

Enduring Rivalry in the Philippines and the Application of Amnesty, Reintegration and Reconciliation (AR2)

**A Monograph
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Conflict in the Philippines has endured for five centuries. The contemporary conflict between the Government of the Republic of the Philippines (GRP) and the Islamic separatists in the Mindanao islands is the latest evolution of resistance in the Philippines. The GRP's enduring struggle with Islamic separatists has been exacerbated by the fits and starts at which the government attempts to arrive at negotiated settlements. Yet in this process, the GRP has experienced valuable lessons regarding the delicate combination of force, diplomacy and economic programs that are necessary in initiating and sustaining peace. While the elements of amnesty, reintegration and reconciliation (AR2) have been exercised in the Philippines, they have not been implemented as part of a cohesive conceptual construct. In the year 2010, the Philippines will hold its next presidential elections. In two years, the GRP will have the opportunity to inject new energy and resources into their current dilemma, a new initiative for peace within the construct of AR2 can succeed if it is pursued with sincerity and energy.					
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Abstract

Enduring Rivalry in the Philippines and the Application of Amnesty, Reintegration and Reconciliation (AR2), by MAJ Gary J Morea, US Army, 42 pages.

Conflict in the Philippines has endured for five centuries. The contemporary conflict between the Government of the Republic of the Philippines (GRP) and the Islamic separatists in the Mindanao islands is the latest evolution of resistance in the Philippines. The GRP's enduring struggle with Islamic separatists has been exacerbated by the fits and starts at which the government attempts to arrive at negotiated settlements. Yet in this process, the GRP has experienced valuable lessons regarding the delicate combination of force, diplomacy and economic programs that are necessary in initiating and sustaining peace. While the elements of amnesty, reintegration and reconciliation (AR2) have been exercised in the Philippines, they have not been implemented as part of a cohesive conceptual construct. In the year 2010, the Philippines will hold its next presidential elections. In two years, the GRP will have the opportunity to inject new energy and resources into their current dilemma, a new initiative for peace within the construct of AR2 can succeed if it is pursued with sincerity and energy.

TABLE OF CONTENTS

Introduction	1
Case Selection, Methodology and Literature Review	3
Roots of Conflict	7
Nature of the Conflict.....	19
The Contemporary Societal Construct of the Philippines	20
Political Dimension	20
Government of the Republic of the Philippines (GRP).....	21
Moro National Liberation Front (MNLF)	23
Moro Islamic Liberation Front (MILF)	25
Organization of Islamic Conference (OIC)	26
Security Dimension	27
Abu Sayyaf	28
Economic Dimension	29
Process toward Transition to Lasting Peace	30
Amnesty.....	31
Reintegration	33
Reconciliation.....	34
Conclusion.....	35
BIBLIOGRAPHY	39

Introduction

Conflict in the Philippines has endured for five centuries. With the exception of a brief period of American control over the Philippines in the first half of the twentieth century, the conflict in the Mindanao islands has persisted since the first actions of resistance towards Spanish colonization in the sixteenth century, thus, making it the second longest internal conflict in history.¹

The population of the Philippines is a mosaic of diverse ideologies, religions and cultures which have coalesced into three distinct regions of the archipelago and have, at times, been at odds with each other. While several attempts have been made over the years through many different forms of governments, the conflict has not yet been resolved and these groups continue to struggle against the central government for political consideration, concession and/or autonomy. As the world has emerged in the twenty-first century rich in technological capabilities the wounds of the past still fester. The group members whose identity is that of resistance still writhe against the forces that wish to control them. This dynamic is as true in the Philippines as it is in many other places on the globe.

The contemporary struggle between the Government of the Republic of the Philippines and the Islamic separatists in the Mindanao islands is the latest evolution of resistance in the Philippines. The social system in the southern region of the Philippine Archipelago is a complex blend of cultural, nationalistic and religious consciousness which appeals to various social groups and organizations that are vying for political legitimacy and control. These groups are struggling against the centralized government of the Philippines for recognition and autonomy. While they

¹ Schiavo-Campo, Salvatore and Mary Judd, "The Mindanao Conflict in the Philippines: Roots, Costs, and Potential Peace Dividend," *Social Development Papers: Conflict Prevention and Reconstruction* (Washington D.C.: The World Bank, 2005).

It is interesting to note that the longest conflict is that between North and South Sudan which dates back to the 10th century.

have organized political elements they also possess access to and influence over armed fighters ready to carry out subversive acts of violence against government facilities, people and organizations perceived to be sympathetic to the Government of the Republic of the Philippines (GRP). This struggle has created an economic stagnation in the Mindanao islands which has adversely affected the economy of the entire region.

The conflict in the Philippines has at least three interrelated dimensions: the political, security and economic dimensions. It is towards this point of congruence that the efforts for peace, in the form of amnesty, reintegration, and reconciliation (AR2) should be directed. The AR2 process, as a multi-staged and multi-dimensional approach to healing a fractured society, is fundamental to achieving a sustained peace. While there have been many attempts to pacify the Mindanao islands, these overtures are often short lived and narrowly focused. Hence, the rivalry endures.

The enduring rivalry in the Philippines is best characterized as a “punctuated equilibrium” between the political and security dimensions of the system. Punctuated equilibrium is a theory in paleobiology introduced by Steven Jay Gould and Niles Eldredge in 1972 as an alternative to Darwin’s relatively smooth evolutionary processes.² In 1984 this theory was adopted for use in political science by Stephen Krasner, as a way to explain the historical dynamics of states.³ In the political, security and economic dynamics of the Philippines over the last five decades, punctuated equilibrium aptly describes how the various attempts at achieving peace between rival factions and the path to an effective policy is interrupted, affected and altered by the infrequent yet violent challenges to political equilibrium in the country. The AR2 process in the Philippines has not yet achieved peace. The “path to peace” is too narrow for the large

² Stephen Jay Gould and Niles Eldredge, "Punctuated Equilibria: The Tempo and Mode of Evolution Reconsidered," *Paleobiology* 3, no. 2 (1972).

³ Stephen Krasner, "Approaches to the State: Alternative Conceptions and Historical Dynamics," *Comparative Politics* 16, no. 2 (1984).

number of stake-holders involved in the conflict. Until the breath of the proposed solution is widened, the depth or duration of the conflict will endure. Furthermore, a broad offer of amnesty coupled with an energetic and productive reintegration program would be a testament to the GRP's sincerity and would pave the path toward reconciliation from both sides of the rivalry.

A correctly adapted and implemented form of AR2 can have the effect of assuaging the secessionist movements, stabilizing the political structure, increasing the security and providing for the economic growth of the Philippines. As a construct, AR2 can provide the Philippine government with the tools with which it can proceed on a path towards conflict resolution.

Case Selection, Methodology and Literature Review

This research regarding the conflict in the Philippines and the attempts at conflict resolution is part of a concept group study which developed the amnesty, reintegration and reconciliation (AR2) model for conflict resolution and the associated hypotheses concerning the military's role in such a process.⁴ This concept group conducted empirical analysis of six separate case studies to inductively model the trends and relationships between the cases. The other countries analyzed as part of this study are: Ireland, Rwanda, South Africa, El Salvador and the Post-Civil War United States. The Philippines is a contributable and viable case study due to the fact that the Philippine internal conflict possesses two of the most relevant factors regarding the focus group's research: armed conflict and attempts at peace through amnesty.

The methodology and approach to the research and investigation of the process of AR2 in the Philippines was conducted inversely to the manner in which it is presented here. The research began with the contemporary conflict in the Philippines to identify the key protagonists and then

⁴ Michael W. Mosser, "The "Armed Reconciler": The Military Role in the Amnesty, Reconciliation, and Reintegration Process," *Military Review*, no. November-December (2007). 13.

traced the conflict back to its roots in order to identify the trends, links and roots of the conflict that were relevant to the contemporary environment. This historical research also revealed several approaches regarding when and how AR2 had been attempted in the Philippines. These instances revealed a systemic theme in the GRP's unsuccessful approach towards reconciliation. The result of this analysis is a systemic construct of the AR2 process as it should be applied to enduring conflicts like that which exists in the Philippines. The methodology applied to the research and thesis attempted to answer the following questions:

1. What is the Process of AR2?
2. What is the nature of the enduring conflict in the Philippines and how has AR2 been attempted?
3. What is the societal construct of the Philippines and how has the conflict affected it?
4. What method, or modification of a method, could be applied to the conflict in the Philippines to affect a transition to a lasting peace?

This research is organized in a manner that both constructs and deconstructs the conflict in the Philippines. It begins by chronologically reconstructing the conflict beginning with an exploration of the roots of conflict from the Spanish Colonial Period (1565) to the present. The explanation of the historical roots of the conflict serves to reveal some of the key stake-holders, nodes, and linkages between them, as well as identify the attempts at AR2 and the results of those attempts. The next part of this study deconstructs the societal construct of the Philippines in order to link the key nodes and actors within each dimension. Finally, this study concludes with an explanation of the elements of AR2 and how each applies to the contemporary conflict in the Philippines. The final recommended method for the employment of AR2 in the Philippines is based

on the nature of the conflict, building upon what worked and the implementation of alternatives that focus on the nature of the societal construct.

There are many secondary sources available on the subject of the conflict in the southern Philippines. Some secondary sources facilitated the initiation of research and provided contextual scope to the problem. These sources span the breath of political, economic, anthropological, historical, and scientific (with relations to systems approaches) disciplines. Primary source material, recent journal articles and theses served to refine the research regarding the Philippine conflict and contributed to developing the depth of understanding for specific elements of the conflict, especially in regards to the details related to the societal dimensions of the Philippines.

Two secondary source books that are absolutely essential to understanding the relevant history of the Philippines are Brian Macalister Linn's *The Philippine War 1899-1902* and John Morgan Gates' *Schoolbooks and Krags: The United States Army in the Philippines, 1898-1902*. While both of these works deal with the same period of time, specifically the Spanish-American War and the U.S. Occupation of the Philippines, they approach the subject from slightly different perspectives that together provide a rich appreciation for the complexities that the U.S. Army and Government faced in the Philippines. Both of these works also provided valuable insight as to how the whole-of-government dealt with the Philippine issue and the instruments of power that were applied by the United States. Furthermore, these books served as a good foundation because much of the current state of the Philippines, how it operates and how it views itself, took root during this watershed period in its history.

The next secondary source that is key to understanding the contemporary conflict in the southern Philippines is Thomas M. McKenna's *Muslim Rulers and Rebels: Everyday Politics and Armed Separatism in the Southern Philippines*. This work takes an anthropological approach to the religious-cultural struggle that is at the heart of the conflict in the southern Philippines and

explains the intricacies of the Islamic traditions and beliefs that are unique to the southern Philippines. Of the remaining secondary sources, two post-graduate papers are noteworthy for their relevance to this research. The first is a thesis written by Ariel R. Caculitan for the Naval Post Graduate School in 2005 entitled, *Negotiating Peace with the Moro Islamic Liberation Front in the Southern Philippines*. It is important to note that Ariel Caculitan is a Lieutenant Colonel in the Philippine Marine Corps (PMC) and since writing this thesis he has been operating with the PMC in the Mindanao and serving as their spokesman to the media. His thesis includes recommendations concerning efforts towards reintegration and reconciliation. However, he recommends that reconciliation should be conducted through the implementation of a “Mindanao Reconciliation Commission”, which is more of a bureaucratic barrier than something that would foster a real spirit of reconciliation.⁵

The second post-graduate work that is noteworthy is a Strategy Research Project written by Colonel Roland C. Amarille of the Philippine Army for the U.S. Army War College entitled, *Government of the Republic of the Philippines-Moro Islamic Liberation Front Peace Talks: A Bold Move to Counter Terrorism*. Colonel Amarille focuses his efforts on discussing the current state of peace talks between the GRP and the Mindanao separatist movements, namely the MNLF and the MILF. While his tone is optimistic, his recommendations seem to lean towards urgency and “fast-tracking” the peace process. While his notion of urgency has merit, it is important to consider the impact of a peace made in haste. Colonel Amarille does make a good argument about the importance of land reform and consideration in the peace process. This issue is important especially in regards to the ancestral claims of the Bangsamoro and the impact that such claims will have upon the governance and sovereignty issues that ancestral claims will

⁵ Caculitan, Ariel R. "Negotiating Peace with the Moro Islamic Liberation Front in the Southern Philippines." Naval Post Graduate School, 2005, p. 99.

foster. Overall, these primary and secondary sources provided a good framework of the conflict in the Philippines which, when deconstructed, revealed the roots and nature of that conflict.

Roots of Conflict

The political, economic and social strife in the Philippines has endured and evolved for almost 500 years. While this conflict stems mostly from the religious differences between population segments that are geographically separated, the contemporary conflict has arguably experienced its most dramatic and dynamic evolution within the last century. The trace of the evolution of conflict in the Philippines begins with an analysis of the geography.



Figure 1. Map of the Philippines

Source: Library of Congress Country Studies (accessed online 04 JAN 08)
<http://lcweb2.loc.gov/frd/cs/phtoc.html>

The Philippines is an archipelago comprised of over 7,000 islands, which cover an area of over 500,000 square miles.⁶ These islands are divided into three major groupings: Luzon, to the north, which is the largest and most populous of the groupings and where the capital of Manila resides; the Visayas in the center; and the Mindanao group in the south which extends all the way to Borneo.⁷ Muslim traders from Indonesia made contact with the people of Mindanao long before the Spanish colonized the Philippines in the 16th century. Islam took root first in Sulu and from there the ideas migrated to Mindanao. As a result, the majority of the population in Mindanao was Muslim when Ferdinand Magellan first arrived in the Philippines in 1521, during his circumnavigation of the globe. In fact Magellan was killed on the island of Cebu, located in the central Visayas, one month after claiming the territory for King Charles I of Spain.⁸

Spain sent several expeditions to the Pacific archipelago during the next four decades following Magellan's death, and finally established a permanent Spanish settlement in 1565 by Miguel Lopez de Legazpi of Mexico. By 1571, Lopez established his capital in Manila at which time the islands were given their name, the Philippines, in honor of King Philip II of Spain who ruled from 1556 to 1598. It was during this time that the Muslim population of the southern Philippines began to be referred to as "Moro." This label is a derivative of the Spanish word Moros, which was an allusion to the Muslim population of Morocco (the Moors) with which the Spanish were all too familiar.⁹ This label was then transformed by the Philippine Muslim

⁶ Brian McAllister Linn, *The Philippine War, 1899-1902* (Lawrence: University Press of Kansas, 2000), p. 14.

⁷ Ibid., p. 14.

⁸ *Philippines : A Country Study* ed. Ronald E. Dolan, 4th ed. ed., Area Handbook Series (Washington, D.C. : Federal Research Division, Library of Congress, 1993)., p. 5.

⁹ Ibid., p. 8.

Nationalists from a pejorative term to one of proud delineation of the unsubjugated peoples of the Philippines whom the Spaniards and their colonial subjects feared and distrusted.¹⁰

While the Spanish succeeded in subduing and converting Luzon and most of the Visayas to Catholicism, the Moros rejected centralized governance and never acquiesced to Spanish control.¹¹ Beginning in October 1762, the Spanish rule over the Philippine archipelago began to wane as Spain became embroiled in a series of European wars, beginning with the Seven Years War.¹² The combination of fledgling Spanish rule and a rise in the influence of religious orders over local governance, created a relative theocracy within the Philippines that led to an emergence of national consciousness. This consciousness bred a propaganda movement between 1872 and 1892, led by Jose Rizal, which attempted to “awaken the sleeping intellect of the Spaniard to the needs of our (Philippines) country.”¹³ The subsequent capture and execution of Jose Rizal, sparked a rigorous insurgency in the Philippines which was led by the head of the Katipunan, or secret society of Manila, Emilio Aguinaldo. In 1897, the Spanish reached an agreement with Aguinaldo which bought his exile to Hong Kong and the dissolution of the revolution for the sum of 800,000 pesos.¹⁴

On April 25, 1898 the United States declared war on Spain, mostly over the contentious issue of Cuba and the Spanish brutalities in response to a Cuban insurrection. At the same time, acting Secretary of the Navy Theodore Roosevelt ordered Commodore George Dewey to sail to the Philippines and destroy the Spanish fleet which was anchored at Manila Bay. Dewey

¹⁰ McKenna, Tom. "Saint, Scholars and the Idealized Past in Philippine Muslim Separatism." *The Pacific Review* 15, no. 4 (2002): 14, p. 544.

¹¹ Thomas M. McKenna, *Muslim Rulers and Rebels: Everyday Politics and Armed Separatism in the Southern Philippines* (Berkeley: University of California Press, 1998), p. 85.

¹² *Philippines : A Country Study* , p. 8.

¹³ *Ibid.*, p. 18.

¹⁴ Gates, John Morgan. *Schoolbooks and Krag: The United States Army in the Philippines, 1898-1902*. Westport: Greenwood Press, Inc., 1973, p. 14

accomplished this feat on May 1, 1898 and the United States quickly followed this victory with an expeditionary force sent to “occupy the Philippines.”¹⁵ In addition to this force, the newly promoted Admiral Dewey sent correspondence to the exiled Aguinaldo and encouraged his immediate return to the Philippines. Between the small group of American troops and approximately 12,000 of Aguinaldo’s rebels, the Spanish were bottled up in the capital of Manila and defeated by August 13, 1898.¹⁶

Almost immediately upon the achievement of the great victory over the Spanish, the relationship between the United States and Aguinaldo became contemptuous, with Dewey ordering Aguinaldo not to allow his rebels to enter the city of Manila. Aguinaldo continued to push towards Philippine independence with a formal declaration of independence on June 12, 1898 (modeled after the Americans); development of a revolutionary congress on September 15th, which developed a constitution; and culminated with Aguinaldo’s inauguration as president on January 21st, 1899. All of this was undone by the Treaty of Paris in December of 1898 and President McKinley’s subsequent proclamation regarding the United States policy of benevolent assimilation of the Philippines. Hostilities began between the U.S. forces and Aguinaldo’s rebels in February 1899 and lasted until it was finally subdued in 1903. It is interesting to note that throughout this time, the Moros of the Mindanao remained largely neutral.¹⁷ This defeat over Aguinaldo ushered in a period of American governance over the Philippines which seemed to be more of an attempt to tutor the Filipinos on the development of an independent democracy.

The American “rule” over the Philippines is best described as taking place in two phases which were interrupted by a ten year period of commonwealth experimentation and Japanese occupation. The first phase of U.S. governance over the Philippines began in 1898 and lasted

¹⁵ Linn, p. 3.

¹⁶ Gates, p. 20-21.

¹⁷ *Philippines : A Country Study*, p. 27.

until 1935. Following the defeat of the Spanish in Manila, and the subsequent Treaty of Paris, President McKinley appointed the first Philippine Commission in January of 1899, headed by the President of Cornell University, Dr. Jacob Shurman. This commission was to investigate conditions in the Philippines and provide recommendations. The Shurman commission acknowledged that the Filipinos aspired to achieve independence, but assessed that they were not yet ready for it.¹⁸ McKinley appointed a second commission on March 16, 1900, headed by William Howard Taft, and granted legislative as well as limited executive powers.

The Taft Commission quickly established a judicial system including a supreme court which issued 499 laws by 1902, replacing the antiquated Spanish ordinances. By 1901, the commission organized the Philippine Constabulary which gradually took over the law enforcement and counter-insurgency efforts of the United States Army. The United States government worked quickly to set the conditions for the Philippines to achieve independence. In this regard the U.S. took the position as tutor and advisor to the Philippine leaders that were emerging and becoming increasing familiar with the democratic processes that the Taft Commission was establishing. Taft's time as the first civilian governor of the Philippines successfully laid the groundwork for the Filipinos to gradually evolve into a democracy. The climate he established with the Filipinos was one that hinted at eventual independence and encouraged them to consider all laws and executive decisions with regard for the best interests of all Filipinos.¹⁹

The Philippine Organic Act of 1902 removed the Catholic Church as the state religion. In addition to this, the U.S. government negotiated with the Vatican to replace the religiously and politically influential friars with Filipino and non-Hispanic clergy. The Vatican also sold off the

¹⁸ Ibid, p. 27.

¹⁹ Ibid, p. 29.

friar's estates and land holdings to the Filipinos. This was a significant accomplishment and continued to pave the way for secular and independent governance.

One of the most significant developments during this first phase of American rule over the Philippines was the emergence of the party system. The Federalista party was established in December 1900 by Trinidad H. Pardo de Tavera and Benito Legarda who worked closely with the Shurman and Taft commissions and advocated statehood for the Philippines. This party swelled to over 200,000 members by 1901. In 1905, the party changed its position to seeking "ultimate independence" and hence changed its name to the National Progressive Party (Partido Nacional Progresista).²⁰

By 1907 a new generation of politicians began to emerge who were committed to the pursuit of Philippine independence. These young and eager Filipinos formed the Nacionalista party which sought "immediate independence" for the Philippines, while maintaining a pragmatically conciliatory approach to its dealing with the United States. This party effectively established the party system in the Philippines even though it ran without a peer rival until after the Second World War.

The struggle facing these developing political parties was the grafting of modern political institutions onto the established social structures and practices in the Philippines. Furthermore, Spanish colonial practices and tendencies lingered in some segments of the Filipino society that was evidenced by the tendency of the political parties to focus attention and allegiance with local elite groups instead of the more common constituents. This tendency and dynamic between the elite and common elements of society persists to this day in the Philippines and is part of the source of contempt and distrust between the GRP and the Muslim population in Mindanao.

While the northern, primarily the Luzon, area of Philippines was going through the throes of democratic development, the Muslims living in Mindanao perceived an emerging threat in the

rapid Filipinization and inevitable movement towards independence. In their view, an independent Philippines would be dominated by Christians, who long sought to dominate and exert their influence over the Moros. This threat was not lost on the United States policy makers who encouraged the migration of Christians from Luzon and the Visayan islands to settle in the “vacant” lands in the Mindanao. Furthermore, Muslim customs and institutions never received legal recognition.²¹

The passing of the Tydings-McDuffie Act in 1934 guaranteed the independence of the Philippines following a ten year transition period. This act afforded the Philippines a commonwealth status, in which they would have their own constitution and self governance mechanisms, but that their foreign policy decisions would be left to the United States.²² A constitutional convention was assembled in July of that same year and the first constitution was framed and approved by plebiscite in May of 1935. The newly formed Philippine Commonwealth was shortly lived. On December 8, 1941 Japan launched a surprise attack on the Philippines just ten hours after the attack on Pearl Harbor. This attack featured aerial bombardment followed by an invasion of Luzon, both north and South of Manila. The U.S. and Philippine troops retreated under pressure all the way to the Bataan Peninsula and island of Corregidor until their surrender in April, 1942. What followed was a period of Japanese occupation in which the Japanese set out to re-organize the government structure of the Philippines.²³

Filipino resistance to Japanese occupation ranged from the simple passing of information to allied forces to the formation of large rebel armies. In 1942, the Hukbalahap, or People’s Anti-

²⁰ "Country Profile: Philippines," (Library of Congress -- Federal Research Division, 2006), p. 4.

²¹ *Philippines : A Country Study*, p. 34.

²² Ibid, p. 39.

²³ Ibid, p. 40.

Japanese Army, was organized by the communist leader Luis Taruc. This force had some 30,000 armed members extending control over much of Luzon.²⁴ These and other guerilla forces aided the Allies who returned to the Philippines in October 1944 and fought the Japanese from island to island until the Japanese surrender in September 1945. By the end of the war, Manila was in ruins and an estimated one million Filipinos were dead.²⁵

Following its time as an American Commonwealth and Japanese occupied territory, the population of the Philippines held their first free and independent elections in April 1946. The United States turned sovereignty over to the Independent Republic of the Philippines on July 4, 1946 and Manuel Roxas served as its first president.²⁶ The Government of the Republic of the Philippines (GRP) got off to a difficult start trying to recover from the physical damage incurred by the Japanese occupation. The difficulty with reconstruction was exacerbated by the Philippine's economic dependence on the United States.²⁷

Political turmoil culminated under the presidency of Ferdinand Marcos. Elected in 1965, Marcos had initial and overwhelming success in advancing public work projects and executing effective tax collection measures. After his unprecedented re-election in 1969, political opposition to his presidency increased and caused a slowing of the governmental projects and economy. Due to the increase of social unrest and the growing risk of a communist insurgency, Marcos declared martial law on September 21st, 1972. During this same year, he also created a Presidential Task Force for the Reconstruction and Development of Mindanao.

The revolutionary sentiment that was growing in the Mindanao by 1972, was an evolutionary development that began at the turn of the century. This resentment to centralized

²⁴ Ibid, p. 41.

²⁵ Ibid, p. 41.

²⁶ Rey Claro Casambre, "Communist Insurgencies: Years of Talks, but No Solution Yet," www.Conflict-Prevention.net (2005), p. 2.

²⁷ Casambre, p. 2.

Philippine governance was the result of the erosion of land ownership and the marginalization of the Muslim population in Mindanao.²⁸ Several official acts initiated by or through the Philippine Government redistributed the population of the Philippines and allowed, if not encouraged, the migration of non-Muslim Filipinos from the Northern and Central islands to settle in Mindanao. This had a drastic impact on the demography of the southern islands, where Muslims represented at least two-thirds of the population in 1918, they represented less than one-third by 1970.²⁹ This trend coupled with the Jebidah Massacre in 1968, was the “tipping point” for the resentful Moro population of the Southern Philippines who felt increasingly minoritized and marginalized in their own land.³⁰ This sentiment among the Moro population led to the formation of the Mindanao Independence Movement (MIM) in 1968, which was led by the former governor of Cotabato, Datu Udtog Matalam. In 1969, some members of this movement received guerilla training in Malaysia, which included a young Muslim rebel named Nur Misuari. Misuari created the Moro National Liberation Front (MNLF) upon his return to Mindanao. The MNLF’s revolutionary ideas spread like wildfire throughout the southern Philippines. Thus, despite his efforts, by 1974 the fighting between the MNLF and the Armed Forces of the Philippines (AFP) escalated into large scale conventional war.

Once the conflict reached a stalemate, Marcos offered amnesty to key rebel leaders prior to the signing an agreement in Tripoli, Libya in 1976. In less than one year, negotiations broke-down due to Marcos’ alteration of provincial autonomy outlined in the Tripoli Agreement, and

²⁸ Borras, Eric Gutierrez and Saturnino. "The Moro Conflict: Landlessness and Misdirected State Policies." *Policy Studies* 8 (2004), p. 15.

²⁹ Ibid, p.15..

³⁰ This concept was taken from two sources:
Caculitan, Ariel R. "Negotiating Peace with the Moro Islamic Liberation Front in the Southern Philippines." Naval Post Graduate School, 2005.

The notion of the Jebidah Massacre being a “tipping point” is mentioned by Ariel Caculitan in his thesis. The Jebidah Massacre took place on the Island of Corregidor on 18 March, 1968, in which fourteen Muslim recruits were killed and seventeen were missing after an alleged attempt to mutiny. The idea that

armed attacks between MNLF and the AFP increased. As the violence escalated, the Marcos governmental policies toward the Mindanao turn increasingly violent. Further attempts at diplomatic resolution to the conflict failed and Marcos' authoritarian power waned. He lifted martial law in 1981 under the pressure of Pope John Paul II, and was defeated by a popular revolution in 1986.³¹ Over the subsequent two decades, the Philippine government cycled through four presidential administrations, each of which had a slightly different approach to the conflict resolution process

Following the departure of the Marcos family in 1986, Corazon Aquino took the oath as President of the Philippines. One of her first acts was to appoint a commission to draft a new constitution, which included the establishment of an autonomous Mindanao. The GRP and MNLF panels met one year later, but could not come to an agreement on the autonomy mandate language in the draft constitution. Despite this obstacle, Aquino briefed Islamic diplomats that the Tripoli Agreement was being implemented through constitutional processes.³² By 1989, the draft autonomy bill was submitted to both houses, and Congress passed Republic act 6734—creating the Autonomous Region of Muslim Mindanao (ARMM).³³ As a result of regional elections, the new governor and assembly of the ARMM assumed their positions and Aquino signed executive orders which outlined and defined the relationship of the central government with the ARMM.

In May 1992, Fidel V. Ramos was elected President of the Philippines. One of his first official acts was to issue a call for peace. Two months after swearing in as president, he

the Muslim population in Mindanao was being minoritized and marginalized is taken from Borrás and Gutierrez, p. 18.

³¹ Embassy of the Republic of the Philippines, "History of the Philippines," ed. Department of Foreign Affairs (Philippine Embassy, Washington D.C.).

³² ConciliationResources.org, "*Philippines-Mindanao: Chronology*" *Conciliation Resources*, <http://www.c-r.org/our-work/accord/philippines-mindanao/chronology> (accessed August 25, 2007), p. 4.

³³ Ibid (accessed August 25, 2007), p. 4.

appointed a National Unification Commission (NUC) to formulate an amnesty program.³⁴ In 1993, Ramos created the Office of the Presidential Advisor on the Peace Process (OPAPP) to continue the work of the NUC.³⁵ The high-water mark for Ramos' presidency and his attempt at AR2 came in September, 1993 with the issuance of an executive order entitled "Defining the Approach and Administrative Structure for Government's Comprehensive Peace Efforts" also known as the "Six Paths to Peace."³⁶ The "six paths" are delineated as follows:³⁷

1. Social, economic and political reforms aimed at addressing the root causes of armed struggle and social unrest.
2. Consensus building and empowerment for peace through continuous consultation at the national and local levels.
3. Peace negotiations with armed groups.
4. Implementing measures for reconciliation, reintegration of former combatants and rehabilitation of those affected by the conflict.
5. Conflict management and protection of civilians.
6. Build, nurture and enhance positive climate for peace.

This executive framework remains as the core of the GRP's peace plan. While the intent of this order is to pursue these six paths simultaneously in order to ensure governmental coverage over the breadth of the problem, the focus of this "broad" approach is not comprehensive enough and leaves out, or ignores, several key groups with anti-governmental sentiments.

³⁴ Miriam Coronel Ferrer, "Philippines National Unification Commission: National Consultation and The "Six Paths to Peace"," in *Conciliation Resources* (2002), p. 1.

³⁵ Ibid, p. 3.

³⁶ Casambre, p. 4.

³⁷ Ferrer, p. 3.

In 1994, Ramos issued Proclamation 347, which granted amnesty to rebels and created a National Amnesty Commission.³⁸ Then in September, 1996 Ramos' ambitious peace initiatives culminated with the signing of the "Final Peace Agreement."³⁹ This agreement, however, proved not to be so "final" mostly because some key antagonists decided to distance themselves and not participate in the signing of the agreement. One of these groups was the Moro Islamic Liberation Front (MILF), and a new and sinister player—Abu Sayyaf. Thus, despite his attempts to broker a peace, fighting renewed and escalated toward the end of Ramos' term.

In 1998, a new president was elected, Joseph Estrada. His ascent ushered in a period of intensified fighting as well as intra-governmental debates on the peace agreement. By 2000, the fighting between the Armed Forces of the Philippines and the MILF intensified, while Abu Sayyaf began a practice of kidnapping tourists for ransom.⁴⁰ By October of 2000, the first of many allegations of corruption began to emerge against President Estrada. As one of its last official acts, Estrada's administration held a ceremonial amnesty in which they persuaded approximately 800 MILF fighters to exchange weapons for money and a pardon.⁴¹

Estrada's brief presidency ended in January 2001, when Gloria Macapagal-Arroyo took her oath as President of the Philippines. During her inaugural address, Arroyo declared her "all-out-peace" policy.⁴² Arroyo, like most of her predecessors took great strides towards peace in the initial months of her presidency. She appointed members of the GRP to negotiate with the MILF and suspended military operations in February.⁴³ As a result, Arroyo (or GMA as she is sometimes referred) achieved an important milestone in the peace effort—a meeting in Kuala

³⁸ ConciliationResources.org, (accessed August 25, 2007), p. 5.

³⁹ Casambre, p. 4.

⁴⁰ ConciliationResources.org, (accessed August 25, 2007), p. 6.

⁴¹ Ibid (accessed August 25, 2007), p. 7.

⁴² Schiavo-Campo, Salvatore and Mary Judd, p. 3.

⁴³ Ibid (accessed August 25, 2007), p. 7.

Lumpur between GRP members, MILF and MNLF representatives during which a General Framework of Agreement and Intent was signed. With these two representative groups involved in negotiations, the GRP launched an “all-out-war” against Abu Sayyaf. Since those initial peace negotiations, there have been other milestones that have inched the parties in the direction of a negotiated peace agreement. While during the same period, MILF fighters continued to skirmish with AFP and launched attacks and raids throughout the Mindanao.

These attempts at reconciliation since the end of the Marcos regime, possess some of the characteristics of Amnesty, Reconciliation and Reintegration (AR2) for healing a fractured societal framework. While this concept is normally initiated from the political dimension, it depends upon other dimensions in the framework, such as security and economic. Therefore, to understand the AR2 process in regards to the Philippines we must first explore the political, security and economic dimensions of the framework to identify the links between the dimensions. Specifically, which organizations are involved in shaping the political decisions that affect the people and provinces of the Mindanao, how do they interact, and how does their discourse affect the economic dimension of the society?

Nature of the Conflict

The problem in the Philippines is multifaceted, with three main movements vying for power: the central Government of the Republic of the Philippines, the communist insurgent movement, and the Islamic separatist movement. Since the late 1960's the Philippines has experienced what can best be described as a punctuated equilibrium in which these three movements have maneuvered in a political dimension and at times increased their violence towards each other in the security dimension in an effort to emphasize their political position or to initiate dialogue after a period of transition or stagnation. The result of this prolonged and enduring conflict has had an adverse affect on the economy. Therefore, the economic dimension

has become an important part of the dynamic struggle as each movement tries to win the loyalty of an increasingly war-weary population.

In order to understand the nature of the conflict in the Philippines, it is important to first understand the societal construct of the Philippines in regards to its three dimensions: political, security and economic. In doing so, the key actors within each dimension emerge and explain the dynamics of the relationships within each dimension. The ultimate aim is to identify the macro effect of the inter-dimensional relationships on the society as a whole and its impact upon regional stability, security and prosperity.

The Contemporary Societal Construct of the Philippines

The societal construct of the Philippines is multifaceted, but for the purpose of brevity the focus of this construct will be on the major groupings involved in the struggle between the Government of the Republic of the Philippines and the Islamic separatist movements radiating from the southern Philippine islands. This will ignore the influence, impact and intricacies of the communist revolutionary movement that still smolders in the Philippines. Furthermore, reference to “the Mindanao” implies the southern Philippine islands on which the predominance of the Muslim population resides.

Political Dimension

The political dimension of the conflict in the Mindanao today is a function of the cultural-religious identity of the ancestral inhabitants of these southern Philippines islands who refuse to accept centralized governance that ignores their distinct social structure and belief system. The key players in this dimension are the central Philippine Government, external political/religious organizations, and the emergent leaders that attempt to represent the interests of the Mindanao or Moro people.

Government of the Republic of the Philippines (GRP)

The Government of the Republic of the Philippines (GRP) has borrowed heavily from the examples of western democratic constructs. The government that exists today is the result of extensive governmental reform, re-structuring and constitutional revision following the Marcos regime. It is comprised of three departments: executive, legislative and judicial based on the separation of powers principle common in western democracies.

With respect to the Executive Branch, the Philippine constitution provides for a president who is both the head of government and chief of state. The president is elected by direct vote of the people, with universal suffrage, for a period of 6 years and is not eligible for reelection. Furthermore, the Vice President, legislative and judiciary are elected separately.⁴⁴ Although the President in the Philippines is not challenged by local authorities, as in the United States, all of policies and programs initiated by the President require congressional support. While the president may offer amnesty and enter into negotiations and treaties, they must be ratified by a two-third vote in the Senate.⁴⁵

The Legislative Branch of the Philippines is a bicameral congress which consists of a Senate, or upper chamber, and a House of Representative, or lower chamber. The Senate consists of 24 members, who are elected to six-year terms and can serve to no more that two consecutive terms. The Philippine House of Representatives consists of no more than 250 members, 80% of whom are elected from apportioned legislative districts based on population densities. The remaining 20% of the House are Presidential appointees. All House members are limited to no more than three consecutive terms. Congress has the power to overturn presidential vetoes with a two-thirds majority vote and can declare war.⁴⁶

⁴⁴ "Country Profile: Philippines," p. 19.

⁴⁵ *Philippines: A Country Study*

⁴⁶ "Country Profile: Philippines," p. 20.

The Judicial branch of the Philippines is in the form of an independent judiciary, with the highest court of Appeal being the Supreme Court. The Supreme Court consists of a Chief Justice and fourteen associate justices, who are appointed by the president to serve until the age of 70. In addition to its appellate powers, the Supreme Court of the Philippines has the power to review the constitutionality of Presidential decrees. A separate court system was introduced in 1985 in the Southern Philippines. This system is based on sharia law and has the jurisdiction over family and contractual relations among Muslims. Within this separate system, three district magistrates and six circuit judges oversee the Islamic law. Another separate court, called the Sandiganbayan, focuses on investigating charges of judicial corruption.⁴⁷

The backbone of the GRP is the constitution, which has been revised four times since the formulation of an independent Philippine Government. The first constitution was created in 1935 and approved for implementation by United States President Franklin D. Roosevelt. As such, this constitution was strongly modeled after the U.S. constitution. The 1935 constitution provided the Philippines with relative stability until the 1960's when the constitution was challenged by Filipinos who regarded it as a cloak for oligarchy. A constitutional convention was created which began revising the document to give it a more Filipino flavor. However, this process was altered by Marcos, who, after his declaration of martial law, manipulated the constitutional convention to suit his own purposes. This convention produced a constitution in 1973 which was a deviation from the Philippine commitment to democratic ideals and was rejected in 1986 along with Marcos himself. When Corizon Aquino came to power in 1986 she proclaimed the institution of an interim Freedom Constitution in order to restore democracy. The Freedom Constitution remained in effect for sixteen months as a new constitutional convention drafted and ratified a

⁴⁷ Ibid.

new democratic constitution. The 1987 constitution was ratified by plebiscite and remains in effect to this day.⁴⁸

As previously mentioned, the governmental structure of the Philippines is very similar to many western democracies and most closely resembles the structure of the United States except for two important considerations in regards to its power: scope and emergency. First, the Philippine government is unitary rather than federal. This means that the local governments are subject to the general supervision of the president. Second, the constitution of the Philippines allows the president to declare a state of emergency at which time the president can wield near-dictatorial power.⁴⁹ It was the confluence of these two concepts with the rise of Islamic separatist ideas that served as the ignition of the Islamic separatist movement in 1973.

Moro National Liberation Front (MNLF)

As a result of increased suspicion of the government in Manila and incensed by the migration of Christians from the north who were settling in Mindanao and marginalizing the Muslim populations, a number of Filipino Muslim separatist groups formed in the late 1960's. Once martial law was declared in 1972 and all citizens were ordered to surrender their weapons, the Moros spontaneously rebelled.⁵⁰ These rebellions were mostly uncoordinated uprisings throughout the Mindanao islands. The MNLF, led by Nur Misuari, managed to unite these various and far flung pockets of resistance and rebellion. In 1972, the MNLF openly declared leadership of the Moro secessionist movement. By 1973, at the height of the conflict, the MNLF comprised some 30,000 armed fighters. The fighting between the Armed Forces of the

⁴⁸ There are Two sources of information for this claim, first source is: Philippines, Embassy of the Republic of the. "History of the Philippines." ed. Department of Foreign Affairs: Philippine Embassy, Washington D.C; and the second source is the Government of the Republic of the Philippines web site: <http://www.gov.ph/aboutphil/constitution.asp> which has the complete constitution available for view.

⁴⁹ *Philippines : A Country Study* , p. 194.

⁵⁰ McKenna, *Muslim Rulers and Rebels*, p. 156-158.

Philippines (AFP) and the MNLF raged for three years resulting in a stale-mate by 1977, which obligated the GRP to negotiate a cease-fire and agree to participate in a peace negotiation. This resulted in the Tripoli Agreement of 1977, signed by Misuari and Defense Under-Secretary Barbero. While this agreement allowed for the autonomy of 13 provinces in the southern Philippines, it mostly provided breathing room for Marcos in regard to the economic drain of the war as well as diplomatic breathing room from the pressure Marcos was receiving from the Middle East.⁵¹

Within nine months of the cease fire, frustrated by the disagreements over implementation, Marcos began implementing the Tripoli agreement on his own terms. The most obvious action was the creation of only two “special” autonomous regions: the central Mindanao and Sulu.⁵² By October 1977, the fighting resumed between the MNLF and the Philippine military, however, it never again approached the level of intensity that it had before 1976. This is because the Tripoli agreement had a deflating effect on the MNLF: defections accelerated, foreign support diminished, and dissention was rife among the senior leaders of the organization.⁵³

Due to political infighting and fractioning within the MNLF, its potency waned by the early 1980’s. During this same time, the MNLF suffered a political blow when the chairman of the Kutawatu Revolutionary Committee (KRC) defected to the GRP with many of his field commander in exchange for positions in the newly formed autonomous region number 12 (Central Mindanao). Prior to this defection, the KRC had been the largest regional unit within the MNLF. The remainder of the decade was marked with pocket wars and skirmishes that kept the AFP occupied in Mindanao. By 1984, the MNLF was no longer the sole representative for

⁵¹ ConciliationResources.org, (accessed August 25, 2007), p. 7.

⁵² McKenna, *Muslim Rulers and Rebels*, p. 168.

⁵³ Ibid, p. 168.

Islamic separatists, although the GRP continues to reach out to the MNLF as the only recognized voice for the movement. . . a new organization was emerging.

Moro Islamic Liberation Front (MILF)

A splinter element of the MNLF, this organization declared itself in March 1984 with the intent of following a religious as well as nationalist agenda, hence, the organization's substitution of the word *Islamic* for the word *National*. This rival "front" resulted from a political schism between the chairman and vice-chairman of the MNLF. Hashim Salamat, the former vice-chairman, moved his headquarters to Lahore, Pakistan where he successfully promoted his ideas to international Islamic organizations.⁵⁴ The main political difference that defined this organization was its declared determination to establish Islam in Muslim Mindanao, as opposed to the MNLF which sought separatism first.

The MILF attracted those Muslim inhabitants of Mindanao and its surrounding islands that were disenchanted with the MNLF movement, yet still harbored resentment against the GRP and the Philippine military for actions before and during the clashes in the 1970's. Another important element that allowed for the growth, reorganization and gradual efficacy of the MILF was the alliance of it to the aboveground ulama (Islamic clerics and scholars) who advanced the interests of the MILF among their followers. The aboveground ulama transferred their alliance to the underground ulama, who preached mostly in the country-side and remote areas and tended to be more radical. This coalition of interest groups was galvanized by the antagonism they felt towards the Marcos regime. By 1984, Salamat declared that MILF was operating a parallel government in the Mindanao and that they were more effective among the Bangsamoro people than the GRP.⁵⁵

⁵⁴ McKenna, *Muslim Rulers and Rebels*, p. 207.

⁵⁵ McKenna, *Muslim Rulers and Rebels*, p. 209.

During this same period of the MILF's ascendancy, the datu families that had been aligned with the Marcos regime throughout the rebellion began to re-establish and reassert their positions of political power. They began to fill the cabinet positions, congressional posts and served as provincial governors.

Organization of Islamic Conference (OIC)

This political body, made up of 52 volunteer member states of the Islamic international community, first met in Rabat, Morocco in September, 1969 as a result of an arson attack against the Al-Aqsa Mosque in Jerusalem in August of that year. Since then, this conference has met every year to evaluate progress on the implementation of collective decisions. The OIC was the first international organization to officially recognize the MNLF, and was instrumental in initiating dialogue between the MNLF and the GRP. This organization continues to have influence over the Islamic separatist movements as well as the GRP.

In 1978 the OIC donated funds for the construction of thirteen mosques in the Southern Philippines as well as for the repair and expansion of many of the existing mosques and madrasahs.⁵⁶ The organization continued to provide its diplomatic pressure on the GRP on behalf of the Muslim Mindanao and they were kept informed of "military atrocities" by Salamat. While serving as vice chairman of the MNLF in 1978, Salamat began sending the ICFM annual reports to the OIC. When Salamat and his organization split from the MNLF he continued to cultivate his relationship with the OIC.

With Islamic solidarity as its cornerstone, the OIC has been a positive force in the facilitation and initiation of dialogue between the beleaguered Muslims in the Southern Philippines and the GRP. This organization has been able to use diplomatic influence as well as economic, in the form of petroleum shipments, to persuade the opposition parties to at least

⁵⁶ Ibid, p. 205.

discuss their grievances. However, in consideration of the political sensitivities of multi-ethnic Muslim states as well as international law, the OIC could never advocate the independence of the Southern Philippines. As such, the OIC's position on this issue is probably the reason that the MNLF and the MILF are only seeking political autonomy within the Philippines instead of full independence.

Security Dimension

The security dimension within the societal framework of the Mindanao is significant in that it is a means of discourse between the GRP and the fractious Mindanao separatist movements. When negotiations and dialogue between the political actors break down, the frequency and violence of attacks in the Mindanao typically increase until the parties reconvene in the negotiation process. The key actors within this dimension are the armed elements which act on behalf of their parent political organizations. The Armed forces of the Philippines (AFP) act on behalf of the GRP, while the armed elements of the MNLF and MILF act on behalf, although not always in concert, with their parent political organizations. The outlying forces in this dimension are those armed actors that carry out attacks and acts of terrorism without a clear, organized and recognized political parent organization, such as Abu Sayyaf.

The interesting dynamic between the security and political dimensions of this conflict is that the organizations must act, or possess the potential to act, in both of these dimensions in order to be considered credible and worthy of engaging in dialogue. An organization with only political actors and no means of armed resistance is viewed as a toothless pariah. While armed fighters without a recognized or effective political parent organization are viewed as criminal elements and not offered the serious consideration of negotiated settlement. The effect of this dimension on the overall societal framework is enormous. Activity, positive or negative, within this dimension receives the most attention and has the greatest affect on all other dimensions within the framework. This is especially true for the economic dimension.

Abu Sayyaf

Currently, the greatest threat to security within the Philippines, Abu Sayyaf has become the target of an all-out Philippine military offensive. The group, whose name translates from Arabic as “Bearers of the Sword,” was first mobilized in 1991 by Abdurajak Janjalani. Janjalani was a Philippine Muslim scholar who fought in Afghanistan as a member of the mujahedeen against the Soviet occupation. They introduced themselves to the world in August 1991, with the bombing of a ship in the Zamboanga Harbor and a grenade attack against Christian missionaries which killed two American evangelists.⁵⁷

The group established strong ties with Al Qaeda under Janjalani’s leadership, the most important of which was with the Saudi Arabian Businessman Mohammad Jamal Khalifa, the brother-in-law to the infamous Osama Bin Laden. Khalifa was in control of a large financial network of charities as well as a university in Zamboanga that he used to bankroll Islamic extremists. His flagship charity is the International Islamic Relief Organization (IIRO), with an office in Zamboanga, Philippines. Abu Sayyaf received money funneled through Khalifa’s network to arm and equip its members while laying its most insidious plans—which included a plot to assassinate the Pope during a visit to the Philippines in 1995.⁵⁸

Things began to change for Abu Sayyaf in 1998 when its founder Abdurajak Janjalani was killed in a firefight with Philippine National Police. He was succeeded by his younger brother, Khadaffy Janjalani, who led the group from 1998 to 2006. Under Khadaffy’s leadership the group changed its focus from ideology to fundraising, through the means of kidnapping. This change in tactics also had an adverse affect on the character of the organization. Many of the members were drug users who employed a bandit mentality to an often ad-hoc strategy. In recent

⁵⁷ Emily Clark, "Combating Terrorism in the Philippines: Abu Sayyaf History," (United States Pacific Command, March 5, 2002), p. 1.

⁵⁸ Ibid., p. 1.

years, as a result of a U.S.-backed effort in the Southern Philippines, Abu Sayyaf has suffered major leadership losses. Khadaffy Janjalani was killed in September, 2006 by Philippine troops, and his likely successor, Abu Salalman was killed in January, 2007. These two leaders had the strongest ties to Middle Eastern donors. Now the reigns of Abu Sayyaf are held by the one-armed Radullan Sahiron, who at approximately 70 years old, demonstrated his treachery in an August 2007 clash with the Philippine military which left approximately 52 dead (25 soldiers and 27 militants).⁵⁹

Economic Dimension

This dimension of the societal framework deals with the quantifiable costs as well as the intangible perceptions of financial risk and relative wealth. In regards to the conflict in the Mindanao, some of the economic costs are quantifiable, such as the number of people killed (approximately 120,000 since 1970); the number of emigrants who flee legally and illegally to neighboring countries; the number of ghettos that exist; the percentage of the population living in poverty (71.3% in 2000); and the average income per family.⁶⁰ These quantifiable variables could serve as scalable indicators for other dimensions of the societal framework such as political and social programs as well as security efforts in the region.

What are more difficult to quantify, however, are those indirect costs of conflict. Specifically, the perception of instability that the conflict in the Mindanao created has resulted in an investment deflection for the entire Philippine archipelago. The country, from an investment banking perspective, is simply not “investor-friendly.” This scarcity of investment capital has adverse economic trickle-down effects, such as the disintegration of agricultural capabilities due

⁵⁹ Associated Press, "Officials: 57 Killed in Clash with Al Qaeda-Linked Militants in Philippines," *FoxNews.com*, August 10, 2007 August 10, 2007., p. 1.

⁶⁰ Schiavo-Campo, Salvatore and Mary Judd, p. 4.

to the lack of funds for equipment replacement, irrigation improvement and marketing mechanisms.⁶¹

The economic downward spiral created by political and security instability creates a dilemma among military aged males to join a political cause or armed militia which further exacerbates the problem across the entire societal framework. The economic option for military aged males is, therefore, a key node in which the political, security and economic dimensions are in congruence.

Process toward Transition to Lasting Peace

All conflicts are inherently different, from their root causes, to the actors involved, to the techniques employed. While there is no template or method for conflict resolution, there is a conceptual construct that provides tools for the initiation and implementation of change and dialogue. One of these conceptual constructs is in the form of Amnesty, Reintegration and Reconciliation (AR2). This construct provides conflicting parties with three tools for working at conflict resolution. These tools have distinct characteristics and, based on the context in which they are to be used, require unique consideration in regards to the order, timing, and methods used.

To break down the construct into its constituent parts we see that *amnesty* is an event; *reintegration* is a combination of framework and processes required for the parties to become more mutually dependent and cohesive; and *reconciliation* is the desired outcome, goal or aim of the entire process. To further understand the nature of these parts of the construct, I will explain each in detail and attempt to identify some of the conceptual angles from which these tools can be viewed, as well as the potential psychological impacts of these tools on the parties involved in the

⁶¹ Ibid.

conflict. In the end, the entire process of conflict resolution is a psychological one. It involves changing the conceptualization of the problem, the demonization of the opposing force, and the belief in a limited number of options. The successful application of AR2 is intended to change the psychological processes of both sides of the conflict to identify the true heart or source of the conflict, to better understand the opposing parties and to develop options and paths that lead to a peaceful resolution of the conflict that are acceptable to all parties involved.

Amnesty

Often used as the first step in restoring or mending a fractured polity, amnesty represents the gateway to inclusion and the invitation to rapprochement between conflicting groups. It is more than a simple governmental pardon, which is the legalistic aspect of it. Amnesty is granted, and therefore the crimes are “forgotten” before prosecution occurs, conversely, pardons are typically granted after the parties are prosecuted. Furthermore, the concept of amnesty is broader and implies more of a promise of societal amnesia towards the crimes and offenses committed during a period of struggle, civil war or social unrest, in order to completely exonerate those members of the society who volunteer to participate in the restoration of civility and work towards the resumption of peace.

The granting of amnesty is typically the purview of the executive, however, the language of amnesty is not usually codified in constitutional law, thus, leading to its ambivalence. While the practical use for the granting of amnesty is to assuage both sides of a conflict to the negotiation table or to douse the fires of dissent. The offer of amnesty itself could stir up the emotions and dissent on the side of the victims who will be denied justice through amnesty. In the end, it is a political tool intended to initiate compromise.

History is replete with the examples of amnesty being used as political and diplomatic tools. Two of the earliest examples are recorded by Thucydides concerning the Peloponnesian War, in which the Samians offered amnesty to members of an oligarchic coup as well as to the

famous Alcibiades.⁶² In more recent times the world has witnessed the amnesty granted by the government of South Africa as it transitioned to democracy in return for truth regarding actions and crimes committed during its transitioning period. In the United States, President Carter offered amnesty to the draft evaders of the Vietnam Conflict in 1977 as one of his first acts in office.⁶³ President Carter went on to clarify that this act was not intended to forgive the draft evaders, but rather to allow the nation to forget their transgressions and the discontent that stirred in the wake of their actions. It was his way of initiating the healing process at the national level by removing a festering source of divisiveness.

While amnesty can be a very effective tool for societal transformation, its use must be carefully considered within the context in which it is to be offered. Specifically, great consideration must be given to the nature of the crimes and offenses which are to be “forgotten.” There is a psychological aspect regarding amnesty which renders it as a tipping point for social reform. If the amnesty is being offered for offenders in victimless crimes it will meet with less public opposition than those offenders whose actions have created victims and circles of victims whom still bear a grudge. For this type of situation, amnesty could still be granted but ought to be conducted more judiciously and, perhaps, as part of a social record program such as the Truth and Reconciliation Commission of South Africa.⁶⁴ While blanket amnesties have been offered, such as in Chile, Zimbabwe and Argentina, the danger of such amnesties is that it could trivialize the crimes and marginalize the victims. Furthermore, the granting of such blanket amnesties could create a perception that the government is incapable of dealing with the offenders and

⁶² Thucydides, "History of the Peloponnesian War," ed. Robert B. Strassler (New York: Touchstone, 1996), p 522- 527.

⁶³ "Public Papers of the Presidents of the United States: Jimmy Carter," ed. General Services Administration Office of the Federal Register National Archives and Records Service (U.S. Government Printing Office, 1977), p. 6.

⁶⁴ John Darby and Roger MacGinty, ed., *Contemporary Peacemaking: Conflict, Violence and Peace Processes* (New York: Palgrave Macmillan, 2003), p. 228.

therefore remove the most important psychological bulwark for a central government—arbiter of justice.

The other side of the coin is the important psychological impact of amnesty upon the offender and criminal of the state. Amnesty provides the offenders a reason to negotiate and an alternative to continued conflict. But there must also be an opportunity for the ex-combatant, or the combatant considering the amnesty proposal, to transform himself into a contributing member of the society. A successful amnesty program must consider the dignity of everyone involved in a conflict, both victim and offender. There must then be a “next step” for those on both sides of a conflict to be included in the society in a meaningful way. This involves a plan and program for reintegration.

Reintegration

Simply stated, reintegration is the effort towards bringing ex-combatants of a fractured polity and society back into the folds of that society as it seeks to mend itself. This typically occurs after an offer of amnesty and needs to be enticing enough for the combatants to accept the amnesty in the first place. This reintegration can come in a variety of forms but the essence of it is that there is a plan for transitioning formerly armed and disenfranchised combatants into supportive and income generating civilian roles.

According to USAID, there are many different activities that can be conducted during the process of reintegration. The first activity of reconciliation is the disarming and settling of ex-combatants into demobilization camps. The reintegrating members can then participate in temporary work involving the construction of facilities and the repairing of damaged infrastructure, schools and clinics. But to be effective, a reintegration program needs to include a means by which the reintegrating members receive education and training that will facilitate their permanent transition to civilian life and peaceful pursuits. Training and education offer the

reintegrating members hope and a sense of intellectual trust with the government that will aid in achieving the goal of reconciliation.

It is important to note that simple payment to ex-combatants is not an effective or long term method of reintegration, although, it is permissive to offer stipends to reintegrating members during their periods of education and formal training. However, these reintegration programs need to be offered to all members of the fractured society in order to “avoid creating a new class of privileged citizens and rewarding people who resorted to violence.”⁶⁵

In the Philippines, the USAID Office of Transition Initiatives (OTI) worked with the GRP to develop and implement a plan for the reintegration of the MNLF from 1997 to 2000. The USAID OTI provided agricultural machinery, such as rice threshers and solar dryers while the GRP and local communities provided labor, material and training. This program offered the opportunity to learn profitable skills while simultaneously providing for the welfare and needs of the community which served to strengthen the communal bonds among the participants.⁶⁶ Therefore, at its core reintegration programs need to focus on providing not just for the immediate needs but hope for a more permanent transition. This is a critical component for successful reconciliation.

Reconciliation

Reconciliation is the process of restoring a relationship between parties that are in conflict, usually with the goal of achieving a peaceful and/or amicable relationship. Reconciliation is fundamentally a psychological process through which groups change their beliefs (which can be well-entrenched) and opinions about each other through dialogue and

⁶⁵ USAID, "Oti Special Focus Area: Reintegrating Ex-Combatants," (US AID, 2005), p. 2.

⁶⁶ Ibid., p.1.

mutual cooperation and respect. It can be a lengthy process of slow and drawn out negotiations intended to reach compromises.

True reconciliation cannot be achieved without acknowledging responsibility and accountability. According to Mari Fitzduff and Chris Stout, co-authors of The Psychology of Resolving Global Conflicts: From War to Peace, “any attempt at restoration after a period of alienation that ignores questions of justice could not be considered true reconciliation and would not be sustainable.”⁶⁷ This restoration of trust delves directly into the concept of justice and has the tendency to complicate the reconciliation process mostly due to the fact that the people on opposite sides of a conflict have different opinions of justice and the desired outcomes. Fitzduff and Stout describe five different arenas of justice: *distributive* justice, which typically pertains to economic equity; *political and social* justice, which refers to the access to power; *procedural* justice, which pertains to legal processes; and *historical* justice, which, as the result of truth commissions, could lead to reparations or *compensatory* justice.⁶⁸

Like any healing process, reconciliation requires the parties involved to experience discomfort and even pain in settling their differences and acknowledging the events that transpired in the process of the conflict.

Conclusion

The Philippine Government’s enduring struggle with Islamic separatists has been exacerbated by the fits and starts at which the government attempts to arrive at negotiated settlements. At the core of the discontent is the economic and political disparity between the Bangsamoro population residing in the southern Philippines and the rest of the Philippine archipelago which is comprised of predominantly Christian Filipinos. This discontent has

⁶⁷ Mari Fitzduff and Chris E. Stout, *Nature Vs. Nurture*, 3 vols., *The Psychology of Resolving Global Conflicts: From War to Peace* vol. 1 (Westport, Connecticut: Praeger Security International, 2006), p. 89.

evolved into the formation of Islamic separatists groups that seek self governance and use the notion of their right to self-determination as the basis of their argument. Regardless of how it happened, the fact remains that the Christian population occupies over 80% of Mindanao.⁶⁹ So if the Bangsamoro movement will achieve any political consideration it must be an alteration of the existing political construct. It would be physically impossible and impolitic to grant independence to the southern Philippines.

The problem then remains how to incorporate the customary laws and practices that the Bangsamoro people want to retain and use as the basis of laws regarding their actions without creating a double standard within the Philippine legislative and judicial systems. Furthermore, since many of the Bangsamoro practices stem from sharia law, which is religiously based, there is the potential for fundamental disagreement between the secular and sharia practices. While democracy provides for religious freedom and practices, religion and religious-based edicts do not necessarily provide or consider democratic freedoms. Conversely, democratic constructs such as the creation of regional governments within the Autonomous Regions of Muslim Mindanao (ARMM) that do not provide real legislative autonomy or reasonable operating budgets are just hollow bureaucracies that widen the divide and deepen the distrust between the Bangsamoro people and the GRP.

Yet the Philippine government has made great strides towards the resolution of this struggle and is arguably closer than it has ever been to achieving a real and lasting peace within its borders. While the process of reconciling its differences with the MNLF has been long and arduous, the GRP has experienced valuable lessons regarding the delicate combination of force, diplomacy and economic programs that are necessary in initiating and sustaining peace. With Abu Sayyaf effectively leaderless, and scattered, the GRP has an opportunity to increase its

⁶⁸ Ibid., p. 89.

military pressure on armed insurgents while simultaneously attacking the financial networks that are sustaining them. Most importantly, however, is that the GRP needs to provide a release valve from all of this pressure in the form of amnesty and reintegration.

In the year 2010, the Philippines will hold its next presidential elections. As we have seen in its history, the first few months of the new GRP president are a critical time in setting the tone and pace for conflict resolution. The GRP, MILF and external organizations such as USAID and the OIC, should prepare now for that window of opportunity by drafting a new amnesty offering, developing a new reintegration program and building a financial stockpile to fund it all. In addition to this, constitutional concessions and considerations must be given to the Bangsamoro population if the GRP is going to have any hope of achieving a lasting negotiated settlement with the MNLF and MILF while staving off the potential for future secessionist groups to emerge on the political landscape. I believe that once the philosophical and cultural divisions are bridged and the armed combatants are effectively reintegrated into the social fabric, then reconciliation will occur in the Philippines.

As mentioned earlier, the first step towards resolution of this enduring rivalry between the Government of the Republic of the Philippines and the Bangsamoro people residing in the southern island is the offer of amnesty. However, the amnesty offer goes both ways. What the GRP must understand is that through its sincerity of actions and rapid execution of its social programs of reintegration it will receive amnesty from those who currently are distrustful and disenfranchised with the GRP. After all, reconciliation can't be fully achieved until both sides of the argument forget the transgressions of the other and move on. While the elements of AR2 have been exercised in the Philippines, they have not been implemented as part of a cohesive conceptual construct. In two years, the GRP will have the opportunity to inject new energy and

⁶⁹ State, U.S. Department of. "Philippines: International Religious Freedom Report 2004." ed. Human Rights Bureau of Democracy, and Labor, 2004.

resources into their current dilemma, a new initiative for peace within the construct of AR2 can succeed if it is pursued with sincerity and energy.

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