

## From Bullets to Ballots in Muslim Mindanao: The New Challenge of Democratic Politics

Zachary Abuza



The establishment of the United Bangsamoro Justice Party by the Moro Islamic Liberation Front is a key step to ending the four-decade-long insurgency in Mindanao in the southern Philippines. Zachary Abuza analyzes the context behind the party's establishment as well as its likely composition, agenda, and leadership. But while a welcome development, the author cautions that many uncertainties, including the existence of potential spoilers, threaten to undermine the nascent rooting of democratic politics in the region.

In April 2014, the Moro Islamic Liberation Front (MILF) established the United Bangsamoro Justice Party (UBJP), a key step in transforming the armed secessionist group into a legitimate and legal political actor and ending the more than forty-year insurgency in Mindanao in the southern Philippines, a conflict which has killed more than 120,000 people. As Mohagher Iqbal, the MILF's chief negotiator in the peace talks with the Philippine government, put it: "We already started to organize the MILF political party because as a group coming from a conflict situation to a peace settlement situation, we have to engage in a regular political exercise, meaning not through the bullets anymore but through the ballot."<sup>1</sup>

This is an important step in the evolution of the MILF, which broke away from the secular Moro National Liberation Front (MNLF) in 1978, and became ostensibly committed to an independent Islamic state. As the largest of the Muslim rebel groups in the Philippines, the MILF was traditionally anti-democratic and

viewed democracy as both anathema to an Islamic state that would be fully governed by the Sharia, but also as a manifestation of what they were fighting against—a corrupt regime that was colonizing and persecuting Muslims in the name of democracy. However, the MILF has become far less ideological following the death of the movement's founder Salamat Hashim in 2003 and the acceptance of autonomy over outright independence. The driver of the democratic agenda is one of the MILF's top advisors and negotiators, Abhoud Syed Lingga, who has convinced the majority of the Central Committee to embrace democratic principles as a key component of the peace process and the most viable means by which to achieve meaningful autonomy.

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*Zachary Abuza is an independent scholar focusing on politics and security issues in Southeast Asia, including insurgencies, governance, and human rights.*

## Implementing Peace

On October 15, 2012, after fifteen years of negotiations, the Government of the Republic of the Philippines and MILF signed the Framework Agreement, which created a roadmap and institutions to lead to a final peace agreement. The Framework Agreement established the Bangsamoro Transition Commission which negotiated four separate annexes that laid out in detail aspects of power-sharing as well as the decommissioning of arms, among others.<sup>2</sup> The final peace deal, the Comprehensive Agreement on the Bangsamoro (CAB), was signed on March 27, 2014. The two sides then began negotiating the Bangsamoro Basic Law (BBL), the implementing piece of legislation that would supersede the existing autonomous government structure and establish a new government and governmental structure for the Bangsamoro.

After several rounds of intense negotiations during the summer of 2014, when the agreement almost collapsed, President Aquino submitted the Bangsamoro Basic Law to Congress in September 2014, where it will be debated, possibly amended, and hopefully signed into law by the second quarter of 2015. If passed, it will establish a popular plebiscite for inclusion into the Bangsamoro.<sup>3</sup> The existing Autonomous Region of Muslim Mindanao (ARMM) government and legal structure will be dissolved and after a brief period in which the region will be governed by an appointed body, there will be an election. The Annex on Power Sharing establishes a 50-member parliamentary form of government in the Bangsamoro, from which a chief minister will be selected in May 2016.”

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To date, the congressional hearings have focused on the constitutionality of the Bangsamoro: whether there can be a substate within the Philippine constitution. There are many opponents to the peace process. While many within Congress are committed to the peace process in general, it is unlikely that they

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**Cover photo:** A MILF member on a “war exercise.” Photo by Keith Bacongco licensed under Flickr Creative Commons.

For editorial correspondence please contact Alec Forss at: [aforss@isdpeu](mailto:aforss@isdpeu)

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will pass the BBL as originally submitted. Significant amendments and rewrites will lead to a new round of bilateral negotiations with the MILF, which is concerned about its weakening hand and government sincerity. In addition to the legal challenges, there are a host of other impediments that could jeopardize the peace process including the MILF’s decommissioning of arms, the willingness of the MNLF to buy into the peace process and cooperate in the governance of the Bangsamoro, and the ability to neutralize hard-line spoilers such as the Abu Sayyaf group in Sulu and Basilan and the Bangsamoro Islamic Freedom Fighters in Maguindanao.

Finally, there is the challenge of the calendar: although there is no sunset clause to these negotiations, there are certain timetables that are part of the peace process. For example, the existing ARMM government will expire at the end of May 2016. The goal is to enact the BBL at the time that the ARMM becomes defunct. But if the process of renegotiation drags out, or if there is insufficient time to organize and hold a plebiscite, then the government will have to hold elections for the ARMM government; and to dismantle an incumbent, democratically elected governing structure and replace

it with a non-elected body mid-term is fraught with problems. Furthermore, President Aquino's own term expires in May 2016, so it is imperative that all of this gets completed as the incoming president may have much less commitment to the peace agreement.

Passage of the BBL is far from assured. Yet, despite these daunting challenges, the MILF is preparing for the next phase of their struggle: politics. At the center of this new phase is the United Bangsamoro Justice Party.

### The United Bangsamoro Justice Party

While the UBJP is technically an open party, it is clearly the political vehicle of the MILF and will forward policies and personnel consistent with MILF interests. What that means, specifically, is not yet clear. The MILF has not settled on the UBJP's platform beyond protecting the rights and interests of the Bangsamoro people. The MILF's Vice Chairman for Political Affairs, Ghadzali Jafaar, stated: "This party is based on justice," without going into any more details. "Our goal is to ensure the [victory] of the candidates that we are going to field ... the objective is to push the programs of MILF for the Bangsamoro, the new political entity that will replace the ARMM."<sup>4</sup> On another occasion, the MILF announced that the UBJP would "continue the struggle for self-determination, without the use of guns, starting from the 2016 synchronized national and regional elections."<sup>5</sup> This is despite the fact that the MILF renounced their quest for independence, accepted autonomy, and there is no provision for a referendum on independence in the CAB.

But beyond that, there is no identified platform. Social justice, the application of the Sharia, and transitional justice are expected to figure prominently on their agenda. Traditionally the MILF was a revolutionary party opposed to the traditional aristocratic system in the region. But recently, it has downplayed that issue as it seeks to broaden its base.

The MILF currently has no plans to dissolve, though it is not a legal entity, nor is it clear that it will become one. Many within the leadership want the MILF to become a mass-based organization with the UBJP as its political arm. The UBJP will be a formal legal party, registered at both the Securities and Exchange Commission and the Commission on Elections

(COMELEC). But until the relationship between the two entities is defined, there can be no platform.

### Leadership

The senior leadership of the MILF will comprise the UBJP's leadership. MILF Chairman Ebrahim el-Haj Murad will be the party president and Ghadzali Jafaar will serve as the vice president. Another senior MILF member, Sammy al-Mansour Jabar, who is currently the MILF's top military commander, will serve as the interim committee chairman. All UBJP officials, including the 40 local party units, will be appointed by the MILF's central committee.

In March 2014, the Institute of Autonomy and Governance, Institute of Bangsamoro Studies, and the Konrad Adenauer Foundation ran a training on party building for 39 senior MILF members. These individuals are expected to be the first to transition to UBJP party work and become the core of the party's leadership. Those 39 individuals, whose names have not been released, hail from both the military and political wings of the MILF. A second party building conference was just concluded in November 2014 in Marawi, again bringing in some 40 members of the MILF's central committee, armed forces, and political wings.

Although MILF chairman Murad has long said that he has no interest in becoming the Bangsamoro's Chief Minister, there is pressure for him to run for elected office as only he has the clout to really control competing factions and interests within the MILF, which is much less cohesive than it was a decade ago. That said, his selection would be very decisive amongst MNLF supporters especially in Sulu and traditional warlords in Mindanao. There are few if any other leaders in the southern Philippines who have broad based appeal that transcends their movement or patronage networks.

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## Membership and Organization

While all MILF combatants will automatically become members of the party, MILF leaders have stated that technically

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the party is open to all. “This party is ... not exclusive. This is open to anybody who wants to join the party,” explained Jafaar. “There will be a process on the selection of candidates and it will be open to anyone who is qualified

based on the electoral requirements.”<sup>6</sup> It is clear nonetheless that the MILF will vet all of the UBJP’s candidates.

The UBJP is supposed to be comprised of dues-paying members in order to avoid the traditional patronage-based political system that has made corruption so endemic in the Philippines. It remains to be seen if that is possible, as patronage runs just as deep in Muslim Mindanao.

To date, the UBJP has established 40 local party committees in the existing ARMM (Tawi Tawi, Sulu, Basilan, Maguindanao, and Lanao del Sur), and some regions outside of the ARMM that the MILF anticipates will vote in the plebiscite to join the Bangsamoro, including the Zamboanga peninsula, Zamboanga City, Lanao del Norte, Iligan, Davao, Davao Oriental, the Compostela Valley, Davao del Norte, Davao City, Davao del Sur, Sarangani, and South Cotabato.

## Electoral Competition

It is interesting to note that the MILF acknowledges their lack of political and institutional support in Sulu and Tawi Tawi, which are the bases of MNLF support. Some political analysts think that the MILF can build on their popular support in achieving the CAB, especially in Tawi Tawi. But elsewhere, they are up against traditional aristocratic landed elites and supporters of Nur Misuari, the founder and former Chairman of the MNLF, and are unlikely to make inroads.

The parliamentary government was chosen specifically to entice the ethnic Tausig-dominated MNLF

to embrace the peace process and were the MNLF to get its act together, it would have significant representation in the Bangsamoro government. However, Nur Misuari has largely rejected the CAB, which supplants his 1996 accord with the government. He is currently on the run for an aborted putsch to establish the Bangsamoro Republik, including a siege in Zamboanga in September 2013, that left scores dead, 180 people taken hostage, and 15,000 displaced.

Other MNLF leaders have expressed more willingness to accept the CAB and participate in the new government and the Organization of the Islamic Conference recently brokered an accord for the two groups to reconcile the CAB with the 1996 Tripoli Accord and Republic Act 9054. But many in the MNLF worry about their own ability to win votes outside of Sulu, a failure which would be a humiliation for them. Until they fully embrace the CAB, they are not going to revitalize their own party building efforts.

In addition, the MILF is up against warlords in the region, powerful clans that rejected ties to both the MNLF and the MILF, who instead worked with the government. The most infamous of these is the Ampatuan clan, who believed their ties to President Arroyo would shield them when they orchestrated the massacre of 58 journalists and family members of a rival politician en route to file his candidacy on November 23, 2009. Though the Ampatuans are weaker, they remain a powerful clan and one of many that have used government largess (in exchange for votes) over the years to develop their own private armies. As evidence of their enduring power, five years after the massacre, not one person has been brought to justice, including 15 alleged members of the Ampatuan clan and 42 police allegedly on the Ampatuan clan’s payroll.

Finally, there are some regions that may be included in the Bangsamoro where the communist New People’s Army (NPA)<sup>7</sup> is increasingly active and at odds with the MILF, in particular over the issue of mining and natural resource exploitation. The NPA has a long history of either blocking elections in areas that it has influence over or extorting politicians for the right to campaign in certain territories.

Despite delivering peace to Mindanao, there is no guarantee that the new Bangsamoro parliament is going to be firmly in the MILF’s hands. They are up against traditional aristocrats, their rival MNLF, and

warlord clansmen. Each of these groups is limited in their appeal based on their traditional patron-client ties. But their inclusion within parliament is very likely.

What is more, there is a real problem that although most senior MILF leaders may understand the legal contours of the BBL and are preparing for post-conflict politics, there is little understanding of democracy or rule of law on the ground. There are, for instance, reports of MILF commanders trying to supplant democratically elected barangay leaders in a pre-election tussle.

## Conclusion

The MILF's establishment of a legal and overt political party is a welcome development. Despite a host of challenges to the peace process, including uncertainty over the BBL's passage in Congress, the potential for renegotiation of the bill, MNLF opposition, hardline spoilers on all sides of the conflict, resistance to disarmament by combatants, a short timetable, and a lame duck president, the MILF is trying to be both confident and proactive in establishing the UBJB in order to continue to carry out their struggle through politics. They could possibly dominate the 50-member Bangsamoro parliament, though that is far from guaranteed. To do so, they will need to move quickly in developing a party program and electoral platform that is larger than the narrow institutional interest of the MILF. But at present, the UBJB is clearly the MILF's political arm.

In large part, the biggest challenge will be if MILF chairman Ebrahim el-Haj Murad decides to run for the position of Chief Minister. Although he stands above most other possible candidates in stature and name recognition, his candidacy would be very unwelcome amongst Tausigs and the MNLF, which have a paternalistic view of the Bangsamoro and view themselves as the legitimate rulers. However, they are so crippled by factionalism and personal rivalries that they have not fully endorsed the BBL, and they certainly have done little to revive their moribund political machinery to effectively compete with the UBJP at the ballot box. The establishment of a parliamentary system was in large part to assuage the MNLF and assure them that they would have significant representation. But their cooperation is far from assured.

In sum, while the establishment of the UBJP is an important step in concluding the war that has plagued Mindanao since the early 1970s, it does not guarantee peace and security. Democracy in the Philippines has long been challenged by the "three Gs": guns, gold, and goons. In a region of under-developed political institutions, weak laws, and enforcement capabilities, which has been furthermore plagued by insurgency for over four decades, democracy is up against many challenges. But it nevertheless deserves a chance.

## References

<sup>1</sup> "MILF determined to join 2016 elections through political party," *Inquirer.net*, October 12, 2014, <http://newsinfo.inquirer.net/644330/milf-determined-to-join-2016-elections-through-political-party>.

<sup>2</sup> The four annexes are the Annexes on Transitional Arrangements and Modalities, Revenue Generation and Wealth Sharing, and Power Sharing. The last annex to be signed was the Annex on Normalization. The latter outlines the MILF's process of returning to peaceful civilian life. See more at: <http://www.opapp.gov.ph/milf/news/gph-milf-complete-final-annex-framework-agreement-stress-bigger-challenges-ahead#sthash.pBsw28WP.dpuf>.

<sup>3</sup> The Bangsamoro is the name of the autonomous political entity which, under the CAB, will include the five provinces that comprise the ARMM, as well as Cotabato City, Isabela City on Basilan, and the municipalities of Baloi, Munai, Nunungan, Pantar, Tagoloan and Tangkal in Lanao del Norte, as well as several villages (barangays) from Kabacan, Carmen, Aleosan, Pigkawayan, Pikit and Midsayap towns in Cotabato. The CAB also states that adjacent areas can opt into the Bangsamoro plebiscite either through a resolution from their local governments, or a petition of at least 10 percent of all qualified voters.

<sup>4</sup> "MILF sets up political party for Bangsamoro polls in 2016," *GMA News*, April 9, 2014, <http://www.gmanetwork.com/news/story/356125/news/nation/milf-sets-up-political-party-for-bangsamoro-polls-in-2016>.

<sup>5</sup> "MILF's United Bangsamoro Justice Party," *Manila Bulletin*, April 12, 2014, <http://www.mb.com.ph/milfs-united-bangsamoro-justice-party/>.

<sup>6</sup> "MILF forms United Bangsamoro Justice Party," *Rappler.com*, April 9, 2014, <http://www.rappler.com/>

nation/55028-milf-forms-united-bangsamoro-justice-party.

<sup>7</sup> The NPA is the military wing of the Communist Party of the Philippines. For more details see: <http://web.stanford.edu/group/mappingmilitants/cgi-bin/groups/view/149>.

## KEY POINTS

- In addition to the legal challenges to the Bangsamoro Basic Law, there are a host of other impediments that could jeopardize the peace process, including the MILF's decommissioning of arms, the willingness of the MNLF to buy into the peace process and cooperate in the governance of the Bangsamoro, and the ability to neutralize hardline spoilers such as the Abu Sayyaf group in Sulu and Basilan and the Bangsamoro Islamic Freedom Fighters in Maguindanao.
- The MILF has seemingly renounced its quest for independence, accepted autonomy, and there is no provision for a referendum on independence in the CAB. However, the MILF has not settled on the UBJP's platform beyond protecting the rights and interests of the Bangsamoro people. Nevertheless, social justice, the application of the Sharia, and transitional justice are expected to figure prominently on their agenda.
- Although most senior MILF leaders may understand the legal contours of the BBL and are preparing for post-conflict politics, there is little understanding of democracy or rule of law on the ground. In a region of underdeveloped political institutions, weak laws, and enforcement capabilities, which has been furthermore plagued by insurgency for over four decades, democracy is up against many challenges.