first day of the orientation was intended for leaders of the different people's organizations in Bolinao; the second day, as an orientation for the members of the Sangguniang Bayan, Barangay Councils of coastal barangays, Municipal Development Councils, teachers of the Bolinao School of Fisheries, and leaders of other municipal-based organizations in Bolinao.

Atty. Rodolfo Quicho, director of Tanggol Kalikasan-Haribon Foundation and Atty. Marilyn Cepe, president of Community Empowerment and Resources for Development (CERD) facilitated the two-day orientation and consultation. Atty. Quicho discussed the details of the current state policies on fisheries, the role and power of local government under the new fisheries code, rights of the small fisherfolk, fishery privileges and how the new fisheries code was legislated and its differences from the previous code (Presidential Decree 704). Atty. Cepe discussed how to enhance fisherfolk participation through the formation of Fisheries and Aquatic Resources Management Councils (FARMC) at the barangay and municipal levels. The orientation was critical for the participatory formulation of the ordinance. Controversial provisions and legislative processes were discussed and clarified, including major issues that the participants were interested in.

The drafting of the enabling ordinance was made by an ad hoc team composed of MPDC, MLGOO, an aquaculture technician, one member from the CDP-TWG and the MFRMP project staff, the latter acting as secretariat. As the drafting progressed, working drafts were circulated to the KAISAKA for discussion. The MFRMP coordinators and staff reviewed the working draft. The ad hoc team deliberated on the provisions of the ordinance and came up with the final draft on the last week of September 1998. On October 5, 1998, the final draft was submitted to the Municipal Mayor. On October 9, 1998, the Mayor endorsed the final draft to the Sangguniang Bayan and asked the body to legislate the ordinance at the soonest possible time.

From January until September 1999, the fishery ordinance went through a series of public consultations. Those conducted during the third quarter were facilitated by the MFARMC. The ordinance was discussed one section at a time with the major stakeholders in attendance. The public consultations ended in September 1999.

In September 1999, the MFARMC of Bolinao asked for the assistance of the CB-CRMP to help them formulate the implementing rules and regulations (IRR) needed for the CDP. A one-day discussion with Atty. Quicho was held on September 6, 1999 to discuss how the IRR would be formulated. During this time, discussions between the Sangguniang Bayan and the MFARMC continued. The discussions focused on the provisions for coastal aquaculture, (sizes of and the distances between fish pens and cages), capture fisheries (allowable gear, closed and open seasons), and waste management and pollution, as well as the designation of marine protected areas.

The discussions were done on a weekly basis. Beginning September, the results of the public hearings were reviewed by Atty. Quicho before these were presented to the Sangguniang Bayan for deliberation and approval. The Sangguniang Bayan signified its intention to pass the ordinance before the end of 1999.

On September 22, 1999 the MFARMC again asked Atty. Quicho to give his legal opinion on the proposed CDP. Atty. Quicho discussed clearly his legal opinions

on some critical provisions found in the CDP, especially, those that might have implications on the implementation of the Philippine Fisheries Code.

The MFARMC deliberated on the provisions of the ordinance and came up with the final draft on the third week of October 1999. On November 10, 12, 17, and 24, 1999, the final draft of the ordinance was prioritized for discussion by the Sangguniang Bayan.

In the final phase of the legislation, the MFARMC submitted the draft to Atty. Quicho who facilitated discussions of the draft ordinance with the Sangguniang Bayan. Having a vast experience in coastal policy and development, Atty Quicho pointed out that if the Sangguniang Bayan passed the ordinance, it would be the springboard to overhaul coastal management in Bolinao.

Highlights of the Municipal Fishery Ordinance

The MFO provides for the division of the municipal waters of Bolinao into four priority zones: Zone 1 for ecotourism; Zone 2 for multiple use; Zone 3 for fishery management; and Zone 4 for trade and navigation. This prioritization of use does not preclude the conduct and management of other activities as appropriate within these priority zones.

An important feature of the MFO is an article providing for the creation of the Municipal CRM Office that would be headed by a CRM officer.

The Bolinao MFO reiterates the provisions of the Philippine Constitution and the 1991 Local Government Code on the mandate of the municipal government to conserve, protect, and sustainably manage its municipal waters and its coastal and fishery resources. Generally, the MFO recognizes, promotes, and adheres to the precautionary principle in the conservation, management, and utilization of coastal and fishery resources. It recognizes and promotes the principle of participatory stewardship of coastal resources, particularly fishery resources. It espouses to ensure the sustainability of these resources by promoting public awareness on their uses within ecological limits through appropriate education and training.

The MFO also recognizes and promotes the principles of community empowerment, equity, and social justice, by protecting the rights of the small fishers through the preferential use of the coastal and fishery resources and by recognizing the rights of their organizations. Furthermore, the MFO strengthens the partnership between the municipal government, the barangays, the communities, and other stakeholders, in the management of municipal waters and the resources therein.

Lessons learned

- 1. Metalegal strategies empowered community sectors to participate in the formulation of a legal instrument like the Municipal Fishery Ordinance.
- Advice and assistance from legal resource groups (e.g., Tanggol Kalikasan-Haribon Foundation) were crucial in the metalegal training of sectors in Bolinao.
- Integral to facilitation by development projects, such as the CB-CRMP and MFRMP, was the provision for metalegal training by, and access to, a legal council in developing legal instruments for integrated coastal resource management.

To date, the challenge is not yet over . With the MFO in place, it is important to ensure its proper implementation. This must be done by both the government and the people if the participatory process is to continue. It is thus important to further enhance the information campaigns to explain to the community the features of the MFO. The local government should be assisted in performing its mandate under the MFO. In the long run, it is also important to continue evaluating this legal instrument to validate the appropriateness of its provisions and to respond to the changing needs of the community.

REFERENCES

Asido WN. 1998. Training paralegals as strategy in protected area management: the Mount Isarog National Park experience. Quezon City, Philippines: Tanggol Kalikaasan-Haribon Foundation (Unpublished).

Asido WN. 1999. Activity proposal on paralegal training for zonal action team member. Marine Fisheries and Resources Management Project, Marine Science Institute, University of the Philippines, Bolinao Marine Laboratory, Bolinao, Pangasinan, August 20-21, 1999 (Unpublished).

Asido WN. 1999. Community organizing monthly reports from September 1999 to February 2000. Marine Fishery Resources Management Project. Marine Science Institute, University of the Philippines, Diliman, Quezon City, Philippines (Unpublished).

Kalagayan NV. 1990. Institutional and legal framework. In: Talaue-McManus L, Chua Thia-Eng, editors. The coastal environmental profile of Lingayen Gulf, Philippines. Manila, Philippines: International Center for Living Aquatic Resources Management, on behalf of the Association of Southeast Asian Nations/United State coastal Resources Management Project.

Leonen M. 1991. Harnessing creativity: tentative notes towards progressive lawyering. Excerpt from a paper presented during the second cordillera lawyer's consultation; 1991 July 20-22; Baguio City. Quezon City, Philippines: Legal Rights and Natural Resources Center-Kasama sa Kalikasan. p 14-15. (Unpublished).

McManus LT, Yambao AC, Salmo SG, Aliño PM. 1999. Preparatory planning for coastal development in Bolinao, Philipines: a powerful tool for conflict resolution (case study). Diliman, Quezon City, Philippines: Marine

Science Institute, University of the Philippines. 152 p.

Pinat J, Turion R, Asido WN, Talaue-McManus L, . 2000. Strategies in mobilizing coastal communities for community-based coastal resource management in Bolinao, Pangasinan. Science Diliman. (this issue)

Tanggol Kalikasan. Paralegal philosophy and metalegal strategies: Training materials for paralegal development and legal aid. Quezon City, Philippines: Tanggol Kalikasan-Haribon Foundation. (Unpublished).

Yambao AC, Salmo SG, Aliño PM. 1998. A preliminary assessment of the coastal development planning in the municipal waters of Bolinao, Pangasinan, Philippines. CBCRMP Terminal Report. Philippines: Community-Based Coastal Resources Management Project. p 220-231.

Yambao AC, McManus LT. 1998. The proposed cement plant complex in Bolinao, Pangasinan: A case of ill-conceived development. CBCRMP Terminal Report. UP Marine Science Institute, University of the Philippines. In: Conference on Integrated Management of the Coastal Fringe; 1998 June; Puerto Princesa City, Palawan, Philippines. Philippines: Voluntary Service Overseas and Palawan Council for Sustainable Development. 201 p.

Quicho R. 1999. The law on fisheries and its implications on local governance. Quezon City, Philippines: Tanggol Kalikasan-Haribon Foundation. (Unpublished).