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A new dawn for Bangsamoro democracy?

Political autonomy and inclusive participation in post-conflict Mindanao

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Introduction
State of local democracy: dynastic clans, dependency and impunity in the BARMM
The BOL, the plebiscite and May midterm elections
Conclusion

note

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Introduction

Will the establishment of a new former rebel-led government in restive Mindanao, Philippines provide a catalyst for political change in the region? After decades of protracted war the Moro Islamic Liberation Front (MILF), the largest Muslim insurgent group in Mindanao, has taken the reins of authority in the region as a consequence of a political settlement with the government of the Philippines. A new political entity, the Bangsamoro Autonomous Region of Muslim Mindanao (BARMM), was established in March 2019 after the ratification of the Bangsamoro Organic Law (BOL) during the January and February 2019 plebiscites. The BOL is the foundational instrument creating the BARMM specifying its territories, structure of government, and power- and wealth-sharing arrangements with the central government to realize the Muslim Filipinos' aspirations for self-determination and pursue their social, political, economic and cultural development within the Philippines constitutional framework. As an integral part of a comprehensive peace settlement, the BARMM is meant to correct a 'failed experiment', the Autonomous Region of Muslim Mindanao (ARMM) that was a creation of past peace agreement in 1989 with the Moro National Liberation Front (MNLF), the first Muslim secessionist group that waged war against the government in the '70s.

Similar to other negotiated settlements, former rebels are given the task of governing and steering their territory towards peaceful transition. Under the BOL, greater autonomy and self-government by the Bangsamoro people – encompassing the Muslims, indigenous peoples and Christians living in the area – will be exercised through a democratic political system and an electoral system that will allow for democratic participation, development of principled political parties, and ensure accountability (Article IV, BOL). Designed for inclusive and genuine participation among diverse groups and sectors, a parliamentary form of government has been installed in BARMM. This regional parliamentary system is an exception to the presidential system in place in other regional and central Philippines. In the transition period from 2019 to 2022 where the first BARMM elections will take place under the parliamentary setup, an interim government, the Bangsamoro Transition Authority (BTA) led by the MILF, exercises executive and legislative functions. The BTA was inaugurated in February 2019. It is composed of 80 members, 41 of which are nominees of the MILF. Under the new political arrangement, a MILF-led BTA is therefore mandated to govern through democratic processes and re-build democratic institutions in the BARMM.

Democracy and conflict do not go well together. Nor does post-conflict settlement necessarily lead to a democratic pathway. The kind of 'liberal peace' that many governments and western development agencies hope for has faltered in many places (see Richmond 2011). A range of factors such as political power

structures, socio-economic conditions, and historical experiences determine the process of political transition (Anten, Briscoe and Mezerra 2012). As observed in post-conflict democracy projects, building of democratic institutions do not by themselves lead to democratic change – nor to political autonomy. The experience of BARMM's predecessor, the ARMM, shows for example that a lack of fiscal autonomy could undermine regional autonomy. Additionally, democratic processes, such as regular electoral exercises, have not broadened political participation beyond the elites or dynastic families in Mindanao as in many other parts of the Philippines.

The persistence of a closed or exclusive political order in conflict or post-conflict areas like Mindanao has severe consequences for peace and security (ex Adam 1980, Boegge 2010; Espesor 2017) as well as to the success of democratic process. Such political order, one that is a hybrid of formal and informal authorities, is characterised by monopolistic, predatory and violent exercise of power. In post-conflict settlement, priority is given to cessation of violence and political stability. However, the failure to address in a timely manner what is called 'structures of domination' could exacerbate existing conditions of exclusion that could foment – and cascade to new sources of conflict (Braithwaite and D'Costa 2018). Creating conditions for broader political participation and representation in democratic processes during transition could potentially empower excluded groups, give support and greater legitimacy to the transition authority, and provide checks on and demand accountability of local and national power-holders.

The recent democratic exercises – the BOL plebiscite and the Philippine mid-term elections in 2019, present an opportunity to assess the prospects and barriers towards political inclusion and participation in BARMM. While it may be premature to make this evaluation considering the nascent establishment of the BARMM, there is an urgency to it. Positive peace in the region remains relatively fragile, even with the de-escalation of conflict between the MILF and government security forces as shown by the near-absence of armed confrontation since 2014 (International Alert) when the peace agreement, the Comprehensive Agreement on the Bangsamoro (CAB), was signed. The five-month long siege by the ISIS-affiliated groups in Marawi City in 2017, the destruction of the former historical core of the town (now known as Ground Zero) and uncertainty of rehabilitation of Marawi, continued fighting by government forces with other non-state armed groups such as the Bangsamoro Islamic Freedom Fighters (BIFF) and Abu Sayaff Group (ASG), and incidents including bombings, in Lamitan (Basilan), Jolo (Sulu) and Zamboanga, manifest this fragility. This state of affairs underscores the persistence of the narrative of exclusion and attendant distrust of institutions. Our fieldwork in the region has confirmed that better services, education, development and security sit on top of the wish-list of the Bangsamoro; but there is also strong expectation, particularly from the young generation, that BARMM should deliver change in local politics and governance (Deinla, 2019).

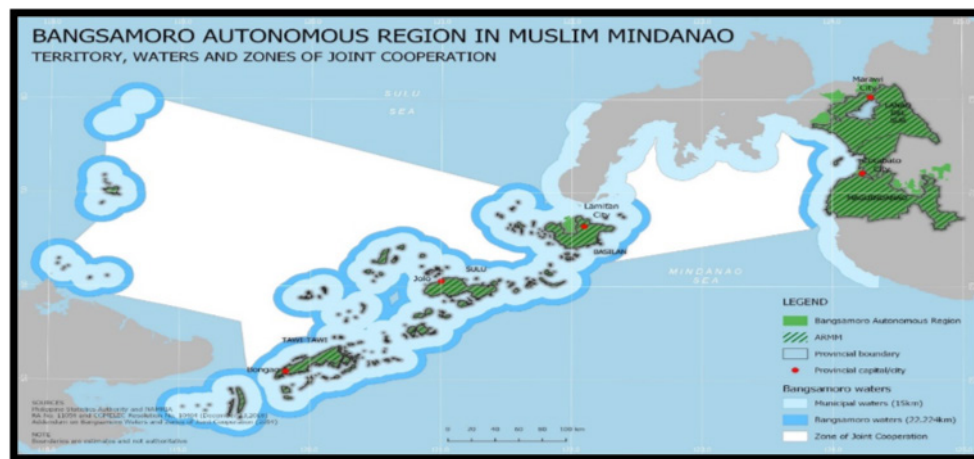


Figure 1. Comparative Scope between ARMM and the new Bangsamoro Autonomous Region¹

The BARMM is carved out of five provinces (Basilan, Lanao del Sur, Maguindanao, Sulu, and Tawi-tawi), three component cities (Marawi, Lamitan, and Cotabato), 116 municipalities, and 2,590 barangays. The ratification of the BOL in February 2019 expanded the region to 4,908.05 square miles, and combined population of over four million. While the region's gross regional domestic product (GRDP) posted a 7.2 percent growth rate, poverty incidence is recorded at 1.99 million in 2015 data (Dy 2019). ARMM is the poorest region in the Philippines with only an average of US\$280.34 per capita income (Philippine Statistics Authority (2018).



State of local democracy: dynastic clans, dependency and impunity in the BARMM

The BTA faces a tremendous task in re-shaping the current state of local democracy, broadly, and specifically in facilitating inclusive participation. There are three critical sites where the architecture of political domination is situated in BARMM: dynastic clan politics, absence of genuine political parties, rule of the guns and impunity. Well-entrenched local power asymmetries and highly corrupt governance are part of the broader ecosystem of poverty, injustice, illicit economy, and violence that perpetuates a cycle of injustice, conflict and insecurity in Mindanao (Eg Lara and Chapman; Lara and Schoofs 2013). They play a key role in community dispute or conflict resolution that, although providing much-needed security and local peace, likewise bolster their power and influence (ex Kreuzer 2005; Deinla 2018). These powerful clans have also used political control of their areas to forge alliances or influence with national politicians. This symbiotic relationship allows central government and national politicians to bestow patronage on local politicians in exchange for delivering solid votes for national candidates. Securing 'vote-rich' Mindanao has been a strategy of national politicians to win national elections.

1 - Adapted from: ARMM Transition Portal 2019, "Maps of the Bangsamoro," Accessed: August 21, 2019. Retrieved from <http://www.armmtransition.ph/maps/>

The case of BARMM is not an exception from the broader trend on dynastic politics in the Philippines. However, the region has one of the highest concentration of enduring political dynasties that have been entrenched for decades and continue to flourish (Mendoza et al 2016). In a 2013 study (excluding the island provinces of Basilan, Sulu and Tawi Tawi), Maguindanao was found to have the highest concentration of dynastic officials (64.45%) while Lanao del Sur was fourth (59.47%) (Mendoza, Lim, & Lopez , 2015). Maguindanao, at the time controlled by the Ampatuan family and known to be close allies of former President Gloria Macapagal Arroyo, was the site of the 'Hello Garci' scandal where massive electoral fraud happened during the 2007 presidential elections. The gruesome slay of 57 civilians and journalists on their way to file the certificate of candidacy of rival politician (Mangudadatu) in what is known as the 'Maguindanao massacre' was traced to the Ampatuan clan. This latter incident demonstrates the desperate lengths politicians would go to protect their hold on power. After a period of pariah status, the Ampatuans managed to secure several positions in Maguindanao in the elections of 2013, 2016 and 2019, returning to its status as influential clan which has connections with other traditional elites, the MILF and national government. Their return to local politics and repositioning on the local level shows how versatile and inventive clan power in the Bangsamoro is.

Political participation in BARMM is a privilege of the few powerful clans. There are only about 30 families that have dominated congressional, provincial and mayoral elections in BARMM. In the next section, we will show that politics is mainly a 'family business' where members of the same family simultaneously hold various positions of power in provinces. Many local politicians in BARMM have complete dominance allowing them to run uncontested during the elections or fielding of 'nuisance' candidates. For example in Maguindanao, there were 12 unopposed mayoral candidates out of 37 municipalities representing 32% of total elected mayors in the the province. Maguindano has the highest percentage of uncontested seats in BARMM. The mayoral and vice mayoral candidates in key city of Lamitan in Basilan (a wife and husband team) were unopposed in the 2019 elections. Table 1 below shows the list of families that have dominated local politics in BARMM area since the re-establishment of liberal democracy in 1986.

This new political configuration in the center has led to new families and clans emerging to challenge old families during this period such as the Mangudadatus and Ampatuan in Maguindanao. Although some of 'old' clans may no longer be as prominent in current politics, they nonetheless retain their influence and have the capacity to reclaim political positions at the opportune time (see Teehankee 2019).

Table 1. Political Dynasties in the Bangsamoro Region

| Province | Political Dynasties |
|---------------|--|
| Basilan | Akbar, Hataman, Salliman, Sumisip, Furigay |
| Lanao del Sur | Alonto, Lucman, Adiong, Dimaporo, Dimakuta, Macarambon, Mutilan |
| Maguindanao | Ampatuan, Datumanong, Mastura, Matalam, Mangilen, Mangudadatu, Pendatun, Sinsuat |
| Sulu | Abubakar, Amilbangsa, Arbison, Rasul, Tan, Tulawie, Ututalum |
| Tawi-tawi | Jaafar, Matba, Que, Sahali, Salih |

A dependency – and opportunistic, relationship exists between central and local politicians that is anathema to forging genuine regional autonomy. This twisted relationship is the target of the peace settlement and the democratic surplus value potentially brought into the game by the creation of the new entity. However, the initial situation in BARMM mirrors the broader dysfunction of Philippine political party system. Party regulation, discipline and accountability are almost non-existent, allowing politicians to switch party at an opportunistic time – at least this is applicable to those parties who are carried forward from ARMM. The MILF established its own political party, the United Bangsamoro Justice Party (UBJP) in 2014 in preparation for the upcoming elections in 2016. However, UBJP did not field candidates in both the 2016 and 2019 elections. UBJP prides itself on being a 'genuine and principled' political party, but is only at a first stage. First indicators show that MILF is still in the periphery of politics. The formation of political parties is only relevant to this region – as in many other regions and provinces, when it comes to securing patronage or election funding. Local elections involve mainly local issues rather than national issues. However, local politicians carry national political parties and change regularly whenever there is a change of national party in power. Local politicians source out patronage and election funds from national parties. Elections, particularly those involving national elections, are a huge opportunity for patronage from national officials in the form of campaign funds. Massive vote-buying is commonplace. For example, a woman politician in Lanao del Sur was known for giving an 'FX car' to families who have at least 10 'solid' voters. In Maguindanao, several cars parked in otherwise poor municipalities during Ramadan were rumored to be the zones of transactions involving the buying of votes. In the 2019 midterm elections, there were only a handful of politicians in BARMM that ran under the past administration's party, the Liberal Party (LP). The provinces of Sulu and Tawi-Tawi and new BARMM territories in North Cotabato – Aleosan, Carmen and Pigkawayan, completely shunned the Liberal Party. Only the influential Hataman couple in Basilan (former governor of ARMM and Anak Mindanao representative) who run under the LP banner won the elections. Congressman Mujiv Hataman is currently the Speaker of the House of Representatives that is controlled by

the party of President Rodrigo Duterte, the Partido Demokratiko ng Pilipinas Lakas ng Bayan (PDPLB). There are whispers he will also run for the position of Chief Minister in 2022. Table 2 below shows the party 'affiliation' of local politicians during the 2019 elections.

Table 2. Party 'affiliation' of local politicians during the 2019 elections

| PROVINCE | PARTIES | NATIO NAL | REGIO NAL/ LOCAL | LINK WITH NATIONAL POLITICIANS | |
|---|---|---|------------------------|---|---|
| SULU | Partido Demokratiko Pilipino Lakas ng Bayan (PDPLB) | X | | Duterte/ Pimentel | |
| | Partido Federal ng Pilipinas | X | | Duterte | |
| | Nacionalista Party | X | | Villar | |
| | Lakas Christian Muslim Democrats | X | | Romualdez/ Arroyo | |
| | Partido Demokratiko ng Pilipinas | X | | Duterte | |
| | Independent | | | | |
| | BASILAN | PDPLB | X | | |
| | | Liberal Party | X | | Pangilinan/ Roxas/ Aquino |
| | | Lakas Christian and Muslim Democrats | | | Romualdez/ Arroyo |
| | | Pederalismo ng Dugong Dakilang Samahan (PDDS) | X | | Duterte |
| Democratic Party of the Philippines | | X | | Duterte | |
| Katipunan ng Demokratikong Pilipino | | X | | Duterte | |
| Partido Federal ng Pilipinas | | X | | Duterte | |
| Independent | | | | | |
| TAWI-TAWI | | National Unity Party | X | | Spli' Lakas CMD, part of CC PDPLB/ Duterte Pimentel/Duterte |
| | | PDPLB | X | | Duterte |
| | Partido Federal ng Pilipinas | X | | Duterte | |
| | Independent | | | | |
| MAGUINDANAO | Nacionalista Party | X | | Villar | |
| | Lakas Christian and Muslim Democrats | X | | Romualdez/ Arroyo | |
| | Partido Demokratiko Sosyalista ng Pilipinas | X | | Norberto Gonzales | |
| | Kilusang Bagong Lipunan | X | | Marcos | |
| | PDPLB | X | | Pimentel/ Duterte | |
| | United Nationalist Alliance | X | | Honasan/ Binay | |
| | Nationalist Peoples Coalition | X | | Cojuangco | |
| | Partido Federal ng Pilipinas | X | | Duterte | |
| | Liberal Party | X | | Pangilinan/ Roxas/ Aquino | |
| | Maguindanao Reform Party | X | | Mangudadato (S. Upi) | |
| | Umpungan ng Mapagmalasakit | X | | (S. Upi) | |
| | Pwersa ng Masang Pilipino | X | | Estrada | |
| | Kusog Baryohanon | X | | (Shariff Saydona Mustapha) | |
| Independent | | | | | |
| LANAO DEL SUR | Lakas Christian and Muslim Democrats | X | | Romualdez/ Arroyo | |
| | PDPLB | X | | Duterte/Pimentel | |
| | Labor Party of the Philippines | X | | Renato Magtubo/LP link | |
| | Nacionalista Party | X | | Villar | |
| | Pederalismo ng Dugong Dakilang Samahan (PDDS) | X | | Duterte | |
| | Liberal Party | X | | Pangilinan/Roxas/ Aquino | |
| | Ompia Party | X | | (religious party founded by Dr Mahid Mutilan) | |
| | Partido Federal ng Pilipinas | X | | Duterte | |
| | Peoples Consultative Party | X | | | |
| | Nationalist Peoples Coalition | X | | Cojuangco | |
| Puwera ng Masang Pilipino | X | | Estrada | | |
| Independent | | | | | |
| NORTH COTABATO CARMEN, ALEOSAN PIGKAWAYAN | Nacionalista Party | X | | Villar | |
| | PDPLB | X | | Duterte/Pimentel | |
| | Independent | | | | |

Local political parties are not generally viable. The lack of viable local parties does not bode well for BARMM to allow it to exercise its political autonomy from the center as well as remove the opportunistic relationship between local and national politicians. There are only five local parties out of 16 political parties that participated in the last elections. The dependency relationship between local and national politicians is further exacerbated by the fact that there is not, as yet, viable alternative local parties. There have been initiatives to form regional

parties in the past, such as the Ompiah Party (OP) and Peoples' Consultative Party (PCP) both based in Lanao del Sur, but founded (see Meisburger 2012). Both OP and PCP were however resurrected in the 2019 elections and fielded local candidates in the province. OP, which fielded candidates in seven municipalities won one mayoral seat in the municipality of Madalum while PCP did not perform well. Local parties are also connected to powerful politicians. OP is said to be connected to the ruling clan in Lanao del Sur, the Adiong clan. However, OP is also claimed or appropriated by most politicians due to its progeny as a religious party founded by the ulamas. It held the gubernatorial seat in 1990-1999 but also got caught up in patronage and corruption scandal (see Brecht-Drouart 2103). The Maguindanao Reform Party (MRP) was founded by the Mangudadato clan. MRP won in one municipality in Maguindanao out of the 3 municipalities it participated in. Two other local parties in Maguindanao, the Umpungan ng Mapagmalasakit and Kusog Baryohanon, participated but did not win. The UBJP did not participate in the 2019 elections and announced its neutrality; it focused instead its efforts in campaigning for the ratification of the BOL. As such it helped to secure the victory of the pro-BOL camp in Cotabato City against the will of Mayor Cynthia Guaiani-Sayadi, who still managed to be elected for another term in the municipal city elections of May 2019. This interesting development indicates that the UBJP can gather relative support, provided it is specific and with a clear objective, going beyond slogans and the usual politicking in the region.

Electoral violence – and impunity, is a feature of BARMM electoral democracy (see Meisburger 2012 and Soriano 2015). There has not been a time that the region is excluded from the Commission on Election's list of 'election hotspots'. Rule of clans – and guns, rather than rule of law prevail in this restive region. Elections are a demonstration of clan power and their capacity to retain their authority or challenge other powerful clans. On a positive note, intensity of the competition and violence has been succeedingly declining from 2013 over 2016 to 2019. Incidents are still occurring, but the elections in 2019 have been largely considered relatively peaceful in several traditional hot-spots such as Marawi City or various Maguindanao municipalities. Even in Sulu, a hot-bed of rido and clan feuds, was spared from large-scale election turmoil.

A major cause or trigger of conflict in Mindanao is political contest and that spikes in crimes and violence have been correlated to elections (Lara 2010). Table 3 shows a comparative incidence of election-related violence in Mindanao in 2016 and 2019. An over-stretched system of the security sector in the Bangsamoro core territory and beyond – along with episodic allegations of corruption or complicity (Espesor 2017), coupled with the inability of formal justice system to bring perpetrators of violence to justice have resulted in a climate of impunity. More than 10 years after the killings, the accused in the Maguindanao massacre are yet to be sentenced.

Table 3.

| PROVINCE | TYPE OF VIOLENCE* | | | | | | | |
|------------------------------|-------------------|------|---------------------|------|---------------------|------|-------|------|
| | EXPLOSION | | FIREFIGHT/SHOOTINGS | | BRAWL/CONFRONTATION | | TOTAL | |
| | 2016 | 2019 | 2016 | 2019 | 2016 | 2019 | 2016 | 2019 |
| LANAO DEL SUR (INCL. MARAWI) | 3 | 2 | 2 | 7 | 5 | 9 | 10 | 18 |
| MAGUINDANAO | 7 | 4 | 8 | 6 | 4 | 4 | 19 | 14 |
| COTABATO CITY | / | 2 | / | / | / | 2 | / | 4 |
| SULU | 1 | / | / | 1 | 3 | 4 | 4 | 5 |
| BASILAN | / | / | / | / | / | 1 | / | 1 |
| TAWI-TAWI | / | / | 1 | / | / | / | 1 | / |

*Count established through independent NGO reports, media and social media. Refers exclusively to violent incidents, from a gunfight to fist-fight with injury. Defect of voting machines, vote-buying and other non-violent incidents are not included.



The BOL, the plebiscite and May midterm elections

The BOL provides for the legal framework, structures and mechanisms through which Bangsamoro self-governance could be realized. Apart from the parliamentary set-up that is intended for broader representation among various groups and sectors, the BOL empowers BARMM to enact its own legislation that will lay down new rules, provide incentives for good political practices or disincentives for abuses or predatory behaviour, reshape political representation and facilitate accountable governance. All of these are in the pipeline of the Bangsamoro Transition Authority (BTA) which is tasked to govern BARMM for 3 years until the year 2022 when new elections are held. BARMM officials are optimistic that the codes can be drafted by the end of the year 2019 so that 2020 can be the time to fully implement the transition plan and roll out bureaucracy and governance. However, it is still contingent on budget and the Block Grant to be utilized next year.

On its 6th month, the BTA constituted as exercising both executive and legislative powers under the leadership of Ebrahim Al Murad, former MILF chief and now Chief Minister, has gradually eased into its role as the transitional governing body in Bangsamoro. A Bangsamoro Transition Plan (BTP) has been agreed between the national and regional government that will serve as roadmap for the regional leaders until a regular government is elected in 2022.

A glimpse of how BTA performs in the transition period could perhaps be discerned from its composition. The membership of the BTA shows that it is a product of accommodation between MILF and the national government which was responsible in appointing the body. It was also in response for calls for broader representation to include some members from the Moro National Liberation Front (MNLF) with whom the government forged a past agreement for the creation of ARMM. Also appointed was Commander Bravo, a former renegade commander of the MILF and skeptic of the peace process, but someone who still eased into the transition after returning back to the fold of the law in recent years. Bravo's Northwestern Mindanao Front of the MILF-BIAF followed the ceasefire with the government without many lapses since the MoA-AD

war² and restrained itself during the Marawi siege. Whilst initially Bravo was criticized for harshly implementing the Shariah in his communities, this has now subsided, partially due to his accommodation with the status quo but also more lenient approaches without harsh measures such as executions. Bravos' appointment and that of the MNLF signals both the government and MILF's commitment for inclusive peace and to forge broad consensus on the Bangsamoro future. Bravo's camps in Lanao are now targets of socio-economic interventions from government side and the commander has apparently a positive rapport with General Galvez, the current Office of the Presidential Adviser on the Peace Process (OPAPP) head.

Adapted from a report from Arguillas (2019) of MindaNews, Table 4 shows that BTA membership, a mix of rebels and traditional politicians, of old and new leaders, representation from different sectors, ethnic groups, and non-Moro indigenous peoples, and

and dynamic beginning for the Bangsamoro.

The appointment process was not, however, without its controversy, a symptom that BARMM is not immune from national political dynamics. A night before the oath-taking ceremony with President Duterte, some nominees who were mostly from civil society were taken out of the list for being identified as close to the opposition Liberal Party or perceived to be 'dilawan' (yellow), a term labelled to the critics of the Duterte administration. The appointment of heads of regional departments or ministries has also been generally welcomed that represent a mix of politicians, technocrats, rebels and emerging leaders. The MILF has had a free hand in choosing the cabinet which also manifests its commitment for delivering better governance outcomes for the Bangsamoro people. However, the predominance of old or aging MILF officials is seen more as a 'reward', rather as strategic appointment to achieve better governance. In conversations, it is

| MILF Appointees of the Bangsamoro Transition Authority | | | | |
|---|---|---------------------------|--|--|
| MILF CENTRAL COMMITTEE MEMBERS (18) | FRONT COMMANDERS, BANGSAMORO ISLAMIC ARMED FORCES (5) | | POLITICAL COMMITTEES (3) | WOMEN (5) |
| 1. Ebrahim, Al Haj Murad 2. Jaafar, Ghazali B. 3. Solaiman, Ali B. 4. Iqbal, Mohagher M. 5. Macacua, Abdulraof A. 6. Ali, Ibrahim D. 7. Abas, Haron M. BTC Commissioner 8. Bato, Zainuddin 9. Gayak, Abdullah E. 10. Guerra, Eduard U. 11. Mantawil, Malik A. 12. Munoz, Hussein P. 13. Pacasem, Ubaida C. 14. Pak, Abdulwahab 15. Salendab, Said Z. 16. Salik, Ali O. 17. Shiek, Said M. 18. Yacob, Mohammad S. | 19. Abas, Akmad I. 20. Abbas, Basit Sarip 21. Esmael, Abdulazdis M. 22. Macapaar, Abdullah Y. 23. Oranon, Suwaib L. | | 24. Ahang, Abdullah 25. Ali, Cezar 26. Zapantun, Hamza | 27. Asmawil, Muslima A. 28. Candao, Maleiha B. 29. Jajurie, Raissa H. 30. Karon, Bainon. 31. Silongan, Aida M. |
| TRADITIONAL LEADERS (3) | YOUTH (2) | INDIGENOUS PEOPLES (1) | SETTLER COMMUNITIES (1) | FROM VARIOUS SECTORS (3) |
| 32. Balindong, Pangalian 33. Mastura, Tocco O. 34. Midtimbang, Midpantao | 35. Ali, Lanang Jr. 36. Macasalang, Marjanie S. | 37. Ulama, Timuay Melanio | 38. Ekey, Narciso Y | 39. Dataya, Abdul M 40. Dipatuan, Zafrollah 41. Sali, Al-Syed A. |

inclusion of at least 10 women, seek to present a fresh often highlighted that young BTA staff members are

| Government Nominees for the Bangsamoro Transition Authority | | | |
|---|---|---|--|
| NOMINATED BY THE MNLF (9) | WOMEN (7) | INDIGENOUS PEOPLES (1) | SETTLER COMMUNITIES (1) |
| 1. Hassan, Hatimil (MNLF) 2. Sanni, Punduma (MNLF) 3. Sema, Romeo (MNLF) 4. Sahrin, Abdul (MNLF) 5. Al Yakani, Ustadz Mujadid (MNLF) 6. Sema, Omar Yasser Christopher (MNLF) 7. Jakilan, Muslimin (MNLF) 8. Udjah, Sahie (MNLF) 9. Usman, Adzfar (MNLF) | 10. Alamia, Laisa 11. Ampatuan, Baintan Adil 12. Anayatin, Susan 13. Basman, Anna Tarhata 14. Latiph, Maisara 15. Mastura, Sittie Sahara 16. Sevilla, Arlene N. | 17. Saliga, Romeo | Anayatin, Susan (also in women sector) |
| FROM VARIOUS SECTORS (15) | | | |
| 18. Abas, Zulkamayn 19. Alih, Eddie 20. Ambolodto, Suharto 21. Barra, Hamid 22. Burahan, Abraham | 23. Diamla, Musa 24. Ismael, Rasul Enderez 25. Lidasan, Datu Mussolini 26. Loong, Don Mustapha 27. Lorena, Jose Iribani | 28. Mawallil, Amilbahar 29. Mangudadatu, Khadafeh 30. Sattar, Alzad 31. Tago, Paisalin 32. Tan, Nabil | |

Table 4. Members of the Bangsamoro Transition Authority

2 - The Memorandum of Agreement on Ancestral Domain (MoA-AD) was the peace agreement signed between then President Gloria Macapagal-Arroyo and the MILF in 2008 but was declared unconstitutional by the Philippine Supreme Court in 2012. The declaration of illegality of the agreement triggered hostilities from MILF.

supporting these appointees and managing the nitty-gritty and technical aspects of the position. Certain ministries such as Education are now also supported with former and current personalities of the CSO NGO landscape in the Bangsamoro.

How the BTA will perform in the coming months will largely depend on how it can sustain 'unity in diversity' and its capacity to drive BARMM through the different layers and levels of local governance. In terms of its relationship with central government, mechanisms have been put in place such as coordinating teams etc., to iron out issues. The Intergovernmental-Relations Body is a case in point. BARMM's relationship with local government units is more complex given that these units have operated like a fiefdom of their own. A positive beginning has been set with the ouvertures of the DILG of BARMM under leadership of Atty. Naguib Sinarimbo.

The stakes have been set high with the ratification of the BOL. Failure for BOL to work towards self-determinations is not an option given the high expectations on the ground. The MILF-led Bangsamoro government will need to challenge the political status quo or be co-opted by it. The other half of the parliament coming from ARMM structures however is equally in a position of responsibility. The Bangsamoro Transition Authority is an aggrupation of various political forces, sectors and interests. A failure of BTA should not be exclusively equated to a failure of the MILF but rather the Bangsamoro consensus.

The BOL plebiscite demonstrates that a Bangsamoro consensus could be formed and that a broad coalition could be forged involving different political groups, ethnicities and sectors, including civil society. Both the process and outcomes of the BOL plebiscite tested the political salience of the MILF, its capacity to coalesce to achieve common interests as well as the willingness of diverse groups to be part of and embrace what BARMM stands for. While there have been opposition towards the ratification of the BOL the outcomes reflect a desire among diverse Bangsamoro groups to chart a different course for the region. The politicians themselves acknowledge that there is no other option but BARMM. Whether that is due to the pressure from above, the President who gave his unconditional support for the peace process, or from genuine support for BOL, only means that there is broad support for BARMM.

The opposition itself is not about the 'demerits' of the law itself but more on perceived threats to entrenched political interests. In Sulu, apart from having questioned before the Supreme Court the legality of votes being counted as a region, rather than on per province basis, the Tans, the ruling clans, have not put forward an argument that BARMM will do more harm than good to the region. Sakur Tan met Chief Minister Murad already, although the occasion was formal rather than an expression of rapprochement. In Cotabato City where there were episodes of threats and intimidation (from both camps) and even explosions on the eve of the plebiscite (not all related to the plebiscite), the incumbent mayor Cynthia Guiani-Sayadi, naturally campaigned for the NO vote and against the inclusion of the city which was not technically part of the ARMM but

its regional capital. Interestingly, Mayor Guiani seemed to have made her peace with the arrangement following her victory in the elections and the establishment of the BTA. The City of Basilan rejected inclusion to the BARMM on the strength of campaigning for the NO vote by the Akbar clan. The ruling clan in Lanao del Norte, the Dimaporos, did not object to the BOL *per se* but against the inclusion of six municipalities that could potentially reduce the internal revenue allocation of the province.

A consequence of the BOL plebiscite was the mobilization of civil society, particularly BARMM-based local non-government organizations. While civil society organizations have been active in the peace process and humanitarian work, they are not politically influential. The campaign for the ratification of the BOL generated a space to influence the outcome of a political exercise – the plebiscite. Various CSOs from the academe, youth, professionals, churches and mosques, and Islamic leaders have come together to campaign for the Yes vote in Maguindanao and Lanao del Sur (Moner 2019). The plebiscite became the venue for one of the biggest multisectoral gatherings in Mindanao. But the plebiscite also shows the limits of civil society mobilization in Mindanao. It could not always stand up against powerful interests. The Cotabato vote was on thin ice and Duterte himself visited the town, advocating for the Bangsamoro, but interestingly without direct encouragement to vote for Yes. The outcomes in Sulu demonstrate the predominance of clan power in BARMM politics that is also capable of negating central power. Even in less contested areas like in Marawi City, where the people hope that BOL will speed up rehabilitation, the clans played a dominant role in ensuring a positive outcome. Table 5 below shows the plebiscite outcomes in BARMM.

Table 5. Plebiscite outcomes in BARMM³

| Province | For | | Against | | Turnout |
|-----------------------------|---------|--------|---------|--------|---------|
| | Total | % | Total | % | |
| Basilan (excluding Isabela) | 147,598 | 95.78% | 6,496 | 4.22% | 154,094 |
| Isabela City | 19,032 | 45.89% | 22,441 | 54.11% | 41,473 |
| Lanao del Sur | 503,626 | 98.08% | 9,816 | 1.91% | 513,442 |
| Maguindanao | 433,273 | 96.44% | 15,990 | 3.56% | 449,263 |
| Cotabato City | 36,682 | 59.48% | 24,994 | 40.52% | 61,676 |
| Sulu | 137,630 | 45.7% | 163,526 | 54.3% | 301,156 |
| Tawi-Tawi | 143,443 | 93.84% | 9,419 | 6.16% | 152,862 |

Lacking viable challenge to political dynasties, the midterm elections were predictably 'business-as-usual' in the region. The MILF through the UBJP did not field candidates nor did civil society actively campaign for alternative political leaders. Even before the plebiscite organizations such as IAG and KAS aimed to work together with the UBJP on political party formation.

³ - None of the six petitioned Lanao del Norte towns will be included in the new BARMM, while 63 out of 67 barangays in North Cotabato voted Yes. These include Midsayap (13), Pigkawayan (12), Kabacan (7), and Carmen (7). It also won in 22 barangays in Pikit and in two barangays in Aleosan.

In a conversation with one of the authors, UBJP officials have acknowledged the difficulty of building a party machine from scratch. UBJP however acknowledges the various democratic influences on the Bangsamoro political tradition including diverse systems such as the Malaysian, Turkish, British and German ones.

Whilst the campaign period will begin anew in 2021 in preparation for the 2022 elections, the coming year shall be a litmus test for preparation and sustainability of the UBJP and other political parties. It can be expected that regional and local politics in BARMM will be divided into two phases. First, the time from present until 2020/21 with BTA being in the driver's seat seeking to deliver services but also playing the political game with the elites and clans. Second, the immediate campaign period of 2022. With prominent Moro leaders getting ready for 2022, coalitions are expected to shift and also impact the MILF on the ground. To maintain an equilibrium without being co-opted into local vested interests will be a challenge. Early signs of a complicated political game can be seen for instance in the recent proposal to divide Maguindanao into two parts, a return to the experiment of Shariff Kabunsuan in the Ampatuan era.

The midterm election results signify that electoral democracy in BARMM remains a family affair. Most of the elected officials in congressional, provincial and municipal levels are either incumbents, new members of same families (sons, daughters or spouses seeking new offices or on rotation for the various posts), or from successful challenge of rival powerful families (Table 6). Kinship, rather than parties, matter most in Mindanao politics. Besides, except for the Liberal Party, almost all of the national parties used by the politicians are all part of or support the Coalition for Change of the Duterte administration. Parties have no or little effect on the election outcomes. Although most of the elected officials used PDPLB and allied parties, it was the power of clans that decided the elections. This is demonstrated in the fact that the Hatamans won the elections in Basilan and even trounced the incumbents. The alliance among Hataman, Hataman-Salliman and Furigay families defeated long time powerhouse clan of the Akbars in Basilan. The Tans of Sulu swept all but one of key seats in the province. Three Adionsgs coveted the major positions in Lanao del Sur. The National Unity Party (NUP) running against PDPLB swept all major seats in Tawi-Tawi. Also, new political parties that were set up by Duterte supporters such as the Pederalismo ng Dugong Dakilang Samahan (PDDS), Partido Federal ng Pilipinas, Katipunan ng Demokratikong Pilipino, Democratic Party of the Philippines, did not win any seat in the elections. These results show that in local Mindanao politics, the Duterte 'phenomenon' alone is not enough to win the elections.

The senatorial elections in BARMM, although almost a landslide win for Duterte's anointed candidates, could not also be reduced to Duterte factor. Clans and elders usually decide for the other members and for the community. How they make a decision of who to vote for is also a subject of speculations that implicate patronage and money politics. Chances of a Mindanao candidate vying for national office being voted for in the region are not straightforward. Regional ties or the fact

that one comes from Mindanao does not translate to votes. Samira Gutoc from the opposition Liberal Party won in Lanao del Sur and Maguindanao, but not in the island provinces of Basilan, Sulu and Tawi Tawi. Mangudadatu, an administration candidate, won in all 5 provinces except in Basilan. This means that to carry a Bangsamoro to national office one would need the support of the whole of BARMM.

Table 6. May 2019 election results in key positions in BARMM

| Maguindanao | | | | | |
|-----------------------|--------------------|------------------------|-----------|-----|-------|
| Position | How many contested | Winner | Incumbent | New | Party |
| Governor | 6 | Mariam Mangudadatu | | X | NP |
| Vice Governor | 3 | Lester Sinsuat | X | | PDPLB |
| MP 1st District | 4 | Datu Roonie Sinsuat | | X | PDPLB |
| MP 2nd District | 3 | Esmael Mangudadatu | | X | PDPLB |
| Cotabato City Mayor | 3 | Cynthia Guiani-Sayadi | X | | NPC |
| Cotabato City VMayor | 2 | Graham Nasser Dumama | X | | NPC |
| Sulu | | | | | |
| Position | How many contested | Winner | Incumbent | New | Party |
| Governor | 4 | Abdusakur Tan | | X | PDPLB |
| Vice Governor | 2 | Abdusakur Tan Jr | | X | PDPLB |
| MP 1st District | 2 | Samir Tan | | X | PDPLB |
| MP 2nd District | 4 | Munir Arbison | X | | NP |
| Jolo Mayor | 2 | Kerkhar Tan | | X | PDPLB |
| Jolo Vmayor | 2 | Ezzeddin Tan | | X | PDPLB |
| Lanao del Sur | | | | | |
| Position | How many contested | Winner | Incumbent | New | Party |
| Governor | 8 | Mamintal Adiong Jr | X | | LCMD |
| Vice Governor | 7 | M Khalid Adiong | | X | LCMD |
| MP 1st District | 3 | A Malik Adiong | | X | NP |
| MP 2nd District | 5 | Farouk Macarambon | | X | NP |
| Marawi City Mayor | 9 | Majul Gandamra | X | | PMP |
| Marawi City VMayor | 10 | Anouar Abdulsauf | | X | PMP |
| Tawi Tawi | | | | | |
| Position | How many contested | Winner | Incumbent | New | Party |
| Governor | 4 | Yshmael Sali | | X | NUP |
| Vice Governor | 3 | Michail Ahaja | | X | NUP |
| MP 1st District | 4 | Rashidin Matba | | X | NUP |
| Bongao Mayor | 2 | Jimuel Que | X | | NUP |
| Bongao Vmayor | 2 | Julbert Que | X | | NUP |
| Basilan | | | | | |
| Position | How many contested | Winner | Incumbent | New | Party |
| Governor | 9 | Hajiman Salliman | X | | PDPLB |
| Vice Governor | 3 | Yusop Alano | | X | PDPLB |
| MP 1st District | 2 | Mujiv Hataman | | X | LP |
| Isabela City Mayor | 3 | Sitti Djalía Hataman | | X | LP |
| Isabela Vmayor | 2 | Jhul Kifi Salliman | | X | PDPLB |
| Lamitan City Mayor | Lone | Rosita Furigay | X | | PDPLB |
| Lamitan City Vmayor | Lone | Roderick Furigay | X | | PDPLB |
| North Cotabato | | | | | |
| Position | How many contested | Winner | Incumbent | New | Party |
| Governor | 5 | Nancy Catamco | | X | PDPLB |
| Vice Governor | 2 | Emmylou Talino-Mendoza | | X | NP |
| MP 1st District | 3 | Joselito Saedalan | | X | PDPLB |
| MP 2nd District | 4 | Rudy Caoagdan | | X | NP |
| Aleosan | 2 | Vicente Sorupia | X | | NP |
| Carmen | 2 | Moises Arendain | | | NP |
| Pigkawayan | 3 | Jean Dino Roquero | | | PDPLB |

Women's participation, particularly Muslim women, in politics remains low. To advocate women's rights and issues in BARMM would require more women in political leadership role. The last elections reflect a male-dominated political landscape. There are only six women out of the 37 major positions in BARMM who won the elections. These are women who have strong record of political leadership but also possess political lineages.

The 2019 exercises in BARMM have been observed to be the most 'peaceful' in recent times. This is attributed in most part to the declaration of martial law that imposes tight inspection and control of guns. BARMM however remains a highly securitised space since the Marawi siege in 2017 and heightened threats posed by extremists and other armed groups in the region. There is an estimated 72 out of nationwide total of 77 private armed groups identified by the Philippine National Police operating in BARMM area and which are supposed to be dismantled in the normalization stage of the peace process. Despite being declared as 'Category Red Election Hotspot', meaning the highest code for violence incidence, by the Commission on Elections, the plebiscite in January and February, as well as the May elections turned out to be relatively 'peaceful and orderly' compared to past exercises. Although there were 144 reported incidents of election-related violence, these involved mostly grenade explosions and fistfights and less gun violence as was more common in previous elections (International Alert 2019).

The zero casualty in Barangay elections during the September 2018 Barangay elections and fewer incidents of gun violence during the May elections in Marawi City has given some hope to the residents for better electoral practices in the future. 'A big leap towards genuine democracy', remarked then military Colonel, now Brig. General Romeo Brawner of the Joint Task Force Ranao and current Commander 103rd brigade in Marawi City (Mindanews 2018). However there were still reports of massive vote buying and instances of tampering or malfunctioning of election machines (Rappler.com 2019). Despite the near absence of deaths in these political exercises, International Alert however posits that the Bangsamoro elections tensions have created new strings of conflict among rival clans.



Conclusion

BARMM inherited the structural flaws of the previous set-up in ARMM, that is, the architecture of domination and dependence underpinning the state of exclusion, injustice, insecurity and poverty in the BARMM. The enactment of the BOL and the establishment of the BARMM seek to reverse this legacy. This article is not a comprehensive nor definitive assessment of the region's prospects for democracy nor of MILF-led BTA's capacity to undertake political reforms. The purpose is to provide a broad outline of key challenges towards genuine political autonomy that is essential for Bangsamoro's continuous quest for self-determination. In doing so, we have outlined three sites of political domination and exclusion – dynastic clan politics and interdependence with national elites, absence of viable alternative local parties coupled with lack of active civil society in politics, and electoral violence and impunity. A key assertion in this article is that deep reforms are needed in these critical areas in order for BARMM to have an impact on the ground. Achieving political autonomy is not merely an outcome but an active process of empowerment and provision of opportunities for participation. In such an

exclusive political order as BARMM, political inclusion is central to political autonomy.

The BARMM is young and a work in progress. The recent plebiscite and elections, as well as the initial challenges and burden of expectations should not be seen as a measure of its trajectory. Rather, these exercises manifest the inherent difficulties that the BTA would need to navigate in the coming three years if it wants to produce relevant results for its people. The diversity in the BTA composition offers opportunity for diversity of voices, including loud clamor for an anti-political dynasty law in BARMM. It will need to work hard and fast to pass important legislation such as the relationship between BARMM and local government units and the BARMM electoral system. At the same time, it needs to deliver much-needed services in health and education and facilitate job-creation. The MILF would need to steer the BARMM to produce results in this short transition period and to transform itself as capable government officials. It needs to step up in the political arena if it wants to keep its leadership role. The 2022 elections is an opportunity not to be missed for the UBJP and to present itself as a reliable and trustworthy alternative to existing dominant clans and their wider networks.

For the range of deliverables and expectations, BARMM needs an independent and credible civil society. The BTA has to encourage civil society organizations to support its work, provide feedback, and act as interface between BARMM and the community. Some NGOs are already performing a semi-formal role as BARMM support but their impact remains to be seen. The civil society for its part needs to re-constitute itself as independent groups and assist in demanding accountability of public officials. A free, independent and secured media should be supported in stirring up effective and accountable local governance.

The international community could support the BTA as an institution and its various units according to needs, provided that the new agents of the Bangsamoro are genuinely interested in tailored assistance. Development actors should not be focused on the provision and supply of services or capacity-building for the sake of it, no matter what analysis they may have of the BTA. They should rather be supporting organic mechanisms and players to fill in the gaps identified by BARMM and provide technical support to strengthen them when needed. Many young Moro technocrats acknowledge the weak legacy of ARMM and various obstacles in the structure of the institutions. This was also largely due to an absence of local government and imbalances on the steering level. The feedback coming from several voices a few months into the BTA's term is emphasis on rebuilding, developing and shaping government. This would require on one hand basic capacity-building and on another hand, a moderate approach of expectations and learning. The BARMM is a fragile institution that needs to be invested with trust by the Bangsamoro people as it is the support from below that could carry it through towards the arduous road to peace.

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