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Analysis of 1996 Final Peace Agreement

Peace accord with MNLF derailed

BY AMINA RASUL

EDITOR'S NOTE: The Philippine Council for Islam and Democracy (PCID) looks at the implementation of the 1996 GRP-MNLF Final Peace Agreement at its second monthly media forum, which is sponsored by the Konrad Adenauer Foundation. The article below is part of the presentation today.

SUNDAY, September 2, marks the 11th year of the signing of the peace agreement between the government and the Moro National Liberation Front (MNLF). MNLF Chair Nur Misuari and former President Fidel V. Ramos were hailed as peacemakers, receiving the UNESCO's Felix Houphouet-Boigny Peace Prize.

The title of the document signed was "The final agreement on the implementation of the 1976 Tripoli Agreement between the Government of the Republic of the Philippines and the MNLF with the participation of the Organization of Islamic Conference Ministerial Committee of Six and the Secretary General of the Organization of Islamic Conference." As the title indicates, the 1996 agreement is inextricably linked to the fulfillment of the terms of the Tripoli Agreement between the MNLF and the government under former President Ferdinand Marcos.

Autonomy was promised, to be implemented by the Autonomous Region of Muslim Mindanao (ARMM) government. After the signing of the 1996 agreement, there was great hope that indeed Mindanao would be on the road to the fulfillment of its promise. Businesses and investments rose in Davao, General Santos, Cagayan de Oro, and Zamboanga. Even Filipino Muslims were optimistic about the future.

Unfortunately, 11 years hence, the Muslim communities are still the poorest of the poor and peace remains elusive. To assess the implementation of the 1996 agreement, PCID focuses on the implementation of autonomy and the agreement's impact on peoples' lives.

What has happened to the implementation of the agreement? Where are the peace dividends?

Autonomy. The 1996 peace accord provided for genuine and meaningful autonomy for the Moro nations of Mindanao. However, there have been



Philippine Marines watch a helicopter carrying President Gloria Arroyo, who visited government troops in Basilan on August 23, 2007. Today, PCID holds a media forum that looks at the Final Peace Agreement between the government and the MNLF that was to bring peace and prosperity to the Muslim region.

PHOTO BY AL JACINTO

strong disagreements between the government and the MNLF on the status of implementation of the agreement. (Details of the points of disagreement were published in the July 27, 2007 issue of *The Moro Times*.)

Both sides accuse the other of not doing its part in the meaningful implementation of the agreement. Autonomy, to be effective, must be accompanied by the commensurate set of powers and funds. The MNLF claim that government has structured ARMM to fail. Did government provide Muslim Mindanao with enough political clout and resources? Central to the controversy is the issue of funding. Was it a case of unfunded mandates - national government failing to provide the ARMM with sufficient funds to produce significant changes in the region while adding on responsibilities? Or did ARMM squander the money provided?

Genuine autonomy requires its financial resources to allow the region to stand up on its own feet. Unfortunately, economic activity in ARMM is low, thus the tax base is poor. Further, Republic Act 9054 (the amended Organic Act for ARMM) has placed strategic minerals, including water, under national control. The law has removed from the ARMM

Comparative regional share in government's expenditure (%) Mindanao and CAR Regions:									
	1996	1997	1998	1999	2000	2001	2002	2004	2005
IX	4.55	4.42	4.96	4.48	4.68	4.73	4.71	4.74	4.32
X	6.19	6.13	4.35	4.06	4.19	4.19	4.05	4.64	4.95
XI	6.38	5.89	6.58	6.42	6.95	6.25	6.35	5.09	4.58
XII	3.60	3.66	3.54	3.38	3.91	3.79	4.02	4.61	4.32
CARAGA	0.00	0.13	2.58	3.27	3.28	4.18	3.98	3.44	4.24
CAR	2.97	3.22	3.40	3.27	3.30	3.83	3.21	3.16	3.10
ARMM	3.54%	3.08%	3.33%	3.49%	3.16%	4.02%	3.13%	3.32%	4.13%

Source: Congressional Planning and Budget Department, House of Representatives

the right to self-determination in the use of its own natural resources, a valuable component in the quest for fiscal autonomy.

The MNLF, on the one hand, asserted that the national government never sufficiently funded the political structures of both the transition mechanisms under the agreement, such as the Southern Philippines Council for Peace and Development, and the ARMM. On the other hand, the government categorically states that it has done its part in terms of appropriating money. The Philippine government, in its 2006 report to the Organization of the Islamic Conference (OIC), says that it had appropriated more than P67-billion since the forging of the 1996 Peace Agreement to finance infrastructure and other government programs. Mismanagement and

corruption that attended the MNLF-led administration in Muslim Mindanao has been cited as a cause of the agreement's failure.

Poverty and Quality of Life. Since 1997, ARMM has consistently ranked as the poorest region. Five ARMM provinces (Sulu, Basilan, TawiTawi, Lanao del Sur and Maguindanao) consistently belong to the bottom 10 provinces. Let us take a quick snapshot of the quality of life of Muslim Mindanao.

- A 2005 study by Dr. Arsenio Balisacan shows that ARMM has the lowest average per capita income growth rate from 1988 to 2003. Worse, it was the only region showing a negative growth rate (-0.5 percent)

- ARMM unemployment rate (8.3 percent) in 2005 was more than double the 1997 level. This

dismal figure is worsened by the fact that skilled laborers have been leaving the areas of conflict to work outside ARMM and abroad.

- With regards to the state of health, the 2005 Philippine Human Development Report showed that the ARMM had the poorest health situation, in terms of life expectancy (bottom 5 among all provinces), infant mortality (almost double the national average), and access to public health services (number of hospitals actually declined from 31 in 1996 to 14 in 2001). Of the 3,021 government doctors in 2001, 658 work in Natinal Capital Region while ARMM had to make do with 79 doctors, respectively. This entails that there. There is roughly one government doctor per 35,000

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Major provisions of the 1996 peace accord

- Establish, through an executive order, of the Special Zone of Peace and Development (SZOPAD), the Southern Philippines Council for Peace and Development (SPCPD), and the Consultative Assembly.
- Integrate former MNLF guerrillas into the Armed Forces of the Philippines (AFP) as well as into the Philippine National Police (PNP).
- Congressional action either amending or repealing the RA 6734—Organic Act of the Autonomous Region of Muslim Mindanao (ARMM) which must be submitted to the people in the affected regions in a plebiscite for ratification.
- Establish of the Regional Economic and Development Planning Board to be chaired by the ARMM governor, empowered to "prepare the economic development plans and programs" for the Autonomous Government.
- Provide broad powers to the ARMM government pertaining to economic, financial, business, and commercial matters.
- Devolve development related offices/agencies under ARMM, allowing for further devolution pursuant to ARMM Regional Assembly legislation.
- Guaranteed the participation of muslims in the executive council, the legislative assembly, the administrative system, and representation in national government.
- Relative to natural resources, the MNLF and the GRP, with the positive contribution of the technical experts of the OIC, will mutually agree on the definition of the strategic mines and minerals on a later date.
- Create an integrated system of education that promotes Filipino and Islamic values. The Regional Autonomous Government is discharged to manage and control, in line with existing laws and national policies, the entire educational system in ARMM. The Regional Autonomous Government would supervise the Madaris. Religious instruction in public schools would be optional.
- Establish a Shari'ah court system for Muslims.
- Create the GRP-MNLF-OIC joint-monitoring committee to monitor the implementation of Phase I.

New Anti Terrorism Law claims first Filipino Muslim victim

Text and photo by
HARIJA RIZA U. KHAMAL

"I WAS tortured, threatened and forced by the police to admit that I am a bomber," says Kaharudin Mutalib who was freed twenty days after languishing inside the jail.

Talib, 31, married with two children ages seven and six was coerced to admit that he belongs to a group that bombs Manila and Davao. Kaharudin is believed to be the first Moro who was arrested since the implementation of the Human Security Act, or Republic Act No. 9372, "An Act to Secure the State and Protect our People from Terrorism," that took effect on July 15.

Many have expressed their fear that the law could be abused due to its provision that would let police detain anyone on mere suspicion for up to three days.

Kaharudin's case was handled Atty. Musa Malayang of the Muslim Lawyers Aid Foundation, Inc. (MUSLAF), a non-government organization composed of Muslim lawyers that provide legal assistance to Muslims whose rights have been violated by the state.



Kaharudin Mutalib shows parts of his body where torture had left its mark.

MUSLAF is chaired by former Human Rights Commissioner Nasser Marohomsalic. "We'll do our best to help victims, to let the truth come out the legal way," says Atty. Malayang. "We'll file charges against the people involved, to stop harassment of Muslims."

He stated that the case was dismissed by the Paranaque court due to lack of probable cause.

The ordeal

"Akala ko katapusan ko na."

On August 4, 2007 Kaharudin, a farmer and a driver, was arrested in SM Bicutan by police who were in civilian

clothes. They pushed him to a vehicle and blindfolded him after he was told that he is one of the wanted criminals. He was beaten up. Kaharudin was only freed by his lawyers three days after.

In his affidavit, Kaharudin, stated that he heard them sharpening a knife while telling him "mag-ingat ka hinahasa na naming itong kutsilyo." Subjected to water torture, he was forced to drink huge amounts of water until he could not anymore. He was also regularly suffocated with a plastic bag on his head.

According to Kaharudin, the only time he was not beaten up or tortured was when he was

eating. He was also made to memorize a list of names and information and tortured if he could not remember the information. He was also forced to point at houses and people in Maharlika, Taguig as terror suspects. Kaharudin added that even his answers to the media were scripted. He was made to admit different aliases like Tolang, Saad, Kasalud, Max and Marwan.

Kaharudin maintains that text messages were planted on his cellphone, allegedly a conversation in Tagalog about the planned bombing. Kaharudin can hardly speak the language and does not know how to text.

His relatives were shocked when they saw Kaharudin on TV, speaking in Tagalog.

"Hindi kasi siya marunong talaga magtagalog, kaya nagulat kami," says Salima Alih, the wife of Kaharudin who flew in from Qatar just to be with her husband.

Until now, says Alih, her husband still suffers from chest and body pains, gets dizzy easily and is afraid to go out. His scars due to the torture are still fresh and visible. Since his release, Kaharudin has never gone out alone.

ASSISTANCE FOR MUSLIMS WHOSE RIGHTS HAVE BEEN VIOLATED IS PROVIDED BY . . .

Muslim Legal Aid Foundation Inc.
Rm. 703 Jafer Bldg. No. 19 Eisenhower St., San Juan

Atty. Nasser Marohomsalic, Chairman
Atty. Carim Panumpang, President
Atty. Musa I. Malayang, Secretary General

Bangsamoro Lawyers Network officers
Saligan, Door 1, 422 Champaca St., Juna Subd., Matina, Davao City.
Tel. 0822984161
Atty. Randolph Parcasio, Chairman
Atty. Laisa Masaluhod-Alamia, Secretary
Atty. Raissa Jajurie, Treasurer

"Gusto kong matanggal sa serbisyo ang mga may kagagawan sa asawa ko," says the teary-eyed Alih but adamant to file the case against the people involved in abducting and torturing her husband.

Meanwhile lawyers of MUSLAF encourage the Moros to file cases against their perpetrators, if victimized.

"If Moros will be brave enough to file case against police, these [police] will not do it [irresponsible arrest] repeatedly," says Atty. Rex Parumpang, MUSLAF President. "It will serve as deterrent." Atty. Malayang called on

Muslim leaders in Congress to stand up and protect their brethren from the harassment and abuses due to the ongoing campaign against terrorism supported by the Anti-Terror Law.

Atty. Zainuddin Malang of MUSLAF also corroborates the story of Kaharudin. Malang said, "this is what discredits and taints the law enforcement institutions involved, and gives the counter-terrorism campaign a bad reputation among ordinary Muslims who would otherwise support that campaign."

Lanao: Leafing through the chronicle of a foreigner

B RILLIANT sunshine... refreshing coolness... and jewel-like lake," the breathless foreigner exclaimed upon finally reaching Dansalan. It was 1925. And the descriptive narration of Dr. Albert Herre on his journey was immortalized in his catchy article "Lanao-Lovely Land of Romance" which appeared in The Scientific Monthly. A chronicle of his exploration of Lanao, his elations and appreciation of its beauty and, at time, epithets against the Maranao.

Mounting from the plains of Iligan, the perplexed scientist recalled a "family group of monkeys crossing the road" while he was passing through the "excellent automobile road ascends to the lake." Today, the playful monkeys are replaced by man-made obstructions blocking the passing vehicles; they are zigzag check points

The Jihadist Atty. Algamar A. Latiph

wards the shore.

They were "unique and highly interesting fish fauna," the scientist said of the lake's 17 species which according to him was a "remarkable demonstration of evolution." These species, however, are now slipping into extinction ironically not because of forces of nature but by man-made causes. Today, algae dominate Lanao's lakeshore, our fishes are vanishing and soon will disappear before our eyes. Indeed, our lake is decaying.

Dr Herre never escaped Maranao's artistry. Our houses, he described, were "notable for their unusual architectural decorations...walls are more or less artistically decorated...very

Lanao's "reputation for 'battle, murder and sudden death,'" is rather incorrect. "In reality it is as safe as cities in the United States." For him, the coming of Islam "brought higher culture" to Maranaos who "were always a turbulent and independent breed," they can be likened to "touchy Gaelic or Southern Appalachian clansmen."

guarded by Marines.

Dr. Herre's destination was Camp Keithly, Dansalan. "Intriguing" extolled by the scientist upon reaching Dansalan and was "impressed by the wide open spaces and unobstructed view across the lake and beyond... then leaping over a few miles of intervening low land, one's eyes rest upon the lofty volcanic peaks of Butig range."

Few days later, he trekked Butig's mountain. There, he was welcomed by its "great forest and its untrodden volcanic peaks that hide many botanical treasures as yet undiscovered... deer... monkeys... gigantic pythons... monkey-eating eagle." Climbing above, the "beautiful birds concealed in the world of light atop of the trees...and thrilled by rippling burst of song from some invisible bird."

His words revealed the drifting spill of Lake Lanao en route to the heavenly arms of Agus. In his chronicle, I was able to glimpse Agus' surreal nature "furiously rushing... races and roars, leaps and tosses madly in headlong sped to the sea." After 82 years, Agus' roars are gone. It was silenced by the concrete wall erected by Napocor. Likewise, Napocor's artificial river in Pumping was built to further suck Lake Lanao which effectively tamed Agus' ferocity. Now, what prevailed is Agus' deafening stillness and exhaustion, and its dull exit to

elaborate and intricate curve." He was fascinated by the remarkable brass making, "betel boxes...very unusual design and possessing real artistic merit." The colorful malong, the agong, the okir and so on.

Witnessing a rido was probably not in his itinerary nonetheless he saw feuding clans disputing the sultanate throne. There were approximately 200 armed men assembled but despite of the height of the tensions his attention was on our craftsmanship, for him: "it was a great experience, for there was displayed the most wonderful aggregation of bladed weapons imaginable. Every man carried a kris and most of them had kampilan and daggers as well."

There were "mixture of despotic authority and the most democratic freedom" he commented on our politics but the "social structure of the Maranao people is amazingly like that of our ancestors some generations removed." They are "hair-trigger, clannish people, dirty ignorant" but he was quick to say of our "keen intelligence withal, hospitable but suspicious of outsiders, they have the faults and also the virtue of Gaelic clansman." Their woman "takes her place in the community on a nearly equal footing with men."

Lanao's "reputation for 'battle, murder and sudden death,'" is rather incorrect. "In reality it is a safe as cities in the United States." For him, the coming of Islam "brought higher culture" to Maranaos who "were always a turbulent and independent breed," they can be likened to "touchy Gaelic or Southern Appalachian clansmen."

The scientist misjudged us from his conclusion that "few years more and the Maranao will become standardized in regular Filipino pattern, or else be exterminated." But to a certain extent, the extinction of our culture and lake is not far from reality. Then was 1925, now is 2007 and our generation is witnessing the bleeding Lake Lanao, our dialect's infrequent usage (might slowly lead to its demise), crimes and drugs are on alarming level, politics brought sufferings instead of good governance. Is this our version of evolution moving backward? I rather leave that question for all of us to ponder.

What I am certain of is that we do not lack good men and women of bright ideas and willingness to lend their hands, in fact we have plenty of them. We are a proud people; our heritage, our faith, our history bond us together that we can utilize to shape this generation and succeeding generations. Can we?

Latiph, former chairperson of the Manila-based Muslim Youth and Students Alliance, is a Chevening Fellow, University of Birmingham, United Kingdom.



Islam condemns terrorism

Khutba

justified.

Let us first define what we mean by Terrorism. Chambers English Dictionary defines it as 'the systematic use of violence and intimidation to achieve some goal'. But in practice, the term is rarely used objectively. One man's terrorist is usually another man's freedom fighter. As Muslims, our only point of reference is our Holy Qur'an and Sunnah. What does Islam say about terrorism?

It seems rather strange and unnecessary that one should

selfs with forbidden actions, we cannot do so. Terrorism is evil. Terrorism is indiscriminate. An act of terror does not distinguish between combatant and civilian, innocent or guilty. By its very nature it is an act of cowardice. Islam does not promote or condone cowardice.

Respected Brothers and sisters in Islam! The issue of terrorism can not be for all the times be associated to any teachings of Islam. No Muslims of sound mind can justify any acts of terrorism in any form. What is happening in Mindanao specifically in the Autonomous Region in Muslim Mindanao is the wrong interpretation of the teachings of Is-

lam. There are, however other Muslims who have very limited understanding of Islam equated terrorism as an act of worship, sanctioned by Prophet Muhammad (peace be upon him). Nothing in the Sunnah (tradition) of Prophet Muhammad (peace be upon him) that can be associated to terrorism.

Respected brothers and sisters in faith! What is happening is the other way around. We use the name of Islam, we employ the name of Jihad, but the reality is the opposite.

In warfare, sometimes, innocent people may get caught in the crossfire. Is this not just an unavoidable part of conflict? For true Muslims, the answer is an emphatic NO. Muslims have clear guidelines on how to conduct themselves in battle. These Rules of Engagement were set by Prophet Muhammad himself, and were keenly observed by his followers. Muslims cannot dishonor a treaty; they cannot mutilate the dead; they cannot kill women, children, the elderly or any person who does not carry weapons. A Muslim cannot kill those engaged in worship, like monks or priests or Rabbis; we cannot cut down trees or burn crops or poison water supplies [i.e. use chemical weapons]. We are only allowed to kill those who physically attack us, intending to kill us.

Life is considered too precious to be taken carelessly. A Hadith according to Abu Dawood, says that the Prophet Muhammad came across a body of a woman after a battle, and he reprimanded his followers, saying, "She was not among those who fought us."

Therefore, my dear brothers and sisters in Islam, is it permissible to take the life of a non-Muslim? It is justified to rob the properties of the non-Muslims? Is it an excuse to kidnap a wealthy non-Muslim? The Prophet Muhammad said: "Whoever kills a Dhimmi [a non-Muslim citizen of an Islamic State] is not even going to smell the fragrance of Paradise"

In another important Hadith, the Prophet Muhammad said: "A Muslim is he from whose tongue and hands, other Muslims are safe; and a Mu'min, [a Believer] is he in whom all of humankind has a sanctuary for life and property"

Can you imagine that? Not only most other Muslims be safe from our words and our deeds, but the whole of humankind must feel safe in our custody! What an honor! What a responsibility! What a big, big responsibility to answer for, on the Day of Judgment!

Respected brothers and sisters in Islam! Islam has nothing to do with terrorism. Islam is indeed a religion spread all over the world recognized and accepted by the world as a religion that always advocate for peace and security and harmony and has nothing to do with terrorism. It is therefore high time for those who associate Islam with terrorism to look deeply into the teachings of Islam and peaceful message Islam.

The Prophet of Islam, Muhammad said: "You will never enter paradise until you become a true believer (mu'min). You will never become a true believer until you love one another. Shall I lead you to a deed that if you do it, you will love one another? Spread peace between and amongst you.

And most importantly, we must always seek the help of our Creator. Allah alone is able to facilitate any success. The formula is simple: we need meticulous planning, followed by hard work, prayer and supplication. Then we must be patient and persevere, entrusting our affairs to Allah. This is known as Tawakkul. It is our best guarantee of success.

Let us pray to Allah, to help us clear the good name of Islam. As Muslims and as true Believers, let our thoughts, our words and deeds, show convincing proof that Islam, the way of Peace, has no place for terrorism, whether it is individual, group or state terrorism. O Allah, in these difficult times, let us defeat the hate mongers and slanderers. In the words of your Prophet Moses, who prayed, "O Allah, expand my breast for me, and loosen my tongue." Help us also, by giving us wisdom and articulate speech. Let us personify noble character and good manners, and so win the war of hearts and minds, for Islam.

May Allah direct me and you to the blessings of the Glorious Qur'an and benefit me and you in whatever is in it of the Ayat and Wise Dhikr. I say this and ask Allah the Great and the Most Honored for forgiveness for me, you and all Muslims for every sin. Invoke Him for forgiveness, for He is Oft-Forgiving, the Most Merciful.

"If anyone kills a human being, unless it be [in legal punishment] for murder or for spreading corruption on earth, it shall be as though that person had slain the whole of humanity; whereas, if anyone saves a life, it shall be as though one had saved the lives of all humanity." (Qur'an 5:32)

need to explain why Islam condemns terrorism. After all, the very word, Islam, is derived from the Arabic letters 'seen' 'laam' and 'meem' which form the root word 'salama' meaning "Peace." Islam therefore means the state of being at peace, or to bring into peace. In its very roots, therefore, there is nothing in common between a way of life that stands for peace, harmony, order, justice and compassion on the one hand, and acts of hatred, vengeance and evil on the other. Indeed, Islam and terrorism stand on opposite ends of the moral spectrum. In Islam, life is so sacred. It is a gift from God that He alone has the right to take it back. Murder and the killing of innocent civilians in warfare, is strictly forbidden.

Allah said in the Holy Qur'an: "If anyone kills a human being, unless it be [in legal punishment] for murder or for spreading corruption on earth, it shall be as though that person had slain the whole of humanity; whereas, if anyone saves a life, it shall be as though one had saved the lives of all humanity." (5:32)

One of the great moral debates in history has been the question of Means and Ends. Does the End justify the Means? Can one achieve moral ends by immoral means? Some people argue that the End justifies the Means. Islam is very clear on this. One cannot achieve halaal ends by haraam means. The ends and the means have to inextricably integrated with each other. Only moral means can achieve moral ends. This was the way of the Prophets and of all God's beloved servants, throughout the ages. However, much as we are provoked, much as we might be tempted to retaliate or to defend our-

Malaysians hold two over text — report

KUALA LUMPUR: Malaysian police have detained two men for allegedly sending mobile phone text messages about race riots under a law that allows them to be held without trial, a report said Thursday.

The men, in their 20s, were arrested by police in the southern Johor state, where acting police chief Mohamad Mokhtar Mohamad Shariff

said they were held under the Internal Security Act.

"I wish to stress that security in the state is under control and that the SMS mes-

sages being circulated are purely rumors and malicious," he was quoted as saying by the *Star* newspaper.

Police have boosted their presence in the state by increasing patrols and deployed some 200 anti-riot police officers to ensure security, according to the *New Straits Times*.

Race relations have become an increasingly fraught issue in Malaysia, which has a Muslim majority but vaunts its multicultural status.

A series of court cases — notably on conversions from Islam — has called that status into question, while activists have been campaigning for

greater religious freedoms in a nation where proselytizing by other faiths is banned.

Last November, text messages about rumors that ethnic Muslim Malays would be baptized as Christians sparked a large Muslim protest in the northern state of Perak.

It led to a government warning that the Internal Security Act could be used on anyone spreading texts that could cause instability.

The latest case comes as Malaysia marks Friday the 50th anniversary of its independence from Britain.

AFP

Faithful on Shab-e-Barat

Pakistani faithful Muslims offer prayer during a special night prayer at the Faisal Mosque to mark Shab-e-Barat, or night of forgiveness, in Islamabad recently. Muslims hold a belief that if someone prays to God throughout the night and seek forgiveness for all the sins he may have committed, he could be forgiven. The entire night of prayer is devoted to asking for forgiveness for the past year and for good fortune in the year to come.

AFP PHOTO



Indonesian band cancels Aceh gigs

JAKARTA: An Indonesian pop band has been forced to cancel performances in staunchly Muslim Aceh province, after local Muslim groups accused them of promoting promiscuity.

The five-man Nidji band performed in Banda Aceh on Saturday but had to cancel two other gigs after the groups complained that they had broken Islamic sharia law by not separating men from women, city police chief Zulkarnaen said Wednesday.

"They sought our protection after their hotel refused to accommodate them following the demand by several Muslim groups that they cancel their appearances," Zulkarnaen said.

"The groups alleged that the concerts could promote promiscuity as sexes were not segregated during the event."

The police accommodated them at their headquarters as no other hotel would take them, and the group flew out on Monday, Zulkarnaen added.

Aceh, an Islamic stronghold in the world's most populous Muslim nation, was given the right to implement sharia under broad autonomy granted by Jakarta in 2001 as part of efforts to curb separatist sentiment.

Sharia has only been partially put in place, with sharia police monitoring dress codes, the closing of businesses during prayer times and the prevention of vice, including proximity between unrelated members of the opposite sex.

AFP

ANALYSIS

Turkey's newly elected president on political tightrope

ANKARA: Turkey's new president Abdullah Gul will be walking a political tightrope, balancing between pressure from army-backed secularists who mistrust him for his Islamist past and conservative supporters who seek broader religious freedoms, analysts said.

The generals, who see themselves as the guardians of Turkey's secular system, sent a strong signal that they are unhappy with Gul's presidency when they snubbed his oath-taking ceremony Tuesday.

The unprecedented gesture followed a warning by the military on the eve of the parliamentary vote for president that "centers of evil are trying to systematically erode" this mainly Muslim country's secular system.

"These are signs that the climate of confrontation is not over," senior journalist Fikret Bila commented. "Gul is aware of the problems and will work to overcome them."

"If the warnings, particularly from the military, are underestimated, the consequences will not be good . . . The political leadership should consider moves to dispel the suspicions,"

political scientist Hikmet Ozdemir said.

The Turkish military has unseated four government in as many decades, the last time in 1997, when it forced the resignation of the country's first Islamist-led government of which Gul was a member.

The main opposition Republican People's Party, a key player in the crisis that blocked Gul's first presidential bid in April, was also absent from the inauguration, as were several judges and the head of Turkey's top academic board.

Opponents fear that the Islamist-rooted ruling Justice and Development Party (AKP), to which Gul belonged until he became president and must be impartial, would now seek to erode the separation of mosque and state as the AKP controls the country's top civilian posts.

"Gul's primary task will be to win the hearts and minds of those who mistrust him, but he cannot overcome this polarization by himself if all sectors of society are not open to reconciliation," political commentator Rusen Cakir said.

Gul has already made conciliatory gestures, analysts said,



Turkey's newly elected President Abdullah Gul (front left) arrives for the graduation ceremony of the Military Medical School in Ankara on Wednesday, as Chief of Staff General Yasar Buyukanit (back right) stands behind him. Gul was sworn in as Turkey's president on Tuesday despite the objections of a powerful military that fears a creeping subversion of the country's secular order under the former Islamist.

AFP PHOTO

pointing to his repeated pledges to uphold secularism and the fact that his wife Hayrunnisa, whose Islamic headscarf irritates secularists, did not attend Tuesday's ceremonies.

In his inaugural speech, Gul, who had been foreign minister since 2003, pledged to protect

the separation of state and religion, but stressed that secularism also guarantees religious freedoms.

Conservative Turks, who form the backbone of the AKP electorate, complain that the official interpretation of secularism is too rigid and that sim-

ple pious people are often stigmatized as Islamist radicals who aspire to an Iranian-style regime.

At the core of their resentment is a ban on the Islamic headscarf in government offices and universities, which they say is a violation of free-

dom of conscience and the right to education.

The virulent secularist objections to Hayrunnisa Gul as Turkey's first lady have "offended" all Turkish women who wear a headcover, Asli Aydintasbas wrote in the mass-circulation *Sabah* newspaper.

"A process of normalization must now begin on the headscarf issue to end the 'leper' status of 50 percent of Turkish women who have chosen to cover up in one way or another," she said.

Despite protests that he was going too far, previous president Ahmet Necdet Sezer refused to invite women wearing the headscarf to receptions at the presidential palace, thus snubbing most AKP wives.

Cakir warned that Gul would also grapple with pressure from militant Islamists expecting the new president to openly manifest religious attitudes.

"The different social sectors that backed Gul have different expectations," he said. "Some conservatives among them could have feelings of revenge and see the presidential palace as a place for the voice of Islam to rise."

AFP

DERAILED From page D1

Peace accord with MNLF derailed

people in ARMM.

As for literacy and education, the indicators are no better. In 2003, simple literacy rate in ARMM (70.2 percent) was the lowest in the nation. The national average was 93.4 percent. More noteworthy is the fact that ARMM's 2003 literacy figure is actually lower than its 1993 literacy rate (73.4 percent). ARMM's provinces have the lowest participation and enrollment rates, the highest drop out rates.

Juxtaposing the poverty incidence in the regions with the regional expenditures and appropriations, we get a clearer picture of the nature of budgetary prioritization.

Fiscal Resources. Contrary to popular belief, ARMM does not get the allocation commensurate to the rhetoric that characterizes the discourse on Muslim Mindanao. Given the development imperatives attendant to conflict-ridden areas, one would expect massive infusion of funds to jump-start growth. The Analysis of the President's 2002 Budget prepared by the Congressional Planning and Budget Depart-

ment of the House of Representatives noted that ARMM has received comparatively less in terms of regional allocation. In 2002, ARMM received the lowest allocation (a mere 3.13 percent).

Even CARAGA, established in 1997, overtook ARMM in terms of allocation by fiscal year 2000. (See table.) CARAGA is not the subject of a peace agreement. Neither does it figure prominently in media as the recipient of government attention. However, very quietly, it has received more government funding than ARMM.

Since ARMM is the subject of a peace agreement, one could reasonably expect a significant increase in funding, rather than incremental growth, for rehabilitation of conflict areas and pump-priming activities necessary to spur growth.

The appropriations for personal services are disproportionately high, at an average close to 70 percent of total expenditures for the past decade. For comparison, other local government units spent on average 47 percent of their budgets for personal services.

In terms of government expenditures per capita, regional allocation per capita in 2004 and 2005 show that ARMM's allocation per capita did improve, from 12th place in 2004 to 7th in 2005. However, CAR—not ARMM—had the highest allocation per capita.

Government has not been successful in providing for the needs of the conflict-affected communities. Funding, management and absorptive capacity of the local governments, the peace and order situation, and corruption affect the delivery of public services.

Since the government has inadequate resources to deal with its commitments to the peace agreement and to its Muslim constituency, the international community has been visible in Mindanao, complementing the programs of government.

Donor assistance in Mindanao has been primarily employed in three major areas: basic services (poverty alleviation programs, micro-enterprise and livelihood assistance programs, and primary health care); education (including Islamic education), and infrastructure.

There must be closer monitoring and assessment of projects—nationally and internationally funded—implemented in the region to give a clearer indication of the status of these projects and their impact on the communities. To the extent that corruption at the national, regional and local levels is seen as a factor in the poor implementation of government initiatives in the region, advocacy for greater transparency and accountability among local government officials is crucial. With regards to foreign aid, how effective has it been in promoting peace and development? Is foreign aid invested in the key intervention areas where the communities truly require the assistance?

The terror of war. To ensure national security in the short run, Muslim leaders concede that there is a need for assistance to professionalize and equip the military. The July Human Rights Watch Report states that more civilians have been injured or killed in the armed hostilities in the Philippines as compared to Bali, Morocco, Spain, Turkey or Britain

over the last seven years. This is in addition to the kidnappings that have extorted huge amounts of ransoms from innocent civilians.

Although the immediacy of eliminating threats to national security is acknowledged, the military is only one part of the solution. In the conflicted areas of Mindanao, existing national security programs, which rely heavily on military solutions, have negatively affected rule of law. People are radicalized due to marginality, poverty and absence of socio-economic development in their communities. The deep-seated grievances remain to be addressed: debilitating poverty, festering land issues and ancestral domain, lack of equitable representation, discrimination.

When discussing the problem of terrorism in the Philippines, it is necessary to disaggregate international terrorism from domestic insurgency. The question that has not been satisfactorily answered is how big a threat the Abu Sayyaf really poses due to its size and diminished capacities. The answer becomes even more complicated as some public officials and "terrorism experts" link MNLF and MILF troops with terrorism.

To make matters worse, corruption, narco-politics, kidnap

for ransom and other criminal activities prevent many communities from enjoying the benefits of the simple life they hope to lead, mired as they are in poverty and hopelessness.

The picture in Mindanao is made even more complex by the interlocking sets of political and familial relationships, crosscutting linguistic and tribal differences, and other sets of allegiances to individuals and political agendas. "Rido," armed conflict between clans to settle disputes, is a clear example.

A simplistic view of the problem results in the application of a military solution to the conflict. The situation in Sulu today is a case in point. As media and some government officials continuously describe the insurgents in Sulu as part of the Misuari Breakaway Group, local leaders point out that the protagonists are MNLF, plain and simple. If the Jolo MNLF troops are not part of the terrorist attacks, military operations against them indicate a breaking of the 1996 Peace Agreement. This situation obviously cannot be publicly accepted. Thus, conflicts are attributed to MNLF renegades, lost commands, the Abu Sayyaf—never directly to the MNLF.

See MNLF D4



Reworking the Philippine sultanates

BY NASSER SHARIEF

MANY FILIPINOS TODAY think that to be a Sultan is a position strewn with beds of roses. While this romantic notion was true in ancient times when the sultan wielded enormous power and even appoints ambassadors and emissaries to foreign lands, in our day it becomes more of a burden. Many royal houses in fact have folded and some others have the barest minimum of courtiers, operating on a skeletal setup. Only the sheer determination and dedication of the royal family and their loyal subjects keep it from closing shop.

The passing of an era has been eloquently captured, albeit lamentably, by a reigning Sultan of Sulu, Moh'd. Hadji Jamalul Dalus Kiram III: "It is like a joke of history when once upon a time Ambassadors from the Court of St. James of England, the Celestial Empire of China and other Great Powers pay tribute to the Sultan of Sulu at his ancestral Palace in Darul Jambangan, Maimbung, Sulu, which is now a depressed area needing rehabilitation."

Too often, to add leverage to his influence, the Sultan himself holds on to a government position—whether appointed or elected—to augment what nominal power he can dispense. This has been how many royalties in Mindanao have survived in the modern era. As witnessed in the last election, no less than the Sultan of Sulu tried his hand on national politics by running for the senate at the prodding of the Arroyo administration with uncalculated result.

For many years, political planners have been shrugging off the influence of the royalties as a dead angle in shaping the future of the country especially the South. Even rebel movements like the MNLF and the MILF and most religious groups tried to do away with the royalties of Sulu, Maguindanao and Lanao. But lately there has been a renaissance.

The potential of the royalties in swiftly ending disputes, even blood feuds at that or *rido* had been tapped successfully in many instances. The royalties effectively rally the people in social works, even mediating on marriages, inheritance disputes and facilitating local development infrastructures by the government when the locality are not too convinced of the motives.

Sultan Topaan Ditaual Disomimba, the reigning Sultan of Masui in Lanao echoed the trend: "It has been realized by everyone that the Sultanates cannot be dispensed with. We are the missing link in our troubled nation. The Royalties must be revived not for nostalgic reason but as our anchor of the past and for the stability of our future. True, in the constitution no royalty is recognized, but that doesn't mean we have to jettison our heritage. We have to take the lead of Japan, Malaysia, and the European countries. In Japan, no matter how modernized they are, they always look upon their past. It is manifested in their households and the treatment they accord their royalties."

The government seemed to sense the latent potential of the old royalties. For instance, President Gloria Arroyo recently created the Lanao Advisory Council that empowers the 16 Royal Houses of Lanao to make a study and recommendations on the promotion of peace and development in their area. She has issued Executive Order 602 establishing the Council that would advise her on issues and problems affecting the constituents of the affected Royal Houses. This development appears experimental for now and if found successful it could also take foothold in Sulu, Maguindanao and other places.

■ MNLF From page D3

Peace accord with MNLF derailed

Rule of law versus reign of the lawless. It is evident to our communities that law and order has broken down in Muslim Mindanao. Rule of law requires democratic pluralism, an economic system that promotes the development of every member of the society, and an independent judiciary. A well-functioning justice system including prison administration, police reform, and human rights protection are essential. It also requires the peaceful resolution of disputes.

Unfortunately, the administration of justice in conflict-affected Mindanao is weak. The police are under-trained, ill equipped and under-manned. Even if the police were strong, where would they bring evidence and who would enforce it? There is supposed to be a dual judicial system in the Muslim areas: shariah for personal laws and the national justice system. Neither works very well in the areas of conflict, especially ARMM. In the case of shariah, although Phil-

ippine law provides for its implementation for Muslim communities, lack of funds seriously hamper the establishment of sharia courts in Mindanao. Moreover, many Muslim women leaders would like to participate in a review of the shariah code of personal laws to ensure gender fairness, within the tenets of our faith. As for the regional and local governments, there is consensus that these units are ineffective.

People have very poor expectations that the ARMM government can provide honest government, maintain peace and order, and provide for basic services. Thus, ARMM's administrative capacity, transparency and accountability in governance have to be improved.

Conclusion. On Sunday, 11 years will have passed since the signing of the Peace Agreement. ARMM is still caught in a vicious cycle of conflict and poverty. Autonomy is weak. Clearly, the 1996 peace accord

has been derailed.

The dependence on military solutions and the ineffectiveness of the implementation of the PA and the militarization in Muslim Mindanao will force an already burdened people to a point of no return where armed groups will be able to gain recruits.

As we all strive to maintain a strong security presence in the region, we must stress that peace and security cannot rest on military operations alone. Economic growth and democratization (with its pillars of justice, rule of law and protection of rights) are keys to peace in the region. Defense against terrorism is one area that should not be left to the government alone, whether central and regional. There is a need to establish the basic conditions that will allow the communities themselves to participate in processes which will usher in and foster peace and development in Mindanao. Government is not the only stakeholder in the develop-



■ Paduka Maulana Mahashari, Al Sultan Moh. Hadji Jamalul Dalus Kiram III

Queen of the Sultanate for five decades and Sultan Agumuddin Abidin, son of Sultan Jainal Abidin.

To revive the international stature of the Sultanate of Sulu, Kiram III forged the century-old relationships between Sulu and China during the royal visit in Dezhou, Shandong Province, PR China in September 1999 with 87-man entourage. The visit concluded with the signing of the agreement between Hebei Province and the Sulu Sultanate on agricultural technology exchange.

The Maguindanao Sultanate

The Old Sultanate of Maguindanao was given new impetus lately when Datu Amir Baraguir, a writer cum historian, was crowned to the royal throne as Seri Paduka Sultan Sayyid Hadji Datu Amir bin Muhammad Baraguir. Baraguir, thus, became the 25th Sultan of Maguindanao on December 12, 2005.

Baraguir was the third son of the late Sultan Muhammad G. M. Baraguir and Bai Fatima Carmen Andong. He traces his roots from the Maguindanao's 3 royalties, namely, Maguindanao, Buayan, and Kabuntalan.

Baraguir lamented that contemporary sultans have had "little else to do" than acting as "symbols of unity for those whose traditional and historical moorings are still intact, and in serving in limited capacity as a patron of Maguindanaoan arts, culture and tradition."

Although, Baraguir had some high hopes he commented that the royalty cannot appropriately address the problems besetting the community like poverty, education, and peace because they were reduced to no more than ceremonials. But Sultan Baraguir insisted that this state of affair need not continue. The royal leadership said in his speech on becoming the new sultan can be a catalyst in pursuit of Maguindanao's right to self determination without having to uproot the present political setup."

Unfortunately, before Sultan Baraguir could put prime his projects he was gunned down by masked gunmen on his way home on January 12, 2006, cutting short his reign for just a month.

Moro Times were able to interview the Sultan's brother Datu Khalikuzaman Baraguir to give his assessment on the present status of the Sultanate.

When asked if he was ready to succeed his brother, Datu Khalikuzaman, the Provincial Director of the Depart-



■ Datu Khalikuzaman Baraguir, brother of the late Seri Paduka Sultan Sayyid Hadji Datu Amir bin Muhammad Baraguir

ment of Trade and Industry in Maguindanao only grinned. He said that "there are five criteria which must be present before one can be crowned a Sultan, and I think this equally apply to any Royalty, wherever. They are: Nobility, which means blood lineage; knowledge, which is breeding and high education; wealth, which is financial, an ability to financial run a court; aura, which is personality; and *rupawan* or authority."

The Baraguirs came from a long line of the Masturas. Datu Baraguir himself was the grandson of Mastura. His father was Datu Mamadra, known as "Wata Mama sa Maguindanao," the eldest son of Mastura by one of his wives, Sarifa Atik, sister of Sharif Ampatuan. He died earlier than the father. On his mother side, Baraguir is descended from Rajah Toa, brother of the Datudacula I of Sebogay (the current being Datu Dacula VI). Amerol Parti is one of the sons of Datudacula I. His brother was the Sultan Ontong, the regal name of Sultan Kudaratullah Djamalol Alam Ontong. Ontong was named after Sultan Kudarat, so he was referred to in written records as Sultan Kudarat II. Amerol Parti, who was also known as "Mama sa Sulog" had a daughter Bae Ikog who married Datu Mamadra, and out of the marriage came Datu Baraguir.

The Sultanate of Masui

The reign of Topaan Ditaual Disomimba as Sultan of Masui is a manifestation of the reworking of the royalties in the Southern Philippines to give it a positive posture in the modern age. No longer are datus confined to the *métier* of their courts. They have to reach out to their people if they do not wish to be relegated to the periphery.

Sultan Disomimba is one of the exponents of the new movement. He was named after a great, great ancestor Amaloya Topaan who had married Putri Kaizadan, who herself was the granddaughter of Sharif Kabungsuwan by his third wife, Bae Mazawang. As a young man Topaan Disomimba was trained in the court of his father, Datu Palawan, who was then the Datu-a Cabugatan of the Royal House of Masui. His apprenticeship gave him a close-up observation of the proceedings of the court, the action of the courtiers, and the mechanics of the *ijma* and *tartib*, and how justice is dispensed. In 1991 when the elder Palawan died, Topaan had to take the mantle. He is the only male among



■ Sultan Hadji Topaan II Ditaual Disomimba of the 16 Royal House of Lanao

eight children. He became mayor of the town of Tamparan in 1992, following the footsteps of his father Datu Palawan who had held the post for 30 years who also became Vice Governor of Lanao del Sur. In the just concluded election, Sultan Disomimba, after completing a 3-term, is succeeded by his wife Bae Norhaniza Janaree Macapundag Pundato.

The Sultanate of Masui is the most documented royalty around Lake Lanao. It was founded by Balindong Bezar, after the successful retake of Lamitan (Ramitan) near Baraas along the Illana Bay by the redoubtable Sultan Kudarat. At the time, Balindong Bezar was a young man awed by the prowess of his uncle-in-law. Balindong had married Bae Pindaw (Pindawa-dawa Oray is the longer name), daughter of Bae Gayang Mupat, sister of Kudarat and wife of Amatonding a Noni. Since Balindong is the son of Paramata Adir, cousin of Amatonding, that makes Balindong and Bae Pindaw second cousins. As soon as Kudarat has reestablished himself back to power, the young Balindong, getting his spur, lay stake on his claim on a vast tract of land that included a sweep of the towns around Lanao and down along the shorelines of Panguil Bay.

The reigning Sultan Disomimba and the 16 Royal Houses of Lanao had organized the 1st Conference of the Royal Sultanates on Unified and Effective Governance on August 27, 2003 in Manila. A 2nd Conference is in the offing which will touch on the peace and economic development in Mindanao to be held in Davao sometime in early February, 2008.

Claims to the Sultanates

In the wake of the branching out of the royal lineage over the centuries, many of the Sultanates are disputed especially in cases where the succession of male progeny had been broken for quite sometime.

Does this development hamper the working of the Sultanates?

The incumbent Sultan of Masui, Topaan Dsitomimba does not think so. "I'm not alarmed at all by the rival claims to the Sultanates. This is in fact, a healthy situation," Disomimba said. "It only goes to show a resurgence of interest in the old titles. I myself don't mind, as long as everyone works for a common good. What is bad is when people just sit on their title and sleep on it."



■ Philippine Marines set up a checkpoint in Basilan, where government troops are pursuing the Abu Sayyaf bandits. Eleven years after the signing of the Final Peace Agreement between the government and the MNLF, peace remains elusive in this battle-torn region of the Philippines.

PHOTO BY AL JACINTO

ment process. Civil society, people's organizations, and others need to be involved.

There never was a good

war or a bad peace." While the Muslims of Mindanao stand behind government to stop terrorism, care should be taken

not to implicate uninvolved groups in the process. Muslims are becoming convinced that there is a conspiracy, which indiscriminately links even legitimate groups to terrorism in order to substantiate the threat.

The MNLF, agencies of government and the donor community need to strengthen the foundations for democracy as well as implement development and poverty alleviation programs more effectively. Without development and strong democratic institutions, the roots of terrorism will find fertile soil. Unless the deeply rooted grievances are addressed simultaneously, a military solution will only alienate the community. Unless the Liberation Fronts sincerely support the peace and development agenda, the armed hostilities will become intractable.

It is time to change the paradigm. Martin Luther King Jr. said "One day we must come to see that peace is not merely a distant goal we seek, but that it is a means by which we arrive at that goal. We must pursue peaceful ends through peaceful means."

A just peace is a lasting peace.