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CHARTING THE FUTURE OF THE
BANGSAMORO
WITHIN THE PHILIPPINE NATION-STATE:
**GOVERNANCE
CHALLENGES, ISSUES,
AND RECOMMENDATIONS**

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THE BANGSAMORO

The paper examines the challenges facing the newly-created region. Likewise, it attempts to explore the critical and underlying political and governance issues confronting the BARMM in its quest to shape the Bangsamoro identity, unity and hence lay the fundamental framework in realizing its vision of self-rule and self-governance and fulfilling its right to self-determination.

The ratification of Republic Act (RA) No. 11054, otherwise known as the “Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao” (OLBARMM) or simply the Bangsamoro Organic Law (BOL),¹ in the 21 January and 6 February 2019 plebiscites signifies the cessation of armed conflict between the Moro Islamic Liberation Front (MILF) and armed forces of the Government of the Republic of the Philippines (GRP). It took 22 years of on-and-off peace negotiations between the MILF and GRP, claiming hundreds of thousands of lives and displacing millions of people in Muslim-dominated areas of Mindanao, before the GRP forged a final peace agreement, also known as the Comprehensive Agreement on the Bangsamoro (CAB), in 2014 with the MILF under then President Benigno Aquino III.²

It should be noted nonetheless that prior to the 2014 GRP-MILF final peace agreement or CAB, the government had also signed a final peace agreement with MILF’s main armed-Muslim rival, the Moro National Liberation Front (MNLF). Established in 1971³ and chaired by Nur Misuari, the MNLF led the Bangsamoro⁴ armed independence movement until then President Fidel Ramos succeeded in bringing the MNLF into the fold of the state through the signing of the GRP-MNLF Final Peace Agreement (GRP-MNLF FPA) in 1996.⁵ This eventually resulted in the integration of MNLF into the government’s national structure of governance after an uncontested election of Nur Misuari as the third Governor (1996-2001) of the Autonomous Region in Muslim Mindanao (ARMM), one of the two autonomous

* THE VIEWS AND OPINIONS EXPRESSED IN THIS PAPER ARE THOSE OF THE AUTHOR AND DO NOT NECESSARILY REFLECT THOSE OF THE INSTITUTE.

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regions created under the 1987 Constitution (Art 10, Sec. 18).⁶ In a concurrent capacity, Misuari chaired the Southern Philippine Council for Peace and Development (SPCPD)⁷ and its Consultative Assembly aside from being the ARMM Governor. Misuari thus assumed three (3) powerful positions in the region.

Markedly, two (2) diverse “final” peace agreements with two (2) competing major Muslim armed groups exist. While the 1996 MNLF-GRP FPA was sealed during the Ramos presidency, the 2014 GRP-MILF final peace agreement or CAB, though concluded during Aquino’s term, was carried out under President Duterte’s administration with the bestowal of a Bangsamoro political entity. The overwhelming endorsement of the BOL through the aforesaid plebiscites (88.57% of registered voters approved the BOL) (Cruz 2019) did not only rename the ARMM to Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) but also expanded its territorial coverage. Apart from the five (5) provinces (Lanao del Sur, Maguindanao, Sulu, Tawi-tawi, and Basilan) and a city (Marawi) which were under ARMM’s politico-administrative jurisdiction (as defined in Republic Act No. 9054), two (2) more cities (Lamitan and Cotabato) and 63 villages of North Cotabato were added. Hence, the MILF-led BARMM has been mandated to govern in five (5) provinces, three (3) cities, and 63 villages of North Cotabato under the BOL.

The effective abrogation of ARMM and its re-creation through BARMM renews the deep-seated animosity between Misuari’s MNLF and its former comrades in the MILF; differences that could be traced in the movements’ political history and ethnicity. Generally, the MNLF and MILF are constituted and supported by Tausug/Sama and Maguindanaoan ethnic group in Mindanao and Sulu archipelago, respectively, and have distinct traditional

cultural divergences. From the time Maguindanaoan leaders of the MNLF led by Salamat Hashim broke ranks with the Tausug-dominated MNLF chaired by Misuari in 1977,⁸ the MILF kept its distance for 19 years from MNLF on whatever armed skirmishes or peace negotiations it had with the government, i.e., from then President Marcos to Ramos. Neither did the MILF participate in the governance of ARMM when Misuari became the regional governor nor partake in the administration of SPCPD. The GRP-MNLF FPA as claimed by the late Hashim:

“... never touched the core of the Bangsamoro problem which is the illegal and immoral usurpation of (our) ancestral homeland and legitimate rights to freedom and self-determination” (Hashim 1998).

In the same vein, the MNLF refrained from being involved in whatever deals or engagement either in peace or war with the MILF and government. Notwithstanding the division of the MNLF into four (4) factions,⁹ Misuari’s faction remains significant considering his international stature and as the founding chairman of the MNLF. For 21 years, the MNLF had tried to thwart attempts of the MILF to negotiate with the government as Misuari had continually asserted that the MNLF is the sole organization recognized by the Organization of Islamic Conference (OIC)¹⁰ that represents the Bangsamoros in the Philippines.

In spite of Duterte’s effort to persuade Misuari to join the Bangsamoro Transition Commission (BTC) in drafting the BOL, his faction refused as BTC is dominated by MILF members. He considers the MILF as “traitors” and “criminals.” Reminiscing the period when the MILF broke off from the largely Tausug and Sama ethnic group of the MNLF in 1977, Misuari, a Tausug

himself, had not forgotten the acrimonious relationship. In an exclusive interview with CNN Philippines, he said that he will not participate in peace negotiations alongside the MILF. He alleges:

“These are all traitors, that’s why I cannot accept them. I hope the government will dissociate from them, otherwise I can’t forgive them. Why will they associate with traitors? The last thing that will happen I’ll honor them by allowing them to sign (peace agreement). They must be put in prison, they are pure and simple criminals.” (Cabal 2016).

Working within the principle of “inclusivity” and to draw in Misuari in the peace process, Duterte’s political influence caused the suspension of Misuari’s rebellion charges in connection with the 2013 Zamboanga siege.¹¹ Likewise, Misuari was released after posting bail in September 2017 for cases of graft and malversation through falsification of public documents committed in 2000 (Avalin and Palacio 2017). Duterte is currently looking at striking a new peace agreement with the MNLF and had given instructions to the Office of the Presidential Adviser for the Peace Process (OPAPP), the Department of Interior and Local Government (DILG), and the Department of National Defense (DND) to draft a peace agreement with the MNLF (Mendez 2019). It is apparent that Misuari’s MNLF cannot work with the MILF-led BARMM considering that the Bangsamoro Transition Authority (BTA), a three (3)-year interim government which will govern the new region until a regular government is formed in June 2022, is headed by MILF’s Chair, Al Hajj Murad Ebrahim.

Against this backdrop, the paper examines the challenges facing the newly-created region. Likewise, it attempts to explore the critical and underlying political and governance issues confronting the BARMM in its quest to shape the Bangsamoro identity, unity and hence lay

the fundamental framework in realizing its vision of self-rule and self-governance and fulfilling its right to self-determination. Finally, the paper appraises key policy issues and suggests recommendations that may promote more inclusive and responsive governance that will essentially strengthen the Philippines nation-state.

CHALLENGES

THE UNRESOLVED BANGSAMORO NATIONAL QUESTION

Much to the interest of the Duterte administration to bring together the major revolutionary and secessionist Muslim movements into the new BTA, this had not been possible and practical. Apart from this, the issue of achieving unity among the different ethnolinguistic groups¹² comprising the Muslim population in southern Mindanao and Sulu archipelago remains unresolved and daunting. Addressing Bangsamoro unity is one of the principal overriding concerns in the governance of the region.

The discord among Muslim resistance movements along ethnic lines persist even after the Jabidah massacre in 1968,¹³ an opportunity for Muslims to unite against the state when Muslim military trainees were summarily executed by their military superiors. For instance, the Muslim (later renamed Mindanao) Independence Movement (MIM) organized in 1968 was primarily Maguindanaoan-led by Datu Udtog Matalam (then Governor of Cotabato province),¹⁴ the Bangsa Moro Liberation Organization (BMLO) established in 1971, which later adopted the name Bangsa Muslimin Islamic Liberation Organisation (BMILO) in 1984, was generally composed of members of the Maranao ethnic group led by Raschid Lucman (then member of the House of Representatives [HOR]), and Misuari's MNLF, founded in mid-1971, was dominated by the Tausugs.

Among the three organizations, the MNLF was the main armed group of about 65,000 regulars which led the Moros into a sustained struggle in war and peace for about 30 years. Misuari endured and thus can be credited for transforming the epithet “Moro”¹⁵ into a positive identity of the Muslims and symbol of unity and pride in the course of national resistance against the Philippine state. His vision of a secessionist war was emphatically secular in orientation rather than Islamic; neither ethnic nor religious. Its goal is to reclaim the Bangsa Moro¹⁶ (Moro Nation), Muslims' homeland “unjustifiably annexed by the Philippine state” (McKenna 1998, p. 208). What looked to be the state's prejudices against the Muslims had found a national expression.

However, factionalism is rife within the Moro secessionist movement. It suffered five splits between 1968 and 2005 (Buendia, 2005, pp. 113-115). Four other fissures erupted between 2005 and 2015. With a total of nine organizational breaches in 47 years, a major breakup occurs every five years on the average. It has been evident that ruptures in the Bangsamoro movement ensue whenever the state accommodates some of the political demands or acquiesces partly to certain grievances advance by a particular Moro revolutionary group. The shifting loyalties and interests of leaders of varying Moro organizations had been defined more of a response to the vagaries of political priorities and constraints which the state presents rather than a deeper ideological difference.

The division between the Moro armed movements is further complicated by the competing political and economic interests of Muslim traditional leaders and elites and relentless inter-clan conflicts in Muslim-dominated areas of Mindanao (see Kreuzer 2005; Torres 2007; Lara and Champain 2009 for details). Ethnic differences and cultural enmities between and among Muslim ethno-linguistic groups run deep.

Mutual suspicion, differing goals, and egos persist between and among ethnic groups. Moros have yet to surrender and transcend their ethnic identities over a more inclusive Moro-wide struggle against the incursion of the state. Gutierrez (2000), for instance, reported that Moro rebels prefer to fight with their fellow ethnic groups, e.g., Maranaos, Tausugs, and Maguindanaos, rather than to be with ethnic groups other than their own.

Nonetheless, even if the secessionist movement is factionalized, Moros contend that their present struggle is essentially an assertion of their right to self-determination and self-governance in what they consider as their homeland. It is thus the creation of a nation, a Bangsa Moro, that ensures that their inalienable right is respected and valued as a national vision that needs to be fulfilled and realized, possibly through an autonomous Bangsamoro government.

GOVERNING AND ENJOINING PARTICIPATION

After more than four decades of engagement in war and peace with the state, traversing through six presidents, the MILF now has the opportunity to govern an expanded ARMM through the BTA. As a transition government, the BTA governs the BARMM for three years until the members of the regional parliamentary government are elected in May 2022. Headed by MILF's Chair, Al Hajj Murad Ebrahim, as Interim Chief Minister, the BTA shall have 80 members but was initially increased to 105 as it includes the 25 officials of the defunct ARMM until their term ends on June 30, 2019.

On February 22, 2019, Duterte signed the appointment papers of 76 members of the BTA, including that of Ebrahim, with the

remaining four upcoming to date (Parrocha 2019). Expectedly, BTA is dominated by either MILF members or MILF nominees. The MNLF on the other hand was given a few slots and limited to the MNLF Executive Council of 15 or EC-15 which broke ties with Misuari in 2001 and declared him "incompetent." (Buendia 2005, p.118).

The commanding role of MILF in the BTA is understandable considering that the BOL and BARMM is MILF's handiwork. However, the lopsided distribution of representation in the BTA is abhorred by both the MNLF EC-15 and Misuari's faction for obvious reasons. Firdausi Abbas, vice chairman of the MNLF-EC 15, states that three years for the BTA to govern is too long and "without the mandate of the people, that is tyrannical." (Unson 2019a). While Misuari was reported to have "rumblings" over the composition of the BTA (ABS-CBN News 2019).

In as much as the issue of participation is one of the key elements in good governance, the BTA faces a huge challenge to enjoining the maximum participation of the key actors in the Bangsamoro movement especially the MNLF and other splintered groups which advance the political autonomy movement in different forms. Aside from the major Muslim organizations, the BTA has the task to unite and draw the involvement of the 13 ethnolinguistic Muslim communities in the region. The innate tribal divisions and rivalries among the Bangsamoros need to be substantially reduced, hence transforming conflict into a cooperative arrangement that will eventually build the Bangsa Moro. Given the diversity of the region, the BTA has to be prepared in addressing the multi-faceted issues, concerns, and problems not only of the Muslim population but also of the non-Muslim, non-Christian indigenous groups (commonly referred to as the Lumads), as well as the Christian society.

DECOMMISSIONING

Under the CAB forged in 2014, MILF agreed to decommission its armed wing, the Bangsamoro Islamic Armed Forces (BIAF) in exchange for the establishment of the BARMM. A symbolic decommissioning of the BIAF was held in June 2015 wherein MILF turned over 75 high-powered and crew-served weapons to the seven-member Turkey-led Independent Decommissioning Body (IDB) and 145 members of the BIAF were decommissioned in return for the PhilHealth (Philippine Health Insurance Corp) card that gives beneficiaries access to a nearly comprehensive package of health services. Decommissioned MILF members likewise received Php 25,000 (approx. USD 540.00) cash assistance each to engage in livelihood endeavors.

The ratification of the BOL in 2019 makes the decommissioning of BIAF combatants, estimated to be at 40,000 (actual number is unknown as MILF has not revealed it), a commitment of the government and MILF under the Normalization Annex of CAB.¹⁷ The IDB is enjoined to oversee the decommissioning of MILF's BIAF in three stages: 30% in 2019; 35% in 2020; and another 35% in 2021-2022, i.e. before the signing of the exit agreements (Aben 2019).

The process of decommissioning BIAF combatants is confronted with the following difficulties: One, the number of firearms possessed by the combatants would not be easy to determine, not even by the MILF in as much as combatants have the tendency to shift from one armed organization to another. Second, there is no way of verifying the exact number of BIAF combatants as the source of information would be solely from the BIAF-MILF itself. Neither the IDB nor the government has a reliable way of checking the figures provided by the BIAF-MILF;



Image Credit: newsinfo.inquirer.net/1082718/21-of-67-villages-in-north-cotabato-join-barmm

and third, providing economic livelihood to decommissioned combatants would be challenging considering the skills they have acquired in 40 years of war, the economic deprivation of the region, and the socio-political condition of the BARMM characterized by income inequalities, ethno-political conflicts (clan wars), insecurities, and lack of educational opportunities among others.

POWERS AND DEMANDS OF GOVERNANCE

The BOL has devolved 55 powers to the BARMM, from agricultural development to banking and finance and from local government development to urban reform (see Annex 1). Apparently, this requires not only the creation of new governmental institutions and instrumentalities (departments, agencies, and committees) to undertake new tasks and powers which the former ARMM has not been provided and carried out before but also entails coordination, cooperation, and complementation of governmental functions between and among institutions at the regional level on the one hand and between the regional and national level on the other hand.

Tackling issues of poverty, inequalities and injustices, socio-cultural conflicts, and a whole range of development concerns in the region henceforth necessitates a broad and systematic functioning of governmental and non-governmental organizations and institutions. Relations and interactions between lateral (regional) and vertical (central-regional-local) governments have to be directed by and aligned with the set forth goals and objectives of Bangsamoro leaders. These goals, aspirations, and aims are to be defined by the BTA or future political leaders who would be elected after the 3-year transition period.

Apart from the institutionalization of an effective and efficient intergovernmental relationship, the issue of dealing with an

adequate supply of qualified human resource and personnel to manage and administer various government institutions, departments, and agencies will be a herculean challenge. The demand to fill in the posts in the public, finance and banking, health, education, social welfare, agriculture, industrial, and energy sectors, to mention a few, would be staggering. Apparently, key leaders of the MILF who now assumed significant posts in the BARMM, having had about 40 years of experience in the war, may not be technically competent to perform and fulfill what is needed and demanded by the Bangsamoro society.

POLICY ISSUES AND RECOMMENDATIONS

RESOLVING THE BANGSAMORO UNITY

It is instructive to note that the notion of Bangsa Moro is new—a little over 50 years old—which emerged only in 1968 in the wake of the Jabitah massacre. Bangsamoro as an identity and a homeland is a new political construct shaped by the historical struggle not only of the MNLF and MILF but also of the entire Moro people.

Moros's sense of oneness and belongingness as a people have to be intensified and heightened not only to effectively engage with the state and central government relative to their inalienable right to rule as a self-governing political entity in a piece of land which they claim as their homeland, but also as one people, irrespective of ethnic affinities and cultural differences, and ideologies embodied with the right to self-determination.

The quest of Muslims in the Philippines to exercise their right to self-rule is hinged on the continued definition and re-definition of their identity as a people distinct from the Christian majority by virtue of history, culture, religion, and way-of-life. History has

shown that the politicization of Muslim identity corresponds to the development of Muslim self-consciousness.

Less than five decades ago, Misuari had declared that Moros are not limited to Muslims. Migrant settlers and indigenous peoples (IPs) who have consciously identified their interests with the cause and aspirations of the “Bangsa Moro Revolution” are effectively Bangsamoros. They are secular, neither ethnic nor religious. He stated, through MNLF's clandestine newsletter, Mahardika, the following:

*“From this very moment, there shall be no stressing the fact that one is a Tausug, a Samal, a Yakan, a Subanon, a Kalagan, a Maguindanao, a Maranao or a Badjao. He is only a Moro. Indeed, even those of other faith [sic] who have long established residence in the Bangsa Moro homeland and whose good-will and sympathy are with the Bangsa Moro Revolution shall, for purposes of national identification, be considered Moros. In other words, **the term Moro is a national concept that must be understood as all-embracing for all Bangsa Moro people within the length and breadth of our national boundaries**” (Misuari, cited in Gowing 1985, pp. 184-185) (Emphasis provided).*

Sec. 1, Art. 2 of the BOL defines Bangsamoro identity as no different from Misuari's. It reads:

“Those who, at the advent of the Spanish colonization, were considered natives or original inhabitants of Mindanao and the Sulu archipelago and its adjacent islands, whether of mixed or of full blood, shall have the right to identify themselves, their spouses and descendants, as Bangsamoro.”

Yusingco's study (2013) likewise affirms the importance of resolving the Bangsamoro unity to strengthen the peoples' claim to and

foundation of regional political autonomy. Santos (2016), on the other hand, pronounces the value of the Bangsamoros to transcend their “innate tribal divisions and rivalries” to enhance their vision of a “Moro nation or at least the requisite community solidarity.”

The question of homeland or territory and identity cannot be detached as the definition of one's domain is critical for it embodies the peoples' identity, culture, and political autonomy. It is one of the most vital reasons for people in exercising control over a piece of territory. It reifies power where people could freely pursue and exercise their economic, social, and cultural development.

As I argued in my previous works (Buendia 2005, 2015), the linkage between one's identity and territory is intricately intertwined. A territory by itself is a human construct which serves as the material basis in molding and remolding human, group, ethnic, and social relations. It is the source of one's social security, assistance, dependency, sociability, and intimacy. It assures the continuity of culture and endurance of collective memory of peoples. As such, the concepts of space and territory are of extreme importance in ensuring the tenacity of one's identity and survival as a people. The consolidation of Bangsamoro identity in a Bangsamoro territory is what makes a Bangsamoro – a nation of Moros.

RECOMMENDATION 1

Achieving unity is a decision and effort that must be made by the Bangsamoro themselves. However, this does not mean that the state will simply pull back as the Bangsamoros build their nation. Concerted efforts have to be rendered by the state, by way of policies, measures, and enactments or courses of action, not only to ensure the unification of the Bangsamoros but also refrain from undermining their efforts to attain their sense of oneness.



Complementing the pursuit to nation-building, the state has to fulfill its commitment to guarantee that the homeland claimed by the people is secured where self-governance is operationalized and the right to self-determination is respected. In the same light, BARMM leaders have to safeguard the territorial integrity of IPs' homeland and peoples' identity as a "separate" people living within the bounds of the Bangsamoro homeland.

CAPACITY TO GOVERN

Exercising authorities over 55 from the original six devolved powers granted by the central government to the BARMM has principally empowered the regional government compared to the former ARMM (see Annex 1). It was also reported that the BTA would still be using the "old P32-billion budget for ARMM to deliver on the

promise of improved education, social services, and infrastructure" for 2019, an additional "P30-billion allocated by Congress for government's operations," another P50-billion in "special development fund" to help rebuild Marawi which was devastated by conflict in 2017 between government forces and militants affiliated with the Islamic State of Iraq and the Levant (ISIL), and a "much bigger 'block grant'" expected in 2020 (Esguerra 2019).

Given the opportunity provided to the region with newfound power and financial resources, BARMM has increased its degree of autonomy that will enable Bangsamoros to represent and defend their interests, acting on their own authority, in a responsible and self-determined way. Its capacity to exercise power even so is hinged on its competence to employ the necessary skills, knowledge, resources, and technology in answering the multi-dimensional development issues of the Bangsamoros.

Nonetheless, in spite of the rich natural and human resources of the region, people remain poor and destitute. The socio-economic, health, and educational conditions of the populace are distressing with all indicators way below the national average (See Annex 2). This impoverishment and powerlessness of the multitude is intertwined with the region's patrimonial, clan-based political culture characterized by corruption in government, criminality, and violence brought about by communist insurgents, Moro secessionists, and terrorists. These realities do not only undermine the capacity of the BARMM to govern but also pose extreme limitation on the regional government to exercise the powers bestowed to it by the central government.

RECOMMENDATION 2

Transcending this constraint requires a strong political will on the part of regional leaders to carry out the tasks expected from them in order to reverse the socio-cultural and politico-economic milieu. Politicians have to reflect, ascertain, and pursue the things that need changes in policies to produce the desired outcomes. Bureaucrats, on the other hand must make every effort to persuade politicians in favor for significant, relevant, and appropriate reforms that serve identified ends.

The BARMM must have the firm intention and commitment to carry through a policy, especially one that is not immediately successful or popular but resolves, in a long term and tedious process, structural issues and concerns that affect the region. Every positive advance of public policy rests upon a strong political will. What is required though to create such political will is the shaping of a broad coalition, rallying stakeholders and sectors behind a defined Bangsamoro vision.

While there will be always be opposition to policies and conflict on whatever desires the government proposes or intends to do as powerful interests exist, leaders are not to be dismayed or annoyed as the socio-economic and political system still carries the diseases and ailments of the past. As what Frederick Douglass once said, change always requires struggle because “power concedes nothing without a demand.” New leaders of the BARMM need not express their scorn or outrage over the way the political system works; people who actually want to effect change need to learn how to use that system.

RECOMMENDATION 3

Effective governance is measured on the capability of the BARMM to create the necessary social, political, economic, and cultural conditions where continuous processes of interaction between social actors, groups, and forces on one hand, and public or semi-public organizations, formal institutions of government and authorities on the other hand, are allowed and warranted in co-managing and co-steering development goals. It is to catalyst social change and build a peaceful, prosperous, just, and humane society under the aegis of a dynamic political, economic, social, and cultural democracy.

Remarkably, the transformation of a poverty-stricken and violence-ridden environment to a prosperous and peaceful society is not the sole responsibility of the regional government but also of civil society and non-governmental organizations (CSOs/NGOs), private sector, academe, and other stakeholders. It is a collective responsibility.

Governance needs to be interactive. Collaborative patterns that emerge from governing socio-economic, political, and administrative activities with non-state actors are sine qua non in

safeguarding civil society’s sovereignty, peoples’ power, and authority of the governed over their elected officials. This co-operating and shared process does not only broaden institutional pluralism but also strengthens the centrifugal forces of social pluralism.

Moreover, interactive governance maintains a constant balancing system between the governing needs on the one hand and governing capacities on the other hand. In as much as no single actor, whether private or public, has the monopoly of knowledge and information required to solve complex, dynamic, and diversified problems, it is imperative that BARMM’s and society’s responsibilities be fused at the regional level and at the same time diffused at the local level.

Through this effort, the domain of BARMM and civil society is made permeable. The borderline between public and private powers and responsibilities becomes the object of interaction. The ability of the regional government to confidently co-manage, co-steer, and co-guide with diverse actors (individuals, authorities, and organizations) in realizing social transformation of the country is the true test of the government’s capability to govern. It is BARMM’s capacity to incorporate civil society in the affairs of public management, including that of other key Bangsamoro “liberation fronts” like the MNLF.

RECOMMENDATION 4

It would be more cost-effective and time-efficient for BARMM to draw the expertise, knowledge, skills, talents, and technology available in the private sector, business, academe, CSOs/NGOs, banking and finance, and other segments of society, either within the country or overseas, to co-manage the region’s bureaucracy and exercise authorities over the 55 devolved powers under

the BOL rather than spend time and financial resources to train current bureaucrats and political leaders. The transition period could be used to gradually transfer the technologies and train local personnel in the fields of management, finance, administration, education, health, social welfare, and related areas of governance, consequently safeguarding the continuity of the practice of good governance.

DISARMAMENT, DEMOBILIZATION, AND REINTEGRATION (DDR) OF COMBATANTS

In line with the Normalization Annex of CAB, the decommissioning of MILF armed forces had been executory following the signing of an executive order (EO) by Duterte on March 4, 2019 and the forthcoming release of the attendant Implementing Rules and Regulations (IRR). Having four major components, namely: security, a socio-economic development program, confidence-building measures, and transitional justice and reconciliation, implementing the Annex will lead to BIAF’s disarmament and transformation of MILF camps into productive communities.

Presidential Adviser Carlito Galvez of OPAPP says that the “IRR will contain the work plan and other activities covering the three-year period. It will also cover critical timeline, the scope of work, and all the programs for the security, socio-economic programs, and transitional justice.” He adds that OPAPP intends for its rehabilitation program to transform “combatants and camps into peace-loving individuals and productive, sustainable villages and communities” (Aben 2019).

The BTA complements the normalization agenda by pledging to hasten the decommissioning process through peaceful resolution of clan (“rido”) wars that involved MILF commanders. Interim Chief Minister Ebrahim admits that “unsettled family feuds can

cause reluctance among protagonists to lay down their firearms for them to be reintegrated into mainstream communities BARMM intends to rebuild via socio-economic and humanitarian interventions” (Unson 2019b).

The process of disarming ex-belligerents with the means to combat the state (weapons, ammunition, etc.), demobilizing the BIAF and other armed groups, and reintegrating combatants into civilian society is a shared responsibility of the state and MILF, now the BTA. While building capacity for long-term peace, security, and structural development, DDR prepares the groundwork for safeguarding and sustaining the communities to which these secessionists and insurgents return to a non-combatant life and responsible citizen of the Republic.

RECOMMENDATION 5

On the part of the state, Duterte may use the “block grant” or national government subsidy to hasten the decommissioning process. The grant is estimated to be a five percent share in the national internal revenue, amounting to around P60-billion in 2019, which shall be automatically appropriated to the BARMM without any conditions (Cervantes 2018). The amount could be employed to defray the cost in disarming, demobilizing, and reintegrating BIAF combatants and other armed groups in Philippine society.

RECOMMENDATION 6

A short-term transition assistance to ex-combatants and their families may be provided during the process of demobilization and prior to the reintegration of BIAF other armed groups. The BARMM and national government need to work together to deliver basic and

immediate needs to the BIAF forces focusing on transitional safety allowances, food, clothes, shelter, medical services, short-term education, training, employment, and tools for productive endeavours. The assistance can last for a year.

On a more long-term reintegration, the BARMM is enjoined to plan and implement a more continuous social and economic program of development with the vision to re-acquire civilian status and gain sustainable employment and income for ex-combatants. Reintegration has an open time-frame and pursues socio-cultural and politico-economic development and growth that is to take place in local communities. It is part of the general development of a country and a national responsibility, and often necessitates long-term external assistance.

ENTITLEMENT AND CORRUPTION

Gaining from MNLF’s experience when Misuari was the governor of ARMM (1996-1999, extended to February 2001), it had shown that MNLF forces and allies assumed political and administrative power in government regardless of required professional qualifications to govern. With the false notion of entitlement and devoid any concept of accountability and civil service, ARMM was ransacked of its coffers. Misuari’s disappointing performance led to his ignominious ouster not only as ARMM Governor but also the Chair of the MNLF.¹⁸ He was eventually charged with corruption¹⁹ and sedition²⁰ which have yet to be judged in Court. (Corvera 2002; Buan 2019).

The experience of the region with the type of governance that MNLF exhibited not only the weakness of political institutions of ARMM but also the flawed belief that ex-combatants have the priority and prerogative to govern the region as a consequence of the peace agreement. What had gone through the MNLF has a high probability

that may likewise befall the MILF as the factors that contributed to current circumstances of governance are generally not different. Unless there is long-term behavioural change on the part of the MILF and its associates, the mistaken view of entitlement will obviously lead to the exploitation of public trust and public funds.

RECOMMENDATION 7

The institutionalization of a strong legal framework, effective law enforcement, and an independent court system is essential to ensure that acts of corruption and people who commit corruption are severely punished. Legal and administrative reforms should cover the improvement in financial management and strengthening of auditing agencies, such as disclosing budget information to prevent waste and misappropriation of resources.

A long successful tradition in curbing corruption is the maintenance of an open and free press, the promotion of transparency, and public access to information to increase the responsiveness of BARMM to issues, concerns, and problems of the people. In the same light, this will enhance and advance the level of peoples' participation in governance. It is through the operative and unrelenting empowerment of the people against corruption and abuse of power that will ensure the government be held accountable. Moreover, it helps build mutual trust between citizens and government.

INTER-GOVERNMENTAL RELATIONS, GOVERNANCE, AND FEDERALISM

Drawing lessons from nearly half-a-century of experience of armed conflict and intermittent peace negotiations, the trend towards self-determination struggle of the Bangsamoros in terms of self-governance had shown that resistance on the part of the state has been manifested in three fronts: militarily, politically, and legally. Historical evidence demonstrates that there is extremely limited assurance that meaningful Bangsamoro self-governance would transpire under the current unitary governmental system. In fact, there is absolutely no guarantee that the political autonomy of BARMM will not be rescinded in the future by prospective leaders who are not inclined to advance the cause of minority self-governance and pluralism.

RECOMMENDATION 8

Conferring a semi-sovereign status, resembling a federal structure of governance, would be a promising and long-term option that the state can contemplate on to enhance the process of nation-state building not only of the Philippines but also of the Bangsamoros. Beyond rejigging the structure of governance as commonly understood, federalism is about the re-creation of the Philippine nation-state that failed to be under the present unitary set up. It balances the power between the national and local government units, including regional governments. It ultimately empowers the local populace.

Federalism embodies the decision of people to live together as one, under a kind of government which they feel suits their peculiar socio-economic, political, and cultural interests. It is an attempt to realize peoples' hopes, aspirations, and ideals which cannot be realized under a centralized unitary structure of government. The diversity of the Filipino people in terms of religion, ethnicity, language, ways-of-life, culture, and system of governance signifies that the Philippines is a multinational state. Disunity and armed conflicts, aside from ideological grounds, have been enduring and more difficult to resolve resulting from differences in outlooks and perspectives which have been shaped by peoples' ethnic backgrounds and cultural milieus.

Federalism endeavors to politically unite a culturally diverse people. It is a political response to build the Philippine nation; a structural and social agreement to live harmoniously in spite of stark differences and settle conflicts in a non-violent means. Federalism accentuates peoples' identities, ethnicities, and future as a national community within the multinational Philippine state.

It must not be construed however that federalism is panacea to conflict and underdevelopment in Mindanao. Definitely, it is not. But the federal setup of governance provides a better and wider opportunity to advance peace and development by empowering the structures and institutions of governance from below and the periphery rather than from top and the center.

CONCLUSION

The peoples' endorsement of the BOL through the plebiscite is an important milestone in the country's history and another block in the yet to be built Philippine nation-state. Like the previous 1996 GRP-MNLF peace agreement, the 2014 CAB MILF is an embodiment of Bangsamoros' historical struggle for self-rule and the exercise of peoples' right to self-determination.

Nevertheless, the BOL and the subsequent creation of the new region is faced with daunting but surmountable challenges to fulfill the Bangsamoros aspiration to self-governance under the Philippine unitary state. The Moro national question persists and is one of the fundamental challenges which could be addressed by transcending Bangsamoros' ethnic boundaries and state's strategic approach towards greater democratization and participation of other key Muslim liberation fronts (especially the MNLF) in governance.

As peace-building is underway, the obligation to decommission and disarm tens of thousands of BIAF as well as other armed groups in the region is another arduous task to complete within the transition period of three years. This is coupled with the increased political and administrative powers as well as financial resources afforded to the BARMM as defined in the BOL, commensurate to the multi-faceted and multi-dimensional demands of the region but has to deal with a shortage of highly qualified human resource to propel, manage, and transform the region from a poverty-stricken to self-sufficient region.

Against the backdrop of challenges that new leaders of BARMM have to deal with, a number of policy issues were identified and recommendations advocated in the interest of surmounting the historical and lingering socio-cultural, economic, and political concerns in the Bangsamoro region in

particular and Mindanao in general. Apparently, these are challenges entrenched in present-day mosaic democracy and heterogeneous development. They require the state, not simply the BARMM, to redefine itself and adopt an institutional framework of governance that would allow the expression of democracy in kaleidoscopic forms.

Whether or not the state would be able to meet the challenges of nation-building and national unity through the BOL is difficult to surmise at this point. Definitely, there will be no quick fixes and no shortcuts. Wounds that have festered for a long time cannot be healed overnight, nor can confidence be built nor dialogue developed while fresh wounds are being inflicted. It is a process that requires special and extra effort on the part of the state to guarantee human rights and uphold the rights of people to their own development.

Experience taught us that nation- and state-building through the power of a gun simply justifies and enhances the feeling of alienation from the nation and strengthens the resolve of people to sever their ties from the state. The alternative is to make governance more inclusive, comprehensive, participatory, participatory, and multi-level.

ENDNOTES

¹ Initially known as the Bangsamoro Basic Law (BBL) during the administration of then President Benigno Aquino III (June 2010-June 2016). The law failed to pass in Aquino's 16th Congress over questions on its constitutionality and the Mamasapano incident which resulted in the death of around 70 people (44 members of the Philippine National Police [PNP] elite Special Action Force [SAF], 18 Moro Islamic Liberation Front (MILF) fighters, 5 members of the Bangsamoro Islamic Freedom Fighters (BIFF), and some other civilians) on 25 January 2015. The BBL was not passed into law until Congress went into recess in February 2016.

² The Comprehensive Agreement on the Bangsamoro (CAB) was signed on 25 January 2014. The CAB was preceded by the Framework Agreement on Bangsamoro (FAB), a preliminary peace agreement signed on 15 October 2012.

³ There are conflicting versions on the founding of the MNLF. Jubair (1999, p. 150) said that it was founded in 1969 while Mercado (1984, p. 159) noted that it was in mid-1971. Mercado's version is closer to reality as it was then Nur Misuari convened the "Top 90" guerrillas (first batch of Muslim rebels who underwent military training in Sabah, Malaysia) in Zamboanga City to repudiate the reformist tendencies of Muslim Independence Movement (MIM, later renamed Muslim to Mindanao) and Bangsa Moro Liberation Organization (BMILO) leaders, consequently organizing the MNLF. Hence, 1971 is used in this paper as the year of MNLF's birth.

⁴ For the purpose of this paper, "Bangsamoro" refers to the people who embrace Islam as a religion and way of life especially those inhabiting southern Mindanao and Palawan provinces and Sulu archipelago of the Philippines. This is differentiated from "Bangsa Moro" which pertains to the "Moro Nation." The term "bangsa" or "bansa" is a Malay word that usually denotes nations, castes, descent groups or lines, races or estates, while "moro" was originally applied to the Moors that ruled the Iberian Peninsula and the northern coast of the African continent in 711 A.D. When the Spaniards colonized the Philippines, they encountered ferocious resistance from Muslims. This reminded them of their ancient enemy, the Moors.

⁵ The GRP-MNLF Final Peace Agreement (FPA), signed on 2 September 1996, laid down the process and framework for achieving peace and development in Southern Philippines. See 1996 GRP-MNLF Final Peace Agreement (Manila: Malacanang Palace Press, 2 September 1996).

⁶ The Autonomous Region of Muslim Mindanao (ARMM) was first created on August 1, 1989 through Republic Act No. 6734. It was officially inaugurated on November 6, 1990. The region includes the provinces of Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi. In 2001, Marawi City (situated in Lanao del Sur province) and Basilan province opted to be part of ARMM after a plebiscite was conducted on August 14, 2001. ARMM through Republic Act No. 9054 governs the region until the enactment of RA 11054, also known as the Bangsamoro Organic Law, in 2019.

⁷ The SPCPD was established through Executive Order 371 issued on 2 October 1996. It acts as a transitory administrative arm under the Office of the President tasked to promote development in 14 provinces and 9 cities (as of 1996) in Mindanao and Sulu archipelago. The covered area is known as the Special Zone of Peace and

Development (SZOPAD). In the 2001 plebiscite, SZOPAD's coverage increased from 14 to 15 provinces and 9 to 14 cities as a result of the conversion of capital towns to cities and creation of new provinces by the central government between 1996 and 2001. The dissolution of the SPCPD under Executive Order 80 of 11 March 2002 transferred all its on functions, duties, and responsibilities to the new ARMM under Republic Act 9054. For details of the provisions, see EOs 371 and 80 and RA 9054.

⁸ The first split in the MNLF was recorded in 1977 when Salamat Hashim (a leading member of MNLF Central Committee), a devout Muslim Maguindanaoan, broke ties with the MNLF and formed the "New MNLF" which advocated for political autonomy contrary to Misuari's demand for complete independence from the Philippine state. Hashim projected his newfound organization as a reformist party that can deal with the government better than the MNLF. When the Organization of Islamic Conference (OIC), MNLF's main sponsor, continued its support to the MNLF, the New MNLF changed its name to Moro Islamic Liberation Front (MILF) in 1984, and made Islam its official ideology. Hashim challenged Misuari, a secular and nationalist, as the rightful leader of the Bangsamoro. He chaired the MILF until his death on 13 July 2003.

⁹ The MNLF is split into the following factions: Nur Misuari (Founding Chairman); Habib Jujahab Hashim of the MNLF National Islamic Command Council (NICC) formed in the early months of 1995; Parouk Hussin, MNLF Executive Council of 15 (EC-15) who broke with Misuari in 2001; and Abul Khayr Alonto who was reportedly installed as the new Chair of the MNLF Central Committee on 3 March 2014 (See Al-lan Naval,"MNLF reorganized with Alonto as new chair; Misuari out." Philippine Daily Inquirer 17 March 2014) .

¹⁰ The Organization of Islamic Conference (OIC) founded in 1971 is composed of 57 nations (including Palestine). It is the second largest international body after the UN aimed at protecting Muslim interests worldwide through settling conflicts by peaceful means, mainly through mediation, negotiation, and arbitration. It has been instrumental in forging the 1976 GRP-MNLF Tripoli Agreement and the 1996 Final Peace Agreement.

¹¹ This refers to Misuari's leadership in attacking Zamboanga City Hall and declaring the establishment of the United Federated States of Bangsamoro Republik. The armed incursion lasted from 9 to 28 September 2013. The conflict led to a series of gun battles that resulted in the death of hundreds of combatants including civilians and displaced more than 100,000 people. (See Medina 2013 and Rood 2014 for details).

¹² The 13 Muslim ethnolinguistic groupings are the: Maranao, Maguindanao, Tausug, Sama, Yakan, Sangil, Badjao, Kalibugan, Jama Mapun, Iranun, Palawani, Molbog, and Kalagan. Of these three are major ones occupying identifiable territories: Maranao in Marawi; Maguindanao in Cotabato; and Tausug-Sama in Tawi-Tawi and Sulu group of islands.

¹³ Jabidah referred to a military operation, code named "Operation Merdeka" (Indonesian word for "independent" or "free") where 28 out of less than 200 Muslim military trainees, mostly Tausug and Samal from Sulu and Tawi-Tawi who were undergoing guerrilla warfare training in Corregidor Island, were summarily executed. The official story on the Corregidor Incident had two versions. The first one says that the execution

happened as part of the military's effort to contain private armies and armed separatist movements plan to invade Sabah. The second states that the training was part of the Philippine Army Special Forces' clandestine operation to invade and re-claim Sabah, Malaysia. See Vitug and Gloria, 1999, pp. 2-23 for details.

¹⁴ Matalam relinquished his idea of secession soon after then President Marcos co-opted him and later became the Presidential Adviser on Muslim Affairs.

¹⁵ "Moro" is a nomenclature associated with piracy, savagery, slavery, treachery, amok (juramentado) and other negative connotations.

¹⁶ The term "Bangsa Moro" was first used by the MNLF to refer to the Moro nation-state that it intends to carve out from the Philippine territory through an armed struggle.

¹⁷ The Normalization Annex (signed on 25 January 2014) is one of the four Annexes contained in FAB, the preliminary peace agreement between the GRP and MILF, and incorporated in the CAB. Other Annexes are the: Annex on Transitional Modalities and Arrangements (signed on 27 February 2013); Revenue Generation (signed on 13 July 2013); and Power Sharing (signed on 8 December 2013).

¹⁸ Parouk Hussin, the MNLF's Foreign Affairs Committee Chair, replaced Misuari as MNLF Chair and regional governor in November 2001 under the new ARMM's Organic Act (Republic Act 9054). Hussin led a split of the MNLF in 2001 and formed the MNLF Executive Council of 15 or EC-15.

¹⁹ It was also reported that Misuari pocketed funds allotted for the poverty alleviation program and allegedly spent some P42 million to buy high-powered weapons and over P115 million worth of educational materials supposedly purchased, which turned out to be non-existent.

²⁰ In November 2001, while still serving as ARMM Governor and Chair of SPCPD, Misuari resurrected his call for an independent Muslim Mindanao. He led some armed MNLF guerrillas to attack the Army headquarters in Jolo, Sulu on 19 November 2001. This prompted the government to charge Misuari of sedition.

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ANNEX 1

LIST OF POWERS GRANTED TO BARMM UNDER REPUBLIC ACT 11054
(BANGSAMORO ORGANIC LAW)

<div>1. Administration of justice</div> <div>2. Administrative organization*</div> <div>3. Agriculture, livestock and food security</div> <div>4. Ancestral domain and natural resources*</div> <div>5. Barter trade and counter trade</div> <div>6. Budgeting</div> <div>7. Business name registration</div> <div>8. Cadastral land survey (property boundaries)</div> <div>9. Civil service</div> <div>10. Classification of public lands</div> <div>11. Cooperatives and social enterprises</div> <div>12. Creation, division, merger of boundaries of municipalities and barangays</div> <div>13. Creation of government-owned or controlled corporations and pioneer firms</div> <div>14. Creation of sources of revenue*</div> <div>15. Cultural exchanges and economic and technical cooperation</div> <div>16. Culture and language</div> <div>17. Customary laws</div> <div>18. Development programs for women, labour, youth, the elderly the differently-abled and indigenous peoples</div> <div>19. Disaster reduction and risk management</div> <div>20. Ecological solid waste management and pollution control</div> <div>21. Economic zones, industrial parks and free ports</div> <div>22. Educations and skills training</div> <div>23. Eminent domain*</div> <div>24. Environment, parks, forest management, wildlife, and nature reserves' conservation</div> <div>25. Fishery, marine, and aquatic resources</div> <div>26. Grants and donations</div> <div>27. Hajj and Umrah (Muslim pilgrimages to Mecca)</div> <div>28. Health</div>	<div>29. Housing and human settlements</div> <div>30. Humanitarian services and institutions</div> <div>31. Human rights</div> <div>32. Indigenous peoples' rights</div> <div>33. Inland waters</div> <div>34. Inland waterways for navigation</div> <div>35. Islamic banking and finance</div> <div>36. Labour, employment, and occupation</div> <div>37. Libraries and museums, and historical, cultural, and archaeological sites</div> <div>38. Loans, credits, and other forms of indebtedness</div> <div>39. Mechanisms for consultations for women and marginalized sectors</div> <div>40. People's organizations</div> <div>41. Public utilities' operations</div> <div>42. Power sector investments</div> <div>43. Public works and infrastructure</div> <div>44. Quarantine regulations</div> <div>45. Registration of births, marriages, and deaths</div> <div>46. Regulation of the manufacture and distribution of food, drinks, drugs, and tobacco</div> <div>47. Science and technology, research councils, and scholarship programs</div> <div>48. Social services, social welfare, and charities</div> <div>49. Sports and recreation</div> <div>50. Technical cooperation for human resource development</div> <div>51. Tourism development*</div> <div>52. Trade and industry</div> <div>53. Urban and rural planning development*</div> <div>54. Urban land reform and land use</div> <div>55. Water supply and services, flood control, and irrigation systems</div>
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*POWERS ALREADY SPECIFICALLY DELEGATED TO ARMM UNDER THE ORGANIC ACT FOR THE AUTONOMOUS REGION OF MUSLIM MINDANAO, REPUBLIC ACT 6734 (1989)

ANNEX 2

COMPARATIVE SOCIO-ECONOMIC INDICATORS BETWEEN THE AUTONOMOUS REGION OF MUSLIM MINDANAO AND NATIONAL AVERAGE
(SELECTED ONLY)

Indicator	ARMM Score	National Score
Population growth 2010-15	16.1%	9.4%
Average family income, 2015	P139,000	P267,000
Gini co-efficient, 2015	0.281	0.4439
Poverty incidence among families, 2015	48.2%	16.5%
Subsistence among population, 2015	21.1%	8.1%
Per capita gross regional domestic product, 2016	P27,345	P140,249
Projected life expectancy at birth, women, 2010-15	62.93	73.14
Projected life expectancy at birth, men, 2010-15	61.94	67.61
Net enrolment in elementary school, 2015	69.64%	91.05%
Cohort survival rate, elementary school 2013-14	39.61%	80.63%
National Achievement Test of Grade Six pupil, 2014-5	59.64%	68.88%
Labour force participation rate, 2016	52.4%	63.5%
Connection to electricity grid, 2016	38%	88%

SOURCE: 2017 PHILIPPINE STATISTICAL YEARBOOK. QUEZON CITY: PHILIPPINE STATISTICS
AUTHORITY, OCTOBER 2017. [HTTPS://PSA.GOV.PH/SITES/DEFAULT/FILES/PSY_2017_JAN%2016%202018.PDF](https://psa.gov.ph/sites/default/files/PSY_2017_JAN%2016%202018.PDF)



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