

Informal Conflict Management in Exclusivist Political Orders: Some Observations on Central Mindanao

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In the past decade, a range of international and national NGOs have pointed to the need to complement national-level negotiations with a support for alternative, informal institutions of conflict management in order to reach a sustainable peace in the conflict-affected regions of Central and Western Mindanao. This argument is based on emerging insights into the multi-layered conflict ecology in the region and the fact that classic statist diplomacy can only deal with this complexity to a limited extent. Based on an analysis of existing conflict management practices in the region, we would like to challenge some of the basic premises underlying this 'alternative' and informal approach. Our core argument is that in the case of Mindanao, assuming a rigid distinction between formal and informal actors and practices of conflict mediation is flawed and may actually be counterproductive, as it obscures how informal practices dominate purportedly formal mediation procedures. Moreover, it tends to underestimate how the local executive embodying state power plays a key role in allegedly 'informal' conflict management mechanisms.

Keywords: Conflict Management; Informality; Mindanao; Peace Studies; the Philippines

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In den letzten Jahren hat eine Reihe von internationalen und nationalen NROs darauf hingewiesen, dass Verhandlungen auf nationalstaatlicher Ebene durch alternative, informelle Institutionen des Konfliktmanagements unterstützt werden müssen, um nachhaltigen Frieden in den Konfliktregionen von Zentral- und West-Mindanao zu erreichen. Dieses Argument basiert auf jüngsten Einsichten über die Vielschichtigkeit der Konfliktdimensionen in der Region und dem Faktum, dass klassische nationalstaatliche Diplomatie im Umgang mit dieser Komplexität begrenzt ist. Basierend auf einer Analyse von bestehenden Praktiken des Konfliktmanagements in der Region möchten wir einige der grundlegenden Prämissen, die diesem „alternativen“ und informellen Ansatz zu Grunde liegen, in Frage stellen. Unser zentrales Argument ist, dass die Annahme einer rigiden Trennung zwischen formellen und informellen AkteurInnen und Praktiken der Konfliktmediation im Fall von Mindanao mangelhaft und möglicherweise sogar kontraproduktiv ist, weil sie verschleiert, wie informelle Praktiken vorgeblich formelle Mediationsprozesse dominieren. Zudem unterschätzt eine solche Trennung, wie die lokale Exekutive als Verkörperung von Staatsmacht eine Schlüsselrolle darin spielt, welche scheinbar „informellen“ Mechanismen des Konfliktmanagements geltend gemacht werden.

Schlagworte: Friedensforschung; Informalität; Konfliktmanagement; Mindanao; Philippinen

INTRODUCTION

The southern Philippine island of Mindanao faces one of the longest-running violent conflicts in the world. Starting in the late 1960s with clashes between Christian and Muslim armed militias, already by the early 1970s the conflict had escalated into a full-scale war between the Moro National Liberation Front (MNLF, the main representative of the minority Muslim population at the time) and the Philippine army (Dañguiland & Gloria, 2000; McKenna, 1998, pp. 138–156). In later stages of the conflict, new rebel movements emerged, with the Moro Islamic Liberation Front (MILF) in particular proving to be a serious contender to the traditional MNLF hegemony. Although the MNLF and the MILF are no longer officially at war with the Philippine state at the time of writing, sporadic outbursts of violence between the Armed Forces of the Philippines (AFP) and these rebel groups still occur on a regular basis. Furthermore, a counterinsurgency campaign is ongoing against the Abu Sayyaf Group (ASG), a small but highly mediatized terrorist group that rose to prominence after the 9/11 terrorist attacks. In addition, as recently as 2008, the Bangsamoro Islamic Freedom Fighters (BIFF) were established as a radicalized breakaway faction from the MILF, disenchanted with the ongoing negotiations between the MILF and the Government of the Republic of the Philippines (GRP).

This decades-long history of violence and confrontation coincided with protracted rounds of peace negotiations. Already in 1976, the Philippine state and the MNLF reached a ceasefire agreement, the so-called Tripoli agreement (Özderem, 2012). However, it was only following a plebiscite in 1989 that the Autonomous Region for Muslim Mindanao (ARMM) was created, albeit as a much smaller geographic entity than originally envisioned in the 1976 agreement. In 1996, a final peace agreement was signed between the MNLF and the GRP (Bertrand, 2000). This peace agreement provided for the disarmament and reintegration of MNLF fighters, although it did not manage to prevent further confrontations between MNLF factions and the AFP.¹ Meanwhile, soon after the 1996 agreement with the MNLF, preliminary talks started with the MILF (International Crisis Group, 2008). Despite some major setbacks (Williams, 2010), often followed by a period of open warfare, talks between the GRP and the MILF have now reached an advanced stage with the signing of the Framework Agreement on the Bangsamoro (FAB) and four annexes, as recently as January 2014. While important challenges remain with regards to the further fine-tuning and implementation of this agreement, it has nonetheless enabled a rapprochement and a stabilization of relations between the MILF and the Philippine state.²

1 One recent example is the audacious attack by 200 MNLF fighters on the city of Zamboanga on 8 September 2013. These events should be understood against the background of the current talks between the GRP and the MILF, whereby some MNLF leaders feel anxious about their potential political sidelining in the future Bangsamoro autonomous region. This was in particular the case for a group of MNLF members around former ARMM Governor Nur Misuari who mainly originate from the island of Sulu. It needs to be stressed that other important MNLF leaders have condemned the attack and that there was no direct support among MNLF communities in mainland Mindanao (“Sema’s MNLF faction”, 2013).

2 The last big hurdle that remains is to write up a Bangsamoro Basic Law (BBL) wherein the promulgations made within the FAB and the four annexes will be integrated and the institutional structure of the future Bangsamoro will be further refined. Considering the positive atmosphere that has surrounded the recent consultations between the MILF and the GRP, it is generally expected that this BBL will be finished

Notwithstanding the notable progress made in these negotiations, important questions remain with regards to their impact on the everyday security situation in Mindanao, where a broad variety of local conflicts continue to proliferate. This observation is related to critical insights that have emerged in recent years about the highly complex, multi-layered conflict ecology in the region (Adam, 2013; Lara & Champain, 2009). By tackling only one aspect of this conflict ecology, namely the 'master narrative' of Muslim struggles for autonomy, national-level statist diplomacy is inevitably limited in scope. For these reasons, a range of NGOs and international organizations are now pointing towards the need to complement these national-level negotiations with alternative conflict management practices that rely disproportionately on non-state, informal institutions of conflict management (Centre for Humanitarian Dialogue, 2011; Human Development Network, 2005; The Asia Foundation [TAF], 2011). These informal institutions are said to be not only socially legitimized, but also better equipped to deal with localized violent disputes. Based on an analysis of existing conflict management practices in Mindanao,³ however, we would like to challenge some of the basic premises underlying this 'alternative' approach. Our core argument is that in the case of Mindanao, assuming a rigid distinction between formal and informal actors and practices of conflict mediation is not only unhelpful, but may even be counterproductive, as it obscures how informal practices dominate purportedly formal mediation procedures and, perhaps more fundamentally, how the local executive embodying state power plays a key role in allegedly 'informal' conflict management mechanisms.

In the following section, we will provide some critical observations regarding the complex conflict ecology in Western and Central Mindanao, and how a growing acceptance of this complexity is feeding into support for alternative, informal conflict management mechanisms. The third section will investigate the alleged shortcomings of 'formal' conflict mediation mechanisms. It will be argued that these 'formal' mechanisms in effect exhibit a high degree of informality, in the form of amicable settlement practices and a high degree of personal influence on the part of local executives. The fourth section will turn to a brief evaluation of three dispute settlement mechanisms that explicitly aim to transcend formal state structures by including non-state actors. It will be suggested that the local executive plays a key role in these allegedly 'informal' or hybrid mechanisms, both as a vital source of coercive power and legitimacy.

by early 2015 at the latest. The biggest difficulty will lie in the ratification by the Philippine Congress without invoking too many fundamental amendments that would weaken the BBL. In case of successful ratification, it is expected that before the ending of the Aquino administration in 2016, a new Bangsamoro will be installed which will incorporate the current ARMM.

3 For this article, we draw on an analysis of a diverse range of conflict management interventions in Western and Central Mindanao, with a specific focus on the province of North Cotabato. These different interventions, ranging from big international programs such as one supported by The Asia Foundation to localized initiatives operating on a limited geographical scale, have been researched over the past year throughout different fieldwork periods in the region. The methodology consists of a combination of in-depth interviews with different stakeholders, participant observation, and analysis of written documents (e.g., policy reports, evaluations, pamphlets).

COMPLEX CONFLICT ECOLOGIES AND THE RISE OF THE INFORMAL

In recent years, there has been growing awareness that armed confrontations between the AFP and Muslim armed groups over the specific interpretations and modalities of autonomy constitute only a minor portion of the actual violence (Lara & Champain, 2009, pp. 8–9; Torres, 2007). Instead, the majority of violent conflict in the region should be understood as part and parcel of struggles for control over the local political economy. Significant in this regard is the high incidence of what has been described as ‘warlord politics’, an ultimately coercive and oftentimes-violent form of electoral competition, often built around kinship networks. While this observation is by no means unique in the Philippine setting (Sidel, 1999), it is exceptional that this coercive form of political-electoral contestation interacts in highly complex ways “with a second form of political violence not encountered in other regions of the Philippines – that of the armed struggle for independence” (Kreuzer, 2005, p. 4). This results in a highly complex conflict ecology, as violent struggles play out between different kin-based groups, can obtain both an inter- and intra-religious framing, and result in an intricate web of small-scale, yet often protracted, violent disputes that do not necessarily follow the national framing of the conflict (Adam, 2013). Furthermore, rather than a neat dichotomy between the ‘local’ and ‘the national’, different scales of violence and oftentimes-coercive authority interact in highly complex ways wherein MNLF or MILF commanders deploy their capacity for violence in localized struggles over resources and political office. Ultimately, the causes of violence in the region are more diverse and complex than merely conflicting opinions on the legal status of an autonomous Muslim entity. As such, and without wanting to question its relevance, national-level diplomacy has clear limitations, as it targets only one particular aspect of this complex conflict ecology.

Based on this observation, a range of researchers, NGOs, and international organizations have pointed to the need to complement these national-level negotiations with a support for alternative, in particular non-state or informal, institutions of conflict management in order to reach true, sustainable peace in the region.⁴ This argument is underpinned by two broad rationales. First, unlike ‘statist’, formal, and distant national-level negotiations, informal institutions are considered to have strong social embeddedness and legitimacy. For instance, in a paper on civil society in Mindanao based on a case study in Pikit, North Cotabato, Neumann (2010) argues that local, civil-society based organizations and institutions are more effective and flexible in handling conflict and violence when compared to the many (failed) national, top-down efforts to implement peace in the region. The Institute for Autonomy and Governance at Notre Dame University in Cotabato City makes a similar point when it considers community-based conflict resolution and inter-faith dialogue as a fundamental part in building a ‘cultural basis’ for socially-embedded peace (Bacani & Mercado, 2009; Mendoza, 2010). In the 2005 Philippine Human Development Re-

4 Conflict management is understood as a range of different approaches and programs focused on containing violence during the actual conflict. This distinguishes conflict management from other activities such as conflict prevention or post-conflict reconciliation (World Bank, 2006). The strategies and institutions of conflict management we elaborate on in this article are in particular focused on a quick settlement of small-scale violent disputes.

port (Human Development Network, 2005), it is stated that “peace talks by themselves are unlikely to prosper” (p. 45) as these are only conducted by a selective group of “designated specialists” (p. 35). Therefore, it is important that these are supported by a broad popular constituency, consisting of a diversity of pro-peace civil society organizations that can monitor the peace process. A second rationale, which is stated in the same report, claims that these civil society organizations are better placed to deal with everyday violence and tensions at the micro-level of society. For this reason, national-level talks on the ‘secessionist question’ should be complemented with support for informal strategies and actors of conflict management, focused on everyday violence rooted in struggles over the local political economy. For instance, the Swiss-based Centre for Humanitarian Dialogue (2011) makes a plea to actively support so-called “indigenous conflict resolution mechanisms” (p. 54) as these are better suited than formal local government units to settle disputes at the micro-level of society. This rationale also became apparent when studying the so-called hybrid coalition approach of conflict management deployed by The Asia Foundation in different conflict-affected places in Mindanao. The Asia Foundation is an American NGO and one of the most important players in the NGO landscape in Central and Western Mindanao where they have a widespread conflict management program through 13 partner organizations. When studying the basic rationale behind this program, some interesting issues can be noted. First of all, this approach is conceived of as a hybrid approach because it seeks to combine formal and informal actors and institutions of conflict management (TAF, 2011, p. 2). In everyday programs, however, the informal sphere is particularly emphasized as a resource from which very efficient mechanisms for conflict management can be derived. In general, it is argued that informal institutions and actors of conflict management have a stronger social embeddedness and legitimacy and are therefore more effective in settling and resolving local violent conflicts. This argument is also related with the assumption that formal institutions are ineffective in dealing with local disputes. Formal state institutions, apart from being subject to mismanagement and large-scale corruption, may be too slow and weak and therefore ineffective in conflict-affected regions in Mindanao (TAF, 2011, p. 25). This is then contrasted with the very flexible character of the informal institutions and actors, which do not require endless hearings, review processes, or the submission of different documents to formal courts.

Importantly, these arguments resonate with a broader, global tendency to down-scale strategies of conflict management and peace building and to include non-state actors and informal institutions within these strategies (Anderson, Olson, & Doughty, 2003; Lederach, 1997). This view is also shared by prominent international organizations including the UN Secretary General (2001), the World Bank (2006), and USAID (2001). The underlying arguments for this trend can be categorized into three broad streams. A first line stresses the restricted reach of conflict management initiatives within the formal state as they engage only elites through power-sharing initiatives. The best-known proponent of this argument is Jean Paul Lederach (1997) who criticizes “traditional statist diplomacy” (p. xvi) and proposes a more holistic approach that puts human relations at the center of analysis (see in particular Chapter 5 and 6). A second line of explanations stresses the limited capacity of the formal state to deliver sustainable resolutions to disputes in conflict-affected regions. Therefore, as

an alternative to – or in collaboration with– this weak state, alternative and non-state conflict management institutions should be supported. For instance, a study by Ken Menkhaus (2008) describes how in a northern Kenyan context characterized by weak state performance and chronic, low-intensity violence, an informal alliance sprang up, led by a women’s market group which was instrumental in settling disputes. In the longer term, this informal alliance merged with the formal state resulting in a “civic-government partnership” (p. 26). According to Menkhaus, despite some shortcomings, the emergence of these sorts of partnerships has resulted in “impressive gains in public security and conflict management” (p. 33). A third line of arguments states that informal institutions of conflict management are more socially embedded and therefore more flexible and easier to apply compared to formal, state-led mechanisms which are considered to be more static and artificial. For this reason, it is more cost-efficient for international organizations to support informal dispute settlement mechanisms instead of investing in costly and time-consuming formal institutions. For instance, in the case of Somalia, Menkhaus (2006/2007) highlights organic sources of local governance in conflict management and dispute settlement and contrasts this with inorganic and top-down formal state building processes that are highly artificial, top-down, time-consuming, and ultimately bound to fail.

‘FORMAL’ CONFLICT MANAGEMENT AND THE UBIQUITY OF AMICABLE SETTLEMENT

Before problematizing the formal-informal dichotomy, it is important to note that the formal justice system in Mindanao is indeed curtailed by a range of factors, which limit access to formal adjudication for ordinary citizens. First of all, engaging the formal judiciary is expensive. Secondly, judicial procedures are notoriously slow, and judges often fall prey to intimidation or political pressure. Thirdly, accessibility for ordinary citizens, particularly those in the countryside, is hampered by mobility constraints. Due to these problems of inaccessibility, exclusivity, and illegitimacy of the formal justice system, in particular for the rural marginalized population (Franco, 2008, p. 1860), citizens in rural areas have long reverted to local, traditional methods to process disputes. While there is a great degree of variation in ‘traditional’ settlement practices, they are broadly known as ‘amicable settlements’. Despite this significant degree of variation, some general observations can be made with regard to the process of amicable settlement (Latip, 2012; Libre, 2012). It typically involves mediation by a third party that commands an authoritative position in the community. Regarding settlement and punishment, some case studies mentioned dramatic solutions such as lashing or even the death penalty (Montillo-Burton, Matuan, Posingan, & Alovera, 2007), but the more common practice is a compensation payment by the offender. Where people have been killed in a dispute, this will typically be in the form of blood money, the actual amount of which depends on a variety of factors and is subject to negotiation. In some instances, however, the mediator unilaterally dictates the amount that needs to be paid. Traditional authorities, particularly the Council of Elders, are often imbued with a central role in amicable dispute settlement. They are referred to as a highly authoritative body rooted in the traditional clan system. Given their authoritative position, the scope of their interventions can

and often does transcend small conflicts, as elders also deal with major issues like rape or murder. However, defining traditional authority and traditional conflict settlement is difficult, all the more because traditional conflict management has become increasingly entangled with formal state institutions. The historical tradition of amicable settlement inspired former President Marcos to create the Katarungan Pambarangay or Barangay Justice through Presidential Decree 1508 (PD1508) in 1978 (Republic of the Philippines, 1978).⁵ After the end of martial law, Barangay Justice was enshrined in the Local Government Code. Formally, mediation in Barangay Justice takes place under the administrative supervision of the Lupon, a body composed of 10 to 20 residents appointed by and presided over by the village chairman. Any conflict within its jurisdiction should pass through the Katarungan Pambarangay; the village chairman will refer a dispute to the formal judiciary only where it is incapable or not mandated to intervene. Any settlement reached is also binding upon the conflicting parties. PD1508 was meant to recognize and as such reinforce the process of amicable settlement, which could represent a flexible, culturally sensitive, and discrete alternative for the slow and congested formal judiciary. Simultaneously, PD1508 was clearly geared at integrating amicable settlement within formal state institutions, and the village chairman came to occupy a pivotal position at the expense of other (traditional) political elites (Golub, 2003; Siliman, 1985). This did not mean that traditional-religious authority was completely sidelined. Instead, there is a kind of symbiosis – often defined in terms of ‘mutual respect’ – between traditional authorities and formal state authorities. The common practice is for the village chairman to ask the influential clans – or at least those supporting his/her administration – to endorse one or more representatives to the Lupon.

Before moving on to discuss more ‘informal’ mechanisms of conflict management, it is worthwhile to briefly consider another body first created by the Marcos regime (through Executive Order 727) and later reorganized by democratically elected governments: the Peace and Order Councils (Republic of the Philippines, 1981). These councils are organized at different levels of government, including the municipal and village level (in villages, it is called the Peace and Order *Committee*). They are composed of the counterparts of government agencies operating at the respective government level, and they are chaired by the chief executive (mayor or village chairman). Significantly, there is also a mandatory representation of civil society. In theory, the Municipal Peace and Order Committee addresses issues of security that concern the entire village or more. The legal mandate of the Peace and Order Councils/Committee (in its latest form, i.e., Executive Order 773) is heavily informed by counterinsurgency concerns, in particular against the communist New People’s Army (NPA). For instance, it literally states that it can impose sanctions against local chief executives supporting NPA rebels and even attempts to

monitor the provision of livelihood and infrastructure development programs and projects in the remote rural and indigenous population areas adopted to isolate them from the Communist rebels’ “Agitate/Arouse, Organize and Mobilize” and ideological, political and organization works. (Republic of the Philippines, 2009)

5 Barangay is the lowest administrative unit in the Philippines.

This preoccupation with counter-insurgency might hamper its work in terms of dispute settlement, since many of the conflicts involve people with (in)direct ties to a rebel movement. Furthermore, several respondents indicated that the effectiveness of the Peace and Order Councils/Committees depended on the willingness of the local executive to dispense vital resources. For example, in several instances respondents suggested that the local executive was using state resources to compensate victims of a local feud (so-called 'blood money') in an effort to appease the situation. Perhaps more importantly, the local executive commands what several respondents referred to as 'policing power'. This is in line with a more general, albeit crucial observation, namely that local executives in the Philippines command – partly as a result of American colonialism – a high degree of control over the local means of violence (Hedman & Sidel, 2000; Hutchcroft, 2000; Sidel, 1999). While these typically include private political armies, this control extends into the realms of the state-sanctioned means of violence, with local executives exerting a high degree of control over (barangay) police and even (para)military units operating within their jurisdiction. Furthermore, it has already been indicated earlier that several local executives cultivate ties with one of the rebel groups.

To summarize, supposedly informal amicable settlement procedures have long been 'colonized' by the formal sphere (read: the state). Meanwhile, existing formal procedures exhibit a high degree of 'informality': not only are they geared towards the amicable settlement of disputes through third-party intervention, there is also a high degree of personal influence on the part of a local executive that commands vital financial and coercive resources. This observation is particularly problematic in those localities marked by a high degree of political factionalism and even political feuding.

THE FORMAL IN THE INFORMAL: THE ROLE OF THE STATE IN ALTERNATIVE CONFLICT MANAGEMENT EFFORTS

Crucially, this tendency toward executive dominance is not limited to the formal sphere, but is also apparent in purportedly 'informal' mechanisms of conflict management. Some local government units have created structures to provide more room for informal (traditional) dispute settlement, e.g., the mayor's council in Upi, a municipality in the province of Maguindanao. This council is composed of two Muslim representatives, two indigenous representatives, and two Christian representatives (Husin, 2010). It was created per municipal ordinance by the mayor of Upi and was meant to strengthen formal mediation through the recognition and incorporation of traditional, more culturally sensitive mechanisms of conflict mediation. As the name suggests, the local executive in the person of the mayor retains a high degree of discretion over the mayor's council, and will be firmly in charge of the settlement process and the selection of council members.

Another example is that of NATULARAN MU,⁶ a local dispute settlement alliance composed of six conflict-affected barangays that was established in 2006 with support from Integral Development Services Philippines and the German Techni-

⁶ NATULARAN MU is an acronym which stands for the villages in Midsayap: Nabalawag, Tugal, Lower Glad, Rangeban, Nes, and Mudseng. All these villages are represented in this dispute settlement body.

cal Cooperation (HIPEC, 2011, pp. 94–95). This mechanism convenes the barangay captains in the volatile municipality of Midsayap, North Cotabato, and was meant to collaborate with various other stakeholders, including NGOs. Like the mayor's council in Upi, the municipal mayor also supported NATULARAN MU by recognizing it through municipal resolutions and the creation of a monitoring team. It should also be noted that this alliance was set up by Tubog Pulalan, a village chairman that had emerged as the local 'strongman' following years of violent competition between different political and electoral alliances, all of which cultivated ties with the Muslim rebel movements active in the area. 'Kumander' Tubog himself was also a known rebel commander who had first served in the MNLF before joining the MILF. Therefore, he already wielded significant coercive power before extending his grip over village politics. When he, his wife, and some of his close allies started to dominate barangay politics in the area, this coercive capacity was gradually absorbed and legitimated by the state, as Tubog started appointing several of his men as barangay police (also known as 'civilian volunteers'). Instead of perceiving this coercive capacity as a problem, some of the people engaged in NATULARAN MU emphasized that Tubog's consolidation of power was precisely the reason why he became president of the alliance. Soon after its establishment in early 2006, however, Tubog was killed on 19 April 2006, allegedly by one of his many rivals in Midsayap (Unson, 2006). Nonetheless, the case of NATULARAN MU and its leader, Tubog, is a potent illustration of the role of the local executive in conflict management, and how this is intimately related to their coercive capacity.

A final illustration of this mutual involvement of conflict management institutions and state politics comes from the barangay of Nabalawag, North Cotabato. Here, a youth organization – United Youth for Peace and Development (UNYPAD) with close ties to the MILF – played an important role in the settlement of a long-running violent feud among different families that revolved around land disputes that had escalated as part of a broader power struggle between two village chairmen. These chairmen acted simultaneously as commanders in the area. Killings and land grabbing by both sides had led to an overall climate of insecurity and distrust. UNYPAD members, with the assistance of The Asia Foundation, set up a Quick Response Team (QRT), which cleared the ground for negotiations between the two parties by approaching the family elders and commanders to hear their demands. Subsequently, the QRT met with the village chairman in order to establish a strategy for further negotiations between the parties and different stakeholders. By involving village officials, the municipal mayor, the MILF, and the Philippine military in the mediation process, the warring parties were eventually pushed towards an agreement (UNYPAD, 2007). When analyzing this intervention, two factors emerged as particularly important in explaining its success. First, several members of the UNYPAD QRT were members of or had connections to the village council, which tremendously reinforced their credibility and authority as mediators. This is closely related to a second observation, namely that the recognition and approval of the QRT's work by the municipal local government unit, the state security sector, and the MILF imbued the mediators not only with policing power, but also with vital credibility and legitimacy. On the downside, however, QRT members admitted that this support came at

a price, with its mediation work depending on the approval and support of existing elite networks and, to a lesser extent, also NGOs.

CONCLUSION

The entrance point of this article was the observation that in response to an increased understanding about the complex and multidimensional nature of violent conflict in Mindanao, a growing number of scholars and development practitioners have pinned their hopes on informal conflict management mechanisms that explicitly seek to include non-state actors and institutions in the mediation and settlement of conflicts. Through an analysis of existing formal and informal conflict management practices, we have attempted to illustrate how such a rigid distinction between formal and informal institutions is misleading. On the one hand, what is usually described as formal has significant informal traits. On the other hand, purportedly informal actors and institutions have intricate ties with the formal sphere and derive much of their authority, legitimacy, and policing power from the state as embodied by the local executive.

These observations about the dominant role of the local executive in conflict mediation are in line with the broader literature on state-society relations in the Philippines. There, it has been argued that control over (local) state institutions represents a vital source of coercive power, with the local executive retaining a high degree of control over state-sanctioned means of violence (Kreuzer, 2009; Sidel, 1999). Furthermore, access to the realms of the state also represents an important source of legitimacy, strengthening or even replacing more traditional sources of public authority (Abinales, 2000; Wong, 2006). Mindanao is no exception in this regard, as can be gauged from the fact that electoral competition has been claimed as one of the main causes of violent conflict in the region (Torres, 2007). While often thought of as a region marked by a weak state presence, it is more useful to understand this region as a highly exclusivist political order wherein dominant coalitions of elite players purposefully limit access to political authority and coercive resources (Kreuzer, 2009). While these coalitions are typically a hybrid of formal and informal authority, elected officials in control of state institutions have gradually emerged as kingmakers in this highly exclusivist political order, although they still have to negotiate with other authoritative actors. One of the key arenas of governance where these local elites manifest themselves and assert their authority is precisely in daily practices of conflict management.



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