Mindanao: Nationalism, Jihadism and Frustrated Peace

Nathan Gilbert Quimpo

Abstract

This article examines why the decades-old Moro insurgency in Mindanao, southern Philippines, has remained difficult to resolve, and how recent international developments, such as the jihadization of once secular ethno-nationalist movements and the rise of the Islamic State of Iraq and Syria (ISIS), have influenced it. The author argues that jihadism made significant inroads in the Moro nationalist struggle already in the 1990s, way before 9/11, and that since 2007, a more moderate Islamism has gained ascendancy. He argues further that the Moro insurgency has remained intractable because of grave errors committed by the Arroyo and Aquino administrations; recurrent outbursts of anti-Moro hysteria incited by demagogic politicians; and a continuing weak third-party role in the Mindanao peace process. He warns that the apparent collapse of the most recent peace pact between the government and the Moro Islamic Liberation Front (MILF) poses the danger of the possible rise of new ISIS-linked jihadist groups.

Keywords

Insurgency, nationalism, jihadism, Mindanao, peace

Introduction

The Moro insurgency in Mindanao, southern Philippines, which dates back to the early 1970s, is one of Asia’s longest running rebel movements. At the outset, it sought to establish an independent state for the Moro people, who belong to 13 predominantly Muslim ethnic groups living in Mindanao and nearby islands. Various rebel groups have been involved in the insurgency, the most prominent...
One of Asia’s deadliest ethnic conflicts—the conflict between the Philippine government and the Moro rebels—has claimed the lives of 120,000 people and displaced two million people. On-and-off peace negotiations between the two sides have resulted in several peace agreements, none of which has succeeded in bringing about a stable and enduring peace in Mindanao. The latest peace pact, the Comprehensive Agreement on the Bangsamoro (CAB), signed by the government and the MILF in March 2014, is in danger of turning out to be a stillbirth as the administration-sponsored bill for Bangsamoro autonomy is undergoing very rough sailing in the Philippine Congress and appears unlikely to be passed.

Over the past decade, some scholars have noted the growing influence of extremist Islamist ideology on armed separatist movements in different parts of Asia. The trend towards the jihadization of once secular ethno-nationalist movements has been observed in areas such as Chechnya (Hughes, 2008), Kashmir (Garner, 2013) and Xinjiang (Potter, 2013). Jihadism suffered a major setback with the killing of Al-Qaeda leader Osama bin Laden in 2012. However, the rise of the Islamic State of Iraq and Syria (ISIS) and its aggressive recruitment of foreign fighters and international network building appear to have given fresh impetus to the jihadist cause.

Why has the Moro insurgency proven so difficult to resolve? How have recent international developments, such as the rise of the ISIS, influenced it? What are the prospects for a realistic compromise solution to the Mindanao conflict? Unlike other scholarly pieces of literature that have analyzed the Mindanao conflict and peace process in a somewhat unilinear manner (including those of the author), this article divides this protracted process into three periods, with a particular ideological strain dominant or salient in each period: the first period, from the 1970s to the 1980s, in which Moro nationalists dominated; the second period, from the 1990s to around 2006, in which extreme Islamism—jihadism—made significant inroads into the Moro struggle; and the third period, from 2007 to the present, when a more moderate Islamism gained clear ascendency. It is underscored here that in the case of the Moro struggle, jihadism encroached way before 9/11, and that it has waned—at least for now.

Since the peace pacts that the government forged with the MNLF in 1976 and 1996 have already been well studied by scholars, this article focuses on the peace process in the current period, especially the peace negotiations between the government and the MILF. It is argued here that the Moro insurgency has remained intractable because of grave blunders by the administrations of presidents Gloria Macapagal Arroyo and Benigno Simeon Aquino III; recurrent outbursts of anti-Moro hysteria sparked off or stoked by demagogic politicians; and a continuing weak third-party role in the Mindanao peace process.

The first section of this article discusses the rise of Moro nationalism in the first period (from 1970s to 1980s) as well as its decline in the 1990s, and the failed peace agreements with the MNLF. The next two sections deal with the second period—jihadism’s inroads into the Moro movement, especially in the 1990s, and the intense politico-military initiatives to counter jihadism in the initial years.
of the war on terror in Mindanao (2001–2006). The fifth and sixth sections focus on the current period—the consolidation of moderate Islamism in the Moro ranks and the peace efforts under the Arroyo and B. Aquino administrations. In the last two sections, the author analyzes further the factors behind the intractability of the Moro insurgency and explores the prospects for a stable and enduring peace in Mindanao.


Armed conflicts involving Christian Filipinos and the Moros go as far back as the Spanish colonial period. Over a period spanning more than 300 years, the Spanish conquistadors fought a long series of wars to try to subjugate the Moros. In these ‘Moro wars’, the Spaniards recruited Indios—natives who had been converted to Christianity—and pitted them against the Moros, who were depicted as outlaws, bandits, pirates and slave traders. In retaliation, Moros raided Indio coastal towns (Majul, 1973).

The beginnings of the contemporary separatist movement in the southern Philippines can be traced to the late 1960s when a prominent Muslim warlord-politician, in revulsion to ‘the policy of isolation and dispersal of the Muslim community by the government [which] has been detrimental to the Muslims and Islam’,2 established the Muslim (later Mindanao) Independence Movement in 1968 and arranged for military training abroad of young recruits. Land disputes between Moros and Christian settlers became increasingly bloody, and private armies of Christian and Moro warlords terrorized each other’s civilian communities. All these were within the context of a decades-long economic, political and demographic marginalization of the Moros in their ancestral domain, and the intensification of political rivalry, including the resort to political violence, of factions of the national politico-economic elite (Kreuzer, 2005).

After President Ferdinand Marcos declared martial law in September 1972, the ethnic clashes in Mindanao turned into a full-scale war. The MNLF, established in 1969 and led by former University of the Philippines lecturer Nur Misuari, a Tausug from Sulu, came to the fore as the vanguard of the armed separatist movement. Asserting Moro nationhood, the MNLF aimed to liberate Mindanao from ‘Filipino colonialism’ and establish an independent Bangsamoro Republik. The MNLF’s struggle was in the tradition of secular-nationalist movements in Asia, Africa and Latin America that had fought or were fighting for independence from colonial or neocolonial rule. In a few years of intense fighting, tens of thousands were killed or injured and hundreds of thousands displaced. The bloodshed drew strong criticism from the governments of several Islamic countries, forcing Marcos to negotiate with the Moro rebels.

Peace talks brokered by Libya and the Organization of the Islamic Conference (OIC)3 culminated in the signing of a peace agreement in Tripoli in December 1976 by the Philippine government and the MNLF. The pact provided for regional
autonomy for the Moros in 13 provinces. Within a few months, however, the Tripoli Agreement collapsed, as Marcos unilaterally created two autonomous regions without consulting the MNLF. Meanwhile, driven by ideological, tribal and personal differences, the MNLF split in late 1977, with one faction headed by Misuari and the other by MNLF vice-chairman Salamat Hashim, an *ustadz* (religious scholar) from Maguindanao who had led the MNLF fighters in Central Mindanao. Armed clashes between the government and the rebel forces declined.

The MNLF—the main faction headed by Misuari—undertook politico-diplomatic initiatives to pressurize Marcos to implement the Tripoli Agreement in accordance with what had actually been agreed upon. Consequently, the OIC criticized the Marcos government for its unilateral actions, charging it with ‘shirking its international responsibilities’. It recognized the MNLF as the ‘legitimate representative of the Muslim Movement in South Philippines’, and granted it observer status in the organization (Quimpo, 2000a, p. 105). The OIC later called on its member countries ‘to assert economic, social and political pressure on the government of the Philippines to induce it to implement the Tripoli Agreement’ (p. 106). Perennial OIC resolutions beseeching Manila to implement the Tripoli Agreement, however, fell on deaf ears.

After the fall of Marcos in February 1986, the government of President Corazon Aquino reopened peace talks with the MNLF and signed the Jeddah Accord in January 1987, in which the two sides agreed to hold further discussions on Moro autonomy. However, the talks did not prosper. After C. Aquino signed a law establishing the Autonomous Region of Muslim Mindanao (ARMM), despite the MNLF’s objections, the Moro rebels boycotted the plebiscite on which provinces would constitute it.

Although the nationalists’ dominance within the ranks of Moro insurgents was on the decline, the Philippine government continued to prioritize peace negotiations with the MNLF over other Moro rebel groups. With Indonesia and the OIC as brokers, the government under President Fidel Ramos reopened peace talks with the MNLF. In mid-1996, just after the two sides had put together an interim agreement, some ‘Christian’ politicians and landlords led by three congresswomen from Mindanao known as the ‘Tres Marias’ stridently campaigned against the pact, stirring up anti-Moro and anti-Muslim sentiments. They questioned certain pact provisions on constitutional and legal grounds. Excoriating the Ramos government for selling out to the MNLF, the ‘Tres Marias’ vowed that only ‘over their dead bodies’ would the rebel group be able to rule Mindanao (Gutierrez, 1999, p. 68). To mollify critics, Ramos agreed to some changes. In September 1996, the government and the MNLF signed a ‘final peace agreement’, which provided for a two-phase process for the granting of regional autonomy to the Moro people: a 3-year preparatory phase, in which the areas covered by the 1976 Tripoli Agreement would be the focus of ‘intensive peace and development efforts’ and the establishment of a new area of autonomy that would be an expansion of the existing ARMM. Unyielding, the ‘Tres Marias’, through the powerful positions they held in the House of Representatives, managed to restrict funding for the pact’s implementation.
With Ramos’s full backing, Misuari was elected as ARMM governor. His stint as governor, however, proved lacklustre, as he spent much of his time abroad and his appointees, many of whom were ill qualified, performed poorly. Losing confidence in Misuari’s leadership, some MNLF leaders—the ‘Council of 15’—parted ways with him and constituted their own MNLF central committee. Instead of supporting Misuari for re-election as ARMM governor, President Gloria Macapagal Arroyo backed the candidacy of another MNLF leader, Parouk Hussin. Two weeks before the ARMM elections, Misuari’s followers attacked military posts in Jolo and Zamboanga. Dozens of people were killed. Misuari was arrested, charged with rebellion and detained until 2008.

The Jihadist Connection (1990s)

When Islamism first assumed a separate organizational form in the Moro struggle, it was of a more moderate type, not jihadism. The main factor why Hashim’s faction parted ways with Misuari’s group in 1977 was ideological. In Jubair’s (2014, p. 154) words, ‘Secular-educated, Misuari was nationalistic and Hashim, Islamic-oriented, was Islamic.’ According to Hashim, the radical Islamist thinkers, Syed Qutb and Syed Abul A’la Maududi, had the most profound ideological influences on him (Lingga, 1995). In 1984, Hashim’s MNLF renamed itself the MILF to emphasize its Islamic character. Still essentially an armed force fighting for national self-determination, the MILF resolved to persevere in the struggle for secession but it remained open to ‘a meaningful autonomous government’. The MILF’s ultimate objective was to build a Muslim community or Ummah in the Bangsamoro, which would have ‘a genuine Islamic system of government’ and ‘a real Islamic way of life’. ‘Jihad’ was stipulated as one of the main means for achieving this objective, but the MILF defined ‘jihad’ in terms of spiritual renewal: ‘struggle in the way of Allah’ (Hashim, 1985, pp. 8–9).

External factors, however, soon intervened. The MILF’s emergence occurred at a time when the Soviet Union had invaded Afghanistan and a broad and motley coalition of groups and movements from all over the Islamic world had come together to fight this invasion with the support of the US and its allies. The active involvement of the MILF in the anti-Soviet coalition facilitated financial support from Middle Eastern sources and the training of hundreds of Moro mujahideen in Pakistan and, after the Soviet defeat, also in Afghanistan. The MILF established and developed links with various armed Islamist organizations, including extremist groups that eventually became part of the Al-Qaeda network. In 1994, the MILF started conducting military trainings in one of its own camps in Mindanao. Partly in gratitude to, or solidarity with, their trainers and co-trainees in Pakistan–Afghanistan, the MILF provided foreign mujahideen, mostly from other Southeast Asian countries, with safe havens or welcomed them to the trainings in its camps. In these trainings, the MILF worked closely with the Jemaah Islamiyah (JI), an Indonesia-based terrorist group that has had strong ties with the Al-Qaeda and that perpetrated the 2002 Bali bombings (Cook & Collier 2006; International Crisis Group, 2004).
While the MNLF was somewhat wrapped up in its politico-diplomatic endeavours, the MILF intensified its recruitment and training of fighters and expanded its network of camps. By the mid-1990s, the MILF had outstripped the MNLF in armed strength and become the country’s biggest Moro rebel group (Cook & Collier, 2006). In 1999, the Philippine military estimated that MILF had grown to over 15,000 fighters (Quimpo, 1999). The International Crisis Group (2004, p. 9) described it as ‘South East Asia’s most formidable armed separatist group’.

The Ramos government opened preliminary talks with the MILF shortly before the signing of the peace pact with the MNLF, and these led to an agreement for general cessation of hostilities in July 1997. By the start of formal talks between the government of President Joseph Estrada and the MILF in October 1999, however, government–MILF relations were already fast deteriorating. Government forces clashed with MILF fighters when the former pursued lawless elements who had sought refuge in MILF areas. The rebels claimed that the military’s ‘hot pursuit’ claims were just a pretext for attacking MILF camps. Ostensibly, to help prevent armed encounters, the MILF pressed the government to ‘acknowledge’ the MILF camps. The government did recognize seven of them, but later realized that it was helping the separatist movement gain quasi-belligerency status. To settle the issue, Estrada launched ‘all-out war’ against the MILF in March 2000, eventually capturing the sprawling Camp Abubakar, the rebels’ headquarters (Quimpo, 2000b). Consequently, the peace talks collapsed. At this time, the issue of MILF links with terrorist organizations was not yet a major issue. New peace negotiations began shortly after Arroyo assumed the presidency in January 2001. She declared a policy of ‘all-out peace’ towards the MILF, reversing Estrada’s ‘all-out war’.

The 1990s also saw the rise of the ASG, an extremist Islamist group that quickly became notorious for its terrorist acts. Abdurajak Janjalani, a disgruntled MNLF member who had fought against Soviet forces in Afghanistan, founded the ASG in 1991. Cleaving implacably to secession, it advocated the establishment of an Islamic state in the whole of Mindanao. The Al-Qaeda provided the ASG with funding—through charitable organizations used as fronts—as well as terrorist training, such as bomb making. The ASG not only waged war against the Philippine military and police but also engaged in bombings, kidnappings, summary killings (including beheadings) and extortion. The group was responsible for the 1995 raid and burning of the town of Ipil, Zamboanga del Sur, which claimed the lives of 53 people. After the police killed ASG leader Janjalani in a firefight in December 1998, the group resorted to kidnapping for ransom as its main means of raising funds for survival, targeting foreigners in particular (Fellman, 2011; Quimpo, 1999). At the turn of the century, the ASG was estimated to have 1,300 members (Whaley & Schmitt, 2014).

**Counterterrorism in Mindanao (2001–2006)**

When the US and its allies launched the global war on terror in the wake of Al-Qaeda’s September 11, 2001 attacks, Washington policymakers contemplated making Southeast Asia the ‘second front’ after Afghanistan, focusing on Islamist
extremists in the southern Philippines, Indonesia and Malaysia (Gershman, 2002). In the Philippines, the Joint Special Operations Task Force-Philippines (JSOTF-P) was set up to help train and advise the Philippine security forces in fighting transnational terrorism. The ASG became the chief target of counterterrorist operations. With US troops providing not just training but also intelligence and logistical support, the Philippine security forces killed or captured many ASG leaders and members in Basilan, Sulu and the Zamboanga peninsula. With some assistance from JI, however, the ASG resumed its terrorist bombings. In February 2004, it perpetrated the bombing of a ferry in Manila Bay, which killed 116 people—the Philippines’ deadliest terrorist attack.

In 2002–2003, the attention of both Philippine and US intelligence was increasingly drawn to the detected presence of known terrorists—local and foreign—as well as unidentified foreign trainers and trainees in the MILF camps. Moreover, intelligence reports indicated that certain MILF commanders maintained cooperative links with the ASG. In an article entitled ‘The Philippines’ Sanctuaries of Terror’, Collier & Cook (2006) asserted that the Philippines had ‘become Southeast Asia’s weakest link in the war on terror’, explaining as follows:

[S]ince 1994, [the Philippines’] lawless southern islands have replaced Afghanistan as the main training ground and refuge for Southeast Asian jihadists. Most are Indonesians belonging to Jemaah Islamiyah (JI), Mujahidin Kompak and other Darul Islam factions. Graduates of Mindanao’s terror camps … now rival in number the older generation of Southeast Asian Afghan alumni that forged ties with al-Qaeda. Veterans of the Mindanao camps took part in almost every JI-linked bombing since 2000, including the attack that killed hundreds in Bali in 2002.

That the MILF would be included in the list of terrorist organizations and supplant the ASG as the main target of the war on terror in the Philippines seemed imminent (Brown, 2010, p. 258; Garrido, 2003). In February 2003, the Philippine military, reportedly on a clearing operation against a kidnap-for-ransom gang, overran the MILF’s new headquarters in the so-called Buliok Complex on the Maguindanao–North Cotabato boundary.

All through this time, the MILF leadership was embroiled in an internal debate on issues such as peace negotiations and the continuance of armed struggle, as well as terrorism and links with terrorist groups. MILF fighters themselves refrained from engaging in terrorist bombings and kidnappings, but conducting trainings with terrorists and providing them with safe havens signified complicity with terrorism.

With a Damocles sword—the threat of inclusion in the terrorist list and becoming the chief target of the war on terror—hanging over the MILF, the ‘moderate’ position within the leadership gained the upper hand. In January 2003, Chairman Hashim wrote to US President George W. Bush stating that the MILF was ‘a national liberation organization’ committed to ‘the just and peaceful negotiated political settlement of the Mindanao conflict’ and appealing for US support for the peace process (Garrido, 2003; Jubair, 2007, pp. 205–206). When the White House issued a statement expressing support for the Mindanao peace process provided the MILF renounced terror, Hashim wrote to Bush again asserting that the MILF
‘has repeatedly renounced terrorism publicly’ (p. 207). Shortly afterwards, US Ambassador Francis Ricciardone pointedly declared before the media ‘It is up to the MILF to decide really what they’re going to be, who they are and make that very clear … [I]f they continue with acts of terrorism, everybody in the world will consider them terrorists’ (Brown, 2010, p. 258). Apart from extending some peace and development assistance to Mindanao, Washington arranged for the United States Institute of Peace (USIP), a non-partisan institution created and funded by the US Congress, to assist in the peace process.

After Hashim died of natural causes in July 2003, Al Haj Murad Ebrahim took over as MILF leader but continued to follow Hashim’s path. Murad knew that to convince all and sundry of the MILF’s commitment to a negotiated peace, the entire organization would have to cut off all links with terrorists. Given the MILF’s record dating back to the Afghan war, this was no mean task. It took some time for the MILF leaders to unite and consolidate their ranks on the new course. In June 2005, the MILF laid down a policy of cutting off all ties with the ASG, JI and other terrorist groups, and ordered members of these groups to leave its camps and communities (Moro Islamic Liberation Front-Special Investigative Commission, 2015; Ressa, 2012).

In the way that it has been envisaged and carried out, the US-led global war on terror has been much too oriented to the military side of counterterrorism. In the Philippines, political suasion and forbearance from military action proved much more effective and fruitful in dealing with the MILF. The MILF’s termination of links with terrorist groups was the definitive signal of the rebel group’s rejection of jihadism and terrorism. That the US and Philippine governments had finally succeeded in pressurizing and coaxing the MILF into taking such a course was the most significant achievement of counterterrorism in Mindanao, not the thrashing of the ASG. Had the counterterrorist war in the Philippines turned its sights mainly on the MILF, it would probably have been terribly intense and bloody, and cost tens of thousands of lives.

The political accomplishment was quickly followed by a military feat: the killing of ASG chieftain Khadaffy Janjalani, Abdurajak’s younger brother, in December 2006. The younger Janjalani’s death plunged the ASG into disarray. Once again, the terrorist group shifted from bombings to its usual survival mode: kidnapping for ransom.

**Moderate Islamism and the MOA-AD Fiasco**

By the time of the ARMM elections of August 2005, there were already many indications that the 1996 government–MNLF ‘final peace agreement’ was a failed project. According to Amina Rasul, president of the Philippine Council for Islam and Democracy, the ARMM did not really have significant autonomy as it was much too dependent on the national government for funds, it could not generate its own resources and it lacked the human resource capabilities to work effectively (Philippine Center for Investigative Journalism, 2007; Rasul, 2012). ‘Feudalism, inefficiency and unbridled corruption’, observed Benedicto Bacani (2005),
executive director of the Institute for Autonomy and Governance, ‘define both the MNLF’s stewardship of the ARMM and the traditional leaders’ control of local communities.’ The country’s poorest region, the ARMM continued to be plagued by high levels of violence linked to insurgency, terrorism, private armies, clan feuds and/or common crimes. With Arroyo’s full backing, Zaldy Ampatuan, the son of Muslim Mindanao’s most powerful warlord, Maguindanao Governor Andal Ampatuan, Sr, was elected as ARMM governor in the 2005 elections, succeeding MNLF’s Hussin. The reins of the ARMM, for whatever autonomy it had, were effectively transferred from the MNLF to a powerful warlord clan steeped in the country’s ‘guns, goons and gold’ politics.

Meanwhile, the momentum for a government–MILF peace agreement built up. Having severed links with the JI, ASG and other terrorist groups, the MILF, now with a moderate Islamist countenance, was quickly perceived as being much more serious about peace. As a sign of broad support for the peace process, representatives of various governments (US, Japan, European Union [EU] and Association of Southeast Asian Nations [ASEAN] members) funding agencies (such as the World Bank, the US Agency for International Development, Japan International Cooperation Agency and Oxfam) and the United Nations agencies often met up with the government and MILF representatives, visited Moro areas and extended assistance to various peace and development initiatives. The broad support helped the MILF leadership immensely in consolidating the peace track within its ranks.

In July 2008, after several years of talks, the negotiating panels of the government and the MILF hammered out a ‘Memorandum of Agreement on Ancestral Domain’ (MOA-AD) that would serve as a road map for a final peace treaty. The MOA-AD, which the International Crisis Group (2008, p. 6) praised as ‘an extraordinary achievement’ and ‘a radical document’, provided for a slightly expanded autonomous region for the Moros called the Bangsamoro Juridical Entity. Some prominent ‘Christian’ politicians, however, strongly denounced the deal as a sell-out, claiming that it had been worked out without much consultation and transparency and that it would lead to an eventual MILF declaration of independence (Romero, 2008; Frialde 2008). This time, the ‘Tres Dodongs’—a provincial vice governor and two city mayors—led them. As in the case of the 1996 peace agreement, the constitutionality of the MOA-AD was questioned and some of the most vociferous peace pact critics whipped up anti-Moro sentiments. A majority in the lower house of Congress—136 out of 238 members—signed a resolution opposing the MOA-AD. On 4 August, the day before the scheduled MOA-AD signing in Kuala Lumpur, the Supreme Court issued an injunction stopping the government representatives from signing the agreement. Two months later, by a close eight to seven vote, the court declared the MOA-AD unconstitutional. Angered by the aborted signing, three MILF commanders ordered attacks in North Cotabato and Lanao del Norte that left dozens killed or wounded (International Crisis Group, 2008). The foreign diplomatic community, together with a host of international organizations supporting peace and development projects in Mindanao, could only watch in dismay as the peace process unravelled.
The responsibility of the MOA-AD fiasco lies squarely with the Arroyo government, as it kept the peace negotiations much too top level and secret, and it did not prepare well for probable rancorous opposition and constitutional challenges to the agreement. The much deeper problem, however, lay with Arroyo’s cynical and instrumental standpoint vis-à-vis Muslim Mindanao. To ensure electoral victories in the ARMM provinces for herself and the ruling coalition, Arroyo forged ties with local warlord-politicians through patronage. In the 2004 presidential election and 2007 senatorial elections, the warlord-politicians, especially Andal Ampatuan, did deliver the vote—or at least the count—with overwhelming margins. Arroyo’s backing of Andal’s son Zaldy for the ARMM governorship was the reciprocation. It was later exposed, however, that the 2004 and 2007 elections had been attended by massive fraud, and that the ARMM had served as the ‘cheating capital’ of the Philippines. Arroyo could well have lost the 2004 election had the votes not been padded. In 2005–2007, she survived impeachment motions on corruption and fraud charges. When the MOA-AD came under fire in 2008, Arroyo, not daring to risk facing another impeachment battle in a Congress somewhat hostile to the pact, dropped it like a hot potato (Quimpo, 2012).

The ruthlessness of the Ampatuan clan was heinously demonstrated in November 2009, when a total of 58 people—relatives and supporters of a political rival of the Ampatuans, as well as journalists accompanying them—were kidnapped and brutally killed in Ampatuan town by the Ampatuans’ private army. The clan patriarch, Andal, was the principal suspect in the gruesome massacre, the single deadliest incident of election-related violence in post-authoritarian Philippines. In July 2015, Andal succumbed to a heart attack while on trial. Now behind bars, Zaldy and several other members of the Ampatuan clan have been charged with murder. As of September 2015, a total of 120 of the 195 suspects charged had been arrested (Recuenco, 2015).

A split in the MILF resulted in large part from the MOA-AD debacle. In December 2010, just as the MILF was about to open talks with the B. Aquino government, one of the commanders who had staged post-MOA-AD attacks, Ameril Umbra Kato, broke away from the MILF’s armed wing and established his own armed group, the Bangsamoro Islamic Freedom Fighters (BIFF). The MILF expelled him and his rogue group in August 2011.

A Botched Counterterrorist Operation Frustrates the Peace Yet Again

Still smarting from the MOA-AD fiasco, the MILF entered into new peace negotiations with the B. Aquino government in February 2011. The talks moved fairly quickly. In October 2012, the government and the MILF signed a Framework Agreement on the Bangsamoro (FAB), a preliminary agreement that envisaged the creation of an autonomous political entity called Bangsamoro. The new entity would replace the ARMM, which Aquino described as ‘a failed experiment’ (Calonzo 2012).
The MNLF’s ‘Zamboanga siege’ marred but did not derail the government–MILF peace negotiations. Angered that the government was practically voiding the 1996 peace agreement in favour of a pact with the MILF, Misuari declared the independence of the Bangsamoro Republik in August 2013. A few weeks later, MNLF fighters assaulted Zamboanga City, taking dozens of hostages. In the gun battles that ensued for over 19 days, over 200 people, mostly MNLF fighters, were killed and 10,000 houses destroyed.

In March 2014, the government and the MILF signed the Comprehensive Agreement on the Bangsamoro (CAB). The most detailed peace pact that the government had forged with Moro rebels, CAB included FAB and annexes on transitional arrangements and modalities, revenue generation and wealth sharing, power sharing and normalization. The road map towards the creation of Bangsamoro included the drafting of the Bangsamoro Basic Law (BBL) by the Bangsamoro Transition Commission (BTC); submission to, and passage by the Congress of the BBL; the holding of a plebiscite on the BBL; the appointment of a Bangsamoro Transition Authority; and the election for the Bangsamoro government.

Everything seemed to be going well for the CAB. With the administration fully backing the CAB, it was widely expected that the BBL would be passed by March 2015 and that the Bangsamoro elections would be held together with the general elections in May 2016. By the end of 2014, the country had experienced three full years in which there had been no reported skirmish between the government and the MILF forces. All of a sudden, however, a botched counterterrorist operation cast a giant shadow over the entire peace process.

By 2014, counterterrorism no longer held as much cachet as before to both the Philippine government and its American military advisers. The main target of the government’s counterterrorist operations, the ASG, had dwindled to 400 fighters in disorganized groups that relied on criminal undertakings to sustain their activities. In June 2014, Washington announced that it was scaling down its Philippine counterterrorism support programme and that it would phase out the JSOTF-P. From assisting in actual tactical operations, the US was shifting its focus to strategy and planning (Orendain, 2014; Whaley & Schmitt, 2014).

In early January 2015, Aquino approved a special counterterrorist operation known as Oplan Exodus targeting two of Southeast Asia’s most wanted terrorists, Malaysian explosives expert Zulkifli Bin Hir, alias Marwan, and Filipino bomb-maker Ahmad Akmad Batabol Usman. Marwan was believed to have been the head of the Kumpulan Mujahidin Malaysia terrorist group, a member of the JI central command and the mastermind or co-author of a number of terror attacks including the 2002 Bali bombing (Philippine Daily Inquirer, 2015). The US Federal Bureau of Investigation (FBI), which had included the elusive Marwan in its list of most wanted terrorists, had offered $5 million for information leading directly to his capture, and $1 million for Usman’s.

Oplan Exodus, as drawn up by suspended Philippine National Police (PNP) chief Alan Purisima and Special Action Force (SAF) director Getulio Napeñas, Jr, were to be carried out by SAF commandos. The SAF was a special unit of the PNP that the JSOTF-P had provided with special training, more resources and higher
technology, and had turned it into an elite force capable of conducting more surgical and effective combat operations against ‘high-value’ terrorists (Lambert, Lewis & Sewall, 2012).

On 25 January 2015, SAF commandos conducted an early morning raid in a BIFF-controlled area, deep in the marshes of Mamasapano municipality, Maguindanao province. They reportedly shot and killed Marwan but failed to get Usman, who managed to escape.8 In terms of accomplishing its objective of eliminating the main ‘high-value’ target, Marwan, Oplan Exodus was a huge success. Overall, however, Oplan Exodus was a disaster. The gunfire that resulted in Marwan’s killing drew the attention of fighters of the MILF, BIFF and the Ampatuan’s private army, who were all in the vicinity and mobilized their forces. A gun battle ensued between the withdrawing SAF troopers and the local armed groups. A total of 44 SAF troopers, 17 MILF fighters, 5 civilians, possibly 1 or 2 US soldiers9 and several BIFF and private army members perished.

The Mamasapano tragedy plunged the government of President Benigno Simeon Aquino III into its worst political crisis. The killings, especially the brutal execution of a wounded SAF trooper recorded on video and posted on social media, the government’s bungling of Oplan Exodus and its unsatisfactory explanations of it, sparked public outrage. Aquino’s once-high public approval, trust and net satisfaction ratings plummeted (Kabiling, 2015; Lopez, 2015).

Mamasapano, however, had a much greater impact on the Mindanao peace process. It triggered a strong outpouring of anti-Moro and anti-Muslim sentiments apparently deeply held by many majority-Christian Filipinos in the mainstream media, social media and public forums. The MILF—and Moros/Muslims, in general—were portrayed as murderous, bloodthirsty and treacherous. There were calls for scrapping the government–MILF peace agreement altogether. Islamophobes threw down the gauntlet: The only way to deal with these treacherous Moros is all-out war. More rational voices called for renegotiating the CAB or reworking the BBL. Suddenly, as in the cases of the 1996 agreement and the 2008 MOA-AD, the constitutionality of various provisions of CAB/BBL was vigorously questioned. Mamasapano had thrown a monkey wrench into the Mindanao peace process.

In a post-Mamasapano statement, Napeñas explained that there had been several attempts to capture Marwan and Usman, but these had failed or were aborted due to security leaks. Thus, in Oplan Exodus, Napeñas opted for a higher level of secrecy. He deliberately did not inform the Armed Forces of the Philippines (AFP), other units of the PNP and the Secretary of the Interior and Local Governments beforehand, as required by law. Neither did he coordinate with the MILF, in violation of the 1997 operational guidelines of the government–MILF ceasefire agreement. ‘We don’t trust the MILF’, he stated bluntly, maintaining that the rebel group had been coddling Marwan and Usman.

The decision not to coordinate proved catastrophic. Marwan and Usman were in an isolated BIFF-protected area, but this was adjacent to MILF territory. The gunfire that killed Marwan alerted the entire community of Mamasapano and triggered a pintakasi, a tradition in the Moro areas of Mindanao dating back to the Spanish colonial period in which all armed men of the community, regardless of clan or group affiliation, would come together to fight a common enemy—an invading...
force or armed intruders. Furthermore, Oplan Exodus’s planning turned out to have been much flawed. The PNP–SAF and its JSOTF-P advisers had grossly underestimated not only the difficulty of Mamasapano’s terrain but also the mobilizing capability and firepower of the local fighters (Philippine National Police Board of Inquiry, 2015; Philippine Senate, 2015).

In its own investigation report, the MILF faulted the failure of government forces to coordinate with it through ceasefire mechanisms already agreed upon for the Mamasapano tragedy. The MILF explained that when their fighters chanced upon the SAF commandos in Mamasapano, the latter shot and killed two of their men. Thinking that the intruders were enemy forces, the MILF fighters fired back. Denying that it coddled Marwan and Usman, the MILF maintained that due to intelligence failure, it did not know about their presence in Mamasapano. The MILF had its own findings on how Marwan was killed. According to the MILF, the floor of the hut where Marwan was killed bore no bullet holes, indicating that he was probably shot at close range while lying on the floor. The MILF’s version somewhat contradicted the SAF story that Marwan had been killed in a firefight (Moro Islamic Liberation Front-Special Investigative Division, 2015).

The President did a poor job of explaining the botched Mamasapano operation. Aquino could not satisfactorily explain why he allowed Purisima, who had just been suspended by the Ombudsman on a corruption charge, to still be part of Oplan Exodus’s command. He refused to take direct responsibility for Oplan Exodus, heaping the blame instead on Napeñas, who he claimed had ‘fooled’ him (Valente, 2015). Accused of breaking the PNP’s established chain of command, Aquino maintained that the principle did not hold for a non-military body. Many questions regarding the President’s role, US involvement in Oplan Exodus and Marwan’s slayer/s remained unanswered.

Aquino’s biggest mistake was in failing to maintain the delicate balance between peace-building and counterterrorism. The Philippine government, unlike its counterparts in most other countries beset by Islamist extremism, has been striving to make and consolidate peace with non-terrorist insurgents while fighting a war against terrorists. The peace-building efforts of the government, MILF and various domestic and international governmental and non-governmental organizations have been directed not just at ending armed hostilities but also at addressing the socio-economic, political and cultural roots of all the violence, including terrorism. Strategically, counterterrorism recognizes the importance of addressing the underlying conditions of conflict. In the short term, however, the single-minded and frenetic drive to go after ‘high-value’ terrorists can make top government leaders and security officials and their US advisers lose sight of the larger long-term goals. In the case of Oplan Exodus, this had disastrous consequences.

**Anti-Moro Demagoguery**

Apart from the grave errors committed by the Arroyo and Aquino administrations, two other factors have contributed greatly in rendering the Moro insurgency intractable: periodic outbursts of anti-Moro and anti-Muslim hysteria provoked or
stirred up by bigoted, demagogic politicians, and a continuing weak third-party role in the Mindanao peace process.

Present-day animosities between a good number of Christian Filipinos and Moros cannot be ascribed to ancient hatreds, as some political analysts have tried to portray. Although Indios and Moros were indeed pitted against each other by the Spanish colonial authorities, the actual relations between Christian Filipino and Moro communities in Mindanao through most of the American colonial period and the first two decades of the postcolonial period were marked more by peace and tolerance, rather than armed conflict, except in areas of land grabbing. The Moros’ armed resistance during the early part of US colonial rule was directed at the American invaders, not Christian Filipinos.

The deaths and destruction wrought by the pitched battles of the 1970s on both Moro and Christian Filipino communities left deep mental scars on those on both sides who had been through the war. The biases and animosities developed among many as the armed conflict kept coming back, and ultra-nationalists and bigots on both sides harangued and agitated their respective audiences. Schools did not help much in promoting peace as history books used did not fairly or adequately present the Moros’ side of history in both the colonial and contemporary periods. Progressive or more open-minded religious leaders in both communities tried their best to promote understanding, tolerance and peace, but their efforts did not always suffice to confute the chauvinists and warmongers at every turn.

On at least three occasions that the Mindanao peace process reached a crucial turn—the 1996 peace agreement, the 2008 MOA-AD and the 2014–2015 CAB/BBL—anti-Moro zealots led by demagogic politicians launched vociferous campaigns against the pact concerned and raised constitutional and legal challenges. They dredged up deep-seated biases and antagonisms of many Filipinos against Moros and brought them to the fore. Although the anti-Moro politicians failed to stop the 1996 agreement, they managed to have the 2008 agreement scuttled and may well succeed in defeating the 2014 pact as well.

The post-Mamasapano anti-Moro hysteria has been the worst since the 1970s, when the Mindanao conflict was at its peak. The strong public reaction to, and condemnation of, the killing of the 44 SAF commandoes was rightful and fitting. However, chief government negotiator Miriam Coronel-Ferrer bewailed the descent of the public discourse into anti-Moro and anti-Muslim bigotry (Jimenez-David, 2015). Because of Mamasapano, writes David (2015), ‘the MILF has been called the vilest names: “terrorist coddlers”, “heartless barbarians”, “duplicitous savages”, “cutthroats” and “terrorists” who have no right whatsoever to sit at the negotiating table with the government’. The latest anti-Moro hysteria has been shaped in part not only by the protracted Mindanao conflict but also by the global war on terror and the atrocities of the Al-Qaeda, ISIS and other terrorist groups worldwide.

Much of the responsibility for the latest hysteria, however, lies with self-serving politicians who have played to the crowd by hammering on the old issue of MILF’s links with, and coddling of, terrorists, without presenting proofs and without making distinctions between past and present associations. They have insisted that the MILF has maintained ties with Al-Qaeda and JI and still embraces terrorism, and have now linked up with ISIS as well. They have spiced these up
with all sorts of wild speculations, such as the MILF creating the country’s biggest private army (Rosales, 2015), adopting the ideas of ISIS in Bangsamoro and establishing an Islamic caliphate (Mendez, 2015). During the investigation sessions and through media interviews and releases, the demagogic politicians have engaged in wild allegations, provocative questioning, caustic interventions and sarcastic comments. According to Teresita Deles, the presidential adviser on the peace process, certain administration critics spread lies and deliberate misinformation about the BBL to discredit the peace process (Clapano, 2015). So powerful was the influence of anti-Moro bigots that the Senate investigation report’s depiction of the Mamasapano tragedy had the subtlety of a steamroller—depicting the incident as a ‘massacre’, presenting heroes and villains in black-and-white terms and browbeating the government peace panel for supposedly ‘defending’ the MILF (Philippine Senate, 2015, pp. 113, 110).

The mass media also played a major role in the post-Mamasapano hysteria. According to the Center for Media Freedom and Responsibility (CMFR, 2015), media coverage of the tragedy was replete with ‘misinformation and even disinformation’ and was ‘unethical, inflammatory and sensationalized’. The media somewhat one-sidedly focused on the slaying of the SAF troopers and the grieving of their families. Airing the side of the MILF and civilian victims was viewed as defilement of the slain commandos. What particularly inflamed anti-Muslim and anti-MILF passions was a 6-minute video showing an SAF commando being shot at close range by an unidentified person, which went viral on social media. The CMFR also deplored the media’s usage of ‘imprecise and emotionally laden terms’ such as ‘massacre’, ‘slaughter’ and ‘carnage’, saying that these terms ‘compromised the public’s appreciation of what happened, and contributed to demands for vengeance and even the resumption of the failed “total war” approach to conflict’.

As the CMFR rightly deplored, media coverage of Mamasapano suffered from the lack of historical reference to the Moro insurgency. However, this was true with the discourse of the chauvinistic politicians as well. Through all their diatribes against the MILF and the Moro insurgency, there was hardly any acknowledgement of the decades-long suffering endured by Moros at the hands of Christian Filipinos—the loss of their ancestral lands; the political, economic, social and cultural discrimination; the human rights abuses especially during the Marcos dictatorship; etc.

One of the most reprehensible aspects of the bigoted politicians’ tirades was the obvious ignorance of Mindanao’s more recent history, particularly the vicissitudes of war and peace, terrorism and counterterrorism in the southern Philippines. They did not have a clue whatsoever, for instance, of MILF’s travails with the jihadist connection—the Afghanistan–Pakistan sojourn of the 1980s; the ‘sanctuaries and camps of terror’ of the 1990s and early 2000s; the near-listing as terrorist group during the early years of the war on terror; Hashim’s extraordinary letter to President Bush; the policy to sever links with terrorist groups in 2005; and the expulsion of the recalcitrant extremists (Kato’s group) in 2011. They had no appreciation whatsoever of how the MILF’s decisive 2005 ‘cut-off links’ policy averted a much bigger and bloodier ‘war on terror’ in Mindanao.
The fact that the Philippines and the US somehow managed to persuade the MILF to forsake jihadist links and to work for a negotiated political settlement was the biggest feat of counterterrorism in the Philippines. Prior to Mamasapano, the peace process seemed to be well on the way to an important milestone. Thanks to Aquino’s terrible blunder, together with the anti-Moro demagoguery of grand-standing politicians, defeat may just be snatched from the jaws of victory.

Weak Third-party Role

Ever since the Philippine government conducted peace negotiations with Moro rebels in the 1970s, third-party involvement in the peace process has mainly been limited to getting the two sides to arrive at a political settlement to end the armed conflict. The 1976 and 1996 government–MNLF peace agreements did not stipulate what the third parties involved—the OIC, Libya and Indonesia—would do after the pacts’ signing, and they played weak oversight roles in the pacts’ implementation.

Until his fall in February 1986, Marcos got away with his fake autonomy for the Moros. The dictator succeeded in his divide-and-rule tactics not only on the MNLF but also on the OIC. Although the OIC provided MNLF with politico-diplomatic, material and financial support, this was not sufficient to force Marcos to implement the Tripoli Agreement jointly with the MNLF. The oil embargo that Libya and several other OIC members threatened to impose on the Philippines because of its ill treatment of the Moros never materialized. Divided between ‘moderates’ and ‘radicals’, the OIC did not have enough commitment to guarantee the pact’s implementation.

The brokers of the 1996 peace agreement—the OIC and Indonesia—failed to anticipate that commitment to the pact could vary greatly from one presidency to the next (Ramos to Estrada). They hardly raised objections to, or questions on, how Estrada’s ‘all-out war’ versus the MILF and the US-led war on terror were impacting on peace and development efforts in Muslim Mindanao. During the time that the MNLF was nominally at the helm of the ARMM, they failed to see that the autonomy arrangement was not really working, that the ARMM was too dependent on national government and that very little funding was actually reaching development projects on the ground.

According to credible commitment theorists, a peace process usually consists of three phases: a negotiation phase, the forging of a compromise agreement and the implementation phase (Walter, 2002). Credible commitment theory focuses more on the third phase (implementation), which is considered to be the hardest to navigate. The theory holds that ‘resolving a civil war requires much more than negotiating a bargain and establishing a cease-fire’ (Walter, 2002, p. 6). Third-party involvement in peace pact implementation is a crucial factor in a pact’s success or failure. Combatants tend to abide by an agreement only when a committed and capable third party faithfully verifies and enforces compliance.

In the negotiated political settlement that ended the armed conflict in Aceh, Indonesia, the Memorandum of Understanding (MoU) signed by Indonesia and
the Free Aceh Movement (GAM) provided for a powerful guarantor role for third parties—the Crisis Management Initiative (CMI), the Aceh Monitoring Mission (AMM) and the EU Political and Security Committee. The CMI was the independent Finnish non-governmental organization that successfully brokered the Indonesian government–GAM peace agreement. It was headed by Martti Ahtisaari, the former president of Finland and a distinguished United Nations diplomat and mediator. The AMM, established by the EU and ASEAN contributing countries, was given the mandate to monitor the implementation of the commitments made by the parties in the MoU. As stipulated in the MoU, disputes regarding its implementation would be resolved by the head of the AMM, in dialogue with the parties to the MoU, with all parties providing required information immediately. The AMM head’s ruling would be binding on both sides. If a dispute remained unresolved, the AMM head would discuss with the senior representative of each party. If still unresolved, the dispute would be brought up to key officials of the Indonesia government and GAM and the CMI chairman, with the EU Political and Security Committee informed. The CMI chairman would make a ruling binding on the parties.

When the Philippine government and the MILF engaged in peace negotiations, neither side seemed to have learned much regarding the crucial role of third parties in the peace process, especially in peace pact implementation. The first weakness was in the choice of Malaysia as peace broker. Kuala Lumpur may have been most gracious and well meaning in providing its facilitation services and it did help tremendously in getting the CAB signed, but it simply did not have the clout for pushing for its implementation. If the OIC, as the second largest intergovernmental organization after the UN with over 50 members, could not do much for the implementation of the 1976 and 1996 peace agreements, what more could a single OIC member do?

To try to beef up third-party involvement, the Arroyo government and the MILF envisaged (in MOA-AD) inviting a multinational third party to observe and monitor the implementation of an eventual comprehensive peace pact, as well as international funding institutions to help in reconstruction and development. Going much further, the B. Aquino government and the MILF set up support bodies (such as the International Monitoring Team [IMT], International Contact Group, Third Party Monitoring Team, Independent Commission on Policing, and International Decommissioning Body) composed in whole or in part by foreign members representing governments and intergovernmental and non-governmental organizations from all over the world, and brought in the OIC as observer to the government–MILF peace process.

A second weakness, however, came into play: the third parties’ role was still too circumscribed, especially in the implementation phase. Neither the MOA-AD (as final draft) nor the CAB had provided for third-party involvement in settling disputes over pact implementation, as the Aceh MoU had. In essence, there were no guarantors and guarantee mechanisms in this regard.

In 2011, the Malaysian-led IMT, entrusted to oversee the implementation of the ceasefire agreement between the government and the MILF, seemed to be up to its task when it successfully checked on the Al-Barka incident, an armed clash
between the government and the MILF forces in which 19 AFP soldiers and 5 rebels were killed. The IMT found that both the military and the MILF had committed ceasefire violations. In acknowledgement of the IMT findings, four AFP commanders underwent court martial and three MILF commanders were suspended (GMA News, 2012). The Mamasapano incident, however, was way out of the IMT’s league. The IMT ‘verified’ reports submitted by ceasefire committees of the government and the MILF about the incident, and again found that both sides committed ceasefire violations. However, as Ferrer has clarified, the IMT’s mandate is limited to ‘verification’ of reports and making certain recommendations, and does not include conducting thorough investigations or recommending legal sanctions (Casauay, 2015). This pales in comparison to that of the AMM’s and CMI’s mandate in Aceh.

Precisely because CAB did not establish a mechanism whereby a credible and capable third party would settle disputes regarding CAB’s implementation, Mamasapano has festered as an unresolved—irresolvable, some would say—incident. There has been no single, definitive investigation of Mamasapano. The government, MILF and IMT have done their own fact-findings or verifications, which have avoided delving in certain sensitive issues (Aquino’s role, US involvement, etc.), and produced their own reports, which are at variance on several key points. In fact, the government itself has a cacophony of interpretations of the incident, as at least six government bodies have conducted their own investigations: Senate, House of Representatives, PNP, AFP, Department of Justice and Commission on Human Rights.

One of the contentious issues that remains unsettled is the question of who really killed Marwan. A photo of the slain Marwan published in September 2015 tended to confirm the MILF version that he had been shot at a close range. Sources within the MILF asserted that his own aides killed Marwan, and that the SAF had engaged Usman and not Marwan in a firefight (Dizon & de la Cruz, 2015). Shortly afterwards, Aquino himself talked about coming up with his own ‘alternative version’ of the truth about Mamasapano. In the face of much anger from the SAF, PNP and those sympathetic to the ‘Fallen 44’, however, he backtracked (Manila Times, 2015; Tordesillas, 2015).

Thus, less than a year after the CAB’s signing, the weaknesses of its third-party guarantee mechanisms have already been laid bare.

**Prospects for Peace in Mindanao**

Ever since the Mamasapano tragedy, the government and the MILF have tried their best to save CAB through the passage of the administration’s proposed BBL in Congress. Aquino invited citizen leaders led by Manila Cardinal Luis Antonio Tagle and former Chief Justice Hilario Davide, Jr, to convene a Peace Council that would review the BBL ‘in a calm and reasonable manner that will not incite anger and hopelessness’ (Interaksyon, 2015). After a series of meetings in which 136 civil society leaders and three Constitutional Commission members presented their comments and suggestions on the BBL, the Peace Council called on the Congress to pass the bill, urging the legislators not to put to waste 17 years of
peace negotiations (Arcangel, 2015). After winding up its investigation, the Department of Justice started to prepare possible criminal charges against those responsible for the Mamasapano killings, including some MILF members (Cruz, 2015). Despite the stalled passage of the BBL, the government and the MILF proceeded with the start of the first phase of the decommissioning programme as provided for in the CAB. In June 2015, in a symbolic show of continued commitment to the peace process, the MILF decommissioned 75 firearms and 145 combatants at the provincial capital of Maguindanao.

The original draft BBL prepared by the BTC, however, has encountered tough opposition in the Congress. Committees deliberating on the government–MILF peace pact in both houses of the legislature have approved, at the committee level, substitute bills that are substantially very different from the original BBL. A bill presented by Senator Ferdinand Marcos, Jr, which was signed by 17 senators—more than two-thirds of the Senate—amended 80 per cent of the original bill (Valente, Antiporda & Panti, 2015). The MILF has objected to both substitute bills, maintaining that they are very much watered-down versions of the original and that they are not in compliance with the peace agreement the MILF signed with the government. The substitute bills, reports Arguillas (2015), ‘are being criticized for envisioning a Bangsamoro that will be “less than the ARMM” that it seeks to replace’.

In last-ditch efforts to save the CAB/BBL, the administration has been preparing amendments to ‘enhance’ its proposed BBL. It appears very unlikely, however, that a Bangsamoro law acceptable to the government and the MILF will be passed and will survive constitutional challenges before the end of Aquino’s term in mid-2016. Whether or not such a law gets passed, the commitment of the post-Aquino government to the CAB is far from assured. In the absence of a Bangsamoro law, the new government could very well opt for a new negotiation process with the MILF.

Surveys conducted by the Social Weather Stations (SWS)—March and June 2015—indicate that the Mamasapano incident impacted on the approval/disapproval ratings of FAB/BBL. In contrast to the net approval of FAB by Filipinos nationwide prior to Mamasapano (+16 in June 2014), there was a net disapproval of the proposed BBL after Mamasapano (−24 in March 2015 and −24 in June 2015). Less than a fourth of Filipinos (23 per cent in March and 24 per cent in June 2015) approve the proposed BBL, while nearly half (48 and 47 per cent) disapprove it. Moreover, only two-fifths (42 per cent) of Filipinos nationwide think that there is much or moderate benefit to Filipinos in the peace process with the MILF, while the majority (56 per cent) thinks there is a little or no benefit.

Despite the post-Mamasapano outbreak of anti-Moro hysteria, the 2015 SWS surveys nonetheless provide some hopeful signs for the Mindanao peace process, namely:

- While the adult Filipinos who prefer peaceful means in dealing with the MILF have declined from 62 per cent in March 2014 to 48 per cent in June 2015, the ratio of those who prefer peaceful negotiations to those who prefer military operations is still 2 to 1. This finding is worth emphasizing in the face of calls for an ‘all-out war’.
• The February 2015 survey of special Mindanao areas found that pluralities to majorities in most of the core areas of Bangsamoro believe that the peace agreement between the government and the MILF can still be successful despite the death of the 44 SAF members (Social Weather Stations, 2015).

In the event a Bangsamoro law does get passed in the near future, the government, MILF and peace activists would have to find ways to strengthen third-party guarantee mechanisms that would respond to disputes and impasses quickly and judiciously. Should a post-Aquino government decide on new negotiations with the MILF, peace stakeholders would have to draw lessons from past experiences and from other countries’ experiences to avoid repeating past mistakes regarding guarantee mechanisms. Whether or not a new Bangsamoro law gets passed, the government, MILF and peace supporters will have to strive to make the peace process more inclusive through the substantive participation of the MNLF and non-Muslim indigenous peoples, and to address the long-standing problem of warlords and private armies in the Bangsamoro areas.

Even if the BBL or CAB collapses, it is most unlikely for the MILF to return to war or shift to jihadism. The MILF has poignantly conveyed a ‘been there, done that’ message:

[T]he MILF consistently maintains that no matter what happens to the BBL the pursuit of peace would remain the menu in settling the armed conflict in Mindanao. War is not an option to the MILF … [M]ore than anybody else, we—and those soldiers who served in the battlefields in Mindanao—know exactly what war really is. People who are outside of the war zone can only imagine the horrors and devastations of war, but can never feel them. WE DID AND DO. (Luwaran Editorial Desk, 2015)

The danger lies more with jihadist groups or possible breakaways from MNLF/MILF taking advantage of the BBL/CAB collapse. In a video released by ISIS’ official newsletter, Al-Naba, early this year, the fearsome terrorist organization claimed that four groups of Filipino jihadists had merged under the leadership of ASG ideologue Isnilon Hapilon, and pledged allegiance to ISIS leader Abu Bakr al-Baghdadi. The ISIS seems to be girding to establish a wilayat – a province under its caliphate – in Southeast Asia, which would then allow the latter to obtain financial and other support from ISIS. An AFP spokesman, however, has denied the existence of the ISIS in Mindanao, asserting: ‘There is a difference between ISIS-directed and ISIS-inspired’ (Ressa 2016). This is far from reassuring. The collapse of the BBL or CAB would create a political vacuum. Videos showing ASG and BIFF spokesmen pledging allegiance to the fearsome terrorist group ISIS have already been circulating for some time (see, for instance, Agence France-Presse 2014). The MILF has confirmed that certain entities claiming ties with ISIS have indeed been recruiting Moro youths in Central Mindanao, including Cotabato City and Marawi (Usman 2016). And as the experiences of the MNLF and ASG have shown, Moro rebel groups, including jihadist groups, can emerge as a bolt from the blue.
Notes

1. Bangsamoro translates as ‘Moro nation’.
2. Quoted from the Muslim Independence Movement (MIM) constitution and by-laws, dated 8 June 1968, as cited in Tan (2011, p. 62).
3. The OIC, the main intergovernmental association of Islamic countries, was renamed the Organization of Islamic Cooperation in 2011.
4. In January 1986, this was upgraded to ‘sole legitimate representative of the Bangsamoro people’.
5. Qutb has often been portrayed in the media in terms such as ‘the philosopher of Islamist terror’, serving as ‘the intellectual hero of every one of the groups that eventually went into Al Qaeda’ (Berman, 2003). Calvert (2010) points out, however, that the Al-Qaeda threat has obfuscated Qutb’s actual contribution to contemporary Islamism.
6. Including funding from the International Islamic Relief Organization (IIRO), which had been set up by Mohammed Jamal Khalifa, Osama bin Laden’s brother-in-law (Ressa, 2012).
7. In April 2014, the US and the Philippines signed a 10-year agreement permitting American warships, planes and troops greater access to Philippines military bases. The new arrangement, however, was not for counterterrorism purposes. It had to do mainly with US–China rivalry for power and influence in Asia-Pacific and increased tensions over territorial disputes in the South China Sea between China and the Philippines, a close ally of Washington.
8. Usman was killed by the MILF in a firefight in May 2015. The Philippine military has acknowledged the MILF’s role in Usman’s killing (Mangosing, 2015).
9. US Ambassador Philip Goldberg has denied the involvement of US security forces in the planning or execution of Oplan Exodus (Diaz & See, 2015). The Washington Post has reported, however, that US counterterrorism personnel played a key, albeit covert, role in the Mamasapano mission. At least six Americans were present at the tactical command post in Shariff Aguak and provided intelligence, surveillance and reconnaissance support to the SAF commandos, including real-time information on friendly and ‘hostile’ movement (Whitlock, 2015). The Philippine Daily Inquirer uploaded on its site a video showing at least one Caucasian-looking casualty in the encounter site in Mamasapano (Dizon, 2015).
10. The International Monitoring Team (IMT), the Malaysian-led independent body overseeing the implementation of the government–MILF ceasefire, sent an independent fact-finding and verification mission to Mamasapano. In its verification report, the IMT (International Monitoring Team, 2015, p. 10) stated: ‘After the raid on Marwan’s hut and the following firefight between 84th SAC and BIFF, at some point the Exodus operation involved MILF-BIAF and went from the status of deliberately uncoordinated movement, to a disastrous firefight initially between PNP 55th SAC, and elements of MILF 105th BC’.
11. In its verification report, the IMT (International Monitoring Team, 2015, p. 7) declared: ‘There are no evidence to claim that MILF as an organization per se provided sanctuary or assistance to criminal or lawless elements. However, there are reasons to believe that some members of MILF knew the whereabouts of Marwan and Usman.’
12. Ahtisaari was awarded the Nobel Peace Prize in 2008 for his prominent role in resolving conflicts in Namibia, Aceh and other places.
13. The Philippine Constitution Association (Philconsa) and a former Negros congressman petitioned the Supreme Court in June 2015 to void the CAB, including FAB and its annexes, accusing the government peace panel of grave abuse of discretion in signing it (Punay, 2015).
References


