

The Bangsamoro Struggle: understanding Minority Rights in Liberal Political Philosophy

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1. Introduction

The public outburst against the Memorandum of Agreement on Ancestral Domain (MOA-AD) involving the Moro Islamic Liberation Front (MILF) and the Government of the Republic of the Philippines (GRP) has stirred not only the attention of Mindanaoans but also majority of the Filipino people. The MOA-AD which provides for the creation of the Bangsamoro Juridical Entity (BJE) has elicited various opinions. While the Supreme Court rules on the MOA-AD as unconstitutional, the discourse on the matter has not entirely stopped.

The various opinions show the deep divide among Christian and Muslim settlers all through out the entire Philippine archipelago. The recent outburst of significant personalities like Vice Governor Manny Piñol, Mayor Celso Lobregat has represented the sentiment of the Christian settlers against the MOA-AD. The long standing statements of Datu Michael Mastura, Ranjit Shahani and the rest of the Muslim leaders have characterized the outlook of the Bangsamoro concern most especially centered on the claim for self-determination. Peace advocates, however, in their attempt to secure peace in the region, seek to provide a middle ground in these opposing sentiments.

These contrasting opinions have their own roots in the discussion on minority rights whose opposing sides are normatively grounded on the liberal debate on minority rights. It is worth noting that while there have been significant researches on the Bangsamoro struggle, little is written concerning the normative grounds for the dissenting opinions of the various sectors involved in the Bangsamoro issue. Given this context, this paper will seek to address the normative question: Do the Bangsamoro have the right to self-determination?

As a response to this question, I will explore the general debate concerning liberal equality's stance on minority rights and present the opposing

positions. I will then relate this general debate to the issue of the Bangsamoro struggle which includes other crucial factors. This normative analysis will seek to complement the rich discourse that has invoked cultural, economic, and political perspectives.

2. Bangsamoro and Self-Determination

Bangsamoro (Moro people) is a generic name to describe the thirteen ethno linguistic groups which share the same identity that is grounded on their common allegiance to the Islamic religion. They are Indigenous people in the area as early as thirteenth century when they were influenced by the Arab traders and missionaries to embrace the Islamic way of life. They later occupied majority of Mindanao and formed political territories known as Sultanates.¹ Christianization of settlers came to Mindanao in 17th Century as a result of the Spanish colonization of the entire Philippine archipelago (Abreau 2008, 19). Despite the Spanish conquest and the Christianization of most Filipinos, a significant number remained Islamized and stayed under the jurisdiction of the Sultanates.

This historical account shows that the Moro people have their own sovereignty and self-governing territories prior to and even during the Spanish colonization. However, it was during the American colonization and early part of the Philippine Republic where mass inflow of Christian settler took place. Several settlement projects displaced the original settlers in the island (Gutierrez and Borrás 2004, 33). The lands involved in these settlement projects included the ancestral territories of the Bangsamoro people. Furthermore, various land laws implemented during the American occupation and the succeeding Philippine government sought to legally grab the lands from the indigenous Moros. Because of this, the Moro people became landless and tenants in their own homeland (Abreau 2008, 22).

It is in this light that the negotiations of various rebel groups, Moro National Liberation Front (MNLF) and Moro Islamic Liberation Front (MILF) with the Philippine government were centered on the claim to self-determination. The primary document that served as foundation for the Islamic cause was the Tripoli Agreement signed in Tripoli, Libya in 1976. This document outlined the basic principle of self-determination. It was only through the 1996 peace agreement with the MNLF, which led to the creation of the Autonomous Region of Muslim Mindanao (ARMM), that the Tripoli agreement materialized. However, several proponents of the claim to self-determination criticized this peace pact as not really truthful to the spirit of the Tripoli Agreement. This peace pact instead became an instrument of the government's neo-liberal agenda (Bauzon 2008, 68). Because of this very reason, the MILF in its negotiation with the GRP insisted on returning to the original spirit of the

Tripoli agreement. Thus, at the heart of the MOA-AD which should lead to the creation of the BJE was the claim for authentic self-determination (Lingga 2008, 101).

This claim to self-determination, however, has to be properly understood. One scholar on the Bangsamoro struggle would rightly put self-determination as

a right of a people to choose their political status, and decide on their economic, social and cultural development. That right includes the right of a people who hold the right to self-determination to choose, through democratic and participatory manner, to form their own separate state if that is essential to the expression of their right to self-determination (Lingga 2008, 95).

Will Kymlicka of the liberal tradition further solidifies this perspective by stating that this claim to self-determination is inclusive of other rights such as "territorial autonomy, veto powers, guaranteed representation in central institutions, land claims and language rights" (Kymlicka 1995, 109). The Bangsamoro's claim to self-determination, then, involves their struggle to find their sense of identity, their sense of political, economic and cultural autonomy. It is important for this struggle to be realized through basic forms of minority rights. This struggle for minority rights is well supported albeit highly debated among liberal theorists.

3. Self-determination in the Liberal Tradition

The debate on minority rights in liberal theory mirrors the classic debate between communitarians and liberals or multiculturalists and liberals.² I will explore this general debate and try to see how it elevates the opinions surrounding the discussion on the MOA-AD and the Bangsamoro's claim to self-determination.

Kymlicka and Minority Rights. Kymlicka provides a detailed argument in support of minority rights. He explores various ways of providing for group rights appropriate to specific groups. His account of national minorities is the most fitting position that can substantiate the claim of the Bangsamoro. For Kymlicka, national minorities are groups of people sharing the same language and tradition with territorial sovereignty prior to colonization.³ Their claim to group rights is centered on the claim for self-determination or self-government. Kymlicka provides clear justifications in the light of liberal tradition as to why it is imperative that national minorities like the Moro people be afforded right to self-determination by way of self-government. These justifications are, for

Kymlicka, consistent with the basic liberal principles of freedom, justice and equality.

Freedom and Culture. One of the principles espoused in liberal democracy is individual freedom. While individual freedom is invoked by those who oppose group minority rights, it can still serve as a basis for justifying group minority rights. Kymlicka in particular characterizes this freedom by departing from the atomistic conception of person which liberal theory is mostly guilty of. The atomistic understanding of person presupposes that a person is devoid of any context when s/he exercises his/her capacity for choice. It is the liberal understanding of freedom whereby a person's choice can be altered depending on his/her option. His/her conception of the good is something that can be revised as the person chooses especially in cases where s/he no longer finds this good meaningful (Kymlicka 1995, 81). This understanding of freedom then allows the individual a certain capacity for meaningful choices.

However, Kymlicka's understanding of choice is not grounded on the understanding of the individual as devoid of certain rootedness. The individual is subject to his/her cultural background when s/he chooses. By cultural background, Kymlicka suggests our social culture where we share common language and history with other people. This groundedness in culture is important because it serves as a 'lens' from which we can view these choices as meaningful (Kymlicka 1995, 82). My choices, then, should be evaluated and re-evaluated in the context of my given cultural background. Freedom here is my capacity of choice within, and not something beyond, my cultural sphere. This shows, then, that culture is an important part in the development and in the understanding of one's individual freedom. Culture is important in understanding one's identity.

It is important, therefore, to provide group cultural rights to protect certain societal cultures. The protection of this culture also means protecting that ground which serves as the basis of a person's identity and of the individual freedom that liberalism seeks to uphold (Kymlicka 1995, 83). Kymlicka's argument can be a basis for the Bangsamoro's claim for self-government. Through self-government, the Bangsamoro will have greater capacity to protect their culture from decay and debasement. It will allow them to nurture their national group as ground and basis of their cultural identity.

Governing based on culture is also important in the case of the Bangsamoro. It should be noted that for the Moro people their laws reflect their cultural identity. Their customary laws like the shari'a, for example, reflect the way they live their life. If self-determination is not provided to them by virtue of self-government, then they will have lesser power to protect their



cultural identity as these customary laws will have no political recognition. As a result, their societal culture will be overtaken by the liberal, consumeristic and secular culture that pervades not only the Filipino nation but also the world as a whole. For the Bangsamoro, their government reflects the way they live their life and therefore their societal culture. Thus, their claim to self-government remains consistent with the liberal commitment to individual freedom.

Promotion of Equality. Another principle in liberal democracy is the promotion of justice. Issues concerning group minority rights are often argued from considerations of justice and fairness. This is also referred to as argument on equality. Promotion of equality is significant for it gives justice to the disadvantaged member of the society. Kymlicka's notion of equality as a balancing force in society is central to this argument. He invokes Rawls's defense of equality to support those who are morally disadvantaged, which he refers to as 'unchosen inequalities' (Kymlicka 1995, 109). This notion of equality also serves as support for minority cultures against the abuses and injustices perpetrated by the majority group. Given that the majority is already in control of the instrumentalities of power, greater protection must be given to the minorities. Kymlicka contends that there is less need to protect the majority culture since they already hold a certain advantage. Thus, this claim for group differentiated rights is a means to protect the minority from any form of oppression from the majority culture.

This 'unchosen inequality' fittingly describes the condition of the Bangsamoro. Their experience in the hand of the colonizers who destroyed their political and cultural sovereignty brought about this unequal status. The actions of the colonizers are further perpetuated by the Christians and the existing government, which places the Bangsamoro at the margins of the Philippine society. As a result, the Moro people have less representation in all aspects of governance as well as less capacity to nurture their culture. This argument based on equality is important, then, to provide self-government rights to rectify the inequality created by certain historical events.

In the case of the Bangsamoro, who are greatly disadvantaged by the majority Christians, being granted the right to self-determination is a way to restore their sovereignty over their land. Getting sovereignty over their lands will allow them to protect it from the intrusion of private corporations who are mostly owned by Christians.⁴ It will also give them greater capacity to govern their territory and dictate the pace of cultural change. Within the claim to self-determination based on the principle of justice, greater representation in the branches of government especially the judicial and the legislative is also necessary. Judicial representation would account for judicial courts to arbitrate cases by the use of shari'a law and other customary laws while legislative

representation would mean representation in the national legislative body to legislate laws that will help protect and promote this claim to self-government. Most importantly, self-determination will give the Bangsamoro language rights especially in key academic institutions within their territory which will help produce Muslim educated constituents.

Greater emphasis, however, has to be placed on land claims which translate to the territorial jurisdiction of the Bangsamoro over their ancestral domain. This is emphasized also by Kymlicka (1995, 111) in saying that we have to “draw boundaries... so that a national minority has an increased ability within a particular region to protect its societal culture.” Despite their opposition to the Christian settlers in the area which constitute a minority, the Bangsamoro have to be given right to their claimed territory which will fulfill one of the major requirements in self-determination and, in the process, in achieving the goals of justice.

This argument based on justice through equality presents two kinds of liberal justice. On the one hand, it mirrors Rawls’s notion of justice that unchosen inequalities be rectified. It is the basis for the argument on distributive justice. On the other hand, it also reflects the new form of liberal justice which is rectificatory justice. Reference to historical injustice is important here so that distributive justice is accomplished not only by equitable distribution of resources and power but also by rectifying the fault of the past. It can also be referred to as restorative justice. This notion of rectificatory justice is also the basis for the next argument based on historical agreements.

Respect for Historical Agreements. One of the defects in the previous and on going peace agreement with the Bangsamoro is the lack of sincerity on the side of the government. The Tripoli agreement is pushed during the Marcos administration not really to provide real self-determination but to insure that peace is secured by encouraging the Moro rebels to lay down their arms. The 1996 peace accord with the MNLF is also criticized as a means for the Ramos administration to open the Bangsamoro territories for its neo-liberal interests (Bauzon 2008, 67). The ongoing negotiation with the MILF is also a catastrophe because the Arroyo administration is not sincere with its word of defending the MOA-AD.

These accounts, while not comprehensive, show that there is an element of deception in the attempt to negotiate with the Moro rebels. This is something that should be rectified so that trust is restored. This experience of deception in negotiating with the Moro rebels is the main basis behind Kymlicka’s position in pushing for the need to respect historical agreements.



Respect for such agreement is important, I believe, not only to respect the self-determination of the minority, but also to ensure that citizens have trust in the actions of government. Historical agreements signed in good faith give rise to legitimate expectations on the part of citizens, who come to rely on the agreements made by governments, and it is a serious breach of trust to renege on them (Kymlicka 1995, 117).

Here, Kymlicka invokes not only trust but also rectificatory justice. Rectificatory justice is important since justice is not only achieved by distribution of powers and resources by the government but also by the sincerity of the government in its peace negotiations to undo the insincerity and injustices of the past.

For Kymlicka, respect for historical agreements is also important because it signifies a lateral agreement among equals. When the government engaged the Moro people in a peace negotiation there must be a presupposition that they are equal partners albeit they are minority in the Philippines. This recognition of being equal partners is already existent even during the Spanish occupation when some key sultanates forged treatise with the Spanish government that their territories be recognized as a self governing state (Abreu 2008, 18). This respect can be the starting point of the peace process that will surely restore the lost trust that has marred the previous and existing peace negotiation.

Promotion of Enlightened Self-Interest. While significant moral basis for self-determination is focused on the claim of the minority group, the majority can also be considered. This brings us to the question: what can the majority gain if the Bangsamoro were provided the right to self-government? Kymlicka would consider this question as giving emphasis to the notion of enlightened self-interest. While this argument is less defensible than the previous ones, it is still meaningful in the case of the Bangsamoro issue. By enlightened self-interest, Kymlicka refers to the benefits that the majority can gain. In our case, these are the Christians that form majority of the Philippine populace. Kymlicka (1995, 121) adheres to this argument by virtue of 'cultural diversity.' Cultural diversity can only flourish if we provide protection for a particular culture to be sustained. In allowing it to flourish, the majority will have a greater option of choosing the kind of life that they will live and the values that they would imbibe, which are not found in their present Christian culture.

The Bangsamoro's way of life indeed serves as a rich source of culture. Their cultural art and other inherent values can serve as mirror for the

Christians to emulate and appreciate. This includes several forms of artistry from cloth to dances, music and their deep sense of spirituality. The Bangsamoro are also able to exercise a different way of democracy by appealing not to popular votes but to a process which arrives at a greater consensus (Guialal 1997, 167-170). The Christians, therefore, can draw a lot of cultural experience from the Bangsamoro.

However, the greater advantage that the majority can gain from this self-government right is the restoration of peace especially in the Island region. The years of war have not only affected the Moro settlers but also Christians who live within the region. Many of them are not able to maintain their business enterprise since they are always on the alert that war will break out anytime. Ending these years of war through granting the Bangsamoro right to self-government, then, can lead to a flourishing economic activity and further development in the region. This will be to the advantage not only of the Moro people or of the Christian settlers in the region but also of the Philippine nation as a whole.

Kukhatas and the Possibility of Group Rights. One of the key oppositions against group-cultural rights is Chandran Kukhatas. He questions the necessity of group rights as separate from those that are already provided by the liberal tradition. Kukhatas is referring to rights that are already enshrined in the constitution as basic civil and political rights and primary of which is freedom of association. Kukhatas contends that we have to re-examine the basis for these group-cultural rights given that "ethnic identity is not static; it changes with the environment."⁵ Given this, it would be complicated to deal with issues of what cultural rights to provide. The very fact that culture changes with the environment, especially the political environment, there is a difficulty of providing group specific rights since it will lead to a problem of an unending revision of these group rights.

Kukhatas, instead, suggests that we should be consistent with the liberal tradition and focus on this freedom of association. He presupposes that cultural groups are already provided by this freedom of association. Individuals are free to form and join any association and this includes cultural groups. Kukhatas emphasizes this to assert the argument that there is no need to protect decaying culture if their members no longer find it worthy of allegiance. Kukhatas' claim again re-emphasizes the reality that culture is greatly dependent on the changes in the environment.

This fluid character of cultural groups seems to describe also the condition of the Bangsamoro. While they are culturally bound by their common language and history, the Bangsamoro's political and cultural setup during the colonial period is significantly different now. While successors of sultans still exist, they

no longer seem to wield power over certain constituencies in the same degree as before and during the colonial period.⁶ This loss of power over constituencies is even the basis concerning the problem regarding territorial claim. While the original Sultanates of Sulu and Maguindanao are composed of 13 regions, not all of these regions are now populated by majority of the Moro. Most of these regions are now Christian dominated which makes this territorial claim quite difficult to achieve.

Kukhatas also observes that group representation can be very complicated given that there are internal dynamics within a particular ethnic group. These dynamics are brought about by conflict among sub groups and the tension between the interest of the elite and the masses (Kukhatas 1992, 105 - 139). The tension between or among sub groups will now put into question the commonality of the group specific rights that are being claimed. The conflicting interest between the elite and the masses within the cultural group also poses questions with regard to proper representation of the elite. Since the elite are now more associated with the majority culture outside of the minority culture, there is no assurance that they are able to fully represent the concerns of the entire cultural group. There is even a danger that they will simply promote their limited interest.

The plight of the Bangsamoro for self-government also faces this concern. For example, the MILF breaking away from the MNLF and the recent formation of the ASG (Abu Sayyaf Group) show the varied interests and concerns of the Bangsamoro. The government will now find it difficult to grant group specific rights especially self-government for it will lead to the displeasure of one sub group and will end up with more insurgency problems. There is also the recent experience of some elite protecting their limited interest to the detriment of the masses. The failure of the ARMM is partly caused by corrupt leaders who filled in their pocket without considering the general welfare of the Moro people (Guialal 1997, 171-172). Given these, the Bangsamoro's claim to self government appears to be a dangerous right to grant for it will create greater internal conflict.

4. Other Considerations in Liberal Theory

While the debate between Kymlicka and Kukhatas presents two significant sides in the debate on group rights, other key concerns must be considered. They include geo-political threats, national unity, and illiberal practices pervading claims to minority rights. I will explore these concerns in depth in an attempt to widen the ongoing debate. They are also key issues in liberal political theory.

Threat to Geo-political Security. A recent threat to the claim for self-government is what Kymlicka calls as the concern on Geo-Political security. This includes the hesitation of the national government to grant self-government rights and autonomy for fear that the autonomous state will align with external forces to overthrow the state, or it has ideological, religious, or ethnic alliances with neighboring states that constitute threat to the national sovereignty. Examples of these are the "Muslims in Kashmir; ethnic Malays in Thailand; ethnic Chinese in Vietnam; ethnic Vietnamese in Cambodia; ethnic Tamils in Sri Lanka" (Kymlicka 2005, 34-35). All of these cases show the fear of the national government that the national minority will align itself with an adjacent country rather than the sovereign government which it seeks greater autonomy from.

The ASG which is supported by the JI (Jemaah Islamiyah) has served to validate this concern. Although it does not command the majority of support from the Muslim community, its alliance with external organization is highly suspicious. The ASG, which is a break away group from the MILF, is directed towards a more forceful way of seeking the attention of the government. It is responsible for the series of bombings in key cities of the island region. Its well-acknowledged alliance with the JI has heightened this threat considering that the JI is an arm of the al Qaeda terrorist group.

The danger here, therefore, is not that this ASG group will influence the self-governing state to overthrow the existing national government. Rather, the greater concern is of building a training ground for a more widespread terrorism. It can be observed that while the ASG is not clearly aligned with the MILF or MNLF, there is a tendency for these insurgent groups (MNLF and MILF) to support other groups fighting for the Bangsamoro cause. This is shown when the MILF ambushed the military despite pursuing another group, the ASG bandits.⁷ This incident has triggered deeper suspicion of internal alliance.

This concern further intensified in the ongoing issue concerning the MOA-AD. Several sectors fear the Bangsamoro's greater alliance with Malaysia and Malaysia's long term interest in the Bangsamoro territories. It should be noted that Malaysia has played a significant role in the aborted peace negotiations. The MOA-AD is supposed to be signed in Malaysia with some of its government leaders as key witnesses. The stake of Malaysia is considered by some sectors as highly questionable and is a threat to the Philippine government. Thus, the threat of terrorism and the fear of alliance with an adjacent state have served as stumbling block in this claim for self-government.

Threat to Social Solidarity. Another danger posed by this move for self-government is the claim to greater autonomy which can lead to an unstable social bond. This concern is based on the long standing discussion concerning pluralism's threat to social solidarity in a liberal state. Even Kymlicka who is a



significant defender of cultural rights would be cautious of claim to self-determination if the issue of social solidarity is brought to the fore. Kymlicka contends that the right to self-determination is a complicated issue for it includes drawing of boundaries both territorial and cultural. In this case it can lead to more stereotype and discrimination (Kymlicka 1995, 174-176).

The threat to social solidarity also holds true to the Bangsamoro who despite experiences of tension with Christian settlers have also shown peaceful relation with the latter. Drawing of boundaries, then, just like in the case of the ARMM election⁸ has somehow brought back the tension and the divide between Christians and Muslims. There is also a greater tendency here to bring back the painful experiences of previous conflicts, thus, intensifying the biases between the two parties.

Another concern that Kymlicka raised on social bond is that the granting of self government rights may lead to a more individuated society but not really to a unified one. Once you grant a group right to self-government even to a limited degree, it will lead to a claim for greater autonomy and eventually secession (Kymlicka 1995, 185). Thus, the concern of dealing with cultural minorities is a difficult task. In this case, it brings about the possibility of secession.

Again, the possibility of secession is true in the case of the Bangsamoro. It should be noted that while the terms of the Tripoli Agreement were not fully implemented, succeeding administrations have attempted to grant certain aspects of the agreement. This has led then to the creation of the ARMM which grants autonomous government but still under the existing laws of the Philippine government. The danger, then, is that this greater claim for a more independent state might eventually lead to secession.

What, then, can serve as a means to maintain this social bond. Kymlicka, adhering to other writers, suggests that perhaps a common identity grounded on a shared history and a citizenship based on a shared conception of liberal justice might hold the society together. Kymlicka also seeks the support of Taylor in suggesting that this endeavor might require willingness to build a society founded on deep diversity and to make sacrifices to keep it together (Kymlicka 1995, 190-192).

The question remains, however, if there is really that common identity that can forge Filipinos together, including both Christians and Muslims. We have to bear in mind that this fragmented sense of nationhood is not just prevalent among Christians and Muslims but other ethnic groups as well. This explains further why Philippine Democracy is still at its maturing stage and is still highly unstable. Thus, there is great concern whether there is indeed a common bond among Christians and Muslims other than their experience of being colonized. There is even a study which shows that the Muslims in

Mindanao have a conception of citizenship different from the conventional notion (Guialal 1997, 159-173). These concerns place the claim to self-government by the Bangsamoro on a shaky ground.

Threat of Internal Tyranny. A classic concern among defenders of liberalism, which is also echoed by Kymlicka, is that internal tyranny may develop once self government is afforded to a particular group. He expresses this concern in this observation: "In many parts of the world, there is a fear that once national minorities or indigenous peoples acquire self governing power, they will use it to persecute, disposes, or expel anyone who does not belong to the minority group" (Kymlicka 1995, 152-172).

This might well be the case of the Bangsamoro's autonomous government. That it will be governed under the principles of the Islamic laws can be a concern that illiberal and unjust practices might be perpetuated. This is a liberal concern of how citizens be protected against human rights violation especially women who seem to be the ones directly affected and disadvantaged.

The same concern also hounds those Christian settlers that form minority in the self-governing regions. So far, even the Tripoli agreement has been silent on how non-Muslim dwellers will be dealt with under this self-governing state. This scenario became evident during the electoral process which led to the creation of ARMM. Evaluative study has unearthed several reasons cited by Christians for voting against inclusion in the ARMM. One of the primary reasons is the fear of being under Islamic rule and be a victim of discrimination and oppression (Bauzon 1999, 265). Given this, the claim to self-government has to be further evaluated.

5. Critical Evaluation

While both sides of the debate and the rest of the factors have clear bases for supporting or going against the claim to self-determination, an integral basis must be sought. This should lead us to evaluate each angles of the debate with the hope of coming up with a more critical yet integral foundation for understanding the right to self-determination.

Kukhatas and Kymlicka's arguments clearly present the two sides of a liberal position to minority rights. Kukhatas's claim while clearly argued is definitely grounded on the understanding of the person as atomistic, on the classical liberal basis that persons are equal, therefore, his/her cultural rootedness need not be considered. This is the reason why Kukhatas appeals to constitutionally provided civil rights which are definitely biased for seeing each person as beyond culture.



However, this presupposition cannot accommodate minority rights because of its limited parameters of analysis. It has failed to incorporate the critique coming from difference democracy and politics of recognition where emphasis on different rights is necessary for various groups. It is in this context where Kymlicka's understanding of the person and the exercise of his/her freedom is more comprehensive and can accommodate the real possibility of justifying minority rights. His succeeding justifications based on equality, historical agreements and enlightened self-interest also solidify liberal theory's commitment to justice and equality.

The other threats, however, must be seriously considered. The threat to geo-political security which is grounded on fear of terrorism and alliance with an adjacent state is real. However, the case of terrorism perhaps persists because of a root problem that is not addressed. One reason for the continued existence of terrorism is opined by some as rooted in the prevalence of poverty and injustice. While poverty will take several interventions to address, injustice can definitely be dealt with by granting the right to self government as a means to self-determination. Self-governance will respond to the call for a more trustworthy government and will serve the purpose not only of distributive justice but also more importantly of rectificatory-restorative justice.

The concern on greater allegiance and alliance with an adjacent state is an over reaction. It should be noted that greater alarm must be placed on the previous negotiations because countries like Libya are involved. Malaysia is more credible in this case given that it has lesser threat of supporting extremist groups. The MILF is also more qualified in this case because it seeks for lesser international intervention from the Organization of Islamic Countries (OIC). It seeks instead to negotiate directly with the Philippine government. This shows the MILF's willingness to be subject to Philippine sovereignty.

Social solidarity is an issue in liberal theory as a new direction in the discussion of multiculturalism. The issue here is no longer of justice but national unity. While this is a valid concern, little empirical data can be used to support this claim. In the case of the Bangsamoro, however, there is no clear assurance. But it is worth considering given the openness of the Moro rebels in working within the sovereignty of the Philippine government rather than move for secession. Malaysia has played a crucial role here of convincing the MILF to work within the confines of recognizing the sovereignty of the Philippine government.

Greater emphasis, however, should be placed on looking at the threat of internal tyranny. The fear that illiberal practices might be used as a means to promote minority rights is very real. Customary laws like the shari'a are a clear example. Yet, if the self-governing group remains within the jurisdiction of the Philippine government and subject to constitutional authority, then there is no

reason that basic human and civil rights be promoted. The government can easily intervene by invoking the constitution as the final arbiter. Islamic laws are also starting to evolve. It is possible that in the long run it will also be more liberal as shown by the Turkish example.⁹

Given all these considerations, it is right to claim that the Bangsamoro have all the moral rights to self-determination. This moral ground is also further substantiated by several empirical factors and justifications. How this self-determination can be materialized, however, remains the work of political scientists, peace negotiators, and most importantly peace advocates.

References

- Abreu, Lualhati. 2008. Colonialism and resistance: A historical perspective. In *Rethinking the Bangsamoro crucible: A reader*, edited by Bobby Tuazon. CenPEG Publications.
- Bauzon, Kenneth. 1999. The Philippines: The 1996 peace agreement in Southern Philippines: An assessment. *Ethnic Studies Report 23*, no. 2 (July).
- _____. 2008. Ruminations on the Bangsamoro struggle and neo-liberal globalization. In *Rethinking the Bangsamoro crucible: A reader*, edited by Bobby Tuazon. CenPEG Publications.
- Guialal, Wahab Ibrahim. 1997. Perceptions of democracy and citizenship in Muslim Mindanao. In *Democracy and citizenship in Filipino political culture*, edited by Maria Serena Diokno. Quezon City: Third World Studies Center.
- Gutierrez, Eric and Saturnino Borras. 2004. Moro conflict: Landlessness and misdirected state policy. *Policy Studies 8*.
- Horowitz, Donald. 1985. *Ethnic groups in conflict*, 2nd ed. Berkeley: University of California Press.
- Kukhatas, Chandran. 1992. Are there cultural rights? *Political Theory 20*, no. 1 (February).
- _____. 1992. Cultural rights again: A rejoinder to Kymlicka. *Political Theory 20*, no. 4 (November).



Kymlicka, Will. 1995. *Multicultural citizenship: A liberal theory of minority rights*. Oxford: Clarendon Press.

_____. 2002. *Contemporary Political Philosophy*, 2nd ed. New York: Oxford University Press.

Kymlicka, Will and Baogang He, eds. 2005. *Multiculturalism in Asia*. Oxford: Oxford University Press.

Lingga, Abhoud Syed. 2008. Understanding the Bangsamoro right to self-determination. In *Rethinking the Bangsamoro crucible: A reader*, edited by Bobby Tuazon. CenPEG Publications.

Rivera, Temario. 2008. The struggle of the Muslim people in the Southern Philippines: Independence or autonomy? In *Rethinking the Bangsamoro crucible: A reader*, edited by Bobby Tuazon. CenPEG Publications.

Endnotes

¹There were two prominent Sultanates that reigned during the 15th Century. These were the Sultanate of Sulu and Sultanate of Maguindanao. Each of these sultanates was independent of each other with their own sovereign territories. Despite their independence, however, common alliance was forged against the Spanish colonial rule. (Rivera 2008).

²The tension between communitarianism and liberalism is parallel to the tension between defenders of multiculturalism and liberalism. The tension is centered on the ontological understanding of the human person. The communitarians and multiculturalists would contend that the human person is rooted in a cultural context which goes contrary to the atomistic understanding of the human person in the liberal tradition. Kymlicka (2002), however, seeks to water down this divide in his book *Contemporary Political Philosophy* by providing a more integral framework.

³Kymlicka (1995) in discussing minority rights makes a distinction between national minorities and immigrants. National minorities have a greater claim for self-determination and self-government because they have territorial sovereignty prior to colonization. Immigrants, on the other hand, are not original settlers in given territories and are expected to integrate into the mainstream culture.

⁴A research undertaken by Gutierrez and Borrás (2004) showed that the resettlement done during the American Period has now translated into a big multinational corporation's taking over the Bangsamoro's ancestral domain. This multinational corporation has transformed these lands into industrial centers.

⁵ This observation was taken from Donald Horowitz (1985) book, *Ethnic Groups in Conflict* (Kukhatas 1992)

⁶ A study, however, by Wahab Ibrahim Guialal (1997) shows that this power of the sultan is still highly respected by the Moro people especially in resolving clan conflicts.

⁷ Last February 25, 2007, 14 military soldiers died after being ambushed by MILF rebels despite ceasefire agreement between the government and MILF rebels. These soldiers are pursuing the ASG who kidnapped an Italian priest. For a detailed news refer to http://newsinfo.inquirer.net/inquirerheadlines/nation/view_article.php?article_id=76172

⁸ The election which led to the formation of ARMM shows opposing response among settlers in Mindanao. This process, as shown by the study conducted by Kenneth Bauzon (1999), indicated the great divide between Christians and Muslims as manifested by reasons given by those who voted in favor of inclusion and those who are not in favor of inclusion.

⁹ Turkey is now starting to re-interpret its Islamic laws in an attempt to join the European Union. For detailed news refer to <http://www.buzzle.com/articles/181368.html>.