



# Institute of Social Studies

GRADUATE SCHOOL OF DEVELOPMENT STUDIES

CONFLICT AND COMPLEXITY:  
A FRAMEWORK FOR MORE ADEQUATE DESCRIPTION AND  
RESPONSES FOR THE CONFLICT IN MINDANAO

A Research Paper presented by

Ernesto S. Arellano, Jr  
(Philippines)

In Partial Fulfilment of the Requirements  
for Obtaining the Degree of

MASTER OF ARTS IN DEVELOPMENT STUDIES  
Specialization: Public Policy and Administration

Members of the Examining Committee

Dr. L. Ling  
Dr. D. Gasper

The Hague, December 2000



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**This document represents part of the author's study programme while at the Institute of Social Studies; the views stated therein are those of the author and not necessarily those of the Institute.**

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**Enquiries:**

*Postal Address:*

**Institute of Social Studies  
P.O. Box 29776  
2502 LT, The Hague  
The Netherlands**

**Telephone: -31-70-4260 460  
Cables: SOCINST  
Telex: 31491 ISS NL  
Telefax: -31-7--4260 799  
e-mail: [postmaster@iss.nl](mailto:postmaster@iss.nl)**

*Location:*

**Kortenaerkade 12  
2518 AX, The Hague  
The Netherlands**



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A Research Paper Presented by

**Ernesto 'Tatie' S. Arellano, Jr**  
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Major in

**PUBLIC POLICY AND ADMINISTRATION**

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Dr. L.H.M. Ling

Dr. Desmond Gasper

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For their critical comments and space to grow.  
Working with them was a great privilege,  
And one of the best memories  
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**Manang Au and Manong Peter**

Their life is an inspiration.  
Grabe talaga, wala akong masabi.

**Manang Tina**

**Gerard, and Jun-Jun**

For all the fun and memories  
Here in Hague.

**World Council of Churches**

**National Council of Churches in the Philippines**

**Convention of Philippine Baptist Churches**

For the support and prayers.

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For providing data for this study.

People from:

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**Moro National Liberation Front**

In making this study possible.

To all my

**Fans and Friends**

Especially

**Elli Kim**

For making life  
More wonderful.

## ACRONYMS

ABG	Abu Sayaf Group
AFP	Armed Forces of the Philippines
ARMM	Autonomous Region of Muslim Mindanao
ASEAN	Association of Southeast Asian Nations
BMA	Bangsa Moro Army
BMLO	Bangsa Moro Liberation Organization
CA	Consultative Assembly
COMMELEC	Commission on Election
CPP	Communist Party of the Philippines
EAGA	East Asian Growth Area
EO	Executive Order
FPA	Final Peace Agreement
GRP	Government of the Republic of the Philippines
ICFM	Islamic Conference of Foreign Ministers
MILF	Moro Islamic Liberation Front
MIM	Moro Independence Movement
MNLF	Moro National Liberation Front
NDF	National Democratic Front
NPA	New Peoples Army
OIC	Organization of Islamic Conference
OPEC	Oil and Petroleum Exporting Countries
SPCPD	Southern Philippines Council for Peace and Development
SPDA	Southern Philippine Development Authority
SZOPAD	Special Zones of Peace and Development
UN	United Nations

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## Executive Summary

The proposed model of this study, suggest structural reforms, specifically Constitutional Accommodation or reform. The suggested reform will facilitate power sharing scheme among conflicting actors, where they are the one to define what they want. The fundamental focus is reducing layers of political structures by either refinement of policy for autonomous government, or shift to federalization of government or adoption of a one-state- dual system to accommodate difference.

The armed conflict in Southern Philippines is a compounded product of different factors since period of colonization and further exacerbated by modernization process. Efforts to promote economic activity was responded as intrusion. It also widen disparity of income between the Muslims and Christians, which created insecurity of the other.

The conflict constantly changing its arena, nature, and mode of resistance, the Muslims and Christians fought for assertion of dominance and identities under the backdrop of structural defects. It has been shaped by geopolitical issues, influence by resurgence of Islamic fundamentalism and Marxism. Sub-ethnic characteristics divide the Muslims, each having their own specific and different discourse in relation to demands - making it difficult to arrive at a compromise.

United Nation sponsored independence for East Timor, serve as model for intensification of armed confrontation by Moro Islamic Liberation Front in order to capture international attention.

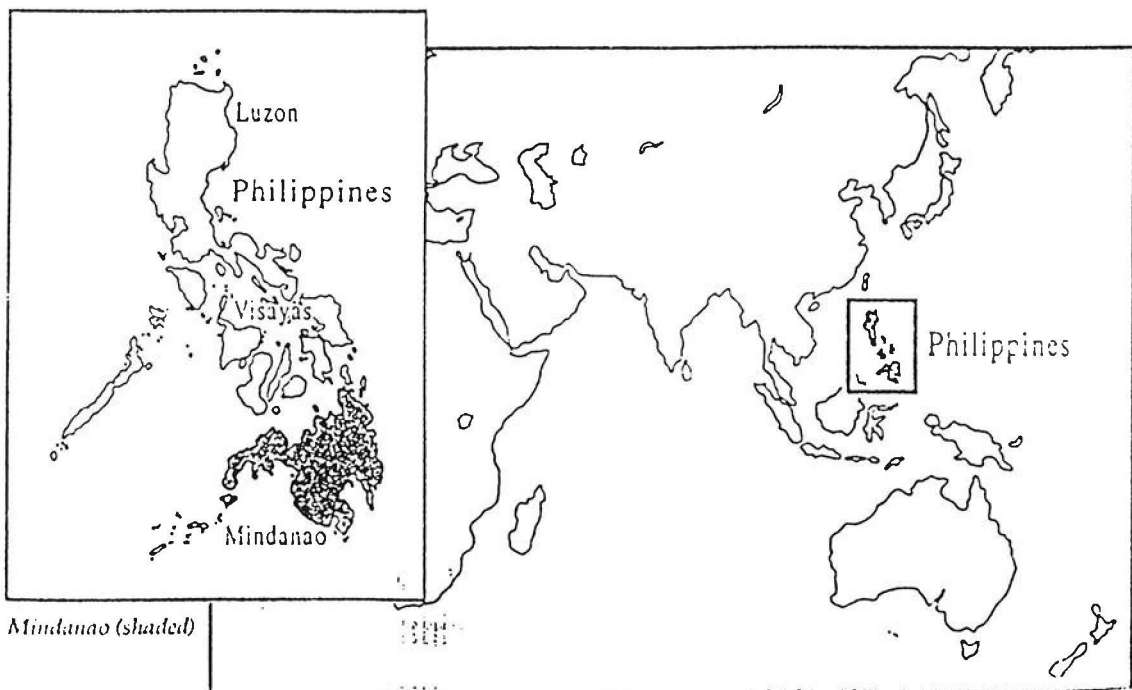
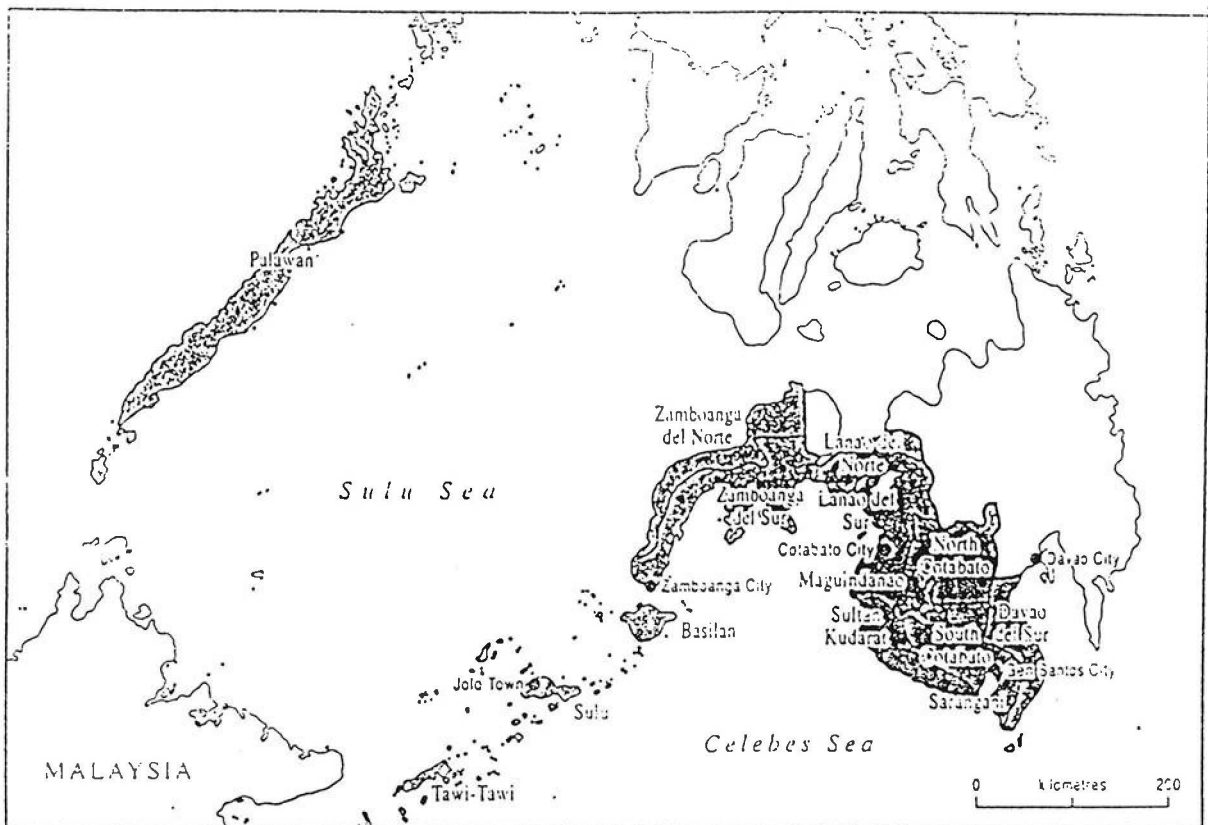
Different traditional concepts of land ownership as opposed to government policy of resettlement, decongestion of urban centers, and introduction of multi-national corporations in relation to globalization has served as underlying context of the conflict. Constant threat to ancestral domain serve as inspiration to continue a secessionist movement among the Moros.

Structural defects of the Constitution are translated into the political system and governance system. The failure to recognize ethnic diversity, specifically Islamic laws into the predominantly Christian society served as working context of the conflict.

Three peace agreements were signed, and the Final Peace Agreement, in fact an irony, becomes the factor which makes it more difficult to arrive at a resolution with other actors involved in the conflict. The transitory government mandated by the agreement failed to perform its task. Rising expectations and frustrations of its constituents created another response which is more violent, and beyond the coverage of the agreement.

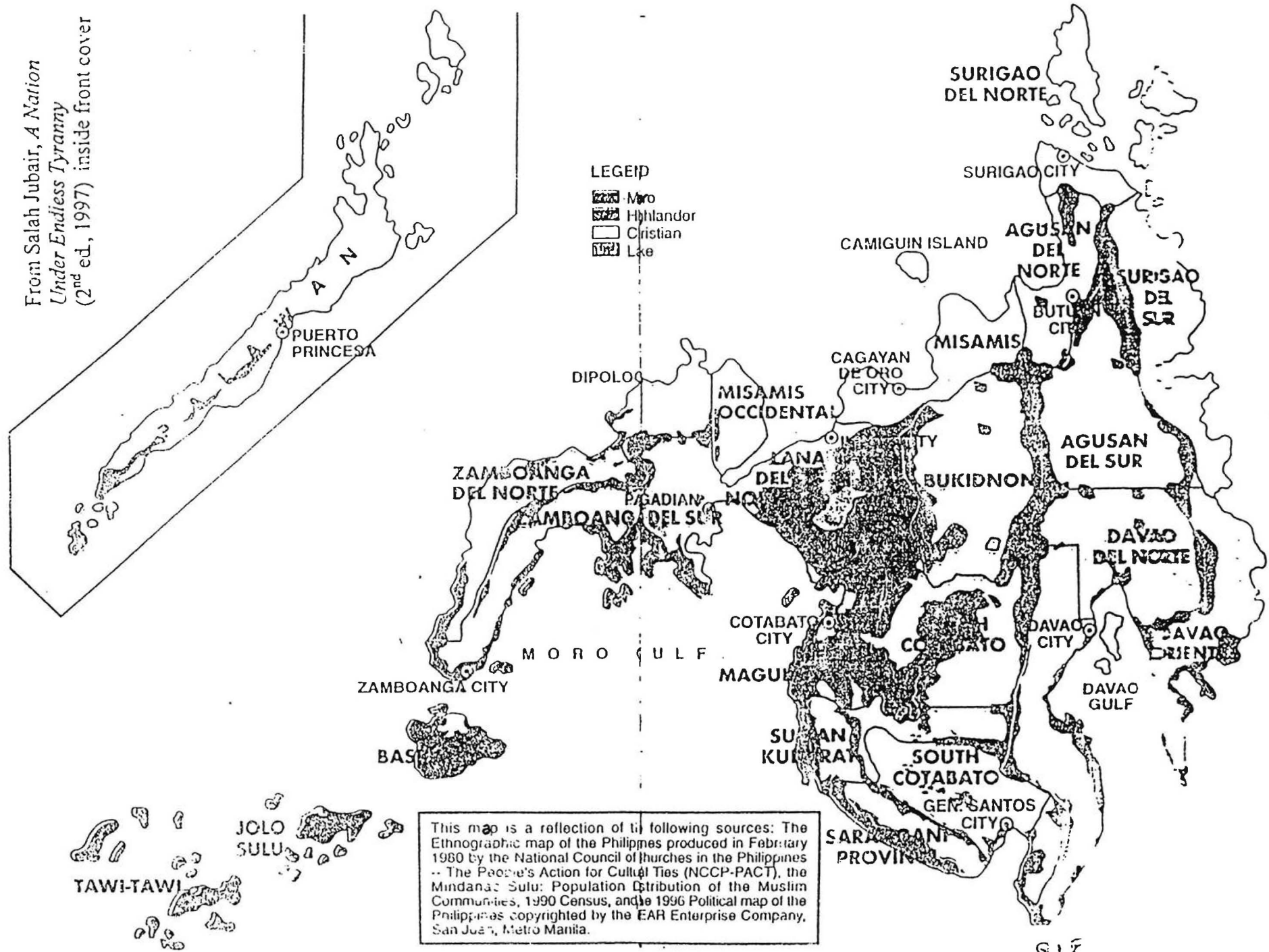
# The Southern Philippines Special Zone of Peace and Development (SZOPAD)

Map consultants: International Economic Research Unit, University of Durham



Mindanao (shaded)

From Salah Jubair, *A Nation Under Endless Tyranny* (2<sup>nd</sup> ed., 1997) inside front cover



LEGEIP  
 [Stippled] Moro  
 [Cross-hatched] Highland  
 [White] Cristian  
 [Dotted] Lake

This map is a reflection of the following sources: The Ethnographic map of the Philippines produced in February 1980 by the National Council of Churches in the Philippines -- The People's Action for Cultural Ties (NCCP-PACT), the Mindanao Sulu: Population Distribution of the Muslim Communities, 1990 Census, and the 1996 Political map of the Philippines copyrighted by the EAR Enterprise Company, San Juan, Metro Manila.

## **Chapter One**

### The Mindanao Conflict as a Complex Social Phenomenon

#### **I. Introduction**

This paper proposes a general conceptual framework that can assist analysts and policy-makers understand a very complex phenomenon: the unresolved conflict in Mindanao. It is submitted that the way in which this difficult and complicated conflict, which has figured lately in the international media scene, is detailed and described is in itself an enormous challenge. Policy solutions to the conflict in Mindanao are, after all, determined by explanations about the origins, the scope, the character, and the future direction of this historical conflict. Whether any policy analysis of the Mindanao conflict is sufficient and comprehensive enough, is a question that is, therefore, worth asking. How should this conflict be framed and presented, so that any and all policy choices arising from this understanding could be able to do justice to the complexity of the problem? I will propose a model that will attempt to answer this query.

If the present situation in Mindanao is any indication of the quality of studies and policy analyses that have gone into the process of resolving the conflict, it can be concluded that there is not much that has been achieved by the way of understanding and, thus, overcoming the conflict. The conflict, which is immediately recognizable as a prolonged armed conflict, shows no signs of being resolved. The obvious issue arises: *Why is it difficult to achieve and sustain peace in Mindanao?*

This study argues that it is indeed extremely difficult to make peace in Mindanao because Mindanao conflict has proven too complex to manage and has grown more complex with passage of time.

#### **A. Overview of the Conflict**

For more than three decades now, groups of Muslims in the Southern Philippine island of Mindanao have been fighting for a separate state, and have engaged in armed conflict

against the forces of the Philippine government.<sup>1</sup> A gory civil war erupted from 1971 to 1976 in Mindanao (Vitug and Gloria, 2000). The conflict has cost more than 120,000 lives, displaced hundreds of thousands of civilians causing them to take refuge in the Malaysia, State of Sabah, and resulted in extensive damage to properties and investments (Vitug and Gloria, 2000; Ramos 1996,218).

Efforts by the Government of the Republic of the Philippines (GRP) and various rebel groups to resolve this conflict and promote peace have been made in the past, from the time of President Marcos in the early seventies up to the current administration of President Joseph Estrada. These efforts are reflected in three main agreements between by the GRP and the Moro National Liberation Front (MNLF),<sup>2</sup> describing certain steps to end the armed conflict. These are:

- ❖ The *Tripoli Agreement* signed on December 23,1976. This Agreement was made possible through the mediation of the Organization of Islamic Conference (OIC). The agreement sought to end the conflict by creating areas of autonomy for Filipino-Muslims in southern Philippines. The envisioned area for autonomy under the Tripoli Agreement covers will cover thirteen provinces and cities within the mentioned areas.<sup>3</sup>
- ❖ The *Jeddah Accord* signed on January 3, 1987. This was made possible during the presidency of Corazon Aquino, which upheld the commitment of both parties to "continue discussion of the proposal for the granting of full autonomy to Minadano, Basilan, Sulu, Tawi-tawi, and Palawan subject to democratic processes" (Ramos,1996:127).

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<sup>1</sup> Mindanao is the major island in the southernmost part of the Philippines, including groups of islands of the Sulu Archipelago (see first map). Thirteen Muslim groups are classified according to their ethnolinguistic characteristic. They are located in different parts of Mindanao and in the island of Palawan (Visayan Area). See second map.

<sup>2</sup> Splinter group MILF, and newly formed group Abu Sayaf are not part of the MNLF.

<sup>3</sup> The thirteen provinces included in the Tripoli Agreement are: Basilan, Sulu, Tawi-tawi, Zamboanga del Sur, Zamboanga del Norte, North Cotabato, Maguidanao, Sultan Kudarat, Lanao Norte, Lanao Sur, Davao Sur, South Cotabato, and Palawan. (please see map)

- ❖ *Final Peace Agreement* , signed in of Manila on September 2,1996.<sup>4</sup> The agreement was signed by the chairman of the MNLF and the representative of the GRP, witnessed by the Minister of Foreign Affairs of Indonesia and Secretary-General of the OIC.

However, inspite all these formalized initiatives to end armed conflict and promote stability in Mindanao, hostilities which broke out in March 2000 between GRP troops and the Moro Islamic Liberation Front (MILF) in Maguindanao. The war with the Abu Sayaf in Sulu, furthermore signifies that armed conflict has escalated in Southern Philippines.

While the peace process with armed groups of Muslims has been going on for the past three decades, with the 1990s seeing the most activity, the level of public awareness regarding the "Mindanao problem", and the degree to which politicians have been willing to include this problem in their agendas, appears to be at a higher level now than at any time previously.

## **B. Brief Description of the Conflict as an Issue of Public Administration**

The GRP-MNLF war reached its peak in 1974. In 1975, with oil exporting-countries sympathetic to the Muslim rebels threatening an oil embargo on the Philippines, the government of Marcos, organized panels to negotiate peace talks. Through the intervention of OIC, agreement on political autonomy was reached through the signing of 1976 Tripoli Agreement. With pressure from OIC, the MNLF dropped its secessionist stand and accepted autonomy as the governing principle of the peace process (Accord, 2000:7).<sup>5</sup>

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<sup>4</sup> The complete title of the document is: "Peace Agreement: The Final Agreement on the Implementation of the 1976 Tripoli Agreement between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF) With The Participation of the Organization of Islamic Conference Ministerial Committee of the Six and the Secretary General of the Organization of Islamic Conference.

<sup>5</sup> OIC was rushing to duplicate its success in the creation of Palestine by creating an autonomous government for Muslims in Mindanao. However, the GRP would only sign the agreement if "constitutional processes" were inserted in the Tripoli Agreement's final clause. This compromise was accepted by OIC, putting MNLF into a difficult position. Vitug and Gloria (2000) describe the situation as a bitter pill to swallow for MNLF, because they could not spurn the offer of their god-father who gave them power.

The Tripoli Agreement soon caused division within the as-yet solid ranks of the MNLF, and two separate factions emerged.<sup>6</sup> The first faction, the so-called MNLF-Reformist Group was headed by Dimas Pundato, which later on cooperated with the government of President Aquino. The second group was headed by Hashim Salamat, formerly MNLF vice-chair. Salamat's faction adopted strict Islamic doctrine and called his group the MILF. To further divide and weaken the power of Muslim rebels, Marcos provided incentives to members of the various rebel groups; giving them amnesty package, land grants, and capital for business.

Because the Marcos-created structures were not fully accepted by the rebels, intermittent encounters between the Moro rebels and government forces continued. Thus, a stalemate on the implementation of Tripoli Agreement emerged.

With the ouster of Marcos after Philippine 'People Power Revolution' in 1986, President Aquino initiated a ceasefire and resumed peace talks with the MNLF, paving the way for the *Jeddah Accord* reached in 1987. In this agreement, both parties committed themselves to discussing a peaceful solution based on the provisions of Tripoli Agreement. However, the GRP rejected an MNLF proposal to drop the idea of a 'referendum' as stated the new Philippine Constitution being considered then. This caused the MNLF to withdraw from the negotiating table (Bertrand, 2000: 37).<sup>7</sup>

Aquino's government went ahead by creating an Autonomous Government within the framework of newly approved Constitution. Republic Act 6734 provided specific mechanism to carry-out the constitutional provisions governing the autonomous

---

<sup>6</sup>Many MNLF members were disappointed by the result of negotiations. The phrase "constitutional process" inserted into the Agreement was not explicitly defined. The Philippines under martial law was then ruled by Marcos who governed by Presidential Decrees (PD) (Amendment VI, Constitution of 1972). Marcos was quick to issue PD 1619, creating two autonomous regions but decreasing the area of autonomous territories.

<sup>7</sup> When the post-Marcos Philippine Constitution was being drafted, the phrase "constitutional process" under the Tripoli Agreement explicitly defined. GRP's position was 'referendum', while MNLF proposed 'Executive Order' and outright declaration of all territories identified in the Tripoli Agreement as part of an Autonomous government. However, the GRP turned down MNLF's proposal for fear that Christians in Mindanao will reject the whole new Constitution - endangering its legitimacy. Informant No. Four, said "it was a face saving effort of Misuari, knowing his influence over his members was eroding."

government.<sup>8</sup> This included a referendum in the 13 provinces and the cities referred to in the Tripoli Agreement on November 19, 1989. The MNLF campaigned to boycott the referendum process. Of the 13 provinces where the referendum were held only the four provinces of Lanao del Sur, Maguindanao, Sulu, and Tawi-Tawi accepted autonomy (Magdalena, 1997:250).

The Autonomous Region of Muslim Mindanao (ARMM) did not quell hostilities. Nor did it alleviate grievances of the Muslims. Rather, it created the opportunity for traditional datus (local chieftains) to reinstitute and strengthen their lost political clout, and they benefited from its formal organization and other sources of enrichment. The ARMM only provided institutional or administrative autonomy which further dissatisfied many in the MNLF (Bertrand, 2000:40). MNLF's dissatisfaction was expressed in armed confrontation with government forces.

It took the government of Ramos to break to the impasse. Before his election as President, he went to Libya, for talks with Muammar Kaddafi, offering a new dimension to the peace process with the MNLF if he was elected as President. His proposal gained popular support from the Moros in the South and members of OIC. Ramos' compromise was to expand the autonomous territory by putting the 13 provinces under a transitory government until RA 6734 was amended. The transitory government is now called Southern Philippines Council for Peace and Development (SPCPD). This paved the way for the signing of the FPA in September 2, 1996 through the mediation of OIC.

Currently, the SPCPD is headed by ARMM governor, Nur Misuari (MNLF Chairman). The SPCPD was tasked to ensure that the transitional phase, which will end in June 2001, will be given adequate provision (PDI September 7: page 2). Although there were only four provinces which accepted autonomy during the referendum in 1989, under the Ramos deal the 14 provinces identified in the Tripoli Agreement were still made part of the SPCPD and will again be subject to another referendum in May 2001. What this

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<sup>8</sup> The complete title of the document is: Organic Act of Autonomous Region of Muslim Mindanao.



meant was that the, SPCPD under Misuari must prove its worth and deliver an efficient government in order to convince other provinces to join the autonomous government.

However, there have been clear signs of failure in the SPCPD. Many MNLF members viewed the SPCPD as basically a source of employment (Mercado,2000). Thus, MNLF members who were not accommodated and given positions in government offices shifted their loyalty to the MILF. Also MNLF members were offered high paying consultancy positions, creating demoralization among career-government employees in the SPCPD covered areas.<sup>9</sup>

The FPA defined the MNLF and GRP as the only actors in the conflict in southern Philippine. Thus a paradox: giving more power to MNLF means increasing insecurity and conflict through the MILF. The FPA also hampers any peace process with the MILF, since most of its provisions were meant to grant favors to the MNLF. As a result, the MILF's mass base has strengthened, attracting desperate Moros who were dissatisfied with the SPCPD and the ARMM. The MILF's exclusion from the FPA led to another wave of serious armed confrontation starting February of this year.<sup>10</sup> Eighty percent of the total GRP combatant forces were brought to Southern Philippines to wage war on MILF camps. A consequence of this war: millions of civilians were faced to take refuge in evacuation centers (DSWD August report).

### **C. Stakes behind a Meaningful Understanding of the Conflict**

Several studies have shown that this conflict could cause destabilization in the region of Southeast Asia.<sup>11</sup> Therefore there is an urgent need to study the full dimension of the conflict, as well as the full dimensions of the policy or policies to end this conflict. The government, as provider of policy in resolving this conflict, needs a broad perspective choices, specifically on conflict prevention and resolution (Connor, 1987:32).

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<sup>9</sup> Some consultants don't know how to read and write.

<sup>10</sup> During the writing of this paper, GRP has overrun MILFs major camps and declared war as over. But the conflict spread from guerilla combat to urban guerilla warfare. Both MILF and Abu Sayaf, claimed to bomb major malls in the cities.

Efforts based on a comprehensive social and policy agenda to overcome the Mindanao conflict will surely prove more cost effective, as opposed to the limited agenda of maintaining armed conflict (Cortright, 1997:12). The Mindanao conflict has existed for more than thirty years, It has deprived many Filipinos in the southern Philippines of an opportunity to live in relative peace. This sharply contrasts to the GRP's spending P7.1 million (US1.6 million) a day to support its policy based on the premise of resolving the conflict on the basis of the force of arms. The provision of basic services among inhabitants of the armed conflict is very low compared to other areas in the Philippines (IBON 2000: No 13).

Furthermore, there are at least three reasons why the Mindanao conflict must be viewed as more than a contest of armies in the battlefield. First, the issue of governance is paramount. Efforts to resolve conflict with no cost in terms of loss of life is a higher form of governance (Ghali, 1989). Different forms and styles of governance vary at different degrees, but the bottom line is the same – people's interest and welfare must always be the priority (Rondenelli, 1997:54). Secondly, a study that focuses on the broadest possible perspective will be more useful in a comparative framework. Other states with similar problems on secessionist movement involving religious and ethnic dimensions may find some guidance or understanding on the implications of this conflict at the international level (Gurr, 1976:52).

Thirdly, in the field of alternative dispute resolution, comprehensive outlook may contribute some concepts and approaches in conflict resolution. Existing models of conflict resolution are usually desired in the context of the cold-war framework of symmetrical conflict. The relevance and scope of application of these models have been strongly challenged by many studies.

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<sup>11</sup> Ethnic Conflict in Southeast Asia, Growth and Change Vol.31.No 2 (spring 2000) pp 305-331.

#### **D. Methodology for Understanding a Complex Conflict**

The study commences by reviewing the vast literature on the Mindanao conflict. Major studies and policy analysis were examined according to their contribution in understanding the complexity of the Mindanao conflict. Gaps in these studies will be identified.

The framework described in a subsequent chapter will show how three critical concepts, in their close inter-relationships, could provide an exhaustive description of the Mindanao conflict. These three concepts, developed in the context of discourse analysis, are: ethnicity, structure, and power.<sup>12</sup> For this purpose, the philosophical and theoretical work of Hegel, Foucault, and Weber-Giddens will be consulted.

Throughout, my analysis of the literature as well as my description of the framework will both be informed by the knowledge and insights I have gathered during the fieldwork I have conducted. This fieldwork proceeded in four stages:

*First Stage* was in Hague from July to August 2000. Different embassies and offices were connected for the purpose of scheduling interview appointments in the Philippines. Libyan and Malaysian embassies were contacted through their offices in Brussels and Hague, respectively. These offices politely declined me requests due to the sensitivity of the issue during the time of data gathering.<sup>13</sup> I was then advised to monitor closely their official statements in the newspapers and radio/tv. Letters for appointment with prospective interviewees were sent in advance during this stage, in coordination with the Philippine Embassy.

I also made contacts through e-mails, and telephone calls, with informal channels (friends, classmates, fratmates, and former officemates living in Southern Philippines)

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<sup>12</sup> Discourse is chosen in order to bridge the gap between micro-analysis of social structures, philosophies, ideologies, beliefs and texts. Hajer (1993:45) defined discourse as 'ensemble of ideas, concepts and categories through which meaning is given to phenomena.'

<sup>13</sup> Diplomatic protest was filed by GRP to the Malaysian government after its Ambassador made comments supporting a separate state for Muslims in Southern Philippines. Libyan government was also being

regarding possibilities for assistance on the field during my scheduled trip in Southern Philippines. They are living in Southern Philippines. All of them responded to my request by arranging my stay in their homes, use of their cars during my travel, arranging contacts with the Muslim rebels, and arranging my schedule at the most safest, and economical way (See attached pictures during field work).

*Second Stage* was in Manila, Philippines from late August to early September 2000.<sup>14</sup> I spent this time interviewing staff at the Office of the President of the Philippines (my batch-mates during the ASEAN-Japan Friendship Programme back in 1989). In this study they are identified simply as numbered informants due to the confidentiality of their testimonies. Access to confidential documents were made possible through their help.

I also gathered documents from Center for Islamic Study, University of the Philippines. People who conducted previous studies on Mindanao were interviewed at this stage. Three forums on Mindanao were attended, giving me the chance to interview three law makers.

*Third Stage* was spent conducting workshops on different dates and places. The workshop was chosen as a method to probe deeper into the questions raised in this study. This enabled me to see different perspectives on the complicated conflict, and to come-up with a matrix of suggestions for the solution of the Mindanao conflict. Workshop presentation of results was in the form of scenario planning. Participants were given in advance copies of techniques on scenario planning and the theoretical model adopted in this paper. The conduct of the workshops started with a situational analysis on the Mindanao issue, followed by dividing the participants into smaller groups to answer the question, *How can you ensure an armed conflict-free situation in Mindanao, considering*

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ostracize by the public after it paid the ransom for the release of European tourists held hostage by the Abu Sayaf.

<sup>14</sup> It was originally planned that there will be interviews of two former Presidents, some cabinet members, and the GRP peace panels. However, due to storm signal no.2 brought by typhoon 'osang', and heavy flooding in Manila, the meetings were cancelled and no interview date was finalized. The plan was facilitated through the kindness of the Philippine Embassy in Hague, and Department of Foreign Affairs.

*its Multi-ethnic composition?* This was then followed by presentation of out-puts and interpolation among participants. The results were incorporated in the analysis and data of this study.

The first workshop was in the conference room of the Department of Social Welfare and Development- Central Office, Quezon City last August 30 from 1- 5 pm.<sup>15</sup> The group is composed of my colleagues from the office [DSWD] who are assigned to monitor projects in the southern Philippines. Their familiarity with the situation in the southern Philippines, regular contact with the grassroots and the bureaucracy in Mindanao, plus their function as assigned staff from a national line agency for augmentation and rehabilitation efforts in conflict areas made them appropriate respondents for the study.

The second workshop was conducted in Ilo-ilo City at Central Philippine University(CPU) last September 4, 2000 in second floor Old Valentine building. The workshop participants were of students from Mindanao taking different courses in CPU. This was also attended by some faculty members of the University, some representatives from the media, cause-oriented groups, the opposition political party and from the churches.

*Fourth Stage* was field work in southern Philippines from September 5-16, 2000. This included my visit to the rebel camp. This also included my stay in the evacuation centers for two days.

*Fifth Stage* was at Central Philippine University September 18, 2000 from 2-5 pm. I presented my initial findings to the audience in a form of a seminar. This enabled me to incorporate useful comments, suggestions in my research, and counter-check the accuracy of my data and analysis. The audience consist of University faculties, and students taking political science, history, sociology, and other social sciences.

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<sup>15</sup> Originally scheduled September 3 but was changed due to schedule of participants.

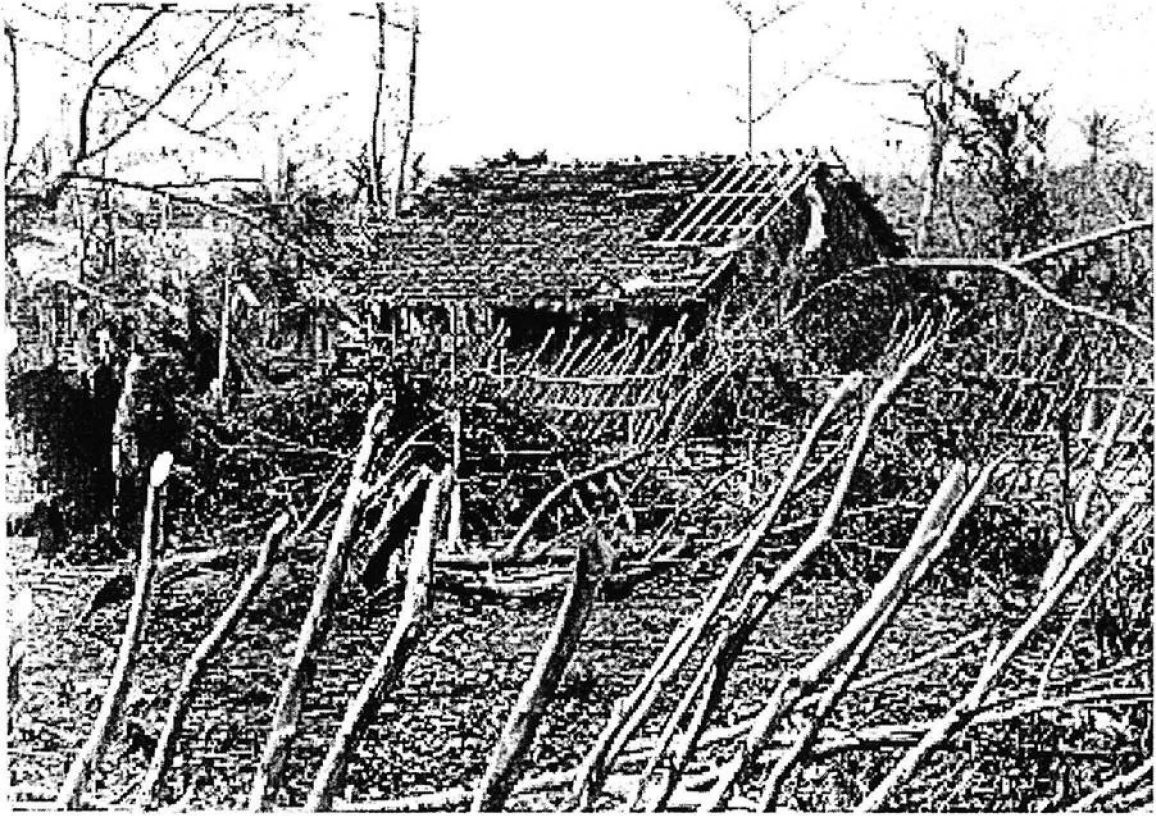
## ARMORY

The house is an improvised armory of one of the local MILF troops, within the periphery of Camp Abubakar. The area shows burned trees, and completely destroyed structure after being hit by the



bombardment of government planes last August. During my data gathering, the civilian owner of an adjacent house was trying to salvage some materials he could use to re build his house, which was also damage during government attacks. I took this picture on my way to the main camp.

## Civilian House



This is a civilian house that was strafed and hit by government plane after being suspected as one of the safe houses of MILF. The owner could not be located for interview. But according to relief workers, a body of a woman (believe to be the owner) and two children were found dead several meters away from the house. Five meter away from this house is a concrete bunker ( approximately 80 meters) which connect to another safe house. It was not safe to take pictures near the bunker due to land mines.

This house is strategically located in Narciso Ramos highway, occupied by the MILF. The highway serve as major route to different provinces in southern Philippines. Civilian commuters positively identified this house , where the rebels took their meals when they conduct check-points.

## Chapter Two

### Knowledge on the Mindanao Conflict: Gaps and Future Directions

#### Introduction

This chapter will establish a framework for the existing knowledge on the Mindanao conflict, based on previous studies about the Mindanao problem. It will pinpoint areas which need further investigation and inquiry. The first section begins by summarizing these previous studies. It will then proceed to point-out the inadequacies of these twenty-two previous academic studies already written about the conflict in southern Philippines. These studies are classified and presented according to focus, such as root causes of the problem, internationalization of conflict and links to terrorism, evolution of conflict, foreign interventions, conflict resolution, legal and political framework, philosophical thoughts of leaders, and the Final Peace Agreement (FPA).

The second section highlights gaps in existing knowledge which needs to be investigated, while the final section will discuss the framework to bridge these gaps in order to answer the question of this study, namely, what kind of framework is needed to understand the Mindanao conflict in all its complexity?

#### A. Previous Studies

##### **Summary of Previous Academic Studies on Conflict in Mindanao**

Focus of Study	Findings
<b>1. Root Causes of the Problem</b> <i>Muego (1978)</i> <i>Santos (1978)</i>	<ul style="list-style-type: none"> <li>• Both studies point out that the issue of land is the root cause of the conflict between Muslims and Christians. These studies recommend land reform program for both Muslims and Christians.</li> </ul>
<b>2. Internationalization and Terrorism</b> <i>Tan (1993)</i> <i>Fuller et.al (2000)</i> <i>Reeve (2000)</i>	<p>The three studies have common premises:</p> <ul style="list-style-type: none"> <li>• Moros are convinced of the need to elevate the conflict at the international level to attract support from other Muslim countries.</li> <li>• The conflict has a medium potential for future ethnic conflict with capacity to destabilize the region.</li> <li>• Moro Mujahideen, who fought in Afghanistan</li> </ul>



	developed strong bonding with Ussama bin Ladden and Youssef, eventually became Muslim terrorist groups in Southern Philippines
3. <b>Evolution of Conflict</b> <i>Azurin (1996)</i> <i>Vitug and Gloria (2000)</i>	<ul style="list-style-type: none"> <li>• Conflict was a result of infiltration by Malaysian counter-intelligence on the "Operation Merdeka".</li> <li>• Vagueness of the MILF's concept of an Islamic state makes it difficult for the MILF to established a peace process to arrive at a compromise with GRP.</li> </ul>
4. <b>Foreign Intervention and International Organization</b> <i>Baltazar (1999)</i> <i>Santos (1999)</i>	<ul style="list-style-type: none"> <li>• Armed resistance of Moros have links to US pacification campaign which culminated in 1913.</li> <li>• OIC used diplomatic pressure towards GRP to negotiate with MNLF.</li> </ul>
5. <b>Conflict Resolution</b> <i>Ferrer (1994)</i>	<ul style="list-style-type: none"> <li>• Decrease of armed confrontation between GRP and MNLF was a direct result of peace negotiation between Aquino government and MNLF leadership in 1986.</li> </ul>
6. <b>Legal Framework and Political System</b> <i>Muyot (1996)</i> <i>Santos (1999, 2000)</i> <i>Bolongaita (2000)</i>	<ul style="list-style-type: none"> <li>• Legal framework (constitution) of GRP proved to be disruptive in the context of negotiation with the Moro separatist groups.</li> <li>• Framework of Constitutional accommodation to respond on MILF demands is feasible.</li> <li>• Poor leadership of Estrada Administration makes it difficult to forge a peace agreement with the MILF.</li> </ul>
7. <b>Political Thoughts</b> <i>Linga (1995)</i>	<ul style="list-style-type: none"> <li>• Political thoughts of MILF leadership is incompatible with the Philippine political system.</li> </ul>
8. <b>Final Peace Agreement</b> <i>Bertrand (2000)</i>	<ul style="list-style-type: none"> <li>• Corruption in the transitory government created by the FPA eroded peoples confidence and threaten collapse of FPA.</li> </ul>

## B. Gaps of Existing Studies

From above mentioned studies, two major gaps are apparent.

First gap: Each study cited above has a partial focus, creating a limited understanding of the totality of the conflict, thus creating a narrow field of policy recommendations.

How should the findings of these existing studies be collated framed into one integrated and comprehensive picture on the nature and dynamism of this conflict?

Second gap: The Studies of Muyot (1996), Santos (1999) and Bolongaita (2000) show that government structures or the legal-historical framework of public administration, exacerbated the Mindanao conflict.

How then should government structures be addressed so that they facilitate resolution of the conflict.

### **C. Bridging the Gap: A Framework for Understanding the Complexities of the Conflict in Mindanao**

The proposed model or framework addresses the above mentioned gaps by:

1. Identifying and establishing the links between and among the findings from existing academic studies about Mindanao conflict. The process involve dissecting and analyzing the claims made in all these studies to find-out the inter-relationships among these claims, as well as to how they affect and counterbalance one another. Findings and observations from fieldwork will be used to scrutinized each claim. In effect, the result will provide an integrated and comprehensive understanding about the nature of the Mindanao conflict, which corresponds to an answer to the question posed under the first gap. Results are discussed in Chapter Three.
2. Giving proper/prominent focus on the role of governmental structure in the resolution of the conflict. From established findings, insights on how to correct existing deficiencies in governmental structures and processes will be constructed to build-up recommendations for policy choices.

The proposed framework succeeds in addressing these knowledge gaps because it utilizes three conceptual instruments: Structure, Resistance, and Ethnicity. The framework were derived from the writings of Hegel (Institution: Master-slave Relationship and Philosophy of Right.); Foucault (Genealogy, Power and Resistance ); and, Weber-Giddens (Ethnicity).

### C.1 Structure or Institution

The *structure or institution* is derived from the writings of Hegel about the relationship of the lord (master) and the bondsman (slaves). According to Hegel, the world is full of relationships arranged in a form of a hierarchical structure between the lord and the bondsman. The structure existing between the master and the slave has an environment of domination and subordination (Mészáros 1989:102). Hegel stresses four important elements: structure or institution, domination, subjugation and relationship.

By 'structure' Hegel means that made of several parts put together in a particular way, or, the way in which things are organized. This implies that each part of the whole structure is related, and governed by systems which define the structure's existence and its relationship with "the other." From this definition, the structure could also mean institution. Institution and structure will then be use interchangeably.

Domination implies application of force to control or influence "the other" by those belonging to the upper structure. The force is applied systematically until members of the lower structure are reduced to submission. Subjugation connotes defeat and powerlessness after a series of application of force by someone who is more powerful. Relationship suggest that all elements in the structure are linked and connected to each other.

In his writings on the *Philosophy of Right*, Hegel identifies three structures: agriculture class, business class, and the universal class or bureaucracy.

Agricultural class represents the working groups and forms the lowest structure, they are the oppressed class for they are trapped in a patriarchal system which defines their kind of thinking and impinges on the totality of their life.

'The agricultural class will always retain a mode of life which is patriarchal and a substantial frame of mind proper to such a life. A member of this class accepts unreflectively what is given him and takes what it gets...What comes to him suffices him;...has little to think of itself; what obtains is the gift of the stranger, of nature. Its feelings of dependence is fundamental to it, and with this feeling

there is readily associated willingness to submit to whatever may befall it at the other men's hands. The Agricultural class is thus more inclined to subservience (Philosophy of Right, 206).<sup>16</sup>

Hegel's description of the working class reflects the kind of people belonging to the oppressed sector in the Philippine society. Oppression is in the form of wide disparity of income where only few people get hold of large resources, share of social benefits, unaffordable cost of quality education which bring limited opportunities for social mobility for the poor, and limited access to basic social services especially in far-flung areas outside the cities. Limited income made them beholden to government programs. Their mode of living is survival in nature, for they will rather spend their meager income to buy food than to spend it for the education and miscellaneous expenses of their children. This situation trapped them in the cycle of poverty, a condition which made them easily dominated by those who belong to the upper strata of society. A situation, where strength defines the direction and quality of life. People belonging to this category are laborers, fisher folks, farmers and peasants abundantly located as you move towards the southern area of the Philippines, like Mindanao.

The business class according to Hegel, are those with intelligence. Therefore, they are above in all aspects of the strata.

'In business class it is the intelligence which is the essential thing, and natural products can be treated only as raw materials...In the business class, the individual is thrown back on himself, and this feeling of selfhood is most intimately connected with the demand for law and order. The sense of freedom and order from has therefore arisen above all in towns...The universal class [the class of civil servants] has for its task the universal interest of the community...Ability, skill, character, all belong to a man in his particular capacity. He must be educated and be trained to a particular task (Aveneri 1978:158-9)'.  
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Hegel's description of those belonging in the agricultural class in contrast the business class suggest elite rule. Only those with resources to educate themselves have the right to belong to the upper part of the structure or institution. Hegel's dialectics captures elite

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<sup>16</sup> Text are directly quoted by Avineri, for further reading on Hegel, Please see, Hegel's Theory on the Modern State. Page 156.

rule in the Philippine political system. The high political offices (elected offices) are always occupied by people coming from traditional elite families. They are well educated, have the means to develop their businesses, and money to finance their political machineries. From the class analysis of Sison (2000) he concluded that the business class in Philippines society is compose of less than 10 percent of the population but enjoys 80 percent of Philippine resources. Sison argues, that those with intellect rule and subordinate those who don't have the time to think beyond what their own survival allows, like those belonging to the agricultural class.

*Structure or institution*, thus, becomes a powerful tool in describing the political and social strata of Philippine society. The political structure will describe those who occupy powerful positions. Moreover, institution will identify the role and location of the Lumads, the Muslims, and the Christians.<sup>17</sup> The social institutions will facilitate identification of sub-structure existing within the mentioned categories, such location of women, youth, traditional and religious leaders. The structure will identify who is the oppressor and who are the dominated sectors. It also defines the distance among between actors, or the disparity of resources, which makes sector belong to the bottom of the structure.

At the international level, the institution will define the position of actors within international organizations, or within the states. For example, the location of the Philippine government is at the bottom, compared to the location of the MNLF, at the OIC. In contrast, the location of MNLF is at the bottom compared to Philippine government in the ASEAN.

While the caught of structure or institution gives a precise picture regarding the location of conflicting actors, it cannot explain the nature and mode of oppression and domination existing within the structure. In addition the concept cannot account for certain realities. Some of these are: reasons about what makes the upper class powerful to dominate and

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<sup>17</sup> During my field work, Congresswoman Daisy Fuentes and the general public in the south, were advocating 'Tri-people' concept of governance compose of the three mentioned groups. This study will suggest arrangement for above mentioned concept.

subjugate the other; the inherent powers relative to the structure where one or the other belong; how power is used to dominate, and to what extent powers can inflict a degree of reaction towards the other; and how does the other move-up, and how much power is needed to move up the social structure?

## C.2 Resistance

These exploratory deficiencies are remedied by the second component of our model or general framework, which is Foucault's theory on "power and resistance". His theory defines power as 'means by which individuals try to conduct, to determine the behavior of others'(Foucault 1988:18). The meaning suggests domination similar to Hegel, but in a more specific way - the application of power (mode of domination) and its effects once applied (resistance).

According to Simon (1995:81), Foucault's course in relation to power and resistance implies assessment of regimes, alluding to an ethic of permanent resistance.

Assessment of regimes imply that a thorough analysis of government at a particular time and its mode of governance. Specifically, it suggest who comprises the government, what are its policies towards its constituents, how are policies translated into action, and how recipients react to policies being applied.

'Resistance is possible when power pushes towards its limits. Power relations must always be analyzed in terms of adversarial struggle and confrontational strategies...Each adversarial relation is potentially reversible (Foucault:1982:225-6).'

Resistance mean as a negative form of reaction to a particular course of action. It develops when too much power is being applied to subjects of domination and no other options left except to resist it with force. This means that systematic application of force is being applied, and in the process of applying power, different forms of resistance develops until it has the capacity to counter-act power with the same force.

Resistance also implies the capacity to endure, and an action using force to counter-act power being applied. It then becomes the mode to reverse existing applications of force

to dominate. Foucault's theory on permanent resistance captures in a general way the phenomenon of sustained armed conflict in the southern Philippines.

The third component of my framework addresses the question: what facilitates group formation to resist once power is applied? Or what makes it possible to attract other actors in the conflict even if they are not subjected to the power?

### C.3 Ethnicity

The above question is addressed by the third component - *Ethnicity*. Anthony Giddens (1998:210) defines ethnicity as 'the cultural practices and outlooks of a given community of people that set them apart from others.' This suggests that ethnicity is a social construct. Max Weber ([1922]1968:389) called ethnic groups as those 'human groups that entertain a subjective belief in their common descent because of similarities of physical type or of customs or both, or because of memories of colonization or migration.'

From the definition, Weber distinguishes the difference between race and ethnic groups, and provides ideas about shared identities which will facilitate group formation, particularly in the political sphere. He saw united political action as central to the dynamic of ethnicity.

It is the political community, however it is organized, which appeals to shared ethnicity and brings ethnic groups into action. Yet, once an ethnic group has been constituted politically in this way, the belief in common ethnicity 'tends to persist even after the disintegration of the political community, unless drastic differences in the custom, physical type, or, above all, language exist among its members.'(Weber [1922]1968:389).

Weber's explanation on ethnicity captures the character of ethnic nationalism which is present in the Muslim rebels' goal of a separate state. Although the Muslims are composed of different tribes, they are united because of common beliefs and experiences. Smith (1993) proposes six criteria for a group to be considered an ethnic group. I will adopt his criteria in order to give a clear description on ethnic differences among the

Moros. These criteria are: First, they must have a name. Smith stresses that this is not trivial, because lack of name reflects insufficiently developed collective identity. In the case of the Filipino-ethnic Muslims, they are collectively called (and they call themselves) Moros.<sup>18</sup> The Moros are composed of different tribes but embrace Islam as a way of life. The term 'Moros' was once considered derogatory, for it connotes backwardness and a negative impression of the Muslims. Later it became a facilitating factor for the Muslims to unite (twelve tribes), because they have formed the impression that they are oppressed and labeled negatively.

The second criterion: they must believe in common ancestry. The Moros called their homeland as 'Bangsamoro,' referring to Mindanao. 'Bangsa' or 'balsa' is a small boat used by the people during the primitive times from one place to the other. The word has the same meaning in Bahasa which reflects the ancestry of Filipinos coming from an overwhelmingly, Indo-Malay stock. Although Filipinos are a mixed race (Indo-Malay, Spanish, Chinese and American), concentration of Indo-Malay influence is very strong in the Southern Philippines. The Moros would always accuse the Filipinos referring to the Christianized, to have forgotten their Muslim ancestry, referring to the Indo-Malay, and that their ignorance of their heritage causes them to oppress their Muslim brothers in the south.

Informant number one, told me, 'it's a shame for the Filipino people to oppress their fellow Muslim brothers in the south without remembering how their ancestors fought foreign domination since 15<sup>th</sup> century. Instead of being recognized to have fought against aggressors, we are further dominated by those who have submitted themselves to foreign powers.'<sup>19</sup>

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<sup>18</sup> The term 'Moro' was introduced by the Spanish colonizers during the 15<sup>th</sup> century, a derived term from the Moors of Africa. While the term 'Muslim' refers to a person practicing Islam as a way of life. Moros has a political connotation.

<sup>19</sup> Informant Number one is a Muslim coming from the Sulo Archipelago. Her father is a datu (chieftain or traditional leaders in the south with lots of resources) and very influential in the Muslim society.



The third criterion is that the group must share common historical memories. In the case of Filipino Muslims, they have the feeling of being systematically subjugated since the period of colonization. The subjugation they experienced in the past is a strong factor in their separatist goal. Gurr and Harff (1994) also attest to this findings. In their book *Ethnic Conflict in World Politics*, they discussed that contemporary grievances derived from contemporary factors have violent historical roots, related to practices of the past, including unjust practices perpetuated by colonialism. Autonomous groups or indigenous people were forcibly integrated in to the mainstream society resulting in decimation and mass migration. Gurr (1993) further adds that since the state is the provider of physical and cultural safety and regulates political and economic means, the primary objective of the deprived groups is to mobilize their strength to gain political access.

The fourth criterion is shared culture, generally based on a combination of language, religion, laws, customs, institutions, dress, music, crafts, architecture, and even food. Filipino-Muslim have distinct dialects which could not be understood by the settlers in Mindanao. Their religion and laws are based on the teachings of the Koran. They have distinct customs depending on the tribes where they belong. Arranged marriages are done by their parents at an early age and dowry systems still exist. Their manner of dressing is similar, and their music and dances are unique to them. Most of their houses or dwellings are similar to the modern house of the christianized Filipinos, except for another tribe (Badjao) which still continue to build their houses on the shoreline. This gave them a very distinct characteristic among the Muslims, because they spent most of their time in the sea and dive for pearls.<sup>20</sup>

The fifth criterion is that attachment to a specific piece of territory, which may or may not be inhabited. Filipino-Muslims claim the entire Mindanao, including the island of

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<sup>20</sup> During my field, I had the chance to talk to the Badjaos, when they came to sell their pearls (14 men and six women). According to Rudy ( a Badjao) they don't consider themselves as Muslims because they live most of their time in the sea to dive for pearls. According to Darwisa, a Maguindanao Muslim, Badjaos once served as the servants of the Muslim Tausogs and Maranaos. The claim of Rudy was partly true that they don't consider themselves as Muslims, because they do not read and write, which makes it impossible to read the Koran. Their ignorance made them as servants of the Muslim sultanate in the past, and they were identified as one of the Muslim tribes.

Palawan and Sulo Archipelago, as their traditional homeland even before the Philippines became a sovereign state.

The last criterion is that, people in a group have to think themselves as a group, in order to constitute an ethnic community. Filipino-Muslims think of themselves as a group being oppressed and systematically deprived of the benefits of social development which reinforces their in-group feeling as a separate community in the south of Philippines.

In relation to present Philippine society, (Muslim) ethnic groups recognize themselves as victims of exploitation and deprivation of both physical and cultural security. They naturally mobilize to express their collective concerns and seek redress by pursuing the idea of their own independent state. Breaking away from an oppressive society could ensure the provision of security and improvement in their way of life. This belief is a source of inspiration and strength to sustain an arm struggle. In order to control the mobilization of dissatisfied groups, government may adopt military action against dissatisfied groups, often under the guise of special legislation such as martial law or state of emergency. The usual tendency of governments to use force instead of addressing the root cause of the problem, further strengthens and galvanizes the cause to break way from the existing state.

In summary, the inter-relating concepts of 'institution', 'resistance,' and 'ethnicity' fully describe, explain and analyze the complex conflict in Mindanao.

## **Chapter Three**

### **Proposed Explanations of Mindanao Conflict**

#### **I. Introduction**

Keeping in mind the need to comprehend the Mindanao conflict in a more comprehensive way, and on the basis of the review of Literature in the preceding Chapter, this Chapter will outline the basic ideas that make up for a systematic understanding of the conflict.

The complex nature of the conflict may be seen in a matrix of competing and complementary and even chaotic explanations about the causes and implications of the armed rebellion in the Southern Philippines. These explanations may be sub-divided generally into three categories: (1) explanations about the causes of the conflict; (2) explanations about actors involved, and (3) explanations about government attempts to address the conflict.

#### **A. Causes and Working Context of Conflict**

##### **1. Conflict as Legacy of Spanish and American Colonization**

Conflict in Mindanao is a product of colonization, which goes back hundreds of years.<sup>21</sup> A once-advanced political kingdom ruled by a Sultan was completely destroyed and dominated by foreign powers (Magdalena, 1997:47).<sup>22</sup> Spanish colonizers (1521-1898) used 'divide and conquer' strategies to weaken the Muslim sultanate.<sup>23</sup> American colonizers (1899-1913) placed Mindanao under a military governor while the rest of the

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<sup>21</sup> The Lumads or natives moved up the mountains to evade acculturation and assimilation, while Muslims fought foreign intrusion (Gowing, 1983). Constantino (1975) explained, that 'divide and conquer' strategy in 'hispanizing' the archipelago was employed by Spanish colonizers using natives from other islands, to attack settlements of Muslims in the south, and in response, the Muslims attacked villages in northern islands by burning their houses.

<sup>22</sup> Historical evidence shows that the Sultan of Sulu was the most powerful in the region during the 13<sup>th</sup> and 14<sup>th</sup> century (Zaide, 1988). The state of Sabah, Malaysia was given as present to the Sultan of Sulu by the Sultan of Brunei, after the former sent his men to the latter to defend its kingdom from internal rebellion.

<sup>23</sup> De los Santos (1977) defines this conflict as 'Moro Wars' and for more than three hundred years, the relation between Spanish colony [christianized Filipinos from other islands] and Muslim communities were characterized by antagonism and hostilities, which pulled them apart but consolidated and developed internal solidarity within each of these groups.

islands were under civilian leaders.<sup>24</sup> The Moros, although composed of different groups, saw themselves as collectively and systematically under attack by aggressors. Their choice was to fight in kind. For more than four hundred years, the colonization process in effect developed the 'culture of armed-resistance' in Mindanao.<sup>25</sup> Grievances of Muslims have been passed from one generation to the next, each generation witnessing how their parents struggled against their perceived enemy.<sup>26</sup>

Furthermore, colonization destroyed institutions of the natives. Under Americans, Moros were defeated and subjected to direct rule, avowedly "to develop, to civilize, to educate, to train in the science of self government," the corollary of assimilating the non-Christians into the Philippine national life. According to Magdalena (1997:246)

"the feudal system of government among Moros based on sultanate gave way to operation of the modern state as their territories were merged into the north...[T]his also abolished some native institutions [which further]...altered ...the social relations among the Moros but also their dealings with other people."<sup>27</sup>

In summary, colonization destroyed the well-functioning political and social system of the Moros. Their feelings of resentment developed into their 'culture of antagonism' which in effect sustains the pervasive 'culture of armed-resistance.'<sup>28</sup> The culture of

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<sup>24</sup> The intention of the US to colonize the archipelago was followed by deployment the of at least 50,000 troops all throughout the islands, which begun "America's longest-lasting and most conspicuous colony ever come into being(Blum,1986:37)."

<sup>25</sup> Lando explained to me that joining the rebel group was the best he could offer to his parents in order to regain their dignity as a people. His great grandfather have fought foreign domination- pointing to me the KRIS (a native sword) and now his turn to continue their struggle with the use of modern fire-arms (recorded interview at Camp Abubakkar)

<sup>26</sup> In the house of informant no.4, I was surprised to witness how a seven year-old demonstrated in front of me how to disassemble an M-16 automatic armmalite. His parent taught him how to do so, so he can become a member of MILF when he reaches the age of 16.

<sup>27</sup> Some social institutions practiced by the Moros that were abolished are slavery and trade. See James Francis Warren, *The Sulu Zone, 1768-1898: The Dynamics of External Trade, Slavery, and Ethnicity in Transformation of a Southeast Asian Maritime State*. Singapore: Oxford Univeristy Press. 1981. A conflicting view, however, is presented by Constantino, that slavery in this primitive society is practiced as household slavery and for ostentation, rather than slavery for production as practice in the west. See Constantino, page 35.

<sup>28</sup> From my interview in Camp Abubakkar, most of the rebels revealed that it was difficult on their part to function as a Muslim in an overwhelming Christian society. They pointed-out the practice of prayers inside the classrooms, or serving of pork in the cafeteria as an act of disrespect. 'If only an Islamic State is granted to them, it would be easy to advance their own development.' (Recorded interview with MILF members.)

resentment is a deep feeling of anger develop after constant de-humanizing experience from one generation to the other.

## 2. Conflict as Struggle to Revert from Modern State to Sultanate

The lost power and influence of royal families belonging to the Sultanate serve as another factor for the continuing armed conflict.<sup>29</sup> In the (former) Sultanate, members and relatives of the royal family occupied high status, with authority over their warriors and slaves. While in the modern state, the royal family have no actual power over their former slaves and warriors, unlike in the Sultanate. The modern state concept defines power as belonging to the people. In contrast, the Sultanate exercises power over the people. To reverse the condition from modern state back to the Sultanate, society should undergo stages of overthrowing the modern state, or stages of armed struggle until the modern state is weaken and the Sultanate could again function and operate.

However, either of these two scenarios could not immediately weaken the modern state. This means that armed struggle has to be sustained, mobilizing all necessary means to overthrow or weaken the modern state.<sup>30</sup>

## 3. Conflict as Cost of Modernization

In the context of the present state, the Moros assert their *Right for Ancestral Domain*, while the government claimed its *Right of Public Domain*.<sup>31</sup> The conflict arises when the Law on Public Domain specified areas as owned by the government, individuals, and

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<sup>29</sup> Traditional Muslim politicians such as Pundato and Matalam were descendants of the royal family. They were the first Moro leaders to publicly declare and inspire young Moros to participate in armed struggle. Informant no. 1 told me that her grand father and parents were sending their support to the rebels in the mountain because they look forward to regaining their social status and power under the sultanate once they achieve their goal for a separate state (recorded interview with 21 MILF rebels).

<sup>30</sup> The study of Tan revealed that efforts of Muslims to internationalize their cause was necessary to attract support from other Muslim groups abroad. During my interview with members of the MILF in their camp, they revealed that that imams from other countries are working with them to raise funds for purchasing arms. (recorded interview with 21 MILF rebels)

<sup>31</sup> The belief and practices of the indigenous tribes on ownership of the land is similar to the concept of the Muslims. *Adat* among the Moros is based on the notion that there can be no absolute ownership of the land. Islamic principles hold that land and all creation belong to God and that human beings are trustees and steward of Gods creation. While the indigenous tribes or Lumads have the traditional concept of land ownership based on what their communities consider their ancestral territories.

corporations. To establish these facts, land titling was introduced.<sup>32</sup> With the introduction of land titling system, many of the Moros and Lumads became squatters in their own land.<sup>33</sup>

The enforcement of the law of public domain led to the government's decision on resettlement to the south. In the 1900s, without any difference from its Spanish and Americans colonizers, GRP further alienated the Moros with its policy of resettling Christians from the north, pushing the Moro towards the southern part of Mindanao and its islands. Thousand of settlers arrived every week and competition for land aggravated the clash between the Moro minority and majority of Christian Filipinos (Muslim and Guiam,1999:13). Wide areas of agricultural land were distributed to new settlers every week which resulted in the contest over the ownership of land.<sup>34</sup> See table following page.

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<sup>32</sup> At the disadvantage of the Moros and the Lumads who can not speak and understand either the Spanish or English languages (the official language after colonization) they were not able to register their own lands. Only few Moros were able to register lands in their names: these are the traditional chieftains who were aided by missionaries. (interview with Rodil)

<sup>33</sup> During my field work, the father of Ogie, a Maguindanao Muslim narrated with teary eyes: 'when people wanted our land they gave us soft drinks and beer, took some photos of us and requested our thumb mark as registration of our names.' (recorded interview and translated to English) He recalled how land grabbers took advantage on the ignorance of his parents. Their land now is one of the area covered by Dole Philippines. (recorded interview)

<sup>34</sup> The Christians outnumbered the Moros and government policy for resettlement gave them the power to claim and fight for the land. While the Moros, on the other hand, depended on their historical rights as traditional owners of the land. Their reaction was viewed as violence against government policy. The GRP launch pacification campaigns using military force which started the fight between Moros and government forces. Clashes between Moros and Christians intermittently occur in different areas as a direct result of resettlements. However, GRPs' land settlement program continued, particularly driven by its attitude to diffuse the communist insurgency in Luzon. The emergence also of Multi-national and Transnational Companies in Mindanao further attracted Christian migration to the south. In 1912, there were 159 major plantations with 100 hectares or more registered as large private holdings in whole Mindanao, 66 of which are owned by the Americans, 39 by Filipinos (mostly Christians), 27 by Europeans, and 27 by Chinese (please see Table II for some TNC's and MNCs in Mindanao on succeeding page). Furthermore, between 1913 until 1917 additional seven agricultural colonies were opened by GRP. Christian settlers were mixed with the Moros to develop good working relations but the result further aggravated the conflict between settlers and Moros. Settlements continued even at the height of war in 1968-1975 especially in the most troubled area of Regions XI and XII (see Table III on succeeding page). This is particularly due to the deliberate plan of Marcos to fuel the already existing conflict in the south in order to justify declaration of martial law -an event which immediately gave him [Marcos] the ultimate power of the state.

**Table I Agricultural Colonies In Southern Philippines**

Colony	Year Established	Area (Hectares)
Pikit , Cotabato	1913	2,720
Silik, Cotabato	1913	2,708
Peidu-Pulangi, Cotabato	1913	1,380
Pagalungan, Cotabato	1913	4,475
Glan, Cotabato	1913	1,272
Momungan, Lanao	1914	2,344
Abululog, Cagayan	1914	2,677
Talitay, Cotabato	1917	1,720

Source: Pelzer, Karl J. 1945. *Pioneer Settlement in the Asiatic Tropics*. American Geographical Society. New York. Page 42.

Current statistic (1990) on southern Philippines (Mindanao, Sulu, and Palawan) show that of the total population of 14.7 million inhabitants, the Moros constitute 17.5%, the Lumads 5.3%, while the Christianized Filipinos are more than 70%. Muslims are no longer the majority in their traditional homeland and are continuously threatened even in their peripheries. It is understandable that extremist solutions, such as secession, appeals to them (Pertiera, 2000). According to David (2000) while the Christianize Filipino people tell their narratives as resistance, subjugation and oppression, and revolt to emancipation from different colonizers, the Moros tell theirs as a narrative of relentless resistance. To summarize, conflict revolved in the conflicting concept of land ownership exacerbated by land settlement, land grabbing, and covert government policies on land use, such as the diffusion of communist insurgency in the north and expansion of Multi-national corporations.

#### 4. Conflict as Product of Ethnic Complexity

The social inter-action between Christian, Lumads, and Muslims is blurred by mutual antagonism. The historical experience and resettlement created heterogeneous sub-

Table II.

## Multi-National and Transnational Corporation Operating in Mindanao

Name of Corporation	Major Activity/ Product	Location of Operation	Owner/ Concessionaire
American Rubber Corp.	Crumb Rubber manufacturing	Isabela, Basilan	Malaysian
Sime Darby Int	Tire Manufacturing	Isabela, Basilan	Malaysian
Mindanao Rubber Comp.	Crude Rubber production	Sulu	American
Menzi Agricultural Corporation	Growing and Trading of Rubber, Palm oil	Isabela, Basilan	American
Eurasia Match Inc.	Cacao Plantation	Basilan	American
UP-NDC Basilan Plantations, Inc.	Rubber and Cacao Plantation	Isabela, Basilan	Malaysian
Philippine Overseas Drilling and Oil Development Corporation	Oil exploration	Southwest Sulu seas	Australian
Timber Industries of the Philippines	Timber Concessions	Lanao del Sur	Australian
Sarmiento Industires	Logging Concessions	Maguindanao	Filipino
Minrico Lumber Ent. Co. Inc.	Lumber /Logging	Maguindanao	Filipino
Lanao Agro Industrial Corp.	Fishpond development, logging agricultural development	Lanao del Sur	Filipino
San Miguel Corporation	Food & Beverage manufacturing & wholesaling, processing of ramie	Maguindanao	American/British /Italian/Filipino
Nestle	Coffee Processing	Lanao del Sur	Swiss/ Filipino
Lamsan Trading Corp.	Corn starch Processing	Maguindanao	American
Lu Do & Luym Corp	Cornstarch, coco oil	Lanao del Sur	Chinese
Dole Philippines	Pineapple processing	Maguindanao, Bukidnon	American
Matling Ind. Comp.	Casava Starch processing	Lanao del Sur	Chinese
Purokan Palntation	Casava and by-product Processing	Lanao del Sur	Chinese
Phil. Trade Center	Starch Processing	Maguindanao	Chinese
Mindanao Textile Corp.	Textile manufacturing	Maguindanao	Chinese
Rami Textile Inc.	Textile manufacturing	Maguindanao	Chinese
Cebu Oxygen and Acetylene	Indusrtial & Medical gasses	Maguindanao	Filipino

Source: Mindanao, Inc. AFRIM, 1998



**Table III Land Settlements in Mindanao**

Regions (Places)	Year	Area in Hectares
<b>Region IX:</b>		
1. Zamboanga del Norte Proj.	1972	35,000
2. Basilan Settlement Proj.	1976	15,000
3. Sulu Settlement Proj.	1976	7,176
4. Tawi-Tawi Settlement Proj.	1955	15,340
<b>Region X</b>		
1. Agusan Del Sur Project	1968	16,440
2. Bukidnon Settlement Project	1955	38,400
<b>Region XI</b>		
1. South Cotabato Project	1970	22,700
2. Davao del Norte Project No.1	1955	11,278
3. Davao del Norte Project No.2	1971	8,221
<b>Region XII</b>		
1. Lanao del Norte Project No.1	1962	13,943
2. Lanao del Norte Project No.2	1953	2,737
3. Lanao del Norte project No. 3	1975	19,674
4. Lanao del Sur Project No. 1	1955	18,000
5. Lanao del Sur Project No. 2	1974	9,639
6. Lanao del Sur Project No. 3	1976	18,197
7. North Cotabato Project No.1	1961	100,000
8. North Cotabato Project No. 2	1953	28,380
9. Maguindanao Project No. 1	1953	5,464
10. Maguindanao Project No. 2	1967	33,000
11. Maguindanao Project No. 3	1976	4,268
12. Sultan Kudarat Project No.1	1955	52,469
13. Sultan Kudarat Project No. 2	1974	52,237

Source: Data and Statistics Division Report January, 1983. Bureau of Resettlement, Ministry of Agrarian Reform. ( The current name of office is Management Information System, Department of Agrarian Reform)

cultures which strengthened assertion of ethnic identities.<sup>35</sup> This could be described by classifying them according to their ethnicity: According to religion there are three: Christians which is now the majority with 70% of the population, followed by the Muslims with 17.5%, and the Lumads (5.3%). According to language/dialects: 39. According to geographical origin: 35. Finally according to and by geographical concentration: the Moros are spread all over Mindanao but are highly concentrated in four provinces.( Please see next table and map for their Location) Furthermore, in each sub-culture there exist inherent characteristics which define mutual irritation and intolerance.<sup>36</sup>

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<sup>35</sup> Like the Moro, the Lumads retain their own ethnic identities and evaded assimilation, thus leaving Mindanao compose of three major ethnic groups: the natives who accepted Islam (Muslims), natives who became Christians (Filipino) and those who neither accepted any religion (Lumads). Bertrand (2000:44), Magdalena (1997:245-248),and Rivera(1994:259) claimed that conflict existed among them because their sense of identity is being threatened, and their experience of political and economic discrimination in the larger political system of Philippine Republic.

<sup>36</sup> Among the Christians, Visayan or Bisaya ( those originating from Cebu and nearby provinces) speaking could not easily mix with Warays (originating from Samar and Leyte), or Warays could not easily mix with the Kapangpangans (coming from the Pampanga) and Ilocano ( from Ilocos). The Hiligaynon or Ilongo can easily blend with the Christians, but their records for beheading the Muslims during the start of the conflict makes them hostile towards each other . Among Muslims, division among nobles and slaves has also created undercurrents of irritants among themselves. The Tausog, Maguindanao, and the Maranaw are tribes coming from the noble class and in constant rivalry with each other. The rest of the tribes are slaves (Samals, Yakans, Badjaos, etc). According to informant no. two (a Maguinadanao), Tausogs always wanted to be the leader, with tendency to take advantage and exploit those coming from other tribes. " Tausogs are smuggling the Badjaos to Manila and forcing them to beg, after which, they collect all the money in the evening." Maguindanaos and Maranaws always challenge the Tausogs in any political battle or leadership position. The wealthy Tausog families send their children to study in Manila, while wealthy Maguindanaos and Maranaws sent their children to study in Egypt. The split in the MNLF could be related to ethnic differences, where, MNLF under Nur Misuari, a Tausog, studied in University of the Philippines, the center of marxist-nationalism in 1960's. MILF leaders under Hashim Sallamat, a Maranaw, studied in Al Azzhar University in Cairo Egypt, which is also the center of resurgence of Islamic fundamentalism. In the study of Santos (2000) he pointed out the differences in leadership perspective as influence by educational background. The framework of the present study however suggest that its their ethnic differences which led to the split in the Moro movement.

**Table IV: Ethno -Grouping of Mindanao**

Religion	Language	Geographical Origin
Islam	<ol style="list-style-type: none"> <li>1. Maguinadanaon (people of the flooded plain)</li> <li>2. Maranaw (people of the lake)</li> <li>3. Tausug (people of the current),</li> <li>4. Yakan,</li> <li>5. Sama,</li> <li>6. Badjaw,</li> <li>7. Kalagan,</li> <li>8. Sangil,</li> <li>9. Iranun or Ilanun,</li> <li>10. Palawani,</li> <li>11. Melebugnon,</li> <li>12. Kalibogan, and</li> <li>13. Jama Mapun.</li> </ol>	<ol style="list-style-type: none"> <li>1. Maguindanao *</li> <li>2. Sultan Kudarat*</li> <li>3. South Cotabato*</li> <li>4. Lanao Sur*</li> <li>5. Lanao Norte*</li> <li>6. Sulo Archipelago*</li> </ol>
Christian	<ol style="list-style-type: none"> <li>1. Hiligaynon</li> <li>2. Tagalog</li> <li>3. Bisaya</li> <li>4. Kapangpangan</li> <li>5. Ilocano</li> <li>6. Waray</li> <li>7. Karay-a</li> <li>8. Chabakano</li> </ol>	<ol style="list-style-type: none"> <li>1. Iloilo**</li> <li>2. Bulacan**</li> <li>3. Cebu**</li> <li>4. Samar**</li> <li>5. Leyte**</li> <li>6. Samar**</li> <li>7. Antique**</li> <li>8. Pampanga**</li> <li>9. Cavite**</li> <li>10. Aklan**</li> <li>11. Siquijor**</li> <li>12. Negros**</li> <li>13. CapiZ**</li> <li>14. Ilocos**</li> </ol>
Lumads	<ol style="list-style-type: none"> <li>1. Ata***</li> <li>2. Bagobo***</li> <li>3. Banwaon***</li> <li>4. B'laan***</li> <li>5. Bukidnon***</li> <li>6. Dibabawon***</li> <li>7. Higaonon***</li> <li>8. Mamanwa***</li> <li>9. Mandaya***</li> <li>10. Manguwangan***</li> <li>11. Manobo***</li> <li>12. Mansaka***</li> <li>13. Sobanaon***</li> <li>14. Tagakaolo***</li> <li>15. Tasaday***</li> <li>16. T'boli***</li> <li>17. Teduray***</li> <li>18. Ubo***</li> </ol>	Presence of these tribes are identified in 17 of Mindanao's 24 provinces.****

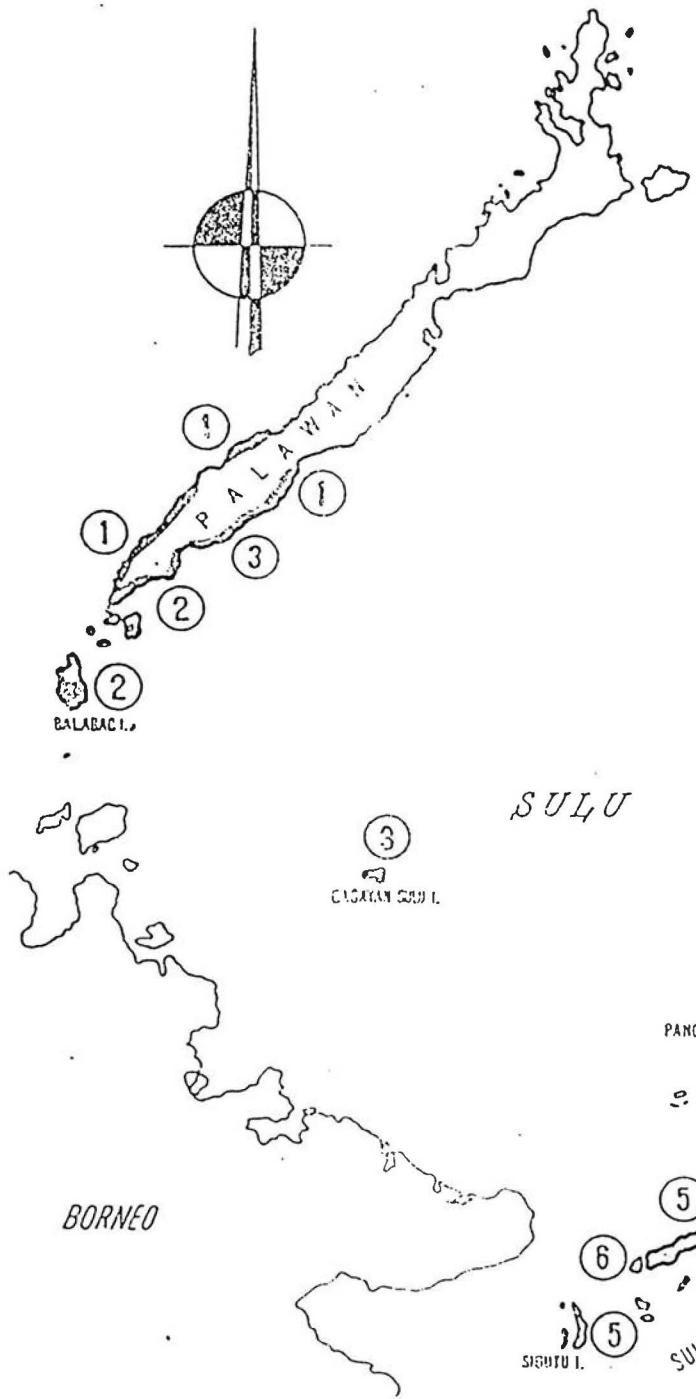
Sources: \*

Abreu, IPE Journals No.1 1996. Page 9.

\*\* Paderanga, Mindanao Studies Report No.2 1995 ( various tables)

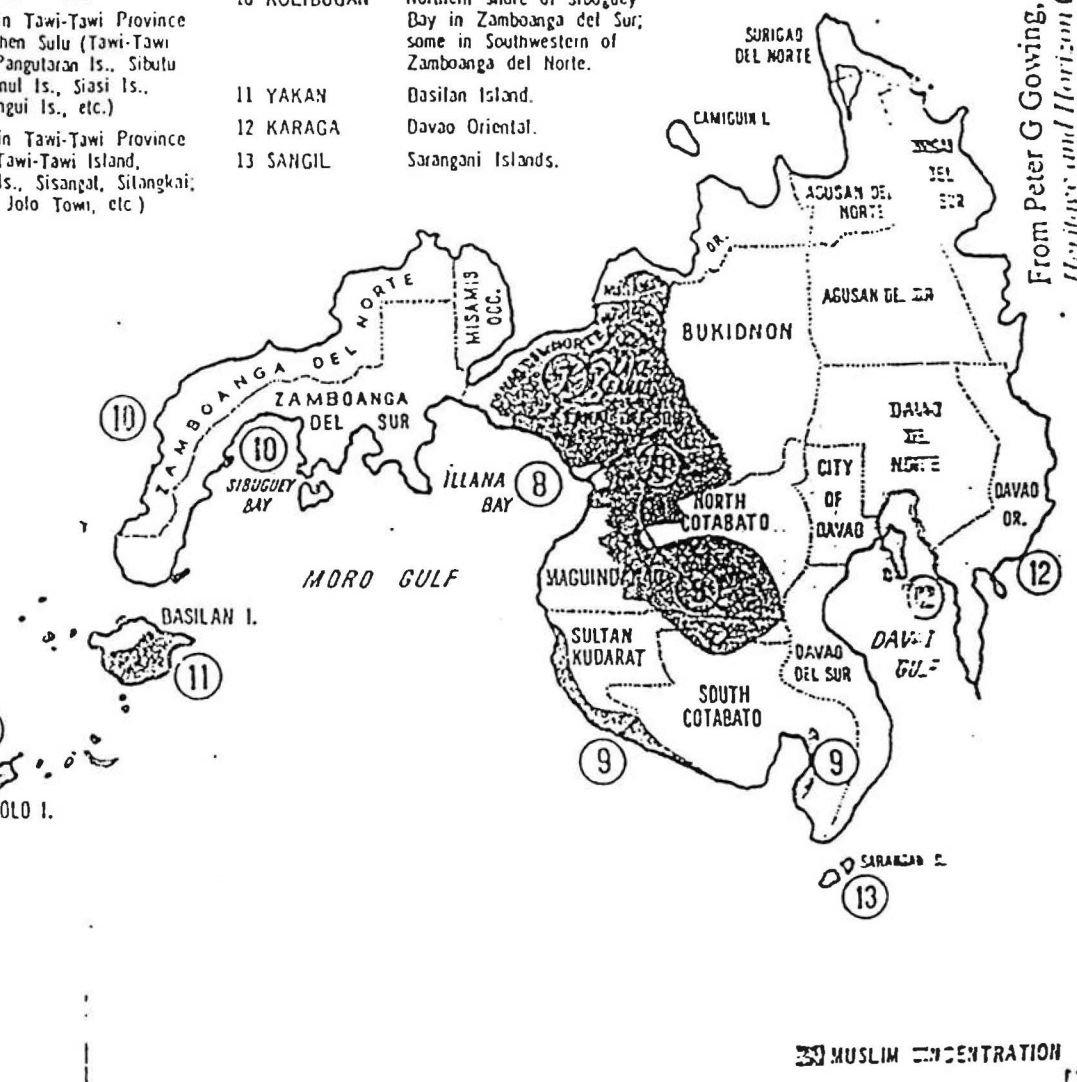
\*\*\* IBON Facts and Figures. Vol.23,No.13-14. July 15-31,2000. Page 8.

\*\*\*\* Lumads and Ancestral Domain. Compromising On Autonomy. Accord. Page 14



- PALAWAN GROUPS**
- 1 PALAWAN Southwestern and central Eastern Palawan.
  - 2 MOLBOG Balabac Island and Southeastern Palawan.
  - 3 JAMA MAPUH Cagayan de Sulu Island; Southeastern Palawan.
- SULU GROUPS**
- 4 TAUSUG Jolo Island and nearby surrounding islands.
  - 5 SAMALS Chiefly in Tawi-Tawi Province and Northern Sulu (Tawi-Tawi Island, Pangutaran Is., Sibutu Is., Siminul Is., Siasi Is., Balanguingui Is., etc.)
  - 6 BAJAU Chiefly in Tawi-Tawi Province (tip of Tawi-Tawi Island, Bongao Is., Sisangal, Silangkai; some in Jolo Tawi, etc.)

- MINDANAO GROUPS**
- 7 MARANAO Province of Lanao del Sur—around Lake Lanao, some in Lanao del Norte.
  - 8 ILANUN Eastern shores of Illana Bay in Lanao del Sur
  - 9 MAGUINDANAO Cotabato Province—notably Maguindanao, North Cotabato, Sultan Kudarat and some in South Cotabato.
  - 10 KOLIBUGAN Northern shore of Sibuguey Bay in Zamboanga del Sur; some in Southwestern of Zamboanga del Norte.
  - 11 YAKAN Basilan Island.
  - 12 KARAGA Davao Oriental.
  - 13 SANGIL Sarangani Islands.



30 MUSLIM CONCENTRATION

From Peter G Gowing, *Muslim Filipinos - Heritage and Horizon* (1974) inside front cover

#### 5. Conflict as a Tension Between Formal and Informal Economic Activities

The formal economic sector controlled by Christians remain uncompetitive due to taxes in contrast to the underground economy controlled by the Muslims.<sup>37</sup> The GRP response to out-law 'barter trade' was seen as favoring Christians and a deliberate effort to limit the economic mobility of Moros. In response, the Moros are bombing malls to scare customers.<sup>38</sup>

Moreover, Presence of Multinational companies did not improve the quality of life of people from the south but further widen the income gap between the Christians and Muslims.<sup>39</sup> The Christians are immediately hired rather than their Muslim counterparts, due to educational qualification, and because businesses are owned by Christians who say that they, by reason of historical experience will never trust the Muslims.

#### 6. Conflict as A Result of Defective Political System

The Philippine political structure lacks mechanisms institutionalize equal representation among ethnic minorities. Key government post are decided by majority of votes at the national level. Election cost confine Muslim participation to limited political offices. Thus, less than one percent (6 Muslims out 210 congressmen and no Muslim Senators) of law makers are Muslims, making it difficult to bring policy reforms to bear on serious issues concerning Mindanao. Moreover, the government, composed of Christians, is seen as a vehicle of oppression against the Muslims.

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<sup>37</sup> Informant No Five, said, "my husband is a merchant engaged in barter trade, although he finished BS Accountancy." 'Barter trade' means, the market where stolen or smuggled products from Malaysia or Indonesia are being displayed.

<sup>38</sup> Informant No. two, said not all bombings in malls are done by the rebels, but by hire goons of Muslim businessmen in barter trade whose merchandise were taken by the police.

<sup>39</sup> Mindanao accounts for 23% of the total national labor force. Most of its land is forest areas which covers 60% of the island's 102,000 sq.km. Incidentally, Region XI has the highest concentration of farm areas with 1.1 million hectares. In contrast, 1991 Family Income and Expenditure Survey show that, average household family incomes in predominantly rural Moro provinces were generally low (except Tawi-Tawi) compared to daily cost-of-living estimates during the same year, at least 83 percent of families in five provinces lived below poverty line. The Muslims complain that once their religious affiliation is known they are easily turn down in employment. The religious affiliation led to stigma, as captured in the insulting popular expression "a good Moro is a Dead Moro." ( Informant No. 2)

## 7. Conflict Spawned from Incompatibility of Islam and Christian Faith

Incompatibility of Muslims and Christian beliefs is another source of conflict. Born-again Christians evangelizing in Muslim areas often leads to armed confrontation between two groups.<sup>40</sup>

## 8. Conflict as Result of Inter-State Rivalry

The struggle on which state should become a regional hegemon (between Malaysia and Philippines) was played out in Mindanao (Azurin,1996).<sup>41</sup> Malaysia was keen in supporting Moros for separate state in order to make Mindanao one of their federal states.<sup>42</sup>

## 9 Conflict as Seed of Islamic Resurgence in Southeast Asia

Islamic resurgence, which started in Egypt, introduced by MILF leaders advance their Islamic doctrine of governance based on the Quran. This is incompatible with the existing system of governance influence by predominantly Roman Catholic church.<sup>43</sup> The incompatibility of the Moros' claim and the claims of the existing system, reinforces the violent conflict between Muslims and Christians.

## 10. Conflict as Strengthened by International Peace Operations of the UN

The UN sponsored independence for East Timor early this year encouraged the Moro strategy of intensifying conflict to catch international attention until a UN sponsored referendum for independence is also carried -out for Mindanao.<sup>44</sup> This strategy was counter by a 'total war' policy on the part of the GRP to weaken the MILF (PDI 2000).

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<sup>40</sup> The latest conflict between two groups, was last August. Thirteen 'born-again' Christians were held hostage after they went to pray for the Abu Sayaf. The Moros threatened to behead them, while 'born-again' supporters threatened to lobby for mass execution of kidnappers.

<sup>41</sup> He suggested that Malaysia was able to infiltrate GRP's intelligence during its planning stage of regaining Sabah from Malaysia.

<sup>42</sup> Once a separate Islamic state for Muslims become part of Malaysia, it would also mean decreasing the number of claimants on Spratlys. A Spratly group of islands within the 200 miles from the coast of Palawan (one of the territories claimed by Moros) is claimed by number of states. See Azurin

<sup>43</sup> The Roman Catholic (RC) church plays an influential role in government policies and decisions. From experience, Aquino always took advise from Cardinal Sin, while Ramos could not implement some government programs due to RC's objection.

<sup>44</sup> The MILF announced in national dailies to intensify conflict. In response, the Department of National Defense immediately made its plan to weaken the MILF by making an all-out offensive.

## 11. Separatist Argument

Moros perceive that a separate state is the only way to redress and correct the past. However, the perception of GRP is related to its own (in)security - once separate state is granted, it would lead to ultimate collapse of the state.<sup>45</sup> In the study of Levine (1996) he pointed out that governments are fearful of losing from the secessionist movements in regions with particular economic and military importance. In the case of the GRP it would not give up Mindanao due to its economic importance.

Another fear of GRP is best explained by the study of Brown (1993). He discusses how when a state will break-away from its original mother state this may spread the possibility of "intra" and "inter" state conflict. The first reaction occurs, when a multiethnic state begins to fragment and one breakaway is successful, leading others to do the same. The second reaction happens when the new state is created, a minority of the newly created state might seek to go back to its original state. The third reaction, the minority of the newly created state may identify its group to the third party state with which they think they share common values. The fourth kind of reaction happens when the same ethnic groups are spread in neighboring states and once one group is discriminated against, other groups came in to help. Brown also mentioned that combination of any one of the reactions is also a possibility.

In relation to the GRP once it gives in to the demands of the Moro secessionist, it faces the same threat from the Igorots (indigenous tribes in the north) of the Cordillera, who are also fighting for autonomy. Or like the second reaction, Christians might take-up arms and fight to go back to the GRP state, or probably another state for them, resulting in a never-ending armed conflict.

### **B. Arena of Conflict**

The conflict is played simultaneously with varying intensities in several arena. In the diplomatic arena each actor sends its representatives in the ASEAN, the OIC, and the

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<sup>45</sup> As mentioned earlier, Republic of the Philippines is composed of different regions having different ethno-groups.

UN. While at the economic arena, sanctions and trade embargo are threatened to be imposed by the Muslims' supporters. The actual armed conflict is being played in the arena of the rural areas of Southern Philippines. Lately, the armed conflict moved from rural to urban guerilla warfare.<sup>46</sup>

### **C. Description of Actors and their Conflicting Discourses**

It is important to understand that conflict in Mindanao is played by number of actors having different discourses and stakes. Their ideological line, position towards each other, and power is described by this section.

#### **1. Government of the Republic of the Philippines (GRP)**

The GRP referred by this study are the four successive Presidents: Ferdinand Marcos (1965-1986), Corazon Aquino (1986-92), Fidel Ramos (1992-98), and Joseph Estrada (1998 up to the present) The bottom-line of these administrations is its political system, which is based on the principle of "Philippine Sovereignty" and "territorial integrity". Both phrases are defined in the Philippines Constitution and provides, the political and legal authority of the national government over all parts of the Philippine territory. According to Wadi (1993), government negotiators in the past were willing to give in it to any demand of the Moros, except independence.

The Philippine Constitution and political system are two related things. The Philippine Constitution reflects and reinforces the latter, which is a highly centralize presidential unitary system with limited local autonomy. Although constitutional amendment is a possible option to accommodate some points raised by the Muslims, this has never been attempted. However, during the time of Aquino, the focus was redefinition of the political system from autocratic to democratic form of government.

Constitutionalism is the major character of Philippine political system. The tendency of the GRP side in almost all negotiation with the Moros, was to stick to the existing Philippine Constitution and laws, as well as political system, which translates to the

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<sup>46</sup> The armed conflict in urban areas include series of assassination of both high ranking and low officials. Informant no.2. narrated that urban warfare strategy will put GRP on defensive for they have to protect the



grant of limited autonomy under central authority. This means that all major political and legal acts should be within the framework of or not violate, the Philippine Constitution.

The defining characteristic of Marcos' administration was constitutional authoritarianism. The Aquino administration was concerned mainly with the restoration of democracy through a new Constitution. But her regime also struggled to survive from the military coup attempts and its war against the communist insurgency which reached its peak but then decline during her time. The administration of Ramos focused on the economic program to bring the Philippines to newly-industrialized country status by the year 2000. One requisite for this project was a comprehensive peace process for all rebel groups.

The Estrada administration was basically tasked to manage the peace achieved during the Ramos government. However, his government adopted a 'total war' policy in dealing with the other Muslim groups. This resulted in renewing and widening the hostilities in the Southern Philippines.

## 2. Moro National Liberation Front (MNLF)

The MNLF serves as the forerunner of different Moro liberation groups fighting for a separate state. Their original claim is a separate Islamic state, but having signed an agreement with the GRP, through the OIC, the MNLF had settled for autonomous government.

## 3 Moro Islamic Liberation Front (MILF)

The MILF is totally different actor from MNLF. It strictly embraces the teachings of Islam, making it an Islamic Fundamentalist organization. Technically, it does not recognize the Philippine Constitution and fights against the government to achieve secession.

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civilians.

Strategically, it has established its own recognized 'camps' in Mindanao, which has attracted Muslim civilians who have settled there. The presence of civilians in and around the camps became a source of power for the MILF. The MILF knew that if the camps were attacked, this would displace millions of civilians.

#### 4. Abu Sayaf Group<sup>47</sup>

The mysterious existence of the Abu Sayaf as a group could be traced back in the late eighties.<sup>48</sup> More than 800 Muslims from the south were recruited by the Philippine military intelligence and were sent to Peshawar Pakistan to serve as mujahedin fighters against the Russian-backed government of Afghanistan. Filipino-Muslims got close contact with Ossama bin Laddin during the Afghan war. Upon returning to the Philippines, the mujahedin developed a superiority complex vis-à-vis their MILF and MNLF comrades. They founded their own group under the leadership of Abdurajak Janjalani and adopted a strict Islamic Fundamentalist stand. The Islamic Fundamentalism cause of Janjalani gave his group financial assistance from Ossama Bin Laddin. With his death three years ago, and due to the difficulty of obtaining assistance from Laddin, the group turned into banditry. According to my informant, members of this group include Christians converted to Islam. The image of carrying an M-16 rifle gives its members the feeling of security and improved masculinity in situations where a job is not available. In order to sustain the existence of their group they turned to banditry and kidnapping. A series of kidnap-for-ransom activities were made by the group. Most of their victims are Chinese businessmen, school teachers, foreign journalist, nuns and priest, and fellow Muslims.

The latest victims were European tourist snatched from their vacation resort in Malaysia. As of this writing, the government is attacking the camps and the hide-outs of the Abu Sayaf in the different islands of the Sulu archipelago.

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<sup>47</sup> Taken from various informants.

<sup>48</sup> Group members are concentrated in the Sulo Archipelago

## 5. Vigilante Groups

These are groups of farmers, laborers who were hired as goons by loggers and big businessmen.<sup>49</sup> In retaliation, the Muslims made their own groups to defend themselves.<sup>50</sup> The conflict between the vigilantes and involvement of civilians became known as the 'Muslim -Christian' war in Mindanao. The Muslim -Christian war in Mindanao justified military attacks on Muslim communities in the south.

## 6. Organization of Islamic Conference (OIC)<sup>51</sup>

OIC's history explains why they are supportive of the MNLF and MILF. The name of Islam binds them all together. OIC involvement gave power to the MNLF, but still their power has to recognize the political structures in both national and international communities. The OIC involvement is in form of inquiry and good offices, mediation, sanction, consultation and regional arrangements, and also with the United Nations.<sup>52</sup>

### *Individual States*

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<sup>49</sup> Some are organized to scare Muslims and grab their land, while others were framed, to protect the land purchase from the Muslims. They were supplied with high powered guns to kill the Muslims so they can start their logging activities. The other factor in the formation of vigilante groups is the atrocities of Muslims towards the Christian settlers. Some Muslims gave up their farm land to Christian farmers, in exchange for beers and vino (local wine). Once the crops and farm produce were ready for harvest, the Muslims tried to harvest the crops at midnight and stole the produce.

Joe Laranga, a Christian settler from Iloilo who settled in Cotabato told me during an interview that he participated in the Ilaga, a vigilante group, in order to retaliate against the arrogance of the Muslims who always harvested their rice crops. Their activities included burning of houses, beheading of Muslim males, or cutting their ears and fingers.

<sup>50</sup> Their groups are called *black shirt* and *barracuda*, who also practice beheading their Christian captives.

<sup>51</sup> The OIC was founded after an attack of the Muslim shrine in Jerusalem way back in late sixties. The incident was taken by the Arab countries as a threat to Islam. In response they organize themselves and make intercession with states attacking their fellow Muslims.

<sup>52</sup> Inquiry and Good Offices - resolutions were prefaced by 'seeks the good offices of the Philippine Government.' And 'appeal to peace loving states, religious and international authorities to use their good offices with Philippine government,' and 'request Indonesia and Malaysia to exert their good offices...within the framework of the ASEAN.' (4<sup>th</sup> and 7<sup>th</sup> OIC document). Mediation - 5<sup>th</sup> OIC document in 1974 spelled out mediation for First Jeddah Talks in 1975 which failed, then followed by the mediation in Tripoli in 1976 which produced an agreement, Tripoli Agreement. Sanction - Iran imposed 5 percent cut-off for oil exports to the Philippines in October 1979 and Saudi Arabia terminated contract for the delivery of 10,000 barrels of oil per day in November 1980. Consultation and Regional Arrangement - after twenty years of impasse on negotiation, Indonesia was added to the existing Afro-Arab Quadripartite Ministerial Commission created by OIC to tackle the Philippine problem. United Nations - Libya, a founding member of the OIC, charge the Philippines of genocide ( Mckenna, 1988: 155).

7. Libya has played different roles in this conflict such, as: financial supporter of the MNLF, broker for the Final Peace Agreement, and lately as the provider of ransom money for the release of tourists kidnapped by the Abu Sayaf.

8. Pakistan supported Libya's proposal for international intervention in the Southern Philippines. However, when it was overruled on the floor (OIC), it supported the rebel via transshipment for arms, and provided training ground for members of Abu Sayaf.<sup>53</sup>

9. Indonesia, an ASEAN member, is the closest ally of Philippines in the OIC. It takes the angels to explain and clarify the issue on behalf of the Philippine government during Islamic Conferences, where Philippine's participation/attendance is restricted. It also played as the host and provided the venue during negotiation of the Final Peace Agreement in 1996. Its anxiousness at interference by Arab states to the Philippines is related to its fear of suffering the same fate.<sup>54</sup>

10. Malaysia offered sanctuary to Muslim civilian refugees during the war, and in the beginning served as the training ground for MNLF. However, as the ASEAN grew stronger, the Malaysian government became friendlier towards the GRP. Together with Indonesia, they pushed for the 'framework of the national sovereignty and territorial integrity of the Philippines' during the 5<sup>th</sup> ICFM meeting in Kuala Lumpur. The resolution struck a balance to the proposal of the Libya and Pakistan for OIC intervention in the Philippines.

11. Iran, like Pakistan, provided arms and weapons to Moro rebels during the height of the armed conflict. It played a radical stand against the Philippines by supporting an independent state instead of autonomy for Moros.

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<sup>53</sup> Informant no 2 said that transshipment of arms took place early morning with the contraband placed under the compartments of majong (a native boat) and covered with sea weeds. (Sea weed or carrigan is mass-produced in Sulo archipelago.)

<sup>54</sup> Ambassador Wiranto explained in an interview by Santos in 1998, 'We have our fear of letting go... We don't want to be seen as adopting the right to secede... We have many islands, ethnic groups.' Foremost is

12. Saudi Arabia offered sanctuary to MNLF leaders who lived in exile. It played an important role in both forcing Marcos to implement the Tripoli Agreement by applying an oil embargo in 1980's, and by encouraging Nur Misuari to negotiate with the government.

13. The US was directly involved in providing military hardware and ammunitions and low-intensity conflict experts from the Pentagon.<sup>55</sup> This support to the GRP was due to its military bases in northern Philippines. Instability of the government would affect the continuity of its military installations. The US was also identified as 'god-father' of GRP in international relations concerning the conflict. The analysis of Commander Uddin (MILF) during the interview concluded that it was the US which was instrumental why OIC was divided in supporting intervention in the Philippines. He pointed out the role of Egypt and Saudi Arabia speaking on behalf of the US, for the OIC to be sympathetic to the Philippines.

14. Revolutionary Movements, specifically National Democratic Front (NDF)  
Revolutionary movement in the Philippines is inspired by the Marxist-Maoist ideological goals. They underline national transformation by changing an oppressive system of government which is the root cause of massive poverty. The NDF's armed group New Peoples Army (NPA) work in strategic alliance with Moro rebel groups during the Marcos administration.<sup>56</sup>

In summary, the conflict is caused by a variety of inter-playing factors, played by different actors having different stakes and discourses.

#### **D. Do GRP Efforts to Resolve or Complicate the Conflict?**

The argument could be added that efforts and policy initiatives of the GRP to resolve this armed conflict have in fact added more complexities to the conflict.

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East Timor (now an independent state), and island group of Sulawesi which have cross border links of trade, residency and kinship, dialects with Muslim Mindanao.

<sup>55</sup> Informant works in the national defense and can not be identified for security reason.

<sup>56</sup> My confidential informant: 'Nur Misuari is a member a marxist-maoist under-ground movement.'

### 1. Marcos Government (1968-1986) 'The Tripoli Agreement of 1976'

The approach used by Marcos to resolve the conflict was 'Carrot and Stick'. He offered amnesty for rebels and conduct diplomatic initiatives.<sup>57</sup> At the same time sending his troops to fight against the Moros in the South. Continuous armed conflict resulted to distortion of social values and strengthened the culture of resentment and armed-resistance.<sup>58</sup> Diplomatic initiatives resulted to Tripoli Agreement at the same time causing two major armed groups to handle - MILF and MNLF.

### 2. Aquino Government (1986-1992) 'The Cease-fire Agreement'

The government of Aquino didn't achieve much for the resolution of the armed conflict in Southern Philippines.<sup>59</sup> She initiated cease-fire agreement, as foundation for peace talks. Her administration passed the RA 6734, known as *Organic Act for Autonomous Region of Muslim Mindanao*, and eventually granting the autonomous government for Muslims, but the result of referendum among claimed territories decreases the number from 13 provinces to only four provinces and no cities.

Moreover, the Aquino government was also a victim of its own effort to restore democracy. The opportunity to engaged in constitutional accommodation was preoccupied by its effort for speedy restoration of democracy by instituting immediate constitutional reforms. The constitution which lay the grounds for democratic reform

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<sup>57</sup> To counter-act OIC, Marcos asked ASEAN member countries to support his government with Indonesia as ally. When oil embargo was applied by Iran and Saudi Arabia, to the Philippines, it was Indonesia that filled the need for oil.

<sup>58</sup> My stay at the evacuation center, people revealed, they kept their arms and orient their own children for eventual participation in armed-movement.

<sup>59</sup> The transition period was characterize by turmoil and fragility which continued to challenge the newly installed government. Marcos loyalist are still occupying in all major government post, while the supporters making regular civil disobedience. Communist insurgency continuously launched offensives against military targets. The military rightist is also waving its regular coup attempt to overthrow her government. In the south, Muslim rebels are continuing to launch its military operations against military targets. The compounded effect was limited choices for the government in all its decisions.

In order to legitimize a revolutionary to democratic government, she has two choices between, popular election or Constitutional change. Her government chose the latter for election was too expensive and doesn't provide assurance that dictatorial provisions of the constitution will be eliminated.

became the obstacle for future negotiation for it define a limited space for bargaining among conflicting actors.<sup>60</sup>

### 3. Ramos Government (1992-1998) *'The Final Peace Agreement'*

The effort of Ramos to resolve the conflict is reflected in the signing of the Final Peace Agreement (FPA) with the MNLF. However, FPA created another complexity in the conflict when, MILF was totally rejected to participate and covered by the agreement.<sup>61</sup> This resulted to strengthening of MNLF's power and limiting choices for compromise agreements with the MILF.<sup>62</sup>

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<sup>60</sup> Aquino can not grant the demands of MNLF for an autonomous government without referendum, even before the 1987 constitution is approved, because 1973 Philippine constitution is still in effect which also have the same provision. If she granted so, then culpable violation of the constitution would expose her to possible impeachment, and creating another political crisis .

<sup>61</sup> During my interview with Wadi, The government of Ramos was willing to offer a political solution of expanding the territory of ARMM to its original thirteen as stated in the Tripoli Agreement, when this was reduced to four provinces when the Aquino government pursued the referendum for autonomy with reference to RA 6734 in 1989. A transitory mechanism will be created which will cover the thirteen provinces and will subject its constituents for another round of referendum by amending RA 6734. The transitory government is called, Southern Philippines Council for Peace and Development (SPCPD). Ramos utilize an old friend of Nur Misuari (MNLF top leader) to convince MNLF leader for negotiation. Ruben Torres his Cabinet -Secretary was a classmate of Misuari in 1958, studying at the University of the Philippines, College of Law. Torres met Misuari at Hilton Beach Resort and offered a quid pro quo arrangement to Misuari, such as governorship of ARMM and chairmanship of SPCPD.

<sup>62</sup> During my interview with Rodil, (a government panelist in the peace talks) he pointed-out the difficulties when both parties will be involved in the framing of FPA. Due to unresolved issues between the two factions. They were only hoping that once, MNLF sign the agreement the rebels will surrender their arms and cooperate with the newly installed Moro leader. However, the failure of the newly installed government (referring to MNLF) to perform and deliver expected out-put eroded the confidence of the other rebel groups. This claim was also observed by informant no. 7, he told me that, Although the Ramos government is aware of MILF and Abu Sayaf's existence, it continuously denied to involve the other two groups for peace negotiation on the following reasons: a) the MNLF is the recognized group of the OIC to represent the aspirations of the Moros- OIC will pressure Misuari for negotiation; b) technically the MNLF is the signatory of the Tripoli Agreement which spelled-out the steps for political settlement- it carries the responsibility to discuss its details; c) it works on the assumption that when MNLF is in power it has the obligation to help the government resolve the conflict within its territorial coverage and the government has to manage MILF and Abu Sayaf. According to my confidential informant, Ramos strategy in dealing with MILF is by 'consuelo de bobo'. Meaning, MILF wont know they have fall into a trap, like funding the construction of concrete road, solar powered water pumps, and water tanks inside the camp of MILF. A P3 million (US .6 m) funded by USAID was given for construction of nursery and irrigation system for farm land.

My confidential informant further showed military intelligence report, that money for livelihood and irrigation system was used by the MILF to build-up their bunkers and underground trails to connect one station to the other. (see picture). He expressed this could be viewed in two points:

- Military strategy to identify the strength of its enemy by locating them and their whereabouts. and
- To show that MILF can't be trusted with its dealings and commitments.

#### 4 Estrada Government (1998) '*The Total War Policy*'

His government adopted 'total war policy' intended to capitulate MILF into the negotiating table.<sup>63</sup> However, this resulted to expansion of armed conflict into both rural and urban communities.<sup>64</sup> This becomes more complicated because the leaders could no longer be located for negotiation.<sup>65</sup> During the writing of this paper, new wave of hostilities was reported in Aleason the town I visited during the conduct of this study.

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<sup>63</sup> According to an insider, his administration lack strategic plan how to handle the problem due to internal division among his cabinet members.

<sup>64</sup> The military attacked all the identified camps of MILF, thus making the rebel group scattered in all areas of Mindanao.



## Chapter Four

### Synthesis of the Framework and Findings

#### I. Introduction

In a form of an analogy using the language of computer, my proposed framework is the 'operating system' which enable different softwares to perform their specific task. The softwares are previously conducted studies, which only provide specific descriptions about the conflict, thus giving a framework limited recommendations for understanding its complexity.

The model or framework which was described in Chapter two develop from existing philosophical concepts, has the capacity to link diverse theories and the vast number of empirical observations from my field work. It performs a dual function: directly, as a tool to dissect and analyzed conflict, and indirectly, as a tool to redirect its path.

As a tool to dissect and analyze, it captures the underlying and working context of the problem, it could describe the behavior and changing discourses of actors, and could analyze the meanings of languages used in policy documents. It has the capacity to connect the different insights coming different studies, thus giving a clear and comprehensive understanding of the totality of the conflict under study.

As a tool to redirect conflict path, it provides a grand policy outlook that can be used to correct the underlying and working context of the conflict, taking into consideration major risks involved in policy implementation.

Further, the framework can connect disparate theories from various fields, such as, conflict resolution with policy theories. For example, the result adds a new dimension to Johan Galtung's existing model of understanding conflict resolution. Galtung's model focuses on the attitudes, behavior and contradiction of conflicting actors, but it does not

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<sup>65</sup> During my interview with MILF members and Commander Uddin, they pointed-out there is no need to negotiate with the government because the GRP has nothing more to offer for them. It has already been granted to MNLF.

allow us to understand the deep underlying nature of conflict. My proposed framework focuses on the dynamism and complexities of conflicting actors (ethnicity), the stimulus (power) and responses (resistance), as well as their arrangement and position (structure) in conflict. This gives us a comprehensive understanding of the conflict and a broad field of insights for its resolution.

In summary, the framework bridges the gap between existing knowledge about this conflict and information needed to explain the factors which contributed for its continued existence. It offers fresh and deeper insights on its nature and could provide possible alternatives for its resolution.

**A. Inter-relationships among Institution, Resistance, and Ethnicity: towards a fuller understanding of the Conflict**

Using the three concepts of Institution, Resistance, and Ethnicity, the model described in Chapter Two yields five fields of dimensions which characterize the conflict in Mindanao.

1. Working Context of the Conflict

The framework guides the analysis of existing studies, the data gathered during the field work, and peace agreements signed between the Moros and the GRP. Under the working context of the conflict, the structural arrangements provided by the various historical agreements between the GRP and MNLF to correct the causes of the conflict are described and analyzed. The framework also direct us to pay attention to the socio-political and economic structure, including the sub-structures of Philippine society. By identifying and locating structures, the power in these structures can be described. The concept of ethnicity explain how people compose the structure and institutions. The concept of resistance provide insights as to why, inspite of efforts to resolve the conflict, the complexity of the conflict grow.

2 The conflict is embedded in the socio-economic and political structure of the Philippine society

The Philippine socio-economic structure is highly stratified. Manila. The capital city, has the complete services and best opportunities not available in the periphery or the country side. Most of the modern infrastructure and support systems are within the city making it

more attractive to business opportunities. The result is wide disparity of income between those living in Manila than those living in the south who are dependent on their agricultural produce. The disparity of income and opportunities created a social-division between the north and the south, which is describe by David (1996) as North-South superiority and inferiority complex.<sup>66</sup>

The political structure of the Philippines has its nucleus also centered in Manila, making other political units at the periphery and the south dependent on the commands coming from the Manila head offices. The national government, primarily made up of people coming from the north, designing all the programs and services for implementation at the local level. As a result, most programs and services do not match actual needs in the south, making the program useless at the community level.<sup>67</sup>

### 3. The Conflict as politics of domination and subjugation

The political structure of the Philippines formally defined by the constitution. But political power is concentrated geographically, in the north. The fact that Muslims are a minority in Philippine society, few Filipino-Muslims are elected to high political offices. Because of this structure, policy makers especially in both upper and lower house predominantly come from the northern and the central parts of the Philippines. In the history, no president or vice president came from the southern Philippines.<sup>68</sup> Whilst

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<sup>66</sup> He explained that people coming from Manila have deep feelings of superiority when they go to provinces and bragged the conveniences Manila offer. People from the south romanticize and dream of coming to Manila, only to find-out the hardships and demands of living in the metropolis. Their dislocation and disadvantage to perform in the north, reinforces the notion that indeed people coming from the south are inferior. During my field work in the southern Philippines, my conversation with the locals revealed some truth to this claim of David. One local told me his embarrassing experience when he applied for a job in Manila and turn-down. He was labeled as 'PROMDI' colloquial term for 'from the province' implying awkwardness and inferiority.

<sup>67</sup> The case of rehabilitation for the Muslims in Mindanao was designed in Manila by an inter-agency committee. The program is composed of agricultural tools and support for farming to be given to Muslims who have been displaced during the intensification of armed conflict. After three weeks, the agricultural tools were sold by the Muslims in public market and then they transferred to another place. They found the tools inappropriate to their living. My field work revealed they prefer money instead of tools, so they can engage in 'buy and sell' activities rather than farming. The failure of the government to recognize that Muslims are merchants and not farmers indicate that policy design is defective and lacks situational analysis at the field level.

<sup>68</sup> In my interview with MILF Commander Uddin, he said it was difficult for Muslim to enter politics due to limited financial resources and lack of capacity to express themselves in the official language. Campaigns are carried-out mostly in English during public speeches.

Local administrative governance rest on the power of the local governments, these are still dependent on the national government.

Under this kind of arrangement, power of the local governments is solely administrative, such as tax collection and maintenance of physical infrastructure. The power to make reforms through policy change is the prerogative of the national government or the congress. With uneven registration in national policy making bodies, reforms sympathetic to the cause in the south are next to impossible.<sup>69</sup> Significant policy actions for the south have to be discussed in the north, oftentimes not considered at all by congress. Represented by a tiny minority in congress, the Muslims are ineffective in convincing colleagues to bring about policy reforms, resulting in the distrust of their constituents towards government as a whole. This strengthens the separatist goal of the Moros. The structure of the political power justified by the constitution, thus becomes a vehicle for the domination of the minority.

#### 4. The Conflict as ethnic group resistance

Other than religion, a variety of ethnic characteristics set the Moros apart from mainstream Philippine society, which has been largely *americanized*.<sup>70</sup> Efforts to 'modernize' the southern Philippines therefore threaten the Muslims and the identity. Government owned lands have been sold to multinational companies, which employ people from other regions (IBON,2000:7).<sup>71</sup> This suggests that the national modernization process exacerbates the economic and political gap between Muslims and Christians. At the international scene, the rise of Islam gave motivation for Filipino Muslims to fight back the forces of the GRP to internationalize the conflict as a result of the support extended by the OIC.

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<sup>69</sup> Since the time of Ramos in 1991 up to the present, proposals for the revision of RA 6734 by Muslims could not even be deliberated in congress, making changes impossible unless they are supported by law makers from the north. This indicate power play guided by ethnicity.

<sup>70</sup> The term connotes the characteristic to copy almost everything coming the US.

<sup>71</sup> In my interview with Orak and his fellow rebels, they say they joined MILF because they are frustrated to get a job promised by the government. MNC's are employing Christians who speaks English well. They don't have the qualification to join companies offering high paying jobs. They could only compete with

## 5 The international dimension of conflict

In viewing the international economic position of the Philippines, specifically in relation to Arab countries, one sees that the position is asymmetrical. For its energy requirement the Philippines is dependent on oil imports coming from Middle Eastern Arab countries, like Saudi Arabia and Iran. Furthermore, the country is heavily exporting Philippine labor numbering nearly three million professionals and non-professionals to the Middle-east. The situation puts the GRP in a vulnerable position, highly susceptible to political demands of Arab countries sympathetic to Moro issue.<sup>72</sup>

On the other hand, diplomatic arena of conflict is also defined by the internal or inter-ethnic conflict among Moros.<sup>73</sup> This led to breakup of support from Arab Muslims, Afro-Muslims, Central Asian-Muslims (Pakistan, Afghanistan), and Southeast Asian - Muslims (Indonesia, Malaysia, and Brunei), thus eroding the rebels' power vis-à-vis GRP. Southeast -Asian Muslims are suspicious of the intervention of the Arab and central Asian Muslims, on because of the growing relationship within the ASEAN.

Another dimension of this conflict is related to the UN-sponsored independence move in East Timor, which serve as model and fresh inspiration to the MILF in its struggle for an Islamic state. Although differing in context the MILF leadership was insistent on making East Timor a model for its own secessionist struggle.<sup>74</sup>

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Christians if they finish the education from well established schools in Manila - which again is oftentimes impossible for lack of financial resources to support their needs.

<sup>72</sup> The studies of Santos (1999), Vitug and Gloria (2000), Azurin (1996), Baltazar (1999), they unanimously argue, that the failure of Marcos to implement the Tripoli Agreement made some members of OIC impose sanctions and oil embargo. Denials of GRP on that matter was viewed as further oppression of the Moros, and reprisals against persecutors of Islam faith was carried by those with power and resources.

<sup>73</sup> Santos (1999) argue that, predominantly Tausog MNLF group is supported by a majority of OIC members, while the MILF is supported by the minority. Abu Sayaf is supported by radical members.

<sup>74</sup> During my field work and interview in Camp Abubakar, some MILF members say they were inspired by the East Timor struggle. They believe that renewed hostilities in Mindanao, displacing nearly a million civilians, would definitely capture international attention. International attention will pressure the UN to sponsor a referendum, as in East Timor. However, they expressed disappointment that the ASG is getting international attention when it kidnapped tourist from Malaysia. Also the participation of Libya as the third party totally eliminated the MILF from the media. Our discussions reveal strong ethnic division among Moros, their ignorance of the context surrounding the problem, and, their desperation to capture media attention.

## **B. Inter-Relationship of Institution, Resistance and Ethnicity: towards New Insights on the Mindanao Conflict**

1. Institutional Reforms through Final Peace Agreement as a Pillar to sustain the conflict. Political solution through the FPA could not achieve nor sustain peace in southern Philippines. It was not comprehensive enough to include the different ethnic groups within the area, who have different needs and political wants. The FPA was a product of a top-down policy process, to be implemented by bottom level actors, the FPA negated the complexity of the ethnic diversity. The process repeated the error of 'one-fix-solution' for a multidimensional problem. The newly created structure only added to another layer of bureaucracy, thus, further contributing to the an already inefficient system. The negative effects of the FPA could be felt by those groups who, directly or indirectly, could not get the immediate benefits from the newly created structure.

The newly created political and legal structure, in effect, becomes a major contributing factor in sustaining the armed conflict in Southern Philippines. Only one groups benefits from the regime, while the rest are excluded. The advantaged group becomes powerful because the political structure gives it power and resources. The disadvantaged groups will also assert extra-legal power. They seek redress by realigning their efforts to fight the existing structure which, they perceived as oppressive and dominating. The result will again be in the form of continuing armed struggle. This was the same approach used earlier by the MNLF in order to get recognized under the FPA.

2 Modernization As Means to Transfer Power Exacerbates conflict.

Efforts to alleviate income disparities by providing employment opportunities only benefit those who are educated. Indigenous groups who lack the access to education could not benefit from the opportunities due to their lack of educational qualifications demanded by high paying jobs. The Christians oftentimes having the access to education always get high paying employment, while some ethnic groups having no access to education will settle for low-paying jobs. The economic structure created by efforts to modernize paints the same picture - Christians occupying the upper structure, while the ethnic groups or Moros occupying the bottom. The upper structure possesses the

commanding power, giving orders to the those occupying the lower structure. This portrays Hegel's dialectics on the master -slave relationship.

3. Fundamental Law Allocating Power, creates resistance among Ethnic Groups. The Constitutional provisions on autonomy only recognized the MNLF, making it difficult for the GRP to enter into any peace agreement with other groups. The options for the GRP therefore was limited to: weaken the excluded groups by the use of force until they ask for negotiations, or to sustain the conflict or other means. Either of these options makes the GRP unpopular to the masses. Although negotiation was an option, the MILFs belligerency was evident in all its dealings with the GRP in the past. In the speech of President Estrada, he said:

"It came to a point when it was no longer a question of whether we should or should not use force against MILF. It was already a question of what would happen if we did not do so,...If we had not done what we did, the MILF could have attained enough strength and gather enough arms that would have given them the confidence to abandon us at the negotiating table, ignore our effort of autonomy and demand that a referendum on independence be held within the territory they tried to control." ( PDI,2000)<sup>75</sup>

4. Peace Efforts of Powerful International Institutions like the UN Reinforces Power the Struggle of Ethnic Groups.

Based on previous discussion, the nature of conflict in Southern Philippines has take global proportions. This puts into question the role of the global community in resolving the conflict. When is the right time for the international community to intervene in the internal conflict of a sovereign state? How should the international community intervene in conflicts without being perceived or favoring to any of the actors? Why should (and why should not) the international community intervene on internal affairs of a sovereign and legitimate state, when it affects the global order? These are some of the tensions suggested by the framework, but beyond the scope of this study. I recommend a follow-up study on this issue.

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<sup>75</sup> This could also be considered as structural defect defined by the Constitution itself. Provisions mandating referendum in national decision making are insensitive to the sentiments of the minority. This means that the minority has to contented with the decisions made by the majority regardless of its impact. The model, therefore, provide suggestions of Constitutional accommodation to ensure that voices of the minority will be heard.

#### 5. Ethnic division among the Muslims in Southern Philippines against the background of globalization prolong conflict

Reassertion of ethnic identities has emerged in the midst of globalization. The different Moro tribes are asserting their own loosely defined concepts of an independent state, making it difficult to reach a compromise with the GRP. Although the model captured the deep rooted division among the Moros, who are still fighting for a separate state, it is beyond the scope of this study to discuss its resolution vis-à-vis globalization processes. I recommend further study of the model in the context of globalization and ethnic conflict.

#### 6. Power struggle within the current Estrada Administration

The framework gives an overview of how ethnic division cause power struggle within the cabinet of present administration. The study of Vitug and Gloria (2000) pointed out two main factions: Aventejado group and Zamora group. Disagreements within the groups is not on matters of principle but rather based on personal upbringing and social background. Aventejado, who is sitting as Presidential Adviser on flagship projects grew in Southern Luzon and then lived in the U.S. managing his business empire from there. While Zamora, the Cabinet Secretary, came from Northern Luzon and stayed within the Philippines. Cabinet members coming from the south identified themselves with Zamora, while those coming from the north and Manila area support Aventejado.

The imprints of colonial 'divide-and-conquer' tactics from the Spanish period are manifested within the cabinet. The two factions tried to outwit each other by making their own plans for southern Philippines. The over-all outcome is the failure to formulate strategic plans and policy for resolution of the conflict.

### **C. Inter-relationships among Structure, Power, and Ethnicity: towards**

#### **Understanding of Policy Gaps**

From the framework discussed in the previous chapter, the inter-relationships of institution, resistance, and ethnicity suggests the following observations:



1. The created structure (SPCPD), which aims to empower the Moros towards genuine autonomy, can not provide a guarantee of equal participation among conflicting groups who struggle to be recognized.<sup>76</sup> The operation of ARMM under the MNLF leadership means insecurity of the MILF, non-recognition of the Lumads, and alleviation Christians.<sup>77</sup>

2. The ARMM structure is still dependent on the national government for its support this means that, policies intended to benefit ARMM will be worked out by both ARMM and GRP. In this sense, ARMM then becomes another layer of bureaucracy, creating more social hardship by delaying immediate policy reforms.<sup>78</sup>

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<sup>76</sup> My interview with Dir. Tabamo (head, Task of Force on Mindanao Rehabilitation) she explained that: Transitory government SPCPD was a product of a political process which is just a compromise mechanism. It doesn't hold any power, thus its function is not well defined. The strategy of negotiation between former classmates denied participation of other MNLF leaders in their hierarchy. Agreements was viewed by members as opportunism on the part of the leadership of Misuari, thus eroding his command and influence in his own ranks.

<sup>77</sup> My conversation with members of the MILF in the camp revealed their disappointment. They pointed out that GRP support for the MNLF was strengthening the Tausog group, and alienating other Muslim groups. They say the condition for the expansion of territorial coverage of autonomy was too optimistic, ignoring the fact that legislative amendments is a political process involving different political parties with different priorities. Thus, the promise could remain an illusive dream further frustrating the MNLF leadership and members.

<sup>78</sup> This observation is supported by the following:

- a.) FPA failed to define the relationship of newly constructed structures to already existing government structures at both local and national level. Making the newly created structure (ARMM & SPCPD) another layer of bureaucracy and wasting an already depleted government resources. (Mercado, 2000)
- b.) FPA has limited coverage: it explicitly covered MNLF members, basically Tausog, and excluded, MILF (Maranao and Maguindanao), Abu Sayaf (combination of other tribes and non-muslims) and Lumads. FPA therefore strengthen power of one group which bring insecurity to the other groups. It also excluded the Lumads who are silently resenting the threatening of their lands. (Rodil, 2000)
- c.) FPA lacks people support – negotiation was carried without peoples participation and approval during the Ramos period, making it unpopular among the Christians (Informant No. 2)
- d.) At the administrative level implementation of FPA the current government of MNLF leader is surrounded by corruption and nepotism. Millions of government resources are unaccounted. (COA reports, 1997-2000)
- e.) Bureaucratic overload – newly created structure provided by FPA was viewed by MNLF as employment opportunity promised by the agreement. The total needed budget for salary and benefits is much bigger by 10 percent than the allotted budget for its total operation including service delivery. (Mercado, 2000)
- f.) Demoralization of government workers - former MNLF members without qualifications were accommodated in government service even without qualifications. (Informant No. 2)
- g.) FPA created gap between what the Moros want from the transitory mechanism, but poor performance of the newly created structure contributed to their frustrations. (Informant no. 2)

3. The formal peace process, reflecting the character of the political system, sustains and reinforces ethnic subservience.<sup>79</sup> This implies that structural reform such as Constitutional revision or redefinition of the present political arrangement is necessary to synergize the policy from the national to the local level.<sup>80</sup> In relation to the objective of this study, redirecting conflict towards resolution means giving consideration to the agenda of the number of participants, where their interest are at stake or affected. This also suggests that policy must not only be designed by people occupying in bureaucracy, but must be in constant touch with actors at the grassroots.

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<sup>79</sup> Philippine Constitution as fundamental law of the land define all policies according to its mandate. The case of highly centralize planning in the north (Manila) for the general welfare of Southern Philippines such as Mindanao, doesn't provide a synergy to promote good governance.

<sup>80</sup> Constitutional accommodation such as one state, dual system could be adopted in the case of Muslims and Christians. The system of selecting personnel to manage policy must be geographically sensitive, not only to enhance skill in governance an account of familiarity with local conditions, which facilitate efficient planning and implementation.

## Chapter Five

### Conclusion: Reinventing Government Towards Pluralistic Governance

The concepts of Structure, Power, and Ethnicity are the main pillars on which a model can be constructed to explain the Mindanao conflict in all its complexity. This framework integrates the fragmented analyses that have been made about the causes and implications of the Mindanao conflict. The model can also serve as an overarching framework within which to locate existing explanations about the conflict. In addition, it highlights several areas of policy that are worth giving attention to in order to resolve the conflict at the practical level.

#### A Wider Context for Specific Policy Recommendation

The framework suggest the feasibility of structural reform through Constitutional accommodation. This reform, however, has to hurdle three major constraints: first, strong public prolist to accept constitutional change;<sup>81</sup> second, constitutional change will undergo political process; and lastly, closely linked to the political process argument, the desired policy output is not ensured because of policy incrementalism.

Negative public acceptance, could be reversed if areas of change are defined by law.<sup>82</sup> Thus mean only specific provisions of the constitution will be changed, to guarantee that the interest of the public is well protected. This could be facilitated by constant public hearings and consultations in order to accommodate public sentiments. The process however, is time consuming and costly. But it will facilitate development of public consciousness and positive experience in nation building because people will be given the chance to participate in decision-making, ensuring strong public support when decisions are implemented. The second constraint is process: legitimacy of congress, where actual decision are made and language of reform is formulated. The composition

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<sup>81</sup> Since the time of Ramos up to the current administration, attempts to amend the constitution barely made progress due to strong protests from the public. The public response is based on apprehensions regarding extending the term of President, or provisions giving authoritarian powers to the president.

of congress shapes the language and essence of the Constitutional provision which will be proposed. Considering that Muslim members of congress are less than one percent, it will be extremely difficult to provide a genuine accommodation of Moro sentiments. But, this could be offset by strong public lobbying, which has grown mature as a result of constant public hearings and consultation. The public rejection of reform of any reform deal is also possible.

The third constraint is related to the second. Policy-making is sometime a result of incrementalism. Whoever has the strongest voice or influence in the entire process can defeat slowly the desired policy outcomes. The constitutional accommodation therefore, proposed by this paper is both a challenge and a constraint for all parties and stakeholders in the conflict.

The constitutional accommodation proposed by this study is simply one suggestion which arises from the interplay of structure, resistance and ethnicity in the Mindanao conflict. What the model proposed in this study suggest in general is participation as both a power-building and power-sharing mechanism to resolve the Mindanao conflict. It is beyond the scope of this study to discuss all the specific conditions that will put into effect structural change. However, these structural changes could follow any of the following possibilities.

I strongly recommend further study of this recommendations as opposed to the dynamism of the conflict. These structural changes could be one of the following:

### **Reinventing Government by Genuine Autonomy for A Multi-ethnic Society**

Amendment of existing RA 6734 is necessary. The law only specify political participation of Muslims and does not provide processes for participation of the Lumads and Christians. Area for consideration include:

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<sup>82</sup> As of the writing of this chapter, the current president is undergoing an impeachment proceeding. This further erodes public confidence in government and its capacity to handle both the problem within the government and the Moro issue.

1. Clear definition of the powers of the national government, and the limits of its functions and authority;
2. Definition of justice systems for Christians, Lumads, and Muslims;
3. Clear policy on transparency and accountability within the autonomous government .
4. Pluralist norms in the Educational system for all people in Mindanao;
5. Clear definition of the electoral process.

### **Creating Government through Federalization**

Federalization means that the competence of the national government is limited to areas of: national security, foreign relations, and banking system. The rest of governmental responsibilities will be in the hands of the federal government. This arrangement may reduce layers of bureaucracy, which is currently the problem of ARMM as a government structure.

Federalization could maximize participation of Muslims, Christians and Lumads in governance, specifically in policy making and administration. The system ensure immediate response to local problems, without need to ask the intervention of national officials. Safety nets however, must be taken into consideration during the transition, especially for areas with weak administrative capabilities, like the ARMM.

### **Inventing Government through "One State-Dual System" Arrangement**

The framework advances the idea of shared power within a single institution of government, where multi-ethnic groups are given equal importance. This arrangement could accommodate the demand of Moros for a separate state and at the same time allay the fear of GRP of losing part of its territory.

Under this concept, the existing territories claimed by Muslims will be given the chance to exist as a 'state' but within the territorial and overall political authority of the GRP. Political integrity means that all policies and function will devolve to a 'state' except declaration of independence.<sup>83</sup> Safety nets for the transition period to this arrangement become part of the policy problem. Deeper study of this reform option is recommended.

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<sup>83</sup> This could be made similar to the Hong Kong - China model.

## Appendix A

### Chronology of Conflict

#### 1400s:

Arab traders cross the Indian Ocean, establishing Islam in what is now the Southern Philippines.

#### 1521

Ferdinand Magellan lands and claims the Philippines for Spain, leading to more than three centuries of Spanish rule which failed to conquer Muslim areas in the south.

#### 1898

Spain sells Philippines to the U.S. after losing Spanish-American War. U.S. troops begin to forcibly incorporate Muslim areas into the Philippine state.

#### 1946

Creation of Philippine independent state.

#### March 1968

At least 28 Moro army recruits killed in the Jabidah massacre on Coredidor island, triggering widespread Muslim indignation. The Incident releases pent-up anger from years of prejudice, ill treatment and discrimination. Moro students in Manila hold a week long protest vigil over an empty coffin marked 'Jabidah' in front of the presidential palace.

#### 1968 to 1971

Moro student activism grows. More consciousness, based on Islamic revivalism and knowledge of a distinct history and identity, gathers steam. Political organizations emerge, to culminate eventually in the establishment of the MNLF.

Land conflicts in Mindanao escalate. Paramilitary groups proliferate; some attached to Christian politicians, some to loggers, and some to Muslim politicians. Hundreds of young Moros are sent to Malaysia for military training. Sabah becomes a supply depot, communication center and sanctuary for Moro rebels. Towards 1971, the constabulary takes control of many towns because of growing violence. Schools are closed, farms abandoned, commerce stagnates, and refugees increase. The Christian-lead Ilaga paramilitary group enters the scene. One attack, at a mosque in Manili, leaves 65 men, women and children, dead and mutilated. A BBC radio report of the massacre draws the attention of Libyan leader Muammar Gaddafi. On 21 July 1971 leaders from all sectors of Moro society publish a manifesto demanding that the government take action to stop the attacks. The government calls the manifesto a threat. In August, the residents of Buldon fortify their town after killing some Christian loggers. The army responds with a weeklong artillery bombardment. By September, the cycle of reprisals is uncontrollable. In October, fighting between the Barracudas (paramilitary group led by Muslims) are summarily executed at a military checkpoint in Tacub. Muslims accuse the government of genocide.

## 1972

In January, the government takes eight Muslim ambassadors on a tour of Mindanao to show that the charges of genocide are exaggerated. The third Islamic Conference of Foreign Ministers (ICFM) in Jeddah requests the Philippine government to protest the lives and property of Muslims. In July, a Libyan and Egyptian delegation tours the troubled areas and concludes that while no strong evidence exists of state-supported genocide, there is clearly a war between Christians and Muslims.

On 21 September, President Marcos declares martial law. One month later the first organized Moro counteroffensive is launched in Marawi. The MNLF comes out into the open and claims leadership of the Moro secessionist movement.

## 1972

Marcos attempts to improve socio-economic conditions in the south while maintaining military operations. Presidential decrees order relief and welfare projects and resettlement of refugees, and declare certain Moro lands as inalienable. A 'Presidential Task Force for the Reconstruction and Development of Mindanao' is constituted to rebuild areas devastated by violence. Marcos wins over key Muslim leaders outside the MNLF. The Philippine Amanah Bank is created to expand the class of Muslim entrepreneurs. The Southern Philippines Development Administration is created to bolster business activity. The 4<sup>th</sup> ICFM (in Benghazi) maintains the pressure on Marcos, but recognizes that the problem is 'internal to an independent sovereign state'. Marcos responds by realigning his foreign policy and organizing diplomatic initiative to win over the Muslim world.

## 1974

The MNLF gathers strength and broad support from Philippine Muslims. Fighting escalates into large-scale conventional warfare. The Armed Forces of the Philippines (AFP) creates two integrated commands – the Central Mindanao Command (Cemcom) for the Cotabato-Lanao areas. And the Southern Command (Southcom). For the Zamboanga peninsula and the Sulu archipelago. In February, Southcom unleashes its full force on MNLF rebels, who have taken control of Jolo, in the biggest battle of the war. In mainland Mindanao, Cemcom attacks the MNLF forces in Cotabato. Abroad, the MNLF gains official recognition from Muslim countries as the representative of the Moro people. The 5<sup>th</sup> ICFM urges the Philippine government 'to find a political and peaceful solution through negotiations' and officially recognizes the MNLF.

## 1975

The war reaches a stalemate, In January, the Philippine government panel holds its first meeting with MNLF Chairman Nur Misuari and his deputy Salamat Hashim in Jeddah. Marcos sends negotiating panels to MNLF commanders in the field. The MNLF undergoes fierce debates on how to respond to the Marcos initiatives. The issue is settled for the MNLF by the 6<sup>th</sup> ICFM, which supports autonomy as the basis for negotiations between the MNLF and the GRP. The definition of autonomy comes from the Working Paper of the Committee of Four (Senegal, Libya, Saudi Arabia and Somalia) which provides for self-government within the framework of Philippine

national sovereignty and territorial integrity. Marcos intensifies his diplomatic initiatives, sending delegation, including special emissary Imelda Marcos to Libya, Egypt, Saudi Arabia and Algeria. The Philippine government opens embassies in Saudi Arabia, the United Arab Emirates, Iran, Algeria, Lebanon and Kuwait. Relations with 13 other south Asian, Middle Eastern, African Muslim nations are strengthened. The Philippines also lobbies the Non-Aligned Foreign Ministers Meeting.

### **1976**

With negotiations in full swing, Marcos builds his case. He meets the OIC Secretary General, the Senegalese Amadou Karim Gaye, in Kenya; sends a delegation to the 7<sup>th</sup> ICFM (Istanbul) and the Non-Aligned Summit (Colombo); invites the Committee of Four to Zamboanga City and Manila; and sends Imelda Marcos to personally confer with Gaddafi. In the field, local ceasefires are forged, providing space to implement a 'policy of attraction'. Key rebel leaders are offered amnesty, livelihood projects and business opportunities, as well as political positions that allow them to surrender with 'dignity'. Surrenderers include Amelil Malaguio, head of the Kutawato (Cotabato) Revolutionary Committee, and Abdul Hamid Lukman, a former municipal judge who was Misuari's legal adviser in Jeddah.

### **23 December 1976**

The Tripoli Agreement is signed by Misuari and Defence Under-secretary Carmelo Barbero. It provides for autonomy in 13 provinces and nine cities in the southern Philippines. Marcos instructs Barbero to include one last point in the text: that 'the Philippine government shall take all necessary constitutional processes for the implementation of the entire Agreement'.

### **January to April 1977**

A general ceasefire is arranged. Marcos approves the code of Muslim Personal Laws, which establishes Shariah courts, as part of the national system of courts. Talks resume in February to hammer out details of implementing the Tripoli Agreement. A deadlock arises when the MNLF insists that the 13 provinces be immediately declared a single autonomous unit. Marcos maintains that certain constitutional procedures, including a plebiscite, are needed because the majority of the people in the 13 provinces are not Muslims, Imelda Marcos hurries to Libya on 12 March to solicit Gaddafi's help. He suggests forming a provisional government to supervise the plebiscite. Misuari refuses to head the provisional government. On 25 March, Marcos issues Proclamation 1628 declaring autonomy in the 13 provinces. On 17 April, a plebiscite is called over objections from the MNLF. Only 10 of the 13 provinces vote for autonomy. Marcos implements his won version of autonomy by dividing the 10 provinces into two autonomous regions. – Regions 9 and 12. Negotiations break down.

### **May to December 1977**

The 8<sup>th</sup> ICFM (in Tripoli) allows Misuari, for the first time, to address the conference. Ministers express disappointment over the outcome of negotiations. By this time, however, the improved image of the Philippines is working in its favour and the ICFM simply recommends that negotiations continue. This shakes the MNLF leadership, and a split emerges. In Jeddah on 26 December, Salamat Hashim announces an 'Instrument of



Takeover' of the MNLF leadership, a move supported by traditional leaders Rashid Lucman, Domacao Alonto and Salipada Pendatun. Misuari counters by expelling Hashim and charging him with treason. Arab supporters are equally divided; Egypt supports Hashim while Libya leans towards Misuari. Mediation by the OIC and Muslim World League fails. Not wishing to be used by the traditional politicians, Hashim transfers to Cairo and goes on to form the 'new MNLF', eventually the Moro Islamic Liberation Front. Lucman and Pendatun reinvigorate the Bangsa Moro Liberation Organization to gain support, but Arab states ignore them.

### 1978

Negotiations between the Philippine government and the MNLF resume but the Philippine panel chooses to meet Hashim rather than Misuari. Meantime, the Marcos government presents a report to the OIC on the functioning of the new autonomous regional governments. The 9<sup>th</sup> ICMF meets in Dakar, Senegal from 17-29 April, and Misuari is recognized as the chairman and spokesman for the MNLF. Hashim cannot be present because Egyptian authorities, not wishing to antagonize Libya further, prevent him from leaving Cairo, MNLF members in the field conduct kidnappings and ambushes. In Patikul, Sulu, a local MNLF leader invites the AFP to peace dialogue. When they arrive, General Teodoro Bautista and 33 soldiers are shot dead. Government policy turns increasingly violent.

### 1979

Misuari reverts to his former goal of secession and renews efforts to convince Islamic states, but to no avail. His only new supporter is Iran, after a visit to Imam Khomeini in June. Meanwhile, the Philippine panel continues negotiations with the Hashim faction in Cairo. Surrendered MNLF founder member Abul Khayr Alonto joins the government panel. The 10<sup>th</sup> ICFM (in Morocco) affirms support for the Tripoli Agreement. Diplomatic initiatives focus on ensuring that the Agreement is actually being implemented.

### 1980

Pocket wars and skirmishes continue. In March, Malaysia and Indonesia offer to serve as 'honest brokers' arguing that the problem has regional implications that could best be resolved by ASEAN. The Philippine government takes newly installed OIC Secretary General Habib Chatti (of Tunisia) on a tour around Mindanao to meet Muslims and the new Regional Legislative Assemblies. The 11<sup>th</sup> ICFM (in Islamabad) requests the Philippine government to implement the Tripoli Agreement.

### 1981

Misuari fails to convince a summit conference of heads of states in Taif, Saudi Arabia to support secession. He fails likewise to convince to support secession. He fails likewise to convince the 12<sup>th</sup> ICFM (in Baghdad), which resolves to 'make new contact with the Government of the Philippines for the implementation of the Tripoli Agreement in text and spirit'. Marcos 'lifts' martial law (but keeps his dictatorial powers) in a bid to win further legitimacy of his regime. In May, opposition leader Benigno Aguino, released from prison and allowed to go into exile in the US, visits Misuari in Jeddah and promises to support the Tripoli Agreement. MNLF forces keep 120 government soldiers

in Pata island, off Jolo. In retaliation, more than 15,000 troops are sent to the island in a massive operation that infuriates Muslim local government officials.

#### 1982

Marcos consolidates the Philippines' diplomatic position. He visits Saudi Arabia's King Khaled and OLC's Habib Chatti. The 13<sup>th</sup> IFCM calls on government 'to speed the implementation' of the Agreement. It also appeals to the MNLF to prepare for new talks 'as a united front'. The newly established Moro Revolutionary Organization, a member of the communist-led National Democratic Front (NDF) calls for a 'people's war as the main form of the Moro people's revolutionary struggle'. Efforts to link communist and Moro insurgencies fail, but local forces co-operate on the ground.

#### 1983

The 14<sup>th</sup> ICFM (Dhaka) calls on Moros to unite prior to new Negotiations that will put the Tripoli Agreement into effect. MNLF military activities begin to wane, but the New People's Army (NPA – armed group of the NDF) offensives in Mindanao keep the AFP engaged. Benigno Aquino returns from exile and is assassinated on arrival at Manila airport. Popular challenge to the Marcos regime intensifies throughout the country.

#### 1984

Marcos wins new battles on the diplomatic front. He sends emissaries to the 14<sup>th</sup> Islamic Summit (in Casablanca) and to the World Muslim congress (in Karachi). In February, he holds bilateral meetings with the presidents of Brunei, Indonesia, Malaysia, Pakistan and Singapore. The 15<sup>th</sup> ICFM reaffirms its commitment to respect the territorial integrity of the Philippines and again calls on the MNLF to close ranks. In March, Hashim's 'New MNLF' officially declares itself a separate organization with the name Moro Islamic Liberation Front (MILF), with a religious as well as nationalist agenda. The NPA gains in strength and starts to launch larger attacks. Mass demonstrations become spontaneous and the first nationally coordinated *welgang bayan* (people's strike) shows the depth of popular opposition to Marcos.

#### 1985

Armed attacks by the NPA intensify along with legal, popular opposition to the regime. Marcos schedules a snap presidential election to defuse widespread tension. The legal opposition unites behind Corazon Aquino, Benigno's widow, as the anti-Marcos candidate. The NDF boycotts the exercise, calling the elections a 'sham'.

#### 1986

Snap elections are held, with Marcos proclaimed as winner. Days later, he is ousted after a failed coup sends millions of people to the main thoroughfare, known as 'EDSA' to protect mutineers from counter-attack. The Marcos family is flown to Hawaii by the US government. Corazon Aquino takes her oath as President and establishes a revolutionary government. She appoints a commission to draft a new constitution, which includes provisions for autonomy in Muslim Mindanao and the Cordillera region of Luzon.

#### 1987

Philippine government and MNLF panels meet in January in Jeddah and agree to discuss autonomy, 'subject to democratic processes'. Aquino turns down MNLF requests to suspend autonomy provisions in the draft Constitution, which is ratified in February. The MILF launches a five-day offensive to assert its presence. This prompts a meeting with government panel chair Aquilino Pimentel, who requests a temporary ceasefire. Talks between the government and the MNLF break down as the government unilaterally implements the autonomy mandate in the newly approved Constitution over MNLF objections. A Mindanao Regional Consultative Commission (RCC) is organized, and a new autonomy bill is submitted to Congress. Both MNLF and MILF bitterly denounce the government's moves.

### **1988**

Aquino meets with the RCC, and starts diplomatic initiatives by briefing Islamic diplomats in Manila about the government's peace program, emphasizing that the Tripoli Agreements is being implemented within constitutional processes. Draft autonomy bills are submitted to both Houses of Congress.

### **1989**

Congress passed Republic Act 6734, which creates the Autonomous Region of Muslim Mindanao (ARMM), and Aquino signs it into law on 1 August. A plebiscite is held on 19 November, and the MNLF and the MILF call for a boycott of the exercise. Only four provinces – Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi – opt for autonomy.

### **1990**

Regional elections are held in ARMM. A regional governor and 1 assembly assume positions. Aquino signs Executive Orders that define central government relations with the ARMM, which is officially inaugurated on 6 November.

### **1991**

The 20<sup>th</sup> ICFM (in Istanbul) calls for a resumption of negotiations between the Philippine government and MNLF.

### **1992**

In February, Fidel Ramos, candidate in the forthcoming presidential elections, meets Gaddafi in Tripoli to discuss a comprehensive and permanent solution to the war. In May, he is elected President and immediately issues a call for peace. He appoints a National Unification Commission (NUC) in July to formulate an approach based on public consultations. The first round of exploratory talks with the MNLF is held in October in Tripoli. The NUC starts a consultation process, including a meeting with the MILF.

### **1993**

Indonesian Foreign Minister Ali Alatas hosts a second round of exploratory talks. The NUC submits its consolidated recommendations in July, prompting Ramos to issue Executive Order 125 defining the approach and administrative structure for government peace efforts. The Office of the Presidential Adviser on the Peace Process (OPAPP) is created to continue the work begun by the NUC. Formal talks between the government

and the MNLF begin in October in Jakarta. An Interim Ceasefire Agreement is signed, along with a memorandum creating support committees to discuss substantive concerns. Alatas reports the progress of negotiations to the 21st ICFM (in Karachi). The MILF poses no objections to the talks. The OIC visits Sulu in December.

#### **1994**

Ramos issues Proclamation 347 granting amnesty to rebels and creating the National Amnesty commission. A government - MNLF Joint Ceasefire Committee is established. Ramos Organizes executive - legislative discussions, to gain congressional support for a peace treaty. The second round of formal talks with the MNLF begins in September. Ramos visits Saudi Arabia in October and meets King Fahd and OIC Secretary General Hamid Alfigabid (of Niger). Minor military engagements take place before almost every important meeting of the peace process.

#### **1995**

Support Committees meet to discuss defense and a regional security force; education; economic and financial systems, mines and minerals; the functioning of a Legislative Assembly, Executive Council and representation in the national government and administrative system; and Shariah courts. On 4 April, armed men believed to be members of a new Islamic rebel group, Abu Syyaf, raid the town of Ipil, killing 50 people and causing millions of pesos worth of damage in looting and burning. Both the government and the MNLF issue separate statements calling for greater commitment to peace. The government sponsors series of Mindanao Peace and Development Summits in key cities from may to November. The government panel briefs Libya on the progress of the talks in October. At the end of the year, the third round of formal talks resumes in Jakarta. An Interim Agreement is signed, containing 81 points of consensus. Predominantly Christian opponents throughout Mindanao denounce this Agreement. Political opposition increases. Vigilantes vow to attack if the Agreement is finalized.

#### **January to June 1996**

The government rushes to mollify politicians opposing the Interim Agreement. Consultations are held every month with local officials and members of congress, with Ramos himself participating in some consultations. The government organizes public meetings in Mindanao to promote the Interim Agreement. In June, Indonesia calls a consultation for the OIC Committee of Six. A meeting of the GRPMNLF Mixed Committee results in agreement to establish the Southern Philippines Zone of Peace and Development (SZOPAD).

#### **July to August 1996**

Members of Congress express opposition to the Interim Agreement. The Senate organizes public hearings, and calls on the executive to justify its actions and commitments. The Senate agrees to support the agreement, but only with nine substantial amendments, which dilute the powers and autonomy of institutions to be set up under the agreement. Six senators continues their opposition, and lead a group of politicians who file a 54-page petition asking the Supreme Court to nullify the Agreement. Catholic bishops express support for the agreement, subject to refinements in the text. Misuari announces his bid for the ARMM governorship. The 9<sup>th</sup> Mixed

Committee meeting and 4<sup>th</sup> round of formal talks take place in Jakarta. Exploratory talks with the MILF begin.

### **September to December 1996**

The Final Peace Agreement is signed on 2 September. The MILF distances itself from the Agreement, but commits not to stand in the way of peace. In the ARMM elections, Misuari runs for governor and wings, and six MNLF leaders are elected to the Regional Legislative Assembly. Ramos issues Executive Order 371, which departs from the Agreement on some significant points. The government forms a new negotiating panel for talks with the MILF in October. The MILF, in a display of strength, holds a huge assembly near Cotabato City from 3-5 December, and reaffirms commitment to independence.

### **1997**

Government and MILF representatives meet and issue a joint press statement. Heavy fighting in Buldon leaves more than hundred dead and mars talks. Another meeting in early February is suspended because of renewed fighting. The committees meet again in March and agree to form an Interim Ceasefire Monitoring Committee, with Fr Eliseo Mercado as chair. Meetings take place in April, May and June but are bogged down by continued fighting. The AFP launches its biggest offensive in June. By July, an agreement on cessation of hostilities is forged. Further meetings between the tow sides follow.

### **1998**

A new president, Joseph Estrada, is elected. He has an electoral alliance with politicians who opposed the peace agreement. Anti-agreement politicians do well in the local elections. MNLF leaders, save for one, lose their bids for local positions. Ten congressional representatives draft a bill to amend the Organic Act on ARMM in accordance with the peace agreement's provisions. A new government negotiating panel is constituted to talk to the MILF.

### **1999**

New outbreaks of fighting between MILF and AFP followed by re-establishment of ceasefire. Government recognizes two MILF camps. ARMM elections are due in September. Three bills have been filed in Congress to amend the Organic Act on the ARMM, expanding it in accordance with the 1996 Peace Agreement. A plebiscite on the new autonomous region is due by the end of year, but may be deferred.

### **2000**

Abu Sayaf abducted 21 European tourist from Malaysia and brought them to Sulu and Basilan. Government troops over-run MILF camps, leading to total collapse of ceasefire agreements and peacetalks. MNLF leadership accuses government for the failure of SPCPD and ARMM during ICFM at Kuala Lumpur. Armed conflict continues and spread to urban areas.

(Taken from various sources)

## ISLAM/ MOVEMENT

# Leader of the Moro Islamic Front outlines his vision for the future from his jungle base

It is nearly two decades since the Tripoli Agreement brokered by Libya was signed in 1976 between the Moro National Liberation Front (MNLF) and the Philippines government. Since then many developments have occurred in Muslim countries such as the victory of the Islamic Revolution in Iran, the jihad against the erstwhile Soviet Imperialism in Afghanistan, the Intifadah in Occupied Palestine, the Islamic Revolution in Jammu-Kashmir, the genocidal conspiracy against the Muslims of Bosnia-Herzegovina and the re-emergence of Islamic revolutionary movements in practically all of the nation-States of the Arab and Muslim world. This reassertion of Islam on the global level has been dubbed 'Islamic Fundamentalism' by the west. How do you assess the Bangsamoro struggle in the context of this global phenomenon?

**Ustadz Salamat Hashim:** The Bangsamoro Muslims are part of the Muslim *Ummah*. Their struggle against foreign domination and imperialism started in the 16th century. They struggled against the Spaniards for more than 300 years. In the beginning of this century they fought against another colonial aggressor, the US. With the collapse of the Ottoman Caliphate, Muslim communities throughout the globe were colonized including the Bangsamoro Muslims. Fifty years ago, several Muslim countries gained nominal independence establishing govern-

ments headed by western-educated elites who knew little about Islam. The Bangsamoro Muslims went through a similar experience but with a difference. Their homeland was annexed by the Philippines which was granted nominal independence by its colonial master, the US. Thus, the Bangsamoro Muslims were placed under the colonial rule of a colonial puppet. After the signing of the Tripoli Agreement in 1976 between the MNLF and the Philippines government, our longtime intention to launch an Islamic jihad materialized. Some prominent Bangsamoro revolutionary leaders supported the idea of launching jihad instead of waging a secular struggle to achieve independence or autonomy. Thus, the Moro Islamic Liberation Front (MILF) emerged. The Islamic Revolution in Iran and the jihad in Afghanistan strengthened fervor for jihad among the Bangsamoro fighters and their grassroots supporters. Moreover, the re-emergence of Islam as an ideological force has strengthened the concept of jihad among the Bangsamoro Muslims with the sole objective of establishing an Islamic government in accordance with the Qur'an and sunnah. In retrospect, the rise and fall of the Bangsamoro struggle from the second half of the 16th century to the first half of this century was affected by global developments which engulfed the entire Muslim *Ummah*.

**CI:** While both the MNLF and the MILF are fighting for the right of

the Bangsamoro people to self-determination, they remain apart. What differentiates the MILF from the MNLF?

**Ustadz Salamat:** The two Fronts differ in ideology and objectives. The MILF strictly follows the Islamic line and its objective in waging jihad *fi sabilillah* to make supreme the word of Allah and to establish an Islamic government. The MNLF is more inclined to secularism and its objective is to gain autonomy within the framework of the secular Philippine nation-State, a puppet of the west, especially the US.

**CI:** The 'Organization of Islamic Conference (OIC) has denied full-membership status to the Moro Fronts despite persistent efforts by the MNLF. Nonetheless, the OIC has conferred recognition on the MNLF as the 'sole representative of the Bangsamoro people.' How do you feel about this?

**Ustadz Salamat:** The reason for denying full-membership status to the Moro Fronts is that only recognized governments can be full members of the OIC. The only exception is the PLO. Further, accepting an Islamic revolutionary movement as a full member will set a precedence that will encourage other Muslim minorities to create revolutionary fronts in order to become full members of the OIC. Conferring the status of the 'sole representative of the

Bangsamoro people' on the MNLF, is a one-sided policy based on the claims of the MNLF without examining the real situation in the Bangsamoro homeland. Besides, we believe the OIC at present is not prepared to recognize a genuine Islamic revolutionary group like the MILF knowing that a great majority of its members are secular nation-States. Naturally, such States do not recognize genuine Islamic movements. When the OIC recognized the jihad in Afghanistan, it did not do so for being Islamic but because it was recognized by the US and western countries which are close allies of influential members of the OIC.

CI: Since the outbreak of fighting between the Bangsamoro people and the government in the early seventies, three successive regimes have already come to power in Manila - that of Ferdinand Marcos, Cory Aquino, and now Fidel Ramos. Has there been any difference in their treatment of the Bangsamoro people?

Ustadz Salamat: There is no major change in the treatment of the Bangsamoro Muslims by any of the regimes. The systematic design to liquidate our people continues. During Aquino's term and the current Ramos administration, thousands of Muslim homes were razed to the ground in barbaric military operations against innocent Muslim civilians. Hundreds of mosques and madaris were burned by the army and police. The programme to establish settlements in the Bangsamoro homeland for Christian settlers from Luzon and Visayas never slackened. Grabbing Muslim farmlands and plantations also continues. Robbing Muslim properties and looting the natural resources of the Bangsamoro homeland such as wood products and gold etc has caused massive poverty in the Bangsamoro areas. The genocidal campaign against the Bangsamoro Muslims is going on. Of course, a true Muslim should not be surprised by this behaviour as Allah has revealed the true nature of the disbelievers in the Qur'an (2:120) and (2:217).

CI: The original objective of the Bangsamoro struggle was to achieve independence from Philippine colonial rule. Later, this was watered down to a so-called 'meaningful autonomy' as evident in the Tripoli Agreement. Do you think that autonomy, no matter how substantial, within the framework of Philippine colonial rule will work for the Bangsamoro people? Do you believe that the Tripoli Agreement is still relevant?

Ustadz Salamat: Any solution less than full independence of the Bangsamoro Muslims will not work. Past experiences since the beginning of the annexation of the Bangsamoro homeland to the Philippines in 1935 have proved that the Bangsamoro Muslims could not live a normal life under a corrupt secular government and that the two peoples, the Bangsamoros and the Filipinos, could not get along with each other because of their distinct religions, cultures, customs and traditions. Besides, we believe that it will be for the best interests of the Bangsamoros and the Filipinos if both were free. Regarding the Tripoli Agreement, we believe that it has never been relevant and is becoming more irrelevant especially with the emergence of the genuine Islamic Movement in the Bangsamoro homeland.

CI: In the current negotiations between the MNLF and the Manila regime inaugurated in Jakarta, Indonesia, last October (1993), the media reported that the MILF was supporting the said negotiations. As Chairman of the MILF, would you please clarify the MILF's position on this matter?

Ustadz Salamat: Knowing that Manila's strategy vis-a-vis the Bangsamoro people is to sow the seeds of dissension among them (applying the old colonial tactic of divide-and-rule) the MILF's original position towards the Manila-MNLF negotiations was to keep silent while accelerating the momentum of our jihad. But when the mass media was eager to know our position we

issued a statement saying that we are not opposed to a peaceful solution to the problem of the Bangsamoro people if that solution leads to regaining their Islamic faith as their way of life. This statement was interpreted by the media as supportive of the Manila-MNLF talks. However, we ignored this speculation because we believe the talks are nothing but part of the drama for the amusement of those people who are indifferent to moral responsibilities.

CI: The MILF is known to be more Islamically-oriented than the MNLF. Recently, we felt that a number of positive developments took place within the MILF insofar as its objectives and policies are concerned. Does this indicate that we can expect more radical changes within the organization in the near future? Are these in line with Islam and/or do they conform with the global objectives of the Islamic Movement?

Ustadz Salamat: Radical changes in the MILF organization are not only expected but are now imminent. Also more developments are inevitable. I prefer to say more developments because as far as the leadership of the Front is concerned what is happening now is not a radical change but rather a realization of the original plan and programme of the MILF. However, it might appear radical to some observers. The MILF has been inculcating the all-embracing universal concept of Islam as a way of life and as a political, economic and social system among the Bangsamoros. It is now educating and preparing them for the establishment of an Islamic State and government in the future, insha 'Allah. The foremost programme of the MILF is the Islamization of the entire way of life of the Bangsamoro people and to mobilize them for jihad to fulfill the Will of Allah.

CI: As a Muslim revolutionary leader and scholar, how would you look at the Islamic Revolutions now erupting in Muslim countries?

Ustadz Sulamat: I believe that the promise of Allah in the Qur'an as well as that of the noble Prophet, upon whom be peace, that Islam will certainly prevail over all other religions and ideologies and that the world will be ruled by Allah's System through a righteous Muslim *Ummah*, is now gradually taking place. The Qur'an says: "It is He Who hath sent His messenger with Guidance and the religion of Truth, to cause it to prevail over all religions..." (9:33); and 'Before this We wrote in the Psalms, after the Message (given to Moses) My servants, the righteous, shall inherit the earth' (21:105); and many other verses confirm this:

CI: The west, led by the US, after the demise of communism has adopted an openly hostile and confrontational stance against the global Islamic Movement. It is engaged in a vicious campaign to destroy the image of Muslim countries such as Iran, Afghanistan and Sudan where Islamic governments have been established or are in the process of being established. It is also engaged in similar activities against Islamic Groups and their leaders such as those in Algeria, Egypt, etc. What is your comment on this?

Ustadz Sulamat: The antagonistic and hostile attitude of the western world led by the US towards the global Islamic Movement is a manifestation of the conflict between *Haq* (truth) and *baatil* (falsehood). The Muslim *Ummah* should not be worried about this because this hostile stance against Islam and its faithful followers reveals that the enemies of *Haq* and their minions know that Islam, the religion of Allah, will surely prevail over its enemies and that this world will no doubt be ruled by the righteous believers of Islam.

CI: Currently, the Philippines government has been attributing what it calls acts of terrorism to alleged 'Islamic fundamentalist' groups such as the Abu Sayyaf group in Zamboanga, Basilan and Sulu. The MNLF evidently concurs with Manila when it tacitly approved of the

large-scale military operations launched against the Abu Sayyaf group on June 3, 1994. Where does the MILF stand on this issue?

Ustadz Sulamat: The Manila regime is in the forefront of *baatil* in this area. That is why like the US and the western world, it too is against the emergence of the genuine Islamic Movement. The barbaric military operations of the armed forces with massive deployment of naval, air and ground forces against the Abu Sayyaf group have clearly revealed their anti-Islamic attitude. On the other hand, it also proves that the Abu Sayyaf group, however small, is a unit of the global Islamic Movement. Whoever approves, expressly or tacitly, of that brutal act against a Muslim group is among the followers and supporters of *baatil*.

CI: Since The Marcos regime was deposed in 1986, many so-called Muslim leaders, politicians, and even a number of *ulama* in the Philippines have said that there is no more need for Jihad in the Bangsamoro homeland because Muslim autonomy in the form of the Autonomous Region in Muslim Mindanao has already been established and is even guaranteed by the 1986 Philippine Constitution. What do you say about this?

Ustadz Sulamat: It is impossible for a Muslim to agree with this nonsensical idea. Those who said this were either unbelievers or ignorant of Islam.

CI: What are the prospects for the success of the Jihad in the Bangsamoro homeland?

Ustadz Sulamat: *Genuine* jihad is the might or military force of *Haq* which will surely prevail when it becomes pure. Our jihad has been passing through this process of purification. The MILF is prepared and determined to pursue the struggle against colonial rule or *baatil* to achieve one of the two objectives: victory or martyrdom. □



Appendix C  
GRP-MNLF Peace Agreement

IN THE NAME OF GOD, THE OMNIPOTENT, THE  
MERCIFUL

PEACE AGREEMENT

*THE FINAL AGREEMENT ON THE IMPLEMENTATION  
OF THE 1976 TRIPOLI AGREEMENT BETWEEN THE  
GOVERNMENT OF THE REPUBLIC OF THE  
PHILIPPINES (GRP) AND THE MORO NATIONAL  
LIBERATION FRONT (MNLF) WITH THE  
PARTICIPATION OF THE ORGANIZATION OF ISLAMIC  
CONFERENCE MINISTERIAL COMMITTEE OF THE  
SIX AND THE SECRETARY GENERAL OF THE  
ORGANIZATION OF ISLAMIC CONFERENCE.*

WHEREAS, the President of the Republic of the Philippines, His Excellency, Fidel V. Ramos, has pursued a peaceful settlement of the armed conflict under the principle of peace with honor and to serve the paramount ends of national unity, solidarity and progress for all Filipinos;

WHEREAS, the MNLF, led by Professor Nur Misuari, inspired by their quest for peace and prosperity, had in the past asserted the right of the Moro people to freely determine

their political status and pursue their religious, social, economic, and cultural development;

WHEREAS, the Organization of Islamic Conference ( OIC ) , upon the request of the GRP initiated the First Formal Peace Talks between the GRP and the MNLF during its Third Ministerial Conference in Jeddah., Kingdom of Saudi Arabia, which resulted in the signing of the Tripoli Agreement on December 23, 1976, the document which served as a basis for a just , lasting, honorable and comprehensive solution to the problem in Southern Philippines within the framework of the Philippine Constitution;

WHEREAS, by the Grace of the Almighty God and owing to the bold and innovative initiative of the Philippine Government, under H.E. President Fidel V. Ramos, and the dedication and perseverance of his duly appointed representatives, headed by Presidential Adviser for the Peace Process Manuel T. Yan, coupled with a highly positive and laudable response by the MNLF leadership under its founding Chairman, H.E. Professor Nur Misuari, a peace process has been conducted and pursued successfully for the last four (4) years, with the most constructive and beneficial participation of the OIC Ministerial Committee of the Six , headed by its distinguished Chairman, H.E. Ali Alatas, Minister of Foreign Affairs of Indonesia, and his four (4) able assistants as facilitators of the talks, namely: H.E. Ambassador S. Wiryono, H.E. Dr. Hassan Wirajuda, H.E. Ambassador Pieter Damanik, and H.E. Abu Hartono, and the OIC Secretary General, H.E. Dr. Hamid Algabid, and his deputy, H.E. Ambassador Mohammed Mohsin, and with special mention to Libyan Ambassador, H.E. Rajab Azzarouq;

WHEREAS, the parties acknowledge the valuable role of the Organization of Islamic Conference (OIC) in promoting and upholding the rights, welfare and well-being of Muslims all over the world;

**WHEREAS**, the parties likewise, acknowledge the role of the OIC Ministerial Committee of the Six comprising the nations of Indonesia as Chair, Libya, Saudi Arabia, Bangladesh, Senegal and Somalia in the search of a just, comprehensive and durable peace in Southern Philippines;

**WHEREAS**, in accordance with the Statement of Understanding signed in Tripoli, Libya on October 3, 1992 and the subsequent Statement of Understanding signed in Cipanas, West Java on April 14, 1993, the parties agreed, through the good offices of the Great Libyan Arab Jamahiriyyah, inspired and guided by its great leader, H.E. Colonel Muammar Khadaffy, the Government of the Republic of Indonesia under the wise and able leadership of H.E. Bapak President Soeharto, and H.E. OIC Secretary General, Dr. Hamid Algabid, to hold formal peace talks to discuss the modalities for the full implementation of the 1976 Tripoli Agreement in letter and spirit; to include those portions of the Agreement left for further discussion and the transitional implementing structure and mechanism;

**WHEREAS**, the parties affirm their solemn commitment in the aforementioned Statement of Understanding as well as the Memorandum of Agreement signed in the 1st Round of Formal Peace Talks held in Jakarta, Indonesia on October 25 - November 7, 1993; the Interim Agreement signed in the 2nd Round of Formal Peace Talks held in Jakarta on September 1 - 5, 1994; the Interim Agreement signed in the 3rd Round of Formal Peace Talks held in Jakarta on November 27 - December 1, 1995; the Interim Agreement signed in the 4th Round of Formal Peace Talks held in Jakarta on August 29, 1996; and in the nine (9) meetings of the Mixed Committee held in various places and dates in the Philippines and Indonesia;

**WHEREAS**, all these agreements resulted from the consensus points reached by the Mixed Committee and the Support

Committees (Support Committee No. 1 - National Defense and Security; Support Committee No. 2 - Education; Support Committee No. 3 - Economic and Financial System, Mines and Minerals; Support Committee No. 4 - Administrative System. Right of Representation and Participation in the National Government, and in all Organs of the State; Support Committee No. 5 - Shariah and the Judiciary; and the Ad Hoc Working Group on the Transitional Implementing Structure and Mechanism in meetings held in various places in the Philippines and Indonesia;

**WHEREAS**, the parties have rationalized and consolidated all agreements and consensus points reached, with the assistance of the Mixed Committee and the various support committees established for the purpose, into a final peace agreement;

**WHEREAS**, the parties affirm the sovereignty, territorial integrity and the Constitution of the Republic of the Philippines; and

**WHEREAS**, this final peace agreement constitutes the full implementation of the Tripoli Agreement;

**NOW THEREFORE, THE PARTIES DO HEREBY AGREE ON THE FOLLOWING:**

#### **I. IMPLEMENTING STRUCTURE AND MECHANISM OF THIS AGREEMENT**

1. Phase 1 shall cover a three (3) year period starting after the signing of the peace agreement with the issuance of Executive Order establishing the Special Zone of Peace and Development (SZOPAD), the Southern Philippines Council for Peace and Development (SPCPD), and the Consultative Assembly.

During this phase, the process of the joining in of MNLF elements with the Armed Forces of the Philippines will start.

The joining in of MNLF elements with the PNP as part of the regular police will also take place in this phase.

2. Phase 2 shall involve an amendment to or repeal of the Organic Act (RA6734) of the Autonomous Region in Muslim Mindanao (ARMM) through Congressional action, after which the amendatory law shall be submitted to the people of the concerned areas in a plebiscite to determine the establishment of a new autonomous government and the specific area of autonomy thereof.

a. While peace and development programs are being implemented in the SZOPAD, a bill to amend or repeal the RA 6734 shall be initiated within Phase 1 (1996-1997). The bill shall include pertinent provisions of the Final Peace Agreement and the expansion of the present ARMM area of autonomy. After a law shall have been passed by Congress and approved by the President, it shall be submitted to the people for approval in a plebiscite in the affected areas, within two (2) years from the establishment of the SPCPD (1998).

b. The new area of autonomy shall then be determined by the provinces and cities that will vote/choose to join the said autonomy (1998). It may be provided by the Congress in a law that clusters of contiguous-Muslim-dominated municipalities voting in favor of autonomy be merged and constituted into a new province(s) which shall become part of the new Autonomous Region.

## II. THE TRANSITIONAL PERIOD (PHASE -1)

Phase 1 shall be implemented as follows:

3. There shall be established a Special Zone of Peace and Development in Southern Philippines (SZOPAD) covering the provinces of Basilan, Sulu, Tawi-Tawi, Zamboanga del Sur, Zamboanga del Norte, North Cotabato, Maguindanao, Sultan Kudarat, Lanao del Norte, Lanao del Sur, Davao del Sur, South Cotabato, Sarangani, and Palawan and the cities of

Cotabato, Dapitan, Dipolog, General Santos, Iligan, Marawi, Pagadian, Zamboanga, and Puerto Princesa. Within three (3) years, these areas shall be the focus of intensive peace and development efforts. Public and private investments shall be channelled to these areas to spur economic activities and uplift the conditions of the people therein.

4. There shall be established a Southern Philippines Council for Peace and Development (SPCPD), composed of one (1) Chairman, one (1) Vice Chairman and three (3) Deputies, one each representing the Muslims, the Christians, and the Cultural Communities. They shall be appointed by the President.

5. The SPCPD shall be assisted by the Darul Iftah (advisory council) which shall be created by the Chairman of the SPCPD.

6. The local government units in the area including the ARMM, shall continue to exist and exercise their functions in accordance with existing laws.

7. Appropriate agencies of the government that are engaged in peace and development activities in the area, such as but not limited to the Southern Philippines Development Authority (SPDA), shall be placed under the control and/or supervision of the Council as its implementing agencies to ensure that peace and development projects and programs are effectively accomplished.

Based on the foregoing, the following agencies or entities will be placed under the control and/or supervision of the SPCPD, to wit

a. The Southern Philippines Development Authority (SPDA) may be attached to the SPCPD and be placed under the latter's direct supervision insofar as SPDA offices and projects in the SZOPAD are concerned. The SPCPD can exercise a further degree of control over SPDA by allowing the Council to submit recommendees to the President for

appointment as officials of SPDA;

b. The Regional and Field Offices of the Office of Muslim Affairs (OMA) which are situated and operating within the Special Zone of Peace and Development (SZOPAD), shall be placed under the direct supervision of SPCPD, provided that the coordination, linkages and complementation between the central OMA and SPCPD shall be defined by a Presidential issuance;

c. The Regional and Field Offices of the Office of Southern Cultural Communities (OSCC) which are situated and operating within the Special Zone of Peace and Development (SZOPAD), shall be placed under the direct supervision of SPCPD, provided that the coordination, linkages and complementation between the central OSCC and SPCPD shall be defined by a Presidential issuance;

d. Task Force Basilan, which shall be reorganized into the Basilan Development Task Force, to undertake development activities in Basilan shall be placed under the control and supervision of SPCPD

e. Task Force MALMAR, to be reorganized into the Central Mindanao Development Task Force, to undertake development activities in Central Mindanao shall be placed under the control and supervision of SPCPD;

f. Sulu Development Task Force - an inter-agency task force shall be organized to undertake development projects in Sulu - shall be placed under the control and supervision of SPCPD; and

g. Special Development Planning Group - this is an ad hoc body composed of staff officers and planning experts from the Department of Trade and Investment (DTI), the National Economic and Development Authority (NEDA), the Department of Public Works and Highway (DPWH) and other concerned agencies which could be organized to directly support the staff planning requirements, shall be placed under

SPCPD.

The foregoing enumeration of agencies or entities shall not preclude the President from exercising his power or discretion to delegate, subject to existing laws, certain powers or functions to the SPCPD, or to place other agencies or entities under the control and/or supervision of the latter.

8. The SPCPD, in consultation with the Consultative Assembly, utilizing the funds from the National Government, shall monitor, promote and coordinate the development efforts in the area, including the attraction of foreign investments, specially from OIC member countries and the Association of South East Asian Nations (ASEAN).

9. The powers and functions of the SPCPD and the Consultative Assembly are derivative and extension of the powers of the President. The powers referred to here are only those powers of the President that could be delegated under the Constitution and existing laws.

10. There shall be established a Consultative Assembly with 81 members composed of the following:

a. The Chairman of the SPCPD shall be the head and presiding officer of the Assembly;

b. The Governor and the Vice Governor of the ARMM, the 14 Governors of the provinces and the 9 City Mayors in the SZOPAD;

c. 44 members from the MNLF; and

d. 11 members from the various sectors recommended by non-governmental organizations (NGOs) and people's organizations (POs).

11. The Consultative Assembly shall exercise the following functions and powers:

a. To serve as forum for consultation and ventilation of issues and concerns;

b. To conduct public hearings as may be necessary and to provide appropriate advice to the SPCPD; and

c. To formulate and recommend policies to the President through the Chairman of the SPCPD and make rules and regulations to the extent necessary for the effective and efficient administration of the affairs of the area.

12. The OIC shall be requested to continue to extend its assistance and good offices in monitoring the full implementation of this agreement during the transitional period until the regular autonomous government is firmly established and for this purpose, help generate broad international support for the Zone of Peace and Development.

13. A Joint Monitoring Committee composed of members coming from the GRP and the MNLF, with the help of the OIC, shall continue to meet to review and identify agreements that can be immediately implemented, and monitor the implementation of this Agreement during Phase 1.

14. The provisions of the 1994 and 1995 Interim Agreements and subsequent agreements entered into by the GRP and the MNLF that would not require legislative action shall be implemented during Phase 1.

15. The funds for the operations of the Council and the Assembly shall be initially sourced from the funds of the Office of the President. Funding for development programs and projects shall come from the appropriations of Congress as may be drawn from the General Appropriations Act. A supplementary budget for the year 1996 will be recommended to Congress for the purpose.

16. The term of the SPCPD and the Consultative Assembly shall be for a period of three years and may be extended by the President upon recommendation of the Council itself.

17. The term of office of the SPCPD and the Assembly shall coincide with the three-year term of office of the officials of the Autonomous Region in Muslim Mindanao (ARMM) elected in 1996.

18. The powers and functions of the Council shall be as

follows:

a. To take charge in promoting, monitoring and coordinating the improvement of peace and order in the area;

b. To focus on peace and development efforts more particularly in the depressed areas and cause the implementation of peace and development projects;

c. To provide support to local government units as necessary;

d. To exercise such powers and functions necessary for the effective implementation of its mandate as may be delegated by the President;

e. To assist in the preparation for the holding of elections, referenda or plebiscite and people's initiative in the area as may be duly deputized by the Commission on Elections (COMELEC);

f. To cause the creation of such offices or instrumentalities as shall be necessary for the effective and efficient administration of the affairs of the areas. There shall be approval from the Office of the President for budgetary purposes.

19. The joining of the MNLF elements with the Philippine National Police (PNP) and the Provision of Security Protection for Certain Officials of the Southern Philippines Council for Peace and Development:

a. During the transitional phase (Phase I), there shall be a program or process to allow the joining of MNLF elements into the PNP and to be part of the PNP Command in accordance with guidelines and procedures under existing laws. The Philippine Government shall allocate one thousand five hundred (1,500) PNP vacancies for this purpose to be filled up by MNLF elements during the transition period, and another two hundred fifty (250) items for special or auxiliary services.

b. The processing of MNLF elements will start upon the

establishment of the Southern Philippines Council for Peace and Development (SPCPD). The police training programs to be undergone by the joining MNLF elements shall be as prescribed by existing laws and rules and regulations, and shall be conducted by the PNP.

c. The concerned officials of the Council (e.g. the Chairman and his Deputies) shall be provided security and protective assistance by the national government, the security situation warrants and as part of confidence-building measures. An AFP/PNP security detail shall be immediately and particularly assigned by the Council. This special AFP/PNP security detail shall be composed of former MNLF regulars who shall have been granted AFP or PNP appointments and duly integrated into the AFP or PNP. This security detail shall be of appropriate size in accordance with the needs of the situation, without prejudice to augmentation by regular AFP or PNP units as the need arises and in coordination with the AFP and PNP commanders concerned. This security detail which shall not be utilized for law enforcement, but solely for the security and protection of SPCPD officials concerned, shall conduct themselves in accordance with existing policies and regulations in order to prevent undue alarm to the population during movements of concerned officials.

d. To have good coordination between the AFP and PNP on the one hand and the SPCPD on the other, a liaison system will be set up composed of the AFP, PNP and SPCPD senior officials.

20. The joining of the MNLF forces with the Armed Forces of the Philippines (AFP):

a. Five thousand seven hundred fifty (5,750) MNLF members shall be integrated into the Armed Forces of the Philippines (AFP), 250 of whom shall be absorbed into the auxiliary services. The government shall exert utmost efforts to establish the necessary conditions that would ensure the

eventual integration of the maximum number of the remaining MNLF forces into the Regional Security Forces (SRSF) and other agencies and instrumentalities of the government. There shall be a special socio-economic, cultural and educational program to cater to MNLF forces not absorbed into the AFP, PNP and the SRSF to prepare them and their families for productive endeavors, provide for educational, technical skills and livelihood training and give them priority for hiring in developmental projects.

b. In the beginning, the MNLF forces will join as units distinct from AFP units. They will be initially organized into separate units within a transition period, until such time that mutual confidence is developed as the members of these separate units will be gradually integrated into regular AFP units deployed in the area of the autonomy. Subject to existing laws, policies, rules and regulations, the appropriate authorities shall waive the requirements and qualifications for entry of MNLF forces into the AFP.

c. One from among the MNLF will assume the functions and responsibilities of a Deputy Commander of the Southern Command, AFP, for separate units that will be organized out of the MNLF forces joining the AFP. The Deputy Commander will assist the Commander of the Southern Command, AFP in the command, administration and control of such separate units throughout the aforementioned transition period. The Deputy Commander will be given an appointment commensurate to his position and shall be addressed as such.

d. The government recognizes the skills, capabilities and achievements of the MNLF and its capacity to develop its members for the highest echelons of military and civilian leadership. The ranks and grades of MNLF forces joining the AFP shall be subject to the decision of the President in his capacity as Commander-in-Chief of the AFP along the principles of universality, non-discrimination, equity and

preferential treatment for the poor and underprivileged.

e. The government shall take affirmative measures to continually improve the capabilities of those MNLF forces joining the AFP to enhance their opportunities for professional advancement in the military service. It shall undertake initiatives to provide professional training and military schooling in foreign countries to former MNLF members absorbed into the AFP in consonance with the education and training programmes with the AFP.

f. All other matters regarding the joining of MNLF forces into the AFP not expressly covered by this agreement shall be prescribed by the President in his capacity as Commander-in-Chief of the AFP.

### III. THE NEW REGIONAL AUTONOMOUS GOVERNMENT (PHASE-2)

The following provisions shall be implemented after a law amending or repealing the Organic Act of ARMM shall have been enacted by Congress and approved by the people in the concerned areas in a plebiscite therefore. Accordingly, these provisions shall be recommended by the GRP to Congress for incorporation in the amendatory or repealing law.

#### A. EXECUTIVE COUNCIL, LEGISLATIVE ASSEMBLY, ADMINISTRATIVE SYSTEM AND REPRESENTATION IN THE NATIONAL GOVERNMENT

##### EXECUTIVE COUNCIL

21. Executive power shall be vested in the Head of the regular Autonomous Government duly elected at large by direct vote of the people of the Autonomous Region. There shall also be a Vice-Head of the Regional Autonomous Government also elected in the same manner. The Head of the Regional

Autonomous Government may appoint three (3) Deputies. The Head, the Vice-Head and the three (3) Deputies shall comprise the Executive Council of the area of Autonomy.

22. The President shall exercise general supervision over the Regional Autonomous Government and all local government units in the area of Autonomy through the Head of the Regional Autonomous Government to ensure that laws are faithfully executed.

The Head of the Autonomous Government shall exercise general supervision over all local government units in the area of autonomy to ensure that national and regional laws are faithfully executed and see to it that they act within their assigned powers and functions.

##### LEGISLATIVE ASSEMBLY

23. Legislative power shall be vested in the Regional Legislative Assembly.

24. The Legislative Assembly shall be composed of members elected by popular vote, with three (3) members elected from each of the Congressional Districts.

25. There shall be sectoral representatives in the Legislative Assembly whose number shall not exceed fifteen percent (15%) of the total number of elected Members of the Legislative Assembly coming from the labour, disabled, industrial, indigenous cultural communities, youth, women, non-government organizations, agricultural, and such other sectors as may be provided by Regional Law to be appointed by the Head of the Autonomous Government from among the nominees of the different sectoral groups; provided, however, that the youth representative shall not be less than 18 years of age nor more than 21 years of age at the time of his appointment.

26. The people's initiative, by way of a plebiscite or referendum, is recognized.

27. The Regional Legislative Assembly shall exercise legislative power for application in the area of autonomy except on the following matters, to wit:

- a. Foreign Affairs;
- b. National Defense and Security;
- c. Postal Service;
- d. Coinage, and Fiscal and Monetary Policies;
- e. Administration of Justice except on matters pertaining to Shariah;
- f. Quarantine;
- g. Customs and Tariff;
- h. Citizenship;
- i. Naturalization, Immigration and Deportation;
- j. General Auditing, Civil Service and Elections;
- k. Foreign Trade;
- l. Maritime, Land and Air Transportation and Communications that affect areas outside the autonomous region; and
- m. Patents, Trademarks, Tradenames and Copyrights.

28. The Legislative Assembly may create, divide, merge, abolish or substantially alter boundaries of local government units in the area of autonomy in accordance with the criteria laid down by law subject to approval by a majority of the votes cast in a plebiscite called for the purpose in the political units affected. It may also change the names of such local government units, public places and institutions.

29. Any member of the Legislative Assembly who accepts an appointment and qualifies for any position in the Government, including government-owned-and-or-controlled corporations or institutions and their subsidiaries, shall automatically forfeit his seat in the Legislative Assembly.

30. No member of the Legislative Assembly may personally appear as counsel before courts of justice or quasi-judicial and other administrative bodies. Neither shall he, directly or

indirectly, be interested financially in any contract with, or in any franchise or privilege granted by, the Government, or any subdivision, agency or instrumentality thereof, including any government-owned-and-or-controlled corporation or its subsidiary, during his term of office.

31. In case of vacancy in the Legislative Assembly occurring at least one year before the expiration of the term of office, a special election shall be called to fill the vacancy in the manner prescribed by law; provided, that the member elected shall serve for the unexpired term.

32. The Legislative Assembly shall elect from among its members a Speaker and such other officers as the rules may provide. The Speaker shall appoint the personnel of the administrative organization of the Legislative Assembly.

33. The powers, functions, responsibilities and structure of the different Departments, agencies, bureaus, offices and instrumentalities of the regional government including regional government-owned-and-controlled corporations in the areas of the autonomy shall be prescribed and defined by the Regional Legislative Assembly.

34. No person shall be elected member of the Legislative Assembly unless he/she is:

- a. A natural-born citizen of the Philippines;
- b. At least 21 years of age on the day of elections;
- c. Able to read and write;
- d. A registered voter of the district in which he/she shall be elected on the day he/she files his/her certificate of candidacy; and
- e. A resident thereof for a period of no less than five years immediately preceding the day of election.

35. Every member of the Legislative Assembly shall take an oath or affirmation of allegiance to the Republic of the Philippines before taking his/her seat.

36. The Legislative Assembly shall adopt its own rules of



procedure by a majority vote of all its Members including the selection of members of its standing committee and the suspension or expulsion of its Members.

37. A majority of all the Members of the Assembly shall constitute a quorum to do business, but a smaller number may adjourn from day-to-day and may compel the attendance of absent members in such manner, and under such penalties, as the Assembly may provide.

38. The Legislative Assembly or any of its committees may conduct inquiries or public consultations in aid of legislation in accordance with its rules. The rights of persons appearing in or affected by such inquiries shall be respected.

39. The Legislative Assembly shall keep a Journal of its proceedings and a record of its caucuses and meetings. The records and books of account of the Assembly shall be preserved and be open to public scrutiny. The Commission on Audit shall publish an annual report of the itemized list of expenditures incurred by the Members of the Assembly within sixty (60) days from the end of every regular session.

40. The Speaker of the Legislative Assembly shall, within ten working days from approval thereof, submit to the President and to both Houses of Congress a certified true copy of all laws and resolutions approved by the Legislative Assembly.

41. No member shall be questioned or be held liable in any other place for any speech or debate in the Assembly or in any committee thereof.

42. The Chief Executive of the Autonomous Government shall approve the budget of the Autonomous Region. If, by the end of any fiscal year, the Legislative Assembly shall have failed to pass the regional appropriations bill for the ensuing fiscal year, the regional Appropriations Act for the preceding year shall be deemed automatically re-enacted and shall remain in force and effect until the regional appropriations

bill is passed by the Legislative Assembly.

43. No provision shall be embraced in the regional appropriations bill unless it relates specifically to some particular appropriation therein. Any such provision or enactment shall be limited in its operation to the appropriation to which it relates.

44. The procedure in approving appropriations for the Legislative Assembly shall strictly follow the procedure for approving appropriations for other departments and agencies of the Regional Government.

45. A special appropriations bill shall specify the purpose for which it is intended, and shall be supported by funds actually available as certified by the Regional Treasurer, or to be raised by a corresponding revenue proposal therein.

46. Discretionary funds appropriated for particular offices shall be disbursed only for public purposes to be supported by appropriate vouchers and subject to such guidelines as may be prescribed by regional law.

47. All money collected on any regional tax levied for a special purpose shall be treated as a special fund and paid out for such special purpose only. If the purpose for which a special fund was created has been fulfilled or abandoned, the balance, if any, shall accrue to the general funds of the regional government.

48. Trust funds shall only be paid out of the regional treasury upon fulfillment of the specific purpose for which said funds were created or received.

49. Except as provided by its rules, the Legislative Assembly shall meet in open session. Regular session shall commence on the 4th Monday of April and shall continue to be in session for such number of days as may be determined by the Assembly until thirty (30) days before the opening of its next regular session.

50. The Legislative Assembly shall meet in special sessions

at the request of one-third (1/3) of all its Members or by call of the Chief Executive. Such special sessions must be convened with specific agenda.

51. No bill shall become a law unless it has passed three (3) readings on separate days and printed copies thereof in its final form have been distributed to its Members three (3) days before its passage, except when the Chief Executive certifies to the necessity of its immediate enactment to meet a public calamity or emergency.

52. Every bill passed by the Legislative Assembly shall, before it becomes a law, be presented to the Chief Executive. If he approves the same, he shall sign it; otherwise, he shall veto it and return it with his objections to the Legislative Assembly, which shall enter the objections at large in its journal and proceed to consider it. If, after such reconsideration, two-thirds (2/3) of all the Members of the Legislative Assembly shall agree to pass the bill, it shall become a law. In all such cases, the veto shall be determined by yeas and nays, and the names of the members voting for or against shall be entered in the journal. The Chief Executive shall communicate his veto of any bill to the Legislative Assembly within thirty (30) days after the receipt thereof; otherwise, it shall become a law as if he had signed it.

53. The Legislative Assembly may request the presence of the Chief Executive, Vice-Chief Executive, Cabinet members or their deputies, as the rules shall provide, for questioning on matters falling within the scope of their assigned powers and functions.

54. Subject to the rules of the Legislative Assembly, the legislative power to inquire on matters relating to the exercise of administrative functions by an agency of government within the Autonomous Region shall be in the form of written questions.

55. The Chief Executive shall submit to the Legislative

Assembly not later than two (2) months before the beginning of every regular session, as the basis of the regional appropriations bill, a budget of expenditures and sources of financing, including receipts from existing and proposed revenue measures.

56. The fiscal year of the Autonomous Region shall cover the period January 1 to December 31 of the same year.

57. The Legislative Assembly may not increase the appropriations recommended by the Chief Executive for the operation of the Autonomous Government as specified in the budget. The form, content and manner of preparation of the budget shall be prescribed by regional law; provided, however, that pending the enactment of such regional law, the budgeting process shall be governed by existing national laws and rules and regulations prescribed by the Department of Budget and Management.

58. The Chief Executive shall have the power to veto any particular item or items in an appropriation or revenue bill, but the veto shall not affect the item or items to which he does not object. The veto may be reconsidered by the Assembly by a vote of two-thirds (2/3) of all its Members.

59. The financial accounts of the expenditures and revenues of the Autonomous Region shall be audited by the Commission on Audit.

60. No money shall be paid out of the Regional Treasury except in pursuance of an appropriation made by regional law.

61. No regional law shall be passed authorizing any transfer of appropriations; however, the Chief Executive, the Speaker of the Assembly, and the Presiding Justice of the highest Shariah Court may, by law, be authorized to augment any item in the Regional General Appropriation Law for their respective offices from savings in other items of their respective appropriations.

## ADMINISTRATIVE SYSTEM

62. The Regional Autonomous Government shall have the power to enact its own Regional Administrative Code and Regional Local Government Code consistent with national laws and the Constitution provided that it shall not in any way diminish the powers and functions already enjoyed by Local Government Units.

## RIGHT OF REPRESENTATION AND PARTICIPATION IN THE NATIONAL GOVERNMENT AND IN ALL ORGANS OF THE STATE

## General Principles:

63. Representation in the National Government by the inhabitants of the Autonomous Region may be effected through appointment or elections and must be subject to standards and guidelines prescribed for the position. When representation is done by appointment, the inhabitants of the Autonomous Region will be appointed by the President of the Philippines to herein specified positions which are policy determining, highly technical, primarily confidential and supervisory upon recommendation by the Head of the Autonomous Government.

64. Right of representation shall not be construed in such a way that applicants from the Autonomous Region, especially Muslims and Cultural Communities, for lower positions in the above organs of the government cannot be appointed anymore thereto.

## Manner of Representation and Participation

## Executive

65. It shall be the policy of the National Government that

there shall be at least one (1) member of the Cabinet (with the rank of Department Secretary) who is an inhabitant of the Autonomous Region to be recommended by the Head of the Autonomous Government.

66. It shall likewise be a policy that there shall be at least one (1) official in each of the departments and the constitutional bodies of the national government who shall be appointed in executive, primarily confidential, highly technical or policy-determining positions, from among the inhabitants of the Autonomous Region upon recommendation by the Head of the Autonomous Government. The Head of the Autonomous Government shall participate as ex-officio member of the National Security Council on all matters concerning the Autonomous Region and such other matters as may be determined by the President.

67. Government-Owned and Controlled Corporations (GOCCs) or institutions and their subsidiaries in the area of autonomy:

Where Government-Owned and Controlled Corporations (GOCCs) are operating mainly or with a subsidiary in the area of autonomy, as a policy, the Regional Autonomous Government shall be given some representation in the Board of Directors or in the policy-making body of said GOCCs or their subsidiaries consistent with their respective charters.

## Legislative

68. It shall be the policy of the National Government that the Regional Autonomous Government shall have one (1) representative in Congress as a Sectoral Representative. This is aside from the congressional districts located in the autonomous region.

## Judicial

69. It shall be a policy of the national government that at least one (1) justice in the Supreme Court and at least two (2) in the Court of Appeals shall come from the Autonomous Region. For this purpose, the Head of the Autonomous Government may submit the names of his recommendees to the Judicial and Bar Council for consideration. This is without prejudice to the appointment of qualified inhabitants of the Autonomous Region to other positions in the judiciary in accordance with their merits and qualifications.

70. The GRP shall endeavor to cause the appointment, as a member of the Judicial and Bar Council, a qualified person to be recommended by the Head of the Regional Autonomous Government.

71. The GRP shall request the Supreme Court to create the Office of the Deputy Court Administrator for the Area of Autonomy, and to appoint thereto a qualified person recommended by the Head of the Regional Autonomous Government.

#### Civil Service Eligibilities

72. The civil service eligibility requirements for appointment to government positions shall be applicable in the Autonomous Government. As necessary, the Civil Service Commission shall hold special civil service examinations in the region to further increase the number of eligibles therein. For a period not longer than five (5) years from the establishment of the Regional Autonomous Government, the GRP will endeavor to provide for appropriate civil service eligibility to applicants in the Autonomous Region, provided, the minimum educational qualifications for the position are met.

#### B. THE ESTABLISHMENT OF THE SPECIAL SECURITY FORCES FOR THE AUTONOMOUS REGION (PHASE-2 OF THE IMPLEMENTATION OF THE TRIPOLI

#### AGREEMENT)

##### General Principles

73. When the new regular Autonomous Regional Government shall have been established, there shall be created or constituted a PNP Regional Command for the new Autonomous Region, which shall be the Special Regional Security Forces (SRSF) as referred to in Paragraph 8, Article 111 of the Tripoli Agreement.

74. The Regional Legislative Assembly may enact laws governing the PNP Regional Command for the Autonomous Region/SRSF consistent with the constitutional provision that there shall be one public force in the country which is national in scope and civilian in character.

75. The PNP Regional Command for the Autonomous Region/SRSF shall be composed of the existing PNP units in the area of autonomy, the MNLF elements and other residents of the area who may later on be recruited into the force.

76. The powers and functions of the PNP Regional Command for the Autonomous Region/SRSF, which shall be exercised within the territories covered by the Regional Autonomous Government (RAG), shall be the following:

- a. Enforce all laws and ordinances relative to the protection of lives and properties;
- b. Maintain peace and order and take all necessary steps to ensure public safety;
- c. Investigate and prevent crimes, effect the arrest of criminal offenders, bring offenders to justice and assist in their prosecution;
- d. Exercise the general powers to make arrest, search and seizure in accordance with the Constitution and pertinent laws;
- e. Detain and arrest a person for a period not beyond what is prescribed by law, informing the person so detained of all his rights under the Constitution and observing the

inherent human rights of the citizens; and

77. The PNP Regional Command for the Autonomous Region/SRSF shall be charged with the maintenance and preservation of peace, law and order, and protection of life, liberty and property in the region in consonance with the Constitution.

Organization of the PNP Regional Command for the Autonomous Region/SRSF

78. It shall be civilian in nature or character.

79. It shall be regional in scope of operations.

80. It shall be headed by a Regional Director who shall be assisted by two (2) Deputies, one (1) for Administration and one (1) for Operations.

81. It shall have regional, provincial, and city or municipal offices.

82. At the provincial level, there shall be an office/station which shall be headed by a Chief of Police.

Powers of the Head of the Regional Autonomous Government over the PNP Regional Command for the Autonomous Region/SRSF

84. Act as the Deputy of the National Police Commission (NAPOLCOM) in the region and shall be the ex-officio Chairman of the Regional Police Commission (REPOLCOM).

85. Exercise operational control and general supervision and disciplinary powers.

86. Employ/deploy the elements of the Regional Command through the Regional Director.

87. Assign/reassign officers and other personnel through the Regional Director.

88. Recommend to the President the appointment of the Regional Director and his two (2) Deputies.

89. Oversee the preparation and implementation of the

integrated regional public safety plan.

90. Impose, after due notice and summary hearings of citizen's complaints, administrative penalties on personnel of the Regional Command except Presidential Appointees.

Creation of the Regional Police Commission

91. There shall be created a Regional Police Commission (REPOLCOM) by the Regional Legislative Assembly consistent with the Constitution.

92. The REPOLCOM shall be under the supervision of the NAPOLCOM.

93. The Chairman of the REPOLCOM shall be an ex-officio Commissioner of the NAPOLCOM,

### C. EDUCATION

The Integrated System of Education

94. The Regional Autonomous Government shall have an educational component comprising of existing schools, colleges and universities in the present area of autonomy and such other schools and institutions in the future expanded area of autonomy, with the possible inclusion of state universities and colleges (SUCs) to be decided later on. The relationship of the Regional Autonomous Government educational body with the national educational system shall be that of a system and sub-system with emphasis on the autonomy of the sub-system. In the event that SUCs should be included as part of the educational component of the Regional Autonomous Government, the autonomous government recognizes the fiscal autonomy and academic freedom of the SUCs as mandated by their respective charters.

95. The Regional Autonomous Government educational system shall, among others, perpetuate Filipino and Islamic ideals and aspirations, Islamic values and orientations of the

Bangsamoro people. It shall develop the total spiritual, intellectual, social, cultural, scientific and physical aspects of the Bangsamoro people to make them God-fearing, productive, patriotic citizens, conscious of their Filipino and Islamic values and Islamic cultural heritage under the aegis of a just and humane society.

#### The Structure of Education System

96. The elementary level shall follow the basic national structure and shall primarily be concerned with providing basic education; the secondary level will correspond to four (4) years of high school, and the tertiary level shall be one year to three (3) years for non-degree courses and four (4) to eight (8) years for degree courses, as the case may be in accordance with existing laws.

#### Curriculum

97. The Regional Autonomous Government educational system will adopt the basic core courses for all Filipino children as well as the minimum required learnings and orientations provided by the national government, including the subject areas and their daily time allotment. Teaching materials and curriculum contents shall promote solidarity, unity in diversity, Filipino and Islamic values.

98. The addition of more required learnings and instructional materials shall be the prerogative and responsibility of the Autonomous Government.

99. The minimum requirements and standards prescribed by Department of Education Culture and Sports (DECS), Commission on Higher Education (CHED) and Technical Education and Skills Development Authority (TESDA) will be followed by the Autonomous Region.

100. The same textbooks of the National Government will be used by schools in the Autonomous Region. The formulation,

shaping and revision of textbooks are the responsibilities of the Regional Autonomous Government and the National Government and within agreed norms, academic freedom and relevant legal limits, the formulation and revisions shall emphasize Islamic values or orientation, in addition to Filipino values which include Christian values and values of indigenous people, modern sciences and technology as well as the latest educational thrusts. Having adopted the core curriculum of the national government in consideration of achieving the highest quality of education, students and graduates of the education system of the Autonomous Region shall be fully accredited when they transfer to non autonomous regions.

101. The integration of Islamic Values in the curriculum should be done gradually after researches and studies are conducted.

102. The teachings of Islamic Values, as well as Filipino values, shall be incorporated in Good Manners and Right Conduct in appropriate grade levels including the tertiary level subject to agreed norms, academic freedom, and legal limitations.

103. Muslim culture, mores, customs and traditions which are mainly based on Islam, as well as the cultures, mores, customs and traditions of Christians and indigenous people, shall be preserved through the regular public and special schools in the Autonomous Region, considering that schools are perpetuating vehicles of the values of the people.

#### Administration of Educational System

104. The management and control, and supervision of the entire educational system in the area of autonomy shall be the primary concern of the Regional Autonomous Government, consistent with the declared policies of national educational bodies. The national education bodies shall monitor compliance by the regional educational system with national

educational policies, standards and regulations in collaboration with the educational authorities of the autonomous region. The head of the educational system of the Regional Autonomous Government shall have the right to participate in policy and decision-making activities of the national educational bodies.

105. The Regional Autonomous Government shall be represented in the Board of SUCs in the region as co-chairman or at least, co-vice-chairman, as may be provided by law. Appointment to SUC Boards shall be made by the President of the Philippines.

106. The Regional Autonomous Government will be responsible for specific administrative, management functions and powers, educational supervision and school administration, and regulation over private schools.

107. The organizational structure of the educational system in the autonomous region shall follow the basic structure of the national educational system. The Regional Legislative Assembly may add special structures, if necessary. It shall follow whatever organizations of the curricular years as found in the national set-up.

108. Locally funded programs will be the responsibility of the Regional Autonomous Government.

109. The selection, recruitment, appointment and promotion of teachers and employees shall be the responsibility of the Regional Autonomous Government in accordance with general qualification standard prescribed by the Civil Service Commission (CSC) provided that the Regional Autonomous Government can initiate regionally-defined standards which are not below national standards.

110. The selection, recruitment, appointment and promotion of elementary, secondary and tertiary education employees shall be the responsibility of the Regional Autonomous Government in accordance with general standards of the Civil

Service Commission (CSC) and other existing recognized bodies.

111. Primary disciplinary authority over officials and employees of the Regional Autonomous Government will be the area of concern of the Regional Autonomous Government in accordance with Civil Service Commission (CSC) rules and regulations. Administrative sanctions deemed appropriate and reasonable as determined by the Civil Service Commission will be the area of concern of the Regional Autonomous Government.

#### Religious Instruction

112. Religious instruction in public schools should be optional, with the written consent of the parent/guardian, taught by the authorities of the religion to which the student belongs, and should not involve additional costs to the government in accordance with national policies.

#### Medium of Instruction

113. Filipino and English shall be the medium of instruction in the area of the Autonomy; provided that Arabic shall be an auxiliary medium of instruction.

114. Regional languages may be used as auxiliary official languages in the region as well as auxiliary medium of instruction and communication.

115. Arabic shall be recognized as a medium of instruction in Madaris (schools) and other Islamic institutions.

116. Arabic shall be taught as a subject in all appropriate grade levels as presently required in the existing laws for Muslims, and optional, for non-Muslims.

#### Madrasah Education

117. Existing *Madaris*, including *Madaris Ulya* shall be included under the Regional Autonomous Government

educational system as presently organized in the area of autonomy.

118. Madaris teachers shall receive compensation out of the funds of the Regional Autonomous Government provided they are employed in the public schools.

#### Non-Formal Education and Specialized Education

119. The Regional Autonomous Government educational system shall develop the full potentials of its human resources, respond positively to changing needs and conditions and needs of the environment, and institutionalize non-formal education.

120. The educational system shall respond positively and effectively to the changing needs and conditions of the times as well as regional and national needs of the environment through the proper use of the latest educational technology, development, planning, monitoring, evaluation, and appropriate and timely educational intervention as well as linkages with national and international institutions.

121. The Regional Autonomous Government educational system shall institutionalize non-formal education in scope and methodology, to include literacy, numeracy and intensive skills training of the youth and adult, to allow them to participate actively and productively in the mainstream of regional and national life.

#### Scholarship Grants and Assistance

122. Universities and colleges in the areas of autonomy may seek and receive overseas donations for educational purposes.

123. The Regional Autonomous Government educational system will handle, by administrative arrangement with the national DECS, CHED, and TESDA scholarship programs, both local and foreign, including those provided the autonomous region pursuant to the provision of existing laws.

124. Disadvantaged but deserving students will be given

financial assistance by the Regional Autonomous Government out of funds given by the national government for the purpose and from other sources of funds.

#### Funds for Education:

125. Funds for education constituting the share of the Regional Autonomous Government as contained in the General Appropriations Act should be given directly to the Autonomous Government.

#### D. THE ECONOMIC AND FINANCIAL SYSTEM, MINES AND MINERALS

126. The Regional Autonomous Government in the area of autonomy shall establish its own Regional Economic and Development Planning Board chaired by the Head of Government in the area of autonomy. The Board shall prepare the economic development plans and programs of the Autonomous Government.

127. The pivotal role of banks and other financial institutions for development in the area if autonomy is recognized.

128. The Regional Autonomous Government in the area of autonomy has the power to promote tourism as a positive instrument for development provided that the diverse cultural heritage, moral and spiritual values of the people in the area of autonomy shall be strengthened and respected.

129. The Regional Autonomous Government in the area of autonomy shall have the power to grant incentives including tax holidays within the power and resources in the area of autonomy.

130. The Regional Autonomous Government in the area of autonomy advocates equal opportunities for all the inhabitants of the area of autonomy regardless of ethnic origin, culture, sex, creed and religion.

131. In enacting tax measures, the Regional Legislative



Assembly shall observe the principle of uniformity and equity in taxation and shall not impose confiscatory taxes or fees of any kind.

132. The Regional Autonomous Government in the area of autonomy shall have the power to enact a Regional Tax Code and a regional Local Tax Code applicable to all local government units within the area of autonomy.

133. All corporations, partnerships or business entities directly engaged in business in the area of autonomy shall pay their corresponding taxes, fees, and charges in the province, city or municipality in the area of autonomy where the establishment is doing business.

134. All corporations, partnerships or business entities whose head offices are located outside the area of autonomy, but doing business within its territorial jurisdiction, either by using, exploiting, and utilizing the land, aquatic and all natural resources therein, shall pay their income taxes corresponding to their income realized from their business operation in the area of autonomy through the province, city or municipality where their branch offices are located. In case the business establishment has no such branch in the area of autonomy, such business establishment shall pay through the city or municipality where its operation is located.

135. The Regional Autonomous Government in the area of autonomy as a body corporate, may contract domestic loans.

136. The Regional Autonomous Government recognizes the pivotal role played by banks and other financial institutions in the economic development of the area of autonomy. Toward this end, the Autonomous Government shall:

a. Encourage the establishment of banks and bank branches in the area of autonomy;

b. Encourage the entry and establishment of off-shore banking units of foreign banks in the area of autonomy.

137. The Regional Autonomous Government may accept

foreign financial and economic grant for the development and welfare of the people in the region.

138. The Regional Autonomous Government may issue its own treasury bills, bonds, promissory notes, and other debt papers in consultation and coordination with the Bangko Sentral ng Pilipinas.

139. The Regional Autonomous Government may contract foreign loans within the purview of national laws and pertinent monetary and fiscal policies.

140. In the pursuit of the region's economic growth, development and welfare, the autonomous government shall have the right to formulate economic and financial policies and implement economic and financial programs, taking into account national laws and policies.

141. The Regional Autonomous Government in the area of autonomy shall encourage, promote and support the establishment of economic zones, industrial centers and ports in strategic areas and growth centers to attract local and foreign investments and business enterprise.

142. The Regional Autonomous Government in the area of autonomy shall undertake, encourage, promote and support the establishment of economic zones and industrial centers. And, in order to attract local and foreign investments within the area of the zone and outside but within the area of autonomy, the government in the area of autonomy may grant incentives to investors as may be defined in an Autonomous Investment Act to be formulated by the Regional Legislative Assembly within one year from its organization.

143. The residents in the area of the autonomy shall have preferential rights over the exploration, development and utilization of natural resources in the area of autonomy respecting existing rights on the exploitation, exploration, development and utilization of natural resources.

144. The Regional Autonomous Government in the area of

autonomy shall enjoy fiscal autonomy in budgeting its own revenue resources and block subsidies granted to it by the National Government and foreign donors. Budgeting includes planning, programming and disbursing of funds.

145. The National Government shall appropriate for the area of autonomy a sufficient amount and for a period (both to be determined later) for infrastructure projects which shall be based on a development plan duly approved by the Regional Autonomous Government taking into account national policies.

146. Except strategic minerals which shall be defined later, the control and supervision over the exploration, exploitation, development, utilization and protection of mines and minerals in the area of autonomy shall be vested in the Regional Autonomous Government.

147. In the regulation of the exploration, utilization, development, protection of the natural resources inclusive of mines and minerals, except strategic minerals which will be defined later, the government in the area of autonomy shall enact rules and regulations and shall impose regulatory fees, taking into account national policies.

148. An Islamic Banking Unit shall be established in the Bangko Sentral ng Pilipinas which shall be staffed by qualified Islamic banking experts nominated by the Governor of the Regional Autonomous Government. The Governor of the Regional Autonomous Government shall nominate at least three (3) qualified persons from the area of autonomy, from which nomination the appointing authority shall appoint the Head of the Unit. The same procedure shall be observed as regards the rest of the positions in the Unit.

149. The Bangko Sentral ng Pilipinas shall have a Regional Office with full banking service in the capital of the government of the Autonomous Region to respond to the growing needs of the banking community in the area of autonomy which shall be established within one (1) year from

the establishment of the Autonomous Government. The Governor of the Autonomous Government shall submit a list of qualified recommendees to the appointing authority from which the staff of the regional office may be chosen; provided that those staff who are now occupying and already appointed to positions in the regional office are considered as recommended by the Governor of the Regional Autonomous Government.

150. The Regional Autonomous Government shall establish a body in the area of autonomy with the same powers as the Philippine Economic Zone Authority (PEZA) consistent with the Special Economic Zone Act of 1995.

151. All current year collections of internal revenue taxes within the area of autonomy shall, for a period of five (5) years, be allotted for the Regional Autonomous Government (RAG) in the Annual General Appropriations Act; Provided that:

a. The Bureau of Internal Revenue (BIR) shall continue to collect such taxes and the BIR Collection Districts/Offices concerned shall retain such collections and remit the same to the RAG through an approved depository bank within thirty (30) days from the end of each quarter of the current year.

b. Out of said internal revenue tax collections, fifty percent (50%) of the tax collected under Section 100 (Value added tax on sale of services), 112 (tax on persons exempt from value-added tax), 113 (Hotel, motels and others), and 114 (Caterers) of the National Internal Revenue Code (NIRC), as amended, in excess of the increase in collections for the immediately preceding year shall be shared by the RAG and the local government units (LGUs) within the area of autonomy as follows:

- (1) Twenty percent (20%) shall accrue to the city or municipality where such taxes are collected; and
- (2) Eighty percent (80%) shall accrue to the RAG.

In all cases, the RAG shall remit to the LGUs their respective shares within sixty (60) days from the end of each quarter of the current year.

Provided, however, that provinces, cities, municipalities and barangays within the area of autonomy shall continue to receive their respective shares in the Internal Revenue Allotment (IRA), as provided for in Section 284 of the Local Government Code of 1991.

Provided, finally, that the five (5) year period herein abovementioned may be extended upon mutual agreement of the National and Regional Autonomous Governments.

#### E. SHARI'AH AND JUDICIARY

152. The Regional and Legislative Assembly of the area of autonomy shall establish Shari'ah Courts in accordance with existing laws.

#### F. TOTALITY CLAUSE

153. This Peace Agreement, which is the full implementation of the 1976 Tripoli Agreement, embodies and constitutes the totality of all the agreements, covenant and understandings between the GRP and the MNLF respecting all the subject matters embodied herein. This Agreement supersedes and modifies all agreements, consensus, covenants, documents and communications not referred to or embodied in this Agreement or whose terms and conditions are otherwise inconsistent herewith. Any conflict in the interpretation of this Agreement shall be resolved in the light of the Philippine Constitution and existing laws.

#### G. EFFECTIVITY CLAUSE

154. This Agreement shall take effect immediately upon the signing hereof by the parties, unless otherwise provided herein.

Done in the City of Manila on the 2nd day of September 1996.

For the GRP:

For the MNLF:

(Sgd) H.E. Ambassador Manuel T. Yan  
Chairman of the GRP Peace Panel

(Sgd) H.E. Professor Nur Misuari  
Chairman of the MNLF

With the participation of the OIC-Ministerial Committee of the Six and the Secretary-General of the OIC:

(Sgd) H.E. Mr. Ali Alatas  
Minister for Foreign Affairs  
of the Republic of Indonesia/Chairman  
of the OIC Ministerial Committee of  
the Six

(Sgd) H.E. Dr. Hamid Al-Gabid  
Secretary-General of the OIC

## Appendix D

### The Tripoli Agreement

*In the name of God, the Omnipotent, the Merciful.*

**AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND MORO NATIONAL LIBERATION FRONT WITH THE PARTICIPATION OF THE QUADRIPARTITE MINISTERIAL COMMISSION MEMBERS OF THE ISLAMIC CONFERENCE AND THE SECRETARY GENERAL OF THE ORGANIZATION OF ISLAMIC CONFERENCE.**

In accordance with the Resolution No. 4 Para. 5 adopted by the Council of Ministers of the Islamic Conference in its Fourth Session held in Benghazi, Libyan Arab Republic during the month of Safar 1393 H. corresponding to March 1973, calling for the formation of Quadripartite Ministerial Commission representing the Libyan Arab Republic, the Kingdom of Saudi Arabia, the Republic of Senegal and the Republic of Somalia, to enter into discussions with the Government of the Republic of the Philippines concerning the situation of the Muslims in the South of the Philippines.

And in accordance with the Resolution No. (18) adopted by the Islamic Conference held in Kuala Lumpur, Malaysia in Jumada Alakhir 1393 H. corresponding to June 1974 A.D.

which recommends the searching for a just and peaceful political solution to the problem of the Muslims in the South of the Philippines through the negotiations.

And in accordance with the Resolution No. 12/7/S adopted by the Islamic Conference held in Istanbul in Jumada El-Ula 1396 H. corresponding to May 1976 A.D. empowering the Quadripartite Ministerial Commission and the Secretary General of the Islamic Conference to take the necessary steps for the resumption of negotiations.

And following the task undertaken by the Quadripartite Ministerial Commission and the Secretary General of the Islamic Conference and the discussions held with H.E. President Marcos, President of the Republic of the Philippines.

And in realization of the contents of Para. 6 of the Joint Communique issued in Tripoli on the 25th Zulgeda 1396 H. corresponding to 17th November 1976 A.D. following the official visit paid by the delegation of the Government of the Philippines headed by the First Lady of the Philippines, Mrs. Imelda R. Marcos, to the Libyan Arab Republic and which calls for the resumption of negotiations between the two parties concerned in Tripoli on the 15th of December 1976 A.D.

Negotiations were held in the City of Tripoli during the period between 24th Zulhija 1396 H. to Second to Moharram 1397 H. corresponding to the period from 15th to 23rd December 1976 A.D. at the Ministry of Foreign Affairs presided over by Dr. Ali Abdussalam Treki, Minister of State for Foreign Affairs of the Libyan Arab Republic, and comprising of the Delegations of:

1. Government of the Republic of the Philippines, led by Honorable Carmelo Z. Barbero, Undersecretary of National Defense for Civilian Relations.

2. Moro National Liberation Front, led by Mr. Nur Misuari, Chief of the Front.

And with the participation of the representatives of the

**Quadripartite Ministerial Commission:**

The Libyan Arab Republic - represented by Dr. Ali Abdussalam Treki, Minister of State for Foreign Affairs.

The Kingdom of Saudi Arabia - H.E. Salah Abdalla El-Fadl, Ambassador of the Kingdom of Saudi Arabia, Libyan Arab Republic.

The Republic of Senegal - Mr. Abubakar Othman Si, Representative of the Republic of Senegal and Charge d' Affairs of Senegal in Cairo.

Democratic Republic of Somalia - H.E. Bazi Mohamed Sufi, Ambassador of the Democratic Republic of Somalia, Libyan Arab Republic.

With the aid of H.E. Dr. Amadou Karim Gaye, Secretary General of the Organization of Islamic Conference, and a delegation from the Secretariat General of the Conference composed of Mr. Qasim Zuheri, Assistant Secretary General, and Mr. Aref Ben Musda, Director of Political Department.

During these negotiations which were marked by a spirit of conciliation and understanding, it has been agreed on the following:

**First:** The establishment of Autonomy in the Southern Philippines within the realm of the sovereignty and territorial integrity of the Republic of the Philippines.

**Second:** The areas of the autonomy for the Muslims in the Southern Philippines shall comprise the following:

1. Basilan
2. Sulu
3. Tawi-Tawi
4. Zamboanga del Sur
5. Zamboanga del Norte
6. North Cotabato
7. Maguindanao

8. Sultan Kudarat
9. Lanao del Norte
10. Lanao del Sur
11. Davao del Sur
12. South Cotabato
13. Palawan
14. All the cities and villages situated in the abovementioned areas.

**Third:**

1 Foreign Policy shall be of the competence of the Central Government of the Philippines.

2 The National Defense Affairs shall be the concern of the Central Authority provided that the arrangements for the joining of the forces of the Moro National Liberation Front with the Philippine Armed Forces shall be discussed later.

3 In the areas of the autonomy, the Muslims shall have the right to set up their own Courts which implement the Islamic Sharia's laws. The Muslims shall be represented in all Courts including the Supreme Court. The representation of the Muslims in the Supreme Court shall be upon the recommendation from the authorities of the Autonomy and the Supreme Court. Decrees will be issued by the President of the Republic of their appointments taking into consideration all necessary qualifications of the candidates.

4 Authorities of the autonomy in the South of the Philippines shall have the right to set up schools, colleges and universities, provided that matters pertaining to the relationship between these educational and scientific organs and the general education system in the State shall be subject of discussion later on.

5 The Muslims shall have their own administrative system in compliance with the objectives of the autonomy and its institutions. The relationship between this administrative system and the Central administrative system to be discussed later.

6 The authorities of the autonomy in the South of the Philippines shall have their own economic and financial system. The relationship between this system and the Central economic and financial system shall be discussed later.

7 The authorities of the autonomy in the South of the Philippines shall enjoy the right of representation and participation in the Central Government and in all other organs of the State. The number of representatives and ways of participation shall be fixed later.

8 Special Regional Security Forces are to be set up in the area of the Autonomy for the Muslims in the South of the Philippines. The relationship between these forces and the Central security forces shall be fixed later.

9 A Legislative Assembly and an Executive Council shall be formed in the areas of the Autonomy for the Muslims. The setting up of the Legislative Assembly shall be constituted through a direct election, and the formation of the Executive Council shall take place through appointments by the Legislative Assembly. A decree for their formation shall be enacted by the President of the Republic respectively. The number of members of each assembly shall be determined later on.

10 Mines and mineral resources fall within the competence of the Central Government, and a reasonable percentage deriving from the revenues of the mines and minerals be fixed for the benefit of the areas of the autonomy.

11 A mixed Committee shall be composed of representatives of the Central Government of the Republic of the Philippines and the representatives of the Moro National Liberation Front. The mixed Committee shall meet in Tripoli during the period from the Fifth of February to a date not later than the *Third of March 1977*. The task of said Committee shall be charged to study in detail the points left for discussion in order to reach a solution thereof in conformity

12 Cease-fire shall be declared immediately after the signature of this agreement, provided that its coming into effect should not exceed the 20th of January 1977. A Joint Committee shall be composed of the two parties with the help of the Organization of the Islamic Conference represented by the Quadripartite Ministerial Commission to supervise the implementation of the cease-fire.

The said Joint Committee shall also be charged with the supervision of the following:

a A complete amnesty in the areas of the autonomy and the renunciation of all legal claims and codes resulting from events which took place in the South of the Philippines.

b The release of all political prisoners who had relations with the events in the South of the Philippines.

c The return of all refugees who have abandoned their areas in the South of the Philippines.

d To guarantee the freedom of movements and meetings.

13 A joint meeting be held in Jeddah during the first week of the month of March 1977 to initial what has been concluded by the Committee referred to in Para. 11.

14 The final agreement concerning the setting up of the autonomy referred to in the first and second paragraphs shall be signed in the City of Manila, Republic of the Philippines, between the Government of the Philippines and the Moro National Liberation Front, and the Islamic Conference represented by the Quadripartite Ministerial Commission and the Secretary General of the Organization of Islamic Conference.

15 Immediately after the signature of the Agreement in Manila, a Provisional Government shall be established in the areas of the autonomy to be appointed by the President of the Philippines; the autonomy to be charged with the task of preparing for the elections of the Legislative Assembly in the territories of the Autonomy; and administer the areas in

accordance with the provisions of this agreement until a government is formed by the elected Legislative Assembly.

16 The Government of the Philippines shall take all necessary constitutional processes for the implementation of the entire Agreement.

*Fourth:* This Agreement shall come into force with effect from the date of its signature.

Done in the City of Tripoli on 2nd Muharram 1397 H. corresponding to 23rd December 1976 A.D. in three original copies in Arabic, English, French languages, all equal in legal power.

FOR THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES:

(Sgd) HON. CARMELO Z. BARBERO  
*Undersecretary of National Defense  
for Civilian Relations*

FOR THE MORO NATIONAL LIBERATION FRONT:

(Sgd) MR. NUR MISUARI  
*Chairman of the Front*

(Sgd) DR. ALI ABDUSAALAM TREKI  
*Minister of State for Foreign  
Affairs, Libyan Arab Republic and  
Chairman of the Negotiations*

(Sgd) DR. AMADOU KARIM GAYE  
*Secretary General of the  
Organization of the Islamic  
Conference*

## Appendix E

### Letter of Philippine President Fidel V. Ramos to Libyan Leader Muammar Khaddafi

September 24, 1992

MALACAÑAN PALACE  
MANILA

September 24, 1992

His Excellency  
Col. Muammar Khaddafi  
Leader of the Great  
First September Revolution  
Tripoli, Libya

Dear Excellency:

In behalf of the Filipino people and the government of the Republic of the Philippines, I convey my warmest felicitations and best wishes to His Excellency and his government as well as the Libyan nation and people.

May I express my deep appreciation for the active support and assistance extended by the Libyan government under your leadership towards the attainment of a just, comprehensive and peaceful solution to the conflict in southern Philippines in line with the ideals of the international Islamic community.

May I also commend the untiring and sincere efforts of His Excellency's Secretary in the Philippines, the Honorable Rajab Azzarouq. Through the encouragement of the good Secretary, the Honorable Speaker of the House of Representatives of the Philippine Congress, Jose C. de Venecia Jr., is sending Representatives Eduardo R. Ermita and Nur G. Jaafar to hold exploratory talks in Tripoli with the Chairman of the Moro National Liberation Front, Professor Nur Misuari.

I wish to thank His Excellency for permitting Libya to be the venue of such an important event for the cause of peace. We are aware of your country's solidarity with the Muslims in southern Philippines in their struggle for the achievement of just and legitimate aspirations within the framework of the sovereignty and territorial integrity of our Republic.

Our government, Excellency, acknowledges the abiding hope of the Islamic nations that continuing measures will be taken by our government so as to attain a final solution to the problem at hand. It is in quest of such a final solution that Representatives Ermita and Jaafar have journeyed to your country. They bear the blessings of my

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## **C. INTERVIEWS AND THEIR BRIEF PROFILE**

For security reasons some people were not included.

**Informant No. One.** 43 years old. She teaches Anthropology and History in one of the major Universities in the Southern Philippines. She is instrumental in introducing me to her students involved in the underground movement for the Moros.

**Informant No. Two.** 68 years old. He is a Muslim belonging to Maguindanao tribe. He spent his life fighting against the Ilaga and illegal loggers. As the head of the family he joined the MNLF and encourage his own son Ogie to join the same group at the age of 16.

**Ogie,** son of informant no two. Is a member of the MILF who serve as my contact to visit their camp in Abbubakar.

**Dhoy,** a former colleague in previous work way back in 1996. He is the cousin of Ogie and serve as middlele man to introduce me to the father Ogie.

**Informant No Three.** A government employee assigned as one in inter-agency secretariat tasked for relief and rehabilitation of Muslims in Mindanao. The interview took place at her office during my visit to get data

**Informant No. Four.** Is a former MNLF member. He joined MNLF after he was not given a position in the newly created SPCPD structure.

**Informant No. Five.** A maranaw seeking refuge at the evacuation camp, in Parang South Cotabato, during the outbreak of military operation against the MILF.

**Informant No. Six.** Is a Tausog and a former member of the MNLF but now serving as one of the adviser of the MILF. He teaches political economy in the city of Marawi.

**Informant No Seven.** Works in one of the government offices and have access to confidential files.

**MILF Rebels (21 in all including commander Uddin)** The interview was structured in a form of conversation with the help of Ogie and Dhoy as interpreter. The interview took place in one of the areas claimed by the MILF as still part of the camp of Abubakkar.

**Groups of Badjao.** The interview was accidental, when I was staying at Villa Victoria Beach Hotel in Davao City after a day travel from Cotabato City last September 16.

**Leslie Bunda.** Lecturer on International Relations at Central Philippine University. He specialize International Political Economy, specifically ASIA-Pacific.

**Joe Laranga.** 59 years old. Farmer and native of Mlang South Cotabato came from Lambunao Iloilo. He joined the Ilaga and participated in attacking Muslim settlements. The interview was in Lambunao Iloilo where they are currently residing.

#### **D. GOVERNMENT DOCUMENTS AND REPORTS**

*Secured from Library, archive, and various departments of the Presidential Palace*

Executive Order 347 , An Order for the Creation of Southern Philippine Development Council.

Document January 1983.Land Settlements in Mindnao, Data and Statistics Division, Bureau of Resettlement. Ministry of Agriculture Quezon City.

Document January 3, 1987. Joint Statement of the MNLF and the Philippine Government Panels. Locally known as the Jabiddah Accord.

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## **E. INTERNATIONAL DOCUMENTS**

*Secured from different embassies and Department of Foreign Affairs in Manila during my field work last August to September 2000.*

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Resolution No. 11, On the Question of Muslims in Southern Philippines. OIC 6<sup>th</sup> Islamic Summit document. Dakar Senegal. December 9-11, 1991.

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## **F. ELECTRONIC SOURCES**

‘Perhaps the Moro Struggle for Freedom and Self- Determination Is the Longest and Bloodiest in the Entire History of Mankind. <http://www.islam.org.au/articles/23/ph2.htm>

MILF Launches All- Out Offensive. PDI May 3, 2000. <http://www.inquirer.net>

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