

Some Suggested Measures to Solve Kaingin Menace

by

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There is a growing apprehension that the forest of the Philippines is fast diminishing. Uncontrolled flood waters are easily blamed for destructions made by loggers in the forests. Loggers, in turn, blame *kaiñgineros* who follow, or are sometimes well ahead of, their logging operations.

Indeed, the *kaiñginero* seems to be the real culprit in the final destruction of the forest. For in his processes, fire is his most destructive tool. Once fire is set on dry, *kaiñgin* area, destruction of the remaining vegetation is complete. After the destruction, the land rarely permits growth of forest trees other than those planted by the *kaiñginero*.

It is, therefore, the destruction of the forest through *kaiñgin*-making that must be prevented. However, before any measure of prevention can be suggested, the factors that cause the *kaiñgineros* to destroy the forest must first be determined.

There are two motives by which *kaiñgins* are made: (1) by necessity, and (2) for speculation. Under the first category, we find *kaiñgineros* to be the native tribe of specific areas and immigrant land-seekers. Their desire to acquire land which they can rightfully call their own, also lead them to *kaiñgin*-making. Under the second category we find the more intelligent lot, recidivists in some cases, who, singly or in organized groups, make *kaiñgin* in public forest and timberland with the purpose of selling their *kaiñgins* to buyers or immigrant land-seekers. Groups in both categories are often backed up by politicians who stay behind petitions or requests for the release of certain portions or blocks of public forest or timberlands.

Efforts should be aimed at controlling the destruction of the forest which is motivated by necessity. If this can be done, it should be easy to weed out *kaiñgin*-making for speculation purposes. *Kaiñgin*-making motivated by necessity is most difficult to control because it involves trespassing on the native liberty of a person to choose where he resides and also it involves certain economic and social problems. Here, government entities charged with the protection of the forest often find themselves dealing with people who never have heard of any forest law and its processes. Most of these people can barely support their families and much less bear the time and expenses in facing their cases in court.

Prevention of *kaiñgin*-making may be effected with a sincere implementation of the following suggested, if not reiterated, measures:

1. *Intensify forestry education of the masses.*

Monthly or quarterly meetings and programs should be conducted in barrios, sitios and municipalities near forest areas. It may be necessary to gauge the cooperation of local leaders — from congressmen down to barrio captains and engage their services as resource speakers in promoting the forestry education programs whenever possible. It may also be necessary to conduct forestry educational programs such as seminars, etc. for provincial officials and barrio leaders. Such programs should emphasize:

- a. The necessity of keeping timberlands and forest reserves fully timbered.

- b. The existence and purposes of the forest entities.
2. *Organize an effective forest patrol.*
 - a. Aerial detection necessary:

Government forestry entities charged with the protection of our forest may need planes for aerial patrol and detection of *kaiñgin*-making. Making *kaiñgins* is done behind thick forests and gives the impression when seen from a trail or road that nothing amiss is being made until the area is seen from a bird's eye view. A light plane which can load at least three persons (including the pilot) can cruise at slow speed, and can land on short strips, fairly level pastures and beaches suitable for this purpose. If such planes are available they should be placed in the care of the forestry entities. Selected physically and mentally able forest officers may be trained to pilot them.

- b. *Forest Patrol.*

Regular forest patrol teams must be organized and assigned at every forest station (and park and reforestation stations). Each team must be composed of:

- 1—forester (team leader)
- 1—scaler or equivalent (team assistant)
- 2—Forest Guards or equivalent
- 2—Concession guards (provided by the company whose area is patrolled.)

There should be sufficient patrol teams to be able to patrol thoroughly a pre-determined area within one week although the length of time may be extended when *kaiñgin*-making is detected in order to enable the patrol to gather all the information and data necessary to bring the case to court

as soon as possible. Patrol work in a particular forest area should be conducted once every quarter.

Forest patrol must be coordinated with aerial detection. This is now practiced by some timber companies which have planes. Patrol should be conducted by the team and, never by any individual member. This is necessary because *kaiñgineros* sometimes resist forest officers who single-handedly make surveys and assessments of the extent and damages made in *kaiñgins*.

The team must be equipped with fast means of transportation such as jeeps and horses in addition to the regular equipment of a forest officer. If immediate arrest of a *kaiñginero* is effected, the forest officer should be able to transport the violator to jail or court immediately. If this could be done it might be impressed upon forest violators that the government means business and that alone may deter prospective culprits.

3. *Provide enough legal counsel.*

Lawyers employed by government forestry entities charged with the protection of the forests should be assigned, at least one in every Regional Office, to act as counsels for the government officers during court hearings of *kaiñgin* cases. The government's losses in *kaiñgin* cases are often due to legal technicalities or deficiencies. Mistakes could be avoided if proper legal counsel is available.

4. *Respective timber licensees should be required to shoulder the expenses of feeding the kaiñginero while serving sentence in prison.*

The Bureau of Forestry has required licensees to follow policies for the conservation of forest in their area. Although the requirements are implemented, they

are sometimes insufficient to be really effective against *kaiñgin*-making. A logger therefore proposed the idea that it may still be possible to include as part of the timber license regulations that the licensee should also shoulder the expense of feeding the *kaiñginero* found in his license when said person is convicted and serves his sentence in prison. This may be necessary because some municipalities lack sufficient funds for feeding prisoners. Perhaps the licensee who sees the prospect of also feeding the *kaiñginero* during his jail term may take a stricter action to stop a prospective *kaiñginero* right at the beginning.

5. *Set aside a portion of public land for the resettlement of deserving Kaiñgineros.*

To some *kaiñgineros*, making *kaiñgin* is necessary to maintain their livelihood. A *kaiñginero* may be a displaced native or an immigrant from another province seeking better settlement and livelihood for his family. Out of necessity, *kaiñgineros* knowingly or unknowingly violate the rules and regulations pertaining to forest lands. Of course, the law against *kaiñgin*-making must be upheld and perhaps these *kaiñgineros* will have to serve their penalties and jail sentences. But after serving their sentences, where do these people go? Certainly, out of necessity, they must go back again to *kaiñgin*-making. It is now a common knowledge that jailing *kaiñgineros* does not solve the problem.

Government forestry entities concerned should, therefore, set aside a portion of the public domain in which the deserving *kaiñgineros* should be resettled. These must fall within the scope of work of the government forestry entity in whose jurisdiction the area for resettlement has been chosen. A team composed of experienced foresters and surveyors should be assigned to choose the areas for resettlement.

Certain criteria must be evolved to serve as a basis for determining a deserving *kaiñginero*. The following criteria are suggested:

- a. He must be a member of the lesser and semi-civilized tribes, such as: the Manobo and Bagobo of Cotabato, Magahat of Bukidnon, Mandaya of Davao, Subanons of Zamboanga Peninsula, Aetas of Zambales, Dumagats of Isabela, etc. Perhaps land reservation set aside for the settlement of the individual tribes would work best. Certain guiding principles used in resettling the former lawless elements in the NARRA and EDCOR reservations may be adopted.
- b. He must not be a known speculator — one who makes a *kaiñgin* and sells it within a few years.
- c. He must be a recidivist, and does not fall within the scope of criterion No. 2. A recidivist for the third offense may really need government assistance in seeking proper settlement without further committing violations contrary to the law.
- d. He must not have any known property (real estate) in any locality of the Philippines. The government should make effort in verifying the properties of a candidate for settlement.

Areas set aside for resettlement should be subdivided according to the average area which a *kaiñginero* is able to cultivate. A study must be made to determine this. Such areas should never be released as alienable or disposable lands but should be maintained in the category as public forest lands. Long-term lease agreements renewable at certain periods should only be given. The holder must be required to pay the regular land tax (rental) for the use of the land. The government forestry entity concerned must

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keep tract of the transfers or sales of such property to any other party. Sales or transfers should not be made until after 25 years.

Resettlement must entirely be handled by the government forestry entities concerned. If necessary, assistance in matters of maintaining peace and order and providing supplies and transportation may be requested from local agencies of the Philippine Constabulary, Social Welfare Administration, etc. in much the same way as their assistance had been called in the resettlement of Hukbalahaps to the Narra and Eddor projects and of the Manila squatters to Sapang Palay. Under similar premises already mentioned, a Davao logger published in 1964 his intentions in implementing a resettlement

program for *kaiñgineros* found in his area.

These suggested measures of preventing forest destruction due to *kaiñgin*-making are not foolproof. However, if implemented, they may serve to strengthen the forest protection force which the government presently has.

Accordingly, in 1963, the total forest land of the Philippines is 13,171,000 hectares. Statistics cited in similar articles on the *Kaiñgin* problem indicated that the rate of forest denudation is 172,000 hectares annually. Mathematical relationship of these figures indicate that within 75 years, or within the lifetime of a child born today, our forest shall have been gone. Only time, selective logging practices, reforestation, and the implementation of effective action in forest protection may disprove this mathematical relationship.

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