

## Muddling up Mindanao

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Mindanao is again at the forefront of people's minds these days, including the government, which appears to be keenly pursuing Moro-related items as priority agenda. At least two important 'breakthroughs' are at the center of the public eye- automated elections in the Autonomous Region of Muslim Mindanao (ARMM) and the peace negotiations between the government and the Moro Islamic Liberation Front (MILF). These developments have become a cause for both celebration and concern, with new dimensions to long-unresolved, complex and tension-ridden issues surfacing.

In the wake of resounding calls for election modernization, a much awaited milestone has taken place in the August ARMM elections, which launches automated polling in the country. This inaugural in ARMM is quite symbolic, with the region previously tagged as a bastion of electoral fraud and violence, the 'cheating capital of the Philippines', pioneering in modern, computerized elections. The August 11 exercise made use of digital recording equipment (DRE) and optical mark readers (OMR), which automated the casting and counting of votes.

The ARMM figured quite prominently in controversies surrounding the 2004 presidential elections (Hello Garci) and the 2007 senatorial elections (Zubiri and the last seat). Lanao and Maguindanao for instance have become notorious for providing the 'swing votes' that make or break national electoral bids, through wholesale 'dagdag-bawas' (vote padding and vote shaving) operations. In 2007, Juan Miguel Zubiri claimed the 12<sup>th</sup> senate seat, edging out Aquilino Pimentel III by a narrow margin of around 18,000 votes. Zubiri dominated the polls in the ARMM, particularly in Maguindanao. Massive vote-rigging operations in the 2004 Presidential elections, which purportedly assured Gloria Arroyo's one million vote-margin target courtesy of the infamous Comelec Commissioner Virgilio Garcillano, were concentrated in the region, according to reports following the Hello Garci scandal. There are approximately 1.5 million registered voters in the ARMM, as of 2008.

With the historical weight of scandal after scandal that has made many sectors extra-cautious when it comes to elections in the region, the August inaugural has stirred a lot of attention and discussion. Prior to the actual exercise, several groups have already underscored possible problems that may arise. According to Roberto Verzola, secretary-general of Halalang Marangal, "we shouldn't relax our guard just because we are automating the elections... Everyone thinks that if we automate the elections, then all our problems will go away. However, if you look at the experience of other countries, the old problems still persist and new problems crop up." Halalang Marangal, a non-profit, non-partisan consortium working toward credible elections, recommends an audit of the August 11 results, as it stressed that computerization will not completely eliminate room for cheating and other errors that happen before, during and after elections.

"More than a technological problem, election fraud is really a social problem and therefore calls for social solutions, supported by technological means. The only effective social solution to fraud in elections is eternal vigilance and punishment for the cheats," Verzola added.

The Commission on Elections (COMELEC) maintains that the ARMM elections was successfully carried out, with a 50-60 percent turnout. Still, the Citizens Coalition for ARMM Electoral Reforms (C-Care), an independent poll watchdog comprised of people's organizations, NGOs, sectoral groups

and electoral reform advocates, reported cases of under-age voters, vote buying, disenfranchisement, and ballot-box snatching. However, these have been cast as 'minor incidents.'

Nevertheless, groups remain 'upbeat' about the automated elections in the ARMM, now dubbed as a 'milestone', which will pave the way for the full automation of the 2010 elections. Automation law requires equipment testing and pilot exercises before implementing computerized polls at a national scale. At one point, questions regarding 2010 have cropped up, given recommendations to postpone the ARMM elections to give way to MILF's request in connection with ongoing negotiations regarding the Bangsamoro Juridical Entity (BJE).

The agreement between the MILF and the government is another key development that has made Mindanao a significant subject in news and public debates. In late July, Presidential Adviser on the Peace Process, Hermogenes Esperon Jr, announced a 'breakthrough' in the GRP-MILF talks, with the signing of a joint communique on the issue of ancestral domain. A Memorandum of Agreement on Ancestral Domain (MOA-AD), which extends the territory, power and authority of Bangsamoro beyond what is already given to the autonomous region, eventually surfaced. During her State of the Nation Address (SONA), Gloria Arroyo expressed her commitment to resolve 'the endless conflict in Mindanao' as she declared, "A comprehensive peace has eluded us for half a century. But last night, differences on the tough issue of ancestral domain were resolved."

On paper, the MOA-AD, which constitutes the BJE, is considered thus far the most substantial agreement between the GRP and Moro revolutionaries, as far as the Bangsamoro struggle for self-determination is concerned. The comprehensive scope of the BJE has provoked protests from various camps, including some Mindanao local government officials and their constituents, from North Cotabato for instance, parts of which have been included in the expanded Bangsamoro region. This Bangsamoro area recognizes the historical territory of Moros, including Mindanao and parts of Palawan, areas which will still undergo a plebiscite process that will determine inclusion in the BJE. It is not only the expansion of the territory that's being opposed but also provisions that reportedly allow the BJE to maintain an army, control natural resources and revenues, engage in trade with other countries, set up its own banking system, among others. Several legal experts have pointed out that the deal is unconstitutional, with the Arroyo administration entering into an agreement which contains provisions that it won't be able to deliver. The supreme court eventually stepped in, issuing a temporary restraining order (TRO) on the signing, in order to deliberate on issues "before some irreversible acts are done," according to SC spokesperson, Jose Midas Marquez.

The secrecy and haste that surround the deal aroused speculation that the MOA, predicated on a shift to federalism as well as constitutional amendments, is deliberately intended to fail, meant to create openings that will extend Arroyo's term either through Charter Change or Martial Law. While many groups in Mindanao consider this agreement a significant step forward, the whole issue has been complicated and muddled up by competing interests, political motives as well as strategic and economic stakes in the region. As some quarters cry 'treason', 'negotiated land grab', and 'dismemberment of the Republic', reviving and escalating what many camps call 'anti-Moro' sentiments, the timing of the agreement and the sudden change in stance (of the government) with respect to the MILF and the ARMM are being questioned.

Administration figures behind this deal, who are notorious for pushing their own narrow interests, or that of their principals, do not help in bolstering the merits of the MOA-AD and the Bangsamoro struggle for self-determination, much less in ensuring a definitive conclusion to the conflict in Mindanao. Of course, shrewd politicians are well aware that loading sensitive negotiations with political motives and vested interest endangers the whole process, and may even end up exacerbating the conflict rather than resolving it.

All this speculation paints a picture of callous, calculating politicians who would not think twice

risking further division and suffering as they pursue their personal political interests. The cruel reality is that these speculations are more credible than the trapos (Filipino term for rag and traditional politicians) that figure in this issue. Worse, dubious characters, the likes of Arroyo and Esperon (who are mentioned several times in the Hello Garci conversations, as well as associated with the armed offensive in Mindanao) are spearheading such a crucial process, while millions of citizens, who have suffered the consequences of conflict and underdevelopment in the region, have little access to information and decisions that will affect them significantly.

These two events, the ARMM elections and the ongoing peace process, are linked not only because they take place in Mindanao, a much-neglected region that has endured more than its fair share of setbacks, suffering, and strife. A more staggering cross-cutting feature has to do with the players involved. The suspicion and confusion surrounding these issues have to be traced back to (and pinned on) the ardent proponents behind the renewed interest and aggressive action pertaining to Mindanao. Apparently, the lack of credibility and legitimacy of the Arroyo administration has spilled over and spoiled resolutions and measures, even before any systematic discussion on the substance and merits of existing propositions have taken place.

With such a distrusted and despised president at the helm, it's evident why the Mindanao question continues to be muddled up. Moves and motives of the current administration have always been viewed with utmost scrutiny and suspicion. It wouldn't be a surprise if results of the ARMM elections end up being contested, or if speculation on automation testing in ARMM (as a means to find ways to subvert computerized elections rather than address the problem of electoral fraud) surfaces, given the track record of this regime in institutionalizing electoral fraud.

In the case of the MOA-AD, the MILF certainly has the right to push forward with the Bangsamoro agenda and make the most of openings that come up. However, it seems to have picked the wrong regime to strike a deal with, if the goal is to pave the way toward long term peace and resolution to the problems that persist in Mindanao. The Arroyo administration, faced with its own crisis, is in no position to sort out such a complicated matter. Neither does it have the time nor the resolve to actually deliver on its promises. At this point in time, anything this administration comes up with has virtually zero chance of gaining support and consensus, even less when it comes to complex, long-standing issues that require very thorough deliberation, consultation and agreement. The Arroyo government's vacillating position on the MOA-AD, including announcements that the GRP will not sign the agreement in its present form (considered by the MILF as a 'done deal'), as well as this administration's role in renewed hostilities in Mindanao, aggravates the situation even further.

In as much as the Bangsamoro struggle is rooted in historical injustice and legitimate grievance, Mindanao will have to proceed with caution and perhaps, wait a little longer, seek out and enlist earnest champions, for lasting solutions to emerge and truly take root. The question is, can we still afford and manage to stall the ticking time-bomb in Mindanao? As we straddle this tricky balancing act, the exploitation of Mindanao continues to heighten, with varied interests capitalizing on its resources and votes, as well as its conflicts, struggles and dilemmas.

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