

The Secessionist Movement and the Peace Process in the Philippines and Indonesia: The Case of Mindanao and Aceh

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ABSTRACT

In this paper, the possibilities for creating a peaceful society amidst an on-going conflict between the state and ethno-based secessionist movement are explored. The cases of the Philippines and Indonesia, specifically the Moros and Acehnese respectively, are discussed and analyzed against the backdrop of identity politics, modalities of peace building and conflict resolution, and nation-state building. Towards the end of the paper, lessons from the peace process engaged by both the state and secessionist movement are derived on the wish that they may serve as guideposts in future peace and conflict mitigation endeavors.

KEYWORDS. Secessionist movement, peace process, Mindanao, Aceh

The secessionist movement of the *Moros*¹ or Muslims in southern Philippines and the Acehnese in western Indonesia started quite recently. Although Philippine Muslim leaders campaigned vigorously to be independent from the soon-to-be Philippine Republic in the 1920s,² the armed secessionist movement began only in early 1970s. The Acehnese movement for self-determination on the other hand commenced in the middle of 1970s.

Unlike the *Moros*, the Acehnese never imagined that they would have their own nation-state as they have historically been a staunch partner of Indonesians in their anti-colonial war, and in the defense of the country's sovereignty after Sukarno declared Indonesian independence from the Dutch in 1945. Even the Aceh Revolt of 1953 against the new Republic was considered neither a separatist war nor a war of national liberation against Indonesia.³ The eventual alienation of the *Moros* and the Acehnese from the Filipinos and the Indonesians, respectively, led them to view the latter as the former's "new colonizers." Such a perception is a product of the long years of political estrangement, social and cultural discrimination, and economic exploitation they suffered from the Philippine and Indonesian states.

The Moros and Acehnese

Muslims in the Philippines constitute 5% (roughly 3.5 million) of the country's population, while the Acehnese comprise less than 2% (about 4 million) of all the Indonesians. Unlike the Muslims in southern Philippines, who are composed of 13 ethno-linguistic-cultural groups with three (3) major ones spread over mainland Mindanao and

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Sulu archipelago, Aceh is relatively homogeneous with about 75-80 per cent of the population being ethnic Acehnese and five minor groupings inhabiting the northern tip of the island of Sumatra as well as a few hundred islets.

While Indonesia is 87% Muslim, Acehnese are considered to be unique. Among the provinces of Indonesia that were an integral part of the Dutch East Indies, Aceh has somewhat distinctive regional characteristics in terms of its ethnic cohesiveness, commitment to Islam, strong trade-oriented regional economy, and history of political independence. Bearing striking similarity to the Jolo, Sulu, and Maguindanao areas in the Philippines (where the first sultanates were established), Aceh served as the portal through which Islam entered Indonesia in around 700. In 804, a small Islamic kingdom was set up in Aceh. By the 14th century, Arabs gave Aceh the epithet “the Veranda of Mecca” or “Gateway to Mecca,” which reflects its geographical position as a transit point for pilgrims to Mecca.

The religious, cultural, and historical distinctiveness of Muslims in the Philippines and Acehnese in Indonesia partly explains why they were the last people to bow down to colonialism, and the first to rebel against the post-colonial state. The other reason was the manner in which the government handled and continues to handle the ethnic issue and the quest for self-rule of cultural minorities in their respective countries.

The Re-Creation of Identity

In both the Philippine and Indonesian cases, identities of Filipino-Muslims and Acehnese have to be re-created to justify the cause of self-determination. Leaders of the secessionist movement found it imperative to infuse the struggle with a “nationalist” content, lay the moral and rational foundation of state-creation, and affect the mobilization of people under the banner of a “nation” seeking complete independence from a state that “unjustifiably annexed it.”

In the Philippines, the 18 March 1968 Jabidah⁴ massacre in Corregidor incited a Muslim separatist rebellion. The massacre, otherwise known as the “Corregidor Incident,” took place when about 28 Muslim—mostly Tausugs from Sulu and Tawi-Tawi—military trainees (called “Jabidah commandos”) undergoing guerrilla warfare training on Corregidor Island were summarily executed.⁵ Notwithstanding a few Senate and Congressional hearings on the issue that yielded inconclusive findings, no real investigation took place. No culprit was brought to justice, and no one was held responsible for the ghastly massacre in Corregidor.

The Jabidah massacre was perceived as the state’s assault against Muslims who offered their services to the Republic but were instead duped, subjugated, and perfidiously murdered by Christians acting on behalf of the state. Misuari, a Commission on National Integration (CNI)⁶ scholar and product of the country’s premier and secular University of the Philippines (UP), and other Muslim activists saw only one alternative: The Muslims have to “separate themselves from those against whom they [were] judged unfavorably and ... in relation to whom they were materially disadvantaged”—they must proclaim themselves as “a new people.” (Williams 1989, 429) The new Muslim intellectuals renounced their identities as Muslim-Filipinos and declared themselves “Moro,” which denotes the descendants of unsubjugated and uncolonized peoples. They further claimed their homeland

as the *Bangsa Moro*⁷ that has been “unjustifiably annexed by the Philippine state.” As Ernest Gellner says, it is more advantageous to set up a “rival nation” when entry into the dominant nation is difficult if not impossible. (Hutchinson and Smith 1994, 60) What seemed to be state prejudices against the Muslims had found a national expression.

The birth of the Moro National Liberation Front (MNLF) in the middle of 1971, and *Gerakan Aceh Merdeka* (GAM or Free Aceh Movement), also known as the Aceh/Sumatra National Liberation Front (ASNLF), in late 1976, signaled the need for their leaders, Nur Misuari and Hasan Muhammad di Tiro respectively, to re-invent their identities to pursue the quest towards nation and statehood.

Misuari can be credited for transforming the epithet “Moro” into a positive identity of the Muslims and a symbol of unity and pride in the national resistance against the Philippine state. It was more of a “reactive nationalism” that appealed to the educated Muslim middle class and mobilized large-scale inter-class support for the *Bangsa*. The struggle is invariably populist and intended to, as Marxian thinker Tom Nairn instructs, “induct the masses into politics.”

In the case of the Acehnese, the process of identity re-creation was borne out of the state’s priorities, personified in Suharto’s 32 years of authoritarian rule, of economic development (*pembangunan*) and political stability. It highlighted the vital function of technocrats, secular educated intellectuals, and the military in Indonesia’s nation-building project. The two-fold focus on development and political stability through the concentration of power at the center yielded varied consequences that altered Aceh’s social structure. One, it necessitated the creation of a new class of technocrats that spurred economic growth; and two, it expanded secular education at the expense of Islamic schools. By late 1960s, secular education in Aceh burgeoned.

The sweeping and far-reaching political, economic and social changes in Indonesia, and Aceh in particular, did not insulate the *ulamas* (religious leaders). Since late 1970s, the *ulama*’s kin and children have been modernized, so to speak, and socially mobilized to gain higher education. They have occupied important official positions in the province and central government as well. The point has been reached where the Acehnese middle class that has grown in size is “almost exclusively the offspring of the *kiai*⁸ class.” (Kell 1995) Hiorth (1986, 27) calls *ulama*’s progeny the “new *ulama*.” They have become part of the New Order’s modern sector economy and served the bureaucracy in the departments of religion, information, or interior affairs and as teachers in both public secondary schools and state colleges.

Though *ulamas* remain a separate social entity in Aceh, they cease to be as cohesive, leading, and powerful a class as they were during the colonial and early post-colonial periods, when they were a potent organizing and mobilizing force against political and ideological opponents. The influence of the Acehnese *ulamas* precipitously degenerated to an all-time low level when the government succeeded in integrating and assimilating them into its own institutional network and deprived them of an independent role.

The self-image of an Acehnese as a devout Muslim is no longer as stable and dense as it was in the past. The “ghastly tidal wave,” in the words of Ernest Gellner, generated by Suharto’s centralism, secularism, modernism, and militarism hit the Indonesian *ulamas*,

most especially Aceh's *ulamas*, and had a severe impact on the identity and consciousness of the Acehnese. The secular state power of the New Order has confronted and challenged the *ulamas*' "divine authority." The process consequently consolidated the political, economic, and social position of the secular intellectuals over the religious leaders in Aceh's society.

Unlike the *Moros* of the Philippines whose identity was re-created as a result of the perceived state's discrimination and marginalization, the Acehnese's identity was re-constructed as a consequence of the state's attempt to integrate them into the modern Indonesian polity seen by more pious Muslim leaders as a threat to their identity as Muslims. The re-creation of an Acehnese identity was expressed politically as the people shifted their demand from the 1953 quest for an Islamic Aceh within the unitary state to complete independence from the Republic of Indonesia. Led by Hasan Di Tiro, GAM/ASNLF issued a "Declaration of Independence of Aceh-Sumatra" in 1976 that enjoined the Acehnese to assert their right to "self-determination" against the "Javanese colonialists."

In both respects, Misuari and Di Tiro appealed to ethnic sentiments to rally the "*Moros*" and "Acehnese Sumatrans" against the "Filipinos" and "Javanese colonialists" respectively. This was part of the process of self-definition to grasp the significance of one's identity. The features of ethnic boundaries have to be defined to separate "them" from "us" and hence, justify the cause of secession.

The Resolve to Secede

The sub-national independence movements of Muslims and Acehnese in the Philippines and in Indonesia both started as peaceful struggles for political autonomy. They later developed into armed and violent movements for independence when, the state misunderstood the core issues of autonomy and treated the movements merely as a "disruptive force." The state learned the painful lesson when its high-handed approach fanned the fires of rebellion and transformed once legitimate movements into separatist organizations. The ethnic content of the struggle was trivialized by the state and underestimated the movements' capability to arouse, organize, and mobilize ethnic and minority groups against its awesome power.

The effective use of primordial interests—religion, culture, and homelands—of the leaders to defend the rights and welfare of the minorities have had a devastating effect on the authority and sovereignty of the state. It failed to comprehend the significance of the politics of identity until ethno-nationalist movements finally caught the attention of the international community, which is sensitive to countries violating people's cultural and religious rights.

The state's harsh and excessive use of military power to suppress the minorities' quest to self-rule precipitated and justified armed struggle for political autonomy. The over-reaction of the state has bolstered not only minority peoples' concept of "separateness" from the nation-state but also bolstered their determination to settle the conflict through force, delaying rather than addressing the problem of nation-state building.

It is instructive to note that the Jabidah massacre was not enough to convince Misuari and other Muslim leaders to take a separatist political agenda. In Indonesia, Di Tiro never harbored a separatist struggle. In the 1950s, he believed that Indonesia's problem of Javanese domination could be remedied through a federal system of government in which other ethnic groups in the country could be provided with an equal opportunity to govern themselves and benefit from their resources. However, the centralism and domineering role of the military under Suharto's "New Order" regime extinguished any hope for a federal Indonesia; hence Aceh had no chance of achieving self-rule except by creating a state separate from the Indonesian Republic.

In the Philippines, Marcos's military offensives against the Muslim rebels two months after the declaration of Martial Law in August 1972 crystallized the notion of Muslim separatism. The war in Mindanao was gory, brutal and costly. From October 1972 to the middle of 1970s, an estimated 60,000 to 80,000 people, mostly non-combatants, and over one million persons were rendered homeless and destitute; approximately 200,000 to 300,000 Muslim refugees fled their communities and resettled in other parts of the country (including Metro Manila) and in a nearby country (in the Sabah state of Malaysia); and about 10,000 to 11,000 Philippine soldiers perished, almost the entire 1974 batch of graduates of the elite Philippine Military Academy. In the same period, about 80 percent of the combat strength of the Armed Forces of the Philippines (AFP) was concentrated in Mindanao and Sulu, indicating the seriousness of the Muslim rebellion.⁹ The middle of 1970s war was the country's most serious military challenge since 1946.

The imposition of martial law precipitated armed separatist movement. Martial law led to an unprecedented level of violence comparable to nearly a decade (1991-1998) of military operation that Aceh endured under Suharto's *Daerah Operasi Militer* (DOM, military operation area). During the nine-year DOM rule, FPHAM (Care for Human Rights Foundation) revealed that: 1,321 were killed; 1,985 were missing; 3,439 were tortured; 128 were raped; 81 were sexually assaulted; 597 houses were burned; and 16,375 were orphaned. At least 12 mass graves were identified, with reports of between 1,000 to 1,420 bodies buried. The investigation by the Indonesian National Commission on Human Rights (*Komisi Nasional Hak-Hak Asasi Manusia* or Komnas HAM) produced figures of the death of 781 people at the hands of the military; 163 disappearances; 368 cases of torture; at least 3,000 women widowed because their husbands disappeared or were killed or; and an estimated 15,000 to 20,000 children orphaned as a direct result of military activity.

The advent of Presidents Habibie's and Wahid's administrations did not change the human rights situation. (UNCHR 2001) Leaders of human rights organizations have been under constant threat and intimidation. On 12 March 2001, the government decided to launch a "limited military operation" in Aceh, and thousands of villagers were forced to flee their homes for fear of being caught in the GAM and Indonesian National Army (*Tentara Nasional Indonesia* or TNI, otherwise known as the Indonesian Armed Forces) armed clashes.

Indicative of TNI's atrocities against the Acehnese, GAM gained popular support and significantly strengthened its military force from the time TNI first launched its attacks against the GAM in 1977. In 2001, it was estimated that the GAM had grown to 3,000 guerillas from 200 in 1977 with 2,000 to 3,000 small and long arms, and expanded its regional commands from the original Pidie regency to five (5) more sites—West Aceh, East

Aceh, South Aceh, North Aceh, and Banda Aceh. About 1,000 were reported to have undergone military training in Libya between 1987 and 1988. The unprecedented growth of the GAM was attributed more to the high-handed approach of the state, and the brutal response of the Indonesian military in addressing the legitimate demands of Acehnese for economic well-being, meaningful political participation, social equity, and religious freedom.

The indiscriminate use of the state's military might to suppress dissent and preserve the territorial unity of the Philippines and Indonesia has only galvanized and united the people against the state and firmly justified the cause of separatism. It activated society. The people were forced to resist abuses not because the separatists have better political programs or a clear national agenda or even an ideology, but for reasons of self-defense and survival. Identities gradually transformed and ossified, defying the state's nation-building policies as people neither felt that they were part of the nation nor did they consider the state as the protector and defender of their interests.

The Peace Process: Issues and Challenges

The inability of the state and the secessionist movement to effectively gain military and political victory over the other—notwithstanding the exorbitant cost of war to human lives, properties, finances, human trauma, and the environment—has left contending parties to settle their conflict through peaceful means. The stalemate reached by the conflicting forces has allowed them to politically settle their differences through peace talks—the only and remaining option in addressing a conflict that has deep political, economic, and socio-cultural roots.

The issue of political autonomy and self-governance became the overarching theme in resolving the question of secessionism in both the Philippines and Indonesia. However, the substance and modalities of operationalizing political autonomy and self-governance within the territorial jurisdiction of the unitary state have been contentious to both parties. The degree and amount of power that the state is willing to transfer to what is conceived to be an “autonomous government” on the one hand, and the extent and breadth of power the movement is willing to exercise under the said “autonomous government” on the other, have been the subject of fiery debates and negotiations between the parties concerned.

Unfortunately, substantive political autonomy was not seriously considered by either both the Philippine or Indonesian government in their national agenda. While the Philippines had relatively longer experience compared to Indonesia in terms of providing “autonomous governments,” it does not mean that it has come any closer to resolving armed secessionism. On the contrary, the forging of the Final Peace Agreement (FPA) between the Government of the Philippines (GRP) and MNLF in 1996, signed under the auspices of the Organization of Islamic Conference (OIC) (then chaired by Indonesia), which provides for the creation of the Autonomous Region in Muslim Mindanao (ARMM)¹⁰ and the Southern Philippines Council for Peace and Development (SPCPD),¹¹ failed to terminate the cause of the *Moro* rebellion.

Even though the ARMM is far better than the “autonomous regions” crafted by then President Marcos in 1977,¹² the establishment of “autonomous region” is not enough. For instance, for the entire duration of martial law (1972-1986), Muslim self-rule in Mindanao

was never realized. Instead, Marcos used the Tripoli Agreement¹³ to divide the ranks of the MNLF and allow the Muslim traditional élite (most of whom were members of his monolith political party, the *Kilusang ng Bagong Lipunan* or KBL [Movement for New Society]), to control the “Autonomous Region” in Mindanao.

During the administration of then President Fidel Ramos, Nur Misuari was allowed to assume the post of ARMM Governor and Chair of SPCPD for five (5) years (1996-2001), but he failed to bring about the promised peace and development in Muslim areas of Mindanao, Sulu, and Palawan despite the political and administrative powers bestowed upon him by the state. In virtually all measures of physical and economic well-being, the ARMM was found at or near the bottom of the national rankings. In government-supplied services ranging from access to prenatal care to availability of college scholarships for low-income students, ARMM ranked last while it registered the highest in terms of poverty incidence at 57%.

Certainly, the process of transforming the conflict-ridden and poverty-stricken Muslim areas in southern Philippines into a tranquil society thriving in a robust economy in a matter of five years has nearly been a miracle. Misuari simply inherited the socio-cultural, economic and political problems that resulted from more than half a century of negligence on the part of the central government. In fact, Misuari was not only co-opted by government but also placed in a political position to accomplish what was deemed unrealizable within a limited time. The failure of Misuari to effectively wield governmental powers to achieve an “impossible dream” eventually led to his ouster as ARMM Governor, SPCPD Chairman and MNLF Chairman as well.¹⁴ Misuari’s expulsion from government was followed by his incarceration and is currently facing trial for charges of sedition¹⁵ and corruption.¹⁶

The “autonomy” of the ARMM has been an illusion. Although powers are manifested in the formal and administrative structures that are purportedly decentralized, they are politically controlled or influenced by the central government. Policies have been centrally formulated and conceived with less regard to the heterogeneous requirements, needs, and demands of the minority peoples who do not feel they are part of the nation-state in terms of culture, identity, and religion.

The socio-economic conditions in Muslim areas of Mindanao continue to worsen. As population increases, it exerts more pressures on the capacity of traditional sources of revenue and livelihood such as the land, rivers, lakes, and seas. As with separatist movements elsewhere, ordinary Philippine Muslims are most likely to fight for or support an armed separatist organization when they are faced with no alternative means to survive the continuing discrimination and qualitatively improve their living conditions.

The Moro Islamic Liberation Front (MILF), a breakaway faction of the MNLF in 1977¹⁷ and sidelined if not ignored by the government from the 1996 peace talks, continued the struggle for Muslim independence after MNLF abandoned it in 1976 and eventually became part of the government in 1996.

Salamat Hashim, Chairman of the MILF until his death, of heart failure, on 13 July 2003, believed that what the GRP-MNLF FPA resolved was the government’s problem and not the *Bangsamoro* problem. According to him, “the agreement never touched the core of the *Bangsamoro* problem which is the illegal and immoral usurpation of their (referring to

the *Moros*) ancestral homeland and legitimate rights to freedom and self-determination”(MILF 2003). In an interview with *Crescent International* in 1999, Hashim argued that the MILF “would never agree to any solution other than the full independence of the *Bangsamoro* homeland... the establishment of an Islamic State”¹⁸ Hashim’s successor, Al Haj Murad, expressed that “there can be no genuine peace and development unless the right of the *Bangsamoro* people to self-determination is adequately addressed.”¹⁹

Notwithstanding the ideological differences of the MNLF and MILF – the former being more secular and the latter as more Islamic – they see themselves as “one people” bound collectively on the basis of a common ancestry, history, society, institutions, territory, and more importantly, religion. As the minority people in a predominantly Christian nation, they perceive themselves as a marginalized, persecuted, and powerless people both politically and economically. Reports have been rife that a number of disgruntled MNLF members have joined the MILF.

From 2001 to date, the GRP-MILF peace talks have been highly volatile, tenuous, insubstantial, confined to ceasefire agreements (oftentimes breached rather than respected), and presently run longer than the 1992-1996 GRP-MNLF talks. Although formal peace negotiations between the GRP and the MILF had started with the signing of the GRP-MILF Agreement for the General Cessation of Hostilities (AGCH) on 18 July 1997 yielded no substantial results. In fact, armed hostilities between government and MILF forces intensified when then President Estrada launched his “All Out War” policy against the MILF in April 2000 (reminiscent of the martial years of Marcos). It completely disregarded the 1998 General Framework of the Agreement of Intent (GFAI)²⁰ between the GRP and MILF peace panels inked under his administration.

The GRP-MILF negotiations for the whole of 2003 focused on resuscitating the stalled peace talks of May 2002, known as the “fourth round of formal peace talks.” The talks produced two agreements. One was in the form of a Joint Communiqué that provides an “ad hoc joint action group” of GRP and MILF forces to isolate and interdict “criminal syndicates and kidnap-for-ransom groups including so-called ‘Lost Commands’ operating in Mindanao,” and another was an agreement on “Implementing Guidelines on the Humanitarian, Rehabilitation and Development Aspects of the GRP-MILF Tripoli Agreement on Peace of 2001.”²¹ Except for the first round, which sealed the Tripoli Agreement of 2001 that defined three major agenda items — security, rehabilitation, and ancestral domain – the second and third rounds plainly centered on implementing guidelines on ceasefire agreements.²²

In an attempt to bring the peace process back on track and rebuild the confidence shattered by the February 2003 conflict,²³ the GRP and MILF panels held exploratory talks on 27 and 28 March 2003 in Kuala Lumpur. The talks produced a Joint Statement that broadly provided the reaffirmation of commitment of both parties to achieve a comprehensive, just and lasting political settlement on the conflict in Mindanao; the activation of the *Bangsamoro* Development Agency;²⁴ and improvement of the existing mechanism for monitoring of the cessation of hostilities.

Owing to Malaysia’s intercession (it had been brokering the peace talks since 2001), President Arroyo ordered the AFP to downgrade its action “from punitive operations to active defense” against the MILF. Furthermore, she instructed the Department of the Interior

and Local Government (DILG) to “lift the corresponding rewards for the arrest or capture” of MILF officials and directed the Office of the Presidential Adviser on the Peace Process (OPAPP) to issue safe conduct passes to MILF leaders directly engaged in peace talks, as provided for in the GRP-MILF Agreement for Safety and Security Guarantees of 2001.²⁵ These measures were intended to remove the obstacles to the resumption of the peace talks and restore the trust and confidence that had been gained in the initial months of the Arroyo presidency.

The death of Chairman Salamat Hashim partly slowed down the re-commencement of exploratory talks. They resumed on 5-6 September 2003 in Kuala Lumpur, and agreements, among others, on the phased redeployment of military troops in the MILF main base (Buliok Islamic Centre/Mosque); deployment of the Third Party Monitoring Team (composed of representatives from Malaysia and other OIC-member countries); formation of the Ad Hoc Joint Action Group (AHJAG) in compliance with the GRP-MILF Joint Communiqué of 6 May 2002 on the “interdiction and isolation of criminal syndicates and lawless elements”; and agenda for the formal peace talks to focus on the ancestral domain issue.

Pending the results of the May 2004 presidential elections, formal peace talks have not begun since the conclusion of the September 2003 agreement. One overarching issue that continues to hobble the resumption of the negotiations is the MILF’s concern over the AFP’s redeployment (read: withdrawal) of troops in the Buliok complex. The government has maintained that there had been a one-third decrease of troops in the area and the remaining soldiers have been engaged in civic work rather than in combat duties. Nevertheless, the MILF has insisted on the complete withdrawal of AFP forces before it sits down to participate in any scheduled peace talks.²⁶

While the government has signified its interest to discuss the MILF’s precondition prior to a new round of formal talks, it seems unlikely that a total military pull-out from Buliok will occur in the near future. Furthermore, the delayed deployment of the Third Party Monitoring Team (tasked to assess the situation on the ground in terms of the compliance of both parties with previously agreed to security arrangements) in the Philippines has affected the early discussion of the more substantive issues in the GRP-MILF talks.

In Indonesia, the decision to hold peace talks with the separatist movement in Aceh was made toward the end of 1999, under then President Wahid’s administration. This was more than 20 years after Marcos chose to settle the issue of secession through negotiation. Wahid, like Ramos of the Philippines, preferred to deal with the main faction of the GAM, Hasan di Tiro’s group. The other group, the Free Aceh Movement in Europe (FAME) also known as *Majelis Pemerintahan Gerakan Aceh Merdeka* (Government Council of the Free Aceh Movement or MP-GAM) formed in 1997 and chaired by Husaini Hasan, was marginalized and considered to be a minor player in the peace process, having no arms or mass following. Unlike the MILF which was ideologically distinct from the MNLF, the MP-GAM seems to have no real vision except for an unsettled issue of succession.²⁷

Hassan Wirajuda, then Indonesian ambassador to Switzerland and one of the facilitators during the 1996 GRP-MNLF peace accord, was tapped by Wahid to head the government’s negotiating panel with the GAM. As in the case of the Philippines, a third party mediator was also drawn into the process of the RI (Republic of Indonesia)-GAM

peace talks. The Henry Dunant Center (HDC), an international humanitarian, non-government and non-profit organization based in Geneva, acted as the facilitator in the talks.

In May 2000, the RI and GAM signed a two-page three-month ceasefire agreement, entitled “Joint Understanding on Humanitarian Pause for Aceh” (JUHPA) in Davos, Switzerland. JUHPA, or simply “the Pause,” was extended for another four months, until September 2000. The talks were suspended, due to unrestrained armed skirmishes between the two forces, and resumed in January 2001 for another month-long “moratorium on violence.” At the end of the “moratorium,” the government officially declared the GAM separatist and called for military action against the rebels. In April, Wahid issued Presidential Instruction (*Inpres*) No. 4, which was supposed to be a six-point plan for ending the conflict, including measures to address political, economic, social, legal, public order, security, and information aspects. It ended up being little more than a green light for a new round of military operations. In May 2001, a military crackdown on GAM was launched that effectively terminated the peace talks.

From the time the ceasefire agreement was signed in May 2000, neither of the parties respected it. Dialogue continued, however, even as security operations geared up. It was clear that the Indonesian government was determined to pursue a two-track approach—dialogue and force.

Although Aceh was bestowed with the status of “special autonomous region” (*daerah istimewa*)—extensive autonomy in religion, education, and customary law—in the late 1950s, the so-called autonomy was no different from Marcos’s 1977 law on Muslim autonomy. In an attempt give more substance to Aceh’s status of *daerah istimewa* and defuse the political tension in the region, a law on special autonomy was drafted by the *Dewan Perwakilan Rakyat* (DPR) or People’s Representative Council, also known as the House of Representatives, providing “special autonomy” for the province of Aceh on 19 July 2001. It was later signed into law by President Megawatti Sukarnoputri. Known as the Law on *Nangroe Aceh Darussalam* (NAD) or Law No. 18, it renamed Aceh province as *Nangroe Aceh Darussalam* province. Among others, the law established the *Mahkamah Syari’iah* – a provincial special court of Islamic laws – as part of the Indonesia’s judicial system, especially for Muslim followers, whereas the implementation of Islamic law and corresponding punishments have yet to be legislated in the form of *Qanan* (provincial regulation) by the provincial legislature. All existing laws and regulations, however, which are not regulated in the NAD Law, shall be deemed legally binding. On the economic front, the law on special autonomy provides a better local-central resource that allocates 70% of Aceh’s natural resource proceeds to the province while the central government gets 30%.

Law No. 18 became the cornerstone of the Megawati administration’s political approach to the Aceh conflict. While on the one hand the law gave the Acehnese the chance to govern themselves with a far greater share of locally-generated resources than ever before, it also effectively allowed on the other hand the central government to abdicate all responsibilities for the behavior of the corrupt provincial administration that had been in power before the autonomy agreement came into effect. That administration was very much represented by the old Golkar.²⁸ Under the special autonomy law, no mechanism was in place to ensure that local aspirations were addressed, justice done, services delivered, or corruption mitigated if not totally halted. More importantly, there was no clear process and structure by which the GAM’s political aspiration could be accommodated.

Earlier, in 1999, two major laws were passed under the administration of then President Habibie. They were implemented a year later, during Wahid's presidency. These were the Regional Autonomy Law No. 22/1999 and the Fiscal Balance Law No. 25/1999. They were intended to reverse the centralism established by Suharto in Indonesia. Law 22/1999 devolved political power from the central to the *kabupaten* (regency or district) and city levels rather than the regional or provincial government, on the assumption that better services would be provided within smaller (regency or district) political units. The provincial government then simply became an administrative territorial unit and acted as an agent of the central government.

Moreover, the implementing rules (*Implementing Regulation No. 25/2000*) vaguely clarified the jurisdictional boundary between central and local levels of government in terms of powers, functions, resources, and responsibilities; hence, they were likely to give rise to a number of cases of duplication, conflict, and overlapping of functions and areas of authority. Even the residual powers bequeathed by central and provincial authorities were not guaranteed to be an exclusive domain of *kabupatens*. Provincial governments, acting on behalf of the national government, were mandated to take over the powers, functions, duties, and responsibilities of the *kabupatens* in case the latter were "incapable" of fulfilling their responsibilities—henceforth defeating the very purpose of local autonomy.

On the other hand, the Fiscal Balance Law or Law 25/1999 provided for the decentralization of fiscal expenditure but not revenue-raising, which was an equally significant component of governance. In other words, while the law offered autonomous decision-making over expenditure items, the central government kept control over revenue raising measures. This was not expected to please Aceh and other resource-rich provinces, e.g., Riau, East Kalimantan, and Irian Jaya among others.

In case autonomy would give the Acehnese a greater sense of economic and political justice and in the long run identify themselves with the interest of the Indonesian nation-state, it was possible that support for the independence movement would gradually diminish. Nevertheless, given the current political situation in Aceh, it is doubtful that the autonomy package can calm down the anxieties and tension of the Acehnese.

The observance of the 9 December 2002 agreement (Cessation of Hostilities Framework Agreement between RI and GAM or CoHA), which enjoined both parties to cease armed hostilities, conduct an all-inclusive dialogue, and work for a "free and fair elections" in Aceh in 2004 (making GAM as a regional party), under the framework of Law No. 18, was not easy. The CoHA was a framework for the discussion of peace, not a peace settlement. The agreement says that acceptance of the NAD law – not the principle of autonomy – will be the starting point for a "democratic all-inclusive dialogue involving all elements of Acehnese society that will be facilitated by HDC in Aceh."²⁹ While the GAM neither accepted nor rejected the principle of autonomy, it has not given up its vision of independence—a proposition that the Indonesian government will never accede to.

The ceasefire between the protagonists did not last long, and President Megawatti declared martial law in Aceh under Presidential Decree 28 signed on 19 May 2003. The fiat authorized the military to commence operations for six months against the GAM, and could be extended until its objective is achieved. All this meant that the chances of returning to negotiations promptly were slim. The military was determined to finish off the rebels, once

and for all, and any non-military solutions were put on hold. In spite of the rising international criticism over the conduct of military operations in Aceh, domestic criticism remained muted. This reflects the nationalistic mood that led to popular support for a tough stance against threats to the country's unity, as well as the control over information and the political maneuvering that took place as the 2004 presidential elections approached.

The atrocities committed by the military alienated the people from the government. The preponderance of state power and indiscriminate use of force, victimizing non-combatants, were clearly behind the increase in violence. Human rights violations escalated, and the law on special autonomy as well as Laws 22 and 25 were not adequate to solve the problem they aimed to address. There was little reason for independence supporters to give autonomy a chance, unless a better autonomy package was forthcoming and a more credible government was put in place.

Lessons from the Conflict Towards its Resolution

Drawing a parallelism from the Philippine and Indonesian cases, the following lessons are culled:

One, sub-national independence or secessionist movements are fundamentally reactions against the state's centralism, economic negligence, and cultural alienation.

Second, a military approach in suppressing secessionist movements only exacerbates conflict and sharpens the distinction between the majority and minority peoples. A high-handed approach against the separatists simply attracts international condemnation and draws the government into a state of reclusion from countries that respect human rights. More importantly, the excessive use of military force widens the abyss between the people and the nation-state, further justifying the cause of separatism.

Third, the tendency to dismiss heterogeneity and instill the idea of nationalism and unity through a strong and highly centralized structure of government is counter-productive. Leaders of ethnic groups seeking better economic opportunities, advancing more political power, and demanding an improved judicial system from the state, can readily mobilize people and ethnic interests. Rather than compelling the marginalized minority peoples to conform to a centrally-driven concept of nationalism, the provision of substantial self-governing mechanisms, institutions, and structures has a better chance of positively contributing towards nation-building and of securing the stability of the state. In a multi-ethnic and plural society, political and cultural freedoms and rights have to be respected and recognized, as they constitute people's intrinsic identities. The state has to acknowledge the minority peoples' right to be different from the majority peoples.

Fourth, any future offers of substantive political autonomy to Muslim Mindanao and Aceh have to give the people greater sense of economic, cultural, and political justice. It is equally important that perceptions of discrimination, separateness, prejudice, and bigotry be expunged from the minds and hearts of the *Moros* and Acehnese. The process of reversing outlooks and feelings of alienation demands a strategic approach of sustained and effective delivery of the package of public goods and services that can bring the government closer to the people.

Fifth, it is essential that *Moros* and Acehnese be drawn from within the domain of the State. Through appropriate, relevant, and effective policies, a conducive environment where justice, democracy, and equal opportunities prevail needs to be created. This ensures that ethnic minorities as well as the majorities may truly feel that the nation-state belongs to them – sharing both the benefits from and risks involved in building and strengthening national unity.

And finally, secessionism can be dealt with more effectively through the processes, mechanisms and institutions of peace. Despite the arduous process of peace making as evidenced by the GRP-MILF and the RI-GAM peace talks, it remains the only sensible means. Secessionism can be resolved successfully only through patient and painstaking confidence-building measures and frequent dialogues that deal with the core problems mutually identified by feuding parties. Definitely, there are no quick fixes, no short-cuts. Wounds that have festered for a long time cannot heal overnight. Nor can confidence be built or dialogue developed while fresh wounds are being inflicted. It is a process that requires special efforts to uphold human rights—fundamentally, the right to development.

Secessionism is not merely a security problem of the State or of the region. Essentially, it is a political problem and requires a political solution. Hence, it is imperative to emphasize good governance, the rule of law, improved civil-military relations, and accountability for corruption and violations of human rights. These efforts would, to a large extent, facilitate the early conclusion of conflict, accelerate the process of peace, and find a respectable and honorable final peace agreement between the GRP and MILF on the one hand and the RI and GAM on the other hand. The courage in seeking to come to terms with the past is an essential part of the search for a new way forward.

Endnotes

¹ The term “*Moro*” was used by the Portuguese, who seized Melaka in 1511, to refer to all Muslim population of Southeast Asia. It was the same name applied by the Spaniards to refer to Muslim inhabitants of the Philippines, alluding to the Muslim Moorish who occupied the Iberian Peninsula and the northern coast of the African continent in 711 A.D. In late 1960s, the MNLF reincarnated the pre-colonial Sultanates of Mindanao and Sulu as “*Bangsa Moro*,” (*Moro Nation*) independent and sovereign, that must be re-claimed from the Philippine state through an armed struggle. See John Leddy Phelan, *The Hispanization of the Philippines*. Wisconsin, University of Wisconsin Press.1959, pp. 4-8; Onofre D.Corpuz, *The Roots of the Filipino Nation*, Vols. 1 and 2, Quezon City, AKLAHI Foundation, Inc.,1989, p. 46).

² The prospect of constituting a Commonwealth Republic (1935-1945) under the leadership of Christian Filipinos led Muslim leaders of Sulu to petition the US President to allow them to be governed separately from the Commonwealth and the soon-to-be independent Republic. Another appeal followed in 1924 from Muslim leaders of Zamboanga addressed to the US Congress expressing their desire that Mindanao and Sulu be a territory of the US Federal Government or be declared as a separate Muslim Nation in the event the Philippines be granted of its independence. Both pleas were denied. See Peter Gowing, *Muslim Filipinos – Heritage and Horizon*, New Day Publishers, Quezon City, Metro Manila. 1979 and Samuel Tan, *Internationalization of the Bangsamoro Struggle*, Center for Integrative

and Development Studies, University of the Philippines, Diliman, Quezon City., Metro Manila. 1993.

³ In 1953, Daud Beureueh led a revolt out of disgust of Indonesian leaders who failed to fulfill the promise for an Islamic Indonesia or at least an Islamic Aceh. What set off the revolt was the dissolution of Aceh Province in 1951 and its incorporation as part of the province of North Sumatra, inhabited mostly by non-Muslim Bataks. The rebellion continued until 1962 when the government decreed Aceh as a “special region” (*daerah istimewa*), having extensive autonomy in religion, education, and customary law.

⁴ Jabidah, the name of a beautiful woman in Muslim lore, might have been referred to Sabah, state of Malaysia, that the Philippine government intends to de-stabilize through clandestine military operation, code named “Project Merdeka.” For full account see Marites Daguilan Vitug and Glenda Gloria, *Under the Crescent Moon: Rebellion in Mindanao*. Ateneo Center for Social Policy and Public Affairs and Institute for Popular Democracy, Quezon City, Philippines. 1999: 4.

⁵ The case was uncovered by opposition senator Benigno Aquino, Jr. Ferdinand Marcos, then President, charged that Aquino’s exposé was politically motivated meant to discredit the administration. The investigation that followed court-martialed some military officers and enlisted men in 1968 but eventually cleared in 1971.

⁶ CNI was created in 1957 under Republic Act (R.A.) 1888, later amended by RA 3852. It was tasked “to effectuate a more rapid and complete manner the economic, social, moral, and political advancement of the non-Christian Filipinos.” (Congress of the Philippines, House of Representatives, quoted in Gowing 1979: 208). One of its successful programs was the provision of scholarships to poor but deserving Muslims in the Philippines.

⁷ “*Bangsa*” or “*bansa*” is a Malay word, originally Sanskrit, that refers to nations, castes, descent groups or lines, races or estates. (A.C. Milner, *Kerajaan: Malay Political Culture on the Eve of Colonial Rule*. Association for Asian Studies, monograph no. 40. Tucson: University of Arizona Press. 1982: xv). The composite term “Bangsa Moro,” which sometimes appeared in MNLF (Moro National Liberation Front) and MILF (Moro Islamic Liberation Front) literature as well as in a number of scholarly writings refers to the “Moro Nation.” MNLF and MILF prefer to use it as one word, “*Bangsamoro*.”

⁸ *Kiai* is another name for *ulama*. See also Tim Kell, *The Roots of Acehnese Rebellion (1989-1992)*. Cornell Modern Indonesia Project, Cornell University, Ithaca, New York. 1995

⁹ The late former senator Benigno Aquino, Jr. reported that during the mid-seventies, the height of the campaign against the MNLF, the government mobilized 60 mobile battalions spending some \$4 million a day. See his testimony at a hearing before the U.S. House of Representatives, Committee of Foreign Affairs, Washington, D.C., 23 June 1983.

¹⁰ The creation of two (2) “Autonomous Regions” (Muslim areas of Mindanao and *Igorots* in the Cordillera) in the Philippines was mandated by the 1987 Constitution (Art. 10, Secs.

15-21). The ARMM was created on 1 August 1989 under R.A. 6734, initially composed of four (4) provinces, namely: Lanao del Sur; Maguindanao; Sulu; and Tawi-Tawi. It was later expanded to include the province of Basilan and Marawi City after a plebiscite was conducted on 14 August 2001 under RA 9054 passed on 7 February 2001. RA 9054 superceded RA 6734 and was claimed to be the fulfillment of the 1996 GRP-MNLF Final Peace Agreement. See Republic Acts 6734 and 9054 for details.

¹¹ The Southern Philippines Council for Peace and Development (SPCPD) was established through Executive Order (EO) 371 on 2 October 1996. It acts as a transitory administrative arm under the Office of the President tasked to engineer development in 14 provinces and 9 cities (as of 1996) in Mindanao and Sulu archipelago. The area covered is known as the Special Zone of Peace and Development (SZOPAD). In the 2001 ARMM plebiscite, SZOPAD's coverage had already increased from 14 to 15 provinces and 9 to 14 cities, as local governmental units were created and capital towns converted into cities between 1996 and 2001. SPCPD was dissolved on 11 March 2002 by virtue of EO 80 and transferred its functions, duties, and responsibilities to the new ARMM under RA 9054.

¹² The "Autonomous Regions" refer to the two separate regions rather than a single consolidated one. Under the 1976 Tripoli Agreement, the "autonomous regions" represent the geographical area where the "Provisional Government" is envisioned to operate. These are Regions 9 and 12 with five provinces each, and four and three cities respectively which "voted" to be part of the autonomy framework. Marcos then issued Presidential Decree (PD) No. 1618 in July 1977, which defines the governmental structure that will govern the said Autonomous Regions. The Executive Council (*Lupong Tagapagpaganap ng Pook*) and Legislative Assembly (*Sangguniang Pampook*) were established separately in two regions, which in Marcos's mind, was the substantial application of the Tripoli Agreement.

¹³ A three-articled Agreement that specified areas in southern Philippines where Muslims shall enjoy political autonomy. It covers then 13 provinces, including all cities, municipalities, and villages situated thereat. The Agreement provides the establishment of the following: Muslim courts implementing the Islamic Shari'a laws; Muslim administrative system; Muslim economic and financial system; special regional security force composed of Muslim officers and men responsible in maintaining peace and order; and legislative assembly and an executive council.

¹⁴ See Mahendra Alih Madjilon, "Attempts To Unseat Misuari." Available from World Wide Web: <http://mnlf.net/Attempts_to_Unseat.htm> [Accessed on 14 February 2004] and Ann Corvera, "Nur Misuari: Has the 'good warrior's' long struggle come to a disgraceful end?" *Philippine Star* (online) 16 January 2002, Available from World Wide Web: <<http://www.philstar.com/philstar/misua.htm>>. (Accessed on 12 March 2004).

¹⁵ In November 2001, Misuari as ARMM Governor and Chair of SPCPD convened the 5th National *Bangsamoro* Assembly in Parang, Sulu and resurrected his call for an independent Muslim Mindanao. He declared war against President Arroyo's government and led some armed MNLF guerrillas to attack an Army headquarters in Jolo, Sulu. The government then charged Misuari of sedition. He is now languishing in jail on charges of rebellion and if found guilty, could face up to 20 years imprisonment.

¹⁶ It was reported that Misuari pocketed funds allotted for the poverty alleviation program and spent P42 million (US\$840,000) to buy high-powered weapons for his supporters.

¹⁷ MILF broke ties with the MNLF and started as a reformist group in 1977, then known as *New MNLF*, that advocated for autonomy rather than independence. In 1984, it changed its name to *Moro Islamic Liberation Front* (MILF) and made Islam as its official ideology. The MILF placed greater emphasis on Islam than the MNLF, and most of its leaders are Islamic scholars from traditional aristocratic and religious backgrounds.

¹⁸ *Crescent International* “Bangsamoro Muslims’ determination to establish an Islamic State,” 16-31 March 1999.

¹⁹ “Murad extends greetings of peace and solidarity to Muslim believers,” 10 November 2003 Available from World Wide Web: <<http://www.luwaran.com/>> (Accessed on 29 October 2003).

²⁰ The General Framework of the Agreement of Intent (GFAI) was signed by the GRP and MILF panels on 27 August 1998 in Sultan Kudarat, Maguindanao. It mandates GRP and MILF forces to reach a pacific settlement of conflict and pledge to implement the joint agreements/arrangements previously signed, and to protect and respect human rights.

²¹ The “Agreement on Peace Between the Government of the Republic of the Philippines and the Moro Islamic Liberation Front” was also known as the Tripoli Agreement on Peace of 2001. The Agreement was forged in Tripoli, Libya on 19-22 June 2001. It was the first comprehensive peace agreement signed by GRP and MILF panels after negotiations were severed in April 2000.

²² The second round of talks led to the signing of the Implementing Guidelines on the Security Aspect of the GRP-MILF Tripoli Agreement of Peace of 2001 on 7 August 2001 in Putrajaya, Malaysia. Known as the Ceasefire Agreement, it reactivated the Coordinating Committee in the Cessation of Hostilities (CCCH) and created the Local Monitoring Teams (LMTs). The third round of the formal peace talks in October 2001 was supposed to tackle the issue of the rehabilitation of refugees and development of conflict-affected areas but instead agreed on the Manual of Instruction for the CCCH and LMTs — monitoring bodies tasked to supervise the implementation of the ceasefire – signed on 18 October 2001 at Mines Resort, Selangor, Malaysia.

²³ On 11 February 2003, the military attacked the MILF main base of Buliok in the towns of Pagalungan and Pikit off the Ligawasan Marsh in the province of North Cotabato. Buliok, situated in about four adjacent villages, has been the headquarters of the MILF since its Camp Abubakar stronghold fell in 2000. The place is referred to as the Buliok Complex by the government while MILF named it as the Buliok Islamic Centre/Mosque. It has a land area of 220,000 hectares in the borders of the provinces of Maguindanao, Sultan Kudarat, and North Cotabato. The military operation was held on the Holy Feast of the Sacrifice (Eid-ul Adha, end of the Hajj or holy pilgrimage) — one of the biggest celebrations in Islam. This has angered the MILF and other Muslims and gave a religious color to the war fuelled by poverty and injustice. The clashes came after Manila accused the MILF of harboring members of the so-called “Pentagon Gang”, a kidnap-for-ransom gang. The campaign was purportedly to go after the gang but government officials subsequently said that then MILF chair Salamat Hashim was the real target.

²⁴ The *Bangsamoro* Development Agency (BDA) was created in accordance with the 7 May 2002 Agreement between the MILF and GRP peace panels. The BDA serves “as the project implementing body of the MILF tasked to determine, lead and manage rehabilitation and development efforts in the conflict-affected areas” as well as the “power and function to receive and disburse private and government funds” provided that “pertinent Government rules and procedures would be followed in case of the latter.”

²⁵ “Presidential Statement on the Mutual Cessation of Hostilities”. Available from World Wide Web: http://justpeace.net.ph/updates/statement/Presidential_Statement_Aug_20_2003.htm.

(Accessed 20 October 2003).

²⁶ “Gov’t, MILF still discussing pull-out of troops from Buliok”. Available from World Wide Web: <http://www.luwaran.com/grpmilfdiscusbuliok.htm>. (Accessed on 25 November 2003). See also “Peace talks postponed”, *Philippine Daily Inquirer*, 28 October 2003.

²⁷ The conflict between GAM/ASNLF and GAM-MP started as a tussle between Zaini Abdullah (Di Tiro’s loyalist) and Husaini Hasan was exposed. The former accused the latter of staging a coup attempt against di Tiro, who was then seriously ill, to install Hasan’s son (Daud Husin) as di Tiro’s successor. The clash resulted in the expulsion of both Husaini and Daud from ASNLF. This in turn prompted them to form the Free Aceh Movement in Europe (FAME) also known as *Majelis Pemerintahan Gerakan Aceh Merdeka* (Government Council of the Free Aceh Movement or MP-GAM).

²⁸ Golkar was the ruling party under Suharto.

²⁹ Cessation of Hostilities Framework Agreement (CoHA) Between the Republic of Indonesia and the Free Aceh Movement , 9 December 2002.