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No. 267

Of Auxiliary Forces and Private Armies: Security Sector Governance (SSG) and Conflict Management in Maguindanao, Mindanao

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Singapore

16 January 2014

This working paper is an outcome of a research initiative on the theme

'Responding to Internal Crises and Their Cross Border Effects' led by

the Centre for Non-Traditional Security (NTS) Studies,

S. Rajaratnam School of International Studies (RSIS).

The initiative was organised around related sub-themes, each of which was addressed by a research group comprising selected scholars from across Southeast Asia. This paper emerged from work by the research group focused on 'Bridging Multilevel and Multilateral Approaches to Conflict Prevention and Resolution: Security Sector Governance and Conflict Management in Southeast Asia'.

This project was supported by the MacArthur Foundation's Asia Security Initiative (ASI). For more information on the ASI, please visit http://www.asicluster3.com.

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ABSTRACT

This paper focuses on the governance of the security sector in situations of armed conflict and the role of effective governance in conflict management. Specifically, it seeks to examine whether the security sector has helped to advance conflict management objectives in Mindanao, or whether their activities have aggravated the situation. It critically examines the role of the core security sector, namely, the armed forces, the police and the auxiliary forces, the use of which was expanded during the Arroyo administration. Beyond that, it highlights the impact of those elected politicians with authority and oversight over the armed units. The paper uses Maguindanao, a province in Mindanao in the southern Philippines, as a case study.

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1. Introduction

According to a report by the International Peace Academy (IPA), governance, seen as "a society's capacity to reconcile conflicting interests and manage change peacefully", is central to conflict management.[1] Specifically, the report notes that "strengthening state institutions and enhancing their capacity to provide security and development based on principles of good governance are essential for sound conflict management".[2] From this perspective, "strengthening [institutions such as] electoral and legislative systems, improving access to justice …, supporting decentralization, and developing greater capacity to deliver basic services" would contribute towards efforts to manage conflicts.[3]

This paper focuses on one area of governance: that of the security sector in situations of armed conflict. It proceeds on the basis, as advanced by Ball, that good security sector governance (SSG) is marked by the prevention of outbreaks of conflict and violence, or of their recurrence, and the provision of security for the state and its citizens, within the context of democratic governance.[4] This suggests that good SSG is associated with security sector organisations operating in accordance with international law and domestic constitutional law.[5]

Scholars also note the importance of recognising that the security sector extends beyond core actors such as the armed forces, the police and their auxiliary forces, and that any discussion of SSG must also encompass the elected authorities and civilian institutions that hold responsibility for oversight over the core actors. Indeed, Cleary and McConville argue that democratic governance should be taken as the "subordination of the armed forces to democratically elected political authorities".[6] They further suggest that "politicians, military personnel and civil servants … [are] equally bound to operate within the constitutional framework and under the rule of law".[7] It follows from this that both the core security actors and the civilian institutions exercising oversight over them must be subject to scrutiny and be held accountable. Thus, as Ball notes, the "crux of the security sector governance challenge is to develop both effective civil oversight mechanisms and viable and affordable security organizations capable of providing security for the state and its citizens within the context of democratic governance".[8]

This paper draws on these insights from the literature to examine SSG and conflict management in Mindanao, a region in the southern Philippines that has been (and continues to be) subject to violence and conflict from various threats: communist insurgency, Muslim secessionism, the activities of

[1] International Peace Academy (IPA), 'The security-development nexus: Conflict, peace, and development in the 21st century' (report, New York, NY: IPA, 2004), 7, http://www.ipinst.org/media/pdf/publications/security_dev_nexus.pdf
[2] IPA, 'The security-development nexus', 1.
[3] IPA, 'The security-development nexus', 7.
[4] Nicole Ball, 'Enhancing security sector governance: A conceptual framework for UNDP' (9 October 2002), 12, http://www.ssrnetwork.net/uploaded_files/3202.pdf
[5] *Ibid*.
[6] Laura R. Cleary and Teri McConville, 'Commonalities and constraints in defence governance and management', in *Managing defence in a democracy*, ed. Laura R. Cleary and Teri McConville (London: Routledge, 2006), 6.
[7] *Ibid*.
[8] Ball, 'Enhancing security sector governance', 11.

bandits and the impunity of private armies. In the face of such challenges – which has had significant costs in terms of, among others, human displacements and economic disruptions – the security sector has over time come to play a large internal security role. This expansion has attracted criticism, with some arguing that rather than increasing security for the population, the sector has in fact aggravated the situation. In light of this, this paper critically examines the security-sector dynamics in the region through the case of Maguindanao, the seat of government of the Autonomous Region in Muslim Mindanao (ARMM). It looks at the SSG gaps in the area and their impact on the capacity of the relevant actors to effectively manage violence and conflict, and thus move the region towards peace.

2. Overview of the conflicts in Mindanao and their management

2.1 Armed conflicts in Mindanao and their root causes

In exploring conflict management and SSG in Mindanao, two movements are particularly salient – Muslim secessionism and communist insurgency. Muslim secessionism, which has deep historical roots, saw a marked upsurge in the 1960s. Today, the dominant actors in the continuing incidences of secessionist conflict are the Moro National Liberation Front (MNLF), and its breakaway armed faction, the Moro Islamic Liberation Front (MILF).

It would be very easy to see the secessionist conflict between the Moros and the Philippine government, and to dismiss it, as simply a clash between "two imagined nations",[9] or fundamentally, a conflict over issues of ancestral land and historic rights raised by the forced annexation of Mindanao into the Philippines despite its having a distinct history and culture.

The literature, however, builds a picture of a conglomeration of factors that happened over time. Among the events that fuelled tensions were the settlement of Christians from other parts of the country to Mindanao by the Philippine state in the 1950s, and the atrocities committed by the military and by Christian vigilantes in the 1960s and 1970s (the Jabidah Massacre,[10] for example). The conflict could thus also be described as a "microcosm of the national and international conflict between the marginalized and exploited social sectors and the State and/or dominant sector".[11]

The communist insurgency, now more than 40 years old, can be traced to the establishment of the Communist Party of the Philippines and its armed wing, the New People's Army, in 1968 and 1969 respectively. The "culmination of more than a decade of gestation",[12] the party sought to establish a

[9] *Philippine Human Development Report 2005* (Human Development Network, 2005), 65, http://hdn.org.ph/2005-philippine-human-development-report-peace-human-security-and-human-development/

[10] The Jabidah Massacre refers to an incident on 17 March 1968 where several Muslim youths supposedly undergoing training in guerilla tactics in preparation for what was known as 'Operation Merdeka' were executed. See: 'In the know: Jabidah Massacre", *Philippine Daily Inquirer*, 19 March 2013, http://globalnation.inquirer.net/69541/in-the-know-jabidah-massacre. See also: *Philippine Human Development Report 2005*, 69.

[11] Samuel Tan, 'Understanding the Mindanao conflict: Mindanao at the crossroad' (paper presented at the Peace and Development Forum, Cotabato City, 20 July 2000).

[12] *Philippine Human Development Report 2005*, 82.

national democratic society with socialist underpinnings, and through a people's war, to bring about solutions to problems brought about by structural disparities, including the main issue of land. The communist insurgency, therefore, is in part ideological and in part an armed struggle for social justice. Beyond conflicts between Muslims and Christians and communist insurgency, armed confrontations in Mindanao also arise from feuds between families who happen to be political rivals (discussed further in section 4) and the activities of armed bandits.

The root causes cannot then be located solely in ideology or by reference to historical/cultural factors. This conclusion is supported by a 1993 report by the National Unification Commission. The report – the result of a series of consultations with relevant stakeholders, among them peace advocates, members of the National Council of Churches in the Philippines, leaders of the armed rebels in the country, and experts, including academics and political analysts – suggests that armed conflicts in the country are due to a combination of unaddressed socioeconomic and political issues. Specifically, the report identifies the following as the root causes of armed conflicts in the country:

1) Poverty and economic inequity
2) Poor governance, lack of basic social services and absenteeism of local officials
3) Injustice, abuse by those in power, violations of human rights and corruption
4) Structural inequities in the political system
5) Exploitation and marginalisation of indigenous cultural communities

Given the range of root causes, addressing the conflicts would likely require a more wide-ranging, multi-faceted approach. Has that been the case? The next sub-section provides an overview of the conflict management approaches used by various Philippine administrations in Mindanao, and the shifts in their responses as they encountered failure.

2.2 Evolution of conflict management approaches

Shifts and failures

Generally speaking, the government's policy has been characterised by a mix of civilian and military interpretations, described by Hernandez as the "(r)ight hand and the left hand approach to counter-insurgency from the 1950s onwards".[13] According to the 2005 Philippine Human Development Report, these are some of the positions taken by the state over the years:[14]

- *Pacification and demobilisation*. This approach emphasises negotiating the concessions necessary to achieve the cessation of hostilities and the demobilisation of rebel combatants

[13] Carolina G. Hernandez, 'Institutional approaches to armed conflict: The Armed Forces of the Philippines' (policy notes, no. 2006-02, March 2006), 2.
[14] *Philippine Human Development Report 2005*, 74.

- *Military victory*. This approach advocates the military defeat of the MILF and the New People's Army, the political defeat or marginalisation of the MNLF, and the extermination of Abu Sayyaf and other terrorist and kidnap-for-ransom groups
- *Institutional peace-building*. This approach promotes the short-, medium- and long-term construction of policies and institutions for peace in the economic, social, political, cultural and ecological spheres through participatory and consultative mechanisms.

Different strategies, or combinations of strategies, have been utilised at various junctures. During the Marcos dictatorship (1965–1986), the government sought to end the conflicts through use of force while simultaneously implementing development and infrastructure programmes. There were also attempts to pursue political or institutional paths through peace agreements. Notable among these are the 1976 Tripoli Agreement and the 1996 Jakarta Accord, and the 1996 peace agreement, all with the MNLF. The government had also, in 1993, created the Office of the Presidential Adviser on the Peace Process (OPAPP) to manage the peace process and coordinate the efforts of the various government agencies involved. In 2008, the government negotiated the Memorandum of Agreement on Ancestral Domain (MOA-AD) with the MILF.

At other points in time, the military victory approach had been emphasised over other strategies, reflecting, as scholars like Hernandez note,[15] continuing military influence over policymaking. In 2000, the Estrada administration declared an "all-out war" against the MILF when the group rejected the government's ultimatum on a peace agreement. In line with this policy, the military launched major operations against the rebel group, capturing Camp Abubakar, an MILF stronghold in Maguindanao, in 2000. It also conducted the Buliok offensive in 2003.

However, none of the responses resulted in lasting peace for Mindanao. The 1996 peace agreement was not effective at ending the conflict because the MILF had been excluded from the process. And the all-out war during the Estrada administration "spawned even more rigidly hard-line positions among the MILF leadership and led to the recruitment of more followers and sympathizers to the rebel cause".[16] The peace process also stalled as a result of that policy (and did not resume until 2004, when a ceasefire was negotiated, and the Coordinating Committee on Cessation of Hostilities and Local Monitoring Teams set up). The peace process was again disrupted in 2008 when the government failed to sign the MOA-AD after it was declared unconstitutional by the Supreme Court.

[15] Hernandez, 'Institutional approaches to armed conflict'.
[16] Rufa Cagoco-Guiam, 'Mindanao: Conflicting agendas, stumbling blocks, and prospects toward sustainable peace' (2005), accessed 15 July 2011, http://www.conflictprevention.net

A more holistic approach

Given such failures, there developed a general perception that "the MILF peace process, the MNLF peace process, the challenge to make the ARMM work, and the threats posed by extremist groups like the JI [Jemaah Islamiyah] and Abu Sayyaf have been treated as if they are separate and unrelated" and that this had to change.[17] Consequently, the government's strategy shifted substantially; and the OPAPP came to recognise the need for an "integrated response to this single, yet multi-faceted 1 [one] Bangsamoro Challenge".[18] The OPAPP, in cooperation with various government agencies, is now pursuing a negotiated political settlement with groups involved in armed conflict with the government. In addition, it has complementary tracks to deal with the roots of the armed conflicts and other issues affecting the peace process, among them programmes to address human rights violations and good governance in the ARMM. At the same time, the government has shown some willingness to accommodate the MILF's demand for territory, as seen in the negotiations on the 2008 MOA-AD.

This more holistic perspective to conflict management is also manifested in various national policies. The National Peace Plan of 2004–2010 had as its goal the permanent cessation of hostilities through a peace agreement with the MILF and other rebel groups. The PAMANA (Peaceful and Resilient Communities) pillar under the Philippine Development Plan 2011–2016 targets the roots of conflicts by adopting strategies aimed at reducing poverty, improving governance and empowering communities. The plan does not include armed responses, and instead emphasises the need to support reforms in the security sector. The PAMANA programme aims to complement peace talks by acting as governance fillers. It also calls for the convergence of efforts by various government agencies including the armed forces.

In parallel, the government operates a military response through Oplan Bantay Laya (Operation Plan Guard Freedom). Oplan Bantay Laya came into being as part of the Arroyo administration's 2001 National Security Plan developed by the Department of National Defense and the military, and is focused on counter-insurgency rather than SSG.

These strategies and responses have had their difficulties. The military continues to have a large role despite the direction set by the OPAPP. An OPAPP staff interviewed in 2011 affirmed the military's influence in policymaking, particularly during the Arroyo presidency, though he did also point out that peace policy is largely driven by the Executive.[19] A 2013 report observes that it is "the military – instead of the DND [Department of National Defense] – that regularly updates and crafts its scenario-

[17] Soliman M. Santos, Jr, 'The Maguindanao massacre, the Bangsamoro problem and the peace process', *The Maguindanao Chronicles*, 30 November 2009, http://pcij.org/stories/the-maguindanao-massacre-the-bangsamoro-problem-and-the-peace-process

[18] Assistant Secretary Camilo Montesa of the Office of the Presidential Adviser on the Peace Process (OPAPP), cited in: Santos, 'The Maguindanao massacre, the Bangsamoro problem and the peace process'. See also: OPAPP website (http://opapp.gov.ph/about-opapp) on how they will respond to the Bangsamoro problem.

[19] Personal interview, 16 February 2011.

based plans for internal security".[20] Peace talks have also not had a smooth path. When the MOA-AD was declared unconstitutional, armed encounters with the MILF increased. A total of 218 skirmishes were recorded in 2008 and 115 in 2009, a sharp rise from an average of 10 over the years 2005 to 2007.[21] Oplan Bantay Laya has also been blamed for a spate of political killings of leftist activists, and it has been argued that such military operations could potentially hamper the government's efforts to reduce conflict and facilitate on-going negotiations. Meanwhile, the PAMANA programme is still a work in progress, and an informed assessment of its impact on conflict management and prevention cannot be made at this point.

Other instruments introduced to address the root causes of the conflicts have also proven ineffective, among them Republic Act No. 6734 (ARMM), which granted autonomy to the provinces that had agreed to be part of the ARMM; the Indigenous People's Rights Act (IPRA); and mandatory human rights training for the members of the armed forces and the police. Perhaps the most effective strategy thus far has been mediation and monitoring by a third party.

Third-party mediation and the International Monitoring Team

Since 2002, negotiations between the Philippine government and the MILF has proceeded with Malaysia playing a mediating role similar to that played by Indonesia and the Organization of Islamic Cooperation (OIC) when they brokered the 1996 peace agreement between the Philippine government and the MNLF. An International Monitoring Team (IMT) led by Malaysia that was established in 2004 acted as a peacekeeper and monitored compliance to agreements such as the 2003 ceasefire and other socioeconomic and humanitarian agreements. The creation of the IMT and the subsequent suspension of military operations are said to have been instrumental in reducing clashes between the government and the MILF; armed skirmishes declined by as much as 98 per cent from 2002 to 2007.[22] The presence of the IMT has been and remains a major area of success in addressing the long-standing conflict (it was however not able to prevent clashes between the government and MILF after the failure of the MOA-AD).

From the above, it is clear that the Philippine government has over the years explored a number of options – both political and military – with the exact balance, as Hernandez observes, varying "depending on the overall political, economic, social and environmental context, the strategic situation

[20] Working Group on SSR (WG-SSR) of the Department of Political Science, Ateneo de Manila University, *Defense budget and spending: Alignment and priorities (Philippine defense spending 2001 to 2012) – Revisiting the policy environment on peace and security* (Quezon City and Makati City: Department of Political Science, Ateneo de Manila University and The Asia Foundation, 2013), 6, http://www.fes.org.ph/media/Publications_PDF_Files/2._Policy_Alignment_and_Defense_Spending_WGSSR_web_version.pdf

[21] Nonviolent Peaceforce (NP), 'NP Philippines: 2011 year-end review' (Cotabato City, Philippines: NP, 2012), 10, http://www.nonviolentpeaceforce.org/sites/nonviolentpeaceforce.org/files/NP_Philippines_Year-End_Review_20114mb.pdf; Baikong S. Mamid, 'International Monitoring Team tour of duty ends', *Inside Mindanao*, 8 November 2008, http://www.insidemindanao.com/article91.html

[22] See: 'Malaysian-led peace monitors help restore normalcy in Mindanao', *www.zambotimes.com*, 15 February 2012, http://www.zambotimes.com/archives/news/43451-Malaysian-led-peace-monitors-help-restore-normalcy-in-Mindanao.html; for data on skirmishes between government forces and the Moro Islamic Liberation Front (MILF) between 2002 and 2011, see: NP, 'NP Philippines: 2011 year-end review', 10.

on the ground, and on the personality and preferences of political and military leaders".[23] Broadly though, the government has over the years shifted its position from hardline to conciliatory as the situation in Mindanao developed. What also emerges is that while the various approaches met with limited success, the extent of military influence has been significant. The next section looks at the role played by the armed forces in internal security.

3. The security forces: A hindrance to conflict management?

From the time that the Philippines gained independence in 1945, its military has been preoccupied with internal security, due to the country's need to deal with security problems such as insurgency, secessionism and the existence of an undetermined number of bandits and private armies. In this, they have been and continue to be supported by the police force.

Over the years, the scale of the internal security challenge escalated. According to the 2005 Philippine Human Development Report, "91 per cent of all provinces were affected by ideology-based armed conflicts during the 18-year period from 1986–2004" and "economic losses due to the Mindanao conflict range from P5 billion to P10 billion annually from 1975 to 2002".[24] This led the military's role to be extended, albeit incrementally, beyond external defence and domestic peace and order. It began to take on development roles, as a result of policy changes, and also because the U.S. "assumed the role of providing external defense causing the AFP to concentrate on internal defense and peace and order".[25]

As the armed forces became overstretched, auxiliary forces began to be used at the local level, and the armed forces came to rely more on such resources.[26] The auxiliary forces – the Civilian Armed Forces Geographical Units (CAFGUs) being an example – were authorised to use force to maintain domestic peace and order. The Arroyo administration took this further, authorising the arming of civilian volunteer organisations (CVOs) and police auxiliary units. The administration also allowed local government units to enter into contractual arrangements with military-established Special CAFGUs.

These developments – the expansion of the internal security role of the military and the increasing use of auxiliary forces – became themselves part of the problem. The military and the police have been implicated in numerous human rights violations in the course of their operations. Meanwhile, the poorly paid auxiliary force, described by critics as a "barely trained militia force",[27] often cause

[23] Hernandez, 'Institutional approaches to armed conflict', 2.
[24] *Philippine Human Development Report 2005*, vii.
[25] Philippines, *The final report of the Fact-finding Commission (pursuant to R.A. No. 6832)* (Makati: Bookmark, 1990), 29.
[26] See: Herman Joseph S. Kraft, 'The foibles of an armed citizenry: Armed auxiliaries of the state and private armed groups in the Philippines (Overview)', in Soliman M. Santos, Jr. et al., *Primed and purposeful: Armed groups and human security efforts in the Philippines* (Quezon City and Geneva: South–South Network for Non-State Armed Group Engagement and Small Arms Survey, 2010), 189.
[27] Human Rights Watch, *'They own the people'*, 9.

"problems of abuse of authority, engage in rent seeking activities, and sell their services to local warlords or mining and logging companies".[28]

The propensity of civilian politicians to enlist military, police and auxiliary forces for their political ends does not help matters, and the practice of appointing retired military officers to civilian positions facilitates this. The Melo Commission[29] – an independent commission established to investigate the killings of left-wing activists, community organisers from rural areas and journalists – also points to problems in the lines of accountability from civilian officials to armed units.[30] For instance, CVOs and police auxiliary units are supposed to report to the police,[31] at the same time that, under the law, mayors have operational supervision and control over the police in their jurisdiction.[32] Also, Special CAFGUs, as part of a reserve force, should be reporting to the military. In practice, however, they report to the local government office or to a business establishment.[33]

Thus, the military and the auxiliary forces, expanded to help with the task of conflict resolution, in fact engendered greater insecurity. As one study on the costs associated with the conflict in Mindanao notes:

> Security has never been fully adequate in Mindanao, and the intensification of the civil conflict since 1975 has compounded the problem. The rule of law – an essential ingredient of good governance and development – has been especially weak in the area. Some advances had been made, particularly in the progressive recognition of customary law and its integration with formal legal and judicial systems. The resurgence of the conflict short-circuited this progress. Moreover, lack of security has created an incentive for many to join groups of *vigilantes*, producing the negative externalities typically associated with private provision of security without effective public oversight.[34]

Rather than helping to dampen the conflict, the increase in the number of armed units is said to have "fanned the flames that ignited the twin insurgencies"[35] of secessionism and communism. This notion

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[28] Carolina G. Hernandez, 'Security sector governance and practices in Asia', *Journal of Security Sector Management* 3, no. 1 (2005): 1–8.
[29] The Melo Commission was established by former President Gloria Macapagal-Arroyo in 2006 and is named after its Chair, former Associate Justice of the Supreme Court of the Philippines Jose Melo.
[30] Kraft, 'The foibles of an armed citizenry', 188.
[31] Human Rights Watch, *'They own the people': The Ampatuans, state-backed militias, and killings in the southern Philippines* (New York, NY: Human Rights Watch, 2010), 58, http://www.hrw.org/sites/default/files/reports/philippines1110.pdf
[32] See: Republic Act (RA) 6975; and Article II, Section 28 of Local Government Code of 1991 (RA 7160). RA 6975 of 1990 is the law that created the Philippine National Police under Department of the Interior and Local Government.
[33] Human Rights Watch, *'They own the people'*, 59.
[34] Salvatore Schiavo-Campo and Mary Judd, 'The Mindanao conflict in the Philippines: Roots, costs, and potential peace dividend' (working paper no. 24, February 2005), 6, http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2005/03/28/000011823_20050328152733/Rendered/PDF/31822.pdf
[35] Cited in: Herman Kraft and Katherine Hernandez, 'Armed forces vs. veto power: Civil military relations in the Philippines', in Paul Chamber and Aurel Croissant (eds) *Democracy under stress: Civil military relations in South and Southeast Asia* (Bangkok: Institute for Security and International Studies, 2010), 139, http://www.fes-asia.org/media/publication/2010_Demcracy%20under%20Stress_ISIS.pdf

is reinforced by the suggestion in the 2005 Philippine Human Development Report that the insurgency was not just about feelings of deprivation, but also about feelings of injustice. [36]

Exacerbating the issue of impunity associated with the operations of the military forces and auxiliary units are the activities of the privately raised and organised armed groups that serve personal and business interests. Unlike the auxiliary forces, these groups are neither organised nor sanctioned by the national authorities, nor are they under the operational control of the regular military or police forces. They have nevertheless been tolerated by state authorities,[37] underlining the salience of local politics, and the links with Manila, to the security-sector dynamics of Mindanao. The case of Maguindanao gives further insight into this.

4. The case of Maguindanao: Security to insecurity?

4.1 The political context: Clans and violence

Maguindanao is a province in central Mindanao, and part of the ARMM. The province receives large infusions of money from the national government through the internal revenue allotment (IRA).[38] Yet, despite getting billions of pesos from the IRA, the province is the second-poorest in the ARMM after Lanao del Sur.[39] According to data from the National Statistical Coordination Board (NSCB), the province has also consistently been among those with the highest incidence of poverty in the country over the past decade.[40] Maguindanao is also among the worst-performing provinces in the Philippine human development index of 2003.[41]

In fact, Maguindanao has been described as a "development black hole": no matter how much money is poured in, the funds are sucked into a void.[42] Arguillas notes the following:

> the province was getting billions of pesos from the IRA and yet government data showed that only three in every 10 residents in Maguindanao have finished Grade 6, and only five percent – or just 63,500 of the 1.27 million total populace – have access to potable water. There are only 18 public health doctors in the province, or only one for every 70,555 people.[43]

[36] *Philippine Human Development Report 2005*, 28.
[37] Kraft, 'The foibles of an armed citizenry', 189.
[38] The internal revenue allotment (IRA) is the share of national internal revenue taxes allocated to local government units. The allotment formula is specified in the Local Government Code of 1991 (RA 7160).
[39] Carolyn O. Arguillas, 'ARMM is the poorest region in 2012 but poverty incidence dropped in island provinces', 26 April 2013, http://www.mindanews.com/governance/2013/04/26/armm-is-poorest-region-in-2012-but-poverty-incidence-dropped-in-island-provinces/
[40] Jose Ramon G. Albert, 'The 2012 first semester official provincial poverty statistics' (presentation for a press conference, 23 April 2013), slide 25, page 13, http://www.nscb.gov.ph/poverty/presentation/Final%20Presentation%20on%201st%20semester%20Methodology,%2023april2013ns.pdf
[41] *Philippine Human Development Report 2005*, 19.
[42] Carolyn O. Arguillas, 'The poor get poorer, Ampatuans get richer as IRA billions pour in', *The Maguindanao Chronicles*, 29 March 2010, http://pcij.org/stories/the-poor-get-poorer-ampatuans-get-richer-as-ira-billions-pour-in/
[43] *Ibid*.

In addition to the low level of human development, the province also experiences a high level of violence. According to the 2005 Philippine Human Development Report, between 1986 and 2004, the province was the site of the highest number of encounters between government forces and the MILF or MNLF.[44] It also featured in the infamous Hello Garci scandal that broke after the 2004 presidential elections that featured wiretapped conversations, allegedly between then President Gloria Macapagal-Arroyo and Commission on Elections (COMELEC) Commissioner Virgilio Garcillano, about rigging election results in Mindanao.[45]

One factor that has been linked to this state of affairs is political control by powerful clans, a phenomenon common in many areas of Muslim Mindanao (as well as other parts of the country). In Maguindanao, the Ampatuan clan has governed for more than nine years, dominating local posts such that "of the 22 Mayors of the province, most are sons, grandsons, or relatives".[46] Under their control, insecurity in the province worsened. From the time Zaldy Ampatuan won the gubernatorial elections in 2001 and throughout his terms of office after being re-elected in 2004 and 2007 (his third and last term), poverty increased. The incidence of poverty in Maguindanao shot up to 62 per cent in 2006, a steep rise from 41.6 per cent in 1997.[47] The province is among the poorest in the country, yet the governor is said to be getting richer, allegedly through taking advantage of the IRA.

Control by such families is also characterised by alliances, affiliations, and politics in general, running along clan lines. In fact, some reported clashes between government troops and rebels have been violent family feuds called *rido*. As one journalist observed, "these clans hold sway over their areas much like feudal overlords of old, with the power of life or death over their subjects at their fingertips".[48] The private armies maintained by these clans could be a consequence of this context.

The insurgencies in Mindanao have also provided fertile ground for these clans to argue for the need to maintain private armies or for the expansion of auxiliary forces which they co-opt for their own use. Prior to the Arroyo administration, and particularly during the Marcos administration, the use of paramilitary and auxiliary forces was a contested issue. Their disbandment had been a constant point of discussion in the government's negotiations with communist rebels since 1986. In July 2006, however, the Arroyo administration issued Executive Order (EO) No. 546. This order allowed local officials and the Philippine National Police to deputise *barangay tanods* – a civilian force tasked to maintain peace and order – as force multipliers in the fight against insurgents.

In Mindanao, a main beneficiary of EO No. 546 was the Ampatuans, due to "the Arroyo administration's well-known deliberate cultivation and patronage of the Ampatuan political warlord clan and dynasty as its main instrument for political control in Maguindanao province, if not also the

[44] *Philippine Human Development Report 2005*, 2.
[45] See: 'Hello Garci scandal', *GMA News Online*, 25 January 2008, http://www.gmanetwork.com/news/story/27477/news/hello-garci-scandal.
[46] '21 killed in Maguindanao', *Philippine Daily Inquirer*, 24 November 2009, http://newsinfo.inquirer.net/inquirerheadlines/nation/view/20091124-237982/21-killed-in-Maguindanao
[47] Arguillas, 'The poor get poorer, Ampatuans get richer as IRA billions pour in'.
[48] Ed Lingao, 'Putting Maguindanao in context', *The PCIJ Blog*, 23 November 2009, http://pcij.org/blog/2009/11/23/putting-maguindanao-in-context

rest of the Autonomous Region in Muslim Mindanao (ARMM)".[49] The order provided the administration with a means to exercise control over its political rivals, and over the main Moro rebel groups, notably the MILF, whose main provincial and ethnic base is Maguindanao.[50]

EO No. 546, as a Philippine Center for Investigative Journalism (PCIJ) report notes, in effect "allowed local officials to convert their private armed groups into legal entities with a fancy name: civilian volunteer organizations (CVO)".[51] These CVOs occasionally join police and even military operations, but for the most part they merely take orders from local officials.[52] This meant, as several news reports highlight, that the "private armies of ruling clans in Maguindanao are, for all intents and purposes, … funded through government coffers".[53]

The structural inequities in the political system, including control by an elite minority, traditional politicians and political dynasties, and enforcement of such control through private armies, laid the foundations for violence. The current security sector dilemma then is the role played by the security bodies in the area in bolstering the power of particular political elites, and perhaps no incident demonstrates this more acutely than the incident known as the Maguindanao massacre.

4.2 The Maguindanao massacre

On 23 November 2009, a convoy left for the local COMELEC office in Shariff Aguak, the capital of Maguindanao, to file a certificate of candidacy for Esmael 'Toto' Mangudadatu for the 2010 gubernatorial elections. He had intended running against Andal Ampatuan Sr, the longstanding governor of Maguindanao. On the way, they were accosted by 100 armed men. The 57 people in the convoy – journalists and members of the Mangudadatu family – were all killed, and their bodies subsequently found in a mass grave a couple of kilometres from the highway. Tellingly, a backhoe found at the scene that was used to bury the victims was marked "Property of the province of Maguindanao – Gov. Datu Andal Ampatuan Sr".[54]

Andal Ampatuan, Jr – son of the governor, and the mayor of Datu Unsay, a town in Maguindanao – was implicated in the killings. Allegedly, he led the attackers, among them police personnel and armed civilian volunteers. Of the 197 indicted in connection with the deaths, 63 were police officers and 4 soldiers.[55] The Ampatuans – both father and son – were charged with 58 counts of murder.

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[49] Santos, 'The Maguindanao massacre, the Bangsamoro problem and the peace process'.
[50] *Ibid*.
[51] Lingao, 'Putting Maguindanao in context'.
[52] *Ibid*.
[53] *Ibid*.
[54] See: Analyn Perez and T.J. Dimacali, 'Ampatuan massacre: A map and timeline', *GMA News Online*, 25 November 2009, http://www.gmanetwork.com/news/story/177821/news/specialreports/the-ampatuan-massacre-a-map-and-timeline.
[55] Andrew Marshall, 'Philippine mass murder: Politicians and monsters', 10 May 2010, http://content.time.com/time/world/article/0,8599,1988147,00.html. See also: 'Maguindanao massacre solidarity action', *Amnesty International*, n.d., http://www.amnestyusa.org/our-work/countries/asia-and-the-pacific/philippines/maguindanao-massacre-solidarity-action.

The incident demonstrated several serious gaps in SSG in the province. Apart from the use of police and armed auxiliaries by the ruling political clan, other governance issues became evident. A week after the bodies were found, a large weapons cache bearing the stamp "Department of Defense Arsenal" was discovered in a vacant lot near the Ampatuan mansion, and also inside it.[56] This acquisition of firearms and ammunitions using government funds must have been with the knowledge of the national government. The implication was that President Arroyo herself and military and police officials had allowed this, likely because of the perceived utility of the Ampatuan family in dealing with the MILF.

It also emerged that Mangudadatu had requested a police escort but had been denied, prompting him to send female family members and independent journalists to file his candidacy. According to accounts, one reporter who was invited to join the convoy "called a military commander to request security but was told that no protective escort would be deployed".[57]

These SSG failures were pointedly mentioned by the Philippine Commission on Human Rights, which concluded the following:[58]

- The armed forces had failed to provide security to civilians.
- Paramilitary and civilian armed volunteers participated in the mass killings, as did members of the police and the military.
- The incident connotes failure to effect rule of law and accountability on the part of local officials, the military and other civilian oversight institutions such as the Department of National Defense and the Executive.

4.3 Security sector deficits and governance

The ARMM was the result of the clamour for autonomy by secessionist elements. However, as has been discussed, those who run the region have made themselves political warlords and have made extensive personal use of both core security forces and auxiliary forces. A news report citing estimates by the Firearms and Explosives Division of the Philippine National Police (PNP-FED) gives some indication of the scale of the activities of private armies under these officials:

> in Maguindanao alone … there are probably 30,000 to 40,000 loose firearms and only a third of that is owned by the Moro rebels. The other two-thirds are actually owned by the various warlords who inhabit Maguindanao.[59]

[56] 'Guns, explosives, ammo unearthed near Ampatuan mansion', *GMA News Online*, 4 December 2009, http://www.gmanetwork.com/news/story/178476/news/nation/guns-explosives-ammo-unearthed-near-ampatuan-mansion.
[57] Karen Dumpit, 'The Maguindanao massacre: Implications to human rights and security sector governance' (briefing presented at the project inception meeting of the Security Sector Governance and Conflict Management in Southeast Asia Project, Manila, 15 April 2010).
[58] Quoted in: Dumpit, 'The Maguindanao massacre'.
[59] Ed Lingao, 'Ampatuans used public office to amass mostly illegal guns', *The Maguindanao Chronicles*, 3 February 2010, http://pcij.org/stories/ampatuans-used-public-office-to-amass-mostly-illegal-guns/

The security forces under the direction of civilian politicians often acted with impunity, committing violations of human rights. Election-related atrocities were not uncommon and were committed by local warlords and clans using the auxiliary forces at their disposal. The police was ineffectual at best, and most of the time officers served as bodyguards for the local mayor or congressman, an observation shared in various interviews and focus group discussions in 2005 and 2006 with members of the armed forces in a study conducted by Institute for Strategic and Development Studies, Inc. (ISDS Philippines) on security sector reform.[60] As Human Rights Watch concluded, the 2009 Maguindanao massacre was "not as an aberration, but the foreseeable consequence of unchecked killings and other serious abuses".[61]

Luckham notes that, within such a context, there is 'the rule of "un-law", including the breakdown of police and judicial systems, widespread human rights violations, and impunity for the perpetrators; the breakdown or absence of democratic accountability mechanisms',[62] and "societies of fear".[63] Scholars such as Luckham have associated this state of affairs with "faltering or non-existent commitment to democracy"[64] on the part of elected officials. By abusing their control over armed units, these officials '[create or deepen] hostility between societal groups or political forces in order to maintain positions of political and economic power".[65] Such use of coercion in governance could in turn lead to the expansion of the role and influence of the military.[66]

Given such conditions, it is perhaps inevitable that, even with formal peace agreements, conflict in Mindanao has not abated. The case of Maguindanao bolsters the argument that without proper governance of security bodies, conflict management efforts are hampered. Security bodies whose activities and actions are left unchecked become a source of violence, nullifying the conflict prevention efforts of the national government. This suggests a critical need for better governance of the security sector, in particular to ensure that the security forces are used solely to tackle problems of insurgency, and not to advance the personal interests of local political elites.

[60] Research notes, project on security sector reform conducted by the Institute for Strategic and Development Studies, Inc. (ISDS Philippines).
[61] 'Philippines: Local ruling family's abuses implicate government', *Human Rights Watch*, 17 November 2010, http://www.hrw.org/de/news/2010/11/15/philippines-local-ruling-family-s-abuses-implicate-government
[62] Robin Luckham, 'The international community and state reconstruction in war-torn societies', in Geneva Centre for Democratic Control of the Armed Forces (DCAF), *After intervention: Public security management in post-conflict societies: From intervention to sustainable local ownership* (Geneva: DCAF, 2004), 22, http://www.gsdrc.org/go/display/document/legacyid/1332
[63] Koonings and Kruijt, cited in: Robin Luckham, 'The international community and state reconstruction in war-torn societies', 22.
[64] Robin Luckham, 'Democratic strategies for security in transition and conflict', in *Governing insecurity: Democratic control of military and security establishments in transitional democracies*, ed. Gavin Cawthra and Robin Luckham (New York, NY: Zed Books, 2003), 18.
[65] Lingao, 'Putting Maguindanao in context'.
[66] Muthiah Alagappa, 'Conceptual perspective', in *Coercion and governance: The declining political role of the military in Asia*, ed. Muthiah Alagappa (Stanford, CA: Stanford University Press. 2001).

5. Security sector reform (SSR)

The national/local political dynamics underlying the violence in Maguindanao validates the observation that the on-going conflict is mere a reflection of the country's political context – a weak Philippine state.[67] Given this, what are the prospects for SSR? This section traces the path to reform in the Philippines, and looks at gaps that remain to be addressed.

5.1 Early SSR efforts

Since 1986, the Philippine government has introduced several measures to democratise civil-military relations and to reform the defence sector, including the laying down of the principle of civilian supremacy over the military. There have also been efforts to strengthen mechanisms that provide oversight over the military, for example through the Philippine Commission on Human Rights (further discussed in section 5.2). In addition, a line was drawn between the functions of the police and that of the armed forces, with the police tasked with internal peace and order and the armed forces with external defence (in practice, however, due to the seriousness of the country's internal security problems, the armed forces have continued to play a role in internal security).

From 1986 to 1995, the government, though with some opposition from the military, also engaged in a series of negotiations with the MNLF. These culminated in a peace agreement in 1996. Subsequently, the international community provided support for the socioeconomic rehabilitation of conflict-affected areas. At the same time, the government implemented SSR-type post-conflict programmes, such as demobilisation, disarmament and reintegration (DDR), with mixed results.

5.2 Commission on Human Rights

The constitutionally created Commission on Human Rights has been described as a unique feature of SSG in the Philippines.[68] The establishment of the Commission in 1986, when democracy was restored to the country, was prompted by the large-scale human rights violations committed by the military during the Marcos administration. Certification by the Commission was made a prerequisite for military promotions and appointments. The Commission was also responsible for conducting training and education on human rights and international humanitarian law. It was also empowered to conduct parallel investigations – although not to prosecute – cases of human rights violations and make recommendations.

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[67] The following presents the argument that the Philippines is a weak state: Amando Doronila, 'Reflections on a weak state and the dilemma of decentralization', *Kasarinlan* 10, no. 1 (2008): 48–54; Gabriella R. Montinola, 'Politicians, parties, and the persistence of weak states: Lessons from the Philippines', *Development and Change* 30 (1999): 739–74, http://charlesesalazar.pbworks.com/f/Montinola__Gabriella_R_Politicians__Parties__and_the_Persistence_of_Weak_States__Lessons_from_the_Philippines.pdf; Temario Rivera, *Landlords and capitalists: Class, family, and state in Philippine manufacturing* (Quezon City: Center for Integrative and Development Studies/University of the Philippines Press, 1994), introductory chapter.

[68] Hernandez, 'Security sector governance and practices in Asia'.

The effectiveness of the Commission has however been called into question. This mechanism, intended to ensure "accountability" and "rule of law", has not prevented the promotion of military officers allegedly involved in disappearances or killings of human rights activities, or who had committed human rights violations.[69]

5.3 Recent developments

Further reforms were implemented during the Arroyo administration, though these were not formally labelled as SSR, but rather good governance or military reforms. These included: appointing a civilian head of defence, calling a National Intelligence Summit, and establishing the Philippine Defense Reform Program.[70] These limited reforms were likely impelled by a mutiny of junior officers of the armed forces in July 2003, and reflected Arroyo's agenda of ensuring an efficient, responsive, transparent and accountable defence and security establishment.[71]

In 2010, the government of President Benigno S. Aquino III acknowledged SSR as one of the elements of the National Security Policy 2011–2016.[72] The policy expresses commitment to "pursuing the transformation of the security sector that requires the adoption of policies, reforming institutions, and formulation and implementation of programs and projects with the twin goal of strengthening civilian control and oversight of the security sector and professionalizing the security forces".[73] SSR was thus incorporated into the national security objectives under the peace and security plan of the Philippine Development Plan 2011–2016.[74] The SSR programme includes: strengthening civilian control and oversight of security sector, upgrading and modernising the defence and security establishment, building capacity for conflict resolution and peace-building, and strengthening rule of law and internal security.

While these developments point to greater recognition of the importance of SSR, there is still much that could be done. The government has yet to identify a lead agency to drive SSR, and it is unclear whether specific programmes are already in the government's legislative agenda. The government

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[69] An example is the case of Major General Jovito Palparan (now retired), who was promoted despite being blamed for the enforced disappearances and extra-judicial killings of left-leaning activists in Central Luzon. See: Sophia Dedace, 'Satur Ocampo squares off against Jovito Palparan on TV', *GMA News Online*, 15 April 2010, http://www.gmanetwork.com/news/story/188508/news/nation/satur-ocampo-squares-off-against-jovito-palparan-on-tv; Marlon Ramos, 'Palparan last of his kind in AFP, says Army chief', *Philippine Daily Inquirer*, 5 November 2012, http://newsinfo.inquirer.net/301554/palparan-last-of-his-kind-in-afp-says-army-chief

[70] *Developing a security sector reform index in the Philippines: Towards conflict prevention and peace-building (A preliminary analysis)* (Quezon City: Institute for Strategic and Development Studies, Inc. (ISDS Philippines), 2009).

[71] *Ibid*.

[72] Philippines, 'National Security Policy 2011–2016: Securing the gains of democracy', *Official Gazette*, 18 August 2011, http://www.gov.ph/2011/08/18/national-security-policy-2011-2016/. See also: 'Speech of Sen. Benigno S. Aquino III, Peace and Security Forum, 22 April 2010', http://www.senate.gov.ph/press_release/2010/0422_aquino2.asp. Sen. Aquino III became President of the Philippines in June 2010.

[73] Philippines, *National Security Policy 2011–2016: Securing the gains of democracy* (2011), 26, http://www.scribd.com/doc/67939939/National-Security-Policy-2011-2016-Securing-the-Gains-of-Democracy

[74] 'Peace is centerpiece of PNoy's international security program – Deles', *Office of the Presidential Adviser on the Peace Process (OPAPP)*, 9 November 2011, http://opapp.gov.ph/news/peace-centrepiece-pnoy%E2%80%99s-internal-security-program-%E2%80%93-deles; *Philippine Development Plan 2011–2016: Results matrices* (Pasig City: National Economic and Development Authority, Philippines, 2011), http://www.neda.gov.ph/PDP/rm/pdprm2011-2016.pdf.

also still needs to flesh out the details, especially with regard to how to increase the capacity of civilians in government and civil society to monitor and oversee the security sector.

According to a preliminary study conducted by ISDS Philippines, the various oversight bodies and constitutional and legal frameworks governing the security sector lack the capacity to discharge their functions. The Melo Commission and the reports of UN Rapporteur Philip Alston on extra-judicial killings (which implicated "members of forces under the command of the military"[75]) underline the inability of civilian authorities to manage the security bodies and make their members accountable. As seen from the foregoing discussion, complicating the issue is the propensity of local authorities to use non-statutory forces under their command, buttressed by the resources of the state, to maintain or bolster their political and economic power.

Overall then, SSG remains weak but there has been some progress in that the need to undertake SSR has been recognised in official government documents and some of the reforms are already in place. However, there is a need to go beyond professionalising the military and modernising equipment, to also focus on strengthening the capacity of civilian authorities to exercise oversight over the military.

6. Implications for conflict management

Ironically, even as the state should have the capacity to control violence, it is the state itself – local public officials in this case – that is a source of violence and insecurity. This reinforces the argument that in "countries where the police are highly militarized and the armed forces are actively involved in the provision of internal security, personal security is a commodity that is in short supply".[76]

A number of factors complicate conflict management efforts in the Philippines more generally, and in Mindanao more specifically. One is quality of SSG. As various scholars have noted, quality of governance is a key component in conflict prevention and sustainable human development.[77] Without good SSG, you have security bodies with selective regard for the rule of law and, and as seen in Maguindanao, local civilian politicians who act with impunity and violate human rights.

In Mindanao, SSG deficits manifest in lack of discipline among the military and police – which has led to members of the security forces allowing themselves to be used by local politicians for personal aggrandisement. A degree of tolerance has also been exhibited by the national government towards such impunity; and there appears to be a weak governing structure from the national to the local level, with the national government unable or unwilling to enforce accountability for the acts of local officials (aided by armed auxiliaries). Such lack of good governance leads to unchecked human rights abuses,

[75] Kraft, 'The foibles of an armed citizenry', 187.
[76] Ball, 'Enhancing security sector governance', 10.
[77] *Ibid*.

and election-related violence, most especially by local officials and their private armies, as demonstrated in the earlier sections.

The reliance on poorly trained auxiliary forces to augment local security forces have also become a source of insecurity. A "November 2004 confidential AFP [Armed Forces of the Philippines] memorandum which outlined the effects of family feuds in Maguindanao reportedly stated that communities pillaged and looted by CVO and Special CAFGU members often seek protection of the MILF because they perceive the military to be partial to the Ampatuans and his political allies".[78] An MILF commander told Human Rights Watch that: "Many people seek refuge from the Ampatuans (with) the MILF."[79]

Former President Fidel Ramos recognised early the problems posed by these armies, and he issued Administrative Order No. 81 in September 1993 calling for them to be dismantled.[80] Specifically, he tasked the armed forces and the police with assessing "the tactical necessity of all community defense forces (e.g. CAFGUs and CVOs) organized according to law" and asked them to "immediately deactivate those which are no longer needed for counter-insurgency operations".[81] In the aftermath of the Maguindanao massacre, President Arroyo created the Independent Commission against Private Armies, and tasked it with recommending measures to disband private armies.[82]

The problem in Mindanao is thus not just about secessionist aspirations. From the analysis, it is evident that local politics, and inter- and intra-clan rivalries, is a significant source of violence. Thus, echoing what has been said by practitioners and the media, the peace process in Mindanao should also address intra-Moro political violence, inter-clan violence called *rido*, and the gun culture of communities in the region.[83]

7. Conclusion

Official policy over the years has always been to carry out peace negotiations with both the communist insurgents and the MILF. IN 1996, the Philippine government secured a peace deal with the original secessionist group, the MNLF, but that did not quite resolve the conflict as the MILF was left out of the negotiations. In 2010, the government of President Benigno Aquino, III announced that

[78] Bagayaua, cited in: Human Rights Watch, *'They own the people'*, 11–12.
[79] Human Rights Watch interview, cited in: *Ibid*., 12.
[80] *Ibid*., 22.
[81] Administrative Order No. 81, cited in: *Ibid*., 22.
[82] The Independent Commission against Private Armies (ICAPA), or the Zenarosa Commission, was created through Administrative Order No. 275. The Commission's report notes that of the 112 identified private armed groups, 72 remain active. The report also notes that eight of the active private armed groups are in Ilocos, three in Cagayan Valley, six in Central Luzon, another six in Calabarzon (Cavite, Laguna, Batangas, Rizal, Quezon), four in Mimaropa (Mindoro, Marinduque, Romblon, Palawan), seven in Bicol, six in Western Visayas, two in Central Visayas, one in Eastern Visayas, two in the Zamboanga Peninsula, seven in Northern Mindanao, one in Caraga, and nineteen in the ARMM. See: 'Executive summary of "A journey towards H.O.P.E."', The Independent Commission against Private Armies report to the President, 5 May 2010; R.G. Cruz, '72 private armies pose threat to automated polls', 2 May 2010, http://www.abs-cbnnews.com/nation/regions/05/07/10/72-private-armies-pose-threat-automated-polls
[83] Santos, 'The Maguindanao massacre, the Bangsamoro problem and the peace process'.

it would negotiate anew with the MILF.[84] In October 2012, the Philippine government and the MILF signed the Framework Agreement on the Bangsamoro.[85] However, this agreement too remains fragile as it leaves out the MNLF. On 12 August 2013, the MNLF, through its Chairman, Nur Misuari, declared independence for Mindanao, prompted, it is said, by its marginalisation in the peace negotiations and by the prospects that the agreement would abrogate the 1996 peace agreement.[86]

Even as peace negotiations are being pursued, there is a vital need to address the problem of the poorly managed security sector. From the discussion, it is evident that the security forces, including the auxiliary forces, have not been effective at performing their mandated task of ensuring the security of citizens, and that this is linked to governance of the sector. Also, despite the establishment of the Melo Commission and also a body created to dismantle private armies, local and national civil authorities have been unable (or perhaps lacking in motivation) to perform their oversight functions, thus allowing local politicians to use the auxiliary forces and leaving impunity unchecked. As seen in Maguindanao, the policy of augmenting military and police forces with poorly trained auxiliary forces actually increased access of local politicians to the use of armed units for their personal political ends.

Elected leaders in Maguindanao relied on use of force for political and possibly economic control, with the November 2009 massacre a keen demonstration of intolerance of political competition. The national government on its part tolerated an ally's poor governance, reflected by the lack of development and increased violence in the province, for many years. For SSR to be successful, therefore, civilian elected leaders would have to reduce their dependence on the military for political survival.[87]

However, there appears to be some positive moves to address the problem. National policies now include SSR, encompassing efforts such as modernising and reforming the military, ensuring civilian control over the military and professionalising the military through training on the rule of law. Promisingly, the planned reforms appear to be not just limited to the military, but have a broader goal of preventing conflicts and building peace. The peace and security policy of the government in the Philippine Development Plan reflects these tasks. However, given the emerging peace and security problems in Mindanao, including a resurgent MNLF – which indicates national and local government failure to prevent the recurrence of violence – sound SSG that includes dispelling a society of fear has to take root.

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[84] Government of the Philippines, 'Benigno S. Aquino III, Second State of the Nation Address, July 25, 2011 (English translation)', *Official Gazette*, http://www.gov.ph/2011/07/25/benigno-s-aquino-iii-second-state-of-the-nation-address-july-25-2011-en/

[85] The government is in the process of drafting the Bangsamoro Basic Law, and negotiations on annexes of the agreement is expected to conclude in 2013. President Benigno S. Aquino III in his 2013 State of the Nation Address enjoined Congress to pass the Bangsamoro Basic Law before the end of 2014.

[86] 'MNLF confirms "declaration of independence", girds itself for possible fighting', *GMA News*, 16 August 2013, http://www.gmanetwork.com/news/story/322239/news/regions/mnlf-confirms-declaration-of-independence-girds-itself-for-possible-fighting

[87] This recommendation, written with the prevention of coups in mind, could well apply to current developments in Maguindanao as well. Carolina G. Hernandez, 'The military in Philippine politics', in *Philippine politics and governance: An introduction*, ed. Noel M. Morada and Teresa S. Encarnacion Tadem (Quezon City: Department of Political Science, University of the Philippines, 2006), 406.

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