



The ARMM Roundtable Series brings together academics and leaders in the Autonomous Region in Muslim Mindanao to a discussion and analysis of critical issues in the autonomous region. This paper builds on the output of the discussions. Views expressed in this paper do not necessarily reflect those of Notre Dame University and the Konrad Adenauer-Stiftung.

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CORRUPTION, CONFLICT AND CULTURE

INTRODUCTION

In the Transparency International study for 2003, the Philippines is cited as the 11th most corrupt nation among 133 countries. While corruption is pervasive in the whole country, there is the prevailing perception that corruption is more systemic and entrenched in the Autonomous Region in Muslim Mindanao (ARMM). This perception, true or not, has influenced the fiscal and revenue policies of the national government on the autonomous region as well as the disposition of development aid to the ARMM by foreign and domestic aid organizations. This perception reached its peak during the administration of former ARMM Governor and MNLF Chairman Nur Misuari who was depicted in the media as having squandered millions coming from the national government and foreign aid institutions. Ironically, despite all the hype about the corruption in the administration of former Governor Misuari, the only case that the national government could file against him was rebellion.

This widespread perception of unbridled corruption in the autonomous region has definitely stunted the development of the ARMM as an institution. For one, international aid organizations use mechanisms outside the ARMM to manage and implement development projects in the autonomous region on account of this perception that the regional government cannot be trusted to implement graft-free projects. In some instances, the ARMM is unfairly blamed for the inefficiency and corruption of these outside organizations.

This perception has also brought about the most stringent auditing rules for the autonomous region that has significantly diluted its fiscal autonomy. Under Sec. 2, Art. IX of R.A. 9054 or the Organic Law for the ARMM, the utilization of the share of the autonomous region in the internal revenue taxes and block grants or subsidies from the national government shall be subject to semi-annual and annual budget by the Commission on Audit and the rules and regulations of the Department of Budget and Management. In addition, failure of any accountable officer to furnish the COA documents on transactions in the ARMM will empower the President or even just the Secretary of Finance to reduce, cancel or suspend the release of funds for the autonomous region. It is significant to note that these are requirements imposed only on the autonomous region and not on ordinary local government units. This engenders the view that local government units in other regions enjoy more fiscal autonomy than the ARMM.

The perception that corruption is more widespread in the autonomous region relative to other regions in the country is fueled by stereotypes, biases and prejudices. Thus, despite the fact that corruption is embedded in all levels of the Philippine society, corruption in the ARMM is highlighted because it is looked at from a lens colored by religious and cultural prejudices.

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The roundtable session on “Corruption, Culture and Conflict” explored the dynamics of culture and conflict in evolving a more transparent and accountable ARMM. The session was held on November 17, 2003, at the College of Law, Notre Dame University. Resource persons during the discussions were Atty. Alfredo Reyes, Assistant Director of the Commission on Audit-ARMM and Albert Alejo, SJ of the Ateneo de Davao University.

The Center for Autonomy and Governance is grateful to the Konrad-Adenauer-Stiftung for funding the conduct of this roundtable session.

ISSUES OF CORRUPTION IN THE ARMM

It has been observed by the Commission on Audit that while shortages and unaccounted public funds are the main concerns in the lower levels of the ARMM government and in the local government units, the most pressing concern in the ARMM is the pervasive disallowances of cash advances. In a large number of cases, normal procedure in the procurement process is disregarded. While disbursements are disallowed, there is a great difficulty in serving disallowance notices to public officials due to the following:

- The perceived sphere of influence of public officials that intimidate government auditors;
- The presence of armed bodyguards of public officials that can be intimidating;
- Close intimacy between government auditors and public officials through years of personal and professional relationships;

Another accountability concern in the ARMM is widespread nepotism that both breeds and covers-up corrupt practices. The datu system pervasive in the Moro culture is two-edged. The true datu system based on lineage is strong in the datu taking responsibility for the welfare of his followers. There is accountability in the true datu system while in the pseudo-datu system of late, the sense of responsibility of the datu is lost and the title is used for personal gain at the expense of the collectivity. A participant opined that the dualism of “datu-elected public officer” has in a way corrupted the datu system since the divisive and expensive elections the “datu-public officer” had to go through alienated him from the true essence of datuism which is service and accountability to the collectivity.

Another issue on corruption in the ARMM is the drift of the Bangsamoro culture toward greater alienation from the national politic that an increasing number of Moros are losing the sense of ownership of government which they regard as colonial. Considering government as a force of occupation, they do not feel responsible for the government and therefore do not feel accountable in the use of its resources.

The issue of grinding poverty in the ARMM also breeds corruption in

government. The economy of the ARMM is public sector-driven with positions and jobs in the regional government regarded as the main sources of sustenance and livelihood. This cultivates nepotism and corrupt practices to maximize personal gain out of the public office.

CORRUPTION, CULTURE AND CONFLICT

Corruption is embedded in culture and in order to effectively curb corruption in government, there is a need to broaden and deepen the way we look at this national malaise. Albert Alejo, S.J. traces the roots of corruption from childhood that may begin in petty cheating and evolves into more profound forms taking place in most unlikely places including schools. In looking at the issue of corruption, we should engage in the continuous process of experience-analysis-reflection-action.

According to Fr. Alejo, values transformation and prosecution must go together to effectively fight corruption. Prosecution alone cannot adequately curb corruption with the Ombudsman's very low 6% rate of conviction. The key is to tap the cultural resources of the Filipino People and cultivate the most crucial value of keeping one's word that will in effect put high premium on the public oath taken by public officials. The trainings being conducted by Fr. Alejo's group are less of finger-pointing but more on looking at the participant's role in cultivating rather than inhibiting the culture of corruption.

During the discussions, the participants explored the relationship between conflict and corruption. One view is that the armed conflict in Southern Philippines has a way of cultivating corruption since the instruments of violence in war become tools in perpetuating corrupt practices with impunity in peace. The climate of fear among auditors and prosecutors are real and in many instances, they are faced with narrow choices- accept bribes in exchange for their silence and acquiescence or face harm. The participants, however, are quick to add that the use of violence and arms to commit and cover-up corrupt practices is not peculiar to the autonomous region. However, armed conflicts leave a trail of loose firearms that can be readily used to perpetuate and cover-up corrupt practices.

Another view is that corruption breeds conflict and hurts the poor most. Where the courts are supposed to resolve conflicts in a peaceful way, pay-offs in the judicial system by those who can afford do not conclude but rather exacerbate disputes.

A participant looked at the relationship between corruption and the peace process and concludes that the issue of corruption must be included in the GRP-MILF peace talks. Another opined that when a policy of co-optation and accommodation dominates the peace process, this cultivates rather than addresses the problem of corruption. There is a need for the peace process to put personal and group interests aside and focus the process in addressing crucial concerns such as corruption as one of the root causes of the conflict.

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GOING BACK TO OUR CORE VALUES AND BELIEFS

In curbing corruption, the key is to revisit our core values as Filipinos, Bangsamoro, Christians, and Muslims. Islam, for instance is a religion of peace and justice. It does not tolerate but rather calls for the punishment of those who commit

injustice against their fellow human beings. Christianity is likewise strong on justice and accountability. In the autonomous region, one of the keys to address the problem of corruption is to strengthen Islam in all levels of the Moro society. There is also a need to learn from and be exposed to more developed Islamic countries where the faithful practice of the Islamic faith has significantly reduced incidence of corrupt practices.

ARMM AS A CATALYST FOR CLEAN GOVERNMENT

The ARMM is not lacking in laws and structures to evolve a more transparent and accountable government. In the area of values transformation, the Organic Law provides for educational policies that shall perpetuate Filipino and Islamic values. (Sec. 6, Art. III). It is also mandated to develop the total spiritual, intellectual, social, cultural, scientific and physical aspects of the people of the autonomous region to make them God-fearing, productive, patriotic citizens and conscious of their Filipino and Islamic values and cultural heritage (Sec. 2a, Art. XIV). Islamic values in the curriculum of the regional educational subsystems shall be done over a period of six (6) years from the approval of the Organic Act (Sec. 2.o.5, Art. XIV).

While laws and structures to curb corruption may be in place, the battle cannot be won unless the leadership of the ARMM and its local executives commit themselves to a cleaner and more accountable regional bureaucracy.

There are current efforts in the structural level to address the problem of corruption in the ARMM. One significant development is the memorandum of agreement entered into between the autonomous government and the Office of the Ombudsman that names the Office of the Attorney-General of the ARMM as the Resident Ombudsman for the autonomous region. The establishment of the Regional Infrastructure Monitoring Group is also a welcome move, as it will ensure the timely and cost-efficient completion of infrastructure projects in the ARMM. The implementation of the Electronic Procurement Law in the ARMM will reduce red tape and corrupt practices in the procurement of equipment and services by the regional government. The computerization of elections in the ARMM will definitely reduce incidence of cheating in local and national elections in the autonomous region.

There are also anti-corruption projects being implemented by non-governmental organizations in the ARMM. The Asia Foundation and the Growth for Equity in Mindanao (GEM) have organized trainings and fora to promote accountability and transparency in the autonomous region.

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POLICY RECOMMENDATIONS

The roundtable participants recommend the following to address the problem of corruption in the autonomous region:

- Measures must be undertaken to strengthen the teaching of Filipino and Islamic values in schools in the autonomous region. A law may be passed to integrate the teaching of these values in the madaris system.
- The autonomous government must evolve a system of government that

reduces red tape. The movement is towards less government in the inhabitants of the region that in effect minimizes the exercise of discretion by public officials.

- The Regional government must exercise its authority and be a model on local government units in the judicious and transparent disposition of public funds.
- The Regional Legislative Assembly must pass laws to institutionalize and promote accountability and transparency in the autonomous region.
- Strengthen the office of the Resident Ombudsman for the ARMM, providing it with more lawyers and raise its capability to investigate and prosecute corruption cases in the ARMM;
- Institute a system of modeling in the ARMM where exemplary public officers and employees are recognized for honesty and dedication to public service. Conversely, the investigation, prosecution and conviction for corruption of “big fishes” in the ARMM must be given priority by the regional government as symbolic of the commitment and resolve of the regional government to curb corruption.
- Promote and strengthen the Islamic faith in the autonomous region as the foundation of a clean, honest and accountable government.
- Conduct values transformation seminars such as those organized by the group of Albert Alejo, S.J. to officials and employees of the autonomous region including its local government units.

CONCLUSION

The battle against corruption must be waged in a way that is wholistic and multi-level. The reorientation of values must begin from childhood. In the autonomous region, its leaders must tap the vast wealth of cultural and religious values of the Bangsamoro to evolve a transparent and accountable government. While prosecution of corrupt government officials and employees must be relentlessly pursued, the battle is won only when we are able to inculcate in the hearts and minds of the people especially our children the value of honesty, integrity, responsibility and accountability. The key is to evolve a system of education that will promote these values.

The challenge for the ARMM is to demonstrate to the world that autonomy provides a window of opportunity to resist and not perpetuate national cultural patterns like corruption that are inimical to the interests of the Bangsamoro. It must demonstrate its capacity to look into the recesses of the Islamic faith and values and conduct its affairs in accordance with its teachings. For when corruption becomes a way of life in the autonomous region, the struggle for equality, justice and self-determination - the heart and soul of autonomy in Southern Philippines - will inevitably be a lost cause for the Bangsamoro People.

In the autonomous region, its leaders must tap the vast wealth of cultural and religious values of the Bangsamoro to evolve a transparent and accountable government.

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ROUNDTABLE SERIES SCHEDULE

- **“ARMM and the GRP-MILF Peace Process”**, October 6, 2003, 8:00-12:00 noon, NDU College of Law, Cotabato City
- **“Democratization in the ARMM”**, October 29, 2003, 1:30-5:00 P.M., NDU College of Law, Cotabato City
- **“Evolving an Effective ARMM Bureaucracy”**, November 13, 2003, 1:30-5:00 P.M., NDU College of Law, Cotabato City
- **“Corruption, Culture and Conflict”**, November 18, 2003, 1:30-5:00 P.M. NDU College of Law, Cotabato City.
- **“ARMM Development Framework: Issues and Concerns”**, November 27, 2003, 1:30-5:00 PM, NDU College of Law, Cotabato City.
- **“Federalism vs. Autonomy: Roadmaps to Peace”**, December 10, 2003, 1:30-5:00 P.M., NDU College of Law, Cotabato City