

# **The Bangsamoro Question [and the Bangsamoro Juridical Entity] in the Current Situation**

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## **The Context**

More than three months since the Armed Forces of the Philippines (AFP) have launched military offensives against the renegades of the Moro Islamic Liberation Front (MILF). The unilateral action of the AFP against the MILF is to capture Commander Ameril Ombra Kato, Commander Bravo and Commander Pangalian of the MILF area base 105 and 102 respectively. These three MILF commanders initiated military offensives against mainly the civilian populace in the provinces of North Cotabato and Lanao del Norte allegedly in reaction to the postponement of the August 5, 2008 signing of the Memorandum of Agreement on Ancestral Domain (MOA-AD) thru the Temporary Restraining Order (TRO) by the Supreme Court (SC) while the case has been heard.

More than six hundred thousand Internally Displaced People (IDPs) and more than a hundred deaths from mostly civilian and from the AFP and the MILF and several millions worth of property destroyed since then, but the armed conflicts continue and show no sign of abetting.

Recently, the Supreme Court has already decided by the 8-7 votes in favor of the petitioners that the MOA-AD be declared as unconstitutional. The SC believes that both the content and the process are flawed. It says that ... not only its specific provisions but the very concept underlying them, namely the associative relationship between the government and the proposed Bangsamoro Juridical Entity cannot be reconciled with the present Constitution and laws. And with regards to process, the SC has this to say.....the furtive process by which the MOA-AD was designed and crafted runs contrary to and in excess of the authority and amounts to a whimsical, capricious, oppressive, arbitrary and despotic exercise.

And on 21 November 2008, the SC has decided with finality its decision on the unconstitutionality of the MOA-AD amidst the various appeals from different civil society groups.

## **RESOLVING THE BANGSAMORO QUESTION THRU INTEGRATION - THE GOVERNMENT PEACE FRAMEWORK**

The more than eleven years of peace talks between the Government of the Philippines (GRP) and the MILF are now about to become a virtual failure. Resolving the Bangsamoro problem which has been the stated general objective of the peace talks between the GRP and MNLF when they signed a peace agreement in September 1996 and the same objective was stated again when the GRP and MILF started their peace talks several months later, seems to be very elusive. All the efforts and resources spent have come to nothing in terms of the promotion and achieving a high level political gain on the Bangsamoro right to self determination. The MNLF experience is very revealing and worth learning in terms of the GRP's framework of political settlement of the Bangsamoro question and a revolutionary front like the MNLF and its determination to achieve their political objective.

The law which had created the ARMM has been expanded to accommodate the content of the 1996 GRP and MNLF peace agreement. In fact part of the peace deal is to give the actual governance of the regional government to the leadership of the MNLF particularly to its Chairman but with his running in an election as the official candidate of the ruling party of the ruling elite of the country. The performance of the MNLF in the early stages of the Autonomous Region of Muslim (ARMM) when they (MNLF officials) acted with no difference and in some cases even worst than the Moro traditional politicians and resulted to more difficulties and miseries to the Bangsamoro masses. The complete take over and the coming back of the old and new Moro traditional politicians is the logical result of the complete failure of the MNLF and the ARMM.

The very few of the MNLF's leadership who are still in the ARMM and the government have been influenced and eaten away by the very corrupt system they have fought and vowed to change. It seems that the integration of the MNLF's Bangsamoro Army to the Armed Forces of the Philippines and the Philippine National Police is the only success story in the 1996 Peace Agreement. The results of these political and military integration have been very divisive and destructive to the MNLF. The politically assimilated group of the MNLF has been used to perpetually divide the MNLF leadership and worst the integrated MNLF to the Philippine Army and the police have been used to fight the revolutionary forces of the Bangsamoro like the MILF.

### **THE MOA-AD SHOULD BE A DEMOCRATIC STEP TOWARDS THE ELIMINATION OF THE NATIONAL OPPRESSION**

The MOA-AD and the eventual creation of the Bangsamoro Juridical Entity (BJE) can be no different from the case of the MNLF-ARMM or can be successful based on its impact on the Bangsamoro masses and the role played by the MILF. The democratic gains of the Bangsamoro masses will be the ultimate gauge of success or its failure. And hence, the participation of the masses and the corresponding development of the political consciousness in all levels of the peace process would ensure the substantive democratic content of their quest for self determination.

This is the democratic mandate that any progressive and revolutionary groups like the MILF can assure the Bangsamoro masses' support and active participation in the struggle for self determination in all its stages.

The political objective of the Bangsamoro struggle for their right to self determination is the elimination of the national oppression and all other oppressions by the majority nationality or the majority Christians (Settlers) who with the direct and indirect connivance of the ruling elite of the Bangsamoro have created the oppressive system against the Bangsamoro especially the basic masses.

It should be noted that in such struggle the ruling elite in both the Bangsamoro (oppressed nationality) and the majority Christians (majority nationality) are working with each other for their common interests to oppress and take advantage of both the Bangsamoro masses and the majority of the masses of other nationalities..

There is always the danger during the struggle for the right to self determination of peoples that the leadership and the content of such struggle can be influenced and coopted by the elite of the oppressed people but hide their (elite) interest behind the democratic and popular interests of the people (minority nationality). This is to mobilize the people (oppressed sections of the minority nationality) against the elite and the oppressed sections of the majority nationality. The struggle therefore can be used by the elite of the oppressed nationality against their economic and political competitors in the majority nationality so that they can monopolize the economic and political interests against the interests of their own people.

The struggle for the right to self determination can also be hijacked by either of the ruling elites or by both in the name of their respective people and using their ever worsening poverty and miseries to fight against each other. The concrete experiences in the past as well as in the present have told us of the oppressed people from both the Bangsamoro and majority Christian who have been killing each other but during the settlement it would be the ruling elites from both people who would benefit from the wars and even in the settlements later.

The right to self determination of the people is an inherent right of a minority nationality to freely determine for themselves and against the national oppression of the majority nationality. The democratic content of such struggle should be observed in all stages of the struggle including in peace talks and the eventual settlement of the conflict to ensure that genuine and all sided liberation of people should be achieved and not just a change of one oppressor (external) to the other (internal) within the national minorities.

### **THE DEMOCRATIC AND CLASS CONTENTS OF THE STRUGGLE OF THE RIGHT TO SELF DETERMINATION**

A community-based and people-centered peace negotiation among revolutionary groups with the government should be an insurance for achieving a sustained and genuine political settlement. There is no room for collateral damage here because it is a complete opposite of both the process and content of political settlement. The people should be seen as active participants and the principal stakeholders in any political settlement between the revolutionary groups and the government.

The understanding of the complicated nature of national oppression is very important in order to achieve sustainable objective of the struggle for self determination of the oppressed nationality. The role of the ruling elite of majority nationality (oppressor) should be clearly understood in perpetuating the system of national oppression and that the oppressed section of the majority nationality are also victims and therefore should not be treated as enemies of the oppressed minority nationalities in their struggle for the elimination of the national oppression. And it is equally important to identify the role of the elite section of the minority nationality in perpetuating the system of national oppression because they are integral part of the oppressive system which victimizes not only the oppressed sections of the minority nationalities but also the oppressed sectors of the majority nationality. The perpetuation of the national oppression is done by the ruling elite of the majority nationality with the active participation of the ruling elite of the oppressed nationality.

Hence, the success of the struggle for self determination against national oppression should be the liberation not only of the oppressed sections of the minority nationality but also of the oppressed section of the majority nationality.

The mal-developed and the uneven development of the capitalist system in the country in general and in Mindanao in particular has intensified the oppression and exploitation of the working class and the toiling masses in the country especially in the rural areas. The integration of the country's economy to the global economy has aggravated the poverty of the oppressed section of peoples' of the world and nations. The ruling elites of countries have to fight with each other to monopolize the wealth and resources of their respective countries and in the name of ensuring more profits they learn to live and work together and to oppress their own people. And the case of Mindanao is a concrete picture of such development.

### **THE TRI-PEOPLE FRAMEWORK FOR THE STRUGGLE TO SELF DETERMINATION**

The history and development of the three peoples in Mindanao are best understood in the context of the continued domination of the elites from the three peoples with the colonizers and the foreign interests led by the most advanced capitalist countries like the United States of America. Such situation has perpetually impoverished the country and its peoples. The poorest provinces in the country are found in Mindanao despite its richness and wealth. More than half of the twenty two million people of Mindanao have been living below poverty line.

It is not surprising then that revolutionary groups have developed very rapidly and widely in Mindanao especially in the poorest provinces of the island compared to the other parts of the country. The three peoples in Mindanao have struggled for decades and even for century although they are uneven in terms of the levels of political consciousness but as of today they continue as well as or together with the oppressed sections of peoples and national minorities in the other parts of the country.

In the case of the Bangsamoro, the genuine success of the struggle against national oppression of the majority nationality of Christian Settlers can only be achieved together with the struggle and success of the democratic and political interests of the oppressed sections of the Lumads and the Christian Settlers and their descendants.

The MILF and other revolutionary organizations engage in peace process should integrate the concept of the three people in pursuing genuine political settlement with the government. The history and the development of the three peoples in Mindanao has been closely intertwined. Such situation has been greatly reinforced in the current trends of globalization. This commonality should not however erase the particularity and peculiarity of each nationality and its struggle. This twin reality should be pointed out and should be given serious consideration because there are groups who are advocating that there is only class oppression in Mindanao or in the whole country due to the three major problems faced by the country today namely the US Imperialism, Bureaucratic Capitalism and Feudalism. And the elimination of the three can only be the condition for the elimination of the national oppression. The national oppression is direct result of a capitalist system and the oppression of the majority nationality against the minority nationality and it is the ruling class which created system which oppresses its own people and other minority nationalities with a direct connivance of the ruling elite of the latter. The right to freely determine its future is an inherent right of people and therefore there should not be any condition in achieving it. The struggle for the right of self determination of the oppressed nationalities should be directed against the elimination of the national oppression and oppressive system which has created it. Any struggle for the right to self determination should have democratic and class content in all its stages to ensure the all sided development and genuine liberation of peoples can be achieved.

Hence, achieving solution to the Bangsamoro question should be finding solution to the existing oppressive situation perpetuated by the ruling elites of nationalities which intensifies and perpetuates national oppression of the minority nationalities. Such oppression also victimizes the oppressed section of the majority nationality and therefore they are very important if not decisive stakeholders in the struggle against the class and national oppression.

In a multi-nationalities and socio-cultural pluralist society, the steps which should be taken to resolve the problem of the Bangsamoro against national oppression should not exclude the democratic aspirations of the oppressed sections of other nationalities of Mindanao. The democratic aspirations of all nationalities should ensure that the genuine right to self determination of the Bangsamoro should be sustainable and can be effective methods and assurance that the ruling elites of all nationalities cannot use the former to perpetuate the national oppression and other forms of exploitation.

The elimination, therefore, of the national oppression can surely weaken the oppressive situation in the country and therefore liberate the oppressed sections of the Bangsamoro, Lumad and the Migrant Settlers from the ruling oppressive system.