

A black and white photograph showing a village with several wooden houses that appear to be damaged or in ruins. The roofs are partially collapsed, and debris is scattered around. In the foreground, a young child stands in a muddy, uneven area, looking towards the camera. There are some palm trees and other vegetation in the background. The overall scene suggests a state of poverty or the aftermath of a disaster.

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From Entry Points to Sustainable Action: Equipping Peace Processes for Accountability and Integrity

The Case of the Bangsamoro

Balázs Áron Kovács

About this paper

In May 2022, Berghof Foundation together with U4 Anti-Corruption Resource Centre published a mapping study titled “Breaking the vicious circle: entry points for anti-corruption in inclusive peace processes”. Starting from the assumption that corruption and violent conflict are interlinked, the paper explored how corruption, as an element of conflict systems, could be addressed during peace processes. The mapping identified potential entry-points for stronger integration of anti-corruption measures into peace processes across mediation efforts at different “tracks”, and it also highlighted the need for more case study evidence of past efforts to integrate such measures in the direction of operationalising identified entry points and to move towards actionable recommendations. The Bangsamoro Peace Process was identified as a significant case study, in which the integration of thinking about corruption within peace processes has (or has not) contributed to durable peace. This paper presents a first case study exploring the concrete consequences of making use of specific entry points: “From Entry Points to Sustainable Action: Equipping Peace Processes for Accountability and Integrity – The Case of the Bangsamoro”.

About the author

Dr Balázs Áron Kovács received his PhD in 2017 from the University of New England, Australia, in politics and international studies. His research focuses on state theory, local-level peace-building, and state-society interactions of the violent kind. His book, ‘Peace Infrastructures and State-Building at the Margins’ (Palgrave MacMillan), was published in July 2018. Dr Kovacs served as country director in the Philippines of forumZFD, a German NGO working in the field of conflict transformation, before becoming a freelance consultant and researcher.

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List of Abbreviations

AFP	Armed Forces of the Philippines
ARMM	Autonomous Region in Muslim Mindanao
BARMM	Bangsamoro Autonomous Region in Muslim Mindanao
BOL	Bangsamoro Organic Law
BTA	Bangsamoro Transition Authority
CAB	Comprehensive Agreement on the Bangsamoro
EDSA	Epifanio de los Santos Avenue
FAB	Framework Agreement on the Bangsamoro
GRP	Government of the Republic of the Philippines
IRA	Internal Revenue Allotment
MILF	Moro Islamic Liberation Front
MNLF	Moro National Liberation Front
SGA	Special Geographic Area

1 Introduction

The 2014 Comprehensive Agreement on the Bangsamoro (CAB) between the Government of the Philippines and the Moro Islamic Liberation Front (MILF) is now in its ninth year of implementation and has generated a significant body of experience. Following the Berghof Foundation's recent study (Hopp-Nishanka, Rogers & Humphreys, 2022) on the connection between corruption, anti-corruption measures and the inclusivity and sustainability of peace processes, this case study focuses on the opportunities created by the peace agreement to address corruption and how the interplay between corruption, accountability measures in response to it and peacebuilding measures affect the sustainability of peace in the Bangsamoro.

The peace agreement itself does not include any explicit provisions on addressing corruption. Although some of the clauses on inclusivity can be interpreted as such, that interpretation has not been made, at least not explicitly, by anyone. Having said that, the problem of corruption loomed large on the minds of the peace negotiators, and this is reflected partly in the design of the process, their approach to the negotiations, and to some extent in the way the parties, especially the MILF, are implementing the agreement.

Corruption itself is a historically deeply rooted phenomenon in the Philippines, thoroughly woven into the fabric of the state. It touches practically every aspect and dimension of public life, and naturally the Bangsamoro is no exception to this. Because of this, corruption is something everybody in the Philippines is keenly aware of, resents and is resigned to, simultaneously. One of the findings of this research is that due to this combination, corruption is not an immediate threat to the sustainability of the peace process, but its slow, corrosive effect may still undermine it.

Following the framework laid down in the Berghof Foundation study, this paper proceeds from a broad understanding of corruption and seeks to understand the political economy of the Bangsamoro peace process. Instead of applying a predetermined definition of corruption, I asked what people from or in contact with this context see as corruption, and what they think could or should be done about its various manifestations.

The paper is structured according to the above considerations and perspectives. Following a brief description of the methodology (Section 2), I provide an overview of the roots of corruption, its manifestations, and how various actors behave when confronted with it (Section 3). The paper is written with a general audience in mind, which means it makes an effort to explain aspects of the context that Filipino readers would already be familiar with.

One key observation made in this research is that the peace agreement, its implementation and the entire peace process are not simply a matter for the Bangsamoro or the Moros or Mindanao – it is a national issue. Therefore, in Section 3, I provide a brief history of the formation of the Philippine state, specifically to explain how colonial and post-colonial state-building created a state so thoroughly corrupt.

Section 4 looks at experiences with the Autonomous Region in Muslim Mindanao, the predecessor of the current Bangsamoro Autonomous Region in Muslim Mindanao, and thought processes that informed the peace negotiations and the Comprehensive Agreement on the Bangsamoro.

As I asked the research participants what constitutes corruption for them and how they relate to it, a complex picture emerged. In Section 5, I attempt to highlight and make sense of some of the more relevant findings of this process.

Section 6 presents the findings on the various manifestations of corruption. Considering the pervasiveness of corruption and the staggering difficulty of addressing it, the informants involved in this research had much more to say about what is happening than about what could be done to tackle the problem. I cannot hope to convey the totality of the interplay between corruption and the peace process, but I hope to give at least a glimpse of the most prominent – and at times problematic – issues.

Finally, in Section 7, I attempt to tease out some common themes that emerged from the answers to my question: what do you think can be done to address corruption in order to make the peace process more sustainable?

As the most recent International Crisis Group report states, the Bangsamoro peace process is “both largely on track and in peril” (International Crisis Group, 2023, Principal Findings). I hope that this paper will be a contribution to some of the conversations in the Philippines about strengthening the peace process, and that it may provide some food for thought for peacebuilders grappling with similar issues in other contexts.

2 Methodology

This research relies primarily on qualitative data collected from key informants and individuals affected by the conflict and the related peace process. Relevant literature was used to provide historical, political and political economy background, which readers outside the Philippines may need to be able to situate the findings as well as to determine how and to what extent the ideas presented in this paper can inform their work in other contexts, and to guide their field research.

Primary data were collected via semi-structured interviews with 20 key informants and one focus group discussion conducted with young people – five upper-year high school and college-age persons living in Cotabato City. The data collection was carried out over a period of four weeks in Manila, Cotabato City and Davao City.

Participants were invited based on their connection to or involvement in this peace process (purposive sampling). Key informant profiles include individuals who actively participated in the formal peace process at any stage, those who are participating in the implementation of the peace agreement, and those who, due to their professional endeavours or positionality, follow the process closely and are therefore in possession of expert knowledge, such as civil society activists, indigenous people, academics, aid workers and diplomats.

Interview guides were tailored to key informants. For instance, questions relating to the peace negotiation were directed to individuals who have relevant knowledge, while thematic experts were asked about their in-depth analysis. Nevertheless, all key informant interviews covered the respondents' views/knowledge on the state of corruption/transparency (e.g. the severity and spread of corruption, the prevalence of certain

types of corruption, their observations on the impact of corruption on the sustainability of the peace process, and their input on ways forward, such as the steps that can be taken to introduce anti-corruption measures into future/other peace processes and into the implementation of the current peace agreement between the GRP and the MILF).

This case study is based on qualitative research and has the inherent limitations and strengths of the method. It is not meant to provide reliable information on how widespread the views, perspectives and experiences uncovered through the key informant interviews are among the general population, and it tends to reflect the insights of key informants who generally come from the more educated and socioeconomically better situated strata of society, or are in leadership positions within their respective fields. At the same time, thanks to the diversity of sources, the qualitative field research generated a wealth of data and conceptual insights which show the complex tapestry of views in and on the Bangsamoro. This can be used later to inform both the design of new and the (re)interpretation of existing quantitative research.

3 Philippine state formation and corruption

Much of the public and policy discourse treats the Bangsamoro peace process more or less in isolation – as if it were an issue specifically concerning the territory where Muslim Filipinos have claimed their right to self-determination for at least a century, and/or the people making that claim, i.e. the Moros. In other words, it is treated as if it were a Mindanao problem or a ‘Moro problem’¹. This discourse is both inaccurate and misleading. Understanding the conflict in the Bangsamoro is not possible without situating it in the broader context of the Philippines, because, first, the conflict would not exist without the colonial state-building projects of Spain, the United States and the independent Philippines, and, second, because its current dynamics are very much determined by the interactions between diverse actors in the Bangsamoro and their counterparts outside it, including but not limited to the national government. The insight that the BARMM cannot and should not be discussed in isolation from the rest of the Philippines emerged very clearly from the interviews conducted for this research. In fact, most of the political, economic and social phenomena – often framed as problems – discussed in relation to the Bangsamoro, such as political clans, warlord politics, anomalous elections, nepotism and various forms of corruption, are also found in the rest of the country.

This section provides a brief and targeted overview of the historical origins of these phenomena.

Corruption and violent conflict – both vertical and horizontal – in the Philippines are inseparable from, and deeply rooted in, the way the state was formed over the past four-and-a-half centuries. When looking at the history of state formation, it is possible to discern distinct layers, akin to those found at an archaeological site, which have added to the complex patterns of culture (social norms and interactions, values, ways of doing things, and so on), economic conditions (modes of production, ownership, the class system), politics (the contestation for power in and over the state) and statecraft (managing and building the state). In the Philippines, these layers are the pre-colonial histories of the peoples who inhabited these islands before the arrival of the Spanish, the 333-year Spanish colonial period, 48 years of American colonial rule interrupted by three years of Japanese occupation, and finally the post-colony, which itself may be sub-divided into pre-Martial Law, Martial Law and post-EDSA² phases. Arguably, a new layer began to form with the 2016 election of President Rodrigo Duterte. Unlike the situation at the archaeological site, however, these layers continue to coexist and interact with each other in the present. Understanding this interaction can help to

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- 1 The term ‘Moro problem’ denoted Muslim resistance to American colonial expansion. It dates back to the early US colonial period, when the US conquered and incorporated the Moro polities of Mindanao into the colonial state, which until then had successfully staved off conquest by Spain. See, for example, the paper on the ‘Moro problem’ by Najeeb Saleeby (1913), in which the author argues in favour of a culturally sensitive, slow assimilation of Moro and non-Muslim indigenous peoples into the American colonial state. He wrote: *“By the Moro problem is meant that method or form of administration by which the Moros and other non-christians who are living among them, can be governed to their best interest and welfare in the most peaceful way possible, and can at the same time be provided with appropriate measures for their gradual advancement in culture and civilization, so that in the course of a reasonable time they can be admitted into the general government of the Philippine Islands as qualified members of a republican national organization.”* (p. 16)
 - 2 EDSA stands for Epifanio de los Santos Avenue, a major road in Metropolitan Manila. It is significant in Philippine political history as the site of the 2.5-million rally, also known as the ‘People Power’ or EDSA revolution, which ousted Ferdinand Marcos from the presidency in 1986. Post-EDSA refers to the political and constitutional system created after the restoration of formal electoral democracy in the Philippines.

shed light on the character, nature, pervasiveness and persistence of both corruption and conflict. While the deep roots of both these phenomena go back to the earliest period of Spanish conquest, at least, with some arguably predating it, for the purpose of this case study it suffices to go back to the late 19th century. In particular, four aspects of Philippine society combined in a unique way to generate these persistent patterns: “rival elite families, a weak central state, a hybrid capitalism, and a protracted experience of elections” (McCoy, 2010, p. xii). In addition to these structural aspects, there are cultural factors that shape what is considered to be corruption and how it should be addressed.

Accordingly, in the following paragraphs, I very briefly review the mediated nature of the Philippine state, the domination of Philippine politics and economy by powerful families, and the role elections have played in stabilising this status quo, which continuously regenerates corruption and violence.

3.1 State weakness

The Philippines is frequently described as a weak state, but this is an overused term which often obfuscates more than enlightens, lumping together a broad range of countries that do not meet certain Weberian and/or liberal ideals, but are otherwise very distinct in any number of dimensions of statehood. The Philippine state, for example, is remarkably resilient. Since independence in 1946, it has successfully defeated a major regional communist insurgency (the Huk Rebellion in Central Luzon, 1946-1954) and contained at least three major insurgency movements: the secessionist MNLF and MILF and the centralist CPP-NPA-NDFP, which is present in almost every province³. Other than among the direct supporters of these movements, the sovereignty of the state or the regime is not questioned by the broad population,

although the state’s fairness and capacity to deliver services are.

What is weak, however, is the state’s capacity to design and implement policies. This weakness stems from four interconnected sources: political fragmentation, a stabilised oligarchy, the inefficiency of the bureaucratic apparatus, and the state’s tenuous reach into remote areas. While this is generally significant, it is particularly relevant to the prospects for the Bangsamoro peace process, because, as several people interviewed for this study pointed out, many of the difficulties affecting the process, some of which either foster corruption or make tackling it harder, have to do with this incapacity of the Philippine state to see through its own decisions.

3.2 The mediated state

A mediated state is one where state elites rule through alliances with local notables or strongmen. Mediated states come about when the state lacks the capacity to project sufficient military force and administrative power to its more remote or recently acquired (typically: conquered) territories, and thus the central government (and the elites in the centre it represents) makes mutually beneficial alliances with local leaders to project state power through them. The transition from a mediated to an unmediated state, i.e. one where the centre develops direct connections with its subjects without the need for transmission by local notables, is, in very general terms, the main objective of modern state-building (Waldner, 1999).

Most colonial state-building relied on exactly this approach, and the Philippines was no exception. Along with a host of differences, a key similarity between Spanish and American colonialism in the Philippines was the incapacity to entice a sufficient number of citizens from the metropole to move to the Philippines and manage the colony. As a result,

3 The abbreviations stand for Moro National Liberation Front (MNLF), Moro Islamic Liberation Front (MILF) and Communist Party of the Philippines-New People’s Army-National Democratic Front of the Philippines (CPP-NPA-NDFP). Dozens of other insurgent groups have operated – and many continue to operate – in the Philippines. Some of them are active, some are dormant, and some are engaged in ongoing peace processes with the national government.

in different ways, both Spain and the US had to rely extensively on the existing local elite to run the state apparatus.

Historically, the mediated state emerged in the earliest period of Spanish colonialism. Outside a few urban centres like Cebu, Manila and Naga, Spain was unable to establish direct, permanent control (Abinales & Amoroso, 2005, pp. 53-67). In fact, significant areas remained entirely unconquered, most notably the island of Mindanao, except for a few coastal outposts. The Spanish colonial state used three main mechanisms to address this problem. It introduced the *encomienda* system, originally developed in the American colonies, where Spanish nobles were granted non-inheritable land with the obligation to control the local population and extract resources. It granted estates to the Catholic Church and deputed its friars to exercise state functions. And finally, it granted various titles and ownership (in the European feudal sense) of land to local leaders, creating a hereditary aristocracy, which had not been typical among most societies in the archipelago, turning them into representatives of the Spanish state in their communities (Constantino, 2009 (1975), pp. 60-65).

Largely due to the loss of its Latin American colonies, Spain's colonial rule was in crisis by the mid-19th century. The value of the Philippines to Spain simultaneously decreased and increased in different ways. Spain's economic interest in the Philippines was the starting point of the galleon trade, which connected Spain to China by way of Mexico. As soon as Spain lost Mexico, this trading route ceased to exist, and with it the rationale to retain the colony. At the same time, the Philippines remained one of the few possessions left of the Empire, which heightened Madrid's interest in keeping it. In order to resolve this conundrum, Spain began colonial state-building for the first time in earnest. This included attempts to expand the tax base and improve tax collection⁴, as well as efforts to integrate the colony into global

capitalist production through the creation of various monopolies, facilitating the transition to export-oriented cash-crop agriculture and opening up Manila for international trade (Constantino, 2009 (1975), p. 119). Ironically, Spain lacked the basic prerequisites to develop further capacity and eventually lost the colony in the Spanish-American war of 1898⁵. Nevertheless, this capitalist transformation created the oligarchy which has ruled the Philippines ever since (see Anderson, 1988).

3.3 Elections, dynastic politics and elite domination of the state

The American conquest of the archipelago in the Philippine-American War of 1899-1902 further broadened and deepened the mediated character of the state. It broadened it in the geographical sense, as the US, unlike Spain, was able to finally conquer Mindanao, including the Sultanates of Sulu and Maguindanao, where – after a period of direct military administration – they ended up ruling through local notables, much as Spain had done before. This violent conquest and the repression of resistance against it, made even harsher by the often anti-Muslim and racist sentiments of many Christian Filipinos and American colonisers alike, are where the roots of the present conflict in the Bangsamoro are to be found (Abinales, 2000, pp. 45-68).

The mediated nature of the state was deepened by the introduction of formal democracy (elections). The United States' justification for the colonisation of the Philippines and its 'civilising mission' was to establish democracy there. Accordingly, the US introduced elections very early on. Local elections were held as early as 1902; by 1916, members of both houses of the legislature were elected, and by 1935 the president of the Commonwealth was as well. Suffrage, however, was so severely limited that only the oligarchy formed in the 19th century

4 This is where the Spanish family names of many Filipinos originate.

5 As a matter of fact, Spain was already losing the colony to Filipino freedom fighters when they sold it to the United States.

could stand for election or even vote at first. In this way, the US colonial administration ensured that the country's economic elite would also occupy the heights of political power – under American tutelage.

As part of its self-declared mission to 'civilise' the Philippines, the US sought to build a robust central government and the corresponding bureaucracy for the purpose of state administration. This they planned to do by bringing qualified staff from the metropole. Their failure, however, to compel enough Americans to do the job forced the colonial administration to initiate a process of 'Filipinisation', which involved staffing the government with locally hired bureaucrats. As was the case at the time in the US itself, this took place via a spoils system, which allowed winners of the elections to appoint their kin, clients and allies to key positions within the state's bureaucracy; this system then cascaded down the ranks, with appointed bureaucrats bringing their clients into staff departments.

Thus, by the 1920s, as a result of the combination of 19th-century capital accumulation, which allowed them to build up an economic power base outside the state, the introduction of elections with initially very limited but expanding suffrage, and the Filipinisation of the central government, the Philippine elite effectively captured the state and used it to perpetuate its political and economic dominance (Abinales & Amoroso, 2005; Hutchcroft, 1998, pp. 24-26). This resulted in a form of rent-seeking capitalism which endures to this day. The system is characterised by a cycle in which politicians need to take control of the state to protect and promote their economic interests, while using their economic clout to succeed in elections. Once elected, politicians use their positions to staff the administration with their people, and exploit the power of the state for private material benefit, which has traditionally taken a variety of forms, including preferential loans and subsidies for their corporations, the creation and granting of monopolies to relatives and cronies, and various discretionary development funds ((Hutchcroft, 1998; Hutchcroft & Rocamora, 2003). This is not to say that the whole of the state's bureaucracy

merely serves the enrichment and entrenchment of oligarchic politicians – that would be neither true nor fair to many civil servants who are trying to do their jobs in the public interest (see Hodder, 2010). But it is fair to say that after more than a century of elite-driven state-building and elite capture of the state, (grand) corruption is not an anomaly but a feature of the Philippine state.

3.4 Muslim Mindanao in the Philippines

As discussed above, Mindanao came to be included in the Philippine body politic through colonial conquest by the United States in the first two decades of the 20th century. By this time, the rest of the Philippines had already been thoroughly transformed by three centuries of Spanish rule, no matter how tenuous it was. Apart from some mountainous refuges where indigenous people were able to hold the Spanish at bay, the population was already 'domesticated' into the structures and processes of the modern state.

Mindanao was different. It was a new colonial frontier, and the United States governed it accordingly, informed by the methods used during the conquest of its frontier during the continental expansion in the 19th century (on frontier governance, see Hopkins, 2020). First, as mentioned above, it relied extensively on local notables among both the Muslim and the non-Muslim people of Mindanao, creating a form of shared sovereignty, the remnants of which still exist today in the authority of various traditional rulers and, arguably, in the attempts to create autonomous regions based on some form of power-sharing to continue this tradition. Second, it created a special administrative unit, Moro Province, separate from the rest of the public administration and highly militarised, which remained in place until the pacification of the region in 1913. Third, it integrated Mindanao into the Manila-centred economy. By doing this, it severed Muslim Mindanao's centuries-old connection to the economic networks of archipelagic Southeast Asia and Indochina, effectively transforming it from a centre into a periphery and making Mindanao not

only politically but also economically dependent on Manila (Abinales, 2000). Arguably, this is one of the roots of the region's poverty. Finally, the United States turned the entirety of Mindanao, not only Muslim Mindanao, into a settler colony. It created a land tenure system and land laws that favoured Christian settlers from Luzon and the Visayas (the other two major regions of the country) and heavily discriminated against Muslims and indigenous peoples, and facilitated their relocation to Mindanao (Rodil, 1994). The forced change in the ethnic and linguistic composition of the population and the – often violent – dispossession of the island's original inhabitants are another root cause of the Mindanao conflict.

These policies and the settler colonial character of Mindanao did not disappear with independence. There is an effective continuity between how the US colonial and the independent Philippine states have governed Mindanao. This is not some abstract phenomenon. It is palpable to those who live there, and is evident from how the Christian inhabitants of the Bangsamoro are still referred to as 'settlers', or the frequent references to 'imperial Manila' – ironically even by the descendants of the settlers brought there by the Americans or the independent national government. It can be felt, too, in the social, political and economic hierarchies, but also in the continuing dispossession of indigenous groups, including by members of the MILF nowadays (Abuza & Lischin, 2020; International Crisis Group, 2022)⁶.

6 Interview 5, Interview 9.

4 The Comprehensive Agreement on the Bangsamoro: peace process and anti-corruption considerations

In some ways, the peace agreement currently being implemented is very recent. The Comprehensive Agreement on the Bangsamoro between the Government of the Philippines and the Moro Islamic Liberation Front was signed in March 2014. The key piece of legislation, the Bangsamoro Organic Law (BOL), which established the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) as the new political entity in Mindanao, came into effect in August 2018, and was ratified after a plebiscite held in the core and potentially acceding areas of the BARMM in early 2019. At the time of writing, the region is in the fourth year of an expected six-year transition period⁷.

However, the Agreement is also the outcome of decades of experience in negotiations between the national government and the MILF itself, as well with the Moro National Liberation Front (MNLF), of which the MILF is a splinter group. It also draws on the lessons learned from nearly three decades of state-building in the Autonomous Region in Muslim Mindanao (ARMM), the BARMM's predecessor⁸.

While resistance to colonisation has been ongoing since the US conquered Mindanao, the current conflict over self-determination in Muslim Mindanao began with the founding of the Muslim Independence Movement in 1968. In 1969, disillusioned followers of the MIM, led by

University of the Philippines lecturer Nur Misuari, formed the Moro National Liberation Front, which launched an armed struggle for independence. Peace negotiations supported by the Organization of the Islamic Conference between 1975 and 1976 produced the Tripoli Agreement, the first peace agreement in the conflict. However, it broke down the following year due to unilateral actions taken by President Marcos Sr, and a breakaway group was formed by Hashim Salamat, which eventually became the Moro Islamic Liberation Front.

In 1989, under the presidency of Corazon Aquino, the ARMM was created, pursuant to the 1987 constitution, but was initially opposed by the MNLF. Eventually, the peace negotiations with the MNLF resumed and produced the Final Peace Agreement in 1996. Two aspects should be noted here. First, after the signing of the FPA, the MNLF, led by Nur Misuari, took over governance of the ARMM, with dismal results, the most relevant to this paper being the corruption allegations against the ARMM bureaucracy, political leadership and Misuari himself. These issues were so severe that the Aquino government labelled the ARMM a “failed experiment” in 2011, and corruption inevitably comes up in the scholarly literature even now as a major issue that led to its loss of legitimacy (Bertrand, 2000; N. G. Quimpo, 2016; South & Joll, 2016); it was also raised in private conversations

7 In its original text, the BOL provided for a three-year transition period in which the MILF had preferential treatment and was effectively allowed to form, by default, the majority in the new BARMM government and parliament.

8 The following links provide access to timelines of the peace processes between the Philippine Government and the MNLF and MILF, respectively: The GRP-MNLF process: <https://www.officialgazette.gov.ph/2013/09/12/timeline-the-gph-mnlf-peace-process/>
The GRP-MILF process: <https://peace.gov.ph/timeline/peace-process-milf/>
Both websites accessed on 7 November 2023.

and the interviews conducted for this study. Second, the implementation of this 1996 agreement has still not been completed at the time of writing this report in 2023. The same applies to the two other peace agreements signed by the Government of the Philippines and insurgent groups⁹.

4.1 Corruption in the ARMM

As mentioned above, corruption features prominently among the reasons for the ARMM's loss of legitimacy. Corruption was ever-present from its creation until 1996 and became a serious problem after the MNLF took over. One running joke at the time of Nur Misuari's governorship referred to the region as the 'Autonomous Region in Metro Manila', alluding to Misuari's lavish lifestyle in the capital rather than in Cotabato City¹⁰. Misuari was eventually ousted in the November 2001 elections, which he had tried to disrupt by launching an armed rebellion in Sulu and Zamboanga City. He was also charged with graft and malversation committed in 2000-2001 in the sum of PHP115,000,000.00¹¹.

Arguably, however, corruption was not the cause of the ARMM's failure, although it was certainly a contributory factor. The real cause of its failure was the existence of the MILF. It is widely recognised that the last governor of the ARMM, Mujiv Hataman, a member of a political clan in Basilan, succeeded in reducing corruption and improving the quality of governance in the region¹². This suggests that it was not necessarily structurally flawed to the point of unsustainability, but was poorly governed. Or, rather, its structural flaws, which in part allowed for such misgovernance, were not significantly

different from those affecting the rest of the Philippines.

There is an ambiguity in the popular attitude toward corruption. It is something everybody is aware of – it is frequently and openly discussed, and although no one likes it, everyone is resigned to it as a fact of life. This ambiguity is also reflected in electoral politics. On the one hand, at the level of presidential elections at least, voters seem to punish perceived corruption. For example, all presidents before Ferdinand Marcos Sr (except for those who died in office) were ousted in elections due to their corruption (Roces, 2000, pp. 181-184); President Joseph 'Erap' Estrada was forced out of power in 2001 by a popular uprising (Lopez Wui, 2009, p. 181) and banned from politics¹³. On the other hand, corruption rarely spells the end of a political career, as exemplified by the return to the heights of power of the Marcos family or the aforementioned Estrada and Misuari.

A similar coping strategy – apathy – characterised popular attitudes towards corruption in the ARMM – and according to the interviewees, continues to characterise attitudes toward the BARMM. In all likelihood, the ARMM could have persisted, like other institutions in the country, in the absence of a sustained armed challenge to both the Philippine state and its peace agreement with the MNLF. It is not because of corruption or bad governance in the ARMM that such an armed challenge presents itself – Hashim Salamat had already split from the MNLF and founded the MILF in 1977, 12 years before the creation of the ARMM, due to fundamental disputes with Nur Misuari over the Tripoli Agreement. Nevertheless, the corrosive effect of corruption on the legitimacy of the ARMM and the entire MNLF-

9 These are the peace agreement with the Rebolusyonaryong Partido ng Manggagawa ng Pilipinas/Revolutionary Proletarian Army/Alex Boncayao Brigade (RPM-P/RPA/ABB), signed in 2000, and the Memorandum of Agreement with the Cordillera Bodong Administration-Cordillera People's Liberation Army (CBA-CPLA) signed in 2011.

10 Interview 2.

11 The amount is equivalent to approximately USD2,184,000.00 at November 2001 value. The case has still not been closed at the time of writing in 2023.

12 Interview 2, Interview 20. The interviewees, as well as others with whom the topic came up, were always quick to assure me that there was corruption under Hataman, just less of it. One respondent (Interview 2) also highlighted that the quality of governance was higher under Hataman than under the current, MILF-led, BARMM government. For a profile of Hataman, see, for example, ARMM: Failed experiment no more (Mawallil, 2015) (take note, though, that the author of this piece is not independent; he was an employee of the ARMM under Hataman when he wrote this text).

13 The sentence banning him from running for office did not stop him from doing so. In 2007, he successfully petitioned for a presidential pardon, and was elected mayor of Manila in 2013 and 2016.

GRP peace process continued to fuel the conflict. Therefore, one of the questions now is whether a similar challenge is likely to emerge, and what, if any, effect corruption will have on the probability of that occurring.

4.2 Considerations in the peace negotiations

During the field research for this paper, several respondents opined that the negotiations probably did not take corruption into consideration at all¹⁴. It is true that there is no explicit mention of it in the text of the CAB and its annexes. But it is not true that the negotiating parties ignored the issue. According to an interviewee with direct knowledge of the negotiations, the opposite was the case¹⁵. Indeed, while corruption could not be included in the text for reasons of political sensitivity, it loomed large in the minds of both parties.

Corruption was understood in relatively broad terms, but mostly in relation to its role in the failure of the ARMM experiment and the traditional politicians (the political clans) who have dominated politics in the Bangsamoro for many decades. In fact, in 2001, when Congress amended the Organic Law which created the ARMM, it included strengthened transparency and accountability provisions, precisely because of the dismal reputation that the Autonomous Region had by that time¹⁶. Reforming the ARMM in order to improve the quality of governance and cracking down on corruption was a key agenda item for Mindanao in the Aquino administration (2010-16) even before the agreements with the MILF led to its eventual replacement with the BARMM. This reformist agenda was reflected in the government's approach to the negotiations with the MILF.

A further corruption-related concern, at least on the part of the government, was not simply to create a new set of 'feudal lords' instead of or in addition to the old ones, nor to 'transfer the power to be corrupt' from one group to another¹⁷. The MILF negotiating team, for its part, did bring up the problem of corruption within the national government, but it did not become a subject of the talks. As will be discussed later, this may well have been a missed opportunity. At the same time, both parties agreed on the problem posed by corruption in the political clans. In some ways, the idea of introducing a parliamentary form of government, which originally came from the MILF and was welcomed by the Government Panel, was seen as a possible approach to curb the power of the clans, and indirectly to crack down on the type of corruption they were engaged in¹⁸.

In general, according to my interlocutor with inside knowledge of the negotiations, there was more intentionality with regard to the related issues of rebel-to-ruler transition and inclusiveness than observers give the parties credit for. For example, there was unanimous agreement among respondents with whom this issue came up that a key cause of underperforming governance and some forms of (perceived) corruption is the unpreparedness of the MILF, a revolutionary movement, to run a bureaucratic administration. This is, without any doubt, correct.

At the same time, the parties did prepare quite deliberately for the MILF's assumption of power in the BARMM (Rood, 2014)¹⁹. As early as 2001, they agreed to set up the Bangsamoro Development Agency as a venue to practise economic governance; the Agency was created through an MILF Central Committee resolution in 2002 with the support of the national government and international donors, most notably the World Bank. Another similar institution established in 2005 with the specific goal of training

14 Interview 2, Interview 3, Interview 4, Interview 16.

15 Interview 20.

16 Interview 20. This, of course, did not stop corruption by the MNLF leadership of the ARMM or by those who came after them.

17 Interview 20.

18 Interview 20.

19 Interview 20.

future administrators is the Bangsamoro Leadership and Management Institute, funded by the national government and supported by international donors and partners. The Development Academy of the Philippines, a government training institute, also provided training support to the MILF in preparation for their takeover of the administration. Clearly, all this has not been sufficient to fully prepare the MILF leadership for governance; otherwise, citing their lack of knowledge of governance would not have become a truism among commentators. But neither is it true that they or their government counterparts walked blindly into creating the BARMM and entrusting it to the MILF, nor that it is only the lack of this capacity or some moral failing on their part that is causing their difficulties.

Another criticism of the peace negotiations, which is sometimes voiced together with the previous one, is that the parties ‘cut corners’ and left some issues unresolved, or failed to include all interested parties. Some, for example, argued – or drew the lesson from the experience of the CAB and its implementation – that the political clans, perceived by some as potential spoilers during and since the negotiations, should have been invited to the negotiating table²⁰. According to the informant with inside knowledge of the negotiations, this was not formally possible, but informally, representatives of political clans were engaged in different ways²¹, and ultimately, they did not sabotage the peace negotiations and supported the plebiscite to approve the Bangsamoro Organic Law in 2019.

One of these respondents pointed out that all peace agreements are, by nature, “compromise, appeasement and accommodation”, and this inevitably creates problems during implementation, because “rule of law falls by the wayside, and this brings about corruption”²². Another said that peace negotiations are just a “theory of change”; the real work begins after the signing of the agreement²³.

This may unfairly underestimate the work of the negotiators and the importance of the quality of the political and constitutional arrangements (for this argument, see, for example, Carolan, 2016), but it is true that if the implementation fails, it matters little how well-crafted the peace agreement is.

It is also important to be mindful that what is being implemented here is not simply the Comprehensive Agreement on the Bangsamoro between the two principal parties. First of all, there is the historical and institutional baggage of the ARMM, which cannot be disregarded. Second, the CAB was operationalised by the adoption of the BOL in 2018, which specified many general provisions. Third, since the BARMM remains a part of the Philippines, it is subject to the 1987 constitution, and therefore both the CAB and the BOL, including the way in which they are implemented, need to comply with it.

What complicates the matter further is that the negotiations were a bilateral process, and the mindset there was binary: war or peace. Once the agreement is in place and implementation begins, however, these binaries break down²⁴. Implementation is no longer between two parties, but involves various other political actors; in the case of the Bangsamoro, for example, they include the powerful political clans, the various commanders of the MILF who remain powerful but are becoming more independent from central command, the various national-level political actors like Members of Congress, and civil society groups, and so on. And the fundamental question also becomes more complex. It is no longer peace versus war, but the specific meaning of peace for a plethora of actors and affected people with divergent and conflicting interests.

20 Interview 2, Interview 3, Interview 16, Interview 18.

21 For example through study trips and other activities to sensitise them to issues related to the negotiations (Interview 20).

22 Interview 18.

23 Interview 16.

24 Interview 18.

5 Perceptions of corruption

Part of the complexity of responding to corruption in the context of the Bangsamoro peace process comes from the diverse views on what it actually is. The views that came to light through the interviews are informed by the diverse cultures of the respondents as much as by their position, social circumstances and education. In addition to this, people make their own assessments of the significance and severity of corruption, i.e. the kind of acts that they do consider corrupt.

Before this is considered in more detail, two peculiar ways of viewing corruption need to be discussed, because they can illuminate important aspects of how people in the Bangsamoro – and beyond – perceive corruption. The first is what Lukas Kaelin (2012) calls subjective morality; the second is a kind of simplistic legalism. Both can make it difficult to address corruption. After discussing them, I will then look at the issue of nepotism, a specific kind of corruption. Nepotism came up often in the interviews; it is present in the BARMM, relevant to the legitimacy of the political system as a whole and the MILF in particular, but not directly related to the implementation of the Comprehensive Agreement. At the same time, it reveals the complexity of people's understandings of corruption.

5.1 Subjective morality and legalism

Kaelin observed that Filipinos emphasise **subjective morality** at the expense of an institutional social ethics. In other words, they tend to identify individual moral failings, rather than systemic or institutional failure, as the cause of social ills, which helps to sustain essentially unjust social structures (pp. 142-143). In Kaelin's view, this is rooted in Christianity, but in my research, I found this attitude to be present across religious lines. Of course, the sample I used is far from representative, but almost every Filipino participant, whether Muslim, Christian, Animist or non-religious, exhibited this trait in one form or another. For example, one respondent, deriving her view from Islamic theology, said that "being corrupt is a personal choice"²⁵. The most common example that was mentioned (again, this came up in every interview and the focus group discussion with youths) is the civil servant who arrives late to the office, which all the respondents saw as a form of corruption. Some of the respondents did not go much further, and those who discussed systemic causes of corruption²⁶ also talked about it as an individual failing in addition to providing a systemic analysis or some kind of recommendation that goes beyond individual moral improvement, such as introducing and enforcing transparency and accountability rules.

The second way of approaching the question of corruption is **legalism**. It was less prominent in this research than subjective morality, but it came

25 Interview 12.

26 Interview 2, Interview 7, Interview 15, Interview 16, Interview 18, Interview 20. I must add that I conducted key informant interviews with people who have some specific knowledge on the broad question of the connection between the peace process and corruption, with many, although not all of my interviewees having at least a college degree.

up, and I had encountered it in other research and fieldwork conducted in the Philippines. People who express this view either hold that social problems are solved by passing laws about them²⁷, or that the absence of legal cases somehow indicates the absence of the problem. The most prominent example of this in the current research was when one of my respondents told me, “I cannot say there is corruption in the Bangsamoro because I don’t have any evidence ... it is in the hands of the Commission on Audit”. When I probed further and asked specifically about vote-buying²⁸, my respondent answered that there were no convictions for it, so no one could say for sure if it was really happening²⁹. Talking about **nepotism**, one of the most commonly discussed issues, and one where the grey area is quite broad, another participant explained that if a relative is appointed to work in a politician’s or high-ranking civil servant’s office, then whether or not it is corruption depends on whether the politician or civil servant in question is the appointing authority³⁰. Another respondent highlighted the significance of what could be called the directionality of movement of resources by explaining that civil servants do not consider accepting gifts as corruption, because “they didn’t steal them”³¹.

None of this is to say that individual moral failure does not factor into corruption, or that passing laws against it is not sometimes necessary to address the problem – there is truth in both positions. But it does make addressing a problem more difficult if a significant part of the citizenry does not recognise its systemic nature.

5.2 Nepotism

As discussed in the section on state formation, nepotism is not a new phenomenon in the Philippines, and it is definitely not specific to the Bangsamoro, Muslims or indigenous people. At the same time, it is a salient issue there, not least because of the recent establishment of the BARMM and the high expectations of the MILF³². Based on the frequency with which it was mentioned in the interviews, the practice of hiring relatives and other associates appears to be quite widespread in the BARMM government as a whole – in the ministries and in the offices of the Members of Parliament. What is interesting, however, is the broad range of opinions and divergent perspectives on this matter.

At one end of the spectrum, there are those who consider this kind of nepotism to be corruption, plain and simple, and therefore unacceptable³³. One of the respondents who expressed this view identified nepotism or, as they put it, the hiring process, as a long-standing problem across all levels of the public administration, claiming that it was rife within the ARMM as well. According to this respondent, it is a vehicle for political clans to place their people in the administration, and creates an enabling environment for other types of corruption, such as those affecting the procurement processes of the ministries, municipalities and so on.

27 On a separate occasion, before this research I asked a junior faculty member, a young Muslim woman from the Bangsamoro, about the problems concerning the rights of indigenous people in the Bangsamoro. She said that their rights are secured because the Philippines has the Indigenous Peoples’ Rights Act. That is factually incorrect, but I also had no reason to doubt her honesty.

28 Vote-buying is very common in Philippine elections. Sometimes it is so blatant that one can see money being paid to voters right outside the polling station.

29 Interview 5.

30 Interview 9.

31 Interview 1.

32 Some people jokingly refer to the widespread practice of appointing one’s relatives after getting into office as “theory of relativity”.

33 Interview 14, Interview 16.

Then there is the legalistic view, mentioned above, which considers the acceptability of the practice depending on the extent to which formalities have been adhered to³⁴. In contrast, others pay attention to the substance of the appointment. In their view, appointing relatives may be acceptable as long as the appointee is qualified and capable³⁵. As some put it, it may not be ideal, but it would also be unfair to exclude qualified candidates just because they are related to someone. Some participants highlighted the issue of confidence or trust – that some positions, especially non-permanent appointments, are confidential, and in such cases, it may be acceptable³⁶.

Yet another perspective linked the question of nepotism to certain traits of Philippine cultures. According to this view, it is expected that opportunities are shared with the family, clan or community. If someone disregarded this, it would be viewed very badly³⁷. One interviewee specifically mentioned the cultural value “utang na loob”, a kind of inner sense of gratitude found in many Philippine cultures, which drives people to show proper appreciation of support received from others, including relatives³⁸.

One participant declared that nepotism is a form of corruption, and then nuanced her opinion, saying that “Muslim people are family-oriented”, which she cherished as a cultural value. However, she added, this can lead to problems, because a family may be spreading corruption by monopolising positions at the expense of other families, forcing them to make a living by possibly illegitimate means³⁹.

Perhaps the most interesting take on the nepotism question is the one that sees it as a way of empowering the indigenous minority⁴⁰. Indigenous people are the single most marginalised group in the Philippines, and the creation of the BARMM, with its expanded powers and dominated as it is by Muslims, has raised the spectre of what some indigenous leaders and rights defenders refer to as ‘double minoritisation’. According to this view, indigenous people have so few opportunities to work in the state bureaucracy that when indigenous Members of Parliament staff their offices with relatives, for example, this is necessary to develop indigenous capacity for self-representation. Some even complained that the Ministry of Indigenous Peoples’ Affairs (MIPA) is staffed by tri-people, i.e. Moros, Christians and so-called non-Islamised Indigenous People, when it should be “for the tribes”⁴¹. Thus, nepotism is framed here as an opportunity for the self-representation and self-assertion of the most marginalised, and any position that should or legitimately could go to an indigenous person but doesn’t is contributing to continued minoritisation. As another respondent put it, “[W]e say that this is inclusive. But sometimes, we need to be exclusive”⁴².

34 Interview 9, Interview 10, Interview 15.

35 Interview 1, Interview 2, Interview 13.

36 Interview 1, Interview 13.

37 Interview 2.

38 Interview 1.

39 Interview 12 (the participant in question is Muslim; in the interview, he/she often referred to his/her own people interchangeably as either Muslims or Maranaos, the ethno-linguistic group he/she is from).

40 Interview 9, echoed in less explicit terms by Interview 2.

41 Interview 5.

42 Interview 9.

6 The implementation of the peace agreement

As the informant mentioned earlier, ultimately, it does not matter how well a peace agreement is crafted if it is not implemented well. This section will look at corruption-related issues that can impact the sustainability of the peace process, attempts to address these issues, and the complications they may cause.

Generally speaking, nobody interviewed for this research foresees a breakdown in the peace process, the emergence of an armed challenger that would bring the Bangsamoro to large-scale armed conflict, or some similar immediate threat. According to one participant, for this to happen, three conditions need to be simultaneously met: there needs to be an issue or event around which people can be rallied, a charismatic leader who can communicate this, and community-wide support⁴³. Right now, none of these conditions is present.

Theoretically, corruption could be such an issue. The popular resignation to it, however, means that it has to pass a high threshold to break the peace process. On one level, this is good news, of course. At the same time, it still requires more serious attention than it gets, for two reasons.

The first is that corruption can slowly undermine the general support for the BARMM, the peace process and, it needs to be said, the MILF, which at the moment is the party most invested in its success. This erosion can, in the medium to long term, generate sufficient disillusionment, which can lead to recruitment into other non-state armed groups, such as one of the factions of the

Bangsamoro Islamic Freedom Fighters (BIFF) or a new group, if the conditions mentioned above present themselves⁴⁴.

To be clear, according to the research participants, such recruitment is happening, but it is not currently a risk to the peace process as a whole, and corruption is not its sole or even primary driver. Some join because of frustration, possibly but not necessarily with corruption, but with the quality of governance more broadly (see, for example, International Crisis Group, 2021, pp. 15-16). Some people join these groups for genuine ideological reasons – they think that the Moro people should become fully independent from the Philippines and not compromise on autonomy, no matter how broad it may be⁴⁵. Yet again, for some, it is basically about job security, and such people often ‘wear multiple hats’ or join so-called temporary conflict organisations for specific missions⁴⁶.

Second, even if the peace agreement holds in terms of preserving some form of negative peace – and it is an increasingly violent negative peace, with a great deal of horizontal violence, likely to get more severe as elections loom – corruption still has a significant bearing on the *quality* of this peace.

In the following paragraphs, I review some of the main concerns that emerged during the research and are additional to the ‘standard’ forms of corruption: rigged bidding, overpricing, kickbacks, ghost employees, sub-standard delivery of projects, and so on. Corruption is not limited to one level within the state, or to a particular group, be it

43 Interview 4.

44 Interview 4, Interview 16.

45 Interview 14.

46 Interview 16, Interview 4.

ethnic, religious or ideological; it is present across the whole of society.

6.1 Abandonment by the national government⁴⁷

Perhaps the most significant issue emerging from the interviews is that the state is not fulfilling its part of the implementation process. This observation came from all participant groups: academics, researchers, international aid workers and local NGO staff⁴⁸. Even more interestingly, people with different positions towards the parties mentioned this problem. In other words, it did not come from people who are sympathetic to the MILF; rather, people critical of them and/or sympathetic to the national government or the local political clans talked about it.

The respondents brought up both specific issues and general observations about the national government's attitude towards the peace process and the Bangsamoro to support this claim. This is not to imply that all the anomalies, delays and imperfections of the implementation are the government's fault, because that is certainly not the case. But the government, especially as the more powerful party, does have a particular responsibility for the success of the process, and according to the interviewees, it is not living up to it.

The most tangible of these shortcomings is the inadequate budgeting for the costs of the normalisation process, specifically for decommissioning⁴⁹. According to the CAB and its Annex on Normalization, the cost of decommissioning is to be borne by the state – a responsibility which the state does honour, but the process is far from smooth and is riddled with

delays, which observers I talked to see as negligence. As a result, the BARMM government is spending funds from the block grant – an annual normative budget subsidy from the national government, which the BARMM government is supposed to spend on running its institutions and carrying out development projects – to fill some of the gaps in the decommissioning process (e.g. housing support for ex-combatants). This is anomalous, and although it happens in agreement with the national government, it still produces accountability and transparency issues (International Crisis Group, 2023, p. 31). The more corrosive effects of this are the undermining of BARMM citizens' and, crucially, former combatants' trust in the process and the government, and the frustration it generates among the supporters of the MILF.

An academic who follows the peace process very closely used the metaphor of parentage: “[I]n the first place, when give birth to a new entity, you don't leave this alone, you nurture it. The national government never did this”⁵⁰. This informant emphasised the national government's responsibility for better preparing the MILF for the transition from a revolutionary group to a governing force. As we have seen, this is only partially true, as both parties have made deliberate attempts, even if they proved insufficient, to support this transition over the course of the negotiations.

Two leaders from Mindanao-based research institutes raised the issue in a different way⁵¹. They both called attention to the fact that the BARMM is a part of the Philippine body politic, it is under the sovereignty of the Philippine state, and thus the national government has oversight powers and responsibilities over the Bangsamoro Transition Authority, including all its institutions such as the ministries and the Parliament. They argue that the national government has been remiss in

47 I am using the term 'national government' here because that is the common terminology used in the Philippines, and thus by most informants. It means both the executive and the legislative branches, and by extension the bureaucracy, which carries out the policies set by the executive and legislature.

48 Interviews 2, 3, 4, 15, 16, 18.

49 Interview 3 – at the time this interview was conducted, there was no approved budget for this item for the 2023 fiscal year.

50 Interview 2.

51 Interview 15 and Interview 18.

exercising its constitutional rights – or rather, its duties – and this is adversely affecting the peace process, not least because of its failure to enforce accountability, which allows the corruption to take place. In addition, since the block grant comes from the taxes of all Filipinos, not only those raised in the Bangsamoro, the national government is accountable to all of its citizens, not just those in the BARMM proper, for how it is spent⁵².

As to why this is happening, there are a number of potentially complementary explanations. As a respondent⁵³ from a think tank said, there are two dominant ways of thinking about the BARMM within the national government. One is what he called ‘distancing’, the attitude being, “I don’t want to take responsibility for this, like Marcos – Marcos knows this whole framework is broken, but it’s not my fault, I just inherited it, so let’s let them use their autonomy”. The other is more cynical: “They’re fighting each other, let them fight each other, they’re Muslims [...] it’s like a game of musical chairs for the government, ‘as long as I have a chair when the music stops, I really don’t care what happens’ [...] so that means nobody really wants to handle this problem; [handling] means ... bringing people together ... negotiating ...”. Naturally, neither bodes well for the peace process, and both lead to the same thing: minimal engagement. Another interviewee framed it as a divide-and-rule strategy by the government, letting the MILF and the private armed groups (PAGs – see below) fight each other⁵⁴. In fairness, President Marcos Jr and other members of his administration, such as Carlito Galvez, former Presidential Adviser on Peace, Reconciliation and Unity (OPAPRU) and acting Defence Secretary, stayed the course and ultimately appear to support the implementation of the peace agreement, albeit at some political cost to themselves. For example, the President rose above the fact that the MILF supported his main rival in the 2022 presidential elections; he maintained the status quo in the Bangsamoro Parliament and government, instead

of punishing the MILF and rewarding local political clans who supported him.

Another participant framed this by asking: what are the measures of success of the peace process? As he saw it, for the national government, and especially the Armed Forces of the Philippines (AFP), it is the decommissioning, in other words the dismantling of the MILF’s capacity for armed resistance. This may explain the controversy around the number of weapons surrendered in comparison with the number of ex-combatants processed and benefiting from the socio-economic package, with the AFP insisting on parity between the number of weapons handed in and the number of ex-combatants decommissioned. This is in apparent contrast to the point raised earlier regarding the failure to properly budget even for this component of the implementation process, and this takes us to the next explanation.

It is entirely possible that there is no intentionality, malice or anti-Moro prejudice behind any of this, and it is simply another symptom of the weakness of the state, discussed at the beginning of this paper. To quote an informant at length,

I don’t think there is any intentionality in abandoning the process by the national government. It is because it is filled with self-serving political clans, only interested in their own narrow interests, they have no grand plan whatsoever. A lot of things fall through the cracks due to a lack of attention, ignorance, laziness, and everything else you want to say. It’s not just the Bangsamoro agreement. There are so many peace agreements here that have not been properly implemented. What happened with the 1976 agreement with the MNLF, for example? Or what’s happened with the agreements with the various splinter groups of the Communist Party? They’re still on the books. It’s an embarrassment. I mean, how long does it take to implement these things? There are no good

52 Interview 18.

53 Interview 18.

54 Interview 9.

precedents here for a national government having the diligence, the responsibility, the continuity⁵⁵.

In other words, this is a structural issue. Part of the problem has to do with the electoral cycle and the resulting loss of institutional memory. Similar patterns are repeated at the level of the bureaucracy as well. Civil servants are regularly rotated or hired on short-term contracts, including those in the OPAPRU, who are most directly involved in many of the implementation activities⁵⁶. In the absence of a robust knowledge management system, this results in a cycle of re-starting partnerships and projects. Ironically, of all actors in the process – including the MILF, the MNLF and civil society organisations – the national government’s institutional memory and staying power are probably where there are the most gaps.

6.2 Moral governance and corruption in the BARMM

Much has been written so far about the shortcomings of the national government in the implementation of the peace agreement, but corruption is not the exclusive domain of the government or the political clans.

When the MILF assumed power in the BARMM after the successful plebiscite to confirm the BOL, they came in with a fresh determination to root out corruption and govern better and more cleanly than their predecessors. One of the first things they did was to dismiss almost all the employees of the ARMM administration, except for those working in education, health and social services. This ‘phasing out’ was informed, at least partially, by the perception of the ARMM as a hopelessly corrupt entity.

In parallel, Murad Ebrahim, the Chief Minister and leader of the MILF, announced their approach to curb corruption in the BARMM: so-called *moral governance*. The concept of moral governance is one of the most interesting and probably unique initiatives in this peace process. The fact that the MILF leadership came up with it and continues to promote it highlights that they are aware of the presence of corruption and its significance to the legitimacy of their political project, and they wish to take action to deal with it. The premise that this is not some kind of cynical spin is supported by the efforts, discussed earlier, to prepare for governing well.

But what is moral governance? This is not easy to pin down. None of my interviewees gave me two identical definitions, and when they talked about it their understanding ranged from what would otherwise be called ‘good governance’ with some religious/moral underpinning⁵⁷ to something rooted entirely in Islamic theology⁵⁸. Researchers (Adiong & Diampuan, 2021) from the Policy Research and Legal Services of the Bangsamoro Parliament defined the concept in Islamic religious terms as well. In one speech, the Chief Minister described it in religious terms:

Today marks a history for us. We are starting a new kind of Jihad—a Jihad against poverty, against want, and against neglect.

When we started the revolution, we took an oath to the Qur’an. Today, as we start our governance we will also do the same.

We have been guided in our armed struggle by the tenets of Islam. We will also be guided by the teachings of Islam in delivering the trust that has been given us to run the Bangsamoro Government, through the brand of leadership Islam advocates—that is, moral governance.

55 Interview 3.

56 Interview 8, as well as the author’s own experience and observations.

57 See Interview 14, for example.

58 Interview 12.

It signifies our collective resolve to institute good governance in the Bangsamoro Region. As we start the Bangsamoro Government, we vow to make moral governance as the foundation of this leadership⁵⁹.

According to another speech given by Chief Minister Ebrahim, however,

Moral governance means that the acts of the Bangsamoro Government must be legal and legitimate; its policymaking rational and deliberative; it is responsible to its people and ensures checks, balances and accountability to them. In other words, a government composed of public servants – in its real sense. Servants who are prepared to sacrifice their well-being for the well-being of the people whom they serve⁶⁰.

Defined in this way, moral governance is hardly distinguishable from any secular description of good governance in a liberal democratic state.

As remarkable as the moral governance initiative is, it does not seem to be working⁶¹. The main problem appears to be that it has never been operationalised. There is no official definition, and there are no tangible guidelines or means to monitor its progress, let alone enforcement mechanisms. Talking about the BTA's low budget spending rate, one respondent pointed out the dysfunction created by this lack of clarity, when civil servants “are not sure what the rules are, so things end up in the Chief Minister’s

office”⁶². This upward passing of the responsibility is a hallmark of a poorly functioning bureaucracy.

Of course, laws and institutions that can be used to crack down on specific forms of corruption exist – for example, the Commission on Audit, which is an organ of the national government, does have the jurisdiction, but it is not being used, as discussed above⁶³. For many, moral governance is becoming an empty slogan, which is unfortunate, considering the intentions behind it.

Everyone agrees that corruption did not disappear following the change of government in the region. Generally speaking, the same types of corruption can be found within the BARMM government as in any other. In this respect, there is nothing exceptional about the BARMM. For example, elected officials and civil servants are said to spend public money on frivolous things like teambuilding workshops in expensive resorts (“all the top hotels in Davao are making a killing”) where they take their family members with them⁶⁴, procurement is often rigged, there are kickbacks, and so on. As one respondent put it when talking about corruption in government procurement, “the internal control policies of the government had been mastered by the ARMM [officials], and the new ones have learned”⁶⁵. The same person estimated the ‘SOP’ at 20-30%⁶⁶. Another interviewee, a foreign diplomat working for a major international donor, estimated the loss of funds to procurement-related corruption at 50%⁶⁷, which, interestingly, chimed with what

59 Quoted from a speech by Chief Minister Murad Ebrahim (BARMM Homepage, 2019).

60 Quoted from a speech by Chief Minister Murad Ebrahim (BDA Communications, 2022).

61 This was a unanimous assessment among the people I talked to for this research. Naturally, interviewees’ views covered a fairly broad spectrum. One interviewee (Interview 11) identified corruption with “Makati billionaires”, and when asked about the performance of moral governance, he told me that the Makati billionaires were taking advantage of the weaknesses of the people of the BARMM, i.e. a lack of education and a lack of unity. Another (Interview 10) thought moral governance had an aspirational aspect, something the Bangsamoro is striving for, but has not, for now, achieved. Makati is a municipality in Metro Manila and the central business district in the capital.

62 Interview 17.

63 Interview 15, Interview 18.

64 Interview 2.

65 Interview 16.

66 ‘SOP’ or Standard Operating Procedure is a widely used slang term in the Philippines for certain forms of misappropriation of funds. In this instance, my interlocutor referred to the “surcharge” (his term) on public procurement and project costs in the BARMM (overpricing, kickbacks, etc.). Elsewhere, it is used as a euphemism for the so-called ‘revolutionary tax’ imposed on businesses by the communist New People’s Army.

67 Interview 17. Another interviewee (Interview 15) estimated that 40% was diverted to “different lines”.

the previous informant said about corruption and international aid. According to this interviewee, international aid used to have a more direct route to the beneficiaries, but now the additional layer comprising the BARMM bureaucracy and NGOs with informal ties to it takes a cut, and this degrades the quality of services provided through aid⁶⁸.

There is a range of views around the severity of corruption within the BARMM, however, and this seems, in part at least, to depend on one's point of reference. Some compare it to the ARMM at its most corrupt, while others refer to the ARMM under Hataman, for example. Here, an interesting calculation seems to be made, a sort of equation between corruption, on the one hand, and effective service delivery and quality of governance, on the other⁶⁹. Overall, most respondents were concerned about corruption in the BARMM and its possible deterioration, while also noting that progress has been made. In fact, some think that the BTA is actually less corrupt than the national government⁷⁰.

Another facet of this moral economy, which is at play in the BARMM and the Philippines as a whole, is the patrimonial, distributive nature of at least part of the corruption observed. In other words, people not engaged in it eventually draw some benefit from it, and in the process strengthen the patrimonial ties that bind them to corrupt actors. This plays into the dynamics discussed in the next section on normalisation, including the paying off of potential spoilers and the emergence of camp commanders as independent political actors.

One particularly problematic issue, which has the potential to undermine the legitimacy of the MILF and eventually the peace process, is connected with nepotism. People see that family members of MILF leaders are becoming very active in bidding

for and securing government contracts, even monopolising sectors of the economy (International Crisis Group, 2023, p. 7). The potential problem with this, according to one interviewee⁷¹, is that if this tendency is allowed to run its course, it may lead to a consolidated and centralised system of corruption which may even outstrip that of the much-criticised Misuari era, due to the availability of a much larger pool of resources which they can tap and which includes the block grant and the high volume of incoming international aid. An interesting case, which highlights the complexities of addressing corruption, is that of the son of the Chief Minister, who has been openly winning too many contracts with the BARMM government. Apparently, the Chief Minister privately instructed the ministries to stop accepting bids from him⁷². To quote another informant familiar with the upper echelons of the MILF, moral governance is genuinely there, people believe in it. The issue is, they are very old men, with no experience in governance. Their knowledge, moral code and values are conservative and out of touch with a modern state. It creates bottlenecks. It either implodes or people find informal ways to deal with things, which opens the door for corruption⁷³.

The case of moral governance highlights the importance of intentionality in curbing corruption and the need for commitment on the part of key actors to carry it through during the implementation phase. However, it also points to the potential impact of limitations, both structural and capacity-related.

As we have seen, the two parties had complementary views on the role of corruption in the sustainability of peace in Muslim Mindanao – and more broadly, in the Philippines – during the negotiations. This was reflected in some of the constitutional arrangements, but – due to sensitivities,

68 Interview 16.

69 Interview 2: “There is a semblance that they’re doing things more professionally now, but they can’t really match a time when Mujiv Hataman led the ARMM. I’m not saying he was free from corruption. But he made sure he knew his job and people under him knew their jobs.”

70 Interview 3.

71 Interview 4.

72 Interview 10, Interview 15.

73 Interview 17.

expediency and perhaps a lack of precedence in other peace processes – they fell shy of including explicit anti-corruption measures in the CAB. In the absence of explicit provisions in the agreement, the MILF’s top leadership has been doing its best to put anti-corruption on the political agenda since they assumed power. This has produced some discernible, albeit perhaps temporary reductions in corruption – or at least perceptions thereof.

In other words, the parties seem to have taken the right steps, but fallen short of their goals. One reason for this is, simply, the difficulty of overcoming a century of habit, crystallised into the political culture of the country – ideas about the role of the state in society and how government works, for example. This involves more than simply replacing the staff of the old bureaucracy – although replacing some was certainly necessary. The leadership’s apparent lack of capacity to organise and run a complex bureaucracy adds to the inefficiencies mentioned by the informant quoted earlier, which then incentivise people to find shortcuts and informal arrangements. It may also worsen already inadequate service provision, which in the moral economy of the Philippines may generate greater risks to the legitimacy of the government and peace process compared with some forms of corruption.

6.3 Normalisation: decommissioning and camp transformation

Normalisation is a central component of the peace process. It encompasses the key mechanisms and areas of focus that will transform the Bangsamoro from a conflict-affected region to a peaceful and

prosperous one. Among the various measures included in the Annex on Normalization, two issues are of particular relevance: decommissioning and the transformation of six MILF camps into “peaceful and productive communities” (Annex on Normalization, 2014, p. 9).

The objective of decommissioning is to put the Bangsamoro Islamic Armed Forces (BIAF), the armed wing of the MILF, beyond use; this involves the BIAF giving up its weapons and its combatants being reintegrated into civilian life. As part of the process, the MILF identified 40,000 current and former combatants who are eligible to receive the national government’s decommissioning package, as well as 7,200 firearms to be given up. The ex-combatants receive support in the form of a PHP100,000 (EUR1,660) cash assistance and other benefits such as housing, health and educational allowances⁷⁴.

Some of the monetary benefits, such as the one mentioned above and the compensation for surrendered firearms are being transferred to the ex-combatants via their unit commanders. This has generated its own kind of corruption, as at least some of the commanders keep part of the money⁷⁵. The amounts cited by the sources for this study ranged between PHP10,000 and PHP 50,000 or 10% to 50% of the benefit. At one level, this can be seen as an abuse of power, which could sour ex-combatants’ attitudes towards the process, but the picture is not quite so black-and-white. First of all, a combatant who hands in a rifle is not necessarily its owner but merely one of several operators, and is therefore not entitled to the full amount of the compensation⁷⁶. Second, even if the commander keeps a proportion of the cash, his relationship with members of his unit is complex, simultaneously personal and

74 A number of problematic issues have emerged since the start of the process. To begin with, the discrepancy between the number of combatants to be decommissioned and weapons to be surrendered has been a concern for the military (International Crisis Group, 2023, p. 8). A more pertinent issue is the then OPAPRU Secretary Carlito Galvez’s public mention of a PHP1 million (EUR16,600) package for each decommissioned combatant. This was clearly a faux pas, and there is no written agreement on this anywhere; even so, it has created expectations among members of the MILF that cannot be met, and thus adds to the frustration generated by other issues, such as the delayed and incomplete delivery of the other elements of the decommissioning package.

75 The respondents were not consistent on this point. Some implied that the commanders skim the PHP100,000 allowance (e.g. Interview 2), while others maintained that this is related to the surrendered weapons (e.g. Interview 4).

76 Interview 4.

shaped by years, sometimes decades, of military discipline. There is a sense of obedience towards the commander. This relationship, however, is not one-directional. During their service together, the commander was also bound to take care of his subordinates, not just in the line of duty, but beyond. This engendered a personal relationship of care and mutual, if unequal dependence. Thus, for many ex-combatants, the commander retaining a proportion of their benefits package is not so much abuse or corruption but a reciprocation of the help they had received⁷⁷. Ultimately, as mentioned earlier, this may prompt some ex-combatants to join another non-state armed group or a temporary conflict organisation, but the risk of this occurring should not be overstated. The phenomenon itself is not unique to the Philippines; similar patterns have been observed elsewhere, for example in Aceh.

The recognition of certain areas as MILF camps predates the CAB⁷⁸. These are not military camps per se, but towns and villages where MILF units were based, living together with local communities, their supporters. The transformation of MILF camps is inseparable from decommissioning, due to the fact that they have large concentrations of MILF combatants who have gone or will go through the process. It puts the commanders in focus as well, since the development projects targeting the camps often go through them.

The commanders' function as de facto channels between the ex-combatants and the population of the camps, on the one hand, and external providers of resources, such as the national government, the BTA and international donors, on the other. This can cause problems. It can lead to fragmentation within the ranks of the MILF, resulting from the weakening and possible breakdown of the chain of command, as camp commanders emerge as independent political actors and sources of patronage to their constituencies. It can also

generate new lines of competition for these resources within the organisation. This would make governing the Bangsamoro much more difficult in the key transition period, and probably beyond. More importantly, it positions and incentivises these MILF commanders to become part of the kind of patronage politics described earlier in this paper, which effectively undermines the efforts to transform how politics is conducted in the Bangsamoro. One informant for this research effectively warned of the possible emergence of "kingdoms of the camp commanders"⁷⁹.

The pivotal role of local commanders is neither unique to the situation in the Philippines, nor to this particular phase of the peace process. It is common knowledge in civil society circles, for example, that the national government has been paying off potential spoilers – MILF commanders and, allegedly, generals of the Armed Forces of the Philippines – at least since 2019 in order to secure their support for the peace agreement. The informant with inside knowledge of the negotiations confirmed that as far as they were aware, this was true⁸⁰, and they considered it a necessary and ultimately useful thing due to its stabilising effect. How conducive is this approach to reducing corruption, to the long-term transformation of politics, or simply to continued compliance by these potential spoilers? That is a different question. For the time being, the peace process is broadly on track, and as discussed elsewhere in this paper, there do not seem to be immediate threats to it. Arguably, keeping potential spoilers on side with the peace agreement has, up until now, contributed to this.

Ultimately, these commanders have economic responsibilities, needs and expectations, some of which are quite legitimate considering their long service to the cause and to the men and women who depend on them. There is thus a personal expectation that they would retain or ideally

77 Interview 15.

78 There are seven such camps, six of which are included in the Annex on Normalization and thus the camp transformation process.

79 Interview 16.

80 Interview 20. These alleged payments were made in the period after the signing of the CAB, so the informant in question was not involved.

enhance their status, while they need to ensure that their constituency's livelihoods are protected and their communities benefit from socio-economic development over time. For the sustainability of the peace process, these personal and communal needs should be met at least to a satisfactory extent.

This is a complex balancing act between the above-mentioned mobilisation and channelling of resources towards the communities the commanders claim to represent and which depend on them, and the maintenance of their own status and pursuit of political ambitions. The commanders' responsibility has been to their constituency, but with the peace agreement signed and the BARMM created, who constitutes the constituency may need to be reconsidered. During the armed struggle, this was clearer – although far from unambiguous. The MILF claimed to represent the Bangsamoro people, i.e. the 13, predominantly Muslim, ethno-linguistic groups of Mindanao. In reality, however, they have been rooted in provinces inhabited by a majority of Maguindanaons and Maranaos, and there is a very significant overlap between the membership of the organisation and these two ethnic groups, while the MNLF, for example, has a similar rootedness among the Tausug.

However, the population of the MILF camps, not to mention the surrounding areas, is not only made up of Moros, let alone MILF supporters. With the MILF entering electoral politics in 2025, the reckoning of who is part of the constituency will need to broaden, if the MILF is serious about unifying the Bangsamoro, consolidating peace and remaining a viable force in nonviolent electoral politics.

This is a point where the connection between corruption, inclusiveness and the sustainability of the peace process becomes clearly discernible. To recall earlier discussions, while perceptions of corruption vary among the people of the Bangsamoro, there is a moral economy in place which sees a certain amount of corruption as acceptable as long as the state also delivers basic services and some development – social, economic – is taking place. If the people in control of resource flows are seen as corrupt, and at the same time they distribute peace dividends disproportionately to a narrow segment of the population, this will deepen divisions in Bangsamoro society, generate grievances, and contravene the inclusiveness provisions of the CAB⁸¹.

6.4 Pouring new wine into old skins: the MILF, political clans and traditional politics

The CAB created a new constitutional arrangement, not a new society, nor even a new kind of politics. Being the outcome of a series of compromises and shortcuts, it introduced a parliamentary system at the regional level, awkwardly sandwiched between an unchanged presidential system at the national level and an unchanged system of local governments where much of the political power is concentrated. The insertion is awkward, because it does not actually interpose the BARMM between the central and the local governments; instead, it leaves untouched the old lines of patronage between the presidency and Congress, on one side, and the political clans who hold economic and political

81 There are two provisions in the CAB that can be interpreted in such a way as to be the basis of anti-corruption measures. Paragraph 5 of the Preamble: The Parties acknowledge their responsibilities to uphold the principles of justice. They commit to protect and enhance the right of the Bangsamoro people and other inhabitants in the Bangsamoro to human dignity; reduce social, economic, and political inequalities; correct historical injustice committed against the Bangsamoro; and remove cultural inequities through agreed modalities aimed at equitably diffusing wealth and political power for the common good. Paragraph 3 of Principles of Implementation: Working with other groups and sectors, the two Parties shall ensure the establishment of a new Bangsamoro political entity that will protect individual and collective rights, and be truly democratic, representative of the diversity of the populace, and accountable to the communities therein.

power locally in the municipalities as mayors and in the provinces as governors, on the other⁸².

It also brought the MILF into mainstream political contestation. The problem here, of course, is that this mainstream form of political contestation is often very violent (see Deinla, Ballar, Refani & Yap, 2022) and intricately intertwined with a robust, and by its very nature corrupt, shadow economy (Lara Jr. & Schoofs, 2016)⁸³. Many people, including several interviewed for this research, identify political dynasties with this way of doing politics. This is not untrue, but an assessment of dynastic politics should be more complex. While there is a significant overlap between dynasties and the proverbial ‘three Gs’ of Philippine politics (guns, goons, gold), it is not true that all dynasties are violent or corrupt to the same extent⁸⁴. As discussed in the historical background, the Philippines emerged as a mediated state and hybrid political order, and dynastic politics is integral to it. Philippine political dynasties in general have this mediating function, which, as unequal and exploitative it may be, is a two-way relationship. Not only do they manipulate, use and exploit their constituencies; they represent

them at the same time. This is especially true of many of the political clans in Muslim Mindanao, whose position in their communities predates the Philippine state.

Now that the MILF has renounced violence as a method to achieve its goals, they need to find a way to thrive in this political system, where patronage is a major factor and violence is a frequently used means. This is not an easy task. First, electoral violence is likely to occur; in fact, some of the respondents take it for granted that violence will escalate and feature prominently in the run-up to the 2025 elections⁸⁵. This finding is in line with Charles Call’s (2012) observation that the exclusiveness of elite settlements is a major cause of civil war recurrence. In this particular case, the risk is not the renewal of violent conflict that would challenge the sovereignty of the state – secessionism – but an attempt by a whole segment of the elite that has been excluded from the agreement and feels threatened by it to reassert its own relevance and what its members perceive as their rightful place in the political landscape.

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- 82 The central government deals with political dynasties primarily as elected politicians – most mayors, governors and Members of Congress are members of these dynasties. In the Philippines, the Local Government Code of 1991 provides very extensive powers to mayors. In addition to this, the central government pays an annual amount to each municipality from the national budget; this is known as the Internal Revenue Allotment (IRA) and is calculated based on the population and the (financial) status of the municipality. Mayors have substantial powers over these resources. The president has the means to delay the payment of the IRA but cannot withhold it indefinitely (such delays do happen when the president wants to punish a mayor who happens to be a political rival). There are other, discretionary, funds that the central government (the president or Congress) may grant to mayors. These are the principal channels of patronage. The constitutional arrangements of the Bangsamoro leave them intact, and even when the BTA passes the Bangsamoro’s own law on local governments, this will not change, because the Framework Agreement on the Bangsamoro (FAB) has a clause against reducing the powers of the local government units (Art. I.3.). Outside these formal channels, members of political dynasties, especially the leaders of the more significant ones, have access to national-level politicians, including in the legislative and executive branches. This is a reflection of the actual power they hold in their constituencies.
- 83 Of the 17 regions of the Philippines, the Bangsamoro has by far the highest number of private armed groups (PAGs), accounting for more than half of the country’s total. PAGs are, basically, private armies in the employ of powerful political and economic actors, such as political dynasties and corporations (the two are often effectively one and the same). In addition to this, some prominent political families are known to finance, and thus have significant, sometimes controlling influence over, some of the smaller insurgent groups, including factions of the Bangsamoro Islamic Freedom Fighters.
- 84 To be clear: not all political families are violent; all are corrupt, but not to the same extent. This should neither be thought of as a moral failing, as the roots of corruption are systemic, nor exonerate individuals engaged in immoral or illegal acts.
- 85 Interview 15, Interview 16. This is a major reason for the MILF’s reluctance to give up all its arms in the decommissioning process, as the national government has not delivered on disarming the PAGs, as stipulated in the Annex on Normalization. This reluctance is far from unique to this peace process; insurgents everywhere have tried to hold on to at least a proportion of their weapons as an insurance measure against security threats from various sources, including the violence apparatus of the state, other non-state armed groups and organised crime.

The MILF took charge of the BARMM for an overly short transition period⁸⁶, after which it must compete with the established political clans, who are more experienced in this kind of politics. It would stretch the limits of this paper to elaborate on this in detail, but in a nutshell, the constitutional set-up puts the MILF and the political clans on a collision course. A longer transition period would have been useful, but would only have postponed this outcome. It could be mitigated by a lot of restraint on both sides and a lot of trust between them, neither of which is in ample supply. In principle, the MILF and the political clans could ‘divide the turf’, with the MILF running at the regional level and leaving the municipalities and provinces to the political clans. Such turfing, however, is not realistic, partly due to the aforementioned lack of trust and the very high stakes involved.

This takes us back to the question of corruption. In 2025, the MILF will need to compete with the established political clans at every level – national, regional, provincial, municipal – in a system where patronage and vote-buying are inescapable. Both these sets of political actors will require substantial funding, part of which will come from the public coffers. All mayors in the Philippines receive various allocations from the central government’s budget, some statutory, some discretionary. For mayors, the most important is the Internal Revenue Allotment (IRA), and for the BARMM government, which is now the MILF, it is the block grant. It is common for mayors to use the IRA to consolidate power in their bailiwicks. In virtually every conversation where this topic came up, the interviewees were certain that the MILF is also setting aside part of the block grant to build a war chest to spend on patronage in the upcoming elections, and that the targeting of some development projects already serves this purpose⁸⁷.

86 I consider even the extended period of six years to be too short for what is supposed to be accomplished. In Colombia, for example, the peace agreement between the government and FARC stipulated a 10-year transition period, which, considering the time social change takes, is not long enough. In contrast, the CAB/BOL stipulated a meagre three-year transition period. It was extended by another three, but 3+3 in such a situation is less than six, because of the uncertainties it generated at the midway point and the inability to plan the legislative agenda, for example.

87 Interview 2, Interview 3, Interview 4, Interview 15, Interview 16, Interview 18.

7 Way forward: possible entry points and lessons learned for other peace processes

It is hoped that the previous section will have highlighted two aspects. First, it showed that the peace agreement has been based on a conscious, thoughtful process. It includes several progressive provisions, even if compromises had to be made due to time constraints and various legal and political exigencies. And second, it showed that, ultimately, structure and the inertia of history are more powerful forces than a piece of paper. Once implementation starts, the agreement enters into an interaction with a political, social and economic reality which is more complex than the duality of peace agreements. Naturally, neither this reality nor the agreement emerges unchanged from this interaction. The agreement introduces some changes, new incentives and even new arenas for political contestation, such as the regional elections in the BARMM. But the sheer weight of Philippine society, politics and history ensures that the existing conditions prevail and force the agreement – along with the actors who signed it – to conform to the existing reality. This leads to one of the main insights that came out of this research.

7.1 “Why all this emphasis on BARMM?”⁸⁸

This rhetorical question was posed by one of my interviewees to point out how much of the public discussion about the Bangsamoro peace process focuses on the BARMM, and sometimes even more narrowly on the MILF. For example, how should the MILF transform to become capable governors of the BARMM? Some interviewees talked about how the MILF remains in what could be called an insurgency mindset, which would explain phenomena like the nepotism of MILF officials, who are so used to prioritising security that they are compelled to continue valuing trust over competence even when it is dysfunctional⁸⁹. An even more common view is that the slow progress of the Bangsamoro Transition Authority in carrying out its legislative agenda, but also its haphazard governance performance, are due to the MILF’s lack of capacity, which in turn is rooted in its difficulty in managing the ‘rebel-to-ruler’ transition. This is not to say that these and similar arguments are wrong, but they are incomplete as they focus solely on one actor and one group of institutions.

During the interviews, a range of perspectives emerged that put the question in a broader, ultimately national context. As discussed in detail above, many respondents highlighted the national government’s (unfulfilled) responsibility for the peace process. One respondent, who also

⁸⁸ Interview 3.

⁸⁹ The interlocutor in Interview 2 spoke about this at length. The topic emerged in other conversations as well, including Interview 20 and Interview 1.

thinks that the MILF has not shifted its mindset from rebel to governing political actor, points to what he calls a “framework problem”, which is considerably broader and involves far more than simply pointing the finger at the MILF. As he put it, “we haven’t shifted from peace process to a new framework”. In his view, the peace process is based on a binary, peace versus war logic, which is useful while the parties are negotiating, but less so during implementation⁹⁰.

Another interviewee⁹¹ highlighted the need for the government to shift its own mindset as well. He argued that the national government, and more specifically the AFP, continue to apply a counterinsurgency mindset, focusing on threats to the government. This is shown by their insistence on decommissioning, especially those aspects which are concerned with the removal of combatants from the military structure of the MILF and the surrender of the highest possible number of weapons, as opposed to its more developmental components; the emphasis on the camp transformation process privileges ex-combatants, particularly commanders, whom the government allegedly bribes to achieve its political goals⁹².

The main issue, however, in the words of the respondent whose question is at the head of this sub-section, is that the “BARMM cannot be a peace bubble. It’s trying to be a peace bubble but it will burst because of the wider environment”⁹³. My interlocutor summarised the problem in terms of three core questions.

First,
 “[P]olitical clans are generally seen as a bad thing – concentration of power, lack of meritocracy, democratic deficit, etc. But how do you change that

in the BARMM, if the whole country operates along very different lines?” This is a generally valid point: it is possible to tinker with the constitution and the laws, but ultimately the prevailing political, social and economic reality asserts itself. Specifically, as noted earlier, the creation of the BARMM did not fundamentally alter the relationship between the political centre – the presidency and Congress – and the local political clans, and the arenas of political competition in the BARMM push the MILF, which is fundamentally organised along different lines, to adapt to this way of doing politics⁹⁴.

Politics in the Philippines, as discussed in this paper, has been oligarchic and patrimonial in nature since at least American colonial times. This way of doing politics has been challenged over time from various directions, most notably by the major Moro insurgent groups, the MNLF and MILF⁹⁵. These are emphatically not organised along family lines; their membership and their leadership cut across and at the same time disregard clan affiliation, although, naturally, individual members do retain their family ties, which at times adds complexity to politics and conflict (see Canuday, 2014). Accordingly, the loyalties they seek to inculcate (with mixed success) are to the Moro people as a whole, and to a geographical area they claim as its homeland, and they do have a relatively stable and enduring political agenda grounded in ideology. In this regard, they are more modern and closer to the nationalist anti-colonial movements of the 20th century (ironically, including the Filipino nationalist movements against Spanish and US colonialism) than the mainstream of Philippine politics. Similarly, if one came to the Philippines looking for political parties as described in western political science textbooks, the closest approximation would likely be the United

90 Interview 18.

91 Interview 16.

92 The kind of payments to keep potential spoilers on board has been discussed under the Normalisation sub-section. Interview 2, however, also called attention to bribes paid to some commanders to influence the outcome of the 2022 elections or the process of dividing Maguindanao Province into two.

93 Interview 3.

94 This is further complicated by the fact that many members of the MILF, across the ranks all the way to the top, also come from some of these political clans.

95 And by the Left (see: Nathan Gilbert Quimpo, 2008), but that conflict line is outside the purview of this paper.

Bangsamoro Justice Party (UBJP), the party the MILF created to run in the Bangsamoro elections, not those contesting national elections, which are more akin to loose and ever-shifting alliances of powerful families than stable parties representing some sort of ideology, policy preferences or constituency⁹⁶.

Second,

“[H]ow do you move from conflict and violence to peace and nonviolence, if you live in a country where the proliferation and circulation of small arms, of paramilitary groups, extrajudicial killings and all the rest of it exist, and perpetrators are not brought to book? You have a circulation of weapons, which means anybody can form an armed group, it doesn’t have to be ideological. So how can you have a peace agreement that seeks to bring this to a close when the whole country is awash with it?”⁹⁷ Indeed, the combination of a culture of violence and the proliferation of high-powered firearms is a risk to peace that is not confined to the Bangsamoro. It is present in the entirety of the Philippines, and there is nothing that can stop it from entering the Bangsamoro.

Third,

“[I]f the whole point of a peace agreement is to get back to a point of normality when ‘normality’ is defined as violence is the monopoly of the state, exercised in a legitimate and controlled and transparent way with civilian governance (security sector reform). How does this translate to a situation where in the Philippines people feel, for example, that the police is corrupt, that the security sector

itself needs reform. It is understood that a lot of the weapons in BARMM, but not only in BARMM, come from the military itself.”

Understandably, the violence apparatus of the state plays an outsized role in conflict and post-conflict situations, which is why the interviewee specifically related this question to the police and the military⁹⁸. Later, however, she expanded the discussion to the unquestioned assumption in post-conflict situations that it is always the non-state actor that needs to change. Or, as another respondent put it: “Does the government have the moral authority to demand accountability, when it is not accountable itself?”⁹⁹

And indeed, referring back to the rhetorical question at the beginning of this section, one question which needs to be asked is: why all this emphasis on the BARMM? After all, it is the Philippines as a whole that is 116th in the latest Transparency International Corruption Perceptions Index¹⁰⁰, and as was shown, corruption is historically deeply rooted, and many of its forms were, in practice, brought to the Bangsamoro through state-building by Manila.

Arguably, the current Bangsamoro has a better institutional framework to deal with corruption. According to the research participants’ input and the available scholarship on which this case study is partially based, the so-called traditional politics of the Philippines and corruption are inseparable from each other. As discussed earlier in relation to the parties’ considerations in the peace negotiations,

96 The extent to which established political parties in the West match this description is up for debate, of course, but beyond the scope of this study. On a separate note, and as additional background, the absence of ‘proper’ political parties has been identified as a root cause of many of the dysfunctions of Philippine politics, and their creation proposed as a way to address them by many political scientists (Aguirre, 2023; Hutchcroft & Rocamora, 2003; Julio C. Teehankee, 2012; Julio C. Teehankee, 2018; Julio C. Teehankee & Calimbahin, 2019; Julio Cabral Teehankee & Kasuya, 2019).

97 According to the most recent Small Arms Survey data, the estimated number of unregistered firearms in the Philippines exceeded two million in 2017. See: <https://www.smallarmssurvey.org/sites/default/files/resources/SAS-BP-Civilian-held-firearms-annexe.pdf>

To get an idea of the kind of weapons some of the private armed groups may have in their possession, please refer to the following news article on the discovery of an arms cache in the wake of the Ampatuan massacre, a mass killing of 58 civilians, including 32 journalists, who were part of a convoy organised by a rival political family on the campaign trail: <https://news.abs-cbn.com/nation/regions/12/03/09/military-unearts-large-arms-cache-near-ampatuan-mansions>

98 Filipinos consider the Philippine National Police to be one of the most corrupt state institutions (Jensen & Hapal, 2017, pp. 46-47).

99 Interview 18.

100 See the CPI here: <https://www.transparency.org/en/cpi/2022>

the parliamentary system of government was set up for the precise purpose of breaking this vicious cycle of clan-based, personalistic politics and corruption, and as the interviewees suggest, the situation has, at least for the time being, improved compared to the ARMM and the rest of the country. Ultimately, a peace process, including the implementation phase of a peace agreement in an intra-state conflict, concerns the whole of the country, not just one actor or one region. Causes and drivers of conflict are seldom limited in this way, and the same applies to their transformation.

7.2 Focus on peace

One informant suggested that two necessary transformations are required for the peace process to be considered successful: the transformation of the relationship between the BARMM and the national government, and the transformation of the relationship between the BARMM and its own people¹⁰¹. At the moment, he thinks, neither is happening. Regarding the first transformation, he cited the persistence of patronage politics between the national government and the BTA as well as other political actors, which manifests itself in the aforementioned payments to potential spoilers of the peace process and the BTA looking to the national government for guidance on matters that should be decided at the level of the autonomous government, such as the status of barangays (villages) in the Special Geographic Area (SGA)¹⁰². The relationship between Congress and the executive branch and the political clans also remains patrimonialistic.

Regarding the second transformation, the interviewee brought up the camp transformation, which privileges these areas over others when it comes to development, prioritises combatants over

others in the process, and created small ‘kingdoms’ for the camp commanders.

All of these, he argued, mean that the implementation contradicts the spirit of the peace agreement, which seeks to achieve genuine autonomy and an inclusive polity for all the citizens of the Bangsamoro. Both of these are inherently political questions, and closely connected to corruption.

From this perspective, referring back to the informant¹⁰³ who contended that the binary peace process framework should be overcome, a return to what he called “normal politics” – i.e. elections with participation by all political actors, including the now partially sidelined political clans of the Bangsamoro – will indeed be necessary¹⁰⁴. This is the case because the CAB was, in fact, a bilateral document, and the transition period sustains an unnatural situation where actors who wield real power are to a significant extent excluded from full participation in the political process. In order to have an inclusive society, the other constituents of the Bangsamoro must also be part of the political process, including women, the young, the various indigenous communities and, like it or not, the political clans as well.

The risk here, however, is that ‘peace’ may fall by the wayside. As another respondent put it, “the peace process has become so obviously elite deal-making”. Of course, elite politics is necessarily exclusive but not necessarily corrupt. Considering the structure and culture of Philippine politics, however, corruption will continue to affect the most marginalised – women, indigenous people, the poor – the most¹⁰⁵.

Thus, some kind of intervention that levels the playing field is necessary, but also difficult,

101 Interview 16.

102 The SGA is comprised of 63 barangays (villages, the smallest administrative unit in the Philippines) in North Cotabato Province which decided to join the BARMM in the 2019 plebiscite, while the province itself remains outside it.

103 Interview 18.

104 By “normal politics” the interviewee meant electoral politics in which the UBJP competes with others, as opposed to the transitional regime in place at the time of writing.

105 Interview 5, FGD 6, Interview 9, Interview 13.

considering the extent to which traditional politics has already returned to the Bangsamoro and will continue to have an influence until 2025 and beyond. It is not impossible, however and keeping the imperative of peace in focus is helpful in this context. There are many examples of various political actors taking measures to keep this peace process on track and move it forward. From this, important insights can be gained for the future of the BARMM peace process, and also for peace processes in other contexts.

As an example, the military stood by its commitments to preserve the peace, even in the face of setbacks. This willingness on the part of the military to exercise patience has been very important at times. No peace process is linear, and inevitably there are situations where ceasefires break down, unwelcome statements are made by the other party, and so on. Some of these instances could merit a more forceful response, including the renewal of violence. Conflict parties opting to take the high road, as has happened on occasions in the past, is important to allow the peace process to continue¹⁰⁶. This is true during peace negotiations and the implementation phase as well.

The national government, so weak at implementing policy, has been able to carry the process forward through three presidencies. Most recently, President Marcos reappointed Chief Minister Ebrahim and a Bangsamoro Parliament reflecting the wishes of the MILF against those of the political clans, despite the former having supported his main rival and the latter having supported him in the elections. Even the much-maligned political clans supported the 2019 plebiscite, contrary to their short-term interests.

For its part, the MILF has increased women's representation within its organisation over the years, which, according to interviewees, has improved its functioning in various ways, including its overall inclusiveness and, crucially for this study, its capacity to address corruption and improve the quality of governance¹⁰⁷. To be clear, the point here is not that women are inherently less corrupt or better at managing bureaucracies – I know of no evidence that would suggest some essential gender disparity here. Rather, what the interviews suggest is that in a system where a particular group – in this case women – has been traditionally excluded from politics, there is a better chance that once allowed to enter, they will try to do politics differently than is customary in that context. In this sense, the peace agreement and the creation of a new political entity can be understood as a disrupting event which can be harnessed to induce change beyond simple constitutional arrangements. This requires a level of intentionality which has been absent in the Bangsamoro peace process, but important lessons can be drawn from it by others engaged in their own peace processes.

In a similar vein, the MILF learned to work more closely with civil society. This has arguably contributed to improved social accountability and participation by underrepresented groups such as the youth, the elderly, women, the poor and indigenous people. These are important building blocks of a political system capable of checking corruption and establishing more inclusive and democratic. As it stands, and as was discussed earlier in the paper, civil society was simultaneously empowered and weakened by this. It was empowered inasmuch as this access provided better opportunities to challenge the MILF and give a voice to otherwise marginalised members of society, but it also contributed to a situation where some CSOs got too close to power and began exhibiting the pathologies of civil society elsewhere in the Philippines, or got hollowed out by the brain

106 Interestingly, the other major conflict in the Philippines, between the GRP and the CPP-NPA-NDFP, serves as an example of what happens when the opposite is the case.

107 Interview 2, Interview 3, Interview 12. Interview 3 even suggested that while corruption is unevenly distributed in the BARMM administration, there is one ministry, led by a prominent female civil society leader, which is basically free from corruption and performs much better than most other ministries in delivering services.

drain to the BARMM government. As with the previous point, more intentionality could possibly have yielded even better results.

7.3 Entry points: civil society, clarity of roles, cultural transformation

Corruption is not an immediate threat to the peace process in the Bangsamoro, due to a number of factors covered in this text – primarily popular resignation to its persistence and the lack of capacity to mobilise around it – but it does have a longer-term corrosive effect. In some ways, this is a fortunate situation, as it allows for long-term interventions. The research conducted for this study identified three main areas where possible entry points can be found: strengthening civil society, clarifying the roles of key actors and encouraging them to fill them, and long-term cultural transformation. None of this is likely to be easy or quick, but there are examples of similar transformations in this context, which suggests that they should not be impossible. With occasional exceptions, civil society has been conspicuously absent from this case study so far. There are multiple reasons for this. First, civil society actors are rarely key participants in corruption schemes, although a more nuanced picture will be provided shortly. Second, civil society has tended to feature as a possible actor in addressing corruption. The third factor concerns the specific nature of civil society in the Bangsamoro at present.

The Philippines has one of the largest civil society sectors in the world, counted by the number of entities per capita, and many segments of it are very vibrant. As mentioned earlier, some local civil society organisations are, in fact, involved in corruption, particularly concerning external grants¹⁰⁸, but this is likely to be a small minority of

all the organisations operating in the BARMM. This is far from unique to the BARMM, however, as there are many CSOs which were created by politicians across the entire country for such purposes, and one of the biggest corruption scandals of the last 10 years also involved a network of fake NGOs¹⁰⁹.

Several participants suggested that civil society in the BARMM needs to be strengthened to be able to monitor corruption and engage with the relevant actors, such as the BTA. This does not necessarily require any capacity-development on the part of these organisations, as most of them are already highly capable, but it does mean allowing them space to do their work. This can be done through various complementary changes. To begin with, the governing bodies can open themselves up more to criticism, which according to some respondents¹¹⁰ can be the basis of critical engagement. This may be perceived as risky to some political actors, but it has been done before on numerous occasions. For example, Bantay Ceasefire is a grass-roots initiative set up to monitor ceasefire violations in the Bangsamoro. It was initiated by the Mindanao Peoples Caucus, a network of indigenous, Moro and Christian leaders. Bantay Ceasefire works with hundreds of volunteers, and has been able to adapt its mission along the way from independent ceasefire monitoring and reporting to humanitarian protection. In the former capacity, they complemented and supported the work of the official ceasefire mechanisms established by the conflict parties. The conflict parties and other actors in the area, including national CSOs and INGOs, have recognised the contribution the volunteers have made, which helped to solidify the ceasefire and created space for peacebuilding.

An even more pertinent example is Bantay Bayanihan, originally convened by the Working Group on Security Sector Reform (WGSSR) in the

108 Interview 16

109 I am referring here to the Priority Development Assistance Fund or ‘pork barrel’ scam, through which Members of Congress used fake NGOs to channel money from said Fund to themselves. The scheme came to light in 2013. I myself have conducted research in different municipalities in Luzon, and worked in other parts of Mindanao where it was a common practice for mayors to set up such local CSOs, usually headed by a relative, to misappropriate funds and to create the impression of civil society consultations required by law while not actually having to do it.

110 For example, Interview 1 and Interview 2

Department of Political Science at Ateneo de Manila University as a platform for CSOs from all parts of the Philippines to monitor the human rights compliance of the military and engage with it with the aim of improving its track record. Under the Aquino presidency (2010-16), the AFP embarked on a security sector reform programme, and as part of this, it opened itself to monitoring by Bantay Bayanihan and its participating CSOs. For several years, regular workshops and conferences were held with the involvement of civil society organisations and the AFP, and a marked improvement in the military's human rights and humanitarian law compliance could be observed over time during this cooperation¹¹¹.

The MILF's own engagement with civil society in recent decades has also included a component where the organisation accepted critical feedback from civil society, and this has contributed to their growth and maturity, including most notably an increase in diversity and representation, especially of women and indigenous people.

In all these cases, the willingness of the various institutions' top leadership to face criticism and accept input from actors they may not necessarily have regarded as their peers was essential to establish more open relationships. And, naturally, such engagement presents its own risks to the CSOs involved. In particular, there is the potential for them to be instrumentalized by these institutions and political actors, and the CSOs concerned need to be prepared for that.

A more significant problem potentially arising in this context concerns the physical security of civil society activists. While Bangsamoro-based civil society has not borne the brunt of the Duterte government's authoritarianism, the very high level of militarisation of the administration, the de jure martial law introduced after the siege of Marawi City, and the de facto martial law introduced with

the 2020 Anti-Terrorism Act mean that its scope for dissent and criticism has shrunk considerably. This is in addition to the threat presented not by the state proper but by local politicians. Accordingly, **the BARMM government needs to do more to improve the physical security of activists.**

One peculiar source of the present weakness of civil society in the BARMM is, in some way, the success of the peace process and the MILF's earlier engagements with local CSOs. For decades, many local CSOs have, in effect, been part of the broad struggle for Moro self-determination, some closer to the MILF, some less so. For many civil society leaders, once the BARMM was formed, joining the government was a natural step in their work for the realisation of this aspiration. At the same time, this left a vacuum in civil society, which will take time to fill. Another aspect of this is a kind of blurring of the lines between government and civil society. Some CSO leaders occupy both a government post and still retain their positions in their CSOs, which is not a healthy situation, as it undermines civil society's capacity to hold the government to account.

The need to have more clarity on the roles and responsibilities of the key actors, and the need for them to fill those roles has come up in different forms. As just mentioned, this applies to **maintaining the appropriate distance between civil society and the state.** However, as discussed earlier, the BTA and the national government also need to be clear about what is within their jurisdiction, and then do that, but not more. Thus, if a particular decision should be made by the BTA, and the BTA can make it without requesting permission from the national government, it should do so. Similarly, the national government should perform its oversight function more effectively, particularly in the area of auditing the BTA, and conduct lifestyle checks, also among the technical staff who sometimes act as stooges for political supervisors¹¹². One participant during the

111 I attended several of these workshops and conferences in the 2010-2014 period, and was at times based in the same academic department where the project was initiated, which gave me many opportunities to engage with colleagues working on it. I also conducted interviews with Bantay Bayanihan participants from academia, civil society and the AFP for another research project.

112 Interview 15, Interview 16, Interview 18.

validation process of this case study pointed out that in addition to clarifying the roles of actors, it is necessary to improve how the peace process is communicated to the broader public. The present opaqueness of the parties' public communication makes achieving accountability and managing popular expectations more difficult.

Finally, many interviewees expressed the need for a profound cultural transformation. Such a thing is never easy, predictable or fast, but the combination of effective civil society monitoring, clarification of responsibilities, and **persistent political education** could probably help with it.

As I argued through this paper, there is only so much a peace agreement can achieve, being limited in scope, participation and geographical reach. This insight points towards the centrality of the implementation phase in securing the legitimacy of the process – including addressing corruption. Some of it, no doubt, involves working with and on elites, but much work is needed to include the broader swathes of society. There are approaches which have yielded positive results in this regard. In the Philippines, for example, the Kalahi-CIDSS, a community development programme which has been implemented in conflict-affected areas, often in combination with bottom-up budgeting, has reduced corruption significantly even if only at the village level (ADB, 2012)¹¹³. At the opposite end of the spectrum, national dialogues have been held in many conflict and post-conflict contexts. Designed properly, such dialogues not only open up space for participation by non-elite and marginalised communities, but can serve as one important platform among many for what I referred to as persistent political education, which involves continuous awareness-raising among and politicisation of non-elite members of society, accompanied by information on how to address their political concerns in effective and nonviolent ways. National dialogues are also appropriate to bring to the fore a broader range of topics which could not be included in a peace agreement and which go beyond elite brokerage (Hartmann, 2017), including, of course, the question of corruption and measures to curb it.

113 For a more critical assessment of this programme, see (Kovács, 2019; Reid, 2011).

8 Conclusion

The present case study set out to explore whether and how the peace agreement between the MILF and the GRP opened up space to address corruption, and, conversely, how corruption and anti-corruption initiatives affect the sustainability of peace in the Bangsamoro. This was done through a political economy approach, which sought to understand the system which generates and continuously reproduces corruption in the Philippines.

My working assumption has been that the legitimacy – popular and elite – of the peace agreement is a key component of its sustainability. Legitimacy can only come from those affected by it – primarily the residents of the Bangsamoro and its political, economic, cultural and social elite. This legitimacy must be won or generated by the custodians of the peace agreement – the MILF and the GRP. For this reason, I sought to ground the concept of corruption in the context, so as to avoid imposing an external notion of corruption, which would have led the analysis astray.

In this section, I briefly summarise the key findings of this research and draw some conclusions from them. These may be grouped in four main themes: intentionality, inclusiveness, perseverance, and a whole-of-country perspective.

The conceptual paper by the Berghof Foundation (Hopp-Nishanka et al., 2022) and other literature (e.g. Philp, 2008; Zaum, 2013) indicate that corruption can have both stabilising and destabilising effects on a peace process, depending the types present and the local perspectives on it. The case of the Bangsamoro supports this observation.

Corruption in the Philippines is deeply embedded in the structures of the state and most aspects of political and economic life. This means, first, that it is extremely difficult, if not impossible, to address it without significant disruption, and, second,

that people have developed significant tolerance towards it. The distributive effect of corruption features in the survival strategies of individuals and communities. In addition to this long-term stabilising effect, the paying-off of potential spoilers has stabilised the agreement for the time being. Tolerance, however, should not be mistaken for approval. The continuation of corruption can have a slow delegitimising effect on the peace agreement and contribute to the regeneration of grievances that are among the causes of violent conflict. In summary, based on the findings of the research, corruption appears to have a short- and medium-term stabilising effect, and within this limited scope appears to have helped the peace agreement to proceed. Stability, however, is not the same as having a positive effect. Corruption also seems to stabilise some of the features of the system – inequality, patrimonialism, exploitation and violent, winner-take-all political competition – which have generated the Bangsamoro's multiple violent conflicts in the first place.

The challenge here for peacebuilders is to find a delicate balance between keeping the peace process afloat and creating the conditions to address long-term, systemic issues such as corruption. The drafters of the CAB were aware of this and have tried to find ways to tackle corruption down the line. Ultimately, their efforts have yielded mixed results, and perhaps this is the most characteristic aspect of the entire process: good ideas and initiatives, but not fully implemented.

From the start of the 2000s, the negotiating parties consciously sought to prepare the MILF for governing through training and other methods; this meant governing in a way which would be qualitatively different from the way the ARMM had been governed. In light of the near-ubiquitous perception that the MILF has failed in the governance aspect of the rebel-to-ruler transition, this has clearly been insufficient. The problem,

however, was not with the idea and the activities, but with their efficiency.

During the negotiations, the parties gave serious thought to the issue of corruption. However, the mere mention of corruption, let alone any actionable provisions to combat it, is absent from the final text of the agreement. In fairness to the drafters of the text, there is no precedent for including anti-corruption measures in any other peace agreement. Inclusivity and accountability in the Bangsamoro are mentioned, and could be interpreted as a mandate to enact anti-corruption measures, but this has not been done to date. The one initiative with a clearly anti-corruption goal, i.e. moral governance, is justified either on theological or on generic good governance grounds. And despite all the good intentions, it is floundering, due in large part to the inadequate capacity of the MILF to implement it.

The very idea of creating a parliamentary system of government for the BARMM had to do with breaking the cycle of traditional politics, which relies on corruption, among other factors, to keep going. And indeed, the system may well force oligarchic politicians to form actual political parties with platforms to participate in the BARMM elections. At the same time, the CAB and the BOL created a parallel system, where the political-economic power base of political clans in the municipalities and their lines of patronage to the national government remain intact. As a result, the Bangsamoro parliamentary elections will likely be compartmentalised, with traditional politics not only continuing, but forcing the MILF as an organisation and its commanders and other leaders to engage in it. Had the drafters of the CAB and the BOL been willing and/or able to make the parliamentary system the only one in the BARMM, breaking the direct connection between the national government on the one hand and provincial and municipal governments on the other, they could likely have made a more significant move in the direction of accountability and inclusivity.

The peace negotiations were conducted between the principal actors, the MILF and the GRP. There is nothing unusual about it. In various ways, though, participants in the research raised the lack of inclusiveness in the peace negotiations, and linked it to problems arising in the implementation phase. There are two main groups who have not been included: the powerful and the powerless. The former are the political clans, who control much of the political and economic power in the Bangsamoro, and who can act as spoilers. The latter are the indigenous peoples, women, youths and the poor, who are most affected by the conflict as well as by the detrimental effects of corruption. This criticism is not entirely warranted. As shown above, there were attempts, albeit only partially successful, to include the political clans in the process, and the participation of some of the marginalised groups, especially of women and indigenous people, improved over time. Having said that, it is clear that this level of inclusion has not been sufficient, and more could be done in the implementation phase to further improve it.

As indicated in this study, there are several peace processes in the Philippines, none of which has been concluded, even though some have been in the implementation phase for decades. This shows a significant lack of capacity on the part of the national government to implement policy. In light of this, the fact that the peace process with the MILF has reached the stage where it is now is a recognisable achievement, for which political credit must go to all the administrations since 2010, and of course the MILF. This is no guarantee, however, that the Bangsamoro peace process will not languish in a stage of incompleteness like the others. As interviewees indicated in this research, that is a very plausible outcome, due to the national government's apparent lack of willingness to take responsibility for aspects of its implementation (i.e. accountability and oversight, proper budgeting and so on) and its concentration on particular elements of the process (i.e. the decommissioning component of normalisation).

All the above examples – both in the extent to which they contributed to the success of the peace process thus far and in the way they fell short of their potential – highlight the importance of intentionality, perseverance and inclusivity. The consciousness with which the parties approached sensitive issues that were connected to corruption and, more broadly, governance did help prepare for the transition. However, it was insufficient to transform the MILF into capable governors or to devise a constitutional arrangement more suited to overcoming the problematic aspects of Philippine politics, which the parties were keenly aware of. The way the talks were organised followed the usual pattern of principals negotiating with the help of an external mediator. They did reach out to relevant others, such as political clans, civil society and marginalised groups, but as several interviewees pointed out, a more inclusive formula may have slowed down the process but could have yielded a more robust agreement and easier implementation. And while the parties carried through much of the process, inconsistencies in the implementation phase have created frustrations and resulted in deviations from the spirit of the agreement, or to put it differently, a return to traditional politics, from which the parties intended to move away.

Finally, key actors, such as the parties themselves, local civil society, international development partners and the press, treat the CAB and the peace process as something for the Bangsamoro. But it is really for the Philippines, and the necessary changes cannot be confined to the BARMM alone; they need to be carried out in the country as a whole, including addressing how the national government, particularly its executive and legislative branches, functions. It is not just corruption happening inside the BARMM that impacts the long-term sustainability of peace, but corruption in the country as a whole. And it is not just peace for the Bangsamoro, it is peace for the Philippines that is at stake.

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Berghof Foundation
Operations gGmbH
Lindenstraße 34
10969 Berlin
Germany

www.berghof-foundation.org
info@berghof-foundation.org

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