

Mindanao Political Restructuring: Antecedents and Prospects¹

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November 25, 2008

If there is anything to be gleaned from the recent imbroglio on the Memorandum of Agreement on Ancestral Domain (MoA-AD) and all the attendant controversy it has elicited so far is that, the Philippine government, the Filipino public, the media and the like have to continuously catch up with their readings about Mindanao particularly the nature of inter-governmental relations as one major source of political instability in Moro areas. If only they have properly understood them, they would have realized that the MoA-AD is really no different from the peace agreements that had been signed between the Philippine government and Moro movements since 1976 as a way to stabilize the political system in the Moroland. They would have realized, too, that the contemplated Bangsamoro Juridical Entity (BJE) is really no different from the “phantom of tier-making and tier-changing in Mindanao and Sulu” that haunted “colonial Americans since 1899 until 1935 only to be replayed by the Philippine Commonwealth, and later, by successive Philippine government since 1946 onwards.”

It is worthy to note that since the American colonial period in 1899 until the Philippine Commonwealth in 1937, the American and Filipino-led government in Mindanao and Sulu had created and changed successively nine political, administrative, and bureaucratic tiers and offices beginning with the Military District of Mindanao and Jolo in 1899 until the establishment of the Office of Commissioner for Mindanao and Sulu in 1937. In between these were seven more tiers prominent of which was the Moro Province that was put in place in 1903 only to be abolished in subsequent years.

American Colonial Period and Philippine Commonwealth

Tier/Unit/Office	Nature	Function	Year
1. Military District of Mindanao and Jolo	Military	To oversee US benevolent policy in Mindanao and Sulu	1899
2. Military Department of Mindanao and Jolo	Military	To rule via four districts: first and second, comprising Mindanao; third, Sulu; fourth, Palawan and other adjacent areas	1900
3. District of Mindanao	Military	To rule via two districts over Christian areas: one in the north through a headquarter in Cagayan; the other in the south and central Mindanao with headquarter in Zamboanga	1900
4. Seventh Separate Brigade	Military	To continue the thrust of MDMJ after the latter's geographical department was temporarily closed for ten months	1901
5. Bureau of Non-Christian Tribe	Administrative	To investigate non-Christian peoples; ascertain tribal distinction, territorial	1901

¹ A brief paper read during the launching of the book, “The Moro Reader: History and Contemporary Struggles of the Bangsamoro People” published by the Center for People Empowerment and Governance (CENPEG) at the Popular Bookstore, Tomas Morato, Quezon City on October 24, 2008. The author is Associate Professor of Islamic Studies at the University of the Philippines.

		limits, social organization, language, belief, manner and custom	
6. Department of Mindanao	Military	To carry on the missions of DM in 1900 and SSB in 1901	1902
7. Moro Province	Military	To organize and to initiate American government policy of direct rule and interference on Moro internal affairs	1903
8. Department of Mindanao and Sulu	Administrative	Effect the Filipinization of Mindanao and Sulu in preparation for Philippine independence; to unify the structure and powers of provincial and municipal governments in Moroland with the rest of the country; to institute “rapid amalgamation of with the inhabitants of other islands”	1914
9. Office of Commissioner for Mindanao and Sulu	Administrative	To develop Mindanao for the immediate benefit of the Philippine Commonwealth	1937

Fig. 1 Source: Julkipli Wadi “Tier-Making and Tier-Changing in Mindanao and Sulu,” *Diliman Review* Vol. 48, No. 2, 2000.

Under the Philippine government, the first tier created was the Commission on National Integration in 1957 and the last was the expanded Autonomous Region in Muslim Mindanao (ARMM) by virtue of the Republic Act 9054. In between the CNI and the present expanded ARMM were nine more tiers of various natures like the Mindanao Development Authority, Southern Philippine Development Administration, Ministry of Muslim Affairs (now OMA), and so on. If we add the contemplated BJE including the then MNLF’s proposed BPRAG and the Estrada Administration’s offer to MILF called the Maglanco Socsargen Council before the all-out war in 2000 to past political-administrative tiers experimented in Mindanao, the list would have become 14. Thus, if we add the 9 tiers experimented during the American period plus the 14 during the whole stretch of the Philippine period starting in 1957 until recently, there have been staggering 23 tiers of various nature – political, administrative, bureaucratic, office and otherwise – experimented for more than a century in Mindanao and Sulu.

Philippine Administrations

Tier/Unit/Office	Nature	Function	Year
1. Commission on National Integration	Administrative	To foster the moral, material and political advancement of non-Christian Filipinos	1957
2. Mindanao Development Authority	Administrative	To accelerate the development of the region	1961
3. Rehabilitation and Development Program	Administrative	To rehabilitate, reconstruct and develop areas ravaged by war in the late 60s and early 70s; to restore normalcy in the region; to assist evacuees; to repair damaged infrastructure; to expand agricultural production; improve education and health services	1973
4. Presidential Task Force for the Reconstruction and Development of Mindanao	Administrative	To implement the RPD; to assess damage on private property; to mobilize funds; to prepare an integrated program of full reconstruction; to restore peace and order	1973

5. Southern Philippines Development Administration	Administrative	To promote economic development and social stability through cooperation and non-corporation ventures	1975
6. Autonomous Governments in Region IX and XII	Political	To implement regional autonomy in accordance with the Tripoli Agreement (according to the Philippine government)	1977
7. Ministry of Muslim Affairs	Administrative	To insure the integration of Muslim Filipinos into the mainstream Filipino society with due regard to their beliefs, customs, traditions, and institutions	1981
8. Autonomous Region for Muslim Mindanao	Political	To implement regional autonomy in accordance with Art X Sec. 15 of the 1987 Philippine Constitution	1989
9. Mindanao Economic Development Council	Administrative	To promote and coordinate the active participation of all sectors to effect the socio-economic development of Mindanao through a wholistic and integrated approach	1992
10. Southern Philippine Council for Peace and Development	Administrative	To oversee and coordinate peace and development in the Special Zone of Peace and Development whose area of jurisdiction covers the thirteen provinces under the Tripoli Agreement	1996
11. Bangsamoro People's Regional Autonomous Government	MNLF's Proposed political and regional unit in the phase 2 of the GRP-MNLF Peace Agreement	To implement regional expanded autonomy in accordance with the phase 2 provision of the GRP-MNLF Peace Agreement after the amendment of the Organic Act of the ARMM	—
12. Maglanco-Socsargen Council	Pres. Estrada's proposed administrative council to the MILF (before the all-out war in 2000)	To implement peace and development in areas under the sphere of influence of MILF, i.e., Maguindanao, Lanao, North Cotabato, South Cotabato, Sarangani, and General Santos	1999
13. Expanded ARMM	Political	To implement RA 9054 mandating the expansion of territorial coverage of the ARMM	2001
14. Bangsamoro Juridical Entity	MILF's proposal to broaden political power and territorial jurisdiction of the ARMM	To effect the establishment of State-sub state arrangement between the Philippines and the BJE	2009

Fig. 2 Source: Julkipli Wadi, "Tier-Making and Tier-Changing in Mindanao and Sulu," *Diliman Review* Vol. 48, No. 2, 2000. Unlike the old list, the table has been added with new tiers namely the expanded ARMM in 2001 and the proposed BJE in 2008 in accordance with the bungled Memorandum of Agreement on Ancestral Domain (MoA-AD).

If past Philippine administrations including the American colonial government had afforded more than 20 tiers of various natures in the past, why can't the present government extend a new political arrangement called the BJE now that the MoA-AD had been declared unconstitutional by the Supreme Court? If government did its readings, it should have found out that the crux of the issue is the instability of intergovernmental relations between national government and local government in Mindanao and Sulu. And

it is one of the major reasons why Bangsamoros have persistently been demanding for more power and control of their areas. Let me quote a paper I wrote in the *Diliman Review* in 2000:

Although the quest for Moro nationhood is like a genie that has gone out of the lamp, the elusive magic word may probably still lay in total reform of the Philippine unitary structure to address, once and for all, the instability of inter-governmental relation in the area. The main source of instability is anchored on century of unresolved contestation over the political status of Mindanao and Sulu. Moreover, colonial mixture of Philippine political system that failed to address the “power vacuum” in Mindanao and Sulu reinforces intergovernmental instability. The unitary set-up of the Philippine government was a legacy of Spain, the Moros’ worst colonial foe. Yet, the set-up was institutionalized by the “Philippine Commission to facilitate the extension of American sovereignty to the Philippines” including the Mindanao and Sulu. (Now that the Americans are back in Mindanao particularly in Sulu since 2002, we wonder if the Philippine government has indeed grown from the mold of U.S. control after more than a century). The separation of power (executive, legislative, and judiciary) was copied from the U.S. The unitary set-up defines the “vertical” division of power (structure of government) between the national government and local government units while the “horizontal” separation of powers defines the form of government (e.g., presidential or parliamentary).

From all indications, the colonial-political mixture is what creates a disjuncture between the “horizontal” and “vertical” relation of power because, from the point of view of governance, a unitary set-up requires a relatively homogenous society while an effective application of separation of power presupposes stable system of democracy. Undeniably, the country remains poor with these two important conditions....As a consequence, it emboldened inter-governmental problem and rendered futile the national government effort of tier-making and tier-changing and further worsened the “power vacuum” in southern Philippines.

Indeed, the instability of intergovernmental relation is a major reason why the country has had various political experiments of tier-making and tier-changing in Mindanao for more a hundred years. Will it make a difference if the BJE is pushed through? Short of political restructuring particularly the shift from unitary system to federalism, the BJE, it is contended, is the closest to addressing the source of intergovernmental problem in Moro areas.

Now that the Arroyo Administration abandoned the MoA-AD and turned silent on Senator Aquilino Pimentel’s proposal of federalism and simply resorted to futile policy of demobilization, demilitarization and re-integration (DDR) against the MILF, it shows how unscrupulous traditional approach is toward addressing the Mindanao conflict. In a forum held recently by the UP Majors of Political Science, I told a colleague that we have entered a “time warp” with the bungling of the MoA-AD. Peace advocates will be talking the same boring subject of Mindanao problem and the like in the coming years – reason why the next administration should be doubly imaginative with peace process and political restructuring after 2010.