

Understanding Relational Politics in MPA Governance in Northeastern Iloilo, Philippines

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ABSTRACT

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The Philippines archipelago is an important centre of tropical coastal marine biodiversity. Since the 1970s, various national and international actors have popularised marine protected areas (MPAs) as an effective tool for coastal conservation, tourism and even social empowerment. Scholars and practitioners however, overlook the different actors and complex institutions that frame and contest MPA design, implementation and outcomes. Pursuing apolitical perspectives and strategies in MPA governance and management, in turn, lead to continued environmental destruction and impoverished small-scale fishers. This paper describes the resources, power and relationship of key actors in MPA decision-making in four sites in northeastern Iloilo Province, Philippines. The paper explains that state-led, community-based and co-managed MPAs in the case study sites are socially constructed and contested. In such MPA spaces, actors have complex negotiations that have diverse and uncertain socio-political and ecological results. It is argued, however, that unless state and non-state actors link improved coastal ecosystem management, effective MPA governance and opportunities to enhance local livelihoods, then existing institutional arrangements will unlikely promote social justice and equity. In addition the major ecological effects of the Solar 1-Petron oil spill of August, 2006 are described and the potential implications of the disaster to the institutional resilience of MPA management systems are evaluated.

ADDITIONAL INDEX WORDS: *Marine protected area, management, governance*

INTRODUCTION

Studies of Philippines species biodiversity provide ample evidence that the marine and coastal resources in the country are threatened and overexploited. To address this problem laws promoting managed access to marine resources have been introduced but their success is limited. The overexploitation of the world's most biodiverse tropical marine resource is variously attributed to the lack of data, skills and resources necessary for effective management, the application of flawed scientific models of fishing rates and recovery, population increase and poverty putting pressure on fragile natural resources, incentive structures that promote inefficient fishing practices and lack of political will to manage coastal fisheries (see ROBERTS 1997 and WB 2005 for an overview). This research shows that the biggest challenges to fisheries management are not technical but are those of finding alternative livelihoods for coastal communities, overcoming difficulties with enforcement and with vested interests who abuse regulations to their own benefit.

These complex social issues involve intense competition over scarce marine resources and require the development of new diverse and adaptable political relationships across scale (SANDLER 1992). Three institutional arrangements that have been initiated in different ways are state-led systems, community-based systems and co-management systems. Each has particular strengths and weaknesses in addressing the challenges of fisheries management.

This paper examines three types of coastal area management systems in North-eastern Iloilo (NI), Philippines. After describing the methods of study, the paper provides a brief overview of three major types of institutional arrangements used to manage coastal zones and marine protected areas (MPAs) in the study site in order to identify their characteristics and illustrate the importance of considering institutional design and performance indicators. The experience of coastal municipalities in NI Province in institutionalising MPA efforts at various scales are then weaved into the discussions to support arguments and insights. The paper concludes by calling for the adoption of an approach to institutional analysis that considers the context and varied outcomes of relational politics in designing and performing coastal management and development. Some observations are also made on the actor responses to the oil spill disaster in August, 2006.

METHODS

This paper is based on research results from field data gathered in two coastal municipalities of Northeastern Iloilo, Philippines from April, 2006 to March, 2007. Data were collected, organised and analysed using qualitative research techniques and includes:

1. Secondary data assessment, mostly from government offices and published and unpublished reports related to MPA design and management;
2. Key informant interviews with actors from government, non-government organisations (NGOs) and local

communities to verify and enrich the secondary information;

3. Participant observation of various MPA-based planning, implementation, enforcement and monitoring exercises at the barangay, municipal and intermunicipal levels.

Due to the sensitivity of enforcement and compliance issues that were encountered in the field, the exact location of key events and identity of key informants are not revealed in the text. The various data sources for this study were reviewed and analysed together so that findings were based on convergence of information from different origins. The development of converging lines of inquiry through the process of triangulation, and the comparison of case study sites, allowed for the corroboration of evidence. The use of triangulation and multidisciplinary in the research process attempts to reduce biased conclusions and overcome the limitation of looking at the topic using a specific research method or academic perspective.

PROS AND CONS OF 3 MANAGEMENT SYSTEMS

Coastal area and marine fisheries management and conservation programs in the Philippines are often based on three types of institutional arrangements: (1) state-led (FERNANDEZ et al. 2000), (2) community-based (FERRER et al. 2001), and; (3) co-management (POMEROY and AHMED 2006). The history of natural resource management and conservation reflects elements of Hobbesian control and coercion by government and state institutions. The perceived failures and shortcomings of centralised state institutions since the 1980s however, led to the emergence of community-based and co-management systems for natural resources management and conservation.

State-led

In state or bureaucracy-based arrangements, property rights to fish and exploit coastal resources are held by government on behalf of the public and the focus is on instituting regulations that maintain stocks of resources at sustainable levels (scientific model). Other socio-economic and conservation goals however, may be embedded in these programs. In the Philippines, government uses coastal area and fisheries policy to promote the twin goals of coastal management for local (i.e., Fisheries Code of 1998) and national (i.e., Agriculture and Fisheries Modernisation Act of 1998) development. But in the context of "depleted state of resources" (STOBUTZKI et al. 2006:113) and the continued deterioration of the livelihood and health of poor people (WRI 2005), environmental protection to enable resilient and viable local communities has to be considered.

The process of developing fishery management plans in state-led systems can easily be politicised and subject to capture by subsistence and commercial fishers, politicians or even conservation groups (SMITH et al. 2003). Conflicts among competing stakeholders can make policy change costly, time-consuming and increase information costs. Consequently, the system's ability to rapidly adapt to catch declines, change in fishing technology or changing social, political, and economic conditions may be reduced. Such dilemma can be observed in north-eastern Iloilo.

Key informant interviews and participant observations reveal persistent conflicts over management plans and strategies between and among subsistence fishers, commercial fishing operators, politicians and their pressure groups, fish processing plants, barangays with marine protected areas (MPAs) and non-governmental organisations (NGOs) that implement various

development programs/projects. Recent decline in the harvest of crabs ignited public fora debates on conservation policy and mitigating measures. On the other hand, the adoption of new fishing technology, such as that of fishpots (submerged fish traps that is attached to buoys with flags/markers), led to intense conflicts, leading to the destruction or sabotage of fishing gears used by protagonists. Purseseine fishers complain that fishpots of artisanal fishers block passageways towards the open sea, while the latter accuse commercial fleets of dragging and destroying their fishing gears.

Conflict is aggravated by the chaotic system of rules that are changed or bended frequently in response to political pressures before fishers adapt or decision makers can tell if rules are working. For instance, controversy exists over issues such as the extent of municipal territorial waters, poaching in MPA sites and the role of provincial and municipal governments in fishery law enforcement in NI.

Lack of resources and capacity to enforce regulations is an ongoing concern. Local governments are regularly challenged to keep up with reports of many types of violations committed by local fishers and outsiders. A municipality can spend more than PhP 5,000 a day on fuel cost and food for personnel to enable two patrol boats and crew to operate 24 hours a day. Even when operations are successful, apprehending officers or local residents are hesitant to file court cases against offenders due to the lengthy and expensive process of litigation. In an interview, a former village head decried the lack of financial and legal support provided by the municipal government to attend court hearings as a complainant against the owner of a trawling vessel apprehended two years ago.

Consequently, community-based initiatives and MPAs have become popular in NI since the late 1990s. Community-based MPAs are supported by a growing number of villages (i.e., eleven sites since 1998) that experience: low catch by subsistence fishers (1-2 kilos a day); and high population growth rates (2.8 percent annually) and; child malnutrition (20 to 44 percent of those below 6 years of age).

Community-based

The use of community-based MPAs (CBMPAs) for coastal area and fisheries management was a response to the "tragedy of the commons" argument that centralised state regulation or privatisation could solve the dilemma of sustainably managing collective resources (GORDON 1954). The experience Sumilon and Apo islands in Negros Oriental provide empirical proof however, that collective or community-based management of commonly held resources can be successful thru the devolution of central powers and functions (ALCALA and RUSS 2006).

In CBMPAs social sanctions rather than administrative penalties are the primary enforcement tool, although monetary or material sanctions may also be used. Different goals and values are embedded in community-based arrangements. These include resource user control (rather than centralised government control and private property arrangements), the preservation of community culture, internal accountability and preservation of small fishers and communities (MCCAY and JENTOFT 1996). A major problem though is the resilience, sustainability and capacity of dominantly community-based institutions (CBI) and initiatives. Continuity in policy and personnel within local resource management regimes in Western Visayas, Philippines is elusive, particularly after national elections (FERNANDEZ et al. 2000, FERNANDEZ and CARNAJE 2002).

CBIs in this study site also tend to breakdown because of the temptation of fishers to "free ride". Individuals tend to vary their

behaviour depending on circumstances. Some adopt narrow self-interested behaviour, others behave selfishly only on certain occasions, still others rely on reciprocity and are able to overcome the tendency to free ride. Such behaviour has been documented elsewhere (STERNER 2003). A related problem is the maintenance of inequitable common property relations by the local elite. Capture by local leaders usually result in social inequalities that destabilise community harmony (DAVIS & BAILEY 1996). There is also conflicting evidence on whether norms change rapidly enough to respond to changing ecosystems or exploitation levels particularly when the changes are driven by outside forces (ROSE 2002).

Key informant interviews and participant observation reveal that fishers from neighbouring barangays with no MPAs poach on MPA sites. Moreover, the incursion of commercial fishers to protected zones (where hook and line fishing for subsistence is allowed) creates a sense of helplessness among the local barangay protectors such that they end up violating their own rules to ensure capture of benefits from their own management efforts. Further probing disclose that the continued violation of MPA regulations by "big names" and the ineffective punishment of "influential personalities" who violate MPA rules pose the most challenging problem that needs to be addressed.

The absence of some central control has also led to a lack of public accountability and other illegal behaviour. In some cases, the rules developed to govern fishers in community-based arrangements are inefficient, unclear and operates on a case-to-case basis. Field data in NI indicate for example that local community enforcers do not abide by common guidelines in apprehension procedures or in determining the level of punishment or fines for those that infringe MPA ordinances. Community-based arrangements are also ineffective in controlling commercial fishing fleets whose fast crafts easily slip away from protected areas and evade detection at night.

The problem is complicated by the fact that local community members who enforce the protection of coastal areas (usually the area 200 metres from the coastline) are discouraged from doing their job due to verbal threats from influential operators of commercial fishing vessels and their backers from local government and local police.

Finally, it should be acknowledged that local communities are embedded in a variety of institutions. Community-based institutions do not have unimpeded control of the coastal zone. Municipal governments are mandated to manage/develop coasts, set-up regulatory structures, legislate ordinances and muster the resources to enforce rules. Due to the need to integrate management efforts in multiple scales, calls for co-management arrangements have gained more currency in recent years.

Co-management

Co-management refers to various levels of institutional partnerships across state and non-state levels as well as across local, national and even international boundaries. Generally speaking, cooperation or co-management refers to a mode of interaction among various sectors, agencies or groups to achieve common goals or visions while maintaining their own institutional autonomy. Institutional partnership regimes take on various forms and mechanisms. Such relationships are nurtured and developed depending on the degree of urgency to respond to a particular need, level of trust, organisational culture, target clientele/area or commonality of mandate. It revolves around the sharing of vision, resources, expertise and systems to create a greater and meaningful impact for natural resources management at various management levels or scales. In this perspective, cooperation or

co-management involves levels or rungs of institutional participation in sustainable development activities and the enabling policy and legislation. Using typologies described by POMEROY (1994, 1995) and SEN and NIELSEN (1996), levels of partnership between/among POs, NGOs and government organisations may be described as:

1. *Consultative* in nature where institutions establish new relations with other organisations for information exchange.
2. *Coordinative* in nature where efforts are extended to avoid duplication of activities and where attempts are made to synchronise separate institutional initiatives for greater efficiency and effectiveness in field operations.
3. *Complimentary* in nature where institutions conduct separate initiatives guided by a common program framework characterised by purposive efforts to support each other.
4. *Collaborative* in nature where institutions agree to work together, sharing common vision, establishing common objectives and plans of action on a program level.
5. *Critical* in nature and perhaps the highest form and level of cooperation where institutions consider each other as indispensable partners in pursuing broad development goals and visions.

In coastal area concerns, co-management is a hybrid institutional arrangement that emphasises sharing responsibility for fisheries management between government and user groups to manage resources in order to reduce costs to government and improve decision making. Fisher involvement improves the quality of the time and place information used to craft management systems by tapping local knowledge. It also results in a greater congruence between local conditions and the institutional arrangement, thus reducing transaction costs.

A key characteristic of co-management is the distribution of property rights. If property rights are viewed as a bundle of rights and responsibilities then co-management splits the property rights bundle between users and government. The distribution of property rights is important because resource users must, at a minimum, can have access, withdrawal and management rights to have sufficient incentive to manage resources over the long-term (OSTROM and SCHLAGER 1996). Co-management arrangements may be unique and use a combination of policy instruments employed by the aforementioned arrangements that is tailored to fit local conditions. Accordingly, enforcement ranges from government penalties to social sanctions and it is problematic when fishers are unwilling to sanction fellow fishers. In a way, co-management arrangements already exist in NI.

Field research in the study site yielded a number of instances where the web of family and extended family relations prevented enforcement groups to apprehend or impose sanction to violators. Cheating behaviour still exists and tends to reflect the combination of policy instruments used. These arrangements are subject to capture since the commercial industry is unwilling to reduce catch and since local politicians still have interests in the commercial fishing industry. In NI it is therefore difficult for non-commercial interests or small fishers to participate in these systems. Moreover, while co-management has reduced costs to government, user groups and local communities do not have the financial, technical and administrative capacity to perform their management responsibilities.

Since 2005, the Visayan Sea Squadron (VSS), a non-state network of lawyers and environmentalists supported by local and regional politicians, has been using a co-management framework to address illegal fishing activities in northern Iloilo and the Visayan Sea. The VSS initially secured formal support from local and regional chief executives through memorandum of agreements

to protect the Visayan Sea and then utilised resources from non-state and non-profit sources to enforce fisheries laws and prosecute violators. The VSS is doing an important service to MPA and fisheries management by controlling the illegal fishing activities of mobile (and politically well-connected) agents that destroy local governance institutions and act as a disincentive to local conservation efforts (see BERKES et al., 2006). The unsolved murder of the VSS spokesperson in April, 2006 however, illustrates the highly contested and dangerous world of environmental protection in the Philippines.

DISCUSSION AND ANALYSIS

MPAs in NI are mostly established as a co-managed common-pool resource. Various institutional arrangements help frame MPA governance. Once a village council passes a petition for the creation of an MPA, an ordinance is framed and endorsed by the municipal legislative council. Although municipal waters are effectively under the jurisdiction, control and protection of the municipal government, day-to-day MPA management are effectively community-based and are temporarily financed or supported by state (provincial, national and international) or non-state actors. Area coverage that is protected by actors is either 200 metres from a village shoreline or coral reef area or within a 2-kilometre radius enclosure off islands/islets. Enclosures or area coverage are plotted using techniques of convenience (i.e., easy to monitor or facing barangay community) that do not follow environmental features. Core or no-take zones are uncommon (but do exist in a minority of cases) as MPAs are primarily designed for food security and not biodiversity conservation. MPAs in NI are designed as a type of property right reserved for sustainable exploitation (i.e., hook and line fishing) by community stewards. The goal of regeneration of corals and seagrasses, promotion of breeding area for fish and enhancement of fishery stocks are of secondary interest.

State-led and community-based arrangements in coastal area and MPA governance both have strengths and weaknesses as they work in complex socio-ecological contexts in Iloilo. Even co-management arrangements at the municipal level have encountered difficulties. Surprisingly, since 1998 NI has embarked on an inter-municipal coalition for coastal area and MPA management without addressing institutional difficulties at the local government and village levels. FERNANDEZ and CARNAJE (2002) documented elsewhere that such coalitions or networks in Iloilo and the Visayan Sea aid policymaking but also enable regional elites to promote vested interests.

During fieldwork in 2005, an illustration of the contradictory and opportunistic role of policymakers in northern Iloilo was again observed. Key policymakers at the municipal level, while gaining positive recognition for projects/programs that integrate public health (and population control) with integrated coastal resources management; have also supported plans to construct a 100-megawatt coal-fired plant beside an MPA site. Non-state and community-based groups strengthened partnerships to stop the plan through petitions, press statements and legal strategies.

Partnership or co-management network formation for environmental protection and conservation has therefore intensified in Iloilo due to evidence of continued illegal fishing by commercial interests and concern about the negative impact of the possible operation of a coal-fired plant. More recently, the biggest oil spill disaster in the country has consolidated public awareness and action. Such movement is illustrated by the founding of the Save Our Seas (SOS). The SOS was founded as a response to the August, 2006 Solar 1-Petron oil spill disaster that hit the coastal resources and communities of Guimaras Province and two

northern Iloilo municipalities. Composed of environmentalists, hobby groups, students and office employees in Iloilo City, the SOS is supported by national and international environmental groups and advocates. The SOS coalition initially criticised the slow response of state and business groups to contain the oil spill and plan for coastal rehabilitation. The SOS opted to innovate and helped design an indigenous oil spill boom mechanism made of light materials and later deployed by a pool of volunteers that cut across class, gender and generational lines. The SOS was also dissatisfied with the integration of fishing community perspectives into rehabilitation plans and initiated a participatory action research and mapping exercise in selected communities. The goal of SOS was to give a voice to the affected communities, promote self-reliance and empowerment, and conduct community-led rehabilitation processes with minimal external funding.

The experience of NI illustrate that decisions over the design, management and enforcement of rules to be taken in coastal and protected areas can be taken by central or local government, local communities or even in co-managed modes. It is observed however, that institutions from a top-down or state-led nature tend to be divergent with that of locally led community initiatives (with or without NGO support). These two contrasting views illustrate that too top-down institutional arrangements raises the risks of imposition which may be manifested by apathy, objections and non-cooperation by other actors. On the other hand, a dominantly community-based approach raises the risks of parochialism, where local resource exploitation interests and free rider behaviour may crop up. It is noted however, that the tension between state-led and community-based institutional arrangements is, to a degree, a manifestation of the divergent aims that they may harbour. Top-down strategies tend to prioritise the goal of using coastal resources for economic development that may or may not lead to environmental health and equitable distribution of gains as well as actor responsibilities or risks. In the context of coastal resource degradation and destruction however, more bottom-up frameworks have gained more currency and local community support due to its low-cost, swifter response to disasters, as well as the promise of social equity and local empowerment.

Due to the continued institutional dilemma faced by state and community-based approaches, there is now increased call for a more balanced approach with government agencies working in partnership with fishers and other interest groups in a co-management arrangement. The NGO coalition municipal of municipal mayors of NI for integrated coastal area management, the partnerships to fund and implement MPAs, as well as the activities of SOS amidst the oil spill disaster are cases in point.

But the question remains as to what balance of power will be appropriate in co-management partnerships so as to sustain, on the one hand, the continued success of wider-scale, strategic goals (e.g., increased fisheries production and revenue) and on the other, the fulfillment of more local priorities (e.g., MPA protection, pollution control, livelihood and food security). I argue that the balance will, necessarily, be dependent on the context (i.e., actors and their varied biophysical, cultural and organisational setting), aims and costs of addressing a coastal resource problems or issues.

DRYZEK (1987) observes that as the geographic scale and scope of resource exploitation interdependencies increases (such as in the coastal and fishery context of NI), the need for some central authority to coordinate negotiations and enforce agreements also increases. Whatever stand or policy that individual local government or intermunicipal coalitions take, one can only hope that the MPA and coastal management objectives of community-based groups can be prioritised and not marginalised due to the existence of new funding opportunities that focus on

other goals (e.g., public health) that have uncertain long-term effects (e.g., coal-fired power plant)

CONCLUSION

The issues and problems confronting coastal areas in Northeastern Iloilo are diverse and no institutional arrangement is likely to be effective in addressing them in all contexts at all times. Effective coastal and service delivery, particularly in MPA sites, requires much more than designing some theoretically optimal policy. It raises institutional, social and moral issues that must be clarified through deliberation and negotiation.

Ultimately, the selection of policies and the institutional arrangements used to implement them is a political decision. Scholars and funding agencies need to help clarify and define problems and then help decision makers identify appropriate goals, objectives and values to achieve. Effective governance requires local community participation, understanding how a program/project works, who benefits and loses, how it changes incentives, whether the intervention is likely to accomplish what was intended and how it can be improved or discontinued.

Sound policy analysis must also remain focussed on trying to determine which institutional arrangement will perform best in a particular setting. Analysts should consider important contextual factors affecting institutional design and examine the full range of costs that influence institutional performance. Given the multiple and competing policy objectives that underlie the general management of contiguous coasts in the Philippines, it is important to use various criteria to assess overall institutional performance and understand the trade-offs that exist between them so as to construct a relevant, site-specific and resilient governance regime.

In the case of northern Iloilo, environmental protection and livelihood diversification are immediate matters of concern. In the context of depleted and vulnerable coastal/marine resources, as well as the continued deterioration of the living condition of subsistence fishers, environmental protection to enable resilient and viable local communities should be prioritised.

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