

The Bangsamoro Identity Struggle and the Bangsamoro Basic Law as the Path to Peace

Author(s): Anushka D. Kapahi and Gabrielle Tañada

Source: *Counter Terrorist Trends and Analyses*, Vol. 10, No. 7 (July 2018), pp. 1-7

Published by: International Centre for Political Violence and Terrorism Research

Stable URL: <https://www.jstor.org/stable/10.2307/26458484>

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at <https://about.jstor.org/terms>



International Centre for Political Violence and Terrorism Research is collaborating with JSTOR to digitize, preserve and extend access to *Counter Terrorist Trends and Analyses*

JSTOR

The Bangsamoro Identity Struggle and the Bangsamoro Basic Law as the Path to Peace

Anushka D. Kapahi and Gabrielle Tañada

Historically, the Muslim majority Mindanao in the Philippines has possessed a distinct history, culture, identity and religion. This has led to a sense of separation from the rest of the Philippines and has further developed their ardent desire for an autonomous region for self-governance. Despite legal advancements, barriers that obstruct the passage of laws to grant self-governance to the Bangsamoro people still exist.

Introduction

For more than half a century, the Philippines has faced a Muslim uprising in the southernmost region of Mindanao. The majority of the Muslim population in the Philippines resides in Mindanao.¹ The Muslims in Mindanao, called the Bangsamoro, have formed separatist movements that have waged armed struggles against the Philippine Government to assert their cultural identity and achieve self-rule. Recently, the Philippine Government has been working towards the realisation of the Bangsamoro Basic Law (BBL), which would provide the Bangsamoro people with some degree of freedom and autonomy.

Addressing the lack of recognition towards the cultural identity and religion of the Bangsamoro people, the BBL is the most notable approach taken by the Philippine government to resolve the Mindanao conflict. However, there are barriers that hinder solutions to the conflict and overall development in the region.

In this article, the approaches taken thus far would be laid out and its resulting socio-cultural, economic and political impediments would also be examined. The historical development of the Moro struggle would first be detailed, followed by an identification of the differences between the Moro people and other Filipinos and finally, concluding with some analysis on the BBL and the status of the Moro people in the Philippines. The complex heterogeneity of the Moro population and how it affects the realisation of peace in the Mindanao region would also be discussed, while adopting the perspective that the underlying question of identity is the root of the Moro issue.

On the Term Bangsamoro

The word “Moro” is a Spanish term referring to the Muslim people of Mixed Arab and Barber descent from Northwest Africa, known as the Moors, who invaded and occupied Spain in the eighth century.² When the Spaniards colonized the islands of the Philippines in the sixteenth century, the term ‘Moro’ was first used for the Islamised natives in Manila in the 1570s, due to the observed commonalities between the Islamised natives and the Moors, the Spaniards’ former colonial masters. Later in 1578, it was applied to the Muslim inhabitants of the Southern region of Mindanao and Sulu, as the majority in the Philippines converted to the Christian faith.³ Although a percentage of the Moro people still do not accept the term to describe the people from the Bangsamoro region, it is now a well-established term.⁴

¹ Jack Miller, “Religion in the Philippines,” *Asia Society*, <https://asiasociety.org/education/religion-philippines>

² Jainal D. Rasul and Al-Gazel Rasul, *Still Chasing the Rainbow: Selected Writings of Jainal D. Rasul, Sr. on Filipino Muslim Politics, History, and the Law (Shariah)*, (Quezon City: FedPil Pub, 1998), 14.

³ Cesar Adib Majul, *The Contemporary Muslim Movement in the Philippines*, (Berkeley: Mizan Press, 1985).

⁴ Asian Institute of Journalism and Communication, *Glossary of Terms*, http://www.muslimmindanao.ph/glossary_terms.html (accessed June, 05, 2018)

The term “Bangsamoro” translates to “Moro Nation,” which includes all of the Filipino-Muslim ethno linguistic groups in Mindanao.⁵ There are at least sixteen Moro ethnolinguistic groups in Mindanao which generally hail from the Malay race, and among which the four largest are: the Tausug, the Samal, the Magindanaon and the Maranao.⁶ The Bangsamoro territory comprises provinces under the Autonomous Region in Muslim Mindanao (ARMM) and includes the four provinces of Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi.⁷ The term Bangsamoro was recognised under the 1976 Tripoli Peace Agreement between the Philippine Government and the Moro National Liberation Front (MNLF), the most significant Bangsamoro insurgent movement in Mindanao at that time.⁸

Bangsamoro Collective Identity: Ethnicity, Religion and Customs

Collective identity refers to a shared distinction amongst a group of people or community, which comes from the community’s culture, beliefs and aspirations. Charles Taylor maintains that it is the cultural collective identity of a community that provides the moral and social frameworks that people use to determine who they are, how they see others and how they act.⁹ The concept of Bangsamoro implies that the Moros have distinct characteristics which bind them together in a collective identity. Thus, the Bangsamoro collective identity originates from the shared ethnicity, religion, customs and historical experience of the Bangsamoro people.

Jainal D. Rasul asserts that the Bangsamoro collective identity “is more than religion, more than blood... it is both religion and blood.”¹⁰ According to Rasul, the concept of Bangsamoro that encompasses all the Moro ethnolinguistic groups in Mindanao is:

⁵ Thomas M. McKenna, “Appreciating Islam in the Muslim Philippines: Authority, Experience and Identity In Cotabato,” in *Islam in an Era of Nation-States: Politics and Religious Renewal in Muslim Southeast Asia*, eds. Robert W. Hefner and Patricia Horvath (Honolulu: University of Hawaii Press, 1997), 55.

⁶ Rasul and Rasul, *Still Chasing the Rainbow*, 14.

⁷ Rosalita Tolibas-Nunez, *Roots of Conflict: Muslims, Christians and the Mindanao Struggle*, (Makati City: Asian Institute of Management, 1997), 4.

“...united by common religious faith (Islam), the Arabic alphabet and the Shari’ah or Islamic law... they are all proud of their glorious history, zealous of their hopes, dreams, and aspirations as a people, and assertive of their politico-religious rights and liberties.”¹¹

A Shared Historical Experience

The collective identity of the Bangsamoro mainly developed separately from the Filipinos, due to the shared historical experience of the Bangsamoro people in their continued resistance against foreign invaders, including the Spaniards, Americans and the Philippine Government. Despite their distinct ethnic divisions in the past, the continued resistance against foreign invaders brought the Bangsamoro people together and they stayed united against their enemies, holding common aspirations.¹²

When the Spaniards arrived and settled in the Philippines in 1565, they found the archipelago to be divided into several sovereign city-states. Over the following years, the Spaniards incorporated the Filipino city-states under Spanish rule either voluntarily or by force. While they were largely successful in the northern and central regions, the Southern islands occupied by rebellious Muslim communities withstood the colonisers.

The Spaniards were ruthless in repressing groups they labeled as “Moro”, killing swathes of families and burning villages. Despite occupying the Philippines for three hundred years, the Spaniards were never able to successfully conquer all of Mindanao or quash the Bangsamoro resistance. The shared experience and continued opposition of the Bangsamoro people towards their Spanish colonisers formed a sense of unity among them and led to the development of the Bangsamoro collective identity. The

⁸ Ibid., 7.

⁹ Sasja Tempelman, *Constructions of Cultural Identity: Multiculturalism and Exclusion*, (Massachusetts: Political Studies Association and Blackwell Publishers, 1999), 19-20.

¹⁰ Rasul and Rasul, *Still Chasing the Rainbow*, 35.

¹¹ Ibid., 15-16.

¹² McKenna, *Islam in an Era of Nation-States*, 38.

Bangsamoro collective identity was further solidified during the American occupation in the late nineteenth and early twentieth century.

When Spanish and American colonisers employed Christian Filipino soldiers to fight against the Bangsamoro people in Mindanao, the latter began to perceive Christian Filipinos from the north as foreign invaders who were no different from the Spanish and Americans colonisers. As T.J.S. George explained, a boundary was then established between the Christian Filipinos from the north and the Bangsamoro people and both began to see themselves as different from each other.

Eventually, the refusal of Filipinos to accept the Moros in the nation-building process resulted in a separate national consciousness among the Moros. This separated form of national identity was further consolidated after the post-colonial period and resulted in a separatist uprising in 1972.¹³

The Bangsamoro People's Road to War with the Philippine Government

From 1946 until 1960, the Bangsamoro people became part of the Philippine Republic and there was peace in Mindanao. However, peace was temporary as tensions soon resurged between Christian Filipinos and the Bangsamoros.¹⁴

For an extended period, the Philippine Government did not recognise Islamic laws in the Philippines, even in Mindanao. This alienated the Bangsamoro people who believe that Islamic Law, intrinsic to their way of life, should be recognised and implemented. Moreover, the Filipino education programme in public schools never provided any deference for, recognition of or accommodation towards Filipino Muslims. Public schools made it obligatory for the Bangsamoro children to learn Christian scriptures and textbooks, adopted examples that were offensive to Filipino Muslims.¹⁵ Additionally, the Philippine Government did very little to promote socio-economic development in the Morolandia. In contrast to Filipino Christian communities in Mindanao, the Muslim population was relatively

impoverished. Finally, during the 1950s, the Philippine Government encouraged Christian families and ex-communist rebels to settle in Mindanao and gave them land titles over Bangsamoro lands which the Government did not own. Thus, many Bangsamoro families suddenly found themselves being unjustly expelled from their lands and properties. Resentment and distrust grew among the Bangsamoro people as the Philippine Government persisted in taking hostile actions against them.

In the late 1960s, tensions mounted between the Filipino Christian settlers in Mindanao and the Bangsamoro people. Distrustful of each other, both Filipinos and Bangsamoros began forming militias to protect their communities, leading to clashes between them.¹⁶

In 1972, Moro revolutionary and politician Nur Misuari founded the Moro National Liberation Front (MNLF). It aimed for a fully independent Bangsamoro state for all the Bangsamoro people in Mindanao through armed struggle. In its 1974 Manifesto, it characterises the Bangsamoro people as one nation based on a shared homeland and religion who lived under oppression by the central Philippine Government.

Throughout the 1970s, the MNLF and the Philippine Government were engaged in fierce conflict. Many parts of Mindanao, including major cities, fell to the MNLF.¹⁷

In 1977, one of the MNLF leaders, Hashim Salamat broke away from the MNLF and established a splinter group. It named itself the Moro Islamic Liberation Front (MILF) in 1984. Just like the MNLF, the MILF sought a fully independent Bangsamoro state in Mindanao through armed revolution. In contrast to the secular orientation of the MNLF, the MILF adopted a more Islamic direction and formulated a policy of creating an Islamic society in the Bangsamoro regions. To accomplish this, the MILF applied Islamic law in the areas under its control and believed that the creation of an independent Moro state would follow.

¹³ Ibid., 44.

¹⁴ T.J.S George, *Revolt in Mindanao*, (Kuala Lumpur: Oxford University Press, 1980), 89.

¹⁵ Ibid., 91.

¹⁶ George, *Revolt in Mindanao*, 1-2.

¹⁷ Ibid., 216.

Peace Talks

In 1996, the MNLF and the Philippine Government signed the *Final Peace Agreement*, which officially ended the MNLF's fight against the government and created the autonomous region of Muslim Mindanao. The Final Peace Agreement designated a *Special Zone of Peace and Development (SZOPAD)* in Mindanao, for development and investment efforts to be focused. The agreement sets out the new governance structures of the autonomous Muslim region and, more importantly, it outlined the integration of MNLF members into the Philippine National Police (PNP) and the Armed Forces of the Philippines (AFP).

However, The MILF strongly denounced the 1996 Final Peace Agreement and continued advocating for full Bangsamoro independence through continued fighting against the Philippine Government. As a result, the MILF and the Philippine Government were engaged in heavy fighting during the late 1990s to the 2000s. In 2000, then-President Joseph Estrada declared an all-out war against the MILF. In response to Estrada's offensive, the MILF likewise engaged in a "holy war" or jihad against the Philippine Government.

When Benigno Aquino III was elected as President in 2010, peace negotiations between the Philippine Government and the MILF resumed, while the MNLF was sidelined. Showing signs of compromise, the MILF opted for regional autonomy after dropping its demand for full independence. Over the next few years, the MILF and the Philippine Government signed agreements that aimed at establishing peace in Mindanao. These include the Framework Agreement on the Bangsamoro (2012) and the Comprehensive Agreement on the Bangsamoro (2014). The latter provided for the drafting of a Bangsamoro Basic Law, which would establish the Bangsamoro government in Mindanao if passed into law and ratified in a plebiscite within the core territory. This would

entail more extensive self-rule for the Bangsamoro people than that of the ARMM.

On July 27 2015, the Philippine Congress began deliberations on the BBL for the Bangsamoro Autonomous Region (BAR). If ratified, this law would officially abolish the ARMM and provide for a transition to a Bangsamoro Government, which would likely be led by MILF members. In 2016, the newly-elected President Rodrigo Duterte announced his intention to prioritise the enactment of the BBL into law.¹⁸ The BBL is currently being deliberated by the Philippine Congress.

On the Bangsamoro Basic Law

In early 2015, a clash between the MILF and the Philippines Special Armed Forces occurred and trust between the two parties was eroded. Perceptions changed for the worse and in the following days, both sides engaged in a media warfare that blamed each other. While both sides attempted to ease tensions and pass the BBL, the peace process was ultimately derailed. This was due to the unconstitutionality of the land transfers outlined in its provisions and the change in administration.¹⁹

Had the BBL passed into law, a Bangsamoro government would have been established in Mindanao to replace the ARMM. If a majority of the voters in Bangsamoro agreed to the enactment of the BBL, the ARMM would have effectively been abolished and replaced with the Bangsamoro Transition Authority (BTA). The BTA lays out the Bangsamoro government structure according to the BBL's provisions and the Bangsamoro people would have been able to elect their own officials. Furthermore, Mindanao would in turn have benefitted from strengthened trust and security between the region and the Philippine Government, encouraging greater economic activity and development.²⁰

¹⁸ "President Duterte's 1st State of the Nation Address," *Rappler*, July 26, 2016, <https://www.rappler.com/nation/140860-rodrico-duterte-speech-sona-2016-philippines-full-text>

¹⁹ "Why BBL Did Not Pass Congress," *Luwaran.com*, February 08, 2016, [http://www.luwaran.net/home/index.php/editorial/24-](http://www.luwaran.net/home/index.php/editorial/24-january-8-15-2016/546-why-bbl-did-not-pass-congress)

[january-8-15-2016/546-why-bbl-did-not-pass-congress](http://www.luwaran.net/home/index.php/editorial/24-january-8-15-2016/546-why-bbl-did-not-pass-congress)

²⁰ "Potential Impacts of the Creation of Bangsamoro on Mindanao Regions," *The National Economic and Development Authority*, June 09, 2015, <http://www.neda.gov.ph/2015/06/04/potential-impacts-creation-bangsamoro-mindanao-regions/>

Analysis: Barriers to Reconciliation

The effect of the historical conflict on the Bangsamoro collective identity and its impact, or lack thereof, has resulted in numerous barriers that continue to impede reconciliation between the Bangsamoro people and the Philippine government.

Socio-Cultural Barriers

Studies by Hilario Gomez in 1970 explained that the rejection by Christians of the Muslims on a socio-cultural religious level contributed to the erosion of trust between the two religious groups.²¹ Most of the public and private discourse in the Philippines on the Mindanao conflict have framed it as an Islamic problem, with interfaith dialogues and conferences covering “*Muslim issues*,” and terms such as the “*Mindanao problem*” or the “*Moro problem*” were popular in describing the economic status of the people in the Southern Philippines.²²

Although a portion of the Bangsamoro people still refuse to use the term ‘Moro’, it has now been widely recognised by the inhabitants of the Muslim majority Mindanao. Both ‘Filipino’ and ‘Moro’ have strong linkages to the history of the Philippines, and both cultures have now taken ownership and a sense of pride in using their corresponding terms. Nur Misuari clarifies that they are not a part of the majority Filipino society with a slogan “Moro not Filipino”. Rather, “Moros are Muslims” in their struggle for autonomy or independence against the Catholic majority Philippine central government.²³ One of the factors that hinders the sharing of national identity between the Muslims and Filipinos is the hesitance of the Moros to be referred to as ‘Filipinos.’ Historically, the long-fought conflict has prevented the Moros from having an emotional tie to the rest of the Philippines.

²¹ Hilario Gomez, Christian Approach to Filipino Muslims, *Church and Community* 10, no.4 (1970): 13-26

²² Jainal Rasul, *Muslim-Christian Relations at the Grassroots Level*, (Dansalan Quarterly, 1984).

²³ Thomas M. McKenna, *Muslim Rulers and Rebels: Everyday Politics and Armed Separatism in the Southern Philippines* (Berkeley: University of California Press, 2009).

²⁴ “Republic Act No. 718,” *Philippine Laws, Statutes and Codes*,

Economic Barriers

Common to the American colonisation period and the Martial Law era was the systematic disenfranchisement and the suppression of socio-economic development of the Bangsamoro people. In 1903, the Philippine Commission adopted Act No 718, which invalidated land grants from Moro sultans, datus or chiefs of non-Christian tribes when they were made without the approval of the government.²⁴ Additionally, it was during the Marcos administration that foreign nationals, companies, miners and loggers were given franchises to exploit the resource-laden Mindanao.

This exploitation and marginalisation was exposed in the 1971 report of the Senate Committee on National Minorities, which revealed that there was no single irrigation project in any municipality in the Muslim majority region of Mindanao at the time. The benign neglect by the national government of the welfare and rights of the Moro people became entrenched in the status quo, so much so that by the time the ARMM was created, it merely drowned in the weight of its legacy of poverty and violence.²⁵

As a result, the 2007 mid-term progress report on the Millennium Development Goals (MDGs) in the Philippines highlighted how “socioeconomic development in the Philippines was uneven and poverty was characterised by wide disparities across regions and population groups.”

In 2015, it was reported by the Philippine Statistics Authority that four out of five of the poorest populations in the Philippines were located in Mindanao. ARMM in 1991 had 11.3 percent of its population living below the food threshold. In 2015, that number increased to above 39 percent.²⁶ Although Mindanao is one of the most resource-laden regions of the

http://laws.chanrobles.com/republicacts/8_republicacts.php?id=722

²⁵ Fermin Adriano and Thomas Parks, “The Contested Corners of Asia: Subnational Conflict and International Development Assistance, The Case of Mindanao, Philippines,” *The Asia Foundation*, <https://asiafoundation.org/resources/pdfs/MindanaoCaseStudyFullReport.pdf> (Accessed April 25, 2018)

²⁶ “Statistical Tables on 2015 Family Income and Expenditure Survey,” *Philippine Statistics Authority*, December 22, 2016, <https://psa.gov.ph/content/statistical-tables-2015->

Philippines, the Moro people have unfortunately been unable to benefit from these natural riches.

Political Barriers

With varying outlooks on the role of religion in governance, enduring constructed biases and the hesitation of the Moros in identifying themselves as 'Filipinos,' the Moros have been unable to participate in the creation and implementation of laws. However, their political participation is crucial for them to realise their interests and goals. Yet due to their marginalisation, the socio-economic gap between Christians and Muslim Filipinos still persists.

While the BBL approach is currently being pursued, there has been criticism that the BBL infringes upon the territorial integrity of the Philippine Government. The BBL states that the regions covered are to be under the political entity called the Bangsamoro, which may lead to the conclusion that it grants the Bangsamoro external self-determination. However, this would violate the Philippine Constitution as the Bangsamoro should not be considered a separate political entity, and remain merely as an autonomous region.

Ultimately, despite the hindrances to the passage of the BBL, this framework still represents the greatest opportunity presented to the Bangsamoro people to achieve autonomy in determining issues related to managing resources, education and formulation of policies efficiently.²⁷

Conclusion

Given a chance to work, the BBL symbolises the willingness of all Filipinos, including Christian Filipinos and the Bangsamoro people, to resolve the conflict in Mindanao and to come together to address the issues and concerns of the Bangsamoro people. It is an act of coming together of the Bangsamoro people and Christian Filipinos to unite in Philippine nation-building and in charting a

common path in the shared hope of living together in peace and prosperity.

Should the wording of the BBL be amended to ensure an alignment with the Philippine Constitution, it would be an effective approach in resolving the conflict in Mindanao as it would give the Bangsamoro people a measure of self-rule with a collective identity, history, religion, culture and customs. It could also potentially address issues that led to rebellion by the Bangsamoro people against the Philippine Government in the 1960s due to the non-accommodation of their cultural identity, religion and neglect of their socio-economic needs. It would present the Bangsamoro people the opportunity for self-rule, a cause that they have been fighting for throughout the centuries. By showing that the recognition and accommodation of the Bangsamoro people would be possible within the framework of the Philippine Republic, they would be a part of the Philippine nation-building process. In his first State of the Nation Address, incumbent President Rodrigo Duterte stated that:

"We will vigorously address the grievances that have been time and again expressed, not only by the Bangsamoro, indigenous peoples and other groups for security, development, fair access to decision-making and acceptance of identities... We express our willingness and readiness to go to the negotiating table... To our Muslim brothers, let us end the centuries of mistrust and warfare."²⁸

Culture, especially for the Moro people, is very much integrated in their formulation and implementation of policies and laws. Without taking this into account, it is highly probable that any approach would be ineffective at best and aggravating at worst. In terms of countering terrorism, the root causes seem to always be the same. A perceived lack of recognition and consideration, and the ensuing segregation into an "us" and "them"

[family-income-and-expenditure-survey](#) (Accessed June 17, 2018)

²⁷ Antonio G. M. La Viña, "An Analysis of the 2017 BBL Draft: The Good Provisions," *MindaNews*, August 08, 2017, <http://www.mindanews.com/mindaviews/2017/08/rive>

[rmans-vista-an-analysis-of-the-2017-bbl-draft-the-good-provisions/](#) (Accessed June 05, 2018).

²⁸ "President Duterte's 1st State of the Nation Address," *Rappler*, July 26, 2016, <https://www.rappler.com/nation/140860-rodrido-duterte-speech-sona-2016-philippines-full-text>

situation is not unique to the Bangsamoro situation. The BBL and the push for an autonomous state within the same country display a sense of cordial reintegration.

Unjust conflict and historical grievances has led to the build-up of hatred and prejudices between both parties. This has also caused wide-scale poverty for the inhabitants of Mindanao. Government neglect of socio-economic development has led to the underdevelopment of the region, whereas political disenfranchisement has led to a lack of representation in the Philippine government. The Bangsamoro conflict had resulted from unfair socio-cultural, economic and political frameworks, which were deeply rooted under the rubric of identity and caused marginalisation. However, through dialogue, recognition, and legitimisation, conciliation between the Philippine government and the Moro people could be achieved. To do so, trust between both parties would be a prerequisite. With a harmonious relationship, both the Muslim-Filipino and Christian-Filipino communities would be able to harvest the benefits of a transformed unequal power structure, one that is free from prejudice, ignorance and hate.

Anushka D. Kapahi is a graduate student at the Elliott School of International Affairs, George Washington University. She focuses on International Security Studies and Southeast Asian Politics and can be reached at anushkakapahi@gwmail.gwu.edu.

Gabrielle Tañada is a Senior Associate for Development Projects and Partnerships for the ASSIST Asia, a regional NGO based in the Philippines. She can be reached at gabmtanada@gmail.com.