



BASIS OF CONFLICT IN ARMM IN RELATION TO LAND AND RESOURCES

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ACRONYMS

ARMM	-	Autonomous Region of Muslim Mindanao
CNI	-	Commission on National Integration
DAR	-	Department of Agrarian Reform
DENR	-	Department of Environment and Natural Resources
IP	-	Indigenous People
IPRA	-	Indigenous Peoples' Rights Act
IFMA	-	Industrial Forest Management Agreement
MILF	-	Moro Islamic Liberation Front
MNLF	-	Moro National Liberation Front
MIM	-	Muslim Independence Movement
NCIP	-	National Commission of Indigenous Peoples
NIPAS	-	National Integrated Protected Areas System
OIC	-	Organization of Islamic Conference (OIC)

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INTRODUCTION

The total population projection for indigenous peoples (IPs) in the Philippines for the year 2000 is estimated at 13 million or 17 percent of the total Filipino population. The majority of the IP population is located in Mindanao (61%). The remaining 33% are in Luzon and 6% are in the Visayan Islands. The IPs comprise more than 110 different major and minor ethnolinguistic groups and are found in 63 provinces of fifteen regions including the Autonomous Region of Muslim Mindanao (ARMM). (NCIP 2000)

Indigenous peoples in Mindanao engage in economic activities that range from hunting, gathering, marine trade and fishing; shifting cultivation in or near forests; small-scale mining; permanent agriculture; wage labor and small-scale market oriented activities. They are groups with a cultural identity distinct from the dominant Filipino society and are vulnerable to being disadvantaged in the development process. A majority of these groups have had limited or no access to basic socio-economic services from the government, like education, health, infrastructure, extension, credit, and marketing.

The purpose of this report is to discuss the basis of the conflict in ARMM related to land and resources and the role of indigenous peoples and Muslims in this conflict.

ETHNOLINGUISTIC GROUPS IN ARMM

LUMAD AND MUSLIM

IPs in Mindanao who are not Muslim are called Lumad. The name "Lumad" is advocated by IP groups in Mindanao to distinguish themselves from the Muslims who are also indigenous to the area. Interviews with three Commissioners from the National Commission of Indigenous Peoples (NCIP) indicate that the question as to whether the Muslims should be considered IPs is uncertain and that this will need further discussion. There are also Muslims who do not want to be called indigenous peoples. For purposes of this paper and to acknowledge the distinction of those from the area the term indigenous peoples will not be used for IPs in Mindanao. Instead, the terms Lumad and Muslim are used to refer to those ethnolinguistic groups indigenous to ARMM.

The four provinces in the ARMM contain the following ethnolinguistic groups indigenous to the area, both Lumad and Muslim:

- Tawi-Tawi
 - Sama (Sama Samal)

- Sulu
 - Sama (Sama Samal)
 - Tausug

- Maguindanao
 - Sama (Sama Samal)
 - Ilanun
 - Tiruray (Teduray)
 - Magindanaon

- Lanao Sur
 - Maranao

The Ilanun and Tiruray who are present in Maguindanao are not included in the 1990 census. The appendix contains the other ethnolinguistic groups by population and percentage of total.

Lumads interviewed consider the Tirurays as IPs and are uncertain about the IP status of the others who are from the Muslims groups. For some there is ambivalence in regards the Sama who are also called Bajaus by some anthropologists. The Sama Dilaut, historically known for their maritime culture, have also had ethnocentric attitudes directed against them from those coming from predominant Muslim groups who do not consider them Muslim.

In order to understand the conflict in ARMM in relation to land and resources we need to place it within an ethnographic and historical context. What follows is a brief description of the cultures of each ethnolinguistic group. This will be followed by a discussion of how different ethnolinguistic groups played a role in various conflict-situations throughout the history of the ARMM. Periods covered will include the Spanish colonial period, the American colonial period, and the Commonwealth period up to the present.

SAMA (SAMA DILAUT)

The Sama Dilaut are part of the Samal-speaking population who along with the Tausug live in the Sulu Islands. They are commonly known as "Sea Gypsies" among non-Filipinos. In terms of adaptation they group themselves into the Sama Dilaut (Bajau) and the Sama Diliya. The former is marine oriented and still retain much of their indigenous religion; the latter is usually land-based and Islamic in religion. (Peralta 2000)

The Sama Dilaut dominate the islands of Tawi-Tawi and Sibutu. The earliest Sama Dilaut were boat-dwelling and spent their nomadic lives in tiny houseboats. They live in a number of flotillas or moorages with each located on a protected reef that serves as a source of edible marine life (Nimmo 1972). The moorages are usually found near land villages and the relations between the two are symbiotic in nature with the boat people trading fish for vegetables and fruits of the land dwellers.

The Sama Dilauts' primary subsistence base is fishing and this varies from reef fishing to deep-water fishing. Most also have small garden plots through land-dwelling friends who allow them to moor near their lands.

The basic social unit is the family alliance. This is composed of a number of boats that travel together with the members related to each other through either the husband or wife's line of descent. A group of family alliances is called a *dakampungan* and this constitutes a group that regularly moors together at a moorage.

Each *dakampungan* recognizes a *panlima* or headman whose chief function is arbitration. The panlima has little power because of the mobility of the scattered families which discourages the development of any strong central political authority. However, the headman who settles the majority of the disputes and collects fines handles conflict. Most conflict is over social relations, however, there is conflict over resources such as the division of fish or how much to pay for a

boat. In all Sama Dilaut social and economic relations including conflict resolution, reciprocity is the key to the relationship. (Nimmo 1972)

The Sama Dilaut have had little input from the various governments of the Philippines from the Spanish colonial period up to the 1970s. Nimmo (1972) notes that the Spanish had little influence and the American administrators found the population small enough to ignore while they attended to the problems of the land dwellers. As a result, their small population and their nomadic boat-dwelling habits have helped them preserve their traditional way of life.

Nimmo (2001) notes that many changes have occurred since the 1970s due to the military conflict in the Sulu Islands. The Sama Dilaut who lived in Tawi-Tawi during the 1960s were members of a single community with five different moorages. In the late 1990s that was not the case. The families had scattered to other areas.

In addition the advent of seaweed farming along with the continuous decline of the copra industry beginning in the latter part of the 1980s has encouraged the influx of Tausug populations. As a result, the Tausugs have dominated the political and economic life of the Sama Dilaut.

At the losing end of this big agar-agar boom are the Sama Dilaut who, after losing fishing grounds, not to mention dwelling places, have to make do with chasing after float-away agar-agar from around the plantation area. What are now the Tausug punduhans were once the Sama Dilauts' mooring places. Constantly harassed by the usually gun-wielding Tausug sea rovers, they find themselves edged out of their traditional territory... Alojamiento (2001:67)

TAUSUG

The Tausug are the predominant group in Sulu. They appear to have moved into the southwestern Philippines around the 11th century A.D. from the northwestern Mindanao area. Their subsistence is based upon the production of coconuts and hemp, agriculture, and fishing. Trade is an important occupation and as Peralta (2000) notes, their language is the trade language in the southern archipelago. The traditional political structure is the sultanate with the sultan as the head of all ranks within the sultanate. Peralta (2000) further states that the Tausug are a dominant ethnic group in the Sulu Archipelago because of their population size and their religious and political institutions.

Tausug groups were not formalized social units but fluid networks of personal ties which depended on the strength of the leader. In this they are very similar to the Maranao. It is important to note that territory was not an important element in Tausug politics. The power was over people and only secondarily over the land on which they lived. "The community was not defined in terms of its possession of a specific piece of territory (although there was some awareness of its center) but rather in terms of a common history of a single headmanship, supplemented by closer kinship ties to community residents than to outsiders." Kiefer (2001:6). This is an important point to note in terms of conflict over resources. However, the Tausug had individual property rights or ownership of property that resided in the individual and not to any group. An example of this is seen in house construction. Houses were classified as temporary or permanent and conflict would arise if a person built a permanent house on a relative's land. For the first generation the relative still controlled the land but succeeding generations of the person who built the house may lay claim to the land.

Alliance groups were formed for feuds, internal warfare, and piracy and were not permanent. The joining of different alliance groups was the only effective means of political action and these were not formed out of public interest, but only to advance ones own interests. (Kiefer 2001)

There were a number of ways that land was controlled. These included titular ownership, rights of usufruct, and the rights of tenancy. The legitimate political official in an area was usually the ultimate owner of land and this ended with the sultan. The granting of tracts of land was one means of control over subordinates. (Kiefer 2001)

The right to wage external war was an integral part of Tausug social structure. Kiefer (2001) notes that constant internal factional strife, private warfare, and conflict became a key feature of Tausug polity and continue up to the present day. The rights to wage external war rested in all levels of the political system but the size of the conflict would depend on the alliance groups temporarily joined together. Because the alliances were of a temporary nature and the right to wage war was at all levels, treaties that were signed by the warring parties and the Europeans would not satisfy the standard of perpetuity which was implied by European treaties. Except at the Sultan level, alliance groups may disintegrate over time and treaties would become null and void. Because the sultan was the ultimate ruler a treaty signed with him was more enforceable.

MAGINDANAON

The Magindanaon in the Pulangi River system distinguish between the downstream and upstream groups. In Cotabato, downstream (*ilud*) Magindanaons consider themselves to be the "true" Magindanaon because of their "purer" dialect and their historical ties to Islam and the Magindanao Sultanate. However, as McKenna (1998) notes, the interior Magindanaon have dominated indigenous cultural and political life in the valley for the past 150 years.

During the historical period of Mindanao the control of the Pulangi River system has been critical to the Magindanaons for both resources and the acquisition and maintenance of political power. The river and its tributaries have been a source of food and a principal thoroughfare for trade and communication with the outside world. Traditionally the Magindanaon were horticulturists, growing dry rice in the uplands or wetrice in the lowlands. Their special adaptation is to marshland where wet rice is produced as their main staple. (McKenna 1998, Peralta 1994)

Pre-Islamic Magindanaon social organization consisted of cognatic descent groups (*bangsa*) associated with autonomous or semiautonomous localities, or *ingeds*. A chief ruled each descent group. Like the Maranaos belonging to a descent group afforded one with rights and duties in relation to property and the exploitation of natural resources (including ceremonies and social relationships). (Saber and Madale 1975)

With the introduction of Islam an aristocracy which traced its lineage to Sharif Kabunsuan one of the earliest Muslim missionaries, and Sultan Kudarat weakened the traditional descent groups. Bilateral kindred replaced cognatic descent groups for the Muslims. Their socio-political system and hierarchical structure of social positions are complex and similar to that of the Sulu Sultanate.

The traditional system of hereditary ranked status consisted of four levels. At the top were the datu-rulers or descendants of rulers whose lineage was traced to Sharif Kabunsuan, and through him to the first ruler of Muslims the prophet Muhammed. Followers were essential to precolonial datus, and they had more means at their disposal to acquire followers and forcibly retain them. Datus owned large tracts of land that were worked by slaves who performed military and other types of labor services. The datus supported themselves and their armed followers, who were the basis of their power, with surplus wealth. Their surplus wealth also funded their trading and slave-raiding expeditions. (McKenna 1998)

The second level was occupied by the *dumatus*, non-slaves. The *dumatus* are descendants of Tabunaway, a legendary Magindanaon chieftain who welcomed Sharif Kabunsuan to Cotabato. The *tarsilas*, written genealogies, record that in recognition of the sovereignty of Sharif Kabunsuan, Tabunaway and his descendants would be afforded certain privileges. These were the non-payment of tribute to any datu, and no datu would be proclaimed a sultan without the

participation of a Tabunaway descendant. Their special status has allowed them to maintain their separate cognatic descent groups and independence.

The third level, are the *endatuan*, those who are ruled. They were residents of particular localities (*inged*s), subordinate to the datu, and were unable to demonstrate sufficient kinship links with Sharif Kabunsuan to qualify as datus. The *endatuans* were obliged to provide support in the form of scheduled payments of portions of their crops and contributions during feasts or bridewealth payments. They were also required to perform military and other types of labor services for the datu.

The fourth and lowest level, are the *ulipun* or "disenfranchised". (Scott 1982) They were debt-bondsmen whose status resulted from punishment for a legal offense, failure to pay tribute or repay a debt, or from being sold by relatives. However, their status was not ascribed or permanent as it could be inherited. The system inhibited self-redemption by debt-bondsmen because it allowed the datus to maintain a high proportion of bound followers. *Ulipun* could only be associated with one datu at a time and their ability to change datus was severely limited. (McKenna 1998)

Despite their inferior status, the *ulipun* had the right to own chattel slaves (*banyaga*). *Banyaga* slaves were acquired from Christian settlements and the more distant highlands. During the 1800s the Magindanao Buayan Sultanate slave hunters raided other ethnolinguistic groups like the Manobos of the central Cordillera or the B'laan or T'boli of the southern Tiruray Highlands. *Ulipun* who were members of a datus household were able to rise to positions of significant responsibility, but *banyagas* were despised outsiders who were not included in the system of social rank. (McKenna 1998)

The central organizing principle of this system or ranked statuses was *maratabat* or rank. Among the Magindanaon, *maratabat* connotes rank and secondarily the honor due to rank.

In precolonial Magindanaon society, the datus had political and economic predominance. According to McKenna the Magindanaon nobility extracted tribute in various forms from ordinary Muslims and their other subjects. Many aristocrats enriched themselves further by investing in trade or raiding expeditions.

There were conflicts related to feuds, wars and succession struggles. It was the personal attributes of a datu, especially his ability to command fear and deference, which remained a key factor in his political successes. Datus formed a tribute-taking aristocracy with hereditary claims to allegiance from followers. (McKenna 1998) A ruling datu was almost always associated with a specific territory, or *inged*. However, the index or relative political potency like the Tausug, was command of people rather than control of territory. Individuals held the land under cultivation in a particular domain in usufruct, but the datu had the final right of disposition. (Scott 1982)

IRANUN (ILANUN)

The Iranun are found in the province of Maguindanao and are related linguistically to the Maranao and the Magindanaon. They are Islam who have intermarried with the Magindanaon and Maranao with the percentage of intergroup marriages increasing since the middle of the century.

Prior to the introduction in Magindanao of Islam in ca. 1460 A.D. they were distributed along the waterways and coasts forming autonomous communities headed by datus. The Iranun were never incorporated into the sultanate as subjects and were politically independent. As allies of the downriver sultan they provided him with significant economic and political support. The Iranun raids were also a vital component of the economic prosperity of the Magindanao Sultanate.

They are traditionally known for their maritime adaptations, and are historically known for their sea exploits. (Peralta 2000) Large Iranun raids were directed against Spanish territories in the Philippines. The coastal towns of Luzon and the Visayas were the victims of the persistent, large-scale attacks from "Moro" sea raiders. McKenna (1998) indicates that captives were sold outside the Philippines to Brunei slave traders or to Magindanaons along the Pulangi River.

Today, the culture is similar to the Maranao of Lanao del Sur with a subsistence based on intensive wet rice cultivation, long distance marine trade and fishing. (Peralta 1994)

TIRURAY (TEDURAY)

The Tiruray are Lumads who occupy the SW Mindanao highlands and are located in the province of Maguindanao in ARMM. They have retained their own animistic religion despite their proximity to the Magindanao of the Cotabato valley who adopted Islam some 500 years ago. The myths of both groups say that they have been there since the beginning of time. (Schlegel 1998)

There are three subgroups each with variations in dialect and adaptations: riverine, coastal, and mountain. Their traditional economy was based on shifting cultivation supplemented by hunting, gathering, and fishing. Today, those who live in more accessible communities practice plow agriculture. They are historically known for their trade relationships with Magindanaon communities in the lowlands. During the pre-colonial period because the Magindanaon sultanates incorporated the Tiruray communities as client groups slave hunters did not raid them. Magindanaons valued the Tiruray forest and swidden products, which they in turn traded for Chinese goods. Swidden products like upland rice and forest products such as beeswax, rattan, and hardwoods were exchanged for cloth, salt, and iron tools. This client relationship was not equitable and at times loans were forced on Tirurays to create permanent indebtedness. Schlegel (1998) reports that Tiruray feared and disliked their Muslim neighbors' propensity to look down at them as primitive and ignorant.

MARANAO

The Maranao are located around Lake Lanao. Lake Lanao is very important to the economy of Lanao del Sur as it is the main source of fish to the towns and fishing villages that surround it. The Maranao are primarily agriculturists with dry rice cultivation in the hilly areas and intensive wet rice cultivation in the flood plains (Peralta 1994).

Until the 1930s to 1940s the shores of Lake Lanao had many *kotas* that were fortifications built of earth and rocks. There was a great deal of warfare and this obstructed the establishment of peace and order. Warriors would escape across the lake from one enemy to new *kotas*. Because of the ease of escape the area proved difficult to conquer prior to the introduction of Spanish steamships, which later controlled the lake.

The Maranao live in small communities bound together by real and mythical kinship. Bonds change based on marriage and conflicts. These conflicts mostly deal with problems from property, politics or power distribution. Once a conflict is started it is only concluded with total annihilation, reaffirmation of association through marriage, or other rituals of association. (Saber and Madale 1975)

The basic unit of Maranao society is the *agama*. "The *agama* is the immediate social setting in which the person has an identity and through which his life and activities have meaning." (Saber and Madale 1975: 35) It is the *agama* which provides the motivations for organized action, not the Purok or Barrio Council. This is extremely important in terms of understanding the origin and resolution of conflict.

The *agama* is the basic unit for understanding Maranao social groups and it focuses on descent lines. Saber and Madale (1975:79) note that the “the important thing is that ancestry, kinship and the offices in an *agama* provide the only known roles for carrying out cooperative and collective action.” The Philippine government is set up on a territorial basis whereas the Maranao are based upon the *agama*. To solve this potential disconnect, the Maranao have the Maranao Customs Committee whose role is to facilitate the traditional procedures for resolving conflicts and giving legal blessing to these extralegal procedures. For example, in dealing with land conflicts, the Maranao Customs Committee serves in the traditional role of the uncommitted middleman who processes payment, punishments, and ritual procedures.

It is important to note that there are many national programs such as those in health, schools and roads that get little attention because their basis in terms of community participation is not in the *agama* system.

SPANISH PERIOD UP TO THE PRESENT

SPANISH PERIOD

Conflicts in Tausug Area

There were intense conflicts by various Muslim groups with the Spaniards who sought to subdue the Muslim South. The Spaniards attacked the Tausug to stop them from raiding and harassing the coastal settlements and the trade in Luzon and the Visayas. The first armed conflict occurred in 1578 when the Spanish attacked Jolo and this continued on for the next 250 years. The Spaniards were not able to stop the maritime trading of the Iranuns and Tausugs who easily eluded the Spanish patrol boats to raid in the Basilan Straits, throughout SE Asia, the Visayas, and Luzon.

Conflicts in Maranao Area

In 1640, the Spaniards attempted to establish a garrison in the region of Lake Lanao. This act aroused the hatred of the Maranao who attacked the fort and eventually drove the Spaniards out. The Spaniards were not able to conquer Lake Lanao until 250 years later. (Saber and Madale 1975)

In 1891 the Spaniards again came into the Lake Lanao area with a large force of men. They were able to establish garrisons in the area and in 1894 General Ramon Blanco concluded that only a Navy established on Lake Lanao could provide effective control. The Spaniards built boats on Lake Lanao and the conquest of the Maranao was near completion when Commodore Dewey was victorious over the Spanish in the Battle of Manila Bay in 1898. The Americans then came into the area and fought the Maranao during the “Moro” campaigns. The area became a bit more peaceful up until the Japanese occupation of World War II. (Saber and Madale 1975)

Conflicts in Maguindanao Area

Early Spanish accounts from Cotabato from the mid-sixteenth century report of two rival Magindanaon Sultanates in the Cotabato valley. These adjacent sultanates had areas of influence corresponding to the dialect boundaries between those upstream and those downstream, with the seat of the Magindanaon Sultanate in the present-day Cotabato City, and that of the Buayan Sultanate upstream near what is now Datu Piang. At different points in the history of their rivalry, the other controlled each one for significant lengths of time. They were linked throughout most of their history in a single economic system based on the commercial

production of rice and the collection of forest products, and the external exchange of those commodities for prestige goods, firearms, and gold. Despite periods of political tension and warfare, trade relations were always maintained even with the occupation of the Spaniards downstream. (McKenna 1998)

In the first part of the 17th century, the China-Cotabato trade flourished and the political and economic might of the Maguindanao Sultanate reached its peak under Sultan Kudarat. By 1775, in order to control sea-lanes leading to and from Cotabato, the Spaniards reestablished their blockade at the tip of the Zamboanga Peninsula. This diminished the trade of the Magindanaon with the Chinese and the Tausug from Sulu. By 1800 the Maguindanao Sultanate began to decline economically and by 1861, it became a colonial possession of Spain. At about that time the Sulu Sultanate was expanding, as it was favorably located at the juncture of several trade routes. (McKenna 1998)

The Iranun raiders were effectively curtailed with the introduction of Spanish steam-powered gunboats. The suppression of Iranun slave raiding coincided with an increased demand for slaves in the Sulu Sultanate to meet the labor needs associated with its recent position as a powerful commercial link in the European trade with China. With slave raiding greatly diminished after 1846, Cotabato Muslims filled the gap in the supply of slaves to Sulu through increased raids on upland groups in eastern Mindanao. In their need for firearms to resist the Spaniards who were pushing upriver, along with the shortage of marketable slaves for Sulu, upstream Magindanaon datus ignored their centuries-old clientele arrangement with the Tiruray and began to raid them to acquire slaves in exchange for firearms. (Ileto 1971)

Spanish Land Policies

It was during the Spanish Period that the Regalian Doctrine was first introduced to enable the Spanish monarchs to claim all land not registered as private property to be owned by the Crown. Today, the Regalian Doctrine of the Government states that the authority of the Philippine Republic extends throughout its territory so that all lands and natural resources found in the territory are under the powers of the State. (Philippine Constitution, 1987)

During the Spanish period land grants called *encomiendas* were awarded by the Spanish Crown to its colonizers. These grants were not titled, but territorial jurisdictions presided over these lands for purposes of tribute collection. During the 16th and 17th centuries *encomiendas* ranged anywhere from 43 to 1,742 hectares. (Roth 1982) Land grabbing, high tributes, enforced draft labor and other injustices are recorded in historical texts of this period. The Filipinos who refused to pay tribute moved into the interior away from the colonizers. This eventually led to the upland-lowland dichotomy, which is present today.

The *hacienda* system gradually replaced the *encomiendas*. The Spanish friars played a dominant role acquiring these lands as grants from the Crown, purchased at very low prices from Filipinos, donations from converts, acquisition as payment for debts, and land-grabbing. Towards the end of this period Spain owned an estimated 185,000 hectares. (Gaspar 2000)

AMERICAN PERIOD

Early rule by Americans in the Muslim Philippines was characterized by paternalism punctuated by pacification operations. (McKenna 1998) In Sulu during the year 1906, more than 600 men, women, and children were killed by American forces in the battle of Bud Dajo. The historian Gowing (1983) states that the slaughter at Bud Dajo was the consequence of a local rebellion against the imposition of a head tax. The Sulu Sultanate was conquered by the Americans when they took control of Jolo City in 1899 in order to stop the slave trade and piracy. (Kiefer 2001)

Magindanaon datus also aligned themselves with the Americans who, "despite the official denial of traditional rights of rule...came to place great emphasis on the Muslim nobility as implementers

of colonial policies intended specifically for Philippine Muslims." (McKenna 1998: 101) It was during this period when datos emerged who either did not have direct ties to high nobility or were not of noble blood at all. An example of the latter is Datu Piang. These datos were able to enhance their traditional status because of the power and wealth they had obtained through collaboration with the American colonial authorities. They held positions in government as assemblyman or senator (ex., Datu Sinsuat who was appointed to the Philippine Senate) and their descendants continue to play important roles in regional politics. (McKenna 1998)

Other datos resisted the Americans. Between 1903 and 1905, Datu Piang's son-in-law, Datu Ali led the only large-scale armed resistance to American rule in Cotabato. Datu Piang later provided the intelligence that allowed the Americans to surprise and slay Datu Ali.

In another instance, Iranun insurgent Datu Santiago, resisted American rule when he rebelled against American imposition of taxes, their forcing Muslim girls to attend Christian school, and the practice by school authorities of using forced labor without compensation. (Tan 1982)

Education

It was during the American colonial period that the education of Philippine Muslims was encouraged. In the beginning of 1924, Edward Kuder spent seventeen years as superintendent of schools in Cotabato and Lanao and trained a generation of Philippine Muslim leaders. He accomplished this by recruiting honor students from various Muslim groups who were usually the sons of datu families. He encouraged the development of a self-conscious Philippine Muslim identity which crossed linguistic, geographic and cultural barriers. In 1932 Muslims students at the University of the Philippines in Manila, many of them students of Kuder, formed the Mindanao and Sulu Mohammed Students' Association. Many of his students became lawyers, civil servants and politicians such as Datu Pendatun, more commonly known as Congressman Pendatun. (McKenna 1998)

Land Policies of the U.S.

The American colonial government passed various land laws which affected the lands of both Muslims and Lumads. State policies were enacted which actively encouraged settlement in Southern Philippines. The policies had a number of incentives, including financial or material assistance. A sample of these include the Land Registration Act No. 496 of 1902 which provided that all lands be registered and Torrens title be provided, the Philippine Commission Act No. 178 of 1903 which prohibited the Moro Sultanate and the chiefs of tribes to parcel out lands without approval from the government, and the Public Land Act 926 of 1903 which led to the setting up of the homestead and resettlement areas, opening Mindanao to landless peasants and corporations planning to set up plantations. In terms of natural resources there was the Mining Law of 1905 which gave the Americans the right to acquire public land for mining purposes.

In Public Land Acts of 1913, 1919, and 1925 Mindanao and all other fertile lands that the State considered unoccupied, unreserved, or otherwise unappropriated public lands became available to homesteaders and corporations, despite the fact that indigenous peoples were in these lands. (Gaspar 2000)

As a result of land policies and laws, Mindanao including the ARMM areas was opened to Christian settlers as well as to American interests with resources to develop the potential of the area. From 1900-1920, 46 pioneer American firms were established in the Zamboanga-Sulu districts; in 1908 25 American planters pioneered agricultural development in Mindanao; and plantations owned by Americans were developed and ranged anywhere between 50 hectares to 1000 hectares. (Tan 1995) By 1930 agricultural colonies were established in Cotabato, Davao, Zamboanga, Agusan and Lanao. (Tan 1995)

Land ownership through legal instruments became the underlying concept of land distribution. Laws enacted during this period tended to favor the Christian settlers. Muslims and Lumads, who were either ignorant of the laws or could not use the legal processes because of cost or cultural constraints, were gradually deprived of the areas that they regarded as ancestral lands. Because of their powerlessness against the colonial process, the Lumads withdrew into the uplands or into inaccessible areas of their homelands.

COMMONWEALTH PERIOD TO THE PRESENT

Large-scale migration of Christian settlers from Luzon and Visayas was further assisted by the Philippine government with the establishment of the Philippine Commonwealth in 1935. The Commonwealth administration was interested in economically developing Mindanao, and for providing an outlet for the impoverished farmers in the north. In 1935 the Quirino-Recto Colonization Act brought more Christian settlers to Mindanao. Other acts were promulgated by the Government of the Philippines which opened Mindanao to more settlers. Before 1934 government agencies like the Rice and Corn Production Administration, Land Settlement Development Corporation, and the National Resettlement Development Corporation pursued land resettlement projects that brought in 9,800 families to Mindanao.

Until 1956 another 18,616 families were resettled. In 1963 the Land Authority replaced NARRA and by 1971, 2,499 families were settled in Mindanao. In 1971 President Ferdinand Marcos abolished the Land Authority and created what is now the Department of Agrarian Reform (DAR). DAR was created to handle the growing problems of land conflict not only in Mindanao, but also in other parts of the country. (Tan 1995: 8)

The demographic shift throughout Muslim Mindanao in the postwar years drastically reversed the population ratios. The following table from Tan (1995) illustrates this:

Mindanao Population Profile, 1918-1980

Sector	1918	%	1970	%	1980	%
Christians	159,132	22%	6,119,026	75.12%	7,131,351	65%
Muslims (Moros)	358,968	49%	1,583,043	19.43%	2,504,232	23%
Lumads (non-Muslim ethnic groups)	205,555	29%	1,269,660	5.45%	1,269,660	12%
Total	723,625	100%	8,146,652	100%	10,905,243	100%

The influx of settlers from Visayas and Luzon to Mindanao deprived many of the Lumads and the rural Muslims in Mindanao rights to their land. The land policies set the stage for the subsequent eruption of major conflicts related to land in the South as most rural Muslims and Lumads were further marginalized. The Bureau of Lands awarded land rights based on priority of claims filed, not priority of occupation. It was not unusual for individuals to obtain legal titles to land already occupied by Muslim and Lumad groups. If the occupants refused to move and the title owner was sufficiently wealthy or influential, he or she would gain forceful possession of the land, sometimes by armed conflict often supplied by local units of the Philippine Constabulary. (McKenna 1998)

The perception of indigenous peoples and Muslims was that they were not only being alienated from their traditional homeland, but also subtly coerced to embrace the Christian faith, which was the only way to neutralize the adverse social processes against their interests. Thus the economic threats to their well being had been augmented by the prospect of even losing their own identity and

destiny. This was the consciousness that emerged in postwar period and contributed to the subsequent crystallization of non-Christian, especially Muslim, resistance and struggle into the secessionist movement. (Tan 1995: 9)

While the scale of Christian migration to Mindanao caused dislocations for both the Muslims and the Lumads, there were also disparities between the Christian settlers and the Muslim farmers. The Government services available to Muslims were meager compared to immigrant Christians. The Muslims and Lumads were unfamiliar with the procedures or deterred by the years of uncertainty, the steep processing fees, and the requirement to pay taxes. Many neither applied for the new lands opened up by road construction nor filed for the land they currently occupied. (Thomas 1971, McKenna 1998)

Lumads like the Tiruray lost their forests to homesteaders and Muslim farmers. "Teduray people in deforested places were issued titles to their land, but their unsophisticated grasp of the unfamiliar concept eventually resulted in the loss of almost every Teduray-owned farm to homesteaders." (Schlegel 1998: 8) As a result of resettlement, Lumads receded into the forested areas where logging operations further deprived them of their land.

By 1970, this differential access had produced an economic gap between Muslim, Lumads and Christian communities throughout Mindanao and the ARMM area.

Education

Education also weighed into the conflict occurring in Mindanao. Two education projects in the 1950s produced what McKenna terms a distinct "Muslim counterelite" by the late 1960s. The first project was designed by the government to "integrate" Philippine Muslims into national life by providing a number of them with postsecondary education in Manila. The second was the availability of external funding for Philippine Muslims to pursue Islamic education in the Middle East. The graduates of these two scholarship programs constituted a new differentially educated Muslim elite. This new elite included alliances with Muslim commercial elite who were formerly smugglers. (McKenna 1998)

In 1957 Congress established the Commission on National Integration (CNI), which provided scholarships not only to the children of datos, but also gave opportunities for considerable numbers of non-elite Muslims to attend universities. The CNI graduates, mostly from non-elite backgrounds, gradually constituted themselves as a new professional elite in their home communities. The shared experiences of more than 8000 Muslim CNI scholars in Manila between 1958 and 1967 profoundly affected Muslim politics after 1968.

In 1968 an event called the Jabidah Massacre united the Muslim students in Manila. Senator Benigno Aquino in a report to the Senate indicated that Christian Philippine Army officers had shot dead at least 14 Muslim recruits on Corregidor, Manila Bay. Throughout the year Muslims demonstrated against the Jabidah killings. One of the effects was to transform Nur Misuari, a Tausug from Sulu and the son of a poor family, from a campus activist into a Muslim separatist. Misuari led separatist intellectuals who rejected their ascribed identities as Muslim-Filipinos and proclaimed themselves as "Moros." (McKenna 1998: 143)

The second education program was a scholarship program funded by Egypt. Between 1955 and 1978 more than 200 scholarships were given to Philippine Muslims with a majority studying at al-Azhar University in Cairo. Like the Philippine scholarship program, a number of students were from datu families, but many others were not. Al-Azhar graduates returned to the Philippines to become religious teachers in their home provinces and some became involved in the separatist movement. One of the most politically inclined of the Cairo students was Hashim Salamat, a Magindanaon from Cotabato who associated with Nur Misuari and later formed the Moro Islamic Liberation Front (MILF). (McKenna 1998)

Muslims Independent Movement

In May of 1968, the Muslim Independence Movement (MIM) was established by Datu Udtug Matalam, a retired governor of Cotabato. MIM had as its goal the secession of Muslims from the Republic of the Philippines in order to establish an Islamic State. It became a vehicle for the convergence of different Muslims interests. Early in 1969, Nur Misuari made the acquaintance of Datu Udtug, along with Saplipada Pendatun of Cotabato and Rashid Lucman of Lanao, who was closely acquainted with Tun Mustapha, the chief minister of the Sabah. The Jabidah Protests, which received significant support from opposition Muslim politicians, solidified Misuari's relationships with these men. In 1969 Lucman and his fellow Maranao from Lanao, Magindanaons, and Tausug began military training in Malaysia. Nur Misuari was among the group. The MIM articulated Muslim separatism at an opportune time and galvanized a new no-datu and anti-establishment group into political action. At the same time it offered established Muslim politicians a novel weapon for opposing an unusually aggressive national political system. (McKenna 1998)

Violence During the 1970s

During the 1970s violent incidents occurred which were overwhelmingly sectarian in nature. They consisted of attacks by armed Christian or Muslim gangs on (often unarmed) members of the opposite ethnoreligious group. Most commonly, Christian gangs assaulted Muslim farmers and burnt their houses, and Muslim gangs retaliated in kind against Christian farmers. The ethnoreligious conflict never occurred on a provincial scale and was confined to specific localities or municipalities. However, the scale of destruction was catastrophic.

Examples of violence in the uplands center on stories of resistance by ordinary Christian settlers or Lumads to landgrabbing activities by oppressive and influential Muslim and Christians who reportedly titled occupied land of poor Tirurays, Christian, and Muslim farmers. There were also the *ILAGA* or "rats" who consisted of armed bands of Christian Ilonggos who terrorized Muslims. Their most shocking act was the massacre of 65 men, women, and children in a mosque (McKenna 1998: 151). There was also the Battle of Buldun in the Iranun highlands. Here, fighting broke out between Muslims and Christian loggers.

After some Christian loggers were killed in retaliation for the shooting death of a local Muslim official, Buldun was fortified by local Muslims in expectation of a counter-attack. A detachment of the Philippine Constabulary advancing on the town was fired upon and its commanding officer killed. The impression spread that those behind the barricades in Buldun were well armed and well organized and thus members of the "Blackshirts", the rumored military arm of the MIM. The Philippine Army arrived in battalion strength and Buldun was bombarded by artillery for four days, after which an ultimatum to surrender was issued to the townspeople. (McKenna 1998: 153)

In order to defend themselves from the *Ilaga* and the Philippine military, young Muslims joined the rebellion. McKenna (1998) further indicates that in Cotabato, the Philippine Constabulary never assaulted a Christian armed camp the way they did in Buldun. Citing the *Ilaga* massacre as an example he also notes the slow response of the Philippine Constabulary in defending Muslim civilians.

This kind of violence in the 1970s and the inequality caused by the influx of settlers led to a perception of a government-endorsed anti-Muslim policy by the Marcos government. The perceived anti-Muslim strategy of the government also spurred the formation of the Moro National Liberation Front (MNLF) by Nur Misuari. The imposition of Martial Law in 1972 by Marcos led to an armed Muslim insurgency against the Philippine government and resulted in violence and disruption in Muslim Mindanao. By the end of 1972, the developing Muslim insurgency banded

under the MNLF. By 1977, the government estimated that about 1 million displaced civilians in the south and about two hundred thousand refugees fled to Sabah.

From 1968 up to the present the Bangsamoro or "Moro nation", as the Muslims now call themselves had intensified their secessionist movement. This led to a compromise agreement based on autonomy and an agreement on a cease-fire. The peace settlement is known as the Tripoli Agreement of 1976 and was signed by the Deputy Minister of National Defense Carmelo Barbero for the Philippines, Chairman Nur Misuari for the MNLF, Dr. Ali Abdulsalam Treki of Libya, and Dr. Amadou Karim Gaye, Secretary General of the Organization of Islamic Conference (OIC).

However, hostilities continue in the ARMM area and other areas of Mindanao with the MILF and the Abu Sayyaf. The formation of the MILF was the result of political schism between Hashim Salamat and Nur Misuari, the chairman and vice-chairman respectively of the MNLF. Quimpo (1999) characterizes the MNLF as basically nationalist and secularist in orientation, with the MILF as first and foremost Islamic, and only secondarily nationalist. In 1997 the government and the MILF signed an agreement for a general cessation of hostilities, but armed clashes have continued. The MILF has established its control or influence in various Muslim and Lumad populated areas of Mindanao.

The Abu Sayyaf is an Islamic extremist group who resort to kidnapping, bombings, and other terrorist acts in its *jihad* (holy war) for an independent Islamic state in Mindanao. (Quimpo 1999)

ARMM Today

Garilao and Lalunio (2002) report that the people in ARMM today are more impoverished than they were 6 years ago. Compared to the rest of Mindanao, the ARMM has the highest incidence of poor families and malnutrition, the highest maternal and child mortality rate, and the lowest percentage of simple literacy. It has a very low percentage of people with sustained access to quality education (primary and secondary), and has the highest percentage of the population without access to basic services such as safe water, toilet facilities, and housing.

Poverty in ARMM is 58.3% of the total poverty in the region. "Its incidence in the region is increasing, reaching 68.8% in 2000 where more than 60% of the children younger than seven and up to 16 years old live in poor households." (Garilao and Lalunio 2002: 13)

"Government moves to address banditry and criminality in the ARMM ...along with the GRP-US joint military exercises ...could destabilize the current status quo, leading to the resumption of armed hostilities." (Garilao and Lalunio 2002: 22) Garilao and Lalunio (2002) believe that the current restraints being exercised by the government, the MILF and certain factions of the MNLF have resulted in a predictable although tense environment that can allow the unfinished business of the Peace Agreements to proceed.

Effects of the Conflict on Lumads

Lumads and poor Muslim communities damaged from the armed conflict are where most of the recruits for ideological or criminal groups are likely to come. The following examples illustrate why.

Lumads (and marginalized Muslim groups like the Sama) were caught in the battles between the Muslim forces and the government. While records mention bombardment of Muslim rebel camps in the uplands, little mention is made of the Lumad communities who were caught in the crossfire. At the National UGAT Conference held in Samal Island on April 2002 a Lumad speaker reported that before the conflict they had been co-existing quite peacefully with Muslims and Christian settlers. They could not understand the ensuing anti-Muslim policy of the government. He further reported memories of moving constantly to evade the armed conflict between the Muslims and

the Philippine government. With increasing impoverishment among the Lumads he sadly narrated how before members of the community would talk about their harvests, but now they talk about what guns to purchase for their self-defense.

There are unresolved conflicts in land use and ownership rights as a result of conflicting interpretations and/or application of laws pertaining to land ownership and use of natural resources within indigenous peoples domains (ex., mining laws, NIPAS). Legislation for indigenous peoples called the Indigenous Peoples' Rights Act (IPRA) became law on October 29, 1997. Provisions of the National Integrated Protected Area System (NIPAS) empower the Department of Environment and Natural Resources (DENR) to prescribe rules and regulations to govern ancestral lands within the protected areas, whereas the IPRA provides for direct governance by the IPs. The Mining Code, RA 7942 of 1995, opens mineral rich areas in Lumad occupied areas to both national and international corporations for exploration and mining.

Lumads in the ARMM and in the Mindanao area continue to face harassment and illegal eviction accompanied by raids and massacres. In addition, violence has erupted outside of ARMM in the implementation of the IPRA law as IPs become more empowered and enabled in pursuing their rights under the law. The following are examples of such violence. Manobo leaders while surveying their lands in preparation for their application for ancestral domain title were killed by armed groups in Bukidnon NW Mindanao; the same group burned their village to the ground. A Mineral Production Sharing Agreement has been approved within the Certificate of Ancestral Domain Claim of the Subanen in NW Mindanao. Protests have been elevated to the United Nations. In Sultan Kudarat of Central Mindanao, more than 50 Lumads have been killed in the last 10 years in Industrial Forest Management Agreement (IFMA) areas. (OPAIPA 2001)

The existing peace and order situation in the ARMM and the marginalization of the Lumads and their historical relationships with both Muslims and Christian settlers provide potential sources of conflict in their own pursuance of their ancestral domains and lands under the IPRA law.

SUMMARY AND CONCLUSION

The history of Mindanao and the ARMM is a story of conflicts resulting from inequitable access to and control of natural resources. The basis of the conflict in the area can be traced to a combination of the following factors which have fueled the conflict in ARMM during different time periods: diminished resources in terms of land and other resources occurring in the region over time; inequitable ownership and access to land and natural resources for ethnolinguistic groups indigenous to ARMM (i.e., the Lumads and the poorer Muslim population) in favor for the Christians; decades of neglect by the national government; relative weakness in governance; the armed conflict between the government and the rebellion; high level of distrust in communities exposed to conflict; and the resulting poverty. Institutions have been fragmented over time by any or a combination of ethnic, class, ideology, policy, and religious differences.

Based on historical accounts, the conflicts that occurred with other ethnolinguistic groups in the area and later with Spain were due to economic and political needs, and not necessarily religious in character. Conflict between the datos and the Spaniards, and between the Muslims and other indigenous groups like the Manobos, T'boli, and later the Tiruray were because of the need for the slave trade by the datos and the maintenance of their economic and political independence.

The Muslim societies of Mindanao were hierarchical with an aristocracy composed of datos who had bitter feuds and fought battles with each other. Their social organization was based upon alliances between family groups all the way up to datos. These alliances were not permanent but based on the needs of the individual/group. The political situation was very fluid.

The social system allowed the exploitation of other ethnolinguistic groups such as the Tiruray by the Magindanaons and the Sama by the Tausug. Throughout the history of Mindanao up to the present, the most marginalized ethnolinguistic groups in the ARMM area are the Lumads, the Sama, and the poor Muslims. No Lumad group has been able to attain the centralized sociopolitical system accomplished by the Moro people. This has made them more vulnerable to external intrusion. As a result of such intrusions, their ancestral lands have been greatly diminished and they have been the most exploited vis a vis their relationships with both the Christian settlers and the more dominant Muslim groups.

Throughout the Spanish, American and present Philippine government periods there have been government policies and laws which deprived the Lumads and rural Muslims in ARMM of their lands. In a review of the literature, there is a clear realization that the Spanish, Americans and the present Philippine government did and presently do not recognize the indigenous peoples/Lumad and rural Muslims concepts of land use and associated rights. In addition, the concept of alliances as a basis of organization of a people was also foreign to the Spanish, American, and Philippine governments. Traditional elements of resource management including the resolution of or avoidance of conflict may still be present among the Lumads and Muslims in ARMM.

The result of the above is that there is the perception that Christians have been favored in terms of policies and services. There is also the fact that basic services provided by the Government have not reached the indigenous people, Lumads, and the rural and poor Muslims.

All of the above when considered together, have contributed to the armed conflict and poverty in the ARMM and other regions of Mindanao. Development agencies are going to have to take into serious consideration the cultural situation of the diverse ethnolinguistic groups in the ARMM with due consideration for the marginalized sectors transcending ethnic and religious boundaries.

APPENDIX

TOTAL POPULATION OF ETHNOLINGUISTIC GROUPS IN ARMM*

TAWI-TAWI

(Figures are estimates based on a 10% sample)

Ethnolinguistic group	Total Population	%
Sama (Samal)	118,572	52
Tausug	75,510	33
Pullon-Mapun	15,423	7
Tagalog	2,080	.91
Cebuano	2,015	.88
Other local dialects	1,741	.78
Other dialects	2,354	1.03
Not stated	10,036	4.4
Total	227,731	100

Sulu

(Figures are estimates based on a 10% sample)

Ethnolinguistic group	Total Population	%
Tausug	413,139	88.1
Sama (Samal)	44,305	9.4
Cebuano	1,720	.4
Badjao	819	.2
Other dialects	2,937	.6
Not stated	5,936	1.3
Total	468,856	100

Maguindanao

(Figures are estimates based on a 10% sample)

Ethnolinguistic group	Total Population	%
Maguindanao	469,216	62
Cebuano	58,600	7.7
Hiligaynon	41,988	5.6
Tagalog	38,823	5.1
Maranao	13,855	1.8
Ilocano	8,807	1.2
Chavacano	3,161	.42
Manobo	2,256	.3
Other local dialects	114,660	15.1
Other dialects	4,375	.6
Not stated	1,137	.2
Total	756,878	100

* Source: Socio-Economic and Demographic Characteristics, 1990 Census on Housing and Population. National Statistics Office, Manila.

LANAO DEL SUR

(Figures are estimates based on a 10% sample)

Ethnolinguistic group	Total Population	%
Maranao	553,054	92.3
Cebuano	17,577	2.9
Hiligaynon	11,057	1.9
Ilocano	4,420	.74
Maguindanao	3,495	.58
Tagalog	2,584	.43
Other Dialects	2,424	.4
Not stated	4,189	.7
Total	598,800	100

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