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**THE GRP-MILF PEACE PROCESS, THUS FAR**

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*(Delivered at the Round Table Discussion on “PNOY’s Policy on the Peace Process: What is New?” organized by the Philippine Institute for Peace, Violence and Terrorism Research in cooperation with the Institute for Autonomy and Governance held at the 7<sup>th</sup> Floor, Sterten Place Condominium, 116 Maginhawa Street, Teachers Village East, Quezon City on 22 September 2010)*

A new Administration has come into office for another 2,000 days and the peace process which adjourned sine die in the dying days of the previous Arroyo administration has yet again constituted a new panel to negotiate on the side of the government and as yet again appointed a Presidential Adviser on the Peace Process. Given the raised expectations that the Aquino administration has engendered with its “straight path rather than the crooked path” campaign battle cry, one may want to be optimistic that this time and 30 or so years later, the long sought for document called the peace agreement will come to fruition.

But, do we have reasons, indeed, to be optimistic or are we going to see yet again more of the same things?

With the 1987 constitution seen by many legal and non legal experts as the main stumbling block to the final production of that document called the peace process, we may yet again see a final document with the codicil that the stipulations regarding territory or ancestral domain will be subject to the change in the charter of the country. Or, can we expect a breakthrough on this issue?

The Republic of the Philippines is as old as I am and yet, while one of my legs is already in the grave, the republic is still in its teenage years, of drum und drang, still searching for itself and still searching for the elusive platform to deal with its Muslim community, so long marginalized, so long misunderstood and so long unable to proclaim its selfhood.

When we look at the regions of the country and discover that the Muslim areas demonstrate the lowest scores for every possible measures of human development, we are not surprised at these coincidences. That this situation has persisted so long despite the many, many articulations and efforts of previous administrations to better the situation there is an indictment of the not nearly serious effort of a numerically dominant group not to extend the same opportunities to a numerically smaller group.

Too many essays have exercised the challenge of understanding the Moros, their history, their continued marginalization as a people even as the country achieved political independence after nearly 500 years of foreign rule. Indeed, the Moros, the Chechens, the Basque, the Kurds, the Tamils and the Palestinians continue to rage and fight to be allowed to define themselves, live their life as they best see fit , to sing their songs, their legends, their dances and be part of the mosaic of the rest of mankind. Sadly, as our new leaders took on the task of running our government in 1946, so did they take on the schema, the operational codes and the strategies which our Spanish and American colonizers had followed in dealing with our Muslim communities.

Why the Muslims have to be singled out and be discriminated against all around is a testament of our failure to wrest away from our colonial thinking that the numerically dominant group must decide for , shape and direct the future of the rest of us. As we changed our political condition in 1946, alas, we did not change our political outlook towards our Muslim and other communities. We continued to plan for them, shape their future and mute their voices as we fail to provide them the equal opportunity to be participant in our body politics.

So, where are we now?

I would like to propose some shifting of gears if we are not to see more of the same things. Despite my cynicism that something new may happen within the next 2,000 days of this new administration, I would like to propose some ways of tackling the many issues that prevent the conclusion of the peace process.

The botched MOA-AD document which was embargoed until a few hours before its putative signing in a nearby country attests not only to carelessness and recklessness of the panel negotiating for the government but maybe also to the education and training its head , a military person, who did not find it inappropriate that a document had to be kept under wraps and unfurled in a foreign community sans the consultations of those who would have been affected by the designs in that document. That the office of the OPAPP, with its huge bureaucracy and a phalanx of consultants , did not see the danger of the unintended consequences that secrecy attending that document is a continuing puzzle to many, including me.

I am bit confident , though, that under the helm of a good friend and colleague, Dean Marvic Leonen , the GRP panel would be endowed with more depth and broad understanding of the many dynamics of this issue that will prevent the carelessness and recklessness of the past. That the OPAPP has a returning Adviser may provide the continuity which we have always seen as an obstacle to achieving the comprehensive peace that we all desire.

As I reviewed the many essays on the peace process, I am not surprised to see the same theme of the 1987 constitution being identified as a brake to the conclusion of an agreement. For a long time, each negotiating panel seesawed from one euphemism to another but still continuing to declare that it is the 1987 constitution which remains the hump to overcome.

I would like to view this a bit differently. The enhanced autonomy that the MILF has demanded in terms of authorities of governance, the exploitation of natural resources and the like may be reached by creative ways not hostage to the conundrum created by the 1987 codicil. How so?

We all know that it is the economics more than any other factor that should be trumping politics in the Muslim communities. It is the abject poverty, the illiteracy, the lack of opportunities to advance, the lack of transparency and the corruption of the local leadership of the areas, the continuing reliance on the goodwill of the person in Manila, the involvement of the military and other factors which has stymied any genuine effort for the quality of life of the residents therein to improve.

Indeed, we do not need to wait for that document called the peace agreement for roads to be built, for schools to nurture its youth and prevent their radicalization, for health services to be delivered, for Muslim women to take center stage in their governance. Waiting for that document need not prevent continuing efforts of the rest of the Muslim communities to do something to improve the lives of their kindred.

Where are the Muslim professionals? Where are the academics? Where are the engineers? Doctors? Where are the Architects and others who could very well constitute the vanguard of the Muslim communities and be the catalyst that will improve the lives of their less endowed brothers and sisters? For sure, there are private, non government efforts to do this but the Human development Index has hardly moved upwards since many of these efforts are small, incremental and fragmented at best.

I believe there is a functional route to peace and they can be spearheaded by the Muslim women, by their community leaders, by their engineers and architects and we need not wait with bated breath for that final document.

Why did I single out the Muslim women? As many empirical studies have demonstrated, you educate a man and you educate an individual. You educate a woman and you educate a family and a community. The educated woman will decide to have small family, will avail of the best education and health services for her children and will bring about a healthy community nurtured in the everyday rules of running a household which only a woman knows how to do best.

Then, too, the military should be pulled out of this insurgency or any insurgency for that matter. The AFP's mandate is not to run after kidnappers and hostage takers. This is the work of the PNP or have we forgotten this in our confused, frenzied and many times muddling ways we have dealt with this challenge. The AFP should not be in the business of carpentering, of doing teaching, of doing armed social work.

The AFP, with its P105Billion budget next year should be in the business of protecting our waters where our wealth lies. By the way, it does not deserve the P105B because we do not need the AFP as it is configured presently. The AFP , as I have always maintained for many years now, should render itself obsolescent because it no longer addresses the new threat situation. Certainly, the AFP cannot continue to be the tail of the American strategic security kite in this region.

The 1996 peace agreement signed by Nur Misuari stipulated that the Muslim would be integrated in the economic and political life of the country . That agreement declared that there should be a positive discrimination for the Moros of Mindanao. To date, we have yet to feel the spirit of this principle fleshed out on the ground as previous administrations have not deliberately vetted many candidates for many government positions with the Muslims in mind.

Yes, we need affirmative action plan to flesh out the beautiful words about making them part of our economic and political life. We need an affirmative action to provide them places in universities, industries, in broadcasting, in every aspect of our life as a nation until we can bring them up to par with the rest of us. How long will this affirmative actions take? For as long as it would take to bring them as equal partners in our collective search for the good life.

And, what about the issue of ancestral domain?

The 1648 Treaty of Westphalia defined for us, powerless entities, the strictures of the nation state and its concomitant sovereignty and territoriality principles. These principles have been responsible for all the two world wars, present the continuing conflicts that confront the Palestinians, the Chechens, the Kurds, the Tamils and all the rest who have been defined by, planned for and shaped by the ruling elites.

The issue of the ancestral domain must pay attention to the different cosmology that defines what is precious to the Moros. The places where their ancestors are buried, the places where their goats and their cattle have grazed, the forests where they hunted, the fields where they planted. These places are part of their personhood. The desire to carve out a specific geographic limit of these lands is a compromise to the western torrens title basis of ownership which eschews the fundamental principle that this earth cannot be owned by anyone but can only be a steward for a limited time.

Let the Moros have their ancestral domain. Let them demonstrate that absent the doleouts from Manila , with the very rich wealth of the earth beneath them, they can improve the quality of life of their people. Let the Moros demonstrate the respect for nature which for many centuries they have practiced. Let the Moros move away from the victimhood that already start to grate and let them take their future into their own hands and be part of the mosaic of this group of people politically collectively referred to us the Republic of the Philippines..

Meanwhile, let Manila and its leadership provide all the wherewithal for Mindanao to prosper with the deliberate effort to discriminate for the Muslims. Let Manila work within the enhanced autonomy framework which even the Local Government Code

provides to devolve any and all functions to the autonomous regions. Let creative and innovative methods be done to extend fiscal autonomy to these areas without necessitating constitutional changes.

Yes, I believe it can be done if there is enough political commitment to do it. Yes, many things can be done if all relevant participants do not become hostage to that piece of paper called the peace agreement.

Earlier, we noted that in the long run, economics will trump politics. In the long run, territory will no longer loom large in the personhood of the Moros anyone for that matter. In the long run, one will ID himself or herself simply as a producer, a teacher, an engineer, an architect, a fishermen and yes, incidentally if at all relevant, a Muslim...

It took hundreds of years to marginalize our Muslim communities. It took hundreds of years for the ruling elites to kill their personhood, their sense of the self. But, I believe, it will take only a generation or two to enable the Muslims to reclaim their sense of the self, their rich heritage, their songs, their dances, their legends. This is the mosaic called the nation...not composed of one dominant numerical majority but composed of numerous communities all rowing in the same direction, to bring about the good life for everyone regardless of belief and ways of life.

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