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Peacemaking and State-Society Interactions in Conflict-torn Mindanao, Philippines

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Acronyms

ADR	Alternative Dispute Resolution
AFP	Armed Forces of the Philippines
ARMM	Autonomous Region for Muslim Mindanao
ASG	Abu Sayyaf Group
BIFF	Bangsamoro Islamic Freedom Fighters
CARP(ER)	Comprehensive Agrarian Reform Program with Extensions and Reform
CCCH	Coordinating Committees for Cessations of Hostilities
Crescent	Center for Rural Empowerment Services in Central Mindanao
DAR	Department of Agrarian Change
DENR	Department of Environmental and Natural Resources
FAB	Framework Agreement on the Bangsamoro
GRP	Government of the Republic of the Philippines
IMT	International Monitoring Team
JCMT	Joint Ceasefire Monitoring Team
MILF	Moro Islamic Liberation Front
MinHRAC	Mindanao Human Rights Action Center
MNLF	Moro National Liberation Front
OPAPP	Office of the Presidential Adviser on the Peace Process
TAF	The Asia Foundation

INTRODUCTION

The Southern Philippine island of Mindanao faces one of the longest-running violent conflicts in the world. Starting in the late sixties with clashes between Christian and Muslim armed militias, the conflict quickly obtained a more 'national' character as a full-scale war developed in the early seventies between the MNLF (Moro National Liberation Front), as the main representative of the minority Muslim population at that time, and the Philippine army. In later stages of the conflict, new rebel groups emerged of which the MILF (Moro Islamic Liberation Front) and the ASG (Abu Sayyaf Group) are probably the most well-known. As a result of this post-colonial history of violence and confrontation, the region has also witnessed different and often protracted rounds of peace negotiations. Already in 1976, the GRP (Government of the Republic of the Philippines) and the MNLF managed to reach a peace agreement, the so-called Tripoli agreement. However, this agreement only became implemented in different stages. After the signing of the Tripoli Agreement in 1976, Regions 9 (Zamboanga) and 12 (Cotabato) were declared as Autonomous Regions. Yet it was only in 1989 that the ARMM (Autonomous Region for Muslim Mindanao) was finally proclaimed, thereby including the provinces of Maguindanao and Lanao del Sur. Ultimately, with the final peace agreement of 1996 between the Philippine government and the MNLF, the city of Marawi and the island of Basilan were also included within the ARMM.

At the moment, negotiations with the other major rebel group, the MILF, are still ongoing. Quite remarkably, although the main rebel groups in the region have been in a constant on and off consultation with the Philippine state for the past 38 years, conflict and violence are still part of everyday life for large parts of the population. Inevitably, this somewhat discouraging history means that some commentators have rather modest expectations about the current round of negotiations between the MILF and the GRP. Assuming that these negotiations will result in a lasting peace agreement in 2015 or 2016, the question still remains how far this will affect the everyday security concerns for large sections of the Mindanao population and how these national level negotiations can be complemented with alternative strategies of peace building and conflict management. Taking TAF (The Asia Foundation) as a specific case study, this paper will argue that there is an urgent need for international organisations to reconnect different scales of peace building and conflict management in light of the current peace negotiations between the government and the MILF. This argument is not only based on an analysis about the reach and efficiency of contemporary interventions of peace building and conflict management but is as much rooted in a specific historical analysis of the conflict in Mindanao that attempts to show how different scales of violence and governance dynamically interact with each other, ultimately resulting in a complex and multidimensional conflict ecology.

This paper is divided into three major parts. In the first part called 'Integration and Accommodation in the Post-Colonial State', a historic overview of the conflict is provided. Rather than repeating the dominant historical narrative of a static and eternal dichotomy between the colonial and the post-colonial state on the one hand and the Muslim minority on the other hand, it will be shown how conflict in Mindanao is as much a history of integration as it is a history of confrontation. Large parts of the Muslim elite have always been reluctant to engage in open warfare and

were more interested in reinforcing their authority through an accommodation within the Philippine state. As a consequence, very quickly after the eruption of violence in the early seventies, a process of continuous consultation unfolded between the Philippine state and representatives of the main rebel movements in the region. As a result, violence between the MNLF/MILF and the Philippine state has largely been over the particular terms and conditions by which large sections of the Muslim population wish to integrate within this state and cannot be understood as a conflict solely in opposition to the state. In the second part of the paper called 'Conflict and violence: ambiguity and heterogeneity', this observation is then complemented with another scale of analysis that attempts to understand the role of violence and coercion in the local political economy. While the overall Muslim minority versus Philippine state narrative is still acknowledged as an important one, it will be illustrated how everyday violence in the region has some particular, heterogeneous and ambiguous characteristics. Building further on the insights provided in the Rido study by TAF,¹ three central observations will hereby be stressed. First of all, commanders, although formally representing a main rebel organisation such as the MILF or the MNLF, have a considerable autonomy *vis-à-vis* their mother organisation. This implies that these rebel groups cannot be approached as tightly structured organisations and the authority these organisations exert should be understood as a type of mediated authority which happens through these commanders. A second observation relates to the highly fluid nature of identity labels in the region. Elite constellations, necessary for preserving or obtaining control over the local political economy, transgress Christian versus Muslim, or MNLF versus MILF, dichotomies and different actors from different denominations become part of these alliances. It is in particular when these elite constellations are subject to change, as is often the case in the run-up to local elections, that violence tends to be prevalent. Lastly, it will be argued that in a region characterised by a high level of legal insecurity, the capacity for coercion becomes a vital asset in the build-up of political legitimacy. This is obvious in the field of resource management which is characterised by low levels of tenure security and land titling. Within this context, the capacity for coercion becomes a central tool to guarantee secure access to a certain property rights regime.

In short, what part two illustrates is that violence in Mindanao has a heterogeneous and ambiguous character and can only be understood against the background of struggles over the local political economy. As a result, the authors of this paper share the skepticism about the potential reach of the current negotiations between the MILF and the GRP and the limited effects these will have on everyday security concerns for ordinary citizens. Yet, this observation does not imply that national-level peace negotiations are a useless exercise. First of all, successful negotiations between main rebel groups such as the MNLF/MILF on the one hand and the GRP on the other hand, are in themselves an imperative condition to reach (more) sustainable peace. Yet, as will be argued in the paper, considering the specific nature of the conflict in Mindanao, this type of 'state formation from above' can only be successful when it is complemented by intense, sustained and regular state-society interactions at more decentralised levels. Inevitably, these interactions concerning everyday governance issues will be highly contested and subject to different power (im)balances. For this paper, we have focused on the issue of resource disputes as one concrete arena where these interactions can be witnessed. As these resource disputes often lay at the root of

¹ Torres, Wilfredo Magno (ed.) (2007), *Rido. Clan feuding and conflict management in Mindanao*. Manila: The Asia Foundation.

much violent conflict, they constitute a fundamental part of all types of initiatives of conflict management. In the meantime, this process of negotiation to solve specific resource disputes can be understood as a specific type of state-society interaction. This point will be illustrated by elaborating on different initiatives to solve land disputes in the province of North Cotabato.² First of all, the mechanisms through which potential solutions for these resource disputes are sought themselves become sites where state and society dynamically interact with each other. Secondly, this interaction is brought to a higher level in those cases where representatives, presumably of land titling agencies, become actively involved in the settlement of these disputes, either through the provision of property titles or the formal recognition of certain access rights. In these cases, a dynamic bottom-up process is unfolding as the state is increasingly being approached as the legitimate protector of one's property rights. This enables a process of overcoming the strong dichotomy between strategies of conflict management at the so-called 'micro-level' of society and national-level peace negotiations. While these national negotiations essentially discuss the terms and conditions through which the Muslim population and their main representatives wish to integrate within the Philippine state, conflict management at the micro-level of society basically does the same since the conflicting parties negotiate about the terms and conditions for a certain settlement to their dispute, after which this settlement becomes formalised and presumably protected by this same state. In short, although at different scales, both initiatives are involved in a necessary process of negotiation which is mutually reinforcing and which will largely define the overall peace and security situation in Mindanao.

PART 1: INTEGRATION AND ACCOMMODATION IN THE POST-COLONIAL STATE

DISPOSSESSION AND DEMOGRAPHIC CHANGE

In general, conflict on the southern Philippine island of Mindanao has been understood as a struggle for autonomy, or separatism, on the part of a minority Muslim population, directed against a Christian-dominated Philippine state. The most prominent of the armed groups representing this Muslim minority, are the MNLF (Moro National Liberation Front) established in 1969 and the MILF (Moro Islamic Liberation Front) which broke away from the MNLF in 1977. At the time of writing, the MNLF and the MILF are officially no longer at war with the Philippine state. On the other hand, a counterinsurgency campaign is being waged against the ASG (Abu Sayyaf Group), a small but highly mediatised terrorist outfit that particularly came into the picture after the 09/11 terrorist attacks. This campaign is largely focused on the small island of Basilan, where the few strongholds of the ASG are situated.

² Fieldwork for this was conducted in different stages. The first part consisted of a 3 month research stay (February 2013 until May 2013) in Cotabato city through a grant provided by TAF. In this fieldwork period, research was conducted on hybrid strategies of conflict management developed by TAF, with a particular focus on the municipality of Midsayap, province of North Cotabato. These observations were then complemented with data collected during some previous research visits in and around the provincial capital of Kidapawan. These research visits in July-August 2011 and January-February 2012 focused in particular on the relation between resource governance, agrarian change and violent conflict.

Furthermore, the BIFF (Bangsamoro Islamic Freedom Fighters) has been established as a radicalised break-away faction from the MILF which does not want to proceed with the ongoing negotiations between the MILF and the Philippine state. This BIFF has in particular been carrying out attacks in the volatile borderlands between the provinces of Maguindanao and North Cotabato throughout 2012 and 2013. All this results in the fact that large parts of Muslim Mindanao have gone through a situation of on and off warfare for over 45 years, making this one of the longest running conflicts in the world. The wide geographic range and long endurance of this conflict make it hard to provide exact data on the overall impact of the violence. A study conducted by the World Bank in 2005 estimates the number of people directly killed at 120,000; that the conflict induced a displacement of about 2 million people and had a direct economic cost of 2 to 3 billion US\$.³

Historically, the province of Cotabato has played a central role in the emergence of the Muslim rebellion in the Philippines. Before 1966, the province of Cotabato consisted of the current provinces of North Cotabato, South Cotabato, Sultan Kudarat and Maguindanao. Even today, the division of this province is understood by many Muslims as a deliberate attempt by Manila to break up Muslim dominance over this vast province, since Christians managed to gain control over the newly created provinces of North Cotabato (1973) and South Cotabato (1966). Moreover, after the inauguration of Marcos as the president of the Philippines in 1965, and more particularly after the proclamation of Martial Law in 1972, the Muslim elites historically dominating the province of Cotabato, increasingly felt isolated by the centralising and authoritarian tendencies of the Marcos regime.⁴ This political sidelining was further exacerbated by a demographic transition due to the influx of Christian settlers fleeing densely populated regions in the Visayas and Luzon for Mindanao, in particular from the early 1950s onwards. As a consequence, the population in Mindanao overall increased rapidly. For instance, between 1946 and 1960 the population in Mindanao grew at an astonishing 7.4 percent, double the national average.⁵ In addition, the percentage of Christians living on the island grew considerably. While in 1918 Muslims still accounted for 64.5 percent of the population in Cotabato; by 1970 this had already dwindled to 37.4 percent.⁶ Another assessment puts the percentage of Muslims on the islands of Mindanao, Sulu and Palawan at 76 percent in 1903, while in 1990, this had gone down to 19 percent.⁷ Due to this population growth, large swathes of uncultivated lands, considered by the postcolonial state as 'public lands', became titled private property. This process is closely related to a dispossession of the native community. However, it is important to bear in mind that this influx of Christian farmers occurred in the first place in those regions where the Muslim presence was weak or non-existent. A clear example is the whole eastern part of Mindanao where large-scale commercial agriculture was

³ Schiavo-Campo, Salvatore and Judd, Mary. (2005). 'The Mindanao Conflict in the Philippines: Roots, Costs, and Potential Peace Dividend', Washington: World Bank, *Social Development Papers. Conflict Prevention & Reconstruction*, no. 24.

⁴ Patricio N. Abinales (2000), *Making Mindanao. Cotabato and Davao in the Formation of the Philippine nation-state*, Manila: Ateneo de Manila University Press, p. 15.

⁵ Patricio N. Abinales (2000), op.cit, p. 97.

⁶ Gutierrez, Eric and Saturnino, M. Borras, 'The Moro Conflict: Landlessness and Misdirected State Policies' (Washington: East-West Center 2004), p. 14.

⁷ Özerdem, A., Podder, S. and Quitariano, E.L. (2010)' Identity, Ideology and Child Soldiering: Community and Youth Participation in Civil Conflict – A Study on the Moro Islamic Liberation Front in Mindanao', Philippines, *Civil Wars*, 12, p. 308.

developed, through the influx of Christian labour, in those regions which were (often sparsely) populated by IP (Indigenous People) communities.⁸ On the other hand, those places historically inhabited by Muslims, such as the western provinces of Maguindanao and Lanao del Sur, are still politically and demographically dominated by Muslims today. Yet, in particular in the central province of Cotabato, demographic changes resulted in a socio-political transition in which an alternative Christian elite increasingly started threatening and outstripping local Muslim elites. Whereas the province of Cotabato had historically been dominated by the powerful Matalam clan, more specifically Udtog Matalam who was governor of the Cotabato province from 1956 until 1967, from 1972 onwards the governorship was dominated by a Christian counter elite.⁹ These shifts in the traditional power balance left different sections of the Muslim population in Cotabato with a feeling of becoming second-class citizens in their 'own territory'.

Not coincidentally, Cotabato province was also the place where the first open clashes between Muslims and Christians were witnessed. In the first stage, a period of intense communal warfare erupted in the late 1960s in Cotabato province between Christian militias, known as Ilaga (rats) and Muslim armed militias. These clashes forced many Muslim communities to look for safer ground, in particular the borderlands between Maguindanao and North Cotabato, stretching from Pikit to Tulunan. It is from among these displaced Muslim communities that the bulk of the leadership of the first truly armed Muslim group, the MNLF (Moro National Liberation Front) originates. The MNLF was established in 1969.¹⁰ The basic ideology of the MNLF, laid out by its founder, Nur Misuari, was the establishment of an independent Bangsamoro homeland for the Muslims of Mindanao. These Bangsamoro are constituted from thirteen Islamised ethno-linguistic groups and therefore do not comprise any non-Islamised tribes.¹¹ Misuari proclaims independence for the Bangsamoro as a distinct nation based on the existence of pre-colonial Muslim Sultanates.¹² Importantly, Misuari's view on Bangsamoro identity was particularly secularist, hereby reinventing 'Moro identity' as 'a reincarnation of the pre-colonial identity as the descendants of the 'unsubjugated' and 'uncolonised' peoples'.¹³ The military capacity of the MNLF proved to be a profound challenge for the Philippine armed forces and ultimately was one of the main reasons why President Marcos declared Martial Law in 1972.

⁸ Up to today, IPs or Lumads in the Philippines are pagans, having a historical and genealogical relationship to the land they are living on. As such, this category does not comprise of Muslims.

⁹ Mc Kenna 1998: 113-140, Franco 2001: Franco, J. (2001) *Elections and Democratization in the Philippines* (London: Routledge), p. 223

¹⁰ One should be wary of the image that a massive and spontaneous rebellion erupted under cover of the MNLF. Most Muslim traditional leaders openly rejected the MNLF shortly after its establishment, denounced the rebellion and looked for further accommodation with the Philippine state. It was only after the proclamation of Martial Law in 1972 that well-known Muslim traditional leaders also openly supported the MNLF. Thomas M. McKenna, (1998) *Muslim Rulers and Rebels. Everyday Politics and Armed Separatism in the Southern Philippines* Berkeley: University of California Press, p138

¹¹ Buendia, Rizal G. (2005), 'The State-Moro Armed Conflict in the Philippines. Unresolved National Question or Question of Governance', *Asian Journal of Political Science*, 13 (1), p. 115

¹² Quitariano, Eddie L. (2009) 'Land, Foreign Aid and the Rural Poor in Mindanao', *Focus on the Global South Research Report*: p. 6.

¹³ Buendia Rizal G., op.cit, p. 115.

THE MUSLIM VERSUS PHILIPPINE STATE DICHOTOMY: SOME REMARKS

Following the proclamation of Martial Law, a relatively short but intense period of open confrontation erupted between the MNLF and the AFP which came to an end with the signing of the Tripoli Agreement in 1976. While the signing of this agreement in no way resulted in a situation of sustainable peace, it nevertheless led to a considerable reduction in fighting between the two parties. Rather than a sincere *rapprochement* by the Marcos regime, this Tripoli Agreement should be understood in the first place as an expression of the willingness by broad sections of Muslim society to renegotiate the terms and conditions through which integration within the Philippine state could be re-established. Within classic historical overviews of the conflict in Muslim Mindanao, there is a tendency to paint a dichotomous narrative of an eternal struggle of Muslim society versus the colonial and post-colonial Philippine state. This narrative is flawed as it ignores the profound and deliberate penetration of Muslim elites in this colonial and post-colonial state. This penetration already started with the build-up of American colonialism that drew on a strategy of indirect rule through the incorporation of Muslim elites into the colonial administration. As a consequence, despite some violent riots in the very early phase of American colonialism, identification with this colonial state was remarkably high in Muslim Mindanao as this provided opportunities for upward social mobility in which Muslim elites 'enhance their traditional status because of the power and wealth they had obtained through collaboration with American colonial authorities'.¹⁴ In this regard, the popular narrative of Muslim elites fiercely resisting the build-up of the colonial state project is largely false. This identification with the state continued in the post-colonial era, as elites in Cotabato became closely involved in electoral contests, tying them through patrimonial linkages to centres of power in Manila and thereby reinforcing their authority among Mindanao Muslims. As clearly pointed out by Abinales in his study on state formation in Mindanao, the 1950s and 1960s were characterised by a remarkable stability and tranquility since the ubiquity of the Philippine state was hardly questioned in Muslim Mindanao.¹⁵ This stability hinged on a careful balance wherein strongmen maintained a great deal of autonomy but were simultaneously integrated within – and thereby represented – the Philippine state.

It was this balance which became disturbed in the late 1960s due to the centralising tendencies of the Marcos regime and a demographic transition which inevitably resulted in the emergence of a Christian counter-elite. Yet, even under these circumstances, many Muslim elites were not particularly eager to join the MNLF. Some authors even go as far as saying that the majority of the established Muslim elites were opposed to the separatist rebellion and preferred collaborating with the martial law regime.¹⁶ It is therefore obvious that many Muslim elites had a rather pragmatic and dual position *vis-à-vis* the MNLF and often felt uneasy with the more uncompromising stance taken by younger intellectuals within the movement who did not belong to the traditional Muslim elites. As such, it is no coincidence that despite high-intensity warfare, peace negotiations between the government of the Philippines and the MNLF started remarkably quickly, resulting in 1976 in the Tripoli

¹⁴ McKenna, op.cit, p. 101.

¹⁵ Abinales, op.cit, pp. 94-115.

¹⁶ McKenna, op.cit, p. 6.

Agreement.¹⁷ As a result, a majority of the MNLF core leadership quickly rejoined the government.

Yet, opposition against this Tripoli Agreement caused a split within the Muslim armed resistance, with the establishment of the MILF in 1977 under the leadership of the late Hashim Salamat.¹⁸ The MILF proved to be a serious contender to the hegemony of the MNLF and built up considerable grassroots support all across Muslim Mindanao, not least because many people lost faith in the prolonged, often tiresome, negotiations between the MNLF and the GRP about the specific implementation of the Tripoli agreement. Ultimately, these negotiations resulted in 1996 in the establishment of the ARMM (Autonomous Region of Muslim Mindanao). For many Muslims, this ARMM proved to be a huge disappointment, as many of the promises made in the original Tripoli Agreement were not fulfilled. For instance, the initial objective of Muslim autonomy in thirteen provinces and nine cities, was reduced in Marcos's implementation to paper autonomy of two distinct regions. Under the first Aquino administration the 1986 Constitution provided for autonomy but the geographic coverage reduced after a 1989 plebiscite in which the majority-Christian areas opted to stay out of the ARMM. As a result, only four provinces were ultimately included.¹⁹ Even after the 1996 agreement, when the act was revised, only one more province (Basilan, outside Isabela City) and one city (Marawi) were added. Moreover, even now, the ARMM is by far the poorest region in the Philippines and has obviously not met the expectation of sustained socio-economic progress.²⁰ Furthermore, the institutional structure of the ARMM, until recently largely dominated by traditional politicians - and for a period (1996-2005) by top ranking figures within the MNLF - proved to be prone to corruption and mismanagement. As a consequence, support for the ARMM and those MNLF figures in charge of the ARMM, quickly diminished.

All these frustrations gave a boost to the popularity of the MILF, which at different times became involved in open warfare with the Philippine state. On the other hand, preliminary talks between the MILF and the government of the Philippines already started as early as 1997. Once again, this indicates how the history of conflict in Mindanao is as much a story of *rapprochement* as a story of confrontation. Unfortunately, the outcomes of these negotiations could not meet the expectations of the MILF and the GRP and were therefore too often followed by a period of warfare.²¹ This was particularly the case in the years 2000, 2003 and 2008. These confrontations caused serious havoc and resulted in many deaths among the MILF as

¹⁷ Bertrand, Jacques (2000), 'Peace and Conflict in the Southern Philippines: Why the 1996 Peace Agreement is Fragile', *Pacific Affairs*, 73, pp. 37-54.

¹⁸ Islam, Syed S. (1998) 'The Islamic Independence Movements in Patani of Thailand and Mindanao of the Philippines', *Asian Survey* 38/5 (1998), pp. 441-56.

¹⁹ Bertrand, op.cit., pp. 39-40; Tuminez, Astrid S. 'This land is our land. Moro Ancestral Domain and Its Implications for Peace and Development in the Philippines', *SAIS Review* 27/2, pp. 80-81.

²⁰ Eric Gutierrez and Saturnino M. Borrás, op.cit., pp. 19-23.

²¹ The most important outcome of the 1997 talks between the Ramos administration and the MILF was the creation of the Interim Ceasefire Monitoring Committee, but the ceasefire broke down irretrievably in 2000 with former President Estrada's "All-Out War" against the MILF. In 2001 with a new administration there came into being the CCCH (Coordinating Committees for Cessations of Hostilities). A body which is composed of both the AFP and the MILF and which monitors the situation on the ground in order to avoid further escalation of minor incidents and confrontations. After a 2003 eruption of violence, the International Monitoring Team (IMT) was established with the objective of having a neutral, foreign institution overseeing implementation of the ceasefire between the MILF and the GRP.

was the case in 2000 with the fierce assault by the AFP on the MILF stronghold, Camp Abu Bakr. Needless to say these encounters also led to widespread internal displacement,²² and had a negative effect on the overall socio-economic development of the region. Nevertheless, although the Philippine state and the MILF went through bitter episodes of armed confrontation, many people on both sides realised the pointlessness of these actions and acknowledged the fact that a negotiated settlement was ultimately inevitable. On the one hand, many people within the MILF increasingly indicated they had grown tired of the endless fighting and realised that gaining full autonomy through military victory was not a realistic option. On the other hand, despite the vigorous language used by some past Philippine presidents, for large sections of the political elite in Manila, it was equally obvious that a purely military solution to the conflict by defeating the MILF was impossible, considering the strong grassroots support for the movement. This was particularly clear after the failed MoA-AD (Memorandum of Agreement on Ancestral Domain) talks in October 2008 when the agreement between the MILF and the Philippine government was declared unconstitutional by the Supreme Court of the Philippines.²³ Although this breakdown was met with true frustration and disappointment, talks between the MILF and the Philippine state resumed remarkably quickly and for the moment, the MILF and the GRP have once again set aside their differences and engaged themselves in a new round of peace negotiations. So far, these negotiations have resulted in the signing of the 'Framework Agreement on the Bangsamoro' in October 2012. This Agreement is further completed by an annex on Revenue Generation and Wealth Sharing, an annex on Power Sharing and an annex on Normalisation, which handles the demobilisation and reintegration of MILF fighters. The next hurdle for the negotiators is the drafting of a Bangsamoro Basic Law (BBL) which then needs to be ratified in the Philippine Congress.

CONCLUSION

The aim of this section was twofold. First, this section served as a general background for the reader not familiar with the history of conflict in Mindanao. Second, it intended to add an important nuance by showing how this history is too often represented through a static dichotomy between the colonial and the post-colonial state on the one hand and Muslim society on the other hand. First of all, all over the Philippines, both colonial and post-colonial statebuilding came to rest on a process of negotiation with local strongmen. This was no different in Muslim Mindanao as traditional elites came to play a central role in the build-up and the representation of the Philippine state. So instead of a history of eternal confrontation, statebuilding in Mindanao should be understood as a process of accommodation and integration, although a careful balance needed to be retained in which local elites could maintain considerable autonomy. It was this balance which became disturbed from the late 1960s onwards due to the centralising tendencies of the Marcos regime and the emergence of a new, and admittedly fairly aggressive, Christian counter elite. Simultaneously, in particular in the province of Cotabato, many Muslim peasant households became displaced as Christian settlers acquired titled lands, often through openly violent means. These events shifted a balance in which Muslim elites, who

²² http://www.wfp.org/sites/default/files/WB-WFP%20Key%20Findings_0.pdf.

²³ For a more detailed background on this episode, see: International Crisis Group (2008) 'The Philippines: The Collapse of Peace in Mindanao' (Jakarta/Brussels Asia Briefing No. 83).

were well accommodated and integrated within the Philippine state, increasingly felt marginalised and alienated from this state. Ultimately, this led to the establishment of the MNLF and at a later stage the MILF. Throughout the recent history of the Philippines, these two groups have acted as the main representatives of the grievances of the Muslim population in the Philippines and have been in an on/off conflict with the Philippine state. Yet, large parts of the Muslim elites felt uncomfortable with a situation of open armed confrontation as they risked being further isolated from Manila. In fact, voices openly vying for separatism through violent means have always been marginal within Muslim Mindanao. As a result, violence between the MNLF/MILF and the Philippine state have largely been over the particular terms and conditions by which large sections of the Muslim population wish to integrate within this state. This also explains the openness and willingness among both the MILF and the MNLF to set up talks with this Philippine state. Ultimately, these negotiations come back to one essential point which has always been a central feature to the whole process of statebuilding in the Philippines, namely finding a balance between integration and autonomy which is deemed beneficial to both parties.

PART 2: CONFLICT AND VIOLENCE: AMBIGUITY AND HETEROGENEITY

Looking at the conflict from this perspective, at first sight one can only be optimistic about the potential for sustainable peace in the region. Indeed, among the central committee of the MILF there is a sincere willingness to come to a negotiated settlement and talks on the FAB are already at an advanced stage. Most probably, the thorniest issue will once again concern the huge question of the exact border delineations of the 'Bangsamoro' (Moro nation). As could be witnessed with the 2008 MoA-AD talks, the fear of inclusion within an institutional entity dominated by Muslims caused anxiety among sections of the Christian population in Mindanao living near the borderlands of the ARMM. This is not only the case among some Christian politicians but is equally the case among Christian peasants fearing to lose control over their lands in a context characterised by institutional insecurity and legal pluralism. Yet, before tackling the discussion on the implementation of the actual FAB, we would like to add a couple of observations about the context of violence and insecurity in Mindanao. Our basic argument in this section is that the Muslim versus Philippine state opposition as described in the preceding section has been an important feature of the insecurity in Mindanao over the past 45 years. However, this framing does not do full justice to the many complexities of the situation on the ground. On the other hand, painting too much of a sharp dichotomy between 'the national narrative' and the occurrence of violence and conflict at the 'micro-level of society' risks overlooking some important connections about how different organisations and systems of violence mutually reinforce each other.

It has been amply demonstrated that the causes of the recurrent and persistent violence in Mindanao are ambiguous and cannot be solely understood as a struggle over the terms for integration within the Philippine state. In particular the extensive

study on Rido conducted by TAF has been groundbreaking in this regard.²⁴ Based on a sample of 800 household surveys in Mindanao, TAF came to the conclusion that the majority of violent incidents in the region should be understood as feuding or revenge killing between families, clans and other kinship based groups, rather than as struggles over autonomy *vis-à-vis* the Philippine state. This feuding is referred to as ‘Rido’, which in the Maguindanaon language means feud or personal grudge.²⁵ Between the 1930’s and 2005, a total of 1,266 Rido cases were documented by the TAF research project, resulting in the death of about 5,500 people.²⁶ It needs to be stressed that this is a conservative account since many of the Rido cases are not registered or are simply forgotten, in particular those happening decades ago. The provinces with the highest incidence of Rido cases include Lanao del Sur (377), Maguindanao (218), Lanao del Norte (164) and Sulu (145). Next, the data clearly demonstrate how elections and land disputes constitute the primary cause of these disputes.²⁷ The most important added value about the Rido research project by TAF is that it provides convincing quantitative evidence on the heterogeneous nature of much of the fighting in Mindanao.²⁸ Moreover, it can clearly be derived from the quantitative case-studies that these feuds are not solely confined to well-known armed groups such as the MNLF and MILF. As will be shown below, this has far-reaching consequences for our general understanding of conflict in the region.

REBEL MOVEMENTS, LOCAL POWERBROKERS AND MEDIATED AUTHORITY

The MILF and MNLF cannot be solely understood as tightly structured groups in which a central command or other commanding body is in full control of the actual fighters in the field. Rather, the MNLF and MILF can only be understood in relation to those institutions and actors exerting control and authority over different kin-based social organisations. This becomes particularly clear when studying the role of those people generally known as ‘commanders’. In most cases, these commanders are incorporated within and represent a wider organisation such as the MILF or the MNLF. On the other hand, these commanders display varying degrees of autonomy in

²⁴ Torres, Wilfredo Magno (ed.) (2007), *Rido. Clan feuding and conflict management in Mindanao*. Manila: The Asia Foundation.

²⁵ This is considered as problematic by some sections of the Muslim community as the term ‘Rido’ has an overtly Muslim connotation and is therefore understood as derogatory for their community. Most probably, a more neutral term such as ‘feuding’ would have been more suited and neutral and would also have allowed a deeper look at how issues between and within the Indigenous and the Christian settler communities play into a complex conflict ecology. This particularly counts for the province of North Cotabato in which some of these Indigenous and Christian settler communities are central actors in the context of overall insecurity and violence.

²⁶ Torres, Wilfredo Magno (2007), ‘Introduction’, in: Torres, Wilfredo Magno (ed.), *Rido. Clan feuding and conflict management in Mindanao*. Manila: The Asia Foundation, p. 16.

²⁷ Kamlian, Jamail A. (2007), ‘Survey of Feuding Families and Clans in Selected Provinces in Mindanao’, in: Torres, Wilfredo Magno (ed.), *Rido. Clan feuding and conflict management in Mindanao*. Manila: The Asia Foundation and Lingga, Abhoud Syed M. (2007), ‘Dynamics and Management of Rido in the Province of Maguindanao’, in: Wilfredo Magno Torres III (ed.), *Rido. Clan feuding and conflict management in Mindanao*. Manila: The Asia Foundation.

²⁸ This observation has been pivotal in the establishment of Quick Response Teams having the capacity to deal with these localised conflicts and tensions at the micro-level of society. For an elaborate explanation on how this Rido study fed into the establishment of a particular ‘hybrid strategy of conflict management’ within TAF, see: Adam, Jeroen; Verbrugge, Boris and Vanden Boer, Dorien (2013), ‘Hybrid systems of conflict management and community-level efforts to improve local security in Mindanao’, *JSRP Paper 13: a Theory in Practice Paper*.

relation to these organisations and mainly thrive on a localised support base, often - but not always - based on clan affiliation. As respondents in our interviews in North Cotabato literally indicated, '*as a commander, you need the support of the people*'.²⁹ As a consequence, once this support base falters, the authority you exert as a commander also starts crumbling. In short, as a commander in the field, it is not only a matter of pledging allegiance to the broader rebel movement, it is also – and probably foremost – a matter of building up public legitimacy in a certain locality which serves as the basis of your authority as a commander.

This intimate and complex connection between public legitimacy, authority and allegiance to the broader rebel movement was particularly obvious when conducting interviews among a MNLF commander and his closest associates, operating in the vicinity of the provincial capital of Kidapawan, North Cotabato. As in so many other cases, this commander acted at the same time as the traditional leader (*datu*) of a well-known clan in this region.³⁰ First of all, discussing their relationship to the MNLF, it was literally stated that incorporation within the MNLF '*gave you a voice in Manila*'. As was pointed out, one commander can never make himself heard in Manila and integration within a larger association was therefore necessary to connect with the Philippine state. Very much in line with the argument we put forward in the previous section, an organisation like the MNLF can therefore not be solely understood in opposition to the state but can instead serve as a necessary vehicle to redefine the terms of incorporation within the Philippine state. This reach was important not only to ensure that some necessary political demands were heard throughout negotiations with the GRP, but was also understood as a mechanism to extract rents from the capital. In this particular case, the commander and his immediate entourage had decided to join a programme through which MNLF fighters became formally integrated within the AFP.³¹ However, at least in this particular case, they simply maintained their territorial control, since the AFP still had to formally ask for permission if they wanted to pass through the area under their control. Most importantly, however, this reintegration programme brought along with it certain benefits such as farm technology, or other livelihood support programmes for 'former' MNLF fighters. As these rents were distributed through the central leadership to the larger population, this became a mechanism of patronage through which to enhance personal popularity. Moreover, this mechanism also served as an illustration to the community that this powerful commander was well connected with powerful persons outside the village through whom he could get things done. In the view of this commander, proving that you are well connected with the Philippine state through this type of rent distribution is a vital strategy in the maintenance of your legitimacy as a community leader. This resonates with the observation made by Patricio Abinales on the integration of *datu*s in the American colonial bureaucracy, wherein he states that these: '*... strong men regard their leadership as a dual one: enhancing an already-established place in the community by representing the state*'³². Remarkably enough, in this particular case, linking up with a broader rebel organization, such as the MNLF, was considered as a vital strategy for representing the Philippine state to the wider community.

²⁹ Focus group discussion with members of the UNYPAD QRT of Barangay Tugal, Midsayap (Cotabato City, 12.03.2013).

³⁰ Considering the sensitive nature of the interview, the respondents wished to remain anonymous.

³¹ This reintegration programme was part of the 1996 Final Peace Agreement in which it was stated that 7500 MNLF fighters would be integrated within the AFP.

³² Abinales, op.cit. p12

In short, the MNLF and this local commander stand in a complex relation of mutual dependence. First of all, as sketched out above, linking up with the MNLF is instrumental for the build-up of local legitimacy for these actors. On the other hand, integrating this type of commander and the people and territory over which he exerts control, enables the MNLF to significantly broaden their embeddedness and credibility among the Muslim community in Mindanao. Indeed, the area under control of this commander is generally known as ‘MNLF territory’. Most importantly, however, the authority the MNLF exerts in this territory should be understood as a mediated authority, which is established through a strategy of indirect rule through the local powerbrokers. As a consequence, some fundamental questions should be put forward about the strengths and boundaries of this ‘mediated authority’ and the degree to which central commanding institutions within the MNLF are in control over these local commanders.

The observation that commanders maintain varying degrees of autonomy *vis-à-vis* their mother organisation counts as much for the MILF. For instance, as recently as June 2013 armed encounters took place between a group of MILF fighters and the 57th Infantry Battalion of the AFP in the municipality of Tulan, North Cotabato.³³ While the reasons for this encounter have to be sought in a complex web of land disputes and control over strategic hilltops, this happened amidst numerous and sincere demands by the MILF central committee to their commanders and fighters to refrain from attacks against the AFP in order to bring the current negotiations with the GRP to a good end. From this case, and from numerous interviews conducted in the municipality of Midsayap, it can be concluded that those commanders pledging allegiance to the MILF, have ‘room to manoeuvre’ in their dealings in the territories they control and that the leadership of the central command of the MILF is not a direct one but should also be understood as a type of mediated authority which is exerted through these local powerbrokers.³⁴ However, considering the numerous internal break-ups within the MNLF, it can be presumed that the MNLF is at the moment a much more decentralised movement in which commanders have a great deal of autonomy when compared to their MILF counterparts.

The examples given above do not intend to paint a picture of ‘loose anarchy’ in which local commanders act as local autocrats without taking into account the existence of broader political institutions. In addition, violence in Mindanao should not be framed through a binary distinction between political and grievance-based violence emerging from the historical marginalisation of the Muslim community and playing at the level of the MNLF, MILF and the Philippine state on the one hand, and actions at the micro-level of society, considered as private, anarchic or greed-based violence, on the other hand. Instead, it should be stressed that different scales of violence and political authority intimately interact with each other. As the German political scientist, Peter Kreuzer indicates, it is in particular the fusion of a social and political order of violence - which can be encountered in many places in the Philippines - ‘with a second form of political violence not encountered in other regions of the Philippines -

³³ Malu Cadelina-Manar, 2 killed, 3 wounded in Tulan clashes; hundreds flee, Mindanews, 18-06-2013, <http://www.mindanews.com/top-stories/2013/06/18/hundreds-flee-as-milf-farmers-clash-in-northcot/>; Malu Cadelina-Manar, MILF rebs urged to withdraw from occupied areas in Cotabato town, Mindanews, 19-06-2013, <http://www.mindanews.com/top-stories/2013/06/19/milf-rebs-urged-to-withdraw-from-occupied-areas-in-cotabato-town/>.

³⁴ Numerous examples of these types of ‘minor’ clashes also occur between the MNLF and the AFP, in particular on the restive islands of Basilan and Sulu.

that of the armed struggle for independence'³⁵ which determines the particular characteristics of violence and coercion in this region. More specifically, within this complex fusion we wish to illustrate that there exists a fragile mutual dependence between commanders in the field, often founding their legitimacy through local kinship based social organisations, on the one hand and the MILF and the MNLF on the other hand. In this context of mutual dependency, the MNLF and MILF exert a mediated type of authority through these commanders. On the other hand, the MNLF and the MILF serve as useful networks tying these commanders together in a platform through which they manage to reach out to Manila and the Philippine state more generally, once again indicating how the story of conflict and violence in Mindanao is probably more about connection to and integration within the state, rather than opposition to the state. As a consequence, both the MILF and the MNLF are no tightly structured hierarchical organisations but should rather be understood as platforms tying different authority structures together.³⁶ As will be explained later in this paper, this observation has some far-reaching consequences for future strategies of peace building and conflict management in the region.

SHIFTING ALLIANCES AND ALLEGIANCES

*'It is a very complicated conflict; sometimes we are allies, sometimes we are enemies'*³⁷

This observation about the relative autonomy of particular commanders within the MILF and the MNLF was confirmed when studying the historical genealogy of some specific resource disputes in the municipality of Midsayap, North Cotabato. In this case too, the coercive actions of commanders were predominantly determined by competition to obtain control over the local political economy, rather than by a national question about autonomy. These struggles for control over the local political economy were intimately linked with an involvement in electoral competition. This was particularly the case after 1991 when the implementation of the Local Government Code raised the stakes of the elections at the *barangay* (village) level through the provision of an Internal Revenue Allotment. Through the involvement in local elections, commanders managed to expand their authority, not in opposition to the state but by obtaining access to the state. In addition, in the build-up of their authority and legitimacy, these commanders were compelled to step into a web of fragile and fluid alliances. A particular example is MNLF commander Abusama who became *barangay* captain of the village of Mudseng, municipality of Midsayap, in 1991. Yet, Abusama's opponent in this election, Dagalas, refused to accept his victory. Dagalas therefore sought the support of his cousins Mama and Taro Salaton, both MILF commanders, to forge an alliance against Abusama. In their turn, these cousins called the notorious commander Tubog from the neighbouring village of

³⁵ Kreuzer, Peter (2005), *Political Clans and Violence in the Southern Philippines*, Frankfurt: Peace Research Institute Frankfurt (PRF) Report No. 71, p. 4.

³⁶ Interestingly, this largely resonates with the observation made by Tomas McKenna in his groundbreaking study on the early history of armed Muslim rebellion in Mindanao wherein he notes: 'The MNLF never controlled all of the rebels fighting the government and was, in fact, a loosely knit group, with the borders between those fighters who were members of, aligned with, or exterior to the MNLF never very clear' McKenna, op.cit., p. 157.

³⁷ Interview with Alex Montani and Nurredine Musa, QRT members Magungaya (Cotabato city, 19/03/2013).

Tugal into their alliance. Quickly, Tubog then became the head of this anti-Abusama grouping. According to different respondents, the allegiance of Tubog was unclear; some respondents viewed Tubog either as an MNLF or MILF commander while others testified he was a mere criminal with no affiliation at all. Interestingly enough, commander Tubog and commander Abusama both started their career together during Martial Law as junior MNLF commanders, operating in the municipality of Midsayap. The conflict between the two sides started from small encounters and retaliations, but soon spread over the borders of Barangay Mudseng, as the conflict escalated into conventional warfare. As a respondent from Mudseng explained, 'houses were burned, there was open warfare. Lives were devastated, people fled to find a safe place'.³⁸ Many inhabitants fled from Mudseng to neighbouring villages and by 1994 Mudseng had become a no-man's-land.³⁹

This Abusama versus Tubog rivalry in Midsayap demonstrates how identity labels should be approached with caution in conflict-torn Mindanao, as these are pragmatically deployed and are therefore subject to change. In this particular case, two former MNLF commanders became opponents in obtaining political and territorial control. Moreover, both entered into strategic alliances with other commanders in the region. For instance, at a certain moment, Abusama was allied with the MNLF commanders Asrap Tayuan, and Harrison (with whom he had family ties) and MILF commander Samal Masgal and the latter's family. The same goes for commander Tubog who was strategically aligned with various MILF commanders. These types of stories can be retrieved all over the region and in those places with a considerable Christian and IP presence, this only adds further to the complexity and the opaqueness of some of these temporary alliances.⁴⁰

The fluidity of these alliances points to the highly volatile political nature of this region in which elite constellations are constantly challenged by counter elites. As a consequence, these alliances are subject to change and being reshaped as actors constantly need to respond to changing circumstances and a whole range of actors make strategic assessments with whom to realign. Most importantly, however, it is particularly through these reconfigurations, in which existing authority networks are being challenged, that violence tends to become endemic. This is particularly the case in the run-up to the *barangay* and municipal elections that are often marked by insecurity and high levels of violence, especially when different elite coalitions of equal strength compete with each other. These types of closely contested elections have become known as 'hot elections' and a whole range of election initiatives have come into play in the last decade attempting to prevent this kind of election-related violence.⁴¹

³⁸ Interview with Alex Montani and Nurredine Musa, QRT members Magungaya (Cotabato city, 19/03/2013).

³⁹ Interview with Maks Mangadta, staff MinHRAC (Cotabato city, 16/04/3013).

⁴⁰ For an elaborate and theoretically more informed account on this issue of action and identity in the Mindanao context, see: Adam, Jeroen (2013), 'A comparative analysis on the micro-level genealogies of conflict in the Philippines' Mindanao and Indonesia's Ambon', *Oxford Development Studies*, 41 (2): 155-173.

⁴¹ An exceptional manifestation of this type of election related violence is the infamous 'Maguindanao massacre'. This massacre happened when a candidate, Esmail Mangudadatu, registered in November 2009 to partake in the elections for the governorship in the province of Maguindanao. This candidate thereby challenged the incumbent governor of the Ampatuan clan. On their way for registration, 57 people belonging to the rival Mangudadatu faction, were murdered cold-bloodedly by members of this

VIOLENCE AND COERCION IN THE LOCAL POLITICAL ECONOMY

*'Those who do not have a title, claim their land with weapons'*⁴²

Apart from the limited control the MILF and MNLF exert over their commanders and the politically volatile environment in which most of these actors operate, a last and third important observation needs to be added to our analysis of the local conflict ecology in Mindanao. This observation concerns the role of coercion in everyday modes of governance. This argument can be illustrated by digging a little deeper into the Midsayap case study as described above. Interestingly enough, within the rivalry between commander Tubog and commander Abusama, all sorts of looming resource disputes became absorbed. As a consequence, this rivalry not only played out at the level of these commanders and close subordinates but obtained a broad social ramification involving large sections of society living in the territories controlled by both commanders. For instance, a looming dispute between two families over 16 ha. of land in the village of Mudseng became incorporated within a broader struggle for territorial control between the two commanders. The roots of this dispute have to be sought in a complex history of oral tenancy arrangements, internal displacement, informal land transactions and the contested role played by the DENR (Department of Environment and Natural Resources) to process legal titles for this piece of land. The most important lesson to be learned from this story, however, is that in a context characterised by a high level of tenurial insecurity and where formal dispute resolution mechanisms are slow, weak and distrusted, coercion and violence become an indispensable strategy to claim control over natural resources. In this particular case, this did not mean that the actual conflicting families attempted to violently displace one another. Instead, alliances were established with actors having the means of coercion in an attempt to secure or at least strengthen their claims over parts of this contested land. More specific, one family sought the support of commander Tubog while the other family became aligned with commander Abusama. By incorporating these types of land disputes, which are omnipresent all over the area, the rivalry between Tubog and Abusama went beyond the mere competition over political control and influence between these commanders, but obtained broad social ramifications thereby gravely affecting the daily livelihoods of people.⁴³

This story is illustrative of a broader dynamic within the local political arena wherein actors having access to the means of coercion come to act as local kingmakers since they are the ones defending a certain property rights regime in a context characterised by tenurial insecurity and the mere existence of unambiguous, formal property rights

Ampatuan clan. For a more detailed background on these events: see: International Crisis Group (2009) 'The Philippines: After the Maguindanao Massacre' (Jakarta/Brussels Asia Briefing No. 98)

⁴² Interview staff MinhRAC, (Cotabato city, 08-04-2013).

⁴³ After 2002, the Tubog alliance managed to acquire the upper hand in the Mudseng region. After commander Abusama was killed in 1998, his brother Junie Mangadta took over the barangay captainship in Mudseng. In 2002, however, Junie was defeated in the barangay elections by Sapia, the wife of commander Tubog. In the meantime, commander Tubog won the elections in the nearby village of Tugal. As local executives, Tubog and his wife were able to consolidate power in Mudseng and six surrounding barangays: Nabalawag, Tugal, Lower Glad, Rangeban and North East Sanunayan (NES). They did so by integrating their family members and allies into CAFGU's. The domination of Tubog remained stable up until his death in 2007. Right up until today the conflict between Tubog and Abusama continues to create a rift in the barangay council in Mudseng. This is partly due to the many unresolved disputes that were absorbed into the broader conflict between the two commanders.

titles. Within this process, these actors gain public acceptance and consent; in short, they manage to present themselves as legitimate sources of authority by having the coercive capacity to protect natural resources in a region which is economically still very much dominated by the rural sector. As a consequence, land disputes have become sites in which armed actors and organisations reinforce their social embeddedness among rural communities. This also serves as a partial explanation to the question of why certain commanders, seemingly little interested in providing public goods and services for the community, acting as autocrats in their locality and being accused of all types of malevolent practices ranging from vote rigging to rent seeking and so forth, nevertheless manage to build up a certain grassroots support and public legitimacy. This does not mean that the authority exerted by some of these actors is uncontested. On the contrary, as has been illustrated in the previous section on shifting alliances and allegiances, power constellations tend to be fluid and subject to rival claims and rival forces. Moreover, socio-political control is often enforced through the use of intimidation and violence, and all types of resistance against this socio-political control are a daily fact of life.⁴⁴ Yet, it would be wrong to understand these fiefdoms solely as authoritarian enclaves. Socio-political control is indeed of a highly authoritarian nature despite the existence of a formal electoral democracy. Nevertheless, it was regularly stated in our research in the municipality of Midsayap that: ‘as a commander you need the support of the people’.⁴⁵ This indicates how everyday modes of governance contain a certain form of reciprocity, although admittedly an unbalanced one. One of the arenas where this can be observed is in the field of resource management in which it is expected that paying allegiance to a certain commander will result in secure access to natural resources. This is also one of the main reasons why the unexpected penetration of rival factions in the territory one controls is considered such a grave provocation. As explained by one commander, these penetrations can result in a loss of prestige if they are not met with heavy retaliations. Interestingly enough, this retaliation mainly has an ‘internal usage’, as this serves as an illustration they are in full control over the territory and have the necessary means of coercion to protect a certain property rights regime against rival claimants. While the focus so far has been on commanders linked up with MILF or MNLF, the same observation counts for the numerous IP and Christian settler communities in North Cotabato where the leaders of all types of self-defence units dominate the local political arena. An important additional political asset for these leaders among Christian communities is the close and often personal connection they have with the police or the military who can be called on in the event of pending border intrusions. This illustrates how socio-political control is not solely based on violence as such but is as much based on having access to the means of coercion.

These observations largely correspond with the argument that entrepreneurs in violence play a central role in the perpetuation of armed conflict in Mindanao. These entrepreneurs are defined by Gutierrez and Borras as ‘those who use their reputation and capacity for violence to compete for the power to make decisions affecting inhabitants of an area’.⁴⁶ In particular, these entrepreneurs are considered to have a

⁴⁴ Franco, J. (2001) *Elections and Democratization in the Philippines*, London: Routledge. For a background on the situation in North Cotabato, see in particular chapter 6: ‘Local Struggles and National Regime Transition’. For a more conceptual account of the issue of ‘contested democracy’ in the Philippines, see: N.G Quimpo (2005), ‘Review: Oligarchic Patrimonialism, Bossism, Electoral Clientelism, and Contested Democracy in the Philippines’, *Comparative Politics*, 37 (2): 229-250

⁴⁵ Focus Group UNYPAD QRT of Barangay Tugal, Midsayap (12-03-2013, Cotabato City)

⁴⁶ Eric Gutierrez and Saturnino M. Borras, op.cit., p. 24.

marked capacity for violence that enables rural communities to secure control over property. For this reason, these entrepreneurs become enforcers of a certain set of property claims. Our own research on North Cotabato confirms this argument. A difference, however, can be noted in the characterisation by Gutierrez and Borrás of these entrepreneurs as mere bandits or criminals, focused on the use of excessive violence. From talking with entrepreneurs in violence in North Cotabato, gaining a certain degree of social control over a certain population by becoming an enforcer of property claims, is much more important than the sheer use of violence. Moreover, by guaranteeing a (relatively) secure property rights' regime, these actors become real kingmakers in rural communities since they also indirectly control the livelihoods of the majority of people. In this regard, land disputes are not only a source of conflict and violence but have become a resource - so to speak - for a certain type of actor and group in building up their public legitimacy and authority through coercive means.

CONCLUSION

In this section we have argued that violent conflict in Mindanao should not just be understood as Muslim armed groups fighting over socio-political grievances against a Christian-dominated Philippine state. As a consequence, an analysis of the persistent insecurity and violence plaguing large parts in Muslim Mindanao should go beyond a single explanation that solely focusses on the historical marginalisation of the native Muslim community. Our argument is not to say this has never taken place. On the contrary, different studies have conclusively demonstrated how large sections of the Muslim society in Mindanao have been systematically dispossessed and politically marginalised, in particular throughout the autocratic Marcos regime. Moreover, throughout the whole history of violent conflict in Mindanao, the AFP has acted too often as a brutal occupying force and has not taken into account cultural and religious sensitivities.⁴⁷ It is obvious that these sentiments of marginalisation and distrust are pervasive among the Muslim community and are an important factor in understanding the grassroots support organisations such as the MNLF and the MILF enjoy. The point nevertheless is that violence, insecurity and coercion, which have been endemic in this part of the world for the past 45 years, have become intimately embedded within the local political economy. This section attempted to put forward an alternative reading of the persistent insecurity characterising large parts of Mindanao for the last decades. Instead of understanding this insecurity through a national Muslim versus Philippine state dichotomy, this analysis suggests paying more attention to the local political economy and to the role that coercion plays within this local political economy. This argument builds further on previous analysis done by TAF which has demonstrated how the majority of the violence in the region finds its roots in localised disputes.⁴⁸ On the other hand, while acknowledging the 'micro-level' causes of much of the violence in the region, it would be a mistake to understand the socio-political structures behind this violence and coercion as purely localised and disconnected from wider governance structures. First of all, commanders in the field, although presenting themselves and generally being acknowledged as either MNLF or MILF by large sections of society, maintain varying

⁴⁷ Probably the most infamous example of this improper behavior of the AFP was the pork barbecue that was organised after the assault on the MILF camp Abu Bakr in 2000. This barbecue was also attended by then president Estrada.

⁴⁸ Torres, Wilfredo Magno (ed.) (2007), op.cit.

degrees of autonomy against these larger organisations. While the exact degree of autonomy is hard to measure and will depend on which region or which commander one is talking about, the point is that the actions of these actors are not solely driven by the strategic vision of either the MILF or the MNLF. Instead, these actions are as much guided by struggles for, and over, authority within the local political economy. Illustrative is the fact that numerous commanders have participated in local *barangay* elections in North Cotabato since the end of Martial Law. Moreover, in many cases, these commanders consist of *datusi* (traditional leaders heading a clan) that is still the most prominent kin-based social organisation in Muslim Mindanao. As executive, traditional and coercive authority are combined in one and the same person, these actors come to act as real 'kingmakers' or 'bosses' in their particular fiefdoms. As such, the authority that organisations such as the MILF and MNLF exerts, happens indirectly through these commanders and can therefore be understood as a type of mediated authority. On the other hand, and this is an important point, the integration of these commanders within larger structures such as the MNLF or the MILF is still very relevant as these are considered as tools to interact with the Philippine state. As such, commanders and larger rebel organisations are tied into a complex interaction of mutual dependence.

Closely related to this is the observation that violent conflict in Mindanao cannot be understood through fixed categories and binary dichotomies. Tensions play out not only between Christians and Muslims - although this is an important feature of much of the violence, in particular in North Cotabato - but also play out equally within the Christian, Muslim or IP community. Once again, the end of Martial Law seemed to be a turning point in this regard, since different respondents in the municipality of Midsayap pointed out that they had experienced a transformation from what they considered as 'the ideological conflict' to 'an inter Moro grudge or *rido*' mostly caused by electoral competition and land disputes.⁴⁹ Moreover, in the build-up of strategic alliances for obtaining control over the local political economy, actors tend to be rather pragmatic as these alliances often transgress Christian versus Muslim, or MNLF versus MILF, dichotomies. Overall, the existence of these fluid alliances points to the highly volatile nature of this region in which different power constellations constantly compete with each other and reshape the socio-political environment.

Lastly, it has been stated that having access to the means of coercion is fundamental for an understanding of local authority structures in this region. First of all, this is linked with the observation that highly fluid elite constellations are in rivalry with each other and the use of violence plays a fundamental role in this competition. In this sense, violence is particularly characteristic in those contexts where power is highly challenged and contested. Illustrative in this regard is the overall fear by many civil society organisation not only for local elections but particularly for those elections in which rival elite constellations are of equal strength. At a second level, this capacity for coercion is also fundamental in the build-up of authority that is, at least to a certain degree, considered as legitimate by large parts of society. In a region characterised by a high level of legal insecurity, coercion plays a central role in everyday modes of governance. This point has been illustrated through the issue of resource disputes. Where legal titles over land are contested or hardly existent and formal dispute mechanisms weak and distrusted, the capacity for coercion becomes a

⁴⁹ Focus Group with UNYPAD QRT of Barangay Nabalawag (Midsayap, 01-03-2013).

central tool to guarantee secure access to a certain property rights regime. In this regard, resource disputes and the institutional insecurity feeding these disputes, become resources for a certain type of socio-political authority which is highly coercive in nature.

PART 3: IMPLICATIONS FOR STRATEGIES OF PEACE BUILDING AND CONFLICT MANAGEMENT

The analysis of the conflict in Mindanao as presented above puts forward some fundamental questions about how sustainable peace can be reached in the region. As the insecurity in Mindanao cannot be solely understood through a persistent and eternal dichotomy between Muslim armed groups and the Philippine state, this implies that negotiations attempting to overcome this dichotomy are confined in their reach. Probably the most persuasive evidence underpinning this argument is the outcome of the 1996 peace agreement with the MNLF. First of all, despite widespread and often pertinent criticism, it should not be forgotten that this agreement has meant a step forward simply by the fact that the MNLF and the GRP are no longer openly at war and large-scale open clashes between the two groups have in general been avoided.⁵⁰ Nevertheless, as has been illustrated above, this ceasefire could not prevent a whole range of ‘minor’ clashes between the AFP and the MNLF the past years. Moreover, no conclusive evidence exists about the ‘trickle-down effect’ of the 1996 agreement on the reduction of violent feuds and disputes. To our knowledge, no conclusive study has been carried out which convincingly demonstrates how the 1996 agreement impacted on the overall security situation in the region. Yet, as can be derived from the data above, it is obvious that numerous MNLF commanders all over the region have maintained their coercive capacity; and that this coercive capacity is strategically deployed in struggles over control in the local political economy. Even in cases where MNLF commanders and their following entered the demobilisation programmes and were formally integrated into the AFP, the MNLF commanders in question often maintained their capacity as local kingmakers. Nevertheless, it is beyond doubt that this situation in which armed commanders maintain their coercive capacity and use it to cater for their personal interests has resulted in numerous violent skirmishes caused by electoral competition, disputes over land and resources or other issues; and has contributed to an overall climate of insecurity in large parts of the region which continues until today.

⁵⁰ A notable exception was the audacious attack by 200 MNLF fighters on the city of Zamboanga on September 8, 2013. These events should be understood against the background of the current talks between the GRP and the MILF. Sections within the GRP feel anxious about the possible political domination by the MILF in the future Bangsamoro. Next, it is important to bear in mind this attack was not conducted by the MNLF as a whole but instead by one group within the MNLF under the leadership of Nur Misuari and commander Habier Malik. Other important leaders within the MNLF such as Muslimin Sema have openly renounced the attacks and wish not to thwart the current negotiations with the MILF.

THE LIMITS OF A HYBRID COALITION APPROACH

In short, while successful national-level talks are an indispensable, yet in themselves insufficient, component to reach sustainable peace, the effect these talks have on everyday dynamics of violence and insecurity seems confined. As such, these national negotiations need to be complemented with strategies of conflict management and peace building which focus on disputes rooted in violent competition over access and control over the political economy. We do not claim any originality with this argument. In fact, a whole range of initiatives are already in place in Mindanao which attempt to quickly solve a diversity of violent disputes, with a particular emphasis on avoiding an escalation of these disputes into larger warfare. Within this wide range of initiatives, the hybrid approach of conflict management deployed by TAF is but one example. As explained above, based on the data gathered in their *rido* study, TAF correctly observes that much of the violence in Mindanao has a heterogeneous character which is rooted in tensions over such issues as land access and electoral competition. This observation has resulted in a particular approach to conflict management which focuses on the rapid settlement of these disputes. Interestingly, TAF Philippines deploys a dual strategy in this regard. On the one hand, TAF is engaged in the current negotiations between the MILF and the GRP as a partner in the International Contact Group and member of the Third Party Monitoring Team overseeing the implementation of the Framework Agreement on the Bangsamoro and its annexes. On the other hand, this national-level engagement is complemented with a strategy of conflict management that is particularly focused on settling local disputes. This latter approach is known as *'Hybrid Systems of Conflict Management'* and explicitly states that:

By supporting hybrid or mixed systems that combine formal and informal approaches to managing conflicts, we allow the different systems to draw strength from one another, strengthen the conflict resolution process, reduce violence, and eventually draw the informal working systems into the ambit of mainstream formal governance structures.

An elaborate analysis of the particular Theory of Change underpinning this approach by TAF has already been provided elsewhere.⁵¹ To sum up the main conclusions of this paper: this hybrid approach is mainly geared towards building broad coalitions which serve as platforms or lines of communication through which conflicting parties attempt to reach a negotiated settlement. These coalitions are conceived of as 'hybrids' as they combine formal and informal actors and institutions for conflict settlement. By including a range of relevant mechanisms and stakeholders from both the formal and the informal sphere who have a certain authority and legitimacy in the community, these coalitions pressure the warring parties into settling the conflict. It also needs to be stressed that this hybrid coalition idea is guided by the observation that formal government institutions are weak and slow in these volatile and conflict-affected regions. Through an analysis of Quick Response Teams as a specific emanation of this hybrid coalition approach, it has been illustrated how this strategy is particularly effective at quickly solving disputes. One of the main determinants of whether a particular intervention is potentially successful is the extent to which these coalitions reflect existing elite constellations. This requires a significant degree of sensitivity and understanding of local power constellations – this is where TAF's

⁵¹ Jeroen Adam et.al., op.cit.

partner organisations come into play – and a great degree of flexibility and pragmatism in the selection of coalition members. While flexibility and pragmatism in working with local elites proved to be effective and efficient; this also raised fundamental questions regarding the legitimacy and the long-term sustainability of some of these settlements. It was therefore suggested that, despite the currently highly coercive and authoritarian nature of political authority in large parts of Mindanao, a more sustained engagement with formal state institutions at the local level would be beneficial for the long-term sustainability of these initiatives. In the remainder of this section we will argue that a more sustained engagement with the Philippine state, not only in the actual formation of hybrid coalitions of conflict management, as is already largely the case, but in the actual settlement of the conflict itself, could mean a step forward in this regard.

BEYOND DISPUTE SETTLEMENT: BUILDING UP LINKAGES WITH FORMAL STATE STRUCTURES

A particular point of emphasis and strategic thinking concerns the ‘hybrid’ nature of the conflict management approach deployed by TAF. It is considered a particular added value that the actors and institutions involved in these coalitions are drawn from both the formal and informal sphere. In particular the involvement of traditional and/or religious leaders, and the specific type of public authority they bring along with them, is understood as pivotal for a successful intervention. Yet, while the hybrid character in terms of actors participating within these coalitions is obvious and clear, the second claim made in the actual ToC, i.e. that the way in which *‘informal working systems are drawn into the ambit of mainstream formal governance structures’* in actual conflict management is not clear. First of all, despite some exceptions, formal state structures play a limited role within these settlements. In most cases, this role is reduced to that of a ‘spectator’ wherein the presence of (preferably high-ranking) representatives of the state in peace covenant signings is understood as a sort of symbolic capital which benefits the sustainability of the agreement, since this puts pressure on the conflicting parties to stick to the agreement. Evidence supporting this claim is sketchy. In other cases, within the actual contract being signed by the opposing parties, it is explicitly stated that breaking the settlement will lead to retaliation by the army or the police. While this is definitely a stronger guarantee for compliance with the agreement, the constant rotation of army units still means that this is no absolute guarantee that the warring parties will not retaliate one day in the future.⁵²

These concerns about the sustainability of these settlements are intimately linked with questions of how far these hybrid coalitions of conflict management manage to address the immediate root causes of violent disputes in the region. As already explained, within the hybrid approach, an attempt is being made to establish a

⁵² Different NGOs that were also involved in conflict management outside the TAF scope, indicated they had negative experiences with these peace covenants, even when high-profile state representatives were present or provisions were made for security forces to intervene in the case of violations. For instance, members of one well-known NGO called MinHRAC (Mindanao Human Rights Action Center, formal member of the Civilian Protection Component of the International Monitoring Team) have now reached a point where they considered these well-intentioned formal peace covenant signings as nothing more than a popular free festival, as one MinHRAC representative explicitly stated: ‘Actually, it is only eating’. (FGD MinHRAC staff, 08-04-2013, Cotabato city) .

coalition which serves as a vehicle to bring the conflicting parties together in a process of communication and mediation. When mediation is done successfully, this results in a solution which often, but not always, involves the payment of blood money to the so-called ‘offended party’, i.e. the payment of a certain amount of money to compensate for the violence conducted. The amount of money to be paid depends on the nature and gravity of the actual acts of violence. It also needs to be stressed that TAF itself is not directly involved in the payment of this blood money and this is either done by the offending party, the local mediator and/or another third party, in most cases local strongmen. This whole process is then concluded with the signing of a peace covenant in which both parties pledge they will refrain from using violence in the future. Although effective in putting a halt to a violent dispute, this practice of paying blood money only tackles the symptoms of the underlying causes for a conflict. This was also acknowledged by TAF staff working within the Conflict Management Unit who admitted their hybrid coalition approach had difficulties in addressing the immediate root causes of a dispute and that the majority of their conflict management interventions cannot be termed as real sustainable resolutions to a conflict, even if the conflicting parties refrain from fighting in the near future.⁵³

We would like to explicitly stress the word ‘immediate’ in this context as we do not intend to engage with general and often elusive discussions about the relationship between equitable and inclusive development and conflict or the potential ways in which poverty feeds into violence. As indicated in a recent report by TAF entitled: ‘*The Contested Corners of Asia. Subnational Conflict and International Development Assistance*’ causalities between poverty/inequality on the one hand and conflict/violence on the other hand are too often taken for granted and hard evidence on this causality tends to be thin.⁵⁴ In addition, the way certain aid programmes manage to prevent conflict through these development inspired interventions is often unclear and evidence remains patchy at best.⁵⁵ However, this pertinent observation should not divert attention away from tackling some of the immediate root causes of violent disputes. In the context of North Cotabato, we specifically refer to the plethora of land conflicts which are rooted in a complex mixture of dispossession, displacement and tenure insecurity. While TAF has been involved in settling certain land disputes, initiatives so far that have attempted to formalise some of these settlement through an actual process of land titling or formal recognition of certain access rights are inexistent. We will argue how through some modest additional efforts, this hybrid coalition approach can be expanded by including representatives of formal land titling agencies. This will be illustrated through two initiatives in North Cotabato which work outside the TAF scope, but which deploy a similar hybrid coalition approach. The main difference, however, lies in their ability to broaden their coalitions by building up useful linkages with civil servants working in land

⁵³ Interview with Willy Torres and Hyro Domado, Conflict Management Unit TAF Philippines, (02-03-2013, Manila). In this particular interview their interventions were sometimes compared to that of firefighters. Once again, while a team of competent firefighters is definitely welcome in case of imminent fires, the question nevertheless remains whether a next step cannot be added to this approach which attempts to tackle the immediate root causes of a violent dispute.

⁵⁴ Thomas Parks, Nat Colletta and Ben Oppenheim (2013), *The Contested Corners of Asia. Subnational Conflict and International Development*, San Francisco: The Asia Foundation; for a more general discussion on the relationship between poverty and conflict see: Jonathan Goodhand (2003) ‘Enduring Disorder and Persistent Poverty. A Review of the Linkages between War and Poverty’, *World Development*, 31 (3): 629-646.

⁵⁵ Thomas Parks, Nat Colletta and Ben Oppenheim (2013), *op.cit.*, p. 57.

implementing agencies within these coalitions. These linkages are then actively deployed not only to reach a solution to the land dispute, but also to generate titles for these lands which thus gives these solutions a much more sustainable character.

CASE STUDY 1: CRESCENT⁵⁶

Crescent (Center for Rural Empowerment Services in Central Mindanao) is a small NGO established in 2002, based in Kidapawan and vying for the peaceful solution of land conflicts in North Cotabato through the implementation of redistributive land reform. Their work is focused on eleven municipalities, spread over the provinces of North Cotabato and Sultan Kudarat. The organisation is part of a national network called Katarungan, consisting of different progressive peasant movements vying for the redistribution of private and public lands through the CARP(ER).⁵⁷ Although rooted in a tradition of agrarian reform, considering the particular context within which they operate, this NGO also attempts to tackle and solve violent land disputes, in particular through a strategy of redistributive land reform. While at first sight a very different policy compared to the *'hybrid coalition approach of conflict settlement'* championed by TAF, in daily practice, there are some remarkable similarities. When tensions surrounding access to land or other natural resources emerge or have already resulted in low-intensity violence, an attempt is made to establish a coalition that can put pressure on both parties to stop fighting and reach a solution to their dispute. These coalitions consist of a mixture of politicians, traditional leaders, and civil servants and are very much in line with the hybrid nature of the coalitions as deployed by TAF.

The majority of cases in which Crescent intervenes consist of land conflicts between Christians and Muslims. The root cause of these tensions goes back to the violent dispossession of numerous Muslim communities in the early 1970s by the Christian Ilaga militias. An interesting example can be observed from early 2012, when tensions were rapidly sharpening between a Christian community and a Muslim clan, named Buday, on the borderlands between the villages of New Bugasong and Dalapitan, in the municipality of Matalam, North Cotabato. Problems erupted when members of the Buday clan started planting crops on land which had been cultivated by the Christians for the past decades.⁵⁸ This 'provocation' resulted in nightly exchanges of fire between the two groups. Moreover, the situation was stuck in a real stalemate with both sides refusing to talk with each other after some failed attempts by the local government to bring both parties together. Guard posts for both communities were stationed at critical frontier zones and refined communication

⁵⁶ This part is based on fieldwork conducted in July-August 2011 and January-February 2012.

⁵⁷ CARP stands for Comprehensive Agrarian Reform Program and is a nationwide programme of land reform for private and public lands initiated in 1988. In 2009, an extension was ratified under the framework of CARP(ER) (CARP with Extensions and Reform). The whole programme will most probably come to an end in 2014. The objective of this CARP is a redistribution of agricultural lands to tenants and farmworkers for which the landowner receives financial compensation in return. For more information, see: Saturnino M. Borras (2007) 'Pro-Poor Land Reform. A Critique' (Ottawa: University of Ottawa Press).

⁵⁸ The following is based on a range of interviews with different stakeholders involved in the conflict and on participatory observations conducted in January-February 2012. Key interviews included: FGD Christian farmers (23-01-2012, village of Dalapitan); Interview with Municipal Agrarian Reform Officer (25-01-2012, Matalam city), Interview with Provincial Agrarian Reform Officer (26-02-2012, Kidapawan city), Interview Muslim traditional leader (01-02-2012).

systems immediately alerted the village centre in the case of an upcoming attack or the intrusion of 'unknown elements'. Farm equipment and animals were stored in the centre of the village out of fear of theft. At the time of our fieldwork, some farmers working in the vicinity of the sensitive border zone went to their fields with armed bodyguards.

The root causes for this tension have to be sought in the early 1970s when this particular Buday clan became displaced because of aggressive attacks by the Christian Illaga militias.⁵⁹ This displacement offered an exceptional opportunity for sections of the Christian population to take over these unregistered lands. Since many Muslim families considered the lands they were living on as irrevocably lost after their displacement, the head of the Buday clan, Lakmat Buday, sold 32 ha. of his land to a Christian public accountant in 1976 who developed these lands into a sugar cane plantation on which 30 Christian households came to work as tenants. As in so many of the land transactions happening after the Ilaga displacement, a 'deed of sale', or selling contract, was signed between the head of the Buday clan and this accountant but this selling contract was never converted into an actual private property title. Due to the legally insecure nature of this piece of land, the son of Lakmat Buday had therefore seen an opportunity to reclaim the land and this is where the root of the dispute needs to be situated.

This story is illustrative of a broader process happening in numerous places in North Cotabato where dispossessed native Muslim communities have made attempts since the mid 1990's to reclaim land from which they have become dispossessed. In many cases, informal agreements - albeit on shaky grounds and often very contested - could be reached about the return of these Muslims to those lands now cultivated by Christians. In the meantime however, mutual suspicion remains high, not least because many of these informal agreements were only reached after violent incidents, intimidation and the use of coercion by both sides. Moreover, a context characterised by high levels of tenure insecurity, as can be witnessed in the case above, further added to an overall climate of distrust as border delineations remain unclear within these informal agreements and the actual legal status of occupancy for both Christians and Muslim remains vague. Furthermore, as explained above, the capacity for coercion remains a vital socio-political asset for local strongmen within this particular context as they can present themselves as vital protectors of land and resources.

In those instances where violence is imminent, Crescent builds up a coalition which acts as a communication platform between the conflicting parties. In the case discussed above, this coalition consisted of one well-known traditional Muslim leader having family ties with the Buday clan; and a retired high-ranking Christian politician, symbolically representing the Christian side. These two people were effective in mediating and putting pressure on the conflicting parties to refrain from using violence. However, this could only be realised after promises were made that a sustainable and equitable settlement for the land conflict would be reached. As a result, linkages were established with key people in different land registration agencies such as the DENR (Department of Environmental and Natural Resources)

⁵⁹ Ilaga stands for 'rat' but is, in particular among Muslim communities, also known as 'Ilongo Land Grabbers Association'. Literature on this Ilaga history is scarce. For an introductory account, see: Thomas M. Mc Kenna, 'Muslim Rulers and Rebels. Everyday Politics and Armed Separatism in the Southern Philippines' (Berkeley: University of California Press 1998) pp. 149-156. In general, it is obvious that the role of Christian militias is underestimated or too often neglected in more general accounts of the conflict in Mindanao.

and the DAR (Department of Agrarian Reform). Through an informal coordination with these agencies, possibilities were outlined through which a negotiated settlement could be established between the competing claims. As outlined above, the contested piece of land was still state-owned public land, although a deed of sale existed. The problem, however, was that the Buday clan could not claim land based on their occupant status. For this reason, options were discussed to see whether the deed of sale could be declared illegal as the signatory by Lakmat Buday was apparently forged.⁶⁰ However, in other cases where the returned Muslim community had already been living for many years, successful attempts have often been made to bring these contested lands under land reform through the CARP law. This was done after close deliberation with both communities and had the main advantage that ultimately, both communities received secure property titles for their particular piece of land. Before discussing this approach in more detail in relation to the hybrid coalition approach deployed by TAF, we would like to include another case study situated in the province of North Cotabato.

CASE STUDY 2: NATULARAN MU⁶¹

A second case concerns an alliance of different *barangays* (Nabalawag, Tugal, Lower Glad, Rangeban, Nes and Mudseng) all situated in the municipality of Midsayap, North Cotabato on the volatile borderlands between North Cotabato and Maguindanao. This ‘peace alliance’ as they wish to portray themselves was established in 2005 through funding by the Integral Development Services, Philippines (IDS Phil) and the German Technical Cooperation. The trigger for the establishment of the alliance was the violent displacement of numerous inhabitants of Nabalawag, Mudseng, Rangebang and Tugal to the villages of Lower Glad and NES after tensions - mostly revolving around land and resources - between Christians and Muslims and between different groupings within the Muslim community, started running out of control. Although the funding by the IDS Phil and the German Technical Cooperation ended after 2007, Natularan Mu maintained their focus on peace building activities and conflict management. Part of the strength of Natularan Mu lies in its strong political connections. Since 2006 the alliance has been headed by Vicente Rabara, *barangay* captain of the village of Lower Glad and brother of the mayor of the municipality of Midsayap, Manuel M. Rabara. These overt political connections clearly set some limits to the reach of the activities of Natularan Mu. On the other hand, these same connections also add a political weight that enables the organisation to reach certain dispute settlements. It is also important to know that there is an indirect consultation with the MILF within this alliance through the OPAPP (Office of the Presidential Adviser on the Peace Process) and the Municipal Local Government Unit. Unfortunately, however, some commanders with very doubtful credentials were also included in this alliance, which was an obvious and logical reason why TAF did not wish to work with them. Nevertheless, despite these major flaws, some of the initiatives undertaken by Natularan Mu are worth taking into account.

⁶⁰ All over the region, the fact that property titles and deeds of sale have often been issued on shaky and contested grounds adds further to a context of tenure insecurity and legal pluralism.

⁶¹ The following is mainly, but not solely, based on: Interview QRT leader Magungaya (12-04-2013, municipality of Midsayap), FGD Natularan Mu members (28-03-2013, municipality of Midsayap), FGD members Unypad (22-04-2013, Cotabato city).

Although involved in a whole range of disputes, the core agenda of the alliance is the peaceful settlement of land conflicts in the region. Broadly speaking, the root causes of these land conflicts are similar to those described for the Matalam case study, i.e. a history of violent displacement of the native population and an influx of Christian farmers within a context characterised by tenure insecurity, legal pluralism and very low levels of formal land registration. In particular, throughout the early 1970s, numerous native Muslim households became displaced because of violent attacks by the Christian Ilaga militias. Most often, these 'empty' lands were then cultivated by Christian settler peasants. In contrast to the municipalities around Kidapawan, violent clashes between Christians and Muslims have continued largely unabated since then. Throughout the 1990s and 2000s, various violent attacks were conducted by a Christian armed militia called Bantai Bayan that was involved in open confrontations with the MILF, thereby displacing numerous native Muslim households. All this further added to a context of communal distrust and resentment and has proven to be a fertile breeding ground for Muslim and Christian armed commanders and groupings alike. In some cases, this history also resulted in intra-religious tensions over land access and control as was the case between the Muslim Namil and Sugol families. Throughout the 1950s members of the Namil family came to work as tenants on land that historically belonged to the Sugol family. However, in the early 1970s the Namil family sold their land to Christians, out of fear of pending attacks by the Ilaga militias, after which the Sugol family bought this same land back from the Christians and so the land stayed in the hands of the Sugol family. During the 1980s, however, the Namil family managed to obtain a private property title with the DENR for this particular piece of land, apparently on dubious, or at least contested, grounds. In the meantime, a close relative of the Namil family had become a commander in the MILF which strengthened their claims over the land. Since then, these two families have been in conflict with sporadic outburst of violence and retaliation.

Natularan Mu intervenes in this sensitive context by initiating a dialogue between the conflicting parties. Within this dialogue, a broad range of stakeholders are invited, ranging from local politicians, MILF and/or MNLF representatives, civil servants etc. What is unique in their approach, however, is the proactive involvement of DENR personnel as the main agency responsible for titling unregistered public lands within this coalition. Interestingly enough, some remarkably efficient, yet highly unutilised mechanisms exist within municipal and provincial DENR offices to settle land disputes.⁶² The most prominent example is the 'Alternative Dispute Resolution' (ADR) mechanism through which two contending parties can reach an amicable settlement for a certain land conflict under the supervision of the DENR. Within this ADR mechanism, the DENR only treats those cases which are formally brought to the DENR. Although there is no fixed rule, compensation money is often paid to reach an agreement. Yet, the most important added value of working through this ADR is that property titles can be easily released by the same DENR office. Importantly, this amicable settlement mechanism can only be used in those cases where no appropriate titles for land have yet been generated, and where the land is therefore considered as public land.⁶³ Yet, considering the low level of land titling in some of the rural

⁶² Interview with Community Environment and Natural Resources Officer, (DENR office Midsayap, 12-04-2013).

⁶³ There exist different subcategories within this broad category of public land. It is important for this titling exercise that the land is considered to be alienable and disposable.

hinterlands in North Cotabato and other places in Mindanao, this poses no immediate problem.

While working through the DENR definitely has an important added value to reach sustainable solutions to looming land and resource disputes, this is no guarantee for success either. For instance, within the Natularan Mu, despite the connections with some DENR personnel, no settlement could be reached for the aforementioned Namil versus Sugol tensions for the simple fact that the mediation between these two conflicting parties was unsuccessful. As a consequence, while the two families are not particularly on speaking terms, real outburst of violence have been prevented through the establishment of a Joint Ceasefire Monitoring Team (JCMT) consisting of MILF and AFP representatives that was stationed between the villages of Rangeban and Mudseng. While in this case the negotiations organised by Natalarum Mu and the direct involvement by the DENR did not result in a sustainable solution to the conflict, other success stories have been noted. For instance, this was the case with tensions between two families over a piece of land of 24ha. in the village of Mudseng. Not only was the dispute between these two parties settled with the assistance of the OPAPP through a division of the land that was considered fair and equitable by both contending parties, but this division was also formalised since the DENR provided legal titles to both parties.

STRATEGIES OF CONFLICT MANAGEMENT: RETHINKING SCALES AND INTERACTIONS

The conflict management strategy deployed by TAF, departs very much from an analysis of the conflict in Mindanao which is rooted in a national versus local dichotomy. While it is acknowledged that feuds or *rido* have a potential to escalate into larger warfare, the root causes underlying these feuds are largely considered to be disconnected from the national struggles around autonomy. As explained above, this dichotomy between national issues and specific tensions at the micro-level of society has enabled us to move away from a top-down analysis of the conflict in Mindanao and opened our eyes to the heterogeneous character of much of the violence in the region. However, things become more problematic when these national and micro-level viewpoints are approached as two scales which are disconnected from each other. As noted by the influential Yale-based scholar Stathis Kalyvas in an article on identity and action in civil war, violent conflicts cannot be explained through one overarching issue or ‘master cleavage’.⁶⁴ In this particular case, this master cleavage would be the ‘eternal’ contradiction between the Christian-dominated Philippine state and its Muslim minority. Instead, Kalyvas suggests that actions in civil war are often informed by local issues and struggles. Yet, despite this argument on the localised nature of much of the violence in civil war, Kalyvas also states how armed groups in the centre of the conflict and those at the periphery make ‘for the joint production of action’.⁶⁵ Through this interaction, local tensions and enmities are incorporated into the general master narrative of the conflict. This is an important observation since these linkages and interactions will to a large extent determine the particular escalation and genealogy of a violent conflict. In short, this observation warns us not to draw too sharp a distinction between micro-level dynamics of violence, as exemplified by the term *rido*, on the one hand and the questions, tensions and

⁶⁴ Kalyvas, Stathis (2003) The Ontology of ‘Political Violence’: Action and Identity in Civil Wars, *Perspectives on Politics*, 1 (3): 475-494.

⁶⁵ Kalyvas, Stathis (2003) *op.cit.*, p. 476.

contradictions playing at the national level on the other hand. In this paper, we have also illustrated how a particular type of coercive authority, which in general lies at the root of many of these feuds, is embedded within a complex and multilayered conflict ecology. In other words, although the actions of certain commanders are often driven by competition over the local political economy, these commanders are still integrated within regional rebel structures which are also vital to the build-up of their authority at the local level. As such, different systems and scales of violence and coercive authority should be analysed in relation to each other and cannot be treated as separate spheres.

This framing of the conflict in Mindanao as a dichotomy between national and localised issues is reflected in an approach to conflict management and peace building which departs from this same dichotomy. On the one hand, there is a range of initiatives which explicitly focus on quick dispute settlement and conflict management at the micro-level of society through local NGOs which have a strong local embeddedness. On the other hand, there are the national-level negotiations between the MNLF/MILF and the GRP in which TAF, at this particular moment, is also involved as a partner through the International Contact Group and the Third Party Monitoring Team. Yet, as different scales of violence and coercion are inextricably linked, more efforts could be made to rethink how different scales of conflict management and peace building initiatives also relate to each other. This is without doubt a challenging intellectual exercise. A first step in this exercise could be taken by reconsidering how access to the state is being conceptualised within these different scales. People will have little doubt that the current negotiations between the MILF and the GRP essentially revolve around an agreement about the specific modalities through which the Muslim minority and their main representatives wish to integrate within the Philippine state. A characteristic discussion in this regard concerns issues of taxation and natural resource extraction within the future Bangsamoro. Although this may seem strange at first sight, strategies of conflict management at the community level are, ideally, not that different. As illustrated with the two examples above, conflict management is not only about the actual settlement of a certain land dispute but is just as much about a fundamental discussion of the modalities through which certain conflicting families, or other kinship based groups, or certain local powerbrokers for that matter, wish to call on the authority of the state as a legitimate protector of their (property) rights. In other words, as rightly indicated by TAF staff, proper conflict management is '*governance in action*'.⁶⁶ Considering the fact that the Philippine state remains a relevant actor in these conflict-affected regions, this governance in action by definition preferably interacts with those institutions representing the Philippine state, not only in the actual constitution of the coalitions negotiating a settlement, but also in the settlement itself. For instance, this was the case with Crescent and with Natuluran Mu. This is not to say that the two initiatives described above are textbook examples of successful conflict management. In the case of Crescent, when solely relying on the CARP programme for dispute settlement and land titling purposes, one is inevitably confronted with some important limitations, not least the fact that this programme is expected to end by 2014. Moreover, it was clear from our interviews that the Natuluran Mu alliance was totally captured by a specific and rather problematic elite constellation, which hindered the development of this network as a trustworthy and truly inclusive peace alliance.

⁶⁶ Interview with Willy Torres and Hyro Domado, Conflict Management Unit TAF Philippines, (02-03-2013, Manila).

Nevertheless, it is interesting to see how these initiatives are not afraid of a direct and open engagement with the Philippine state, and this brings some important advantages. First of all, as already indicated, this engagement gave a more sustainable character to the solutions reached. For instance, the facilitation by Crescent between a group of Christian settlers and the (returning) native Muslim population in the village of Kibya, municipality of Matalam, resulted in the provision of individual property rights titles after a careful and long deliberation between the two opposing parties.⁶⁷ Moreover, since this agreement was reached, communal relations between the two groups have been remarkably stable and the settlement of this land conflict can therefore be considered as sustainable. This is inevitably linked with an important observation made earlier in this paper, i.e. how a context characterised by high levels of tenure insecurity inevitably feeds into the development of a specific type of coercive authority.

Another point that needs to be stressed in this regard is the issue of building trust through daily social interactions. Based on different participatory observations, it became evident that a process in which land titling agencies proactively helped in mediating between conflicting parties inevitably resulted in a *rapprochement* between state and society. This was also the case among those groups where suspicion against the Philippine state has been traditionally high. Nowhere is this more obvious than in the recent *rapprochement* between the AFP and the hybrid coalitions of conflict management, established under the guidance of TAF. This *rapprochement* was made possible through the presentation in 2011 of the AFP's new 'Internal Peace and Security Plan'.⁶⁸ Within this document, an analysis is made that in order to reach a sustainable peace one should go beyond a purely military approach, i.e. battling armed insurgent groups. Therefore, an alternative collective approach (the so-called '*whole of nation approach*'), in which different sectors in society have a stake, is suggested as a way of reaching peace and security. For obvious reasons, this new security plan is part of a broader strategy by the Aquino administration to reach peace in Mindanao and this is focused overall more on negotiation than confrontation. While this may seem somewhat vague, one of the most concrete outcomes of this new approach so far is that sections within the military in conflict-affected places in Mindanao are doing their best to reach out and build up links with civil society organisations vying for peace. As such, this new doctrine opened up a window of opportunity for TAF and its partner organisations to engage more directly with the military and therefore became part of the DFID funding under PPA 5. This also led to the formulation of a specific ToC on 'Community-led Efforts to Improve Local Security'. Within this ToC it is claimed that:

By supporting community-led efforts to improve relations with security forces, violent incidents will be less common and less severe. Improved relations between conflict-affected communities and security forces (and within communities themselves) will reduce the risk of tensions and incidents that result from poor communication.

Although still at a preliminary stage, this *rapprochement* between the military and TAF partner organisations has significantly benefited the effectiveness of conflict programming by TAF. Although this is no absolute guarantee, due to the constant

⁶⁷ Interview Unypad QRT members (Municipality of Midsayap, 06-04-2014).

⁶⁸ Internal Peace and Security Plan Banihayan, http://www.army.mil.ph/pdf_files/bayanihan.pdf (accessed 28-10-2013).

geographical rotation of military units, the involvement of security personnel in the settlement of disputes adds to the sustainability of these settlements. Moreover, this *rapprochement* results in an important exchange of information in which these hybrid coalitions often act as lines of communication between the AFP on the one hand and armed insurgent groups such as the MNLF and the MILF on the other hand. These lines of communication are particularly vital in case of tensions. For instance, it was interesting to see how after the Zamboanga attack on September 8th 2013, military personnel and MNLF commanders all over North Cotabato province immediately started calling, assuring each other that no attacks were being planned. This immediately reduced some tensions, uncertainties and agitations, not only among the MNLF and the AFP but also among the broader population. Last but not least, these informal interactions between military and armed groups, often facilitated through coalitions such as the ones established by TAF, inevitably increases mutual respect, although this point remains hard to prove through real quantitative evidence.

CONCLUSION

In this section, we have illustrated how our particular analysis of the violent conflict in Mindanao demands a proactive working relationship with the Philippine state in strategies of peace building and conflict management. Considering the central role played by violence and coercion in the local political economy and the fact this violence is not solely driven by a demand for autonomy, it has been stated that the ongoing national level talks between the MILF and the GRP, are an indispensable, yet in itself insufficient, strategy to reach sustainable peace in the region. As the violence in Mindanao has a particular heterogeneous character, these negotiations have a limited reach and need to be complemented with other conflict management strategies. It is here that the hybrid coalition approach by TAF comes into play as this approach explicitly aims to tackle these diverse violent feuds. This hybrid approach has some particular advantages due to its capacity for quickly developing coalitions which act as communication channels between the warring parties. These coalitions are conceived of as ‘hybrids’, as they purportedly combine formal and informal actors and mechanisms. Yet, despite these notable advantages, some deficiencies can be noted. A first point of critique was the observation that the immediate root causes of violent disputes are not tackled, a point duly acknowledged by TAF staff themselves. A second point of critique is that this hybrid approach is somewhat narrowly focused on the ‘micro-level’ of society, at a scale that is largely disconnected from the master narrative of the conflict. Instead, it has been illustrated how different scales and systems of violence and coercion are intimately linked to each other in Mindanao. As a consequence, more attention should be focused on the question of how different systems and scales of conflict management relate to, and mutually influence, each other.

As a preliminary answer to these questions, a suggestion has been made for a more active involvement of the Philippine state with ongoing programmes of conflict management. This implies that the hybrid approach of conflict management as it stands now should not be abandoned. Instead, it is suggested that, with some minor efforts, this approach can be expanded. This point has been illustrated by referring to two other NGOs which work outside of the scope of TAF, yet depart from a similar hybrid coalition approach. These two NGOs attempt to tackle the numerous resource disputes playing all over the province of North Cotabato. As has been illustrated,

these resource disputes should be situated within a context characterised by the complex interplay between tenure insecurity, the violent dispossession of the native population and low levels of formal land titling. In an attempt to settle violent disputes over land and resources, representatives of land titling agencies are not only part of the actual coalition mediating between the conflict parties, in collaboration with these representatives, attempts are being made to formalise the solution reached by awarding titles to these lands. In short, despite limited funding, these initiatives search for solutions to land conflict which are sustainable and go beyond mere attempts to prevent the conflicting parties from fighting again. Moreover, considering that a situation of tenurial insecurity feeds into the development of a certain type of strongman defending property in this highly volatile environment, the breeding ground for this coercive authority is gradually being taken away. Secondly, a closer involvement with the state will overcome too strong a dichotomy between strategies of conflict management at the so-called 'micro-level' of society and the ongoing negotiations between the MILF and the GRP. While these national negotiations essentially discuss the terms and conditions through which the Muslim population and their main representatives wish to integrate within the Philippine state; conflict management at the micro-level of society basically does the same, since conflicting parties negotiate about the terms and conditions for a certain settlement to their dispute, after which this settlement becomes formalised and presumably protected by this same state.

CONCLUSION: PEACE MAKING AND STATE-SOCIETY INTERACTIONS

It is expected that the current, ongoing peace talks between the MILF and the GRP will in the near future (presumably in 2015 or 2016) result in the creation of an autonomous Bangsamoro entity, having control over a diversity of competences, ranging from policing to natural resource extraction. Yet, despite the positive atmosphere within which the current talks are being held, skepticism still persists as to whether this Bangsamoro will be able to live up to its promise of delivering sustainable peace. One of the recurring discussions in this regard concerns the specific modalities for the demobilisation, disarmament and reintegration (DDR) of former MILF (and presumably also MNLF) fighters.⁶⁹ Although the annex on normalisation has been signed as recently as January 2014, in general, it is expected this will be a difficult and gradual exercise.⁷⁰ More importantly, this DDR discussion points to a much more fundamental issue which concerns the particular ways in which the capacity for violence and coercion will still remain vital assets in the local political economy, despite a successful conclusion of the talks between the MILF and the GRP. So long as this issue is not properly addressed, DDR initiatives risk becoming useless exercises since the incentives to effectively turn in weapons are particularly low, as was the case after the 1996 peace agreements. In other words, the real question does not concern the technical details about the actual DDR processes and

⁶⁹ Irin news (August 14, 2013) , Analysis: How to Disarm Philippine rebels

<http://www.irinnews.org/report/98555/analysis-how-to-disarm-philippine-rebels>

⁷⁰ For instance: different messages have already spread in which disgruntled MILF fighters, not willing to engage in this process, are transferring to the rivaling MNLF: Philippine star (February 20, 2014), MNLF: MILF leader, men defect over turnover of guns

<http://www.philstar.com/nation/2014/02/20/1292250/mnlf-milf-leader-men-defect-over-turnover-guns>

how these will be negotiated between the MILF and the GRP, rather the real challenge concerns the vital role played by violence and coercion in the build-up of political authority in this part of the world.

Importantly, this observation not only points to the limits of national-level negotiations, this also brings to the fore some concerns about the reach of a hybrid strategy of conflict management as deployed by TAF. Put simply, while this strategy is indeed useful for a quick settlement of disputes in order to prevent a further escalation of violence, this strategy does little to address the central role played by coercion in the local political economy. We have attempted to demonstrate how a hybrid coalition approach of conflict management can tackle this issue through a more engaged working relationship with the Philippine state to address the immediate root causes of violent disputes.⁷¹ We have illustrated how this can be achieved by referring to two NGOs working in North Cotabato outside the scope of TAF. These NGOs depart from a similar coalition approach in their attempts to tackle violent land disputes in the region. The main difference, however, lies in the fact that additional efforts are being made to formalise the actual settlement reached. In these cases, this was done through a process of land titling in coordination with representatives of land implementing agencies. We do not mean to say that solving the issue of land is the ultimate key for the establishment of more sustainable peace in Mindanao. Although land disputes certainly constitute a major source of violent incidents in North Cotabato and are also pivotal in the build-up of coercive authority, these land disputes can only be understood in relation to other issues such as electoral competition or patronage politics. Moreover, we do not imply that partner organisations working within the TAF scope, should attempt to copy these two NGOs. In fact, they should not. Instead, what these examples intend to illustrate is that there is a range of institutional mechanisms and actors among certain state agencies which can be incorporated within ongoing strategies of conflict management. In these examples, this engagement was founded on working relationships - often through informal contacts and interactions - with representatives within the DENR or the DAR. These representatives were included in the ongoing negotiation between conflicting parties when there was contestation over a certain piece of land and they became part of the actual solution since they formalised the agreement reached by providing ownership titles to both parties, thereby enhancing the sustainability of these settlements. In short, what is happening here is a true and sustained state-society interaction at the local level, wherein the role of state officials is not confined to one of an audience in strategies of conflict management. Instead, state authority is proactively employed to reach a more sustainable security situation, albeit in a confined geographical location. Once again, these interactions are messy, non-linear processes happening in everyday socio-political encounters and contestations over authority, space, resources etc. In our opinion, the manner in which these contestations are resolved peacefully, presumably with the help of some NGOs or other civil society organisations, and the capacity and willingness of the state to formalise and protect these fragile settlements will largely determine the peace and security situation in Mindanao in the future. One of main reasons for this is exactly the way institutional insecurity, such as in the field

⁷¹ This is not only the case for those regions being part of the current ARMM and which will become included in the future Bangsamoro. This is inasmuch relevant for those regions where violence and coercion still are vital assets in the build-up of authority in the local political economy, but which are not included in the current ARMM, as is the case in the areas researched in North Cotabato.

of resource management, has been deployed as a strategic resource in the build-up of coercive authority.

As could be derived from different interviews and observations, the coalitions deployed by TAF in their conflict management strategy are dynamic partnerships; open to critique and adaptation. Starting as local partners in a research project on *rido*, with some minor funding, some of these partners became deployed within a hybrid coalition strategy of conflict management. So far, these coalitions have been mainly focused on the reduction of violence. Nevertheless, as already discussed elsewhere, the way ‘informal working systems are drawn into the ambit of mainstream formal governance structures’, as is being claimed in the ToC on conflict management, has so far been less elaborated upon. Taking up this challenge would only be a logical next step and can be reached through a more proactive working relationship with the Philippine state, or at least those representatives and government agencies that share the same goal of a more peaceful society. Interestingly enough, among these partner organisations working with TAF, there is an explicit demand for a closer working collaboration with the state. In other words, these institutions wish to position themselves at the interface between state and society.

For instance, members of one TAF partner organisation, called Magungaya, explicitly see for themselves a future task in building up a closer relationship between Muslims and the Philippine state, thereby enhancing the capacity of the Philippine state in those conflict-affected places where they are working. Remarkably, this partner also states that a successful conclusion of the current peace negotiations will enable them to take this next step, thereby transgressing the mere settlement of violent disputes as they are doing now.⁷² While these partner organisations, or the coalitions they have established, do not have the ambition of becoming usurped as formal institutions by the Philippine state (and this is also not deemed particularly feasible) they definitely have the ambition of engaging in a closer relationship with the Philippine state in a broader project on state-society interactions at a decentralised level. In fact, the evolution of the hybrid coalition approach by TAF already goes a long way in this direction, with the recent closer working relationship with state security forces. As illustrated, this working relationship not only benefits the sustainability of some of the settlements reached but also avoids miscommunication between the AFP and rebel organisations and decreases the distrust of the AFP among large sections of the native Muslim population in Mindanao. Hopefully, these benefits will serve as an inspiration for establishing closer working relations with other state agencies in the near future.

⁷² QRT Magungaya members (08-03-2013, barangay Upper Labas).

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