



From Enduring Strife to Enduring Peace in the Philippines

Major Gary J. Morea, U.S. Army

English/2008/May-Jun/Morea

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With the exception of a brief period of American control in the first half of the twentieth century, conflict has persisted in the Mindanao, the southern island group of the Philippines, for 500 years, since the first acts of resistance towards Spanish colonization in the sixteenth century. In fact, this conflict is the second longest internal conflict in history.¹

The population of the Philippines is a mosaic of diverse ideologies, religions, and cultures that have coalesced into three distinct regions of the archipelago. At times, these regions have been at odds with each other. While several attempts at conflict resolution have been made over the years through many different forms of government, the conflict has not yet been resolved and groups continue to struggle against the central government for political consideration, concessions, and/or autonomy. Those living in the Mindanao, for whom resistance is central to identity, still writhe against the forces that wish to control them.

The contemporary struggle between the Government of the Republic of the Philippines (GRP) and Islamic separatists in the Mindanao is the latest evolution of resistance in the Philippines. The social system in the southern region of the archipelago is a complex blend of cultural, nationalistic, and religious consciousness that appeals to various social groups and organizations vying for political legitimacy and control. These groups are struggling against the centralized government of the Philippines for recognition and autonomy. They have organized political elements and access to and influence over armed fighters ready to carry out subversive acts of violence against government facilities, people, and organizations perceived to be sympathetic to the GRP. The result of this ongoing violence has been economic stagnation in the Mindanao, a stagnation that has adversely affected the economy of the entire archipelago.

The conflict in the Mindanao has at least three interrelated dimensions: political, security, and economic. The point at which these three dimensions converge is marked by tension, but it also holds the potential for cooperation. It is towards this point that efforts for peace, in the form of amnesty, reintegration, and reconciliation (AR2), should be directed.² AR2, a multi-staged and multidimensional approach to healing a fractured society, is fundamental to achieving a sustained peace. While there have been many attempts to pacify the Mindanao via AR2, these overtures have mostly

Major Gary J. Morea is a student at the School of Advanced Military Studies, Fort Leavenworth, Kansas. He holds a B.S. from the United States Military Academy, an M.A. from Embry-Riddle Aeronautical University, and a Master of Military Art and Science from the Command and General Staff College, Fort Leavenworth, Kansas. MAJ Morea is an Apache Longbow pilot with operational experience in Operations Desert Thunder and Iraqi Freedom.



U.S. Army poster

Jolo, Sulu, Philippines, 11–15 June 1913. Moro resistance to a central Philippine government included resisting American colonial rule long before the Japanese occupation.

been short-lived and narrowly focused. Hence, the conflict persists, and it will continue to do so until the GRP expands the breadth of its proposed AR2 solutions.

A broader offer of amnesty coupled with an energetic and productive reintegration program would be a testament to the GRP's sincerity and likely pave the path toward full reintegration and reconciliation for all sides. Properly applied, AR2 can assuage the secessionist movements, stabilize the political structure, increase security, and improve the economic posture of the Philippines. AR2 can give the Philippine government the construct it needs to proceed toward conflict resolution.

Roots of Conflict

The Philippine archipelago comprises over 7,000 islands, islets, and atolls covering an area of over 500,000 square miles.³ It divides into three major groupings: to the north, Luzon, which is the largest and most populous of the groupings and where the

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capital, Manila, resides; in the center, the Visayas; and in the south, the Mindanao group, which extends all the way to Borneo.⁴ Muslim traders from Indonesia made contact with the people of the Mindanao long before Spanish missionaries and traders colonized the Philippines. As a result, most people in Mindanao are Muslim. They are commonly referred to as the Bangsamoro, or Moros, a label dating back to an early Spanish pejorative linking the Muslims in the Mindanao with the Moors of Morocco.⁵

In April 1946, following its time as an American Commonwealth and Japanese occupied territory, the Philippines held its first free and independent elections. The United States turned sovereignty over to the Independent Republic of the Philippines on 4 July 1946, and Manuel Roxas became the republic's first president.⁶ The newly created GRP got off to a difficult start trying to recover from the physical damage inflicted by the Japanese occupation. Economic dependence on the United States after the war exacerbated the difficulties of reconstruction and recovery.⁷

Political turmoil culminated under the presidency of Ferdinand Marcos. Elected in 1965, Marcos initially had overwhelming success in advancing public works projects and executing effective tax collection measures. After he was reelected in 1969, political opposition to his presidency increased, slowing governmental projects and the economy. Due to increased social unrest and the growing risk of a communist insurgency, Marcos declared martial law on 21 September 1972. During this same year, he also created the "Presidential Task Force for the Reconstruction and Development of Mindanao." Despite his efforts, by 1974, fighting between the rebel Moro National Liberation Front (MNLF) and the Armed Forces of the Philippines (AFP) had escalated into large-scale, conventional war.

The conflict reached a stalemate in 1976. Prior to the signing of an agreement in Tripoli, Libya (the Tripoli Agreement), Marcos offered amnesty to key rebel leaders. Negotiations soon broke down, however, due to Marcos's alteration of the Tripoli Agreement's provincial autonomy outline, and conflict between the MNLF and AFP resumed. As the fighting worsened, Marcos's policies toward the Mindanao turned increasingly violent. When further attempts at diplomatic resolution were aborted,



Ferdinand Marcos and Mrs. Marcos with President Lyndon B. Johnson, 23 October 1966.

his authoritarian power began to wane. In 1981, under pressure from Pope John Paul II, Marcos lifted martial law. Five years later he was ousted by a popular revolution.⁸ The next two decades saw the GRP cycle through four presidential administrations, each of which took a slightly different approach to conflict resolution.

Following the Marcos family's departure in 1986, Corazon Aquino took over as president of the Philippines. One of her first acts was to appoint a commission to draft a new constitution, which included the establishment of an autonomous Mindanao. GRP and MNLF panels met one year later, but could not come to an agreement on language describing the autonomy mandate in the draft constitution. Despite this obstacle, Aquino briefed Islamic diplomats that the Tripoli Agreement was being implemented through constitutional processes.⁹ In August 1989, a draft autonomy bill was submitted to both houses and the congress passed Republic Act 6734, creating the Autonomous Region of Muslim Mindanao (ARMM).¹⁰ Regional elections gave the ARMM a new governor and a new legislative assembly. Aquino signed executive orders outlining and defining the relationship between the central government and the ARMM.

In May 1992, Fidel V. Ramos was elected president of the Philippines. One of his first official acts was to call for peace. Two months after swearing in as president, Ramos appointed the National Unification Commission (NUC) to formulate an amnesty program.¹¹ In 1993, he created the Office of the Presidential Advisor on the Peace Process to

continue the NUC's work.¹² The high-water mark of Ramos's presidency was his attempt at AR2 in September 1993, when he issued an executive order entitled "Defining the Approach and Administrative Structure for Government's Comprehensive Peace Efforts," also known as the "Six Paths to Peace."¹³ The six paths were—

- Instituting social, economic, and political reforms aimed at addressing the root causes of armed struggle and social unrest.

- Building consensus and empowerment for peace through

continuous consultation at the national and local levels.

- Negotiating peace with armed groups.

- Implementing measures for reintegration and reconciliation of former combatants and rehabilitation of those affected by the conflict.

- Taking measures to manage conflict and protect civilians.

- Building, nurturing, and enhancing a positive climate for peace.¹⁴

This executive framework remained the core of the GRP's peace plan, and it continues as such today. While the intent was to pursue the six paths simultaneously (to ensure complete coverage of the problem), this broad approach is not comprehensive enough and has neglected or ignored several key anti-government groups.

In 1994, Ramos issued Proclamation 347, which created a National Amnesty Commission and granted amnesty to rebels.¹⁵ Ramos's ambitious peace initiatives culminated in September 1996 with the signing of the "Final Peace Agreement."¹⁶ This agreement proved not to be so final, however, mostly because some key antagonists decided not to sign it. One of these groups was the Moro Islamic Liberation Front (MILF), an offshoot of the MNLF.



Joseph Estrada at Malacanang Palace, Manila, 3 August 1998.

Another was a new and sinister player: Abu Sayyaf.

Because of the incomplete resolution, fighting renewed and, toward the end of Ramos's term, escalated. In 1998, Joseph Estrada became president. His ascent ushered in a period of intensified fighting and intra-governmental debates on the peace agreement. By 2000, the fighting between the AFP and the MILF had intensified, and Abu Sayyaf had begun kidnapping tourists for ransom.¹⁷ In October 2000, allegations of corruption emerged that brought an early end to Estrada's administration. As part of his swan song, Estrada held a ceremonial amnesty in which the GRP persuaded approximately 800 MILF fighters to exchange weapons for money and a pardon.¹⁸

Gloria Macapagal-Arroyo took the oath of the presidency in January 2001. During her inaugural address, Arroyo proclaimed an "all-out-peace" policy.¹⁹ Like most of her predecessors, Arroyo took great strides toward peace in the initial months of her tenure. She appointed members of the GRP to negotiate with the MILF and suspended military operations in February.²⁰ As a result, Arroyo achieved an important milestone in peace efforts: a meeting in Kuala Lumpur between GRP members and MNLF and MILF representatives during which a "General Framework of Agreement and Intent" was signed. With these groups' representatives involved in constructive negotiations, the GRP launched an "all-out-war" against Abu Sayyaf.

Since the initial negotiations with MILF and MNLF, there has been further progress toward a negotiated peace agreement. However, independent MILF fighters have continued to skirmish with the AFP and have launched attacks throughout the Mindanao.

Conflict with Abu Sayyaf and elements of the MILF persists.

Societal Framework

The GRP's attempts at conflict resolution follow, to some degree, the amnesty, reintegration, and reconciliation process employed to heal fractured societal frameworks. AR2 is normally initiated from the political dimension, but all the dimensions in the framework are interrelated. Therefore, to understand the AR2 process in regards to the Philippines, we must first explore the political, security, and economic dimensions



Chief Justice of the Supreme Court of the Philippines Hilario Davide swears President Macapagal-Arroyo into office during a ceremony held at the Cebu Provincial Capitol, 30 June 2004.

U.S. Embassy Manila

of the framework to identify the links between the dimensions. Specifically, which organizations are involved in shaping the political decisions that affect the people and provinces of the Mindanao, how do they interact, and how does their interaction affect the society's economic dimension?

Political dimension. The political dimension of the conflict in the Mindanao is a function of the cultural-religious identity of the ancestral inhabitants of these southern Philippines islands, people who refuse to accept a centralized governance that ignores their distinct social structure and belief system. The key players in this dimension are the central Philippine government, external political/religious organizations, and emergent leaders who claim to represent the interests of the Mindanao people. The main actors are—

O The GRP. The Philippine government today is the result of extensive reform, re-structuring, and constitutional revision along Western lines in the wake of the Marcos regime. Comprised of executive, legislative, and judicial departments, the governmental structure separates, checks, and balances power much as Western democracies do. The president is elected by direct vote of the people for a period of six years and is not eligible for reelection. While the president may offer amnesty and enter into negotiations and treaties, such agreements must be ratified by a two-thirds vote in the Philippine Senate.²¹

O The Islamic Conference of Foreign Ministers (ICFM). This political organization is comprised of volunteer members of the Islamic international

community. It first met in Rabat, Morocco, in September 1969, after an arson attack against Jerusalem's Al-Aqsa Mosque in August that year. Since then, the ICFM has met every year to evaluate progress on the implementation of decisions it made to further Islamic causes. The first international organization to officially recognize the MNLF, the conference was instrumental in initiating dialogue between the MNLF and the GRP. It continues to wield influence over the MNLF, the other Islamic separatist movements, and the GRP.

O *The MNLF*. In the late 1960's, increasing suspicion of Manila, the migration of Christians from the north into the Mindanao, and Christian marginalization of native Muslims stimulated the formation of a number of Islamic separatist movements. After martial law was declared in 1972 and all citizens were ordered to surrender their weapons, the Moros spontaneously rebelled.²² Their rebellion consisted of mostly uncoordinated uprisings throughout the Mindanao. Led by Nur Misuari, the MNLF managed to unite the far-flung pockets of resistance, and, in 1972, the organization openly declared leadership of the Moro secessionist movement. By 1973, at the height of the conflict, the MNLF fielded 30,000 armed fighters. The contest between the Armed Forces of the Philippines and the MNLF raged for three years and culminated in the Tripoli Agreement. Signed by Misuari and Defense Under-Secretary Carmelo Barbero, this agreement

allowed for some autonomy in 13 provinces of the southern Philippines.²³ Fractious political infighting weakened the MNLF by the early 1980's, but persistent skirmishes marked the decade and kept the AFP occupied in the Mindanao. By 1984, the MNLF was no longer the sole representative for Islamic separatists, although the GRP continued to reach out to it as the only officially recognized voice among the various Muslim movements.

O *The Moro Islamic Liberation Front*. A splinter element of the MNLF, the MILF declared itself active in March 1984, with the intent of following a religious as well as nationalist agenda (hence the organization's substitution of "Islamic" for "National.") It was born as the result of an ideological schism between the chairman and vice-chairman of the MNLF. The latter, Hashim Salamat, founded the MILF and moved his headquarters to Lahore, Pakistan, where he successfully promoted his ideas to international Islamic organizations.²⁴ The main political difference between his organization and the MNLF was the MILF's declared determination to establish Islamic law in Muslim Mindanao, as opposed to the MNLF, which emphasized political autonomy.

O *Abu Sayyaf*. In the political dimension, Abu Sayyaf stands out as an anomaly. Although a relatively small group of radical Islamist terrorists with no real political arm, the organization currently represents perhaps the greatest threat to Philippine security. It has therefore become the target of an all-out Philippine military offensive. The group, whose name translates from Arabic as "Bearers of the Sword," was first mobilized in 1991 by Abdurajak Janjalani, a Philippine Muslim scholar who had fought as a mujahedeen against the Soviet occupation in Afghanistan. His group has connections to Al-Qaeda in the Middle East and apparent aspirations to mimic the Arab organization. Although Abu Sayyaf initially purported to be a political group and



AFP, Romeo Gacard

Armed Muslim rebels of the Moro National Liberation Front (MNLF) display their AK-47 assault rifles and a Soviet made B-40 anti-tank rocket launcher at an undisclosed location, 19 February 1988.



AFP, Romeo Gacad

Guerrillas of the Muslim separatist group Moro Islamic Liberation Front (MILF) at Camp Abubakar, the MILF main headquarters, in southern Maguindanao Province, 10 September 1996.

court Islamic sympathies, it has deteriorated into nothing more than a gang of bandits, corroding the political process and spurring disruptions in the political landscape.

Security dimension. The security dimension of the societal framework of the Mindanao is significant in that it is a means of discourse between the GRP and the fractious separatist movements. When negotiations and dialogue between the political actors break down, the frequency and violence of attacks in the Mindanao typically increase until the parties reconvene in the negotiation process. The key actors in this dimension are the armed elements that act on behalf of their parent political organizations. The AFP acts on behalf of the GRP, while the armed elements of the MNLF and MILF act on behalf of, although not always in concert, with their parent political organizations.

The main obstacle to stability in the security dimension has been the pseudo-political Abu Sayyaf. This group introduced itself to the world in August 1991 by bombing a ship in Zamboanga harbor and killing two American evangelists in a grenade attack.²⁵ Their established ties with Al-Qaeda (under Janjalani's leadership) led to connections with the Saudi Arabian businessman Mohammad Jamal Khalifa, Osama bin Laden's

brother-in-law. Khalifa controlled a large financial network of charities and a university in Zamboanga, all of which he used to bankroll Islamic extremists. (His flagship charity was the International Islamic Relief Organization, or IIRO, with an office in Zamboanga.) Abu Sayyaf received money funneled through Khalifa's network to arm and equip its members while it laid plans for its most insidious attacks, among them a plot to assassinate Pope John Paul II during his 1995 visit to the Philippines.²⁶

The security situation in the Mindanao began to change in 1998, when Janjalani was

killed in a fire-fight with Philippine national policemen. He was succeeded by his younger brother, Khadaffy Janjalani, who led the group until 2006. Under Khadaffy's leadership, the group changed its focus from Islamist ideology to fundraising by means of kidnapping. This move had an adverse affect on the organization's character. Many of the members became drug users more inclined to crime than politics. In recent years, as a result of a U.S.-backed effort in the southern Philippines, Abu Sayyaf has suffered major leadership losses. Khadaffy was killed by Philippine troops in September 2006, and his likely successor, Abu Salalman, was killed in January 2007. These two leaders had the strongest ties to Middle Eastern donors. Now the reins are held by the one-armed,

The main convergence between the security and political dimensions of the Mindanao conflict occurs where organizations possess the potential to act in both.



AFP, Raffy Tima

Abu Sabaya (left) and Khadaffy Janjalani (right), leaders of the Abu Sayyaf Muslim extremist gang, pose for a photo in Basilan, Philippines, July 2000.

70-year-old Radullan Sahiron, who demonstrated his belligerence in an August 2007 clash with the Philippine military that left approximately 52 dead (25 soldiers and 27 militants).²⁷

The main convergence between the security and political dimensions of the Mindanao conflict occurs where organizations possess the potential to act in both. In order to be considered credible and worthy of engaging in dialogue, actors have to possess both a recognized political organization and military power. An organization with only political actors and no means of armed resistance is viewed as a toothless pariah; armed fighters without a recognized or effective political parent are seen as criminal and not worth the serious consideration of negotiated settlement. The effect of this dynamic on the overall societal framework is enormous. Activity within the security dimension, either positive or negative, has the greatest effect on dimensional convergence. This is especially true for the economic dimension.

Economic dimension. In the Mindanao, some economic costs are easily quantifiable, such as the lost productivity of those killed as a result of the fighting (approximately 120,000 since 1970) or sent fleeing—legally and illegally—to neighboring countries; the number of ghettos that exist; the percentage of the population living in poverty (71.3 percent in 2000); and the average income per family.²⁸ These quantifiable variables serve as scalable indicators for other dimensions of the societal framework, such as political and social programs and security efforts in the region.

What is more difficult to quantify, however, are the indirect costs of conflict. The perception of instability and insecurity fostered by the strife has deflected investment in the entire Philippine archipelago. From an investment banking perspective, the country is simply not investor friendly. The resulting scarcity of capital has had adverse trickle-down effects, such as disintegration of agricultural capabilities due to a lack of funds for equipment replacement, irrigation improvement, and marketing mechanisms.²⁹ Sadly, this downward economic spiral feeds the instability and insecurity that have helped cause it: for military-aged males, joining a political cause or an armed militia have become the main alternatives to legitimate, productive employment. Economic options for military-aged males has been a key node in which the political, economic, and security dimensions converge.

Transitioning to Enduring Peace

All conflicts are inherently different, from their root causes, to the actors involved, to the techniques employed. While there is no template or checklist for conflict resolution, there is a conceptual construct that provides tools for the initiation and implementation of change and dialogue. One of these conceptual constructs is AR2. This construct provides conflicting parties with three tools for working at conflict resolution. These tools have distinct characteristics and, based on the context in which they are to be used, require unique consideration in regards to the order, timing, and methods used.

In breaking down AR2 into its constituent parts, we see that *amnesty* is an event; *reintegration* is a combination of the framework

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and processes required for the parties to become more mutually dependent and cohesive; and *reconciliation* is the desired outcome, goal or aim of the entire process. In the end, the entire process of conflict resolution is a psychological one. How the problem is conceived, the demonization of opposing forces, and the belief in a limited number of options must all be changed. Successful application of AR2 identifies the true heart or source of the conflict, enables better understanding of the opposing parties, and develops options and paths that are acceptable to all parties and that lead to peaceful resolution of the conflict.

Amnesty. Often used as the first step in restoring or mending a fractured polity, amnesty serves as the gateway to inclusion and the invitation to rapprochement between conflicting groups. It encompasses more than a simple governmental pardon, which is its legalistic aspect. Amnesty is granted, and therefore the crimes are “forgotten” before prosecution occurs. (Conversely, pardons are typically granted after parties are prosecuted.) The concept of amnesty is broader and implies more a promise of societal amnesia about the crimes and offenses committed during a period of struggle, civil war, or social unrest. It completely exonerates former combatants who volunteer to participate in the restoration of civility and work towards the resumption of peace.

History is full of examples of amnesty used for political or diplomatic purposes. Some of the earliest were recorded by Thucydides (e.g.,

the Samians offered amnesty to members of an oligarchic coup and to the general Alcibiades during the Peloponnesian War).³⁰ More recently, as it transitioned to democracy, South Africa granted amnesty in return for truthful talk about political proscriptions and other crimes. In 1997, U.S. President Jimmy Carter offered amnesty to Vietnam War draft evaders as one of his first acts in office.³¹ Carter clarified that the grant was not intended to forgive the draft evaders, but rather to allow the nation to forget their transgressions and the discontent that stirred in their wake. It was his way of initiating the healing process at the national level, by removing a festering source of divisiveness.

Amnesty is a political tool intended to initiate healing and compromise. But while the practical purpose for granting it is to assuage both sides of a conflict and get them to the negotiating table, amnesty can stir up emotions and dissent in those victims who will be denied justice by its offering. Careful consideration must be given to the context in which it will be offered. Specifically, great consideration must be given to the nature of the offenses that are to be “forgotten.” If the amnesty is being offered to perpetrators of victimless crimes, it will meet with less public opposition than if it is offered to offenders whose actions have created victims and circles of victims who still bear grudges. In the latter situation, amnesty can still work, but it will have to be conducted very judiciously and, perhaps, as part of a social record program, such as the Truth and Reconciliation Commission of South Africa.³²

Blanket amnesties have been offered in Chile, Zimbabwe, and Argentina, but the danger of such amnesties is that they can trivialize the crimes and marginalize the victims. Furthermore, blanket amnesties can create the perception that the government is incapable of dealing with offenders, therefore removing the government’s most important pillar of legitimacy—its role as arbiter of justice.

The other side of the coin is the important psychological impact amnesty has upon the rebel and criminal. Amnesty provides these offenders a reason to negotiate and an alternative to continued conflict. But there must also be an opportunity for the ex-combatant, or the combatant considering

Reintegration typically occurs after an offer of amnesty, although it must be enticing enough for the combatants to accept the amnesty in the first place.

the amnesty proposal, to transform himself into a contributing member of the society. A successful amnesty program must consider the dignity of everyone involved in a conflict, both victim and offender. There must then be a “next step” by which those on both sides of a conflict can be included in society in a meaningful way. This involves a plan and program for reintegration.

Reintegration. Simply stated, reintegration describes the efforts made to bring the ex-combatants in a fractured polity and society back into the folds of that society as the society seeks to mend itself. Reintegration typically occurs after an offer of amnesty, although it must be enticing enough for the combatants to accept the amnesty in the first place. Reintegration can come in a variety of forms, but it essentially involves a plan for transitioning formerly armed and disenfranchised combatants into amenable, income-generating civilians.

According to USAID, many different activities



A former combatant of the Moro National Liberation Front (MNLF) uses his cell phone from a remote island in the southern Philippines to check on the market price for seaweed. He is one of 28,000 former MNLF fighters whom USAID helped to make the successful transition to productive enterprise.

should be conducted during reintegration. The first step is to disarm and settle ex-combatants into demobilization camps. These reintegrating members can then participate in temporary work involving the construction of facilities and the repair of damaged schools, clinics, and other infrastructure. But to be effective, a reintegration program needs to ensure that reintegrating members receive education and training that will facilitate their permanent transition to civilian life and peaceful pursuits. Training and education offer the reintegrating members hope and encourage a sense of trust in the government that will aid in achieving the follow-on goal of reconciliation.

It is important to note that simply paying ex-combatants as part of a reintegration plan is neither effective nor sustainable—although it might be a good idea to offer stipends to reintegrating members during their periods of education and formal training. Another caveat is that reintegration programs need to be offered to all members of the fractured society in order to “avoid creating a new class of privileged citizens and rewarding people who resorted to violence.”³³

In the Philippines, the USAID Office of Transition Initiatives (OTI) worked with the government to develop and implement a plan to reintegrate the MNLF from 1997 to 2000. The OTI contributed agricultural machinery, such as rice threshers and solar dryers, while the GRP and local communities provided labor, material, and training. By offering the opportunity to learn profitable skills while simultaneously providing for the welfare and needs of the community, this program strengthened communal bonds among the participants.³⁴ At its core, any reintegration program should focus not just on satisfying immediate needs, but also on providing hope for a more permanent transition. This is a critical component for successful reconciliation.

Reconciliation. Reconciliation is the process of restoring a civil relationship between parties in conflict, usually with the goal of achieving a peaceful, even amicable, relationship. The process is fundamentally a psychological one in which groups come to change their beliefs (which can be well-entrenched) about each other through dialogue and mutual cooperation and respect. Reconciliation can entail slow, drawn-out negotiations to reach

needed compromises.

True reconciliation cannot be achieved without all parties acknowledging responsibility for past actions, as was the goal of South Africa's Truth and Reconciliation Commission. According to Mari Fitzduff and Chris Stout, authors of *The Psychology of Resolving Global Conflicts: From War to Peace*, "Any attempt at restoration after a period of alienation that ignores questions of justice could not be considered true reconciliation and would not be sustainable."³⁵ This direct link between reconciliation and a sense of justice tends to complicate the reconciliation process, mostly because the people on opposite sides of a conflict have different opinions about what constitutes justice.

Fitzduff and Stout describe five different kinds of justice:

O *Distributive* justice: justice distributed equally to every person regardless of rank, status, wealth, position, etc.

O *Political and social* justice: all have equal access to power and its benefits.

O *Procedural* justice: the particular legal process(es) by which justice is administered.

O *Historical* justice: the historical record is set straight; past injustices are acknowledged, perhaps apologized for; and compensation may be offered to victims.

O *Compensatory* justice: reparations are paid for historical injustices.³⁶

All of these must be taken fully into account to keep the reconciliation process moving forward.

Healing usually involves discomfort. The same is true in the reconciliation process. When seeking a justice commensurate with the goal of reconciliation, the parties involved will experience uneasiness and even pain in settling their differences and acknowledging the events that transpired during the conflict.

Tension and Opportunity

The Philippine government's enduring struggle with Islamic separatists has progressed through the fits and starts of unsatisfactory attempts to arrive at negotiated settlements. Regardless of how it happened, the fact remains that Christians occupy over 80 percent of the Mindanao.³⁷ For the Islamist autonomy movement to achieve any

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political credibility, it must account for the existing secular status quo. It would be near physically impossible, and certainly socially reckless, to grant independence to the southern Philippines. What remains, then, is how to incorporate the customary laws and practices that the Muslim population wants to retain and use as the basis of law without creating a double standard in the Philippine legislative and judicial systems. Furthermore, since many Muslim practices stem from religiously based Sharia law, there is the potential for fundamental disconnection from secular society. Democracy provides for religious freedom, but religion and religious-based edicts are not necessarily consistent with democratic freedoms. On the other hand, democratic constructs like the regional governments within the Autonomous Regions of Muslim Mindanao that do not provide real legislative autonomy or reasonable operating budgets are just hollow bureaucracies that widen the divide and deepen the distrust between the Bangsamoro people and the GRP. So, the AR2 process in the Philippines faces significant cultural challenges.

Nevertheless, the Philippine government has made great strides towards resolving this long struggle. It is arguably closer than it has ever been to achieving a real and lasting peace within its borders. While the process of reconciling its differences with the MNLF and MILF has been long and arduous, the GRP has learned valuable lessons about the delicate combinations of force, diplomacy, and economic programs that are necessary to initiate and sustain peace. With Abu Sayyaf effectively leaderless and scattered, the GRP has an opportunity now to increase its military pressure on these quasi-insurgents while simultaneously attacking the criminal financial networks that sustain them. Most important, however, the GRP needs to provide a release valve, in the form of amnesty and eventual reintegration, from all of this pressure.

The Philippines will hold its next presidential election in 2010. As history has shown, the

first few months of the new presidency will be critical because they will set the tone and pace for conflict resolution. The GRP, MNLF, and MILF, and external organizations such as USAID and the Organization of Islamic Conferences, should prepare now for that window of opportunity by drafting a new amnesty offering, developing a new reintegration program, and building a financial stockpile to fund it all. In addition, constitutional concessions and considerations must be given to the Bangsamoro population if the GRP is going to have any hope of achieving a lasting settlement with the MNLF and MILF while staving off the potential

for future secessionist groups to emerge. Once the philosophical and cultural divisions are bridged and the armed combatants are effectively reintegrated into the social fabric, reconciliation will occur in the Philippines.

Conclusion

The first step toward resolving the enduring rivalry between the Government of the Republic of the Philippines and the Bangsamoro people residing in the Mindanao is for the government to offer amnesty. What the GRP must understand is that through the sincerity of its actions and the rapid

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execution of its social programs of reintegration, it will in turn receive amnesty from those who feel disenfranchised from the GRP and distrust it. After all, reconciliation cannot be fully achieved until both sides in an argument forget the other's transgressions and move on.

While the elements of AR2 have been exercised in the Philippines, they have not been implemented as part of a cohesive construct. In two years, the GRP will have the opportunity to inject new energy and resources into solving the current dilemma. A new initiative for peace pursued within the framework of AR2 can succeed if it is undertaken with sincerity and energy.

There is no easy answer to the Mindanao problem, and responsibility lies on all sides of the negotiation table to ensure that words and deeds are matched. Overtures of amnesty are the necessary

first step, but a wider net must be cast to avoid excluding potential future adversaries. Finally, the reintegration and reconciliation efforts need to follow amnesty quickly, and they ought to be linked to economic incentives that can serve as tangible proof of the change that has taken place. Peace can only be achieved when the AR2 process is carried to its fruition. The Philippine government possesses a great administrative framework, a strong desire for peace, and the tools necessary to carry out its program of AR2. Proper application of AR2 can change the dynamic of Philippine society from one of enduring rivalry to one of enduring peace wherein spirited, sincere, structured negotiation replaces the kinetic dialogue of bullets.

NOTES

1. Salvatore Schiavo-Campo and Mary Judd, "The Mindanao Conflict in the Philippines: Roots, Costs, and Potential Peace Dividend," *Social Development Papers: Conflict Prevention and Reconstruction* (Washington DC: The World Bank, 2005). Interestingly and perhaps not surprisingly, the longest conflict is another religion-based affair, that between North and South Sudan, which dates back to the 10th century.

2. In earlier articles on amnesty published in *Military Review*, the acronym "AR2" stood for amnesty, reconciliation, and reintegration, in that order. After further

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discussion at the among those who formulated the AR2 concept, it was decided that reconciliation and reintegration should be reversed, since reintegration really becomes a means to reconciliation.

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Bio

Major Gary J. Morea is a student at the School of Advanced Military Studies, Fort Leavenworth, Kansas. He holds a B.S. from the United States Military Academy, an M.A. from Embry-Riddle Aeronautical University, and a Master of Military Art and Science from the Command and General Staff College, Fort Leavenworth, Kansas. MAJ Morea is an Apache Longbow pilot with operational experience in operations Desert Thunder and Iraqi Freedom.