

No More Guns



Documenting Local Conflict Resolution Initiatives in Select Asian Communities

Rosalie Arcala Hall
Editor

No More Guns: Documenting Local Conflict Resolution
Initiatives in Select Asian Communities

Philippine Copyright 2015

by

Rosalie Arcala Hall, Editor

ALL RIGHTS RESERVED

ISBN 978-621-95269-1-3

Published by:

University of the Philippines Visayas
Miagao, Iloilo

FOREWORD

Violent conflict at the local level is a persistent phenomenon in many parts of Asia and has claimed numerous lives, displaced large numbers of populations and destroyed unmeasured productive capacities. In the Bangsamoro areas of Mindanao, Philippines, localized violent outbursts reflect the conflict between government troops and Islamic Moro separatists overlaid with clan feuding (*rido*), rivalries between political warlords and illegal economies of drug trafficking and smuggling. In the Southern Thailand provinces, an insurgent war is carried out amidst episodes of reciprocal atrocities between Muslim and Buddhist populations. In Indonesia, tensions between rival ethnic groups simmer and erupt as it did in Western Kalimantan in 1999-2000. Local violent conflict refers to armed encounters between or amongst state and non-state actors in a confined geographic area that affects a significant proportion of the local population. To manage conflict means to limit the occurrence of violent clash by crafting measures that undercut the ability of troublemakers (i.e. armed groups or individuals with intentions to commit violent act) to move personnel and arms. Strategies towards this end include the typical repertoire of security measures like checkpoints, patrols, curfews, ceasefire or peace zones, and corresponding monitoring/reporting systems. Resolution is the termination of the conflict and is achieved through a formal agreement or a ritual settlement between the conflicting parties. Whether vertical (state versus insurgent) or horizontal (communal or clan/ethnic warfare), violent conflicts manifest the inherent weaknesses of the government apparatus in channeling contested incompatibilities. Government power radiates weakly in peripheral areas, leading to ungovernable spaces where threatened groups resort to armed responses. Where there are central government templates for institutions and mechanisms, often they are not grafted effectively unto the local culture. The result is often the emergence of informal formations, both tradition or customary-based as well as hybrids that generate more following among the local population.

This monograph is a product a research project of the same title funded under the Asian Public Intellectual (API) Collaborative Grant for 2014-2015. The project was conceptualized to document cases of local violent conflict resolution and management in four Asian settings (central Mindanao, Philippines; Pattani province in Thailand; and Sambas, Western Kalimantan in Indonesia). The project probed the variety of institutions and mechanisms on the ground - formal, informal or hybrid - crafted organically based on traditions and customs or adapted from government templates to manage or resolve conflicts within. The cases were selected because of several key elements: (1) they feature "localized" strategies embedded within a larger peace framework, which carry with it interventions by outside actors including national government agencies, civil society actors, rebel shadow government and international humanitarian organizations in these localities. The strong imprint of the Moro Islamic Liberation Front (MILF) governance apparatus in the Maguindanao locales are as remarkable as Pattani's status as a border-frontier with Malaysia. In the case of Western Kalimantan, outside intervention by civil society groups and arrangements for the relocation of the Madurese in another Regency point to these dynamics. (2) the cases depict "out-of-the-box" institutions and mechanisms that locals patronise and appear to work at managing or resolving localized violent conflicts, with reservations. The Iranun area of Maguindanao province, Philippines has its own unique tradition of local conflict resolution, which is largely based on Islam, but also borrows from formulaic government prescriptions on institutions like the Peace and Order Council. Given also the prevalence of MILF-supporters within the communities, MILF Sharia courts operate freely with their corresponding shadow enforcement arm, with the acquiescence of local government entities (including the army). In Maguindanao and Sultan Kudarat, grassroots (village-based) peace building have been the focus of many Track 3 efforts by civil society actors, often with

international donor support, but producing little headway with respect to higher-level actors involved in formal negotiations (Track 1).

The four case studies are narratives that illustrate the history, the variety of local actors involved and a map of how these "local" conflicts intersect with "national" political contestations. The case studies also described and explained the modalities of local conflict resolution and management, highlighting the unique aspects of these traditional/customary, hybrid or adaptive mechanisms. The data from which the narratives were drawn was generated through a qualitative approach featuring: (1) review of national-local legal frameworks for conflict resolution and their policy/program contexts; (2) review of academic writings, local news articles, government or civil society reports) to establish a chronology of violent conflict and interventions in the area; and (3) personal observations from site visits; and (4) key informant interviews and focus group discussions (FGD) with key community members as well as representatives from the local government, mediation/arbitration panel, security actors like the police and the army, and civil society groups- all with historical memory and hands-on experiences on conflict resolution and management. The tentative findings from each case study were presented at the Association of Asian Studies Conference at National University of Singapore (NUS) on 17-19 July 2014; and at the 08 October 2014 Public Forum at East Asia Royale Hotel, General Santos City, Philippines. The public forum in General Santos City, Philippines was generously supported by a grant from The Asia Foundation (TAF)-Manila.

Rosalie Arcala Hall's chapter "When the fighting stops: organic local conflict resolution initiatives in Iranun areas (Mindanao, Philippines)" examined local conflict resolution and management platforms in the Muslim-dominated, former Moro Islamic Liberation Front (MILF) Camp Abubakar communities (covering the towns of Parang, Matanog, Barira and Buldon municipalities), which bore the brunt of the government's All-Out-War against the MILF in 2000. This Iranun ethnic area features a complex conflict landscape with multiple armed groups (including private armies and lawless elements) coexisting with the army and the MILF. While incidences of kinetic engagements by the MILF and the military has gone down, rido or clan feuding has increased in number in previous years. Conflict episodes transpire within a

challenging governance environment where most local chief executives rule as strongmen or absentees, and with a weak local police. There are diverse types of informal, both traditional/customary and MILF-based, as well as hybrid mechanisms like the Joint Ulama Municipal Peace and Order Council for conflict resolution. The informal mechanisms are hybrid in that they feature government, religious and traditional leaders; draw support from government and personal connections for contributions to blood money payments and for facilitation; and allows case referral between the informal mechanisms to formal venues such as the Lupon Tagapamayapa (village justice) and Sharia court. Conflict management arrangements exist between government troops (army), the local government and the MILF enforcement arm, Task Force Kalilintad indicating the porousness of formal and informal boundaries. However, the performance of these institutions and mechanisms is limited by the fact that they can only deal with low profile rido cases. Feuds involving political families with access to more high-powered firearms do not submit to these mechanisms nor are resolved using said platforms.

Prangtip Daorueng's chapter "Conflict management in Betong district - Managing differences in the context of Southern Thailand insurgency violence" documented the unique characteristics that enabled the community of the border district of Betong to resist violent attacks which have afflicted the political landscape elsewhere in southern Thailand. The community's strategic location, strong multiethnic (as opposed to the mono-ethnic identity narratives of Pattani Sultanate in other areas the conflict zone) features, the close-knit ethnic communities with migration and education-induced multicultural atmosphere, and recognition of common interest have lead to cooperative platforms in dealing with insurgency problems. These characteristics allow for the mobilization of the community and the crafting of local initiatives that emphasize ethnic balance towards protecting the district from outside attack and political influences from the central government. The relatively safe atmosphere in Betong amidst the ongoing extreme violence in the province is largely due to the strategic security networks and family approach in conflict management.

Rina Shahriyani Shahrullah's chapter "Dealing with the violent past: managing tensions between Malay and Madura ethnic groups in Sambas, Western Kalimantan" described the negotiated outcomes to resolve the violent

ethnic conflict between the Malays and Madurese, and mapped the involvement of government, NGOs and local communities in crafting acceptable resolutions that drew upon customary understanding. The horizontal conflict between the Malay and Madurese expanded to include the Dayaks and escalated because of the slow movement and failure of law enforcement. With the failure of local and central government-supported dialogues, local NGOs initiated efforts to mediate the conflict, resulting in a Peace Agreement, which among other things required the expulsion of Madurese from the Sambas Regency. International NGOs extended limited support in the evacuation centers and by educating the ethnic groups about living in harmony. Evacuees articulated that the activities and programs of local and international NGOs were more efficient than those of the government. The Malay Sambas remain opposed to the wholesale repatriation of the Madurese Sambas, and instead adopted the approach of 'pilih antah' where only Madurese with "good track record" are screened and allowed to go back. The Madurese Sambas themselves are reluctant to go back to because they now have better lives in the relocation areas or have lost properties they previously left behind at the height of the conflict.

Rufa Cagoco-Guam's chapter "Peace building from Below: Conflict resolution, the role of women, and peace governance in select Cotabato, Maguindanao and Sultan Kudarat communities" described and analyzed on-the-ground, grassroots based initiatives aimed at peacebuilding in different conflict-affected barangays (villages) in Central Mindanao, especially in the provinces of Maguindanao and Sultan Kudarat. In these localities, vertical and horizontal conflicts have wrought massive destruction to both lives and properties, and have displaced thousands of community members. Efforts to promote peace in these localities include initiatives of ordinary grassroots organizations, local government units, and the support of international non-government organizations. Grassroots peacebuilding, or "peacebuilding from below" has been considered a pragmatic localized peace-building approach. In the peacebuilding landscape, such an approach is at the base of the universe of peacebuilding actors (Track Three). But such efforts and the issues that these address are not elevated to Track One, or to the level of policy and decision makers. Moreover, creating localized platforms for peace may be relevant for community

members, but these are not sufficient to create ripples in the entire hierarchy of actors, especially among groups that can influence the war machineries of both government, local warlords, rebel groups, and feuding clans. In the power analysis framework, grassroots initiatives toward peacebuilding can create the platform to convince local communities to follow processes aimed toward community peace (like local conflict resolution and peace governance in the barangay level). The influence of such processes and platforms may not be sufficient to create structures that promote durable peace.

The four case studies illustrated the diversity of localised strategies towards conflict resolution and management, and the ways they drew upon local cultural underpinnings, which value social harmony and reconciliation following traumatic violent episodes that tore the communities apart. These strategies do not depart from given formal templates but are rather hybridized to come up with institutions and mechanisms that work for the local people. Sensitivity towards inter-ethnic relations and pragmatism have led to the creation of platforms and spaces for dialogues - where at least some semblance of normalcy can be attained. Yet it was evident that the conflicts were never completely resolved (or that durable peace is attained in these communities), nor did the violent episodes go away for good. There are serious limitations to these informal and hybrid platforms: selective in their application, uneven functionality, do not promote substantial inroads into formal mechanisms at the higher level (whether Track 1 or to mechanisms located at the central government level) and even unjust to one ethnic group. But these unique case narratives point to the variety of endogenous efforts complimented by outside assistance, whether from government, civil society and international donors and how such collective work yield positive, although untenable security outcomes for the local population.

Contents

FOREWORD

When the fighting stops: organic local conflict resolution1
initiatives in Iranun areas (Mindanao, Philippines)

Rosalie Arcala Hall

Conflict management in Betong district - Managing 11
differences in the context of Southern
Thailand insurgency violence

Prangtip Daorueng

Dealing with the violent past: Managing tensions23
between Malay and Madura ethnic groups in Sambas,
West Kalimantan (Indonesia)

Rina Shahriyani Shahrullah

Peace building from below: Conflict resolution,37
the role of women, and peace governance in select Cotabato,
Maguindanao and Sultan Kudarat communities (Philippines)

Rufa Cagoco Guiam

ABOUT THE AUTHORS

When the fighting stops: organic local conflict resolution initiatives in Iranun areas (Mindanao, Philippines)

Rosalie Arcala Hall

Introduction

For over four decades, the Bangsamoro conflict in Mindanao, Philippines has been conventionally understood as between the state and minority Muslims, represented by armed group Moro National Liberation Front (MNLF) and splinter formations Moro Islamic Liberation Front (MILF) and the Abu Sayyaf Group (ASG). The narrative behind this vertical conflict points to the marginalisation and economic displacement of Muslim minority populations due to deliberate Philippine state policies of Christian migration and the opening of lands for large scale agriculture in their traditional homeland. However, state-minority conflict is embedded within a complex political ecology dominated by private-army supported local strongmen types or bosses focused on extracting the natural resources of their areas parallel those of the predatory state (Sidel 2000); civilian militias; breakaway rebel factions and criminal groups (kidnap-for-ransom) connected by a web of interdependencies (Adriano and Parks, 2013: 2; Gutierrez, 2013: 137). Local elites, given their close link with people through their family or clan networks, are both a source of physical security and conflict (Adriano and Parks, 2013: 4). Where local elites are drawn into political rivalry, they are able to draw upon these networks thus making contestations especially violent. The diversity of non-state armed groups operating within the same conflict zone, the porousness of affiliations within these groups and their tendency to join together at critical moments or to converge/disband at opportune time, and the strong role played by elites in these settings make for a volatile security mix.

In many Bangsamoro localities, insecurities abound as the primacy of clan and ethnic identities strongly support the spiralling of conflicts. While it is recognised that most threats to security are from non-state armed groups (Buchanan, 2011:13), the strong pull of clan relations mean that members who are in the state security forces (police or military) or in the armed rebel group (MNLF or MILF) are drawn to get

involved in clan feuding (rido), criminal or terroristic acts as matter of obligation. Weak government presence and the persistence of illegal economies, including gun proliferation provide dangerous contexts to the continuation of violence (Buchanan, 2011: 16). Incidences of this conflict spiral have been recorded: (1) the November 2014 conflagration in several villages bordering Aleosan and Midsayap, North Cotabato involving members of the MILF and Bangsamoro Islamic Freedom Fighters (BIFF) ("Dozens displaced, 27 houses burned in rido in North Cotabato", *Mindanews*, 21 November 2014); (2) rido between rival local village leader (barangay captain) backed by armed Civilian Volunteer Organisation (CVO) members and a local MILF commander and his men in Kidapawan, North Cotabato ("3 killed as feuding families clash," *Sun star Daily*, 10 January 2014). Absent clear mechanisms, nothing prevents presumably semi-legal formations like civilian volunteer organizations and militias to be used as security guards for local politicians and clans (Buchanan 2011, 22).¹

Within this highly insecure environments, formal legal structures for resolving conflict are presumed to be in place. The law provides for peace and order councils (POC) at the village (barangay) and municipal levels; there are also local circuit courts as well as government Sharia courts for family and civil matters among Muslims. However, in most Bangsamoro communities, these structures are rarely present; nor are they the platform of choice by locals. Instead,

¹ The infamous massacre in Maguindanao in December 2009, which resulted in the death of over 60 individuals including female kins of Maguindanao gubernatorial candidate Mangundato and journalists, is illustrative of a case whereby members of civilian volunteer organisations and barangay tanods (village militias) were used by rival and then incumbent Maguindanao governor Ampatuan for political ends. The mass murder case is being tried to date, and many implicated CVO and barangay tanod members still on the run from authorities. Following the incident, CVO were reclassified as Private Armed Groups, rendering them "illegal" formations.

alternative mechanisms are in place to address conflicts. There are traditional institutions rooted in Islam and local culture-based practices of mediation and arbitration; although their functionality is uneven across communities, some are greatly weakened by decades of conflict. Conflict prevention mechanisms arising from peace agreements between the central government and the MILF (e.g. Coordinating Committee for the Cessation of Hostilities or CCCH, the Ad Hoc Joint Advisory Group or AHJAG, and local conflict monitoring stations operated by civil society organizations) are also sufficiently localised but they are set up primarily for vertical conflict and not for rido (Hall 2013; Adriano and Parks, 2013:3). Arrangements for cessation of hostilities are in place, but they only cover state security forces and the MILF/MNLF, not other non-state armed groups (NSAGs). In areas surrounding Moro Islamic Liberation Front (MILF) camps, "shadow" Sharia courts are also in place with the MILF dispensing its own Islam-based justice system.

This chapter surveys and examines local conflict resolution initiatives in the Iranun area of Maguindanao province, covering the former MILF Camp Abubakar communities of Parang, Buldon, Matanog and Barira. The Iranun area is chosen as locale given the relatively high incidence of rido/clan feuding and the strong MILF influence in many communities. There have also been initiatives under deceased Barira Mayor Alex Tomawis and incumbent Parang Mayor Ibrahim Ibay to build inter-municipal formations dealing with security. The data is drawn from interviews of three sets of key informants representing the different types of conflict resolution mechanisms: formal (to include local chief executives through the Lupon Tagapamayapa and the Autonomous Region for Muslim Mindanao Regional Reconciliation and Unification Council or ARMM-RRUC); hybrid (religious and secular members of Ulama Council, Joint Ulama Municipal Peace and Order Council or JUMPOC and MILF-affiliated organizations); and informal or customary leaders (military commanders and elders) who have had prior involvement in resolving local violent conflicts especially rido. The study also examined the secondary literature as well as program documents relating to external donor or civil society intervention/s in support of conflict resolution in the area.

There are customary and hybrid structures present in the Iranun area. Traditional mechanisms that make use of mediation and arbitration through elders and

respected community leaders, coexist with shadow MILF Sharia courts and its enforcement arm, as well as hybrid legal formations such as the Barira Joint Ulama Peace and Order Council (JUMPOC) and Inter-municipality Iranun Development Council, with an adjunct arm dealing with rido settlement. What works in the Iranun area do not fit the formal mechanisms established under the law (e.g. Republic Act 1071 on the establishment of Sharia Courts or Executive Order 366 on the formation of Local Peace and Order Council). Rather, the preferred informal mechanisms are inserted into formal legal procedures as preliminary stages and its operations receive support (financial or logistics) from formal government authorities. These mechanisms in turn are supported by hybrid arrangements for security management, which brings together both formal (local government authorities, police, military) and informal (MILF, civil society group affiliates) actors.

The Iranuns and their Conflict Map

The Iranun area of Maguindanao comprise the towns of Parang, Buldon, Barira, Matanog and Kapatagan. The Iranuns are one of the known Muslim ethnic groups, distinct in terms of culture from the more numerous neighbouring tribes of Maguindanawon and Maranao. Parang, with its coastal location and strategic location at the cross roads (Narciso Ramos highway), which links Cotabato City (Maguindanao), Marawi City (Lanao del Sur) and Pagadian (Zamboanga del Norte), serves as the area hub for commerce. Because of its location, the Iranun area is also an important corridor for illegal activities (kidnapping and drugs) between Lanao del Sur and the Liguasan marsh. The relatively remote mountainous interior towns of Matanog, Buldon and Barira also comprise the poorest among the Maguindanao municipalities, with weak (sometimes absent) local government structures.

The Iranun area is also historically noteworthy for being the ground zero of the Philippine government's 2000 All Out War campaign against the MILF. Because the MILF's main camp was at Camp Abubakar (located within Matanog and Barira), the area came under heavy attack and witnessed heavy fighting for the 3 month-offensive. There was widespread displacement of residents from Matanog, Barira and Buldon towards Parang where many of the evacuation centres were located. While some returned to their localities, the "collective trauma" induced greater mobilisation to

establish local security arrangements that would help monitor, pre-empt and resolve conflicts in their area. With positive developments in the Government of the Republic of the Philippines (GRP)-MILF peace processes beginning 2010, the LGUs in the area have also come up with arrangements with collocated security forces (police, army, CVO, CAFGU, MILF). Informal civilian groups (including those affiliated with MILF) have also emerged to deal with law enforcement challenges such as drugs, cattle rustling and kidnapping.

During the term of former Barira Mayor Alex Tomawis (2001 to 2010), the area was organised as a grouping for purposes of development. The Iranun Development Council (IDC) was created alongside, aided greatly by Mayor Tomawis' political affiliation with the mayor of Parang and his close links with then Maguindanao Governor Ampatuan. With Mayor Tomawis' death, the erstwhile political leadership of the area fell to Parang Mayor Ibrahim Ibay who continues to support the IDC and at the same time build inter-municipality structures to address horizontal conflicts afflicting the contiguous municipalities.

The Iranun municipalities face three kinds of security challenges: (1) rido or clan feuds; (2) illegal economies of drugs and kidnapping; and (3) vertical conflict between government troops and the MILF. Of the three, the third has gone down significantly owing to the effective localisation of the agreement mechanisms such as the Coordinating Committee on the Cessation of Hostilities (CCCH) and informal security arrangements between local commanders on troop placement and movement. Rido has increased in occurrence over the past few years, with the ARMM-Regional Reconciliation and Unification Council (RRUC) listing about 20 (9% of the 228 total for the ARMM) (N. Manalao, presentation, 30 April 2014). Lingga (2014: 49) says that of the 218 rido incidents from 1975-2014, the highest numbers are those from the Iranun towns of Barira (35), Matanog (29) and Parang (15). Lingga (2014: 49) also notes that there was dramatic spike in number since 1995. Mr. Manalao (personal communications, May 2014) and Mayor Ibay (personal communications, 23 July 2014) also mentioned that the character of rido has changed significantly, with more cases (killing) transpiring in Parang but involving parties that come from the other Iranun towns. Parang traditionally was considered a "neutral zone" for rido, being as it were the big market for the Iranun area where people come down for business.



Figure 1. Splice of Core Territory Map of the Bangsamoro by the Institute for Peace and Development in Mindanao (IPDM MSU-IIT) and GIZ (German Aid Agency)

Rido is a localized, intergenerational violent clan feuding fed by memories of injustice. Close relatives, usually males are targeted for these cyclical revenge killings. Rido thrives largely given the contexts of arms proliferation and weak government structures in the Iranun area. Previous studies have pointed to the following factors: slighted maratabat or clan honor (often show of disrespect towards womenfolk), land conflict or political rivalry (Canuday 2014). Where family alliances are formed to advance a political agenda (e.g. contest local elections), rival family-based political alliances coupled with election defeat (particularly at the barangay level) could trigger rido. Strong clan relations can also result to conflict spirals from rido- with parties drawing upon material and personnel support from clan members inside the various collocated security forces (police, army, CVO, CAFGU) and the MILF/MNLF armed groups. While largely understood as a "private" matter, rido can compromise community security and commerce. When

rido becomes virulent, fighting transpires in major centres and alongside highways, compromising commercial traffic ("*hindi madaanan ang highway*" lit. the highway is un-passable [given the security risks]). It also becomes debilitating to community life as everyday business stops because of fear of being targeted. Consciousness of this "tipping point" alerts law enforcement agencies on rido, although as a matter of protocol the police and the army stay out of the fray. Sometimes, such keeping distance even goes to the point where dead bodies/victims are not collected for fear of being caught in the middle of cross fire ("*hindi dinadampot ang patay*" lit. the dead bodies are never picked up).

Customary and Hybrid Mechanisms: Islamic-based and beyond

The Philippine legal framework has two important anchors in dealing with conflict. As conflict management mechanism, the local Peace and Order Council (POCs) is tasked to maintain public order, promote peace and safety, deal with criminality and address insurgency. Among its mandates include the authority to create civilian volunteer organizations, to be used as force multiplier by the local police in the latter's operations. As formal conflict resolution mechanisms, there is also the *barangay* (village-based) *Lupon Tagapamayapa*; cases not resolved at their level are elevated to local civil courts and to Sharia courts for Muslims. This justice system is supported by the police tasked to serve arrest warrants. As in many Bangsamoro areas, the POCs are not always organised by the local chief executive nor meet regularly (M. Orense, Comments during the Focus Group Discussion, 19 April 2013). Where convened by the local chief executive (mayor or *barangay/village* captain), they often are not preferred mechanisms for locals to report and find ways to resolve conflict. Neither are formal

² In a survey conducted among civil society representatives and community members from other Maguindanao towns (Datu Piang, Buluan, Datu Blah Sinsuat and Datu Odin Sinsuat), many respondents were found unfamiliar with the Sharia Civil Court and hesitant to bring their cases before the Municipal Trial Circuit Court because of perceived inability to enforce and to ensure their physical safety. They also adjudge the *Lupon Tagapayamapa* as having limited jurisdiction and capacity. (Makalingkang, 2013: 56). Pigkalan (2013: 45) argues that the ineffectiveness of the formal Sharia civil courts is due to the existence of traditional ways and rival MILF and MNLF courts, which locals prefer.

mechanisms for conflict resolution (*Lupon Tagapamayapa* and courts) preferred by locals.²

The towns of Barira and Parang had functional POCs (see discussion of Barira JUMPOC below), but as far as can be established, there are none in Matanog and Buldon. Moreover, the justice system is further rendered weak by the poor performance of the local police (Buchanan 2011: 32). The local police in these areas are mostly utilised as personal body guards of the mayor (who invariably do not stay in their own localities but rather in Parang) and in fact, are absentees from their post (Hall 2013).

Traditional conflict resolution methods, framed by Islamic religious precepts are more common.³ Islam as a religion, observes the following principles behind conflict resolution: (1) that offending party pledges not to repeat the transgression; (2) if such promise was broken, punishment is meted out accordingly; (3) emphasis is on mending relations (restorative justice); and (4) calls for the participation of negotiators/mediators (sultan or *data*, elders or clan patriarchs-go-betweens who are typically the head of the family commanding respect and are well-known for their sense of fairness) in settling conflicts. The settlement allows for compensatory payment to the aggrieved or victim's family by way of "blood money." As mediators, they try to find a common ancestry to link the parties in conflict by way of the *tarsila*. Such settlement can be formalised by swearing in before the Koran, witnessed by important community leaders (non-conflict parties). As causing harm and killing are prohibited under Islam, *ulamas* (religious leaders) play an important role in education and rehabilitation of offenders. For some Muslim leaders, the occurrence of rido is indicative of the poor moral fabric of Muslims in Mindanao and therefore treats such as morality issue rather than a security concern. As a forum, these customary mechanisms are preferred because: (1) they are

³ Russell (2012: 70-72) sees the use of traditional conflict resolution mechanisms in addressing rido as indicative of the lack of effective 'rule of law.' That locals are elicited to choose between this and the Sharia courts (formal and shadow-MILF) invoke a moral question- who pays for the blood money? The system of reparations payment has in many ways produced corruption as leaders (notably politicians) are habitually approached to produce them. In the end, the traditional mechanisms also effectively undermine the national legal system.

available to most conflict parties; (2) not costly; (3) fast in terms of decision; and (4) allows for trust/mending of social relations.⁴

Some documentation of these Iranun-specific traditional conflict resolution methods are provided. The use of adat-betad (customary rules), which emphasises amicable settlement was documented by TASBIKKA Inc. (2012). Informal, ad hoc groups are organised to facilitate conflict resolution consisting of elders and respected members of the community (drawn from noble or well-known families). First, the role of mediator is extended as well to formal political leaders such as the mayor, Lupon Tagapamayapa member, a datu/sultan and ustadz. The key dimensions are the mediator's acceptability to both parties and local standing. According to Ustadz Janor (personal communications, 29 April 2014), a rido is brought in for settlement when the situation is ripe, that is either the loss has been tremendous for both parties or when one party has sufficiently recovered from the material loss to accept the possibility of blood payment. This readiness to settle is then signalled to the third party/mediator who then devises meetings with clan patriarchs. Efforts are extended for either parties not to lose face.

Apart from the customary mechanisms, some hybrid institutions have also been formed as alternate platforms. Barira has the Joint Ulama Municipal Peace and Order Council (JUMPOC), that addresses conflicts including marital problems and political feuds (Lingga 2014:56). The JUMPOC also functions as clearinghouse for rido settlement, with cases "appealed" from the barangay to district (4 barangay comprise one district) and further on from JUMPOC to the regular trial court. Similar formations are present in Buldon (Council of Elders); Matanog (Ulama Council), while Kapatagan has Saldayko Ginukot. These are hybrid in composition because these councils include ulama, traditional leaders, local government officers and those from the professional sectors. The JUMPOC illustrates the seamless insertion of traditional into formal systems - where a complaint is received, the district members invite the barangay captain where the parties reside, conduct an investigation and carry out hearings where the parties and witnesses, and makes a decision. If

parties are not satisfied the district's decision, the matter is elevated to the municipal council; where still not resolved it is lodged with the formal trial court (Lingga 2014: 56). The system also allows for honorarium payment for services of mediators charged to local government funds. Ustadz Ali Togo, Chairman of the Barira JUMPOC gave some insights on the mechanisms' hybridity (personal communications, 08 August 2014). He is given a small honorarium by the Barira LGU (but no office support), often augmented by personal contributions by slain Mayor Tomawis' mother for their work. Ustadz Ali Togo, as religious leader also gets a small honorarium from the current governor; he reports at the Barira municipal hall every Monday along with district representatives. Typically, the cases JUMPOC handles are serious, i.e. "namatayan na" lit. resulting to death. The variety of cases he has handled ranged from land conflict, dowry dispute or treatment of women. Each JUMPOC is divided into districts (cluster of barangays) with assigned ulama acting as intermediate conflict resolution body where barangays fail to settle conflicts. It is JUMPOC's policy not to encourage forced capture of livestock (as dowry or payment) but to have such livestock deposited first with JUMPOC until the matter is resolved. Ustadz Ali Togo is confident that once the Bangsamoro Political Entity is in place and with Sharia courts put up, cases such as these will simply be handled at that formal level. The Ulama Council is mentioned by Matanog Mayor Mohammad Ali Guro (personal communications, 07 June 2013) as an informal mechanism composed of religious leaders (linked to MILF) whose jurisdiction cover Matanog, Barira, Buldon and Parang. He was approached by the group during his incumbency as Vice Mayor of Matanog for assistance in coming up with blood money as part of a rido settlement. One respondent even claimed that the 10% Internal Revenue Allotment (intended for disaster risk reduction) can be used for conflict settlement, i.e. payment of blood money, although such is not authorised under the government's accounting rules (N. Bansilat, personal communications, 22 April 2013).

The MILF also maintains their own system of dealing with rido, a description of which is provided in detail by Lingga (2014). Once a complaint is lodged before the MILF, an initial investigation is carried out to establish the case's merit. Both parties to the conflict are then asked to submit the dispute to MILF's jurisdiction and commit to abide by its decision. As a deterrent to forum shopping, they are also required

⁴ The same conclusions were derived from the survey of members of Council of Elders (datus, ustadz, ulama and government officials) in select Maguin danao towns by Datumanong (2013: 2). Many of them say that traditional mechanisms are accessible, have no complex bureaucratic structure, and impose no fees.

to withdraw or desist from filing cases in the government courts. The MILF Central Committee orders its provincial or municipal organs to constitute a committee composed of influential member of each family to act as mediators, and more importantly, to bargain for and observe a ceasefire. If this fails, then the case is elected to the MILF Sharia Court, which is based on criminal and civil laws adopted by the MILF. The MILF system observes the following principles: (1) a settlement includes blood money paid to the family of victim killed by mistake (maximum payment of 120,000 pesos is set) or forgiveness (without payment of blood money); (2) the offender gives this settlement to the house of the aggrieved family, accompanied by his relatives and elders; and (3) oath taking that the peace pact, written down and witnessed by prominent leaders in the community, will not be violated. The MILF allows for the sourcing of funds from political leaders and religious leaders to pay for the blood money.

In the Iranun area, the MILF Sharia Court's implementing arm is Task Force (TF) Kalilintad. Task Force Kalilintad's mandate is broad, including arrests of those in breach of Islamic law (*mongkarat*) or Muslims engaged in kidnapping, gambling, drugs and of course *rido*-based murder (M. Watamama, personal communications, 21 May 2014; TASBIKKA 2012: 6). Their functions distinguish between *rido* cases and anti-*mongkarat* activities. Task Force Kalilintad enforce MILF Sharia court warrants; while semi-legal, they are uniformed, known and carry nameplates. Mayor Mohammad Ali Guro (personal communications, 07 June 2013) consider TF Kalilintad as the MILF's "peacekeeper" when it comes to *rido*; they are tasked to physically separate the parties in conflict and negotiate a ceasefire. According to TF Kalilintad Chair person Mir o Watamama (personal communications, 21 May 2014), since their formation, they have worked with Mayor Tomawis and Mayor Ibay for these functions. They have coordinated with them and even received logistical support for their operations. Their advantage as a group is that they can't be sued (hence, they have considerable operational flexibility). TF Kalilintad also has arrangements with the collocated army unit in Parang (37th Infantry Battalion). In one instance, they have arranged for the army to arrest a suspected murderer (netted from checkpoint) and then subsequently turned over to TF

Kalilintad.⁵ TF Kalilintad does not have as good relations with the local police, whom they treat as rivals. Despite these arrangements, the MILF justice system has also limitations given that many *rido* cases are conflict spirals- they involve parties with relatives belonging to the police, militia, army and MILF (Lin gga, 2014: 61; M. Watamama, personal communications, 21 May 2014).



Dr. Hall with members of Task Force Kalilintad, Parang, Maguindanao

A number of supra-municipality arrangements on security are present in the Iranun area. Spinning off from the IDC, the Iranun Supreme Council for Peace and Development (SEC-registered NGO) was formed to address security/order supra-municipality (S. Zaman, personal communications, 03 August 2014). The body, with 7 members from each municipality (hand picked by mayors; *ulama*, *ustadz*, *imam* and *sultan*), was formed to mediate cross-border conflicts not resolved at the municipal level. It received recommendations/case endorsements from Barira JUMPOC and Ulama Council. Thus far, the Supreme Council takes credit in laying the groundwork of settling two high profile *rido* cases: (1) Tomawis (Barira, Parang) and Dagalangit (Barira) with Sultan Kahirma Macapeges as mediator; (2) Imam versus Macapeges *rido* with Mr. Quirino Oranto (from civil society) as mediator. ISCPD's settlement mechanisms borrow from the same

⁵ FGD participants from Matanog (19 April 2013) and Barira (22 April 2013) confirm that the local army and MILF units coordinate with each other in serving arrest warrants (issued by MILF Sharia court) and turning over of suspects. Although not part of the CCCH mandate, *rido* matters are nevertheless coordinated between the two armed groups.

customary rule book: payment of blood money, ulama visiting family members to make sermon on the Islamic concept of peace and development, a kanduli to concretise settlement and swearing of parties before the Koran. Like other arrangements in the area, the ISCPD also dabbles in law enforcement, backing up the police and the military in pursuit operations against drug pushers. They also connect to the AHJAG mechanism (ad hoc joint advisory group of MILF and GRP) for filing complaints on violations. Another example of inter-municipality arrangement is the Ompiya-ku Iranun, which operates against cattle rustling.

The ARMM-Regional Reconciliation and Unification Council (RRUC) has been involved in mapping and monitoring rido cases in the Iranun area (N. Manalao, personal communications 22 May 2014). The office works with local civil society groups in monitoring active ridos, verifying processes of conflict settlement and witnessing settlements. In the Iranun area, there is a rido watch group called Bangsamoro Bitiyara Kalilintad which had initiated meetings in Barira to help find a settlement of the Malabnag and Picong rido case (N. Manalao, presentation, 30 April 2014).⁶ As an office, RRUC is instructed not to contribute blood money given concerns that such distorts the process ("pinagkakaperahan" lit. make money from). Instead RRUC solicits money from their various contacts (politicians, businessmen) for financial support for ceremonial preparations (e.g. kanduli or ritual celebratory feast) including food and venue. It also finds conflict mediators or facilitators from their known networks. The RRUC claims having been instrumental in settling some minor rido but that involving the clans of Tomawis and Dagalangit they have been unable to. A ceasefire agreement was tried back in 2012, but failed.

Security forces play an important role as well in preventing or mitigating rido. For instance, clan reinforcement is diffused with military checkpoints and

⁶ Most of the non-government groups working on rido settlement in the Iranun area are "organic/local." The Community Organising Multiversity (COM), a Cotabato-based NGO has been identified by FGD participants from Matanog (19 April 2013) as having provided contribution for blood money payments to rido settlement. There are also reports of NGOs like the Gerry Roxas foundation with programs for capacity training in conflict resolution, mediation, counselling and arbitration for the Barangay Lupong Tagapamayapa (see Chapter of Rufa Guiam in this volume). However, no barangay from the Iranun area is included.

force perimeter presence. At the Parang LGU level, an ordinance was passed establishing certain areas of the municipality as gun-free zone (Ibrahim Ibay, personal communications, 23 July 2014). The move is sustained by the deployment of Task Force Padang Padang jointly composed of police and army elements conducting check points in strategic areas and enforcing the town's curfew hours. Barangay home guards (tanods) are also deployed on regular foot patrols. The 37 IB located in Barangay Nito and the Police Regional Office-ARMM are seen as important partners to the LGU efforts at curbing criminality arising from loose proliferation of firearms. These robust security measures focused on prevention and apprehension support the work of conflict resolution mechanisms (Parang Municipal Peace and Order Council 2014).



Dr. Hall with Mr. Norodin Manalao of Autonomous Region for Muslim Mindanao Regional Reconciliation and Unification Council (ARMM-RRUC).

In a previous study by Hall (2013), the military is found to be engaged as well in conflict management, notably rido. Although not officially part of its mandate, the local army unit participates in rido conflict management as witness to written settlements and in the ritual celebrations (kanduli).⁷ Under the 603rd Brigade's Special Advocacy on Literacy/Livelihood and Advancement for Muslims (SALAAM) in the Iranun areas, they also claimed to have solved 7-8 minor rido cases, often soliciting from politicians the requisite blood money needed for the settlement (G. Jose, personal communication, 19 April 2013). Wary with rido spiralling to involve members of its own troops, the army maintains a "no intervention"

⁷ The army's participation in a kanduli celebration in Balabagan, Lanao del Sur is chronicled by Yabes (2011: 161-163).

SOP when reports reach them. Local MILF units are also given instructions to let local initiatives/traditional approaches handle the rido first (Ladiasan, personal communications, 07 June 2013). Where rido involves local politicians or government officials, the protocol is for the MILF units to stand-by but remain within the perimeter of the conflict site to let the parties know that they are around (magparamdam lit. to make their presence known) (Ladiasan, personal communications, 07 June 2013). The MILF has a separate Task Force Itihad, a "peacekeeping force" organised and deployed to deal with high level rido cases involving their ground commanders, thus indicating their own initiatives in managing this type of problem.

Despite this diverse conflict resolution platforms and management approaches, Iranun locals prefer to bring their concerns to the attention of MILF's Task Force Kalilintad or its Sharia court. While the Lupong Tagapamayapa (barangay justice system) is in place, locals from Matanog and Barira who participated in FGD discussions say they prefer using MILF instruments because they are sure that outcomes will be enforced and that their physical safety will not be compromised (T. Musa, Comments during the Focus Group Discussion, 19 April 2013; F. Acmad, *ibid.*). For Mayor Guro (personal communication, 07 June 2013), despite the presence of the traditional and shadow MILF mechanisms for rido, it remains a fact that such type of conflict is difficult to settle particularly where it involves families with connections in the government. This is further complicated where an arrest warrant has been issued by the local court (formal) against the suspect, making any type of negotiation untenable because of fear of being arrested by the police. Mayor Guro says of the 5 unresolved rido cases in his municipality, that involving the families of Dikal and Makadatu; and between Barangay Chairman Moka and Barangay Chairman Pabli he has no confidence will be resolved soon because of standing warrants of arrest.

Conclusion

The Iranun area has a complex conflict landscape, which is characterized by the preponderance of rido or clan feuding over a political environment of weak formal governance and overt presence of security forces, both state (military, police, paramilitary, militias) and non-state (MILF/MNLF rebel groups). There is a diverse ecology of formal and informal institutions for conflict resolution and mitigation, all

of which co-exist although their presence and functionality are highly uneven across localities. In general, the formal mechanisms like the village-based Lupong Tagapamayapa, municipal circuit and Sharia courts are not patronised as platforms because of perceptions that they do not guarantee the physical safety of parties and that their outcomes cannot be enforced by the local police (with their own set of pathologies). Informal institutions abound: those using tradition-al/customary mechanisms like the Ulama Council and MILF Sharia courts, which is indicative of the MILF shadow government apparatus in the area. The Ulama Council does not have an enforcement arm, while the MILF Sharia court has Task Force Kalilintad, which among other things serves/effects warrants of arrest issued by the shadow court.

The informal institutions are suggestive of hybridity: (1) formations (JUMPOC, Ulama Council) with mixed memberships drawn from the religious leaders, government officials and local heads patterned after government-sanctioned Peace and Order Council template but observing traditional/customary rules; (2) platforms with a built-in case referral process that marries both formal and informal institutions (barangay to district cluster to JUMPOC then to MILF Sharia or municipal court) depending on the gravity of the case or failure to arrive at a settlement at any level; (3) conflict resolution activities such as negotiations, hearings, payment of blood money and holding of ritual celebration of settlement (kanduli) which are financially supported by the local government, although its legality is questionable (e.g. the use of Internal Revenue Allotment); (4) informal mechanisms involve participation by "formal" actors such as the barangay captain, mayor and local military commanders as mediators/go-betweens, blood money contributor, witnesses to peace pacts), indicating flexible arrangements; (5) inter-municipality arrangements exist such as the Iranun Supreme Council and Peace and Development and Ompiya ko Iranun Group but the number of cases they handle have not been established in this research; (6) regional formation like the ARMM-RRUC also plays a role in conflict settlement, however limited only to mapping, monitoring and facilitating negotiations between parties (absent commitment to payment of blood money); and (8) robust security measures to mitigate and manage rido, such as checkpoints, perimeter presence (show-of-force), non-intervention SOP by local military and MILF forces, and deployment of dedicated MILF troops for peacekeeping or to effect a ceasefire for rido involving their ground commanders.

Arrangements between security forces (i.e. between TF Kalilintad and the local army unit on arrests in conjunction with rido) suggest that norms of coordination between the MILF and government army have been carried over even to matters outside the remit of the Coordinating Committee on the Cessation of Hostilities (CCCH) and Ad Hoc Joint Advisory Group (AHJAG). There are also parallel security arrangements to mitigate rido incidents between the mayor (at least in Parang) and various security forces within the municipalities' jurisdiction.

That said, there are serious limits to the usefulness of informal and hybrid mechanisms for conflict resolution in the Iranun areas. Only low profile rido cases can be handled by these mechanisms; those involving families with large following (implicitly, those with political connections and have access to larger number and more high-powered firearms) do not submit to nor can be resolved using said platforms. Where formal arrest warrants (by the municipal circuit court) have been issued, this usually precludes negotiation between parties as fear of arrest by the police becomes a distinct possibility. The MILF likewise prevents forum shopping by requiring for parties to refrain from filing a legal case where one is pending before their Sharia courts. The emphasis put on blood money as payment, which runs into high amounts generates an adverse economy and perverse incentives.

Future Implications

The existence of informal mechanisms for local conflict resolution to include the most serious of crimes, like murder arising from rido is a double-edged sword. On one hand, it suggests the persistence of traditions and customs that puts importance to reconciliation and mending societal relations at the core of conflict resolution, not necessarily reflected in the Philippine judicial system with its win-lose dichotomy. These mechanisms are accessible and are the preferred platform for the local population, suggesting that it works for them. From the point of view of legalists, these traditional/customary mechanisms erode the formal legal system; and given the case of the MILF Sharia courts, an indication even of an alternative governance platform. That the MILF Sharia courts exist parallel to government courts (even the Republic Act 1071 Sharia court) and are more utilised than the government apparatus puts to question the very legitimacy of formal institutions. Among pessimists, traditional/customary mechanisms suggest the lack of rule of law in the Iranun area as locals are encouraged to forum shop, and where found wanting, to simply

set aside these serious crimes unresolved. With many cyclical rido cases, the finally of "resolutions" are put to question. The inapplicability of such mechanisms to high-profile rido cases between political families is also a serious limitation.

Prior agreements between the central Philippine government and MILF already presage the need for reforms in the judicial system to address the gaps identified in this study. The GRP-MILF Decision Point on Principles (April 2012) for instance cites "the need to strengthen the Sharia courts and expand their jurisdiction over cases... [with] the new political entity having competence over the Sharia justice system." The 2014 Comprehensive Agreement on the Bangsamoro (CAB) echoes the same principles under Section III, Number 3 and adds "[that] the supremacy of the Sharia and its application shall only be to Muslims. Section III, Number 5 enumerates further that the proposed Bangsamoro Basic Law will include the "competence of the Sharia court, measures to improve the workings of local civil courts and alternative dispute resolution systems" while Section II, Number 6 states that "... the customary rights and traditions are to be taken into consideration in the Bangsamoro justice system... to include also those of indigenous people's."

Clearly, there is already a consensus between the government and the MILF at least about the need to reconcile the diverse platforms for conflict resolution and make them accessible, workable and useful to locals, particularly for Muslims and for indigenous peoples. Whether reforms under the proposed Bangsamoro Basic Law and under the new Bangsamoro Political Entity will come by way of "institutionalization" of the erstwhile informal mechanisms (i.e. with fixed organisational features, personnel, logistics and operational support) or by creating more local Sharia courts (and their equivalent for indigenous populations) paralleling local civil courts, getting these reforms underway will entail great political commitment. A critical lynchpin for these reforms is the enforcement capability of the local police, and the will of leaders of the Bangsamoro Political Entity to apply these rules, particularly to powerful political clans without necessarily creating a conflict spiral. The tendency to avoid or selectively enforce arrest warrants, for instance, in the face of possible security fiasco, can be avoided where ad hoc arrangements (similar to AHJAG) can be made specifically for law enforcement involving rido.

References

- Adriano, F. and Parks T. (2013) .Contested Corners of Asia: Subnational Conflicts and International Development Assistance: The Case of Mindanao, Philippines Executive Summary. Bangkok: The Asia Foundation.
- Buchanan, C. ed. (2011). Armed Violence in Mindanao: Militia and Private Armies. Cotabato City: Institute for Bangsamoro Studies and Centre for Humanitarian Dialogue.
- Canuday, Jewel. (2014). Big wars, small wars: The interplay of large-scale and community armed conflicts in five central Mindanao communities. In Rido: Clan Feuding and Conflict Management in Mindanao. Wilfredo Torres III ed. Ateneo de Manila University Press: Quezon City.
- Datumanong, A. (2013). Role of Magindanaun Datus in Conflict Resolution. In Resolving Conflict in Muslim Mindanao: Showcasing Four Traditional Mechanisms. James O'Keefe ed. Cotabato City: The Institute of Bangsamoro Studies (IBS) and Centre for Peace and Conflict Studies (CPCS).
- Dunham-Scott D. (2012). Understanding and Engaging the Muslims of the Southern Philippines. Unpublished Dissertation. Pasadena RAND Graduate School. California.
- Gutierrez, E.. (2013). Bandits, kidnapers and bosses: kidnapers of the southern Philippines. In Out of the shadows: Violent conflict and the real economy of Mindanao. Francisco Lara Jr. and Steven Schoofs eds. International Alert: Manila.
- Hall, R. 2013. What works: documenting local conflict dynamics and internal security operations (ISO) strategies in Maguindanao province, Philippines. Paper presented at the Inter University Seminar on Armed Forces and Society (IUSAFS) conference. Chicago, Illinois, USA. 24-26 October 2013.
- Lingga, A.S. (2014). Dynamics and Management of Rido in the Province of Maguindanao. In Rido: Clan Feuding and Conflict Management in Mindanao. Wilfredo Torres III ed. Ateneo de Manila University Press.
- Makalingkang, M. (2013) Dispute Settlement Mechanisms in Maguindanao Province. In Resolving Conflict in Muslim Mindanao: Showcasing Four Traditional Mechanisms. James O'Keefe ed. Cotabato City: The Institute of Bangsamoro Studies (IBS) and Centre for Peace and Conflict Studies (CPCS).
- Manalao, N. (2014). Regional Reconciliation and Unification Commission Strengthening Peace-building in ARMM and Beyond. Presentation during The Asia Foundation-Conflict Mitigation Forum. 30 April.
- Parang (Maguindanao) Municipal Peace and Order Council. (2014). Five-Year Public Order and Public Safety Plan of Parang, Maguindanao
- Pigkaulan, P.R. (2013) Islamic Conflict Resolution Methods and the Contribution of Shari'ah Courts to Dispute Resolution in Mindanao. In Resolving Conflict in Muslim Mindanao: Showcasing Four Traditional Mechanisms. James O'Keefe ed. Cotabato City: The Institute of Bangsamoro Studies (IBS) and Centre for Peace and Conflict Studies (CPCS).
- Russell, S. (2014). Hybrid Peacebuilding: Ambiguities of NGOs in Southern Philippines. In Experiences of Peacebuilding: Learning the Peace Processes in Contemporary Conflicts. Molnar, A., S. Russell, I. Khen, S. Jitpiromsri, N. Salameh, B. Sapkota and N. Ropers. Pattani, Thailand: Deep Books Publishing.
- Sidel, John. 2000. Capital, Coercion and Crime: Bossism in the Philippines. Stanford: Stanford University Press.
- Tabang Ako Siyap ko Bangsa Iranun saya ko Kalilintad ago Kapamagayon (TASBIKKA, Inc.). (2012). A Study on the Conflict Resolution Method: Iranun Tribe. Parang, Maguindanao: TASBIKKA, Inc.
- Yabes, C. (2011). Peace Warriors: On the Trail with Filipino Soldiers. Manila: Anvil Press.

List of Interviews

- Fatima Acmad. Comments during the Focus Group Discussion. Matanog, Maguindanao. 19 April 2013.
- Ustadz Janor Balo, Al Qalam Institute, Ateneo de Davao University. Davao City. 29 April 2014.
- Nasser Bansulat. Barangay Liong Chairman. Barira, Maguindanao. 22 April 2013.
- Mohammad Ali Guro. Mayor. Municipality of Matanog. Cotabato City. 07 June 2013.
- Ibrahim P. Ibay, Mayor, Municipality of Parang. Parang, Maguindanao. 07 August 2014.
- Captain Gregorio Jose. Philippine Army. Comments during the Focus Group Discussion. 603 Brigade Headquarters, Camp Iranun, Barira, Maguindanao. 19 April 2013.
- Rasid Ladianan. Coordinating Committee on the Cessation of Hostilities (CCCH)-MILF. Cotabato City. 07 June 2013
- Norodin Manalao, ARMM-Regional Reconciliation and Reunification Commission (RRUC) Cotabato City. 22 May 2014.
- SP01 Solaiman Marangit. Philippine National Police. Barira, Maguindanao. 22 April 2013.
- Colonel Manolito Orense. Philippine Army. Comments during the Focus Group Discussion. 603 Brigade Headquarters, Camp Iranun, Barira, Maguindanao. 19 April 2013.
- Tahir Musa. Comments during the Focus Group Discussion. Matanog, Maguindanao. 19 April 2013.
- Mr. Abraham Peno, Executive Director, Tabang Ako Siyap ko Bangsa Iranun saya ko Kalilintad ago Kapamagayon (TASBIKKA, Inc.), Parang, Maguindanao. 21 May 2014.
- Ustadz Ali G. Tago. Member, Joint Ulama Peace and Order Council. Barira, Maguindanao. 04 August 2014
- Mr. Miro Watamama. Chairman, Task Force Kalilintad. Matanog, Maguindanao. 21 May 2014.
- Mr. Saipona Zaman. Executive Director. Iranun Development Council. Cotabato City. 04 August 2014.

Conflict management in Betong district-Managing differences in the context of Southern Thailand insurgency violence

Prangtip Daorueng

Introduction:

Background of the South Thailand Conflict

A new round of armed conflict resumed in the three southern border provinces of Thailand in 2004. It has been over a decade since deadly violence became a part of daily life in the three Muslim-dominated conflict zone. The area which covers three provinces - Yala, Pattani and Narathiwat as well as some districts of Songkhla province - is known as former Pattani Sultanate which was conquered by Siam in 1708.

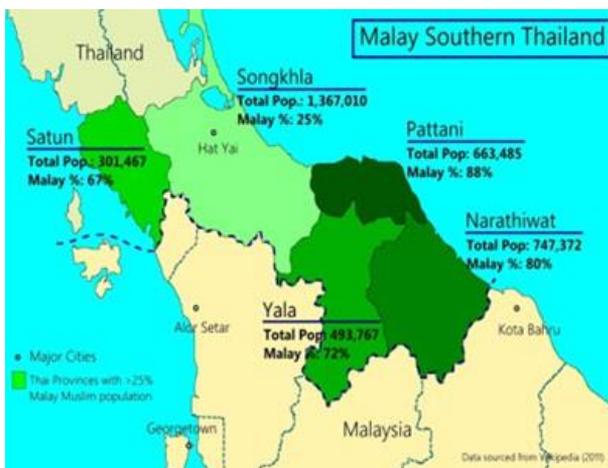


Figure 1. Map of southern Thailand conflict zone

The conflict, which is characterized by armed clashes, bomb explosion and random shooting, is generally explained as an ethno-nationalist insurgency. A substantial number of analyses identify cultural discrimination, economic disparity and unsettled historical memory that exist in a context of highly centralized government as the root causes of the conflict. Additional factors such as local political and economic interests and active crime networks are often cited in Thailand as contributing factors for complication in the conflict zone (Deeto, 2014).

A number of analysts argue that all contributing factors evolve around "identity politics". Srisompob Jitpiromsri (2014) claims that identity politics "which is the claim to power of particular identity" is central to all factors involved. Patrick Jory (2007) in his study on identity politics in the southern border provinces argues along the same line. He points that local Malays population have lived within the competing discourses of several identities, i.e. Thai national identity, Malay ethnic identity, Muslim identity, and "a more localized historical identity of the former sultanate of Pattani and its associated linguistic and cultural traditions". As a result, radicalism is a logical outcome of the long-term denial of Pattani Malay identity by the Thai state and the inherent difficulty involved in fully accepting mainstream Thai identity among the local Malays (Jory, 2007: 25).

What Jitpiromsri and Jory explain is openly confirmed by at least one member of a party in conflict. In his 2005 interview, leader of the now-defunct separatist group Pattani Bersatu Movement Wan Kadir Che Man called the deep-south conflict a "cultural-political issue" in which historical, ethnic, cultural and religious factors intertwined. The basis of the insurgency, he said, lied upon the demand of respect and recognition of Pattani's past history as well as its specific political and economic needs (Noor, 2005). In another interview in 2013 after his return from exile in Sweden to work with Thai authorities in solving the conflict, Wan Kadir urged the local Malay Muslims to come to terms with their status as Thai citizens and to use peaceful political means to push for policy change. At the same time he maintained that the people of the region hold the right to decide on their own destiny (Pathan, 2013).

Obviously not every insurgent groups share Wan Kadir's idea. One decade has passed but the pattern of violence in south Thailand continues to be

protracted. The characteristic of the conflict is vertical, with state-in surgency groups un der umbr ella organization Barisan Revolusi Nasional (BRN) - Coordinate as contesting parties. Insurgency groups target government officials and attack communities randomly while security forces use different security methods to counter-attack, some of which are accused by critics as provoking violence. Between January 2004 and 2014, the death toll from violent incidents in the conflict zone has reached over 6,000.

Despite changing of governments and political turmoil on the national level, strong security presence has continued in the conflict zone almost without inter ruption . In 2012, Pattani-based an alyst organization Deep South Watch estimated 150,000 of security personnel that included military, police, paramilitary and civilian forces combined. The estimated figure went against approximate 9,600 anti-state forces from various groups (Jitpiromsri, 2012).

Government policy on the conflict can be described as highly centralized with a mixture of security oriented and inconsistent peace initiatives. After a 2004 gun robbery at a military camp kick start the new round of conflict, the government enforced the Martial Laws Act, followed by the announcement of the Emergency Decree on Public Administration in State of Emergency in 2005. Both laws allowed a wider security measures in the conflict zone. However, in the same year the National Reconciliation Commission (NRC) was set up with a mandate to propose peaceful solutions to the problem. NRC's members were appointed from of academic community, local and civil society representatives mixed with high-ranking civil servants and security personnel. Unfortunately the NRC proposal, which was submitted after a six-month period, was not seriously taken up by the Thaksin gover nmen t. ¹ As a result, most of its policy recommendations failed to reach the implementation level.

Heavy military means was used in the conflict area after the coup d'état against the Thaksin government in 2006, and continued through 2007. In 2008, Thailand enacted the Internal Security Operations Act. The law, which was applied in the three southern provinces, was seen as a more flexible measure as it allowed suspected insurgents who reported themselves to the authority to attend a six-month educational

program instead of being tried in the criminal court. The latest policy change came after the coup d'état in 2014. The policy making level has since then been led by General Prayuth Chan-ocha, coup leader and Prime Minister with the National Security Council (NSC) acting as advisor body. Policy implementation was taken from the Pattani-based Southern Border Provinces Administrative Centre (SBPAC) and given to a working group comprised of SBPAC and NSC combined. Critics view such change as a more rigid security orientation.

Peace dialogue between gover n men t and insurgency groups has been in every government agenda since 2006. Dialogue attempts receive support from local groups that believe it can be a major stabilization factor for the violent situation on the ground, but it also faces criticism for its unclear direction and lack of efficiency (Jitpiromsri et al., 2013; Pathan, 2013). So far, the dialogue process remains inconsistent and short of clear and wider public support. One reason is its exclusive nature of which information is shared only among small groups of representatives - with a handful of experts from the Thai side taking turns to participate. Without a clear perception on the expected outcome of peace dialogue and how it will lead to solutions, it is difficult for the public, both on the local and national levels to show their support. The latest dialogue attempt brokered by the Malaysian government failed to stop violence on the ground. Intense political conflict on the national level which resulted in the change of government and officials responsible has ended the initiatives. It is still unclear whether the new initiatives will start any time soon.

The prolonged violence has led to less production in the agricultural sector as well as overall unemployment among the youth. Since 2004, economic development has been a part of political strategy to ease tension among the local population through income generation and overall economic revival. Several special projects were created in the past ten years. Programs such as short-term employment of newly graduates as state assistance, and medium-term projects such as infrastructure development and transportation were created. Between 2004 and 2014, government budget on 'solution and development of the southernmost provinces' reached over 20.6 billion bah t (approximately 6.44 billion US dollars) (Krungthep Thurakij Online 2014.1.5).

Nevertheless, economic stimulation via active state expenditure has yet reached a satisfactory level for the

¹ One of the NRC recommendations on having local Malayu language "Jawi" as the second working language in the Deep-South received a strong objection from high-ranking elites in Bangkok.

locals. One of the criticisms is that some of the government projects do not respond to the real need of people on the ground (Khaosod Newspaper 2013-07-03). Slowness in economic development in the three conflict provinces is evident in the area's per capita income. In 2010, per capita income of the three southernmost provinces ranked low when compared to the overall figure of 14 southern provinces which was 104,738 baht (3,273 US dollar). Yala province ranked the highest with 94,611 baht (2,956 US dollars) while Narathiwat had 71,786 baht (2,243 US dollars). Pattani province ranked the second lowest from Satun province with per capita income of 64,157 baht (2,004 US dollars) (Office of the National Economic and Social Development Board 2000-2010).

Despite the shortcoming, one group that benefit from state budget is the civil society. In the past ten years, civil society community has flourished and started to be an important player in the conflict zone. Local non-governmental organizations specializing in various issues have expanded with financial support from Thai and foreign governments as well as other international funders. While the government has maintained its centralized policy making and a top-down chain of command on policy implementation regarding the South, much of state budget goes to local NGOs for medium and large-scale development projects and some local peace initiatives.

Fund from international sources, i.e., foreign governments and international NGOs are released through intermediaries which are either government agencies or national and local NGOs. A 2013 study by the Asia Foundation on foreign assistance in south Thailand shows that currently foreign aid in the South is still much smaller when compared with the Thai government budget and the wider country economy (Parks, Colletta & Oppenheim, 2013). Thai Government restrictions on international agencies and limited international interest on the issue also gave limitations to foreign aid. The report points out that aid programs are shaped by local political, not vice versa. It also predicts that foreign funding to projects in the deepsouth will continue to play a minor role.

Why Betong

Betong is a border district of Yala province which is one of the three severely hit provinces in the conflict zone. It has over 60,000 population which is a mixture of Buddhist of Thai and Chinese ethnics (47 percent) and Muslim of Malay ethnic (51 percent). Around 80

percent of the population is in agricultural sector, mostly own or work in rubber plantation (Office of Provincial Public Prosecution of Betong 2014). In 2012, Betong's border trade with Malaysia generated revenue of five billion baht (156.25 million US dollar) indicating a substantial income for its population size (Department of Foreign Trade, Ministry of Commerce, 2013). Another substantial income of the district is from its growing tourism and related services.

Betong is known as one of the districts in the conflict zone, which are least affected by violence. During the first four years after the violence erupted in 2004, Betong was hit occasionally although not as much as majority of the total 45 districts in the conflict zone. The number of violent incident has reduced significantly since 2008. According to records gathered from all district police stations in the three provinces, Betong reported zero violent incidents in 2011 and 2012. Records from the Southern Border Provinces Administrative Center (SBPAC), a legislative-mandated body to oversee peace and development in the conflict area, shows no armed clash between security forces and the insurgent in Betong district from 2004 to early 2014.

Betong is also one among five districts with less than 200 violent incidents per year in the past decade. In 2013, it reported zero bomb incidents while the rest of the other districts had a total number of 320 bomb explosions combined. Statistics from SBPAC confirm Betong's exceptional peaceful situation compared to districts with the same characteristics. In 2011 and 2012, for example, Betong had a significantly lower violent incident among four southern border economic districts and six districts with higher percentage of non-Muslim population.

Table 1. Statistics of violent incidents in southern border economic districts in 2011-2012.

District	2011	2012
Sungai Kolok	23	33
Betong	5	4
Takbai	37	47

Source: Southern Border Provinces Administration Centre (SBPAC).

Table 2. Statistics of violent incidents in Betong and nearby districts.

District	2011	2012
Than To	11	22
Betong	5	4
Chanae	28	34
Bannang Sat	30	47
Krong Penang	12	21

Source: Southern Border Provinces Administration Centre (SBPAC).

Table 3. Statistics of violent incidents in Betong compared with districts that have higher percentage of non-Muslim population.

District	2011	2012
Betong	5	4
Sungai Kolok	23	33
Muang, Narathiwat	42	53
Muang, Pattani	51	62
Muang, Yala	108	68

Source: Southern Border Provinces Administration Centre (SBPAC).

The Contributing Factors

There are three factors that led to Betong's relatively peaceful situation. These are strategic location, ethnic harmony, policy initiatives and self-awareness on multicultural co-existence and locally-initiated hybrid security networks.

Strategic location

Betong is a valley town with the shape of a spearhead pointing into the Malay Peninsula. The high San Kala Kiri mountain act like a giant wall that guards the district from both neighboring Malaysia and other parts of south Thailand. Betong is also home to the large hydro-electric Banglang dam that generates electricity for the rest of the southern border provinces.

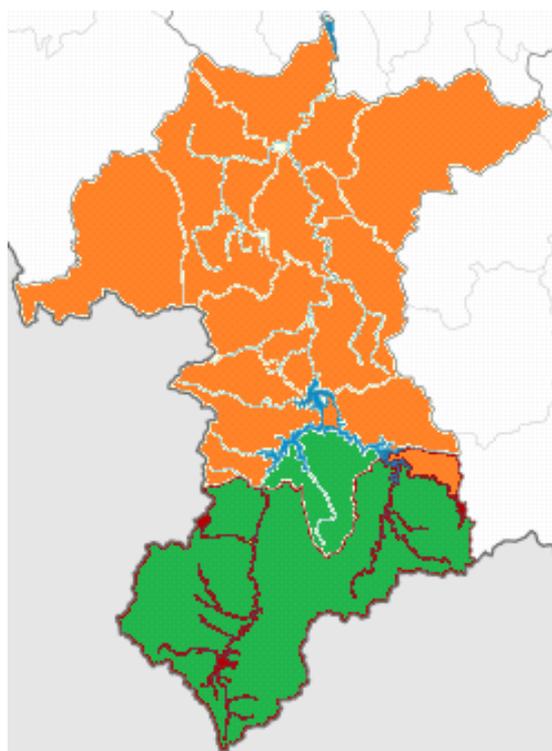


Figure 2. Map of Yala province with Betong district in green color

The district has two exits - one to the rest of the southern region and the other to Malaysia. The northern part of the district is linked to the inner part of Thailand by National Highway 410, the mountainous 140-kilometer-long and only route that leads to the center of Yala province. Its southern and western border is connected to Perak and Kedah states of Malaysia.

The unique location of Betong provides a natural buffer to the district, especially the municipal area. Highway 410 connects to 64 streets inside the municipal including the ones that connect to Malaysian highway across the border. To enter Betong from Thailand side, travellers will pass through three check points run by police and territorial defense volunteers. All check points focus specifically on records of stolen cars as they are often used in car bomb attack in the conflict zone. At the same time, those who travel to Betong through Malaysia are mainly Malaysian tourists. There are some Thais who want to avoid potential danger from areas along Highway 410. This group of travellers is screened at Malaysian and Thai immigration check points.

Inter views with local driver s and secur ity volunteers find that Betong residents are confident on the advantage of their strategic location. According to them, Betong's location provides a physical barrier against possible violent attack and makes it easy for volunteers and security forces to monitor visitors (Focus Group Discussion, 7 July 2014, Betong municipal).



Figure 3. The mountainous landscape surrounding Betong.



Figure 4. Thai immigration check point.



Figure 5. Malaysian immigration check point in Kedah state.

Despite the escalating violence elsewhere in the conflict zone, Betong's reputation as a peaceful tourist attraction spot has drawn in Thai and Malaysian tourists during holiday seasons. Statistics from the Immigration Bureau on people who enter and exit Thailand through the three economic border districts

from 1 January to 31 December 2555 reported an approximate number of 3,207 people in Sungai-Kolok, 1,273 in Takbai and 2,118 in Betong. During religious holiday seasons when insurgents usually pose a threat against entertainment areas. Betong received the highest percentage of tourists. The other districts especially Sungai-Kolok where bomb explosions often occurred during holiday seasons received less tourists in some occasions.

Table 4. Statistics on people who enter and exit Thailand through the three economic border districts from 1 January to 31 December 2555.

Religious holiday occasion	Sungai Kolok		Takbai		Betong	
	Number of people per day	Percentage	Number of people per day	Percentage	Number of people per day	Percentage
Chinese New Year (21-25 January 2012)	1,486	-1.98%	629	+5.89%	2,031	+95.66%
Thai New Year (Songkran) (12-15 April 2012)	1,515	-0.07%	655	+10.27%	1,202	+15.80%
Hari Raya Idul Fitri (18-20 August 2012)	1,575	+3.89%	946	+59.76%	2,407	+140.08%
Hari Raya Idul Adha (25-27 October 2012)	1,969	+29.88%	664	11.78%	1,620	+56.07%

Source: Immigration Bureau- Ministry of Interior (2012)



Figure 6. Malaysian tourists shop at Betong market.

Ethnic harmony

Conflict in Thailand's deep-south is generally described as state-insurgency dispute. Nevertheless, cultural differences and prolonged damage done to people have slowly alienated local Muslim and Buddhist from each other. Such alienation is more obvious in some places than others.

A field visit in Betong found that people in the community have been able to keep such alienation at bay. One factor came from a healthy balance of Muslim and non-Muslim population with a percentage of nearly 50/50 percent. This is considered significantly different

from the rest of the conflict area where Malay Muslim population is dominant. While Muslims of Malay ethnic have been living in Betong for generations, the open border to Malaysia and high mountains that block travellers from the inner side of Thailand made Betong a new home for Chinese settlers who traveled from mainland China through Malaysia almost a century ago. The local Chinese settlers paved land for rubber plantation and later expanded to other businesses. The Muslims have traditionally own plots of land and remain mostly in agricultural sector. Unlike in most other districts in the conflict zone where household are clearly separated according to ethnic groups, original local Muslims and Chinese in Betong have lived in the same area on the inner side of the municipal. They have mingled with each other as next-door neighbours for generations.



Figure 7. Malaysian tourists shop at Betong market.

The Chinese in Betong are members of five clan dialects (Hakka, Guangzhou, Cantonese, Hokkian and Teochiu). Each clan dialect has its own association and together the five associations have established Chinese school "Jong Fa Foundation" in 1923, which later became one of the oldest Chinese schools in Thailand.



Figure 8. Jong Fa Association school (left) and Chinese food shop in the inner municipal (right).

The first wave of Chinese migration was not the only factor that affected Betong population. Between 1950s and mid-1980s, Betong became a stronghold of the Communist Party of Malaya (CPM) that had fought against British Malaya and later Malaysian government since 1930s. After a peace negotiation with the Malaysian government had failed in 1950, the CPM began to move forces to the Thai-Malaysian border and set up its stronghold in the mountains around Betong. The 1969 racial riots in Kuala Lumpur that killed a large number of Chinese in Kuala Lumpur helped increase the CPM forces in the jungle as many young Chinese Malaysians decided to leave town and join forces. Betong became CPM's Battalion 12 whose troops patrolled Kedah and Kelantan states of Malaysia and different districts of Yala province in Thailand (Jitpusa, 1982).

According to Betong residents, the community was then directly affected by the CPM's movement between 1960s through mid-1980s. CPM forces took control of the municipal area and recruited local youngsters as soldiers or supporters (Interview, former CPM members, 8 July 2014, Betong district, Yala province). In order to avoid the recruitment, many Betong families, both Malays and Chinese, sent their children out of the area for schooling or work. As a result, many of Betong's younger generation in 1960s to mid-1980s, who are now in their 50s, have been exposed to multicultural atmosphere outside the three southern border provinces.² Many of them returned to Betong years later with a more relaxed attitude toward cultural and religious differences.

In 1989 a peace accord between the Malaysian government and the CPM which was bro-kered by Thailand was signed. The peace agreement allowed CPM members to cease their armed activities in exchange for their rights to remain in Thailand and become citizen after five years. More than 1,000 ex-CPM members (mainly Chinese) were given a plot of land and have settled down in Betong since. The ex-CPM presence mixed with the original Chinese Thai population has created a healthy balance of Chinese

² A local Muslim said in the interview that he was sent to school in the upper southern province Nako rn Sri Thammarat in order to avoid recruitment. He later worked as civil servant in northern Thailand before returning to Betong almost twenty years later.

Buddhist and Malay Muslim population, which in turn resulted in the strong multicultural atmosphere in the area.



Figure 9. A former CPM member points at his old picture at CPM museum in Piyamit 2 village, Betong.

The presence of former CPM members, mostly Chinese, in the community helped add in dynamics to the pre-existing multiethnic elements in Betong. The first generation Chinese migration and the second generation's exposure to cultural difference outside their own context, and finally the transformation of former CPM forces as local citizens have forged the atmosphere of ethnic tolerance in present day conflict - a unique quality of Betong as a community surrounded by deadly violence.

Policy initiatives and self-awareness on multicultural co-existence

On top of Betong city gate stand three miniatures. A small Buddhist pagoda is placed in the center between the curvy roof top of two Chinese shrines. Two domes symbolized Muslim masjid stand on the far left and right sides. The decoration was intentionally designed as a symbol of ethnic harmony, a value claimed by many to be the foundation of Betong livelihood.

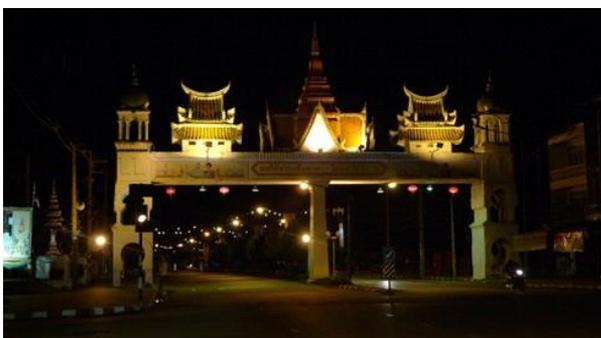


Figure 10. The Betong city Gate.

The city gate indicating that preservation of ethnic harmony is a conscious act of Betong policy makers. Former Betong Mayor Khunawut Mongkhonprajak (Interview, 8 July 2014, Betong district, Yala province) who initiated the construction of the gate pointed at it as a key policy during his 27 years in position. To promote multicultural harmony, he said, economic and social gaps among the population must be narrowed down. The municipal came up with projects such as financial support for Masjid and Muslim schools and local public schools. The municipal also exercised ethnic balance policy through balancing ethnic representation in its executive structure.



Figure 11. Former Betong Mayor Khunawut Mongkhonprajak.

"We encourage local cultural events in order to forge sense of belonging. At the same time we say people must take care of their community and their religion. Social and economic balance is very important for community protection because it helps bring people in a part of the community" he said.

Betong is known for its economic self-reliance. In an interview with Prapong Anchansrichart (Interview, 7 July 2014, Betong district, Yala province), businessman and head of Betong clan association who acts as Jong Fa school president, both Chinese and Muslims in Betong are relatively well-off when compared to majority of population in the conflict area. Ethnic resentment from economic gap is not common in Betong the same way it appears in many parts of the conflict zone.

Community self-support is evident by its lack of outside NGO projects. According to Khunawut and Prapong, funds for community development came mainly from the municipal. Donations from business community and charity organizations such as clan

associations also help with a number of projects including the buying of security equipment for the home guard network.



Figure 12. Prapong Anchansrichart, head of Betong Clan Association and Jong Fa School President.

Different groups of people in Betong expressed confidence on community under standing of multicultural harmony. Multiethnic co-existence, in their opinion, had been forged and must continue to be supported by the community. Prapong, for example, emphasized the role of what he called "Generation X", who reached adulthood in mid-60s and 80s and is now in their 50s. According to him, this generation provided a link between Betong's first generation. The Generation X of Betong grown up in original multiethnic atmosphere and was later exposed to outside cultural setting because of the CPM. With their understanding and present influence as head of family, they have managed to keep the younger generation away from ideological influences from outside their community.

"We have a generation of people whom I call Generation X that helped build the ethnic bridge. These are the reasons why we do not have violent incidents very often here" he said.

Fatimoh Baha (Interview, 8 July 2014, Betong district, Yala province), former associate judge and leader of a Betong Muslim women's group shared the same opinion. She described Betong's harmonious ethnic co-existence in terms of language. According to her, a number of Betong Chinese of her generation spoke Malayu while Muslims also spoke Chinese. "We went to school together, played together. Our plantations and homes exist next to each other. It was natural for us to learn each other's language" she said.



Figure 13. Fatimoh Baha, former associate judge and leader of Muslim women's group.

Betong population also includes migrants from other parts of Thailand, most of whom work as labor for the local businesses. There are also Muslims from other parts of the conflict zone who have settled in Betong and work as traders by opening shops in the municipal area.

Among all the outsiders in Betong, Muslims from the conflict zone who enter Betong from the outskirts without staying permanently are the most worrisome group of visitors for the community. Fatimoh in her interview expressed concerns. "In Betong we are happy with our relations. We can keep an eye on our children and prevent them from being involved with violence. However, I am concerned about Muslims from outside who come here. We do not know their family and do not know what is on their mind."

In Betong, identity politics, which underlines the deadly conflict in the Deep South, has less influence. This has sometimes led to criticisms against Betong Muslims by others in the conflict area (Interview, local Muslims in Betong district, Yala province and in Pattani province, during the months of May and July 2014). Fatimoh, in response to this, said the most important wish is for the future, not past. "We are aware about history, but it is the past. Now we think about how to live together peacefully and happily."

Locally initiated hybrid security networks

The Betong municipal came up with an idea of community watch since 1994. However, it had not

gained sufficient voluntary participation until 2006, when downtown Betong was hit by multiple bomb explosions in one day. The bomb incident put Betong on high alert, and triggered the idea of community protection. The local police during the time started a project to train community members for a program called community watch.

Betong has since developed its own security approach. At present it has a coordinated network of four volunteer home guard groups, two of which were created by the municipal while another two were initiated by the Ministry of Interior. Members of home guard groups are mainly Betong citizens from different ethnic groups. Their responsibility is to monitor safety situation in the community. The home guards are unarmed, with an exception of a small group that acts as an emergency unit. Home Guard members receive training from police and military. Security equipment such as security radio and CCTV camera are also sent in by the police and military.

The network is divided into four battalions covering four zones which are the municipality and three sub-district groups including former CPM villages along Thai-Malaysian border. The network coordinates with 10 police and military check points around the municipal on a daily basis and also hold monthly meeting with Yala province security networks.



Figure 14. Home Guard volunteers and their routine.

Betong residents view city security measures as one of the main factors for its peaceful atmosphere. Community members during interviews expressed trust that their traditional close-knit community and people's participation in local security networks have helped guarantee safety in their daily life. Records of violent incidents between 2004 and mid-2014 in Yala province confirms their confidence. Betong reports zero armed clash and significantly less incidents when compared to the rest of the districts in the same province.

Table 5. Ten-year (2004 - 2014) district police stations' record on violence incidents in Yala province.

Name of district		Yala Province				total
		violent incident	crime	violent public disturbance	armed clash	
1	Muang	732	291	190	16	1,229
2	Bannang Sata	474	179	109	26	788
3	Raman	426	219	178	22	845
4	Betong	56	48	40	0	144
5	Yaha	181	101	62	11	355
6	Krong Penang	132	46	46	10	234
7	Kabang	63	31	40	2	136
8	Than To	214	61	98	4	377
total		2,278	976	763	91	4,108

Source: Southern Border Provinces Administration Centre (SBPAC).

Challenges

The local initiated security networks functioned within the close-knit community and ethnic harmony atmosphere may have been the answer to Betong's low violent incident. These, however, do not always guarantee absolute safety. On 25 July 2014, eight years after the first major bomb incident in town, Betong municipal was rocked by a car bomb that killed three. A month later three suspects who were Muslim were arrested in Satun province nearby.

Police investigation found that the three suspects were residents of other districts of Yala province. The two vehicles - a passenger van and a pick-up truck - that were used in the attack had been robbed from Yala and Panni province. The three suspects later confessed (Thai PBS 2014. 11.13).

The fact that the attack was done by outsiders confirms the locals' fear. They also point at negligence on security monitoring by authorities as the main reason for the incident. A newspaper report quoted the owner of a famous local restaurant as saying that security monitoring especially at the police and military check points had been weakened due to the relaxed attitude of the authorities. Former Mayer Khunawut said that although the physical and economic impact from this incident was not as severe as the one in 2006, psychological impact was more worrisome as Betong had been free from violent incident for a long time (Khomchad-Luek Newspaper 2014.07.27).

A local administrative source in Pattani province confirmed the residents' opinion. According to him,

the bomb incident occurred due to the flaws in security operation on the day. As a result, the two vehicles had managed to pass through several check-points and entered the municipal. "Betong people have become more relax about their situation. This gave an opportunity for outside attackers," he said (Phone interview, interior ministry official in Pattani province, 27 November 2014). The mistake by security forces was confirmed as the Betong police chief was transferred to an inactive position shortly after.

One question raised from the incident is whether it signifies the failure of Betong's conflict mitigation initiatives. This can be challenged by looking back to the supporting factors that Betong uses to maintain peace. Critical as it is, security mistakes only indicate a flaw in one factor. The rest of Betong's positive characteristics that provide the foundation for community strength, however, remain untouched. The answer to the question lies upon how fast Betong can get back on its feet and maintain its peaceful image to the outside world. The community reacted quickly enough. One month after the bomb incident, Betong held a Buddhist and Muslim religious ceremony for those who were killed. Two months later the city held its first Thai-Malaysian "Betong Bird Fair" where Malaysian counterpart organizations were invited for a bird contest. Betong community realizes the importance of its peaceful image and is ready to invest what is necessary to gain it back after the damage.

Conclusion

1. Armed conflict has reemerged in the southern border provinces of Thailand since 2004. The vertical conflict is believed to be a result of identity clashes between assimilation policy of the Thai state and local Muslim of Malay ethnic identity that started in 1930s. The escalating violence has killed over 6,000 people in the past ten years.

2. Government policy in the past decade is a mixture between security oriented and experimental peace process. Governments have also released funds for economic development in the conflict zone to boost local economy as a political strategy to pacify the situation. Several dialogue attempts have been initiated since 2006. However, they are inconsistent due to changes of government.

3. While statistics show high level of violent attack by insurgent in most part of the conflict zone, a border district called Betong has a significant lower level of violent incidents in the past eight years.

4. Field visit to Betong points to several factors that help Betong maintain a relatively peaceful atmosphere. Those factors emerge from Betong's unique physical location, local history and locally initiated security approaches that are possible within the context of Betong.

a) Strategic location: Betong is a valley district located on the Thai-Malaysian border. High mountains that surround the valley provide Betong only two exits - one on Thailand side and another connected to Malaysia. Such geographical limitation has become an advantage for security control. Vehicles and travellers coming in and out of the district can be easily checked, thus, giving security personnel better chance to prevent possible threat.

b) Multiethnic historical background: Ethnic balance in Betong came from its balance of ethnic population. The district has almost 50/50 percent of Muslim of Malay ethnic and Buddhist Chinese/Thai population. The people of Betong are comprised of immigrants who came in different periods in history. The first wave of immigrant is the mainland Chinese who arrived through Malaysia and settled a century ago. Ethnic population balance and smooth co-existence between the Chinese and local Muslims of the first generation have created a foundation for multi-ethnic harmony which is unique in the context of the deep-south conflict.

c) Close-knit communities with understanding on multiethnic co-existence: The arrival of the Communist Party of Malaya (CPM) in mid-1960s had driven Betong youngsters out of the area. Muslim and Chinese parents sent their children to study or work outside Betong to avoid CPM recruitment. To seek education and job opportunity, many of them went as far as upper southern provinces where Buddhist population dominated. Some with financial means managed to study in Bangkok. As a result, many Betong residents in their 40s to 60s are those who returned with relaxed attitude over ethnic differences, which is an attitude needed for long-term peace building in conflict such as south Thailand. Being a small community, families in Betong still interact with each other in their daily

life. The older generation is confident that they and their neighbors can still keep an eye on the younger generation for community safety.

d) Common interest (desire for peaceful way of life, economic well-being etc.) leads to cooperation: Betong's wealth relies on its interaction with the outside world. Aside from income from rubber, most of which is sent for shipment at Penang port in Malaysia, Betong receives substantial income from tourism each year. Its reputation as a peaceful city is strongly promoted as a way to create jobs for its population.

e) Policy initiatives: Betong municipal plays an important role in initiating policies to maintain peaceful atmosphere. Funds are provided for development projects in both Muslim and Buddhist communities to preserve ethnic culture and to reduce economic gap among people.

f) Hybrid security approach: Security approach in Betong initiated eight years ago relies very much on community participation and coordination with security forces. Taking advantage of its unique physical location and close relation between members of the community, it had been successful in reducing violent incident in the past eight years. However, the latest bomb incident in 2014 shows that in a violent context of south Thailand, it can be open for attack if measures are not applied strictly at all time.

5. The latest bomb incident revealed Betong's most critical challenge in the context of the deep-south conflict. It is how Betong can continue to protect itself from violent attack from outside. Failure to do so could lead to local economic setback and decline of confidence among community members, which are elements that have influenced the other parts of the conflict zone.

6. Looking deeper into the bomb incident, however, one may argue that it only raised a question on the flaw of the security measures, which is only one among many contributing factors. The 2014 bomb incident, like what happened in 2007, did not tear apart the fabric of community livelihood which are people's awareness of ethnic harmony and drive for peace and well-being.

7. If conflict in Thailand's deep-south is driven by the clash of identities as a result of two conflicting historical memories - that of the Thai state and the local Malay ethnic community - the key to Betong's

peace is its ability to resist such complication by fostering its own historical memory. It remains to be seen whether Betong's model for peace will continue and will one day work as a model for conflict resolution elsewhere.

References

- Aphornsuwan, T. (2007). *Rebellion in Southern Thailand: Contending Histories*. Policy Studies No. 35. Washington D.C.: East-West Center. Retrieved from http://www.academia.edu/4083331/Rebellion_in_Southern_Thailand_Contending_Histories
- Askew, M. (2009). *A Tale of Two Insurgents*. Bangkok Post, 19 July. Retrieved from <http://www.bangkokpost.com/news/investigation/149443/a-tale-of-two-insurgents>.
- Burk, A, Tweedie, P and Pocharoen, O. (2013). *The Contested Corners of Asia: Subnational Conflict and International Development Assistance: The Case of Southern Thailand*. Retrieved from <http://asiafoundation.org/resources/pdfs/ContestedCornersOfAsia.pdf>
- Chalk, P. (2008). *The Malay-Muslim Insurgency in Southern Thailand Understanding the Conflict's Evolving Dynamic*. Retrieved from http://www.rand.org/content/dam/rand/pubs/occasional_papers/2008/RAND_OP198.pdf
- Deep South Watch. (2012). *More Buddhists than Muslims have Been Injured*. Deep South Watch, Southern Violence, January 2004-February 2012. Retrieved from [http://www.deepsouthwatch.org/sites/default/files/southern violence from jan2004 to feb2012english.pdf](http://www.deepsouthwatch.org/sites/default/files/southern%20violence%20from%20jan2004%20to%20feb2012english.pdf)
- Department of Foreign Trade, Ministry of Commerce. (2013). *Statistics of border trade 2013*. Retrieved from <http://bordertrade.dft.go.th/DFT/Index/html>
- Deeto, M. (2014). *Major drug bust in Pattani*. Bangkok Post. Retrieved from <http://www.bangkokpost.com/news/crimes/391145/major-drug-bust-in-pattani>
- International Crisis Group. (2009). *Recruiting Militants in Southern Thailand*. International Crisis Group, Asia Report No. 170. Retrieved from <http://www.crisisgroup.org/en/publication-type/media-releases/2009/asia/recruiting-militants-in-southern-thailand.aspx>
- Jitpiomsri, S. (2014). *An Inconvenient Truth about the Deep South Violent Conflict: A Decade of Chaotic, Constrained Realities and Uncertain Resolution*. Retrieved from <http://www.deepsouthwatch.org/node/5904>
- Jitpiomsri, S. (2012). *9 months into 9th year: Amidst*

- the enigmatic violence, the Pa(t)ani Peace Process still keeps on moving. Retrieved from <http://www.deepsouthwatch.org/node/3803>
- Jitpiromsri, S. (2011). The Protracted Violence amidst the Unstable Political Situation after 2011 Elections. Deep South Watch. Retrieved from <http://www.deepsouthwatch.org/node/2343>
- Jitpiromsri, S. et al. (2013) "Mummong khong prachachon chaidan tai: kwamwang nai satanakan kwamroonn raeng un youtyua tai rom-n gao santipab" ("People's Perspectives in the Deep South: 'Hope' in Violent and Protracted Situation under the Shade of 'Peace'). Retrieved from <http://www.deepsouthwatch.org/node/4147>
- Jitpusa, Man op. (1982). Raai Ngan Wijai Kwamruammue Rawang Thai Kab Malaysia Naikan Prabpram Kong Kamlang Tee Pen Patipak Tor Rattabaan Thai Lae Malaysia (Joint-research report on Thai-Malaysian cooperation to suppress anti-Thai and Malaysian governments armed forces. Bangkok: Institute of Asian Studies. Chulalongkorn University.
- Jory, Patrick (2007). From Melayu Patani" to "Thai Muslim: The Spectre of Ethnic Identity in Southern Thailand. Working Paper Series WPS 84. Asia Research Institute; National University of Singapore, Retrieved from http://www.ari.nus.edu.sg/publication_details.asp?pubtypeid=WP&pubid=643
- Khaosod Newspaper. (2013, 07. 03). Hor Kaan Ka Pattani Pe-ey Pawa Settakit: Puprakobkarn Rai Yoi Yae Raai Dai tor Hua Prachakorn Taam (Pattani chamber of commerce says economy drops, Small scale business operators suffer, per capita income lower than standard). Retrieved from http://www.khaosod.co.th/view_newsonline.php?newsid=TVRNM01qZzBPVEUxTWc9PQ==
- KhomchadLuek Newspaper. (2014,07.27). Cheewid Sudtai Tee Betong, Car Bomb Satuen Kaidaeng Sor Kor (Betong car bomb affects economy).Retrieved from <http://www.komchadluek.net/detail/20140727/188986.html>
- Krungthep Thurakij Online. (2014,01.05). Sib Pee Fai Tai Ngob Talu Saen Lan (10 years of southern conflict costs 100 billion Bt). Retrieved from <http://www.bangkokbiznews.com/news/detail/553854>
- Mandhana, N. (2012). No Peace: Why Conflict Persists in Thailand's Deep South. The Time World. Retrieved from <http://world.time.com/2012/04/23/thailand-insurgency/>
- National Reconciliation Commission. (2006). Overcoming Violence through the Power of Reconciliation. Retrieved from <http://tic.car.chula.ac.th/southern-insurgency/item/25898-report-of-the-national-reconciliation-commission-nrc-overcoming-violence-through-the-power-of-reconciliation>
- Noor, F.A. (2005). Interview With Wan Kadir Che Man, head of the Patani Bersatu Movement in Thailand. The American Muslim. Retrieved from http://theamericanmuslim.org/tam.php/features/articles/interview_with_wan_kadir_che_man_head_of_the_patani_bersatu_movement_in_thailand
- Office of the National Economic and Social Development. (2011).Per capita income of population by region and province 2000-2010. Bangkok: Office of the National Economic and Social Development. Retrieved from <http://service.nso.go.th/nso/.../tables/.../E111114-43-53.xls>
- Office of Provincial Public Prosecution of Betong .(2014). Betong District, Yala Province. Office of Provincial Public Prosecution of Betong. Retrieved from <http://www.bet.ago.go.th/index.php/history>
- Parks, T., Colletta, N. and Oppenheim, B. (2013).The Contested Corners of Asia: Subnational Conflict and International Development Assistance - subnational conflict and international development - The case of south Thailand. The Asia Foundation. Retrieved from <http://asiafoundation.org/resources/pdfs/SouthernThailandCaseStudyFullReport.pdf>
- Pathan, D. (2013). Insurgents know that Bangkok isn't serious about peace: Wan Kadir. The Nation. Retrieved from <http://www.nationmultimedia.com/opinion/Insurgents-know-that-Bangkok-isnt-serious-about-pe-30223004.html>
- Ruangdit, P. and Jikkham, P. (2013). Peace Talks with Rebels Lack Organization, Critics Say. Bangkok Post. Retrieved from <http://www.bangkokpost.com/news/security/344887/peace-talks-with-rebels-lack-organisation-critics-say>
- Thai PBS. (2014, 11.13). Three Betong car bomb suspects arrested. Retrieved from <http://englishnews.thaipbs.or.th/three-betong-car-bomb-suspects-arrested>

Dealing with the Violent Past: Managing Tensions between Malay and Madura Ethnic Groups in Sambas, West Kalimantan

Rina Shahriyani Shahrullah

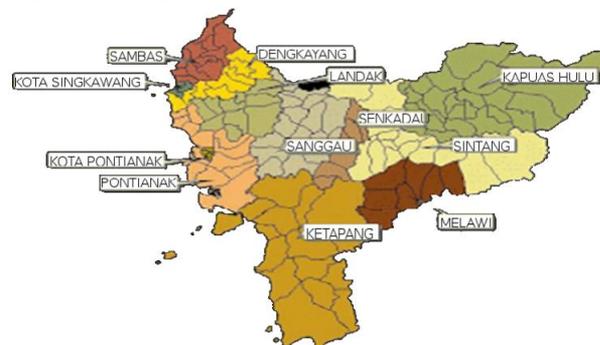
Introduction

Indonesia as a plural society consisting of various cultures, religions and political beliefs (Suparlan, 2001) is vulnerable to social conflicts. Social or horizontal conflict is a type of dispute between two or more groups involving physical violence. This type of conflict occurred in Sambas Regency, West Kalimantan in 1999. Sambas Regency was completely paralyzed for almost 6 months (Interview, Arifidiar (Youth Leader of Pemangkat), 26 May 2014, Pemangkat District, Sambas Regency). The 1999 Sambas was a most tragic incident because it involved brutal killings and caused expulsions of the Madurese from the Regency. After 15 years of the conflict, there are still no Madurese in Sambas Regency. This research recalls the Sambas conflict and examines the process of mediation, which produced the Peace Agreement. In addition, this research discusses the roles of various stakeholders in the peace process and their activities after the conflict. Furthermore, the research observes the present condition of Madurese Sambas who live in the relocation areas.

Locale of the Research

This research was conducted in three areas in West Kalimantan Province of Indonesia, namely Sambas Regency, Tebang Kacang Village and Mekar Sari Village. Sambas Regency was the area where the social conflict between the Malay and Madurese ethnic groups occurred. Sambas Regency is located in the north of West Kalimantan Province. Tebang Kacang and Mekar Sari Village are located in Kubu Raya Regency. Before 2006, Mekar Sari Village was the part of Tebang Kacang Village. Both villages are the relocation areas for the Madurese-Sambas who suffered from the Sambas conflict in 1999.

Figure 1. Map of West Kalimantan Province



Methodology

This research adopts a socio-legal research method (Sapromo, 2009). A socio-legal research method uses primary data which is collected through observations, interviews, questionnaires or focus group discussions (Amiruddin et al., 2004). The primary data in this research was collected through observations in three locations, namely Sambas Regency, Tebang Kacang and Mekar Sari Village. In-depth interviews were conducted in the three locations and the respondents were Sambas governmental officers, youth leaders, community leaders, educators, businessmen, and NGO officers. A Focus Group Discussion (FGD) was conducted in Pontianak City, the capital of West Kalimantan Province. The participants of FDD were youth/community leaders, businessmen, NGO officers and an Asian Public Intellectual (API) fellow. In addition to primary data, secondary data is also required by the socio-legal method to supplement the primary data. The secondary data used by this research are primary and secondary legal materials.

The primary legal material is Law No. 39 of 1999 regarding Human Rights. The secondary legal materials are mainly collected from research reports, books, articles and other materials relevant to the Sambas conflict. All data was analyzed using qualitative approach and content analysis.

A Flashback of the Sambas Horizontal Conflict

The 1999 horizontal conflict in Sambas Regency was initially triggered by a personal conflict between a Madurese and a Malay, which subsequently evolved into a communal conflict. The personal conflict between the two ethnic groups started when a Madurese man on 19 January 1999 was arrested by people in Parit Setia Village, Jawai District, Sambas Regency. The man was about to steal in the house of a Malay family. The family of the suspected thief mobilized about 200 Madurese from Rambeyan Village, a neighboring village of Parit Setia Village to attack Parit Setia Village. Three people died in the incident. The police arrested one Madurese of Rambeyan Village and three Malays of Parit Setia Village (Mochtar, 2012).

The tension got worse when a Madurese named "Rodi alias Kacong" did not pay the bus fare when he dropped off in Pusaka Village, Tebas District on 21 February 1999. The bus conductor named "Bujang Lebig"(a Malay) stared at Rodi who in turn got offended because of Bujang Lebig's action. Rodi attacked Bujang Lebig using a traditional knife of Madura (celurit). The news spread all over Sambas Regency that Rodi killed Bujang Lebig. On 22 February 1999, approximately 300 Malays went to the house of Rodi in Senggobang Sub-Village, Sempadung Village to look for him. Almost at the same time, another Madurese in the village shot the Malays with West Kalimantan traditional guns. One Malay man named Hamsiar got shot. The news spread in Semparuk Sub-Village that Hamsiar died. The incident caused the anger of Malays. The Malays started to burn houses of Madurese in the Sub-Village of Semparuk (17 houses), Kelambu (tens of houses and 2 Madurese died), Penjajab (3 Madurese died). The Malays burnt 30 Madurese houses in Tebas Village, where 3 persons died and 5 persons seriously injured. The ethnic conflict between Malay and Madurese ethnic group in Sambas Regency occurred from 19 January 1999 until 22 March 1999. The Posko Penanggulangan Kerusuhan Pemda Kalbar (the Riot Control Center of West Kalimantan Government) on 28 March 1999 reported that 186 persons died, 2,490 houses burnt/destroyed, 10 cars burnt/destroyed, 10 motorcycles burnt/destroyed, and 28,000 Internally Displaced Persons (IDPs) of Madurese ethnicity. Four hundred twenty eight (428) Internally Displaced Persons (IDPs) returned to Madura Island in East Java on 29 March 1999 (Mochtar, 2012).

Figure 2. The Beheaded Madurese Victims



Source: private document of Syafarudin (Community Leader of Semparuk Village)

Most stakeholders in Sambas Regency criticized the slow movement of law enforcers (police) to stop the escalation of conflict in Sambas Regency (Cahyono et al., 2008). According to Mochtar (Public lecture by Zulfydar Zaidar Mochtar, 19 September 2014, Universitas Internasional Batam, Indonesia), the police failed to stop the spread of conflict due to their small number in Sambas Regency. Malays also considered that the police was not neutral and that they shot civilians on the street during the conflict (Petebang & Sutrisno, 2000).

The Drivers of Conflict: Issues of Ethnic Identity

On the surface, it seems that the Sambas conflict was purely triggered by a criminal act conducted by a Madurese man. However, the seeds of conflict between the two ethnic groups (Malay and Madurese Sambas) were driven by ethnicity issues. The issues were caused by the marginalization of local people (Malay Sambas) due to the excessive domination and exploitation of their natural resources by newcomers (Madurese Sambas and other ethnic groups). The ethnicity issues between Malay and Madurese Sambas were worsened by the intimidations or suppressions by Madurese Sambas (Zurayah, 2005). According to Arifidiar (Interview, 26 May 2014, Pemangkat District, Sambas Regency), a Youth Leader in Sambas Regency, the conflict occurred because of the accumulation of suppressed feelings of the ethnic groups towards the Madurese. Ninety-nine percent (99%) of people used to have problems with the Madurese in Sambas Regency. They did not react because they were afraid of the Madurese, until the Sambas conflict occurred. There was a stereotype that the Madurese are bad people. A similar sentiment was echoed by Syafarudin (Interview, 26 May 2014, Semparuk Village, Sambas Regency), the Former Head and Community Leader

of Semparuk Village who said "...the Madurese were trouble makers. They were always with their Madurese traditional sharp knives (celurit). They even said that it was better to leave their money behind instead of their celurit. Madurese used to trade in the local market, but some of them committed criminal acts . The local police and security could not do anything about them because they were so rough." Utami (Interview, 26 May 2014, Tebas District, Sambas Regency), a government officer in Tebas District of Sambas Regency affirmed that "the Madurese are rough and they like to bring the Madurese traditional sharp knives (celurit). They like to say to people when they argue, "I am Madurese, I will kill you."

Figure 3. The Madurese Traditional Sharp Knives (Celurit)



The stigmatization of Madurese Sambas have been deeply ingrained in the minds of Malay Sambas. "Tanah Tohan" (the God's Land) is a popular term to stigmatize Madurese Sambas. According to Heriyadi (remarks from a Focus Group Discussion, 27 May 2014, Pontianak City, West Kalimantan), a businessman living in Pontianak City, the Madurese philosophy of "Tanah Tohan" justified the oppression of Madurese Sambas on Malay Sambas. Based on this philosophy, the Madurese sometimes take something illegally from the Malay's land. For example, "the Madurese can take coconuts or bananas from the trees on the lands of Malays." These negative stereotype of Madurese Sambas aside, many Malay Sambas acknowledge that Madurese Sambas are diligent and hard-working people. Yet, the arrogances and exclusivities of Madurese are mostly criticized by Malays. Both Madurese and Malay Sambas are predominantly Muslims, yet Madurese Sambas built their own mosque and used Madurese language in performing the holy speech during the Friday prayer (Focus Group Discussion, 27 May 2014, Pontianak City, West Kalimantan).

This condition prior to the Sambas conflict caused

Malay local people not to trust the local government and considered that the government failed to carry out their functions. This condition also led to suspicions among local people toward newcomers (Madurese), which eventually affected the social interactions between locals and newcomers (Zurayah, 2005). To change the condition, Haji Sulaiman of Ikatan Keluarga Besar Madura Kalimantan Barat (the Madurese Family Association of West Kalimantan) suggested to all Madurese living in West Kalimantan not to behave against the cultures of West Kalimantan, such as carrying sharp knives in public, the celurit in particular (Mochtar, 2012).

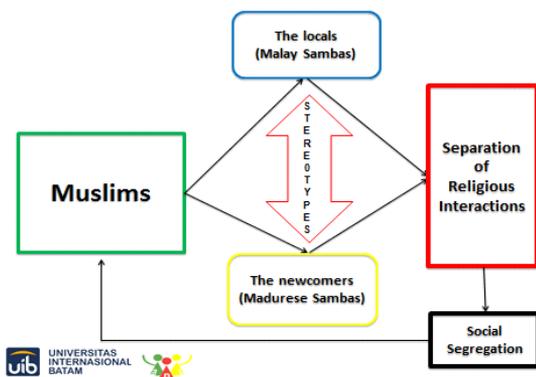
Based on the explanations above, it is apparent that the Sambas conflict is closely related to the issue of identity between the two different conflicting ethnic groups (Malay and Madurese). Identity can be defined as "how people see and feel about themselves, both as individuals and in comparison with other individuals" (Huddleston, 2007). Based on the definition of identity, it is obvious that Malay and Madurese see themselves as different ethnic groups. This is true because each ethnic group develops a social stereotype to distinguish themselves from the other. The Madurese ethnic group claims that the characters of Malay ethnic group are "humble, modest, coward, not aggressive, and patient". On the contrary, Malay ethnic group claims that the characters of Madurese ethnic group are "arrogant, rough, economic-oriented, exclusive, hard-workers". The stereotyping shapes the personal experiences of the two ethnic groups. The two ethnic groups declare themselves as 'different from one to another'. This feeling triggered the "conflicts of loyalty between the different ways in which they define themselves or between the way in which they define themselves and the way they are defined by others" (Huddleston, 2007).

The different identity claimed by the two ethnic groups created more gaps since the Malay ethnic group claims that Malay and Dayak are the original ethnics (the locals) of West Kalimantan, whereas the Madurese ethnic group is a "newcomer" in West Kalimantan. The idea of different ethnic identity between Malay and Madurese grew with their interaction and competition. The accumulation of intimidations and suppressions by the Madurese Sambas eventually were reflected by Malays Sambas in "fighting" against Madurese.

According to Burhani B.Soni (Interview, 26 May 2014, Pemangkat District, Sambas Regency), a Government Officer and Head of Malay Communication Forum, Malays have the "3 N" characters. The "3 Ns" are "Ngalah" (let it go), Ngalis (avoid it), Ngamuk (get angry/fight). The Malays in Sambas were always Ngalah and Ngalis, but they could not take the attitudes of Madurese anymore, so they applied Ngamuk. The Malay people realized that the characters of Madurese could not be altered, so they fought the Madurese. Yet, they still Ngalah not to attack the Singkawang Regency where the Madurese were evacuated during the conflict.

The discussions above clearly explains that the identity issue between Malay and Madurese ethnic has divided the two ethnic groups as they identify themselves as the locals for Malay ethnic group and the newcomers for Madurese ethnic group. It is interesting that the different identity between the two ethnic groups resulted in the separation of religious interaction. Both groups embrace Islam as their religion. However, due to their different identities, the Madurese ethnic group built their own mosques and performed the holy speeches in the mosques in their own local language (Madurese dialect) (Petebang and Sutrisno, 2000). This attitude also contributed the social segregation, which has driven the conflict between the two ethnic groups.

Figure 4. Social Implications of Identity Issues



Previous studies also reveal that the seeds of Sambas conflict are the history of bad social relations between Malay and Madurese people in Sambas Regency (Cahyono, et al, 2008). Sixteen (16) incidents of conflict involving Madurese and Malay Sambas were recorded from 1950 to 1999. Most of the conflicts were merely personal conflict, but some of them developed to be full grown communal conflicts (Saad, 2003 and

Shaleh, 2005). The table below shows the various social conflicts between Madurese and Malay ethnics.

Table 1. Conflicts Involving Madurese and Malay Sambas

Year	Place	Conflict Descriptions
1955	Sungai Dungun Village	The house of Apsah bt.Amjah (Malay) was robbed by Madurese people. Her husband got killed.
1960	Semparuk A Village	Manaf Ikram (Malay) was robbed by Madurese people. He escaped from the robbery.
1960	Parit Setia Village	H.Sihabuddin (Malay) was robbed by Marju (Madurese).
1961	Sentebang Village	Zairan Sa'ei (Malay), the owner of guava plantation. Some Madurese people stole his guavas.
1964	Sui Nyirih Village	Rabuddin (Malay) was robbed by Madurese people.
1966	SB Nilam Village	Mahwi (a Malay Holy Qur'an teacher) was killed by Askan (Madurese).
1966	Sambas Regency	H.Saleh (Malay) was robbed by Simin (Madurese).
1974	Jawai Laut and Matang Tarap Village	Conflicts between Malays and Madurese.
1978	SB Kuala Village	Conflicts between Malays and Madurese.
1980	Lambau Village	Conflicts between Malays and Madurese.
1985 & 1987	Matang Tarap Village	Conflicts between Malays and Madurese.
1996	Semperiuk B	Conflicts between Malays and Madurese.
1997	Lambau Pelimpaan	Conflicts between Malays and Madurese.
1998	SB Usrat Village	Conflicts between Malays and Madurese.
1999	Parit Setia Village	Robbery by a Madurese at a Malay house. The personal conflict developed into a communal conflict.

Sources: Rosdiawan, 2007: 39-40

The Approaches to End the Conflict: Government's versus Civil Society Interventions

To end the Sambas conflict, a number of 'strategies were discussed on how to best solve the Madurese problem' (Davidson, 2002) both outside and inside West Kalimantan Province. The first effort conducted outside of West Kalimantan Province was initiated by the Indonesian Police Headquarter (MABES POLRI) in Jakarta by inviting Malay community leaders of West Kalimantan who live in Jakarta. The meeting aimed to discuss about the social conflict in Sambas. Two Madurese community leaders also attended the meeting although it was not clear who invited them. The Malay community leaders were against the attendance of the Madurese community leaders because they were worried the two conflicting parties might get offended during the dialogue. The second effort was the reconciliation meeting, which was facilitated by the Central Government and West Kalimantan Government. The meeting was held in NAM Center, Jakarta by inviting the Malay and Madurese parties. The meeting also ended without any consensus between the conflicting parties. The other meeting was held

in Batu, Malang (East Java Province). This meeting also failed to produce consensus (Public lecture by Zulfydar Zaidar Mochtar, 19 September 2014, Universitas Internasional Batam, Indonesia).

The effort to end the Sambas conflict conducted in West Kalimantan Province was initiated by the Governor of West Kalimantan (Aspar Aswin), Chief of Military Commando (Mayjen TNI Zaenuri Hasyim), Head of Sambas Regency (Tarya Aryanto) and a number of West Kalimantan officials. They met the family of Sambas Sultanate (Pangeran Raden Winata Kusumah) to discuss the best solutions for the conflict. Yet, the riot still continued between the two ethnic groups (Petebang and Sutrisno, 2000). Adat (customary) organizations and community leaders of Malay and Madura on 13 March 1999 established a peaceful agreement containing a consensus to prohibit Malays and Madurese to carry sharp weapons in public. The agreement failed because on 14 March 1999, a fight between the two ethnic groups occurred again. Two religious scholars from the Madura ethnic group in Sambas Regency (H.Tarap and H.Syafruddin) apologized to Malays and Dayaks because of the wrongful acts of the Madurese in Sambas. The apology did not stop the riot because on 20 March 1999, a group of Madurese from the Sukaramai and Sebenua Village conducted a counter attack in Dalam Kaum and Dagang Timur Villages (Petebang and Sutrisno, 2000). When all the conflict resolution initiatives by the government could not stop the conflict, a civil society organization named Forum Komunikasi Pemuda Melayu/FKPM (the Communication Forum of Malay Youth), which was formed in late January 1999 volunteered to resolve the Sambas conflict (van Klinken, 2007) through a mediation.

The FKPM selected a customary-spiritual (traditional) mediation as the dispute resolution mechanism for the Sambas conflict. Zulfydar Zaidar Mochtar of the FKPM was a mediator for the two conflicting parties. The customary-spiritual (traditional) mediation aimed to obtain a consensus of the conflicting parties. A customary-spiritual (traditional) mediation tried to find similarities between the two conflicting parties. As explained previously, the issue of identity as a different ethnic group created a gap between the conflicting parties, therefore the mediator was urged to find a similar identity of the conflicting party. Both conflicting parties were Muslims, consequently the mediator tried to use the religious approach to mediate them. The mediation between

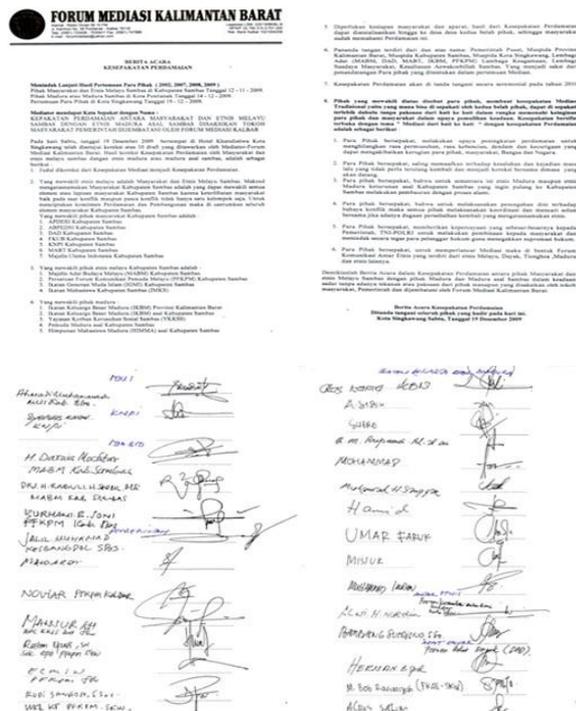
the two conflicting parties was a lengthy process and it took about seven years (2002-2009) until the two parties reached a peace agreement. The process of mediation was tough since the demands of the two parties were difficult to compromise, yet the use of religious (spiritual) approach was successful to bring the two conflicting parties to discuss the best solution to end the Sambas conflict. The spiritual approach was evidenced by the use of "Lailahaillallah" (there is no god but Allah) in every step of mediation process. Prior to the conduct the mediation process, all parties performed the prayers together.

The mediation was held on 3 August 2002 in POLDA (the Regional Police) of West Kalimantan in Singkawang Regency. About 100 people attended the mediation meeting consisting of the Malay representatives, Madurese representatives, Regional Police and West Kalimantan Government (Mochtar, 2012). The representatives of Malay group consisted of Majelis Adat Budaya Melayu Sambas (Adat & Cultural Assembly of Malay Sambas), Forum Persatuan Pemuda Melayu Kabupaten Sambas (Malay Youth Forum of Sambas Regency), and Ikatan Generasi Muda Islam Kabupaten Sambas (Islamic Young Generation Association of Sambas regency). The Madurese were represented by Ikatan Keluarga Besar Madura Kalimantan Barat (Big Madurese Family Association of West Kalimantan), Pemuda Madura Kalimantan Barat (Madurese Youth of West Kalimantan) and Yayasan Korban Kerusuhan Sosial Sambas Kalimantan Barat (The Foundation of Social Riot Victims of Sambas, West Kalimantan) (Mochtar, 2012). The mediator officially met the two ethnic group representatives several times. The demands of the two conflicting groups were accommodated and offered back to each conflicting party. Based on the meeting with the two conflicting groups, each group submitted their demands. The mediator examined the demands of the conflicting parties and helped each side to a position of compromise for the purpose of fulfilling the demands of the parties and for society to be normalised (Mochtar, 2012).

The lengthy mediation succeeded in reaching a final compromise, which was signed as a Peace Agreement between the two parties on 19 December 2009 in Singkawang City. The agreement among other things stipulates that: 1) The parties agree to conduct efforts to improve peace by removing conflicting feelings, hatred, revenge, and suspicions which can cause detriments for all parties, society, nation and

state; 2) The parties agree to accept apologies regarding faults and incidents in the past, which should not be repeated and they will become the reflections in the future; 3) The parties agree that for the time being, the Madura ethnic or Madurese decedents from Sambas Regency who wish to go back to Sambas should assimilate themselves based on the natural process; 4) The parties agree that in order to prevent earlier the danger of conflict, all parties should coordinate and find solutions together in case a suspect of ethnic conflict arises; 5) The parties agree to mandate the Government, Police to educate society and strictly punish those who violate the law to uphold the supremacy of law; 6) The parties agree that in order to facilitate the mediations, the Communication Forum between ethnics (Malay, Dayak, Tionghoa, Madura and other ethnics) should be established (Mochtar, 2012).

Figure 5. The Peace Agreement



thus far, has produced no more ethnic conflict involving the two groups in the Sambas Regency.

A Consequence of Peace Agreement: Relocation of Madurese Sambas

The Indonesian Government through the National Coordinating Agency on Disaster and Evacuation Management (Badan Koordinasi Nasional Penanggulangan Bencana dan Penanganan Pengungsi/Kakorinas PBP) issued a policy on evacuation management which consists of three approaches, namely 1) Repatriation of evacuees to their normal lives; 2) Empowerment of evacuees in the new community; 3) Relocation of evacuees in the new community (Subro et al., 2011). The Peace Agreement for the Sambas Conflict adopted the second and the third approaches; consequently, the Madurese Sambas had to live Sambas Regency.

The first evacuation was conducted on 20 March 1999. Five thousand five hundred (5,500) Madurese-Sambas were evacuated to the temporary shelter in Pontianak City. The second evacuation was conducted on 23 March 1999, when 10,556 Madurese-Sambas were evacuated to the temporary shelter in Pontianak City (Zurayah, 2005). The table below shows the number of Madurese Sambas evacuees from January 2000 to March 2001.

Table 2. Madurese-Sambas Evacuees in West Kalimantan

Month	Number of Head of Family		Total
	Integrated into New Community	Accommodated in Temporary Evacuation Centers	
January 2000	2.902	3.834	6.776
February 2000	2.454	4.864	7.318
March 2000	2.454	4.864	7.318
April 2000	2.454	5.056	7.510
July 2000	2.874	5.157	8.631
August 2000	3.501	5.412	9.913
September 2000	5.440	5.798	11.238
March 2001	5.815	6.657	12.472

Source: Social Department of West Kalimantan, 2001

It is interesting that both central and local government failed to end the Sambas conflict. Yet, the mediation initiated by civil society, which was represented by the Forum Komunikasi Pemuda Melayu/FKPM (the Communication Forum of Malay Youth) could end the conflict and achieve a consensus, which was written in the peace agreement. Today, the peace agreement is still obeyed by Madurese and Malays and

The Madurese Sambas who were accommodated in the temporary evacuation centers in Pontianak City, Singkawang Regency and Pontianak Regency were relocated in Tebang Kacang and Mekar Sari Village

in Kubu Raya Regency. According to Samiun (Observation and Interview, 28 September 2014, Tebang Kacang Village, Kubu Raya Regency), an Elementary School Teacher and Rahmat, Agricultural Educator in Tebang Kacang Village, in 2000, the forest in Tebang Kacang Village was cleared for the relocation of Madurese Sambas. Approximately 1000 people were relocated in the village. However, the number of people in Tebang Kacang Village decreased. Many of them left the village. Today approximately around 300-400 people live in Tebang Kacang Village. The neighboring villages of Tebang Kacang Village are Bengkarik, Pasak Piang and Sungai Asam. Although Tebang Kacang Village is located in a remote area with a very bad road condition, it has a number of public facilities such as elementary to senior high schools, mosque, village health center, electricity, houses and lands for Madurese evacuees. However, there is no clean water in the village, so drinking water is obtained from rain. Most of Madurese Sambas are farmers in Tebang Kacang Village. They plant corn and "Terong Asam" (sour eggplants). Tebang Kacang Village became the biggest corn producer in 2007. Although, Tebang Kacang Village is far from the town, most Madurese Sambas said that they feel comfortable in Tebang Kacang Village and they did not wish to go back to Sambas Regency anymore. This is because they already have houses (a wooden house 5 m² x 6 m² for each head of family) and lands (less than 1 hectare for each head of family) given by the government when they were relocated in the village (Interview, Marki (Farmer), Misjar (Head of Community), M.Saed (Head of Zakia Baru Sub-District), 28 September 2014, Zakia Baru Sub-District, Tebang Kacang Village, Kubu Raya Regency).

Figure 6. The Cemented and Muddy Roads to Tebang Kacang Village



Figure 7. Corn Field and Madurese House in Tebang Kacang Village



Unlike Tebang Kacang Village, Mekar Sari Village is more accessible because the road conditions are better with cemented roads. Mekar Sari Village was divided into three, namely: the SP 1: people would get a land, but the location of the land was far from the house; the SP 2: people would get a land behind the house; the SP 3: no land, but the location was close to the other villages (Interview, Subro (NGO officer), 19 October 2014, Mekar Sari Village, Kubu Raya Regency). Today, about 400 head of families live in Mekar Sari. In addition to Madurese Sambas, there are other ethnic groups, i.e. Java, Dayak, Malay. Mekar Sari Village was a forest when the Madurese-Sambas arrived in 1999. The government together with the Madurese-Sambas men opened the area and converted it into a small village. The government provided a house for each household (20 m² x 25 m²), rice supply for one year and seeds of coconut. Most of Mekar Sari Villagers have renovated their houses and only some families retained the original house. Most of Madurese Sambas in Mekar Sari work as farmers. They plant paddy, corn, coconut and vegetables. The major difficulty faced by people of Mekar Sari Village is water. Villagers take baths in front of their house (drainage) and they drink from rain water, which is stored in the drum given by the government. Mekar Sari Village has a number of facilities, such as schools, Islamic boarding school, health clinic and mosques (personal observation, 19 October 2014, Mekar Sari Village, Kubu Raya Regency). Similar to Madurese Sambas in Tebang Kacang Village, most Madurese Sambas in Mekar Sari Village do not want to go back to Sambas Regency because they feel comfortable in the village and they even have a better economic condition. However, compared to the economic condition of Madurese Sambas in Tebang Kacang Village, the condition of Madurese in Mekar Sari Village is much better and more prosperous (personal observation; Interview, H.M. Sunarto (Secretary of Mekar Sari Village), Nuraini and Matdullah (farmers),

19 October 2014, Mekar Sari Village, Kubu Raya Regency).

Figure 8. The Cemented Road in Mekar Sari Village



Figure 9. The Source of Water in Mekar Sari Village



Figure 10. The Original and Renovated Houses in Mekar Sari Village



The Roles of Local Organizations and International Donor Agencies During and After the Sambas Conflict

Various efforts were conducted by local and international agencies to manage the social crisis arising from the Sambas conflict. The activities of the agencies could be divided into two, namely evacuee handling and peace building. The international agencies that were active in handling the Madurese Sambas after the Sambas conflict were Save the Children and Catholic Organization for Relief and Development Aid (CORDAID). The agencies provided food and medicines for Madurese Sambas in the evacuation centers. They also gave education assistance to children in the centers. In addition, they also

recruited women from the evacuation centers to be trained as health assistants (Rosdiawan et al., 2007).

Other international NGO that actively participated in the reconciliation process was Search for Common Ground (SCFG). This INGO collaborated with local NGOs to hold a meeting for the informal leaders of conflicting parties and gave them a training called "Village Gatherings: Peace Education and Conflict Transformation" (Rembuk Kampung: Pendidikan Perdamaian dan Transformasi Konflik) in three different places (Rasau jaya, Korek Sungai Ambawang, Pajin tan Sin gkawan g) on 3-10 March 2004 ((Rosdiawan et.al, 2007). SCFG also held the Child Festival for the Multi Ethnic of West Kalimantan (Jambore Anak Multi Etnis Kalimantan Barat) in Pontianak City on 25-29 August 2003.

Local Madurese Non-Governmental Organizations (NGOs) such as Family Foundation of Sambas Social Riot (Yayasan Keluarga Kerusuhan Sosial Sambas/ YKSS) was active to assist Madurese Sambas in the evacuation center (Sports Stadium, Hajj Dormitory, Singkawang Regency, Wajo Hilir). According to Subro (Interview, 19 October 2014, Mekar Sari Village, Kubu Raya Regency), the YKSS officer, prior to transferring the Madurese Sambas to Mekar Sari Village, they were accommodated in 12 barracks. The YKSS and Madurese Sambas men helped in clearing the forest in Mekar Sari Village and in developing the village. The YKKS also participated in bridging the aspiration of the conflicting parties and resolve an incident in 2001 in the evacuation center (Sports Stadium) in Pontianak City. A young Madurese Sambas man from the evacuation center robbed the community of Pontianak City. The incident caused the death of a 3 year old child. This incident caused the anger of Pontianak people to Madur ese Sambas in th e evacuation center. The YKSS assisted to stop the incident from further escalating.

Other Madurese NGOs that actively participated in assisting Madurese Sambas in the evacuation centers wer e th e Society Empower men t an d Recover y Foun dation (Yayasan Pemulih an Keber dayaan Masyarakat/YPKM), Madurese Student Association (Himpunan Mahasiswa Madura), Miftahul Ulum Islamic Boarding School Foundation (Yayasan Pondok Pesantren Miftahul Ulum), Gemilang NGO (LSM Gemilang), and darul Ulum NGO (LSM Darul Ulum). These local NGOs provided the revolving funds for Madurese Sambas in the evacuation centers (Subro, 2002).

A local NGO of Malay ethnic that actively participated in advocacy during and after the Sambas conflict was Malay Youth Communication Forum (Forum Komunikasi Pemuda Melayu/FKPM). The Forum facilitated Malays to communicate with Madurese and the government. The Forum also got involved in the mediation process. After the conflict, the Forum promoted understanding to Malay people about living in harmony. In 2014, there was a clash between Madurese and Malays in Kubu Raya Regency, people of both sides consulted the Forum about their problems (Interview, Burhani B.Soni (Head of FKPM), 26 May 2014, Pemangkat District, Sambas Regency). Arifidiar (Interview, 26 May 2014, Pemangkat District, Sambas Regency), a Youth Leader of Pemangkat also stated that after the conflict, the Forum actively educated people about living in harmony with other ethnic groups.

Other local Malay NGOs were Malay Cultural Assembly (Majelis Adat Budaya Melayu/MABM) and Germawan NGO (LSM Germawan). Both Malay and Madurese NGOs also played important roles as facilitators in the peace communication process. They got involved in the peace dialogues such as: 1) Youth of Nation Deliberation for Peace (Musyawarah Damai Anak Bangsa di Bumi Kalimantan) in NAM Center Jakarta on 20-22 March 2001; 2) Youth of Nation Deliberation (Musyawarah Anak Bangsa di Bumi Khatulistiwa) in Pontianak City on 24-25 April 2001; 3) Kalimantan People Consensus (Musyawarah Tekad Mufakat Rakyat Kalimantan) in Batu, East Java on 1-3 February 2002; 4) Madurese-Malay Peace Dialogue Forum (Forum Silaturahmi Melayu Madura) in the Regional Police Headquarters of West Kalimantan on 3 August 2002; and 5) Kalimantan Regional Consultation for Peace Building and Reconciliation (Konsultasi Regional Kalimantan untuk Peace Building dan Rekonsiliasi) in Pontianak City on 16 February 2004 (Rosdiawan et al., 2007).

It was so unfortunate that activities and programs initiated by local and international NGOs were not sustained because of time and funding limitations. In addition, the government did not pay much attention to the sustainability of activities and programs initiated by the local and international NGOs, although based on the survey in the evacuation center it was found that activities and programs initiated by local and international NGOs were more effective compared to those of the government (Subro, 2002).

The Sambas Peace Agreement: A Warranty of Peace Sustainability?

Up to the present, the results of Sambas mediation (the Sambas Peace Agreement) remain debatable even though the mediation restored the peaceful situation in Sambas Regency. This is because the mediation results are discriminative against Madurese Sambas since one provision of the agreement caused the expulsion of Madurese Sambas from Sambas Regency. It is questioned whether the process of mediation considered the human rights law which is governed by Law No. 39 of 1999 on Human Rights. From a legal point of view, the mediation results of the Sambas conflict, which resulted in the expulsion of Madurese-Sambas was clearly against the human rights law. Article 3 (1) of Law No.39 of 1999 on Human Rights clearly stipulates that "each person is born to be free with dignity and equality to live in community and the state based on the brotherhood spirit." Article 3 (3) of Law No.39 of 1999 on Human Rights even emphasizes that "each person has the rights to acquire human rights protections and fundamental human freedom without discrimination." If these provisions are used to argue the mediation results of Sambas conflict, then it is affirmative that the mediation results are not legitimate under the Human Rights Law of Indonesia; consequently the results are not acceptable under the law. However, it is obvious that the law has been exempted for the Sambas mediation results. It may be then questioned as whether the exemption of law for the Sambas mediation results could be supported from the Indonesian legal perspective.

To answer this question is not easy, particularly because the conflict would never end and more Madurese Sambas would get killed if the Madurese Sambas still lived in Sambas Regency. If brutal killing would continue in Sambas Regency, it was also against the fundamental human rights, that is "the rights to life" under Law No.39 of 1999 on Human Rights. Hence, there has to be a balance between "the rights to life" and "the rights of non-discrimination" (remarks from the Focus Group Discussion with Zulfydar Mochtar (Sambas Mediator), Albertus (API Fellow) and Iwan (Businessman), 20 October 2014, Pontianak City). This argument may be used to justify the discriminative results of Sambas mediation. Another justified argument can be found from the application of the prominent Indonesian legal theory "Law Development Theory." According to Mochtar Kusumaatmadja in his infamous theory of Law Development, 'law is a means

to maintain order in society'. The role of law is 'to ensure the dynamic changes occur in regular manner'. Law is 'society's renewal media, which means that law should serve as a director for society's actions to support the development' (Kusumaatmadja, 1976). Based on the Theory of Law Development, the exemption of Human Rights Law can be accepted since the development of Sambas Regency and Indonesian nation can be hampered if the social conflict in Sambas Regency do not end. This approach aligns with the statement of Former President Susilo Bambang Yodoyono who stated that "conflicts will never be fruitful for the society development. The conflicts will impact on development and they will cause the development stagnation" (Pontianak Post, 2007).

However, there was a latent weakness in the mediation results because there was not monitoring and evaluation mechanisms established. Fifteen years after the conflict, Madurese Sambas should be allowed to enter Sambas. This sentiment was also expressed by Nagian (Interview, 20 October 2014, Pontianak City), Secretary of Madurese Big Family Association (Ikatan Keluarga Besar Madura/IKBM). He criticized the results of mediation because there was no measurement or indicator of the term 'natural assimilation'. There was no prescribed time when the 'natural assimilation' had to be achieved in the Peace Agreement. As a result, the government did not facilitate the 'natural assimilation' between Madurese and Malays. Up to the present, the government has not made any efforts or programs to return the Madurese Sambas to Sambas Regency. According to him, Sambas public facilities such as markets, tourist attractions and visiting places for religious and cultural purposes should be open to all Madurese Sambas. The government should make efforts to remove the generation of hatred between Malays and Madurese. The government has to focus on the protection of human rights of both parties. Similarly, Albertus an Asian Public Intellectual (API) Fellow stated that "the natural assimilation" in the Peace Agreement should be facilitated by education (e.g. teachers training). According to him, many of his Madurese friends have a motto of 'friends are my family'. This motto should be spread out to remove hatred between Madurese and Malays (remarks from the Focus Group Discussion with Zulfydar Mochtar (Sambas Mediator), Albertus (API Fellow) and Iwan (Businessman), 20 October 2014, Pontianak City). In 2007, the candidate Governor of West Kalimantan Province (Interview, 26 May 2014, Selaku District, Sambas Regency) in his campaign stated that Madurese

Sambas would be allowed to go back to Sambas. However, after he was elected as the Governor, his campaign promise has never been realized.

The question arises whether after 15 years of Sambas conflict, Malay Sambas retain their hatred against the Madurese. According to U.Dardiansyah (Interview, 26 May 2014, Selaku District, Sambas Regency), a government officer, the Sambas local government has tried to promote better understanding among local Malays about the importance of living in harmony. Yet, there is still pros and cons when it comes to the issue of accepting Madurese. Most of Malay people in Sambas Regency do not want the Madurese to live in their villages because of the trauma from the conflict. A similar opinion was expressed by Syafarudin (Interview, 26 May 2014, Semparuk Village, Sambas Regency), Former Head and Community Leader of Semparuk Village, "we, the Malays, do not hate the Madura ethnic after they all went out from Sambas. There is "no long-life hatred to Madurese". We just do not want them to live in Sambas because we have trauma about the past experiences with the Madurese. On the generation of Sambas people experienced this conflict, but we do not hate all Madurese. There are many Madurese in Singkawang City (a neighboring regency of Sambas)". Asmadi (Interview, 26 May 2014, Pemangkat District, Sambas Regency), a youth who got involved in the Sambas conflict also said that "it would be after one generation disappeared, Madurese could live again in Sambas Regency. However, Malays do not hate the Madurese. There are no hard-feelings against the Madurese".

Today, there are no more Madurese in all villages of Sambas regency, but they are still allowed to visit the villages (Interview, Burhani B.Soni, the Malay Communication Forum, 26 May 2014, Pemangkat District, Sambas Regency). It is apparent that Malay Sambas is still in trauma. In addition, Madurese Sambas in the relocation areas (Tebang Kacang and Mekar Sari Village) are also reluctant to go back to Sambas Regency. However, the interaction between the two ethnic groups is getting better and better now. Singkawang City is the neutral place where the two ethnic groups engage in social interactions (remarks from the Focus Group Discussion with Zulfydar Mochtar (Sambas Mediator), Albertus (API Fellow) and Iwan (Businessman), 20 October 2014, Pontianak City).

A different opinion was expressed by Eka Hendry AR (Interview, 20 October 2014, Pontianak City), an academician of STAIN Pontianak. According to him, even though there is no more conflict, prejudices

between the two ethnic groups may still occur. He referred to the peaceful situation in Sambas as "a negative peace" in the sense that there are no more conflicts today, but there are still potential conflicts in the future with the different causes because there is no "monitoring and evaluation" after the implementation of the Peace Agreement.

Fifteen years after the Sambas conflict, a question remains whether those who conducted the killings of Madurese Sambas can be punished by the Human Rights Law. It should be noted that Law No. 39 of 1999 on Human Rights and Law No. 26 of 2000 on Human Rights Court merely regulate the violations of human rights, which are conducted by the state against its people. As the result, the two laws are not applicable to examine the Sambas conflict even though the two laws can be implemented to the human rights violations prior to the enactment of the laws. Accordingly, Malay Sambas who got involved in the killings of Madurese Sambas are not prosecuted. Up to the present, there are no evidences that people who were involved in social/communal conflicts were given penalties.

Personal Reflections: Experiences and Expectations

Both Malays and Madurese ethnics have different experiences during the Sambas conflict. Those who got involved in the conflict still cannot forget their experiences. Both Malays and Madurese possess the same traumas and they all expect that the Sambas conflict should be the last conflict in West Kalimantan Province. The experiences, traumas and expectations of the Malay and Madurese people are revealed below.



Syafarudin (a Malay Sambas) was a youth leader during the 1999 Sambas conflict. He was 37 years old when he got involved in the conflict. "We (Malay Sambas) had to kill Madurese during the conflict because we would be considered in favor of Madurese if we did not kill them. The Madurese babies were thrown to the river. When I was holding the two heads of Madurese gangsters (Thalib and Umar), Sambas people thanked me. We put all heads on the drums and as a symbol of appreciation, Sambas people donated their money because we could kill the trouble makers (Madurese gangsters). I did not feel frightened or exhausted when I attacked Madurese. We attacked them during the day time. Children were not afraid because they played with the Madurese heads. Although I got involved in the conflict, none of us was

arrested or put to trial because of the killings. After the Madurese left Sambas, we feel more secure. I do not hate them. I communicate with Madurese outside Sambas. Malays were always suppressed by Madurese before the conflict. That is why we raised up to fight them. Since our anger was already on the top of our head, we wanted to kill them. We, the Malays, do not hate the Madura ethnic group after they all went out from Sambas. There is "no long-life hatred of the Madurese." We just do not want them to live in Sambas because we have trauma about the past experiences with Madurese. On the generation of Sambas people experienced this conflict, but we do not hate all Madurese. There are many Madurese in Singkawang City (a neighboring regency of Sambas). Madurese can visit Sambas, but they cannot live in Sambas" (Interview, 26 May 2014 in Semparuk Village, Sambas Regency).



Haji M. Sunarto (a Madurese Sambas), is currently the Village Secretary of Mekar Sari. I was a farmer in Sambas Regency. During the conflict, I was rescued by security forces. I had to go to Senggau District and stayed in the forest for three days together with my four family members. There was no food to eat, but my wife motivated me to struggle for our lives. I was evacuated to Sports Stadium (GOR Pangsuma) in Pontianak City during the Sambas conflict in 1999. The condition of the evacuation center was also so bad because of overpopulation and food supply was not enough. I and my family were relocated to Mekar Sari Village. I had to struggle the first time we came to Mekar Sari Village because the road condition was so bad. Mekar Sari Village was formerly a forest; therefore each head of family was given living supplies (rice, cooking oil, etc) by the government. The government also gave each head of family a house (20 m² x 25 m²) and 1 acre of land as well as seeds of rambutan and coconut. Today, the access to Mekar Sari Village is better than before. Previously, a motorboat or speed boat was the only transport to Mekar Sari Village. Now all roads to Mekar Sari Village are cemented. My life is much better compared to my life in Sambas Regency. I and my wife even went to Makkah to perform Hajj. My family owns 10 cows and several lots in Mekar Sari Village and 3 acres of land. Up to present, water has been a big problem in Mekar Sari Village. Drinking water is obtained from the rain. We do not want to go back to Sambas anymore because our life conditions are better than in Sambas now (Interview, 28 May 2014,

Zakia Baru Sub-District, Tebang Kacang Village, Kubu Raya Regency).



Misjar (a Madurese Sambas) is currently the Head of Community in Zakia Baru Sub-District, Tebang Kacang Village. I was a farmer in Sambas. I married a Malay Sambas lady. I had lands in Sambas, but all my properties were burnt during the conflict. I already sold my lands. My wife could help me sell the lands because she is a Malay Sambas lady. I came to Tebang Kacang Village in 2002 from the Selakau District. I was helped by the Army and Dayak people to go out of Sambas Regency. I did not eat rice for 7 days. I was relocated together with my relatives (12 people). Since then, we all have lived together in one house in Tebang Kacang Village. I am also a farmer in Tebang Kacang Village. I grow corn and rice. I sell them to a corn collector/vendor in the village. I also feel more comfortable living in Tebang Kacang Village. I send my children to nearby schools (junior and senior high school). Most of Madurese people here [Tebang Kacang Village] do not want to go back to Sambas anymore. I wish that we could have a better road in Tebang Kacang Village (Interview, 19 October 2014, Mekar Sari Village, Kubu Raya Regency).



Mariten (a Madurese Sambas) is a female farmer in Mekar Sari Village. I and my 5 children came out from Sambas Regency in 1999. We were rescued by the security forces. I used to have a house in Sambas Regency, but it was burnt during the conflict. In the beginning I could not stand to stay in Mekar Sari Village because the condition of Mekar Sari Village was worse than in Sambas Regency. As a farmer in Mekar Sari Village, I sell the crops to an agent who comes to the village to collect the crops during the harvest time. Today, I prefer to live in Mekar Sari Village because my life is better. I now own a new motor bike and a brick house. The drinking water is the main problem in Mekar Sari Village. I hope that the government will find ways to provide us better drinking water (Interview, 19 October 2014, Mekar Sari Village, Kubu Raya Regency).

Nuraini and her husband, Matdullah (Madurese Sambas) and their 4 children came to Mekar Sari Village in 1999. We had a house in Sambas, but it



was burnt during the conflict. We were accommodated in the Hajj Dormitory in Pontianak City for 2 days before being transferred to Mekar Sari Village. Mekar Sari Village was a forest and the road was so muddy. There was no electricity when we came to Mekar Sari Village. I and my husband work as farmers, yet our harvest is not enough because of the condition of soil in Mekar Sari Village is not good. We obtain a rice subsidy from the government, but the rice is not delicious to eat. Sambas Regency is better than Mekar Sari Village, but we still do not want to go back to Sambas Regency. We have nothing in Sambas Regency anymore (Interview, 19 October 2014, Mekar Sari Village, Kubu Raya Regency).

Conclusion

1. The Sambas conflict constitutes a horizontal conflict involving Malay and Madurese ethnic groups, although the Dayak ethnic group eventually also got involved in this conflict. It is believed that the conflict escalated because of the slow movement and failure of law enforcers to stop the spread of conflicts to other areas in Sambas Regency.
2. The prominent factor which drove the Sambas conflict relates to identity issues between Malay and Madurese groups. The arrogance and exclusivity of Madurese ethnic group are also believed as the main factors contributing to the conflict.
3. Both the local and central governments attempted to end the Sambas conflict by conducting dialogues between the conflicting parties. Since, the governments' interventions failed to end the conflict, civil society represented by a number of local NGOs initiated efforts to mediate the conflict. The FKPM, a local NGO brought the conflicting parties to the mediation table. The lengthy process of mediation finally produced a Peace Agreement. The Peace Agreement formally ended the conflict but it caused the expulsion of Madurese Sambas from Sambas Regency. Up to the present, there are no Madurese in Sambas Regency. The Madurese Sambas were either relocated in Tebang Kacang and Mekar Sari Village or integrated into the community where their relatives live in West Kalimantan Province.
4. The roles of international NGOs were not so significant in the mediation process, yet they played important roles in empowering Madurese Sambas in the evacuation centers and educating the conflicting

ethnic groups about living in harmony. Unfortunately, the limited timeframe and funds made their activities and programs unsustainable.

5. During the Sambas conflict, a number local based organizations (local NGOs) succeeded in bringing the conflicting parties into peace dialogues. The FKPM initiated a mediation, which succeeded in ending the conflict. After the conflict, local NGOs in collaboration with international NGOs actively promoted and educated people about living in harmony. Although the surveys reveal that activities and programs of local and international NGOs were more efficient than those of the government, their activities were not sustained due to the lack of funds and support from the government.

6. Almost 15 years since the end of Sambas conflict, the Madurese Sambas still cannot return to Sambas Regency. The Peace Agreement was considered to produce 'a negative peace' because it failed to determine the time limit of 'natural process of assimilation' between the conflicting parties. The Peace Agreement was also criticized because it failed to provide monitoring and evaluation mechanisms to promote the natural process of assimilation.

7. Both of Malay and Madurese Sambas have experienced traumas from the 1999 Sambas conflict. As the result, Malay Sambas still reject the return of the Madurese to Sambas Regency even though the peace agreement has been in place for 15 years. On the other hand, Madurese Sambas are reluctant to go back to Sambas Regency because they now have better lives in the relocation areas or have no more properties in Sambas Regency.

Recommendations

1. After 15 years of the Sambas conflict, none of Madurese Sambas returned to Sambas Regency. Based on this research, it is revealed that Malay Sambas have no hatred towards former Madurese Sambas. Hence, it is suggested that the government of Sambas Regency introduce 'an open Sambas' to all Madurese people. It can be started by holding joint Muslim festivals between former Madurese Sambas and Malay Sambas in Sambas Regency.

2. Both the governments of Sambas Regency and Kubu Raya Regency should integrate cultural understandings as their uniqueness local course in the curriculum of all educational levels.

3. The government of Kubu Raya Regency, which covers the areas of Tebang Kacang and Mekar Sari Village should provide better infrastructure facilities and

drinking water for the two villages.

4. Civil Society Organizations (CSOs) in Sambas Regency, Kubu Raya Regency and Pontianak City should revive the promotion of the cultural understanding and become more proactive in promoting human rights advocacies to youth, women and community groups in Sambas and Kubu Raya Regency as well as in other areas in West Kalimantan Province.

5. Civil Society Organizations (CSOs) in Kubu Raya Regency and Pontianak City together with the local government in Tebang Kacang and Mekar Sari Village can initiate community festivals or sports that involve the former Madurese Sambas and Malay Sambas to reduce their trauma from the Sambas conflict.

6. In order to prevent another ethnic conflict in West Kalimantan, law enforcers in West Kalimantan should implement laws strictly and treat violators of laws impartially.

7. A broad interpretation should be given to Law No. 39 of 1999 on Human Rights in order to hold legal enforcers liable when they are not able to stop the spread of horizontal conflict.

References

- Amiruddin, et al. (2004). *Pengantar Metode Penelitian Hukum*. Jakarta: PT. Raja Grafindo Persada.
- Cahyono, H. et al. (2008). *Konflik Kalbar dan Kalteng Jalan Panjang Meretas Perdamaian*. Jakarta: P2P-LIPI.
- Davidson, J. S. (2002). *Violence and politics in West Kalimantan, Indonesia*. PhD dissertation, University of Washington.
- Huddleston, T. (2007). *Identity, Diversity and Citizenship: A Critical Review of Educational Resources*, a report presented to the Association for Citizenship Teaching by Citizenship Foundation. Retrieved on September 01, 2014. http://www.citizenshipfoundation.org.uk/lib_res_pdf/0747.pdf.
- Kusumaatmadja, M. (1976). *Hukum Masyarakat, dan Pembinaan Hukum Nasional*. Bandung: Binacipta.
- Mochtar, Z. (2012). *Mediasi Tradisional (Malayu-Madura)*. Pontianak: PT. Romeo Mitra Grafika.
- Petebang, E. and Sutrisno, E. (2000). *Konflik Etnik Di Sambas*. Jakarta: Institute Studi Arus Informasi.
- Pontianak Post. *Konflik Han ya Akan Hambat Pembangunan*, 2 May 2007.
- Rosdiawan, R. et al. (2007). *Revitalisasi Kearifan Lokal: Suatu Resolusi Konflik di Kalimantan Barat*,

- Maluku dan Poso, ed. Alpha Amirrachman. Jakarta: International Center for Islam and Pluralism (ICIP).
- Saad, M.M. (2003). Sejarah Konflik antar Suku di Kabupaten Sambas. Kalimantan: Kalimantan Persada Press.
- Saptomo, A. (2009). Pokok-Pokok Metodologi Penelitian Hukum Empiris Murni Sebuah Alternatif. Jakarta: Universitas Trisakti Press.
- Shaleh, I.M. (2005). Problematika Komunikasi Antarabudaya. Pontianak: Pontianak Press.
- Subro. (2002). Alternatif Pemberdayaan Pengungsi. Paper presented at the Pemberdayaan Pengungsi Korban Kerusuhan Sosial Sambas, Pontianak.
- Subro, et al. (2011). Suara Kami Buat Perdamaian: Refleksi atas Nestapa Manusia dan Cita-Cita Perdamaian, ed. Eka Hendry AR. Pontianak: STAIN Pontianak Press.
- Suparlan, P. In donesia Baru dalam Perspektif Multikulturalisme. Harian Media Indonesia. 21 December 2001.
- Van Klinken, G. (2007). Communal Violence and Democratization in Indonesia: Small Town Wars. New York: Routledge Contemporary Southeast Asia Series.
- Zurayah, H. (2005). Pendidikan Bagi Anak Pengungsi pasca Konflik Etnis (Studi Kasus Pengungsi Korban Konflik Etnis Sambas Di Pontianak. Thesis, Program Pasca Sarjana Institut Agama Islam Negeri Walisongo, Semarang.

Peace building from Below: Conflict Resolution, the Role of Women, and Peace Governance in select Cotabato, Maguindanao and Sultan Kudarat communities

Rufa Cagoco-Guiam

"We continue to stress the peace and security framework which has been set forth by the President, fully recognizing that peace is not made just on the negotiating table but must be waged vigorously on the ground."

Sec. "Ging" Deles, OPAPP

Introduction

Grassroots peace building - or peace building "from below" - brings to the fore the crucial role of ordinary people in creating the enabling environment that can pave the way toward durable, lasting peace. A countervailing view, however, claims there is nothing ordinary people can do if top government officials make their own arbitrary decisions in stopping an on-going conflict. This observation lends credence to the claim that while ordinary people build peace among themselves in their own communities, people at the top continue to "make war," at the expense of the former.

As experienced in the previous peace process with the Moro National Liberation Front (MNLF), ending violence and forging peace did not come automatically after the top officials of the government and the leaders of the rebel group (MNLF) agree to make peace at the negotiating table. When there is no support from other sectors of society, when there is no popular participation in it, a peace process is doomed to fail.

On September 2, 1996, the Philippine government, under Pres. Fidel V. Ramos, signed the so-called Final Peace Agreement (FPA) with the MNLF after a long drawn out peace negotiation process. While it was a significant step in the long process of peace building,

it did not end the violence, nor addressed the root causes of conflicts in Mindanao. It was also heavily criticized for excluding civil society sectors in the process, thus leading to massive opposition from these groups. In some key areas in Mindanao, open opposition and mass protests greeted government functionaries in their peace caravan sorties by throwing ripe tomatoes at them.

1

Since 1997, the Moro Islamic Liberation Front (MILF), a breakaway faction of the MNLF, has engaged the Philippine government, through its various administrations, in a series of high-level peace talks (Track One) processes. After the leadership of three presidents (Joseph Estrada, Gloria Macapagal - Arroyo, and presently, Benigno Aquino III), these talks have resulted in the signing of the Comprehensive Agreement on the Bangsamoro (CAB) in March, 2014. This time, however, every step of the process had a markedly different mode than was practiced in the previous peace process with the MNLF. Civil society groups were quite visible every step of the way, and many personalities from civil society organizations (CSOs) were deeply involved in the process, either directly or indirectly.²

The involvement of civil society actors and groups was pushed quite aggressively by no less than the Office of the Presidential Adviser on the Peace Process (OPAPP) secretary, Teresita "Ging" Quintos-Deles, who affirmed that peace cannot only be forged at the top - "it must be waged vigorously on the ground."³

In this paper, I describe and analyze various forms of peace building on the ground - largely through the efforts of community-based small non-government organizations that partner with civil society

¹ See Cagoco-Guiam, 1999, "A Critical Partnership: civil society and the peace process," in *The MNLF-GRP Peace Process: Mindanao in Transition*, MSU-GSC Research Journal, Vol 3, Nos. 1 and 2 (January - June 1999), p. 52. In some key cities like Iligan, government spokesperson advocating for the implementation of the Southern Philippines Council for Peace and Development (SPCPD) were greeted with loud boos and offensive language (Rodil, personal communication)

² One of the most directly involved academic in the peace process is Prof. Miriam Coronel-Ferrer, who eventually became chair of the GPH peace panel, as appointed by Pres. Benigno Aquino III.

³ Remarks made after the pronouncement of President Benigno Simeon C. Aquino III on the peace and security framework being followed in peace negotiations, as quoted in R. C. Guiam's power point presentation on the updates on the Philippine peace process, Universitas Internasional Batam, 17 April 2014.

organizations, on one hand, and with international donor agencies, on the other. These include the initiatives of CSOs in resolving conflicts at the community level. Such efforts take place at the lowest and smallest unit of government in the Philippine bureaucracy - the barangay. Such initiatives can be grouped into two major strategies of peace building - conflict resolution in the grassroots, and peace governance at the barangay local government unit (BLGU) level.

Methods

For both logistics and time considerations, I chose to describe and analyze the initiatives geared towards grassroots peace building in a few selected barangays and municipalities in the provinces of North Cotabato, Maguindanao and Sultan Kudarat. These provinces used to be one big provincial entity dubbed during colonial times as the "Empire Province of Cotabato." The moniker was attributed owing to its vast land area that spanned the whole of central and parts of southern Mindanao, specifically including the fertile river valleys inundated by the great Pulangi (or Rio Grande) that traversed it all the way up to Bukidnon and other northern Mindanao provinces. The division, or now popularly perceived as gerrymandering distribution of political bailiwicks, took place first during the administration of the late President Ferdinand E. Marcos, that led to the creation of four provinces: Maguindanao, Sultan Kudarat, North Cotabato and South Cotabato. The second gerrymandering presidential declaration took place in 1991, during the time of Pres. Corazon C. Aquino, when the province of South Cotabato became two: South Cotabato and Sarangani provinces.

Table 1. Specific barangays, municipalities and provinces covered in the study and external linkages and interventions

Barangay	Municipality	Province	Specific linkages/interventions and donor agencies
Ginatilan	Pikit	(North) Cotabato	Catholic Relief Services / Peace Governance in Mindanao (PGM) Project
Bagolibas	Aleosan	(North) Cotabato	A Single Drop of Safe Water / CIDA-LGSP Great Women Project.
Pagagawan	Montawal	Maguindanao	Integrated Muslim Association for Natives, (IMAN, Inc) / CRS
Dungguan	Montawal	Maguindanao	IMAN/CRS PGM project
Laguilayan	Isulan	Sultan Kudarat	CRS/PGM Project / Kaduntaya Foundation, Inc (KFI)
Mayo	Colombio	Sultan Kudarat	CRS/PGM, Colombio Multi-Setoral Ecology Movement (CMEM)

Data for this paper were gathered mainly through qualitative approaches like desk review of pertinent literature, key informant interviews and two group interviews conducted among some beneficiaries of community based peace building initiatives.

This paper describes various peace building initiatives of community-based civil society groups, women's groups or organizations and how these have interfaced with local government unit efforts in peace governance in selected barangays in Central Mindanao provinces like North Cotabato, Sultan Kudarat and Maguindanao (refer to Table 1).

Such initiatives take place in contexts of conflicts and intersections of conflicts in the areas described, including the factors that led to the conceptualization of these community-based initiatives. These initiatives do not take place in a political vacuum; there are interfaces between these and the efforts of mainstream organizations like the media and the academe. Such efforts are participatory, and have created platforms now accessible to ordinary citizens. The question that remains, however, is whether these efforts can influence the forging of new structures for durable peace processes in the present and near future.

Theoretical lenses and analytical frames

Vertical and horizontal conflicts have wrought massive destruction to lives and property in Central Mindanao communities since the early 1970s. Vertical conflicts are fiery encounters between the elements of the Armed Forces of the Philippines (AFP) and various identity-based "rebel" groups, like the MNLF and its breakaway faction, the Moro Islamic Liberation Front (MILF). On the other hand, horizontal conflicts are those between families contesting for control of political power in different local government units, as well as families that have a long history of feuding due to reasons ranging from petty ones to more substantive issues like competing land claims and ownership. The latter type of conflict is referred to in the literature on Mindanao conflict as "rido."⁴ The anthology of rido cases in Central Mindanao has shown that horizontal conflicts like rido has claimed more deaths than the vertical conflicts associated with rebellion and

⁴ For more in-depth discussions and analysis of the phenomenon of rido in Central Mindanao and in the Autonomous Region in Muslim Mindanao (ARMM), please refer to Torres, Wilfredo III, ed. Rido: Clan Feuding and Conflict Resolution in Mindanao. Makati: The Asia Foundation, 2014.

insurgency (Torres, 2014). Indeed, in Mindanao's conflict-affected localities, observers and scholars need to be cautious in attributing violence only to rebel groups: "... people within the ARMM actually feel less threatened by the rebellion and insurgency, and are more concerned about the daily risks arising from community-level violence..." (Lara, 2014: 187). This is largely because such violence stems from a violent system of resolving conflict, that of revenge killings among members of two warring clans, and this can happen anytime, in far-flung communities or in urban areas, wherever the other party in conflict seems vulnerable.

The protracted nature of these conflicts has resulted to long term, cyclical poverty among communities in the Central Mindanao region since the 1970s, in the case of rebellion-related or vertical conflicts. But horizontal conflicts or *rido* date back to the 1930s or even earlier (Torres, 2014) Exacerbating the situation is the prevalent weak or absentee governance in some local government units in the region, creating an enabling environment for opportunistic elements in the underground economy to thrive (Cagoco-Guiam & Schoofs, 2013). The cycle of negative consequences of armed conflicts have pushed ordinary citizens in Central Mindanao communities to resort to strategies of improving their day-to-day security, through a combination of various peace building approaches.

In the spiral of peace framework (Attack, 1997; Muslim, 2003; and Ferrer, 2002, as adapted by Villanueva, 2005), peace building is the last and most challenging phase in any peace process. The spiral of peace process starts with peacemaking, or the stage where parties involved in violent conflict cease firing guns at each other, paving the way for negotiations to take place. In this first stage, ceasefire agreements are signed, and initial confidence building measures are put in place, like relief and humanitarian assistance to conflict-affected communities.⁵

Peacekeeping is the second phase in this process, and it is here where the stage is set for more durable solutions to conflicts are conceptualized and implemented. This phase sets the stage for political mainstreaming of members of the rebel group that has consented to sit at the negotiating table for more talks

⁵ These processes are lengthily described in the teaching notes prepared by the author for her classes in Peace and Conflict Studies, Sociology Department, College of Social Sciences and Humanities, Mindanao State University - General Santos City.

that will eventually result to a final peace agreement. It is also in this stage when both parties in conflict collaborate in various socio-economic development projects that will hasten the political mainstreaming of communities affected by conflict, like short to medium term livelihood projects.

The third and final phase, peace building, is aimed at sustaining peace and prevention of recurrence of armed conflicts through two main strategies:

- o Continuing confidence-building measures through holistic rehabilitation and convergence of development efforts
- o Promoting and strengthening structures that support peace

The first strategy requires that donors, in partnership with the two contending parties, like the Government of the Philippines and the Moro Islamic Liberation Front (MILF) establish convergence measures and mechanisms in rehabilitation and development of conflict-affected communities. This has been the main concern and responsibility of the Bangsamoro Development Authority (BDA). The MILF organized the BDA in 2000 as a long-term strategy toward a convergence approach in doing development work among conflict-affected communities in Central Mindanao and in the island provinces. Since its organization, the BDA has been the recipient of various international donor agencies and programs, for its capacity building and organizational management. It has also led the implementation and oversight of various projects ultimately aimed at continuing confidence building, holistic rehabilitation and promoting and strengthening local structures that support peace.⁶

In the 1996 Final Peace Agreement, a multi-donor program and structure, called the Southern Philippines Council for Peace and Development (SPCPD) was created to be the agency that provided oversight

⁶ These are based on the author's personal knowledge of the BDA. For more than five years, the author has been engaged in assessing and assisting several development projects funded by international donors with the BDA either as implementer or as the oversight body. In 2013, the author was the main trainer of the BDA board of directors and top program officials on "Personal Effectiveness and Quality Management for Development," the first in the series of capacity building programs for BDA provided by the Japan International Cooperation Agency (JICA) in partnership with the Development Academy of the Philippines (DAP).

functions for all development efforts in the conflict-affected communities to sustain the peace already forged between the MNLF and the government leaders. One of the pilot development interventions under this mechanism is the Peace and Development Communities (PDCs). The PDCs were supposed to be "convergence zones" of donor-funded programs, spearheaded by the United Nations Multi-donor Programme (UNMDP) and implemented through the oversight function of the SPCPD. As the name suggests, the PDCs involved ordinary citizens and peace advocates in the *sitios* and *puroks*⁷ to embark on various short and long-term livelihood projects, as well as capacity building and trainings on the Culture of Peace (CoP). Such efforts were designed as peace building interventions. But as one impact assessment has shown, the PDCs have only reached the peacekeeping phase, as most interventions did not really address the roots of conflict, but just its symptoms (Villanueva, 2005; Muslim, 2003).

Peace building has been referred to as the "creation of a new environment" (Boutros-Ghali in Diehl, 2006), which goes beyond the cessation of hostilities, and which includes all activities that aim to prevent the recurrence of violent conflict.

The ultimate aim of peace building as the creation of a new environment that goes beyond peace-making (cessation of hostilities) and peacekeeping (ensuring that the cessation of hostilities is kept), remain elusive up to the present. As of this writing, the peace spiral is sliding back to an environment before peacemaking happens - violent recurrence of vertical conflict has been the daily reality in many communities in Maguindanao.⁸

⁷ In the Philippine government bureaucracy, the *barangay* is the smallest political unit. However, some big *barangays* are subdivided into *sitios* or *puroks* for better management of the *barangay* local development council. The *sitios* and *puroks* are not politically mandated, but have existed for as long as the *barangays* have existed.

⁸ More than 125,000 individuals are reportedly displaced from their communities in Maguindanao and Cotabato provinces as of the latest news report over TV Patrol (Central Mindanao edition), Wednesday, March 25, 2015, 5:30 pm. The massive displacement has been attributed to the series of military offensives aimed at crushing the Bangsamoro Islamic Freedom Fighters (BIFF), a breakaway faction of the MILF, and also as a retaliation to the much publicized tragedy in Mamasapano, Maguindanao, that killed 18 MILF forces, 5 civilians, and 44 Special Action Force (SAF) commandoes of the Philippine National Police (PNP).

Local NGOs, like those described in this paper, have created spaces for the involvement of ordinary citizens in mitigating clan-based conflict through trainings in small-scale dispute resolution. These efforts have largely engaged women and women's groups in the community level (Dwyer and Cagoco-Guiam, 2012; Busran-Lao, 2014). Local spaces and platforms can provide access to ordinary citizens and can recognize their prominent presence in localized efforts toward promoting durable peace. However, as Gaventa's power analysis framework (2000) shows, these platforms of initiatives have to influence the power structures that are nurturing war in order to turn the tide toward processes and mechanisms that promote durable peace. Accessing public spaces and creating platforms at the community level are inadequate to leverage powerful policy and decision-making structures in government and among feuding and competing elite political clans. In many localities in Central Mindanao, contestations for political power among the elite political clans hold sway over grassroots initiatives toward peace building.

On the role of community-based civil society organizations and INGOs

The community based civil society organizations described in this paper started out as small groups of like-minded people who were faced with serious problems related to security and peace and order in their respective localities. There is one common thread that unites the initiators of these groups - the founding member and members of these groups are community-based activists and progressive-minded individuals who distinguished themselves in animating and organizing community members toward a more peaceful future.

Since 2011, several community-based non-government organizations (NGOs) in the Central Mindanao area implemented a peace building project code named Peace Governance in Mindanao (PGM). Among these were the Integrated Mindanaoans Association for Natives (IMAN), Inc.; (for *barangays* Dungguan and Pagagawan in Montawal, Maguindanao); Kadtuntaya Foundation, Inc. for *barangays* Laguilayan, in Isulan, Sultan Kudarat; the Columbio Multi-sectoral Ecology Movement (CMEM) for *barangay* Mayo, in Columbio, Sultan Kudarat; and the A Single Drop of Safe Water (ASDSW) for *barangay* Bagolibas, Aleosan, North Cotabato. In addition, an international NGO implemented directly its Peace Governance project in *barangay* Ginatilan,

Pikit, North Cotabato.⁹ Another international donor agency, the Canadian International Development Agency, through its flagship program called the Local Government Support Programme (LGSP), also organized grassroots women organizations in North Cotabato, specifically in the towns included in the PALMA +PB Alliance (Pigcawayan, Aleosan, Midsayap and Alamada plus Pikit and Banisilan, all municipalities in North Cotabato). The women's groups were organized as GREAT Women (Gender Responsive Economic Action for the Transformation of Women Project). Still in Aleosan, another INGO provided basic health services in the form of potable water as well as water-related projects like Water, Sanitation and Hygiene.

In the case of the PGM project, local community organizations became the implementing arm of the CRS, that functioned both as a donor agency and as an oversight of local PGM interventions, as well as a monitoring group on the community organizations' processes of implementing the program on the ground. INGOs like the ASDSW and the GREAT Women projects implemented their respective peace building programs directly - one on providing basic health need like water, and the other in creating an entrepreneurial group of women, and in developing the women's socio-economic livelihood skills.

All three types of interventions utilized hybrid approaches in peace building. The PGM, for example, brought together local and smaller community-based organizations and local government officials at the barangay level. For their part, community organizations engaged the BLGU in the crafting of a participatory barangay development plan that is transparent and includes the inputs of the weak and marginalized sectors in the local population (women, differently-abled people, senior citizens, the youth). In all these processes, the INGO that supported the community organizations also accompanied the staff of the local NGOs to capacitate them further not only in peace building but also in project and organizational management (personal communications, Orson Sargado, CRS Program Manager for Peace, Davao City, 14 August 2014).

Peace Governance in Central Mindanao

⁹Background information on these projects are culled from various progress and terminal reports submitted to the funding agency and PGM partner, Catholic Relief Services, Davao City.

Key informants underscored the rationale behind the choices of the communities where they implemented a PGM project. For more than four decades, all of the localities included in the study areas have experienced sporadic and intermittent armed conflict, both at the vertical and horizontal levels. Needless to say, the human costs and loss of economic opportunities for many Mindanons are quite staggering.

In barangays Dungguan and Pagagawan, in the municipality of Montawal, residents have evacuated innumerable times due to intermittent skirmishes staged by warring families there, according to Mike Alon (personal communications, IMAN office Kabacan, North Cotabato, 31 August 2014), the executive director of Integrated Mindanaoan Association for Natives (IMAN, Inc). Prior to the introduction of the PGM project in Montawal in 2010, residents in Dungguan and Pagagawan were always preparing themselves for eventual evacuation should they notice that two warring families were about to shoot each other in a "rido" battle. In addition, there were almost everyday occurrences of theft, hold-ups, murder, usually related to land and political conflicts. Residents were also quite passive, and no one raised such issues to the local government, whose leaders and officials were noticed more for their absences rather than presence in office. Throughout this period, governance in most barangays of Montawal was either weak or absent, and some of those who were reporting for work did not know their duties and responsibilities as barangay officials. The municipality is also known as the turf of a prominent family, known to have ruled the municipality since it was carved out of another municipality (Pagalungan) more than a decade ago.

This was the situation that led Mike Alon and his colleagues to organize a small NGO that could address peace and order problems in these communities. But in order to do so, they needed some help from an external entity, not only for funding their activities but also for their own capacity building in promoting community peace. At that time, Mike had a partnership with Catholic Relief Services, (CRS), an international NGO with a Mindanao regional office in Davao City. Mike and some colleagues were among the first few Maguindanaon community leaders who were given "scholarships" to attend a week-long Grassroots Peacebuilding course conducted by the CRS.

Conceptualizing a peacebuilding project via local or barangay governance structure proved to be easy on the abstract, cognitive level, but difficult on the

operational level, as Mike and his colleagues soon realized. One of their most striking experiences at the start of their engagement with barangay officials was when one of the latter tried to intimidate them with a display of his .45 caliber pistol on his table while Mike and a colleague discussed the Peace Governance project. Local officials tend to be threatened when their old ways of running the barangay were challenged. But this was not the only threatening experience for IMAN, Inc. For a long time, Mike and his colleagues had to repeatedly "rationalize" why a Catholic international non-government organization (INGO) was funding a project with a Muslim community. Community members, along with barangay officials, thought that the Catholic NGO wanted to evangelize them and convert them to Christianity (Mike Alon, personal communications, IMAN office Kabacan, North Cotabato, 31 August 2014).

But IMAN and its staff were persistent, and this paid off, after a few months. Soon barangay officials saw the value of being capacitated to perform their tasks as officials, and in promoting peace in their respective communities. Neighborhoods used to an almost daily dose of petty crime in their respective barangays soon presented themselves to IMAN staff members and asked to be included in their seminars and other capacity building activities. But the most significant milestone for IMAN was when barangay officials realized the value of formulating the Barangay Development Plan (BDP) together with representatives of different sectors in the community. From 2011 until the Peace Governance Project closed in 2013, barangays that partnered with IMAN and the CRS were able to come up with a Barangay Profile, a development plan as well as their Annual Investment Plan, that they themselves drafted. In the past, almost all barangays in the municipalities of Montawal, Pagalungan, Isulan and in other LGUs in Central Mindanao hired professionals in the town center and in some educational institutions to draft the BDPs. There was no participation, in whatever form, from the constituents of the barangay.¹⁰

In the past, barangay constituents were not aware of development projects accessed by the barangay officials, and were clueless on the extent of the BLGU's financial resources and revenues. This situation contributed to high levels of mistrust among constituents on their barangay officials. But after

IMAN's and CRS' collaborative efforts, the BLGUs were able to craft a BDP that reflected truly the priority needs of the constituents. Most importantly, the BDPs they developed collectively also allowed for the use of peace and conflict mapping analytical tools¹¹ to assess the situation confronting barangay residents. Through such tools for understanding their situation, barangay constituents were able to prioritize their felt needs judiciously, noting the needs of the greater number of people in the barangay rather than their personal ones. According to the Community Peace and Conflict Mapping (CPCM) guide, the analytical tools of CPCM "allow local communities to plan appropriate responses to address the issues that will eventually build foundations of peace and effective governance in their areas..."(CPCM, 2013: 3).

PGM was also introduced in Barangay Laguilayan, in Isulan, Sultan Kudarat, through the Kadtuntaya Foundation, Inc (KFI), a service provider NGO based in Cotabato City, but operating in many Central Mindanao communities (personal communications, Guiamel Alim, Executive Director of KFI, 20-25 August, 2014, KFI office and Al Nor Hotel, Cotabato City).

Like all other barangays located near the town center, Laguilayan had its share of social problems that made people apprehensive about their safety and security. According to an informant, the crimes committed in the barangay were not only confined to petty ones, but were already classified in the "index" crimes category. In addition, informants described that many young residents in the barangay have become addicted to illegal drugs and to alcoholic drinks. Another informant also shared that cases of domestic violence were quite numerous in the barangay; and some households complained often of noisy and rambunctious neighbours who play their karaoke and sing loudly at just any time of day.

KFI has partnered with some local leaders in the barangay, through a capacity building with them, especially in helping them carry out their tasks as barangay officials, in crafting their BDPs and Annual Investment Plans, as well as in formulating local ordinances and resolutions. These interventions became even more enhanced with the PGM program from CRS. KFI also recommended local leaders to take the one-week course on Grassroots Peacebuilding with CRS

¹⁰ All background information are culled from the progress reports of IMAN to CRS from 2011 to 2013, and also from the interview with Mike Alon.

¹¹ See Community Peace and Conflict Mapping (CPCM), A Resource Guide for Community Facilitators and Peace Partners. Davao City: Catholic Relief Services, August 2013.

in Davao City. After graduation, these scholars become the local trainers in sharing the lessons on "Culture of Peace" (CoP) among their fellow barangay officials and residents. Through the CoP, participants go through structured learning exercises (SLEs) that focus on the four major levels at which conflict can be transformed to peace: personal, relational, structural and cultural. CRS promotes this conflict transformation model in their peacebuilding courses among grassroots leaders (personal communications, Orson Sargado, program officer and Myla Leguro, manager, Peacebuilding Program of Catholic Relief Services, Davao Program Office, July to August, 2014).

Planning sessions for the barangay's development and annual investment became highly participatory and transparent, enjoining collaborative efforts from representatives of various sectors in the barangay. In addition, the "peace lens" also provided another significant improvement in the crafting of the BDPs and AIPs. Barangay constituents are now more conscious of interventions that promote peace and harmony in their barangays, and have become more considerate about common welfare rather than personal gain. Barangay officials are now aware of the requirements of good governance, of being open and transparent with the constituents, especially about barangay financial resources and how they are being spent. Constituents have also become more supportive in conceptualizing small development projects, called "solidarity projects." These projects were funded with a modest amount of seed money from CRS. Barangay officials who have been capacitated through PGM then "market" these small projects for expansion to bigger ones, to other donor agencies. Part of the capacity building series of trainings was to enable local officials and other community leaders become "social entrepreneurs" so that they are able to access additional resources for much needed community projects they have identified in their BDPs.

As barangay constituents were motivated to become participatory in community affairs, the staff members of NGO service providers were also capacitated at the same time. According to one staff of the Kadtuntaya Foundation, Inc. (KFI), the PGM project enhanced their capacity for organizational development. The trainings not only made the partners learn skills in all aspects of project management, but also provided them substantive content as well, especially in terms of important legislations, policy guidelines important in peace advocacy and development work. Among these are valuable inputs

on the Indigenous Peoples' Rights Act (IPRA), on guidelines for making claims on Certificates of Ancestral Domain Titles (CADT), and on orientation on the Violence against Women and Children (VAWC) act.

Barangay Ginatilan in Pikit, North Cotabato is one of the seven barangays that declared as a group to be "Spaces for Peace" even before the start of the MILF-GPH peace process. These barangays have witnessed bloody encounters since the start of the so-called Muslim-Christian conflict in the early 1970s. Through the facilitation of an Oblate priest, the parish priest of Pikit at that time, the seven barangays jointly declared that their areas be free from armed conflict, requiring armed groups not to enter their areas of jurisdiction if they bring their firearms with them.¹²

CRS has supported the GINAPALAD TAKA (literally, I cause luck to happen to you) Spaces for Peace since its inception. Ginatilan is one of the leading and founding barangays of this seven-barangay peace league. It was just natural that it expanded its assistance to include capacity building for barangay officials in the seven barangays, and to introduce the concept of Peace Governance. In the case of Ginatilan, there was no local NGO except for the barangay leaders group under the GINAPALAD TAKA areas that partnered directly with CRS. Like all the other six barangays in the Spaces for Peace, Ginatilan received various socio-economic projects, livelihood programs, as well as activities that promoted peace and social cohesion in a municipality that has seen so much bloodshed since the early 1970s.

The more important projects that have fostered peace at the horizontal level in the seven barangays of the Spaces for Peace have been the inter-religious dialogue program as well as the culture of peace as taught in the elementary and high schools in Ginatilan and its adjacent areas. These projects were made possible with generous funding from several donor agencies, using the convergence approach in donor-driven social development. Such endeavors would not have been successful without the main prime mover - Fr. Roberto Layson, OMI, former parish priest of Bongao, Tawi-Tawi and Pikit, Cotabato. His leadership

¹² See, "Creating Peace in Everyday Life": Peace Governance in Mindanao (PGM) End of the Project Assessment, pages 7-8.

among the Catholic laity in Pikit was even acknowledged by the Muslim traditional and religious leaders there. Visitors to GINAPALAD TAKA Spaces for Peace and the Pikit Catholic Church compound are amazed that a Catholic convent has a small prayer room for Muslims that is oriented to the Qiblah, or direction toward Mecca in Saudi Arabia. Mecca is the site of Haj, or the pilgrimage of Muslims. Fr. Layson believes in Hans Kung's statement that promotes inter-religious dialogue: "There is no peace in the world as long as there is no peace among religions. And there is no peace among religions as long as there is no genuine dialogue among believers."¹³

In Barangay Mayo, in Columbio, Sultan Kudarat, the local partner of CRS experienced a rather shaky start in their initial foray into engaging the LGU there. According to the Executive Director of the Columbio Ecology Movement (CMEM), she took on this partnership with the LGU in Columbio initially with trepidation, noting that for a long time, the MLGU there had strong feelings or biases against NGOs. Such feelings were quite mutual, according to a CRS programme officer in an interview (personal communication, Orson Sargado, Davao City, 14 August 2014).

The Peace Governance in Mindanao (PGM) project required partners to engage the LGUs, especially the barangays, in their respective areas of coverage. FGD barangay representatives and their partners concur that this was not an easy thing to do in the beginning: some partners had some apprehensions of possible negative responses from the LGUs. This is the experience of the Columbio Multi-Sectoral Ecology Movement (CMEM) whose Executive Director (ED) had experienced negative feedback from the Columbio LGU in previous interactions. Previous Columbio LGU officials used to think lowly of the movement, "... in their eyes, we were smaller than ants," according to Lory "Nonoy" Obal, CMEM's executive director.¹⁴ It came as a surprise to her when the newly elected mayor of Columbio in 2010, Amirh Musali, was quite open to a partnership with her NGO.

Soon, these initial apprehensions were put to rest,

¹³ See <http://www.mindanews.com/mindaviews/2014/06/09/peacetalk-its-because-we-are-different-that-we-have-so-much-to-share/>

¹⁴ From the case study, "Good LGU-CSO Relationship paves the road to peace in Columbio," from interviews with Mayor Amirh Musali and CMEM's ED, Lory "Nonoy" Obal, pp. 1-2. Undated document from CRS.

as the MLGU leaders, starting with the Chief Executive (the Mayor), became very open to a collaborative endeavour with CMEM, through the PGM project.¹⁵

Barangay Mayo is an interesting case in terms of the dynamics of its so-called "tri-people" composition. It has a significant number of indigenous peoples, Ilonggo settlers, and a Maguindanaon Muslim minority population. According to a beneficiary, for a long time, the Maguindanaon Muslim population there was "invisible" in community affairs, and they have accepted it as a given since they are a minority population in the barangay. But when PGM came, they were surprised to be invited to several community assemblies to plan for their barangay's development. Muslim religious leaders and ustadz (Arabic teachers) thought they were confined only to their madrasah (Islamic school) teaching Arabic and the basics of Islam. Their participation in various planning sessions that finalized a collectively drafted Barangay Development Plan made them realize they were considered a significant part of barangay governance. This breakthrough led to other milestones, like noticeable changes in their interrelationships with other members in the community, specifically the Christian Ilonggos and members of the IP community. Some Christian community members soon started taking lessons in Arabic and participating in the weekend madrasah lessons. Although some of the Christians who took Arabic did so for future employment opportunities in the Arab-speaking countries in the Middle East, others participated "to learn more about Islam..."¹⁶

Development projects addressing peripheral issues of a conflict situation: ASDSW in Bagoli-bas

¹⁵ As a concept to depict the interrelationship among the culturally diverse peoples of Mindanao, i.e. the different ethno-linguistic groups that have become Muslims, the Christian settlers and the indigenous peoples, "tri-people" is still contested as of the present. Those who argue against the use of the term to depict the composition of the population in Mindanao say this is not a realistic concept since the identities of the three groups - Muslims, Christians and IPs - are not considered on the same and equal criterion, i.e. way of life. The IPs of Mindanao are also highly diverse, not only culturally but also with regard to the way of life they have adopted - some have also become Muslim, some have become Christian, and a few have continued to preserve their animistic way of life.

¹⁶ Culled from the FGDs conducted with the Mayo PGM beneficiaries, included in the terminal report of PGM, from CRS files (courtesy of Myla Leguro and Orson Sargado, program manager and officer respectively, of CRS - Mindanao).

Barangay Bagolibas, in Aleosan municipality, is a conflict-affected area that became the recipient of several peace and development interventions purportedly to address both vertical and horizontal conflicts that have confronted it since the 1970s. In 2008, a series of fiery encounters between the forces of the MILF and the Philippine Government (AFP) in the barangay rekindled tense relationships between the minority Maguindanaon population (who claim to be the original inhabitants of the barangay) and the Ilonggo settlers, who came only in the late 1950s to the barangay. Consequently, the old wounds of the violent confrontations in the 1970s, between the Maguindanaon Muslim Blackshirts and the Ilonggo-dominated ILAGA¹⁷ paramilitary group in Bagolibas and neighboring barangays, have resurfaced.

Bagolibas is one of the 19 Barangays in the municipality of Aleosan in Cotabato Province. Lying at the Southwestern end of the municipality, it covers approximately 489 hectares, which comprises 2.2 percent of Aleosan's 22,544 hectares or 244.5km² total land area. The latest official population tally is pegged at 1,635 individuals, which is roughly 5 percent of Aleosan's 32,874 total population as of 2007 Census (<http://cotabato.gov.ph/lagus/aleosan>). Currently, Ilonggo descendants of Christian settlers outnumber the original Muslim Maguindanaons at an approximate 75-25 ratio.

Strong anti-Muslim sentiments prevail in Bagolibas. According to an informant, residents are always on the look out for MILF forces they believe are "massing" within the peripheries of the barangay, hoping to regain the lands of the original Maguindanaon inhabitants. Some residents also recalled one episode where the Christian settlers in the barangay engaged the MILF in a firefight, using their privately owned sub-machine guns.

Since 2009, no fierce firefights have occurred in Bagolibas, and so far, as one resident describes it, it has been peaceful, on the surface at least. However, such peace is quite fragile, and considered "negative

peace," in the framework of prominent peace theorist Johan Galtung. Some tensions still exist between the native Maguindanaon and the Ilonggo migrants in the barangay. These tensions have resurfaced in the aftermath of a failed implementation of a water project in the barangay. Funds for this water and sanitation (WASH) project were provided by an international NGO, the British A Single Drop of Safe Water (ASDSW).

ASDSW came to Bagolibas offering barangay constituents support for a water system and some components for a full Water, Sanitation and Hygiene (WASH) project. It came along with other donor agencies that presented a menu of development projects, ranging from small livelihoods, capacity building, as well as entrepreneurial development among the women in the area.¹⁸

After doing the pre-project social preparation for the WASH project for Bagolibas, ASDSW decided to donate building materials, components, and money for the project, amounting to almost PhP800,000+. But unknown to ASDSW, local conflict dynamics started to surface even at the project inception phase, when the local community organization already made some decisions on how to implement the project, and who will be in charge of its operations and management. One of the collective decisions was to appoint the only Maguindanaon councilor in Bagolibas to be the overall project supervisor. The predominantly Ilonggo Barangay Council decided on this through a resolution, as a gesture of peace and reconciliation to the Maguindanaon Muslim minority in the barangay. But many things went wrong during project implementation that caused a rift between the operators of the electric motor that was used to pump water from the source and the community members who stood to benefit from the WASH project.

When the project failed at some point (there was no more water and the damaged electric pump), community members started suspecting that the Maguindanaon councilor connived with the contractor of the project in using substandard materials and in

¹⁷ ILAGA is an Ilonggo-Visayan term for rat. It is also acknowledged to be an acronym that stands for Ilonggo Land Grabbers Association, referring to seven political leaders (all Ilonggos) who wrestled control of the province of North Cotabato at the height of the so-called Muslim-Christian conflict in the early 1970s.

¹⁸ See the annexes in the *Locality Studies on Aid to Subnational Conflict Areas*, and in Parks, Thomas and Fermin Adriano, 2013. *The Contested Corners of Asia: The Mindanao Report*. The Asia Foundation and The World Bank Philippines Program.

making a cut on the money for the construction of the water project. At this point, the predominantly Ilonggo residents of the barangay perceived that they were shortchanged by the Maguindanaon councilor, even if there has been no investigation to verify their suspicions. So instead of promoting social cohesion among the community members as intended, the appointment of the Maguindanaon councilor only rekindled deep animosities among the migrant and native populations in the barangay.

The GREAT Women Project in Aleosan

Women are considered crucial in the promotion of localized peace building - they have shown high levels of success in efforts to mediate in petty conflicts (Villaruz et al., 2011), as well as in both formal and informal peace processes (Busran-Lao, 2014). The international literature on post-conflict societies also is replete with analytical works on how women have contributed immensely to the process of normalization in different contexts (Schnabel and Tabyshaliev eds, 2013).¹⁹

As shown in the spiral of peace framework, the peace building phase is the most challenging one, as this phase is expected to pave the way toward the establishment of structures that create the change from violence to lasting peace. In this phase, various development initiatives are expected to cement the gains in the previous processes of peacemaking and peacekeeping. In the menu of peace building interventions are socio-economic assistance packages that are expected to address the discontentment of those in the communities who are out of jobs (and who can be potential generators of violence).

The GREAT Women envisioned that half of the communities' population (the women) will be provided with livelihood skills trainings, like food processing and other agriculture-based income generating projects. In Aleosan, the members of the then newly organized

GREAT Women project were provided with small livelihood projects to manufacture food for snacks as well as backyard gardening. They were also told to collaborate closely with the members and officers of the Rural Improvement Club (RIC), a predominantly women's group (the men comprise a small minority in the RIC). The GREAT Women project was introduced in 2009 right after a resurgence of the armed conflict between the MILF and Philippine government forces in the latter part of 2008, after the botching of the Memorandum of Agreement on Ancestral Domain (MOA-AD). It was hoped to contribute to the peace building efforts of other groups and community organizations in the neighbouring towns of Aleosan.

As conceptualized, the GREAT Women project was a small grassroots initiatives that aimed to support other, and larger efforts toward creating a "normalized" situation in Aleosan after the MOA-AD skirmishes there. But along its implementation processes, local project handlers got embroiled in a stiff rivalry between its officers and leaders and those of the RIC. Without consulting the majority of RIC members, the GREAT Women project staff insisted on making GREAT Women as the RIC for Aleosan. With this development, RIC was "coerced" into accepting only women (as the name GREAT women suggests) as members when in the past, as RIC, it was quite inclusive. According to an informant, the controversy on membership rules and project management confined only to women was exacerbated when GREAT women members claimed that they were the ones who produced all the goods displayed in the town center, when in truth, it was the RIC members who made the crafts. The informant further notes that this was a peace building project that led to tensions and irritants among the members and officers of the two organizations. He claims that it will not take long before this strained relationship will burst into something bigger, thus creating a serious setback in the project's peace building results.

Concluding Remarks

Ordinary people's roles in peacebuilding cannot be over emphasized. According to the project, People building Peace, "if efforts to prevent, resolve and transform violent conflicts are to be effective in the

¹⁹ This book is a collection of thought-provoking articles on the role of women in post-conflict contexts in Tajikistan, Timor-Leste, Burundi, Colombia, the Balkans, among others. The title of the anthology itself is eye-catching: *Defying Victimhood: Women and Post-Conflict Peacebuilding*. Albrecht Schnabel and Anara Tabyshaliev, eds. 2013. Tokyo and New York: United Nations University Press.

long-term, they must be based on the active participation of local civil groups committed to building peace" (Galama & van Tongeren, 2002).

The Peace Governance in Mindanao follows this principle, of the engagement of ordinary people in forging peace in their communities. CRS is truly mindful of this principle, as it has implemented this project in partnership with local community-based organizations. With CRS's long-term engagement in peace building in Mindanao, they have succeeded in empowering local people to take responsibility for their own decisions in the prioritization of development projects, through the PGM project. They have also made significant strides in changing people's attitudes toward the conflict, and toward people associated as the perpetrators of conflict, as shown in the examples of Barangays Mayo and Laguilaian, as well as in Barangays Dungguan and Pagagawan in Montawal town. These are indicative of having been transformed at both at the personal and relational levels.

However, the more important transformations still need to take place in Mindanao's conflict-affected areas. These are changes in the structural and cultural realms. Structural change needs to happen, and hierarchical and bureaucratic nightmares need to stop. Government can then become more responsive so that issues associated with negative peace can be minimized, if not totally eliminated. Among these, especially in the context of Central Mindanao, is poverty, discrimination and economic and political marginalization.

In the hierarchy of a peace process, initiatives at the grassroots or community are considered as Track Three, or the bottom level. Secondary social institutions like the academe and mainstream organizations like the media occupy the next tier, Track Two. At the apex of this hierarchy is Track One, or the level of the state vis-à-vis belligerent groups, mediated through donor agencies and the members of the international community. Here at the topmost level, the panels of both the government and the MILF are the ones dictating the pace of the process and the substantive issues and contents of the deliberations.

Of the three layers in the peace process hierarchy, it is the middle layer that has the challenging task of bringing the issues and perspectives of grassroots communities to the higher level, or to Track One. This is because the middle layer is composed of society's

producers of knowledge (institutions of higher learning/ academe) and opinion makers (the media). Aside from these institutions' immense potentials for changing attitudes and perspectives about peace and conflict, they are also among the most widely influential social institutions. In particular, the academe has tremendous potentials because of its "multiplier effect." University professors do not only teach 40 students at any semester; their lessons are also shared to the number of household members where their students belong. Just imagining the figures is already mind-boggling. Such tremendous potentials for conflict transformation have not been tapped, largely through a sin of omission on the part of academe to be more actively engaged in the peace process as Track Two.

As an international NGO and intermediary between the beneficiaries and the local community organization, CRS has organized local community groups into much larger and looser peace networks, like the Panaghoy and the Mindanao Peaceweavers (MPW). They have also supported the organization of barangay residents to a Bantay Ceasefire (Ceasefire Watch) group. These networks are also expected to bring the issues affecting grassroots peacebuilding to the highest, or Track One level. In terms of achieving this goal, CRS peace networks have partially raised issues to the Track One, according to an informant (personal communications, member of the MPW, 30 July 2014, name withheld upon request of confidentiality). One of the difficulties cited is the loose nature of the networks, and the frequent turnover of staff members within its NGO members.

Except for the initiatives of Spaces for Peace in Pikit, which have been written about in a Mindanao-based news service (mindnews.com), all other interventions of CRS and local NGOs in Central Mindanao have remained unheard of both in academic circles and in mainstream media.

In an interview with Carlos Bautista (personal communications, NDBC, 30 July 2014, Cotabato City), overall program manager of the Notre Dame Broadcasting Corporation based in Cotabato City, their radio stations have been dubbed "peace radio." But such moniker was given not because of their close linkages with community-based organizations that implemented peace building projects. Bautista has not heard of the initiatives of IMAN or KFI in peace

governance in some barangays in Montalban, Maguindanao and in Columbio and Isulan in Sultan Kudarat. NDBC and its stations (DXMS-AM and DXOL-FM in Cotabato City), DXOM in Marbel, and DXND in Kidapawan have been acknowledged as radio for peace because of their focus on bringing "true" and relevant information to the public and in their observance of peace journalism principles.

Local NGOs that partnered with CRS and other donor agencies, like the ASDSW have certainly made their presence felt in the communities they work in, and in accessing opportunities to empower them in taking responsibility and accountability in implementing peacebuilding projects. They have accessed spaces and platforms that were not open to them before they implemented the PGM, as in the case of IMAN, Inc; Kadtuntaya Foundation and the GINAPALAD TAKA group. In the power analysis framework (Gaventa, 2002), creating a presence and accessing spaces in the public sphere that were considered "closed" to them as ordinary citizens is already half their work done. Their invitation to join local governance bodies as mentors and trainers of local government officials is quite a significant milestone, considering that these spaces were closed to them before the PGM project.

However, the third outcome in the power analysis framework - that of influencing Track One processes and decision making - still leaves much to be desired. Local NGOs and CSO networks have already made their presence felt, and accessed opportunities for both their individual and organizational empowerment. But they have not yet reached the level of influence where they can leverage on an equal level with powerful and dominant local, regional and national officials and the leaders of the military forces of both MILF and the GPH.

Peace building from below strategies have created a difference in the lives of many grassroots communities affected by protracted conflict. The strategies of this level of peace building have used both hybrid and organic mechanisms available in localized public arenas. Such localized peace building mechanisms must create ripples in the higher levels, in both Track Two and Track One, so that the structure favouring war over peace will be dismantled in the long run.

The creation of a "new environment" that aim toward promoting durable peace and the prevention of

recurrence of violent conflict, as of this writing, has not yet happened. It seems that it takes more than just peace building initiatives in the grassroots to sway the balance in favour of peace processes rather than those of war. This realization also brings to the fore the serious limitations of grassroots peace building. Unless the issues affecting the masses (in Track Three) are not elevated to the highest echelon - Track One - the peace-building phase will backslide to the second phase of peacekeeping, or worst, to its first stage, that of peacemaking. In a worst case scenario, like what happened in Bagolibas and in the GREAT women project, peace building efforts instead fomented strained relations among a community's population, thus setting the stage for a future conflict, instead of peace.

References

- Attack, I. (1997). "Peace Processes and Internal Armed Conflict," in Kasarinlan, Vol 12, No. 4; Vol. 13, No. 1. 2nd-3rd quarter. Quezon City: University of the Philippines Third World Studies Center.
- Busran-Lao, Y. (2014) "Philippines: Women and Inclusivity in the Mindanao Peace Process," In Accord Issue 25. Legitimacy and Peace Processes. London: Conciliation Resources.
- Cagoco-Guiam, R. (1999). "A Critical Partnership: Civil Society and the Peace Process," in The MNLF-GRP Peace Process: Mindanao in Transition, MSU Research Journal Vols 1 and 2.
- Cagoco-Guiam, R. and S. Schoofs, (2013). "A Deadly Cocktail? Illicit Drugs, Politics and Armed Conflict in Maguindanao and Lanao del Sur," in Francisco J. Lara, Jr. and Steven Schoofs, eds. Out of the Shadows: Politics, Violence and the Real Economy in Mindanao. Quezon City: International Alert and AusAid.
- Catholic Relief Services. (2013). "Community Peace and Conflict Mapping (CPCM), a Resource Guide for Community Facilitators and Peace Partners." Unpublished manuscript. Davao City.
- Catholic Relief Services, (2013). "Creating Peace in Everyday Life: Peace Governance in Mindanao (PGM) End of Project Assessment," pp. 7-8. Unpublished manuscript.
- Diehl, P. F. (2005). "Forks in the Road: Theoretical and Policy Concerns for 21st Century Peacekeeping," in The Politics of Global Governance.

- International Organizations in an Independent World. ed. Paul F. Diehl. Boulder, Colorado: Lynne Rienner. pp 202-228.
- Dwyer, L. and R. Cagoco-Guiam.(2012). *Gender and Conflict in Mindanao*. Makati City: The Asia Foundation.
- Ferrer, M. C. (2002). "War Costs and Peace Benefits: The Nexus of Peace and Development in Conflict Societies of Southeast Asia." Paper presented at the South east Asian Conflict Studies Network (SEACSN)'s 5th Regional Workshop: Development in Southeast Asia: Issues, Challenges and Prospects. Hanoi, Vietnam.
- Galama, A. and P. Van Tongeren. (2002). *Towards Better Peace building Practice. On Lessons Learned, Evaluation Practices and Aid and Conflict*. Utrecht, the Netherlands: European Centre for Conflict Prevention.
- Gaventa, J. (2006). "Finding the Spaces for Change: A Power Analysis." *IDS Bulletin* Vol 37. No. 6. Institute of Development Studies. Brighton, UK: University of Sussex.
- Lara, F.J. Jr and P. Champain. (2009). *Inclusive Peace in Muslim Mindanao: Revisiting the Dynamics of Conflict and Exclusion*. London: International Alert.
- Lara, F. J. Jr. (2014). *Insurgents, Clans and States. Political Legitimacy and Resurgent Conflict in Muslim Mindanao, Philippines*. Quezon City: Ateneo de Manila University Press.
- Layson, R. (2007). *Fields of Hope*. Davao City: Mindanews.
- Layson, R. (2014). *Peace talks: It's because we are different that we have so much to share*" *Mindanews*. 09 June 2014. Retrieved 30 October 2014.
- Muslim, M. A. (2003). "Managing Conflicts in Multi-cultural Societies: The Peace and Development Nexus." Lecture given at the Bilateral Conference on Dialogue of Civilizations between the Philippines and Iran. Makati City: Asian Institute of Management.
- Parks, T. and F. Adriano. (2013). *The Contested Corners of Asia: The Mindanao Report*. The Asia Foundation and The World Bank Philippines Program.
- Province of South Cotabato. (2014). <http://cotabato.gov.ph/igus/aleosan>. Retrieved 25 September 2014.
- Schnabel, A. and A. Tabyshalieva, eds. (2013). *Defying Victimhood: Women and Post-Conflict Peacebuilding*. Tokyo and New York: United Nations University Press.
- Torres, W. III, ed. (2014). *Rido: Clan Feuding and Conflict Resolution in Mindanao*. Makati: The Asia Foundation.
- Villanueva, S. D. (2005). "Impact Assessment of Peace and Development Communities in South-Central Mindanao," General Santos City: Mindanao State University, Graduate Program in Public Administration. Unpublished Master's Thesis.
- Villaruz, A., R. Cagoco-Guiam and R. Parado, eds. (2011). *Herstories: Success stories of women barangay justice advocates*. Quezon City: The Gerry Roxas Foundation (GRF) with support from the American people, through the United States Agency for International Aid (USAID).

ABOUT THE AUTHORS

ROSALIE ARCALA HALL is a Professor of Political Science and UP Scientist I at University of the Philippines Visayas Miagao, Iloilo. She has a PhD in Public and International Affairs from Northeastern University, Boston, Massachusetts, USA (2002).

Dr. Hall has done independent and collaborative research projects with a special focus on civil-military relations in the Philippines, Japan, US, Indonesia and Austria. She has completed research projects on integration of former combatants into the army comparing the Moro National Liberation Front (MNLF) and Falintil cases, and also of Muslim women entering the police force and army under parallel integration schemes. She has also completed research projects dealing with US-Philippine military relations in the context of the anti-terror war carried out in Mindanao, Philippines; local security strategies to address conflicts in Bangsamoro zones; and the reintegration into society of Moro National Liberation Front (MNLF) and communist ex-combatants.

Dr. Hall is a recipient of grants and fellowships including US Fulbright, Asia Foundation, East Asian Development Network, Toyota Foundation-Southeast Asian Research and Exchange Program and Austrian Exchange Services. She published articles on local civilian control over the military and governance aspects of disaster in the Philippine Political Science Journal, Korean Journal of Defense Analysis and Asian Security. She was an Asian Public Intellectual (API) Fellow from 2004-2005 and her research project was "Redefining the Role of the Japan Self Defense Forces: Lessons in Forging a Global Identity."

PRANGTIP DAORUENG is a Thai freelance journalist/columnist and member of the Washington-based Consortium of Investigative Journalists. She has covered stories in Thailand, Malaysia and Indonesia for national and international publications and news sites such as Malaysiakini.com, Inter Press Service as well as Far Eastern Economic Review, and has contributed articles to a number of publications by organizations such as the

Singapore-based Asian Media Information and Communication Centre (AMIC) and Bangkok-based Chula Global Network. She is part of a group of journalists who won the 2007 Sigma Delta Chi Award for Investigative Reporting by the Society of Professional Journalists (Indianapolis), and the IRE Award for Online Category by Investigative Reporters and Editors, Inc. (Columbia, Missouri) for the series "Collateral Damage: Human Rights and U.S. Military Aid Before and After 9/11." She is the first Thailand country director for Southeast Asian Press Alliance (SEAPA).

Prangtip's area of interest is politics, intra-national armed conflict and conflict resolution in Southeast Asia. She was an Asian Public Intellectual (API) Fellow from 2001-2002 and was also awarded an API follow-up grant in 2004. During her fellowship period, she studied conflict and peace negotiations between Aceh and the Indonesian government as well as of the Communist Party of Malaya and the Malaysian government. The studies focused on the role of mediators. Along with the Aceh issue, Prangtip also studies conflict in the Muslim provinces of Thailand and has conducted researches on the conflict for The National Reconciliation Commission (2005-2006) and Prince Maha Chakri Sirindhorn Anthropology Center in 2007 and 2010.

RINA SHAHRIYANI SHAHRULLAH is the Head of Postgraduate Study, Faculty of Law at Universitas Internasional Batam, Indonesia. She earned a Ph.D of Law from the University of Queensland, Australia in 2005. She was a Visiting Professor for Law Faculty at Sophia University, Japan from April 2010 - March 2011 and was awarded one of 15 Most Outstanding Lecturers by the Indonesian Ministry of Education in 2013.

She has obtained research grants from the Indonesian Higher Education Directorate from 2012-2013. She has presented papers on various issues, particularly on human rights, gender equality, international law, international commercial arbitration, international business

law and Islamic Law in Australia, Indonesia, the Philippines, Japan, Malaysia and India.

She was an Asian Public Intellectuals (API) fellow from 2007-2008 and was based at the Ateneo Center for Asian Studies (ACAS) in the Philippines. She joined Building A Better Asia (BABA) Retreat on 08-14 February 2009 in Puri, India and the Salzburg Global Seminar in Kyoto, Japan in 2013.

RUFA CAGOCO-GUIAM is Professor 3 and Campus Director of the Institute for Peace and Development in Mindanao (IPDM), Mindanao State University - General Santos City, Philippines. She has completed the coursework for PhD Anthropology at University of Hawaii-Manoa and has a MA Anthropology degree from Siliman University, Dumaguete City, Philippines. Prof. Guiam is one of the leading authorities and consultants for social, economic, security and gender related projects in Bangsamoro areas in Mindanao. In the past five years, she has completed research projects on early marriage practices among indigenous communities; gender and livelihood of internally-displaced persons; illegal drugs, politics and violent conflict; and on the state of local democracy. She has received various grants from The Asia Foundation (TAF), Australian Aid Agency (AusAid), International Institute for Democracy and Electoral Assistance (International IDEA) and Center for Humanitarian Dialogue. Her most recent publications include: Gender and Livelihoods for Internally Displaced Persons (The Brookings Institution and the London School of Economics, 2013); "A Deadly Cocktail? Illicit Drugs, Politics and Violent Conflict in Lanao del Sur and Magu-indanao," (co-written with Steven Schoofs) in Francisco Lara, Jr. and Steven Schoofs, eds. *Out of the Shadows: Violent Conflict and the Real Economy of Mindanao* (International Alert, 2013); and *Gender and Conflict in Mindanao* (co-written with Leslie Dwyer) (The Asia Foundation, 2012).

Prof. Cagoco-Guiam was an Asian Public Intellectual (API) Fellow from 2008-2009. Her research was on "Human Security and Gender Policies and their impact on national consciousness and peace building: a comparative analysis of Japan, Thailand and Malaysia."