

Democracy Aid and Post-Conflict Institution Building in the Bangsamoro

Research on the Impact of the European Union on the
Philippines, implemented by the Konrad Adenauer Stiftung
Philippines

Coline Cardeno
`coline.cardeno@outlook.com`

November 26, 2021

Acknowledgments

1. Konrad Adenauer Stiftung Philippines
2. Key informant interviewees: Bangsamoro Transition Authority, the European Union, implementing partners, civil society organizations, academic and think-tanks experts on law, governance, Islamic studies, peacebuilding, and elections
 - ▶ Insights informed the analytical themes of the paper, and inspired its recommendations
3. Discussant: Mr. Vincent Casil, BTA's Policy Research and Legal Services

Presentation Outline

1. The Case for Democracy and EU's Peacebuilding Approach
2. Measuring Democracy: V-DEM, Methods, Data, Limitations
3. Presentation and Discussion of Data
 - ▶ Humble victories: Successes of Democracy Aid in the BARMM
4. Gaps and Challenges of Democracy-Building in the BARMM
 - ▶ Building on the gains of minority rights and civil society inclusion
 - ▶ Attaining clean and fair elections
 - ▶ Building genuine political parties
 - ▶ Rebel to ruler transformations/rebel to party aspirations
5. Opportunities for democracy-building in the BARMM
 - ▶ Moral governance, indigenous, and Islamic conceptions of democracy
 - ▶ Transition related challenges and opportunities
 - ▶ Opportunities for continuing dialogues, capacity building, and democratic innovation

Motivation

- ▶ How and in what ways have democracy aid impacted the institution-building project in the Bangsamoro?



The Case for Democracy and EU's Peacebuilding Approach

1. Democratic peace theory
 - ▶ Democracies do not fight wars against each other
 - ▶ Democracies are also less prone to civil wars
 - ▶ Democracies are better at absorbing and channeling discontent through institutional means and accountability mechanisms
 - ▶ But transitions are risky, semi-democracies in transition are four times more likely to experience unrest (V-Dem Institute)
2. Strong democratic institutions are necessary conditions for durable peace
3. EU's democracy aid were coursed through int'l and civil society organizations
 - ▶ strengthen capacity of local institutions and civil society
 - ▶ promote inclusion of women, youth, and indigenous peoples
 - ▶ encourage clean and fair elections (incl. political party-building)

Method, Dataset, and Limitations

1. Primary data and secondary data

- ▶ Final reports of projects under the EU's Instrument for Stability (IfS) and Instrument contributing to Stability and Peace (IcSP)
- ▶ Legislative documents passed at the Bangsamoro Parliament (June 2019 to Aug 2021)
- ▶ Key informant interviews
 - ▶ 5 Members of Parliament
 - ▶ 1 representative from the European Union
 - ▶ 3 representatives from implementing partners
 - ▶ 4 representatives from civil society
 - ▶ 5 experts in law, governance, elections, Islamic studies, and peacebuilding from academe and research institutions

Measuring Democracy: Introducing the Varieties of Democracy Index (V-DEM)

1. "Largest global dataset on democracy (Alizada et al., 2021)"
 - ▶ Measures coincide with the EU's conceptualization of democracy and peacebuilding
 - ▶ Rigorous and impartial public administration
 - ▶ Freedom of discussion for men and women, CSO entry and exit, election free and fair
 - ▶ Social equality in respect for civil liberties, power distributed by gender
 - ▶ CSO consultation, CSO participatory environment
 - ▶ Respect counterarguments, range of consultation, and engaged society

Presentation and Discussion of Data

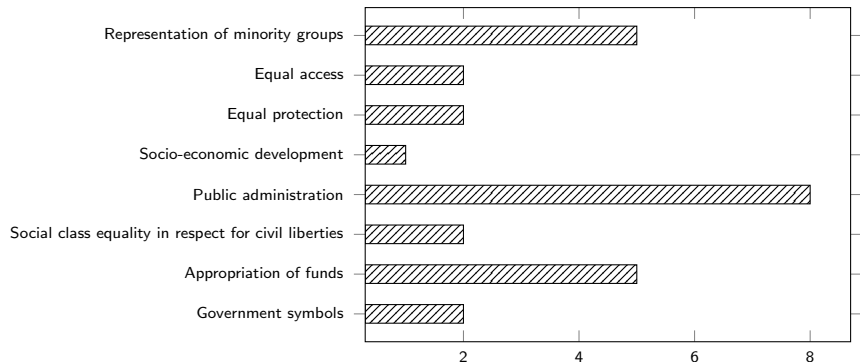


Figure: Typology of approved bills in the Bangsamoro Parliament

Humble Victories: Successes of Democracy Aid in the Bangsamoro

1. Legislation on strengthening institutions, appropriating funds, and operationalizing the interim government
 - ▶ Bangsamoro Autonomous Act 13 or the Administrative Code
 - ▶ BAA17 or the Civil Service Code
 - ▶ Adherence to Moral Governance and Commitment to democracy (Article 170), special examinations to IPs (Article 16) and mujahideen/mujahidat (Article 305)
2. Strengthening representation of marginalized groups
 - ▶ BAA 8 / Bangsamoro Women's Commission
 - ▶ BAA 10 / Bangsamoro Youth Commission
 - ▶ Proposed BAA 69 / Women's Caucus

Humble Victories cont'd

1. Social equality in respect for civil liberties
 - ▶ Bangsamoro Autonomous Act 4 or the Bangsamoro Human Rights Commission
 - ▶ BAA 19 / Protection of the Welfare of Overseas Bangsamoro Workers
2. (Rigorous and impartial) public administration
 - ▶ Proposed BAA 5/ Regional Commission on Muslim Affairs
 - ▶ Proposed BAA 11 / Bangsamoro Social Commission
 - ▶ Proposed BAA 71 / Support to welfare of orphans

Humble Victories cont'd

1. Civil society inclusion and engagement
 - ▶ Impact on the overall climate of inclusion and engagement
 - ▶ Enhanced civil society's capacity and legitimacy in their respective communities
2. Recognition of minority rights
 - ▶ "Yung maliit na boses ng katutubo, na-amplify, na-triple, na doble (Personal communication, Member of Parliament, 4 Sept 2021)"
 - ▶ Indigenous groups are in the initial phase of forming political parties
3. Free and fair elections
 - ▶ Spaces are open to discuss important provisions in the Electoral Code: seat allocation process, districting, among others

Gaps and Challenges in Democracy-Building in the Bangsamoro

1. Building on the gains in civil society inclusion and engagement of society
 - ▶ Enduring mechanisms and synergies to monitor the meaningful consolidation of civil society agenda in policies
 - ▶ Inclusion of groups with more divergent views, those who are not politically allied with the government (i.e. inclusivity clauses in proposed bills)
2. Building on the gains of recognizing minority rights
 - ▶ The Indigenous Peoples' Code is still pending in the Parliament
 - ▶ On-going displacements due to harassment and land conflicts
 - ▶ Concepts of democracy are foreign to IPs
 - ▶ Opportunity to harness IP processes and maximize indigenous knowledge

Gaps and Challenges cont'd

1. Attaining clean and fair elections
 - ▶ Indispensable democratic index for durable peace
 - ▶ Being drafted at the Cabinet Committee on the Electoral Code
2. What have been the challenges?
 - ▶ Insurmountable technical challenges
 - ▶ The code hopes to address deeply embedded electoral malpractices: political violence and dynastic rule, among others

What have been the challenges? cont'd

1. Building genuine political parties amid elite capture
 - ▶ An electoral system which shall [...] encourage the formation of genuinely principle political parties (Article IV, Section 4 of the BOL)
2. What have been the challenges?
 - ▶ Small and sectoral parties' difficulty getting recognized amidst parties established by well-known clans
 - ▶ An electoral code that is friendly to small, emerging parties
 - ▶ Party development, augmenting memberships, and funds for campaign purposes

What have been the challenges? cont'd

1. Rebel-ruler transformations and rebel-party aspirations
 - ▶ From revolutionary to more civilian, participatory type of governance
2. What are the opportunities?
 - ▶ Rebelocracy - informal structures and committees - providing services to communities
 - ▶ "War-time origins of post-war democratization (Huang, 2012)"
 - ▶ Rebel groups are likely to democratize when reliance on civilian support is high
 - ▶ Unique opportunity to support rebel-ruler transformation by capitalizing civilians' participation in politics and the legitimacy-seeking behavior of armed groups, by supporting rebel-party aspirations

More opportunities for democracy building in the BARMM

1. Moral governance, indigenous, and Islamic conceptions of democracy
 - ▶ Democracy is a western import, alienating effects to local realities
 - ▶ Individual rights vs. communal rights / Sovereignty is with the people vs. sovereignty is also with God
2. What are the opportunities?
 - ▶ Unique opportunity to compare, cross-reference, explore and adopt a multi-perspective understanding of democracy
 - ▶ Islamic governance' similar concepts: transparency, equity, political representation, public consultation, and consensus
 - ▶ Hinge on moral governance and compatible Islamic values such as ikhlaas (high sense of sincerity), itqaan (perfection), ihsaan (excellence), and tafaa-ul (optimism)

Transition-related challenges and opportunities

1. High expectations of tangible peace dividends
 - ▶ Compounding issues of the pandemic, poverty, insecurity
 - ▶ Economic-development first, democracy-building will follow thereafter
 - ▶ Moving away beyond dole-outs; aggressively pursuit of structural reforms
2. What have are the opportunities?
 - ▶ Wisdom from the literature on sequencing economic transition
 - ▶ Interconnected paths : intermediate phase + inclusive policies
 - ▶ Intermediate phase - goal is avoid relapse to war - deliver peace dividends to those who are most affected by war
 - ▶ Second path cannot be disentangled with the first - promote inclusive policies

Opportunities for continuing dialogues, capacity building, and democratic innovations

1. Continuing dialogues, foras, orientations, CSO advocacies on democracy
2. Methodological innovations
 - ▶ Not one-off, hand-holding method
 - ▶ One-on-one opportunity for guidance and sharing of best practices

Interim Conclusions

1. Post-conflict institution building is a long and daunting process
 - ▶ Compounding risks of post-conflict societies: insecurity, under-development, poverty
2. Strong institutions and electoral reforms are indispensable to democracy-building
 - ▶ Aware of the destabilizing effects of elections
 - ▶ War-time origins of post-conflict democratization
 - ▶ Evidence-based policies and interventions, with a deep appreciation of local realities
 - ▶ Common denominator: support strong and effective institutions

- ▶ Sincere hope that in three years (2025), we can all meet again (in person!!!) and celebrate more successes of democracy aid in the Bangsamoro
- ▶ Shukran! Magsukul! Daghang salamat! Maraming salamat! Thank you! Vielen Dank!