

## Article

# Identity-Based Conflicts and the Politics of Identity in Eastern Mindanao<sup>1</sup>

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In recent years, property rights concerning ancestral lands have been reinforced by legislation that enabled indigenous peoples (IPs) to lay claim over large tracts of land and negotiate the terms for their use. Secure property rights have long been argued as a crucial ingredient in economic growth and enduring peace. Yet, the conflict has continued to rise in the same areas where IP groups were placed in the driver's seat and where new investments, development inputs, and royalty payments for the use of IPs' ancestral lands have been secured. How is it then that a fragile peace continues to dominate in these areas despite the passage of a law recognizing ancestral land rights? The reasons cited for the impasse point to the institutional flaws and the weak capacity of actors to implement the Indigenous Peoples' Rights Act (IPRA) uniformly and equitably. The challenge is also magnified by the enduring armed conflict in the countryside, particularly in ancestral lands, and the history of violence between rival IP groups. Drawing on an analysis of "extreme cases," descriptive statistics, and other qualitative evidence, this paper shows that identity-based conflicts are inextricably linked to resource-related political violence and rebellion. It, therefore, argues that these factors explain the recurring violence more than

the institutional weaknesses in the law. Overall, it concludes that the grant of ancestral rights is not a universal instrument that can end violent conflicts occurring in ancestral domain areas—especially those conflicts that are tied up to communal identities, embedded in grand narratives of resistance to the state.

**Keywords:**

identity, Mindanao, resource-based conflict, ancestral domain, Indigenous Peoples' Rights Act (IPRA), free, prior and informed consent (FPIC)

## Introduction

Recent years have seen an increase in violent fights over land between indigenous peoples (IPs) and mining, agribusiness, and other firms on one hand, and violent rivalries between or among groups of IPs on the other hand. The contested control and management of ancestral domain areas placed under the stewardship of IPs through Republic Act No. 8371, or the Indigenous Peoples' Rights Act (IPRA), is cited as the cause of violence, especially in the southern and eastern regions of Mindanao. However, flashpoints have also occurred in different parts of the country.

Following the 1987 Constitution's provision mandating the creation of a law that recognizes the rights of indigenous cultural communities to their ancestral domain, the IPRA law was ratified in 1997. IPRA provided IPs recognition and a set of rights, including self-governance and protection from discrimination. It is implemented by the National Council on Indigenous Peoples (NCIP) composed of IP representatives to signify the direct participation of IPs in the management of their resources. Its most powerful component is the requirement for foreign or domestic businesses and investors in agribusiness, energy, and mining to secure the "free, prior, and informed consent" (FPIC) of the indigenous groups that have been granted Certificates of Ancestral Domain Titles (CADTs) before they can utilize, transact, manage, and physically intervene in the development and exploitation of these areas.

The FPIC follows similar institutional measures undertaken in other countries to strengthen the claims of IP groups and upland

communities to the control and use of vast land areas rich in natural resources that they occupy and use for their basic needs. Apart from national laws, such as the IPRA in the Philippines, the normative framework of FPIC rests upon a series of international legal instruments, including the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the International Labor Organization Convention 169 (ILO 169), and the Convention on Biological Diversity (CBD).<sup>2</sup>

However, there have been many setbacks in the internalization, adaptation, and application of the international conventions underlying the FPIC law (Buxton 2012; Simbulan 2016; MacInnes, Colchester, and Whitmore 2017; Doyle 2020).<sup>3</sup> One of the stronger arguments stresses the disconnect between the concepts of indigenous sovereignty and state-centric rules of eminent domain. It decries how the element of participation in lawmaking as an aspect of indigenous sovereignty does not challenge the state-centric nature of the international legal regime. The NCIP itself and the various courts of law are forced to play by the rules—honoring the state sovereignty doctrine as the foundational precept and rendering the IPRA subservient to state laws (Bayot 2016; Anghie 2005; Wiessner 2008).

Moreover, the strengthening of IP rights over their ancestral lands helped to facilitate the entry of agribusiness firms and energy and mining investments in many ancestral lands covered by the new CADTs granted by the NCIP. These companies discovered that all they needed to exploit these resources was to get an FPIC from indigenous leaders willing to partner with them. They secured the required consent through royalty payments to local leaders who could get the support of their communities through a share in the payments or through coercion.<sup>4</sup>

Indeed, the FPIC clause seemed to merely perpetuate unequal power structures that have beleaguered the IPs since colonial times. The growing acceptance of FPIC has not improved or changed the IPs' disadvantaged position despite successfully advancing their cause to a certain degree. As apparent in the Philippine context, the IPs are patronized as groups that should be protected because they comprise a minority in the government's constituency. If they are welcomed into the state domain of international lawmaking, there is a potential for this relationship to be transformed into one of partnership rather than protection. However, if the IPs are genuinely involved in this

“participatory and empowering” development process, then it is puzzling that violence still exists or recurs in the same areas where ancestral land rights have been secured.

Therefore, this paper asks: Why has the recognition of the IPs’ right to their ancestral lands failed to lessen conflicts in these areas? This is a relevant question in the face of expectations and promises made by legislated measures aiming to protect and enhance the conditions and rights of the IPs and their communities. As proposed in the studies cited earlier, the nature and processes of the IPRA are keys to understanding why violence happens in the same areas where ancestral land rights have been strengthened and where investments have been made.

Drawing from a mixed-method and “extreme cases” approach involving the municipalities of Lanuza and Lianga in Mindanao, this study aims to understand the persistence of violence in some areas in Mindanao for more than 20 years since the IPRA was implemented. It aims to contribute to the violent conflict scholarship by adding to the literature on identity-based accounts of conflict and why violence continues after granting land rights to IP communities. It also suggests solutions geared towards preventing conflicts in the long term.

The paper is divided into four sections. First, it discusses the bases of violent conflict to locate the study in the broader literature of conflict studies and research. Second, it explains the rationale for data collection methods and sources of information. Third, it discusses the violent conflicts data on the two chosen municipalities. Finally, it concludes with recommendations on how to address the persistence of violence in the area.

## Explaining the Bases of Violent Conflict

Violent conflict is conceptualized in various ways. However, determining its cause(s) is a must to understand and contribute towards preventing it. For Stathis Kalyvas (2006), its conditions include scale, mode and technique, motivations, and sociohistorical context. It also has four types: (a) mass political violence; (b) state terror, genocide, and mass deportation; (c) civil war violence; and (d) reciprocal extermination. Further, violence can be unilateral, involving

one actor, usually the state, or bi/multilateral, involving two or more actors. If violence is unilateral, the state responds with state terror, and its sanctions are genocide and mass deportation. If violence is bi/multilateral, parties engage in civil war violence, and its sanction takes the form of reciprocal extermination.

Aside from Kalyvas', this paper draws from Charles Tilly's (2003) concept of collective violence, which involves physical harm caused by at least two perpetrators who coordinate with one another. According to his definition, accidents and individual actions, including non-material damages, are not considered part of collective violence. This concept is not simply individual aggression writ large, but it is rather complicated, changing, and unpredictable, yet emanating from similar causes variously combined in different times and places. Physical seizure and damage are often contingent outcomes of exploitation, oppression, and injustice—indicating that violent conflict results from cultural and historical processes.

Violence can also stem from consciousness (i.e., destructive ideas). Some even argue that evolution is the basis for aggressive action. Others claim that transactions between or among persons and groups determine the onset of violence (e.g., broken negotiations) and that the key is to transform relations between or among persons and groups (Tilly 2003). Thus, understanding violent conflict requires knowledge of the waves and strings of violence. There are several sources of violent conflict, but this paper will concentrate on resource- and identity-based conflict.

Essentially, the links between economic resources and power have been a dominant explanation for violent conflict. Scholarship on conflict studies cites the “resource curse” as a factor undermining the immediate effects of a political settlement in resource-rich areas. The thesis proposed that the abundance of natural resources, particularly oil, causes poor growth and raises the incidence, intensity, and duration of a conflict (Di John 2007; De Soysa 2000). In quantitative terms, conflict specialists even tagged a resource—gross domestic product (GDP) ratio of 32 percent as a signifier of looming conflict. The argument that resources are the basis for violent conflict is based on rationalist understandings of human nature.

Recent theorizing has revised the meaning of the resource curse as the unequal distribution or allocation of resources rather than their mere availability. Yet, this recasting has not weakened the assumption about their links. The unequal access to and benefits from the presence of rich natural resources, like the cases in Eastern and Southern Mindanao, offer the possibility of extracting rents from the control of such an environment.

The notion of *greed* appears as an extension of the rent-seeking theory. Di John (2007, 963) argues “that the existence of a valuable ‘prize’ induces individuals to spend time and resources to appropriate the ‘prize.’ Mineral resource rents (such as from oil), in this model, provide both the motivation to try to capture the state and, potentially, the means to finance rebellions.” In resource-rich regions, the looting conducted by rebel groups is identified as a basis for resilient violence (Di John 2007). This is an example of violent conflict as a means to gain economic resources when armed groups reap the benefits of war through looting (Keen 2004). Civil war is also likely to erupt when rebel resources are involved in the illicit trade of economic resources (e.g., weapons) (Di John 2007). In turn, the “rents” from the resources motivate rebel groups to incite more violence (Collier 2000).

However, these theories do not recognize how and why regimes become vulnerable to rebel insurgency in the first place. Nor do these views explain why people living in peace suddenly shift into violence (Tilly 2003). Thus, the “resource curse” as a determinant of conflict offers an incomplete picture.

Furthermore, as Hutchinson and Smith (1996, 11) observe, “with the appearance of the modern bureaucratic state and capitalism, ethnic communities take on a new political importance.” Homogeneity of members is a necessary component of nation-state formation. Ergo, conflicts often happen in areas with varying ethnic groups. In the early years of France as a new nation, for example, the French revolutionaries and minorities subdued their ethnic and primordial identities for the benefit of a united nation. As a result, minorities had to individually assimilate into the new French identity to be perceived as equal citizens (Hutchinson and Smith 1996).

Therefore, homogeneity is crucial in an identity-based approach to explaining collective violence, particularly in Africa and Asia

where forces of imperialism and colonialism created boundaries of nation-states without recognizing the diverse ethnic identities of their inhabitants. At the same time, the process of assimilation required the participation of some ethnic groups—through their leaders—to divide and conquer the populations. Consequently, the IPs' elites competed for power. The divergence in nation-states in these continents can be attributed then to the “longevity and ubiquity of ethnic ties and sentiments throughout history” (Hutchinson and Smith 1996, 14). This condition has rendered ethnic identities the cause of violent conflicts that resulted in the unequal distribution of resources. In response, some scholars and legislators push for partition and federalism to accommodate the unique demands of diverse ethnic groups.

Unlike rebellion or vertical conflict, identity-based conflict refers to horizontal conflicts between or among individuals, groups, and associations spurred by differences or disputes due to distinct gender, clan, tribal, ethnic, cultural, or language identities and associations. These attributes are understood as the foundation for the motivations and actions of the members of a collective group (Hernandez 2014). In addition, these identities are often entangled with land, resource, and other economic issues or political preferences and alliances. Power also underlies the concept of identity-based conflict because violence is often used to gain and maintain control. Thus, identity and identity-based conflict respectively “...serves a function in power struggles between and within groups” and “...involve[s] the struggle of a weaker group against the hegemony of the stronger group” (Hernandez 2014, 32).

In the Philippines, identity was used as the basis for creating the Bangsamoro Autonomous Region of Muslim Mindanao (BARMM) to provide the regional government with more fiscal autonomy. Though the struggle was an anti-colonial or even anti-national state type of conflict, the tensions ran deep. They included violent animosities and othering between Christians and Muslims (Penetrante 2012).

The process of integration was not without struggle. Grievances among the Bangsamoro people were already simmering during the colonial periods (Geertz 1963). The Americans, for instance, prohibited ethnic minorities, particularly Muslims, from participating in politics. Further, upon independence, the lands occupied by the Bangsamoro

people were annexed to the Philippines during the state-building process without their consent.

Thus, ethnic minorities in the Philippines, particularly those who refused to convert to Christianity during the Spanish colonial period, became victims of social engineering when the administration of their lands was rearranged and their traditional political institutions destroyed. In addition, mass migration to the region of Mindanao, initially with a predominantly Muslim population, was encouraged by the state to significantly decrease the percentage of Muslim inhabitants. In effect, the primordial identities of the Bangsamoro people were subjugated in the process of nation-building.

The Bangsamoro identity was constructed in the 1960s as a response to the Jabidah Massacre in which the Philippine military executed 28 Muslims. The Moro National Liberation Front (MNLF) was a product of the mobilization of Muslim populations that occurred in the aftermath of the Jabidah Massacre (Danguilan-Vitug and Gloria 2000; Ahmad 1999; Jubair 1999). This identity represents the Moro peoples' plight for self-determination and political autonomy (Hernandez 2012).

Furthermore, the formation of the MNLF would not have been feasible if not for the primordial bonds already embedded in the various ethnolinguistic groups in Muslim Mindanao. These primordial ties served as the basis for mobilization. Their primordial and perennial affinity to their common descendants shaped the Bangsamoro identity that has been at the forefront of violent conflict in the Philippines. Reactions from Filipino Christians and the state further hardened the Bangsamoro identity—driving the vicious cycle of prejudice and violence (Hernandez 2012).

As seen in the Philippine example, the relationship between identity and conflict may not be as obvious. The potential for heightened conflict, often hiding the vicious nature of inter-/intra-tribal conflicts, seems to nestle only within the context of what Hutchinson and Smith (1996) refer to as a “territorial state.” For example, the displacement of indigenous communities has underlined cultural differences, yet the magnitude of this human cost continues to be amplified as mainly an outcome of vertical rather than horizontal conflicts (Gaspar 2017; Canuday 2009).



The new vector of violence has roots in the intensification of identity-based conflict. Indeed, violent conflict that arises from differences in identity—whether ethnic, religious, language, or gender in nature—is growing in scope and influence and is seen as a significant cause of recent wars. As a horizontal form of violence, identity-based conflict can be deadlier than other types of conflict, including interstate wars or wars of national liberation due to their immense human costs (i.e., deaths, injuries, displacement) that sometimes lead to genocidal outcomes. Moreover, identities can be the source of violence because they are both primordial and perennial—they are enduring and will resurface throughout time. For example, the strategy of turning one native or tribal group against another or the fomenting of “ethnoreligious differences to hinder the integration of Muslim Mindanao into the Philippines” has colonial roots (Abinales 2000, 17–30). The demographic transformation occurred when the state government opened Mindanao to settlement by other ethnic and communal groups, and this policy hastened the transport of war from Luzon to Mindanao.

To understand the relationship between identity and conflict, the foundation of identity must be explained. Primordial bonds can shape identity (Geertz 1963). These enduring bonds are not just based on kinship but also language, religion, and customs. People are born into these relationships, and these ties exist before any social interaction. While primordialism has been critiqued as deterministic and ignorant of the social construction of ethnic groups (Jones 1997), it is an important starting point in discussing identity-related conflict.

Primordial approaches argue that ethnicity is a fundamental element of an individual’s identity. For Max Weber (n.d.), based on the book edited by Hutchinson and Smith (1996), ethnicity relies on the presence or the lack of similarities that include but are not limited to physical appearance and customs. It does not require kinship or blood ties. However, it enables political formations due to the existence of “communal consciousness” that shapes action (37). A low degree of rationalization then can be observed in areas where ethnic divisions are pervasive. Furthermore, early conceptualizations of ethnicity or ethnic groups were based on the “other.” The common position of these ideas is that ethnicity is grounded on shared characteristics and joint action (Hutchinson and Smith 1996).

Social delineation is drawn from the “artificial” notion of common descent. In effect, ethnic membership is contingent upon othering and “the conviction of the excellence of one’s customs and the inferiority of alien ones” (Weber n.d. in Hutchinson and Smith 1996, 37). Regardless of the accuracy of common descent, physical appearances, and culture, ethnic membership can influence action. The idea of honor also comes into play because the other does not possess it. Thus, ethnicity also becomes a status symbol—that is, us-versus-them thinking in which the former is viewed as the “chosen ones.” This standpoint becomes a source of conflict.

The persistent struggle for scarce resources exacerbates the us-versus-them dynamic. Violent conflict arises when specific ethnic groups are laden with economic inequalities. This context fuels conflict wherein differences in linguistic and religious customs paired with the unequal distribution of political rewards thrive (Hutchinson and Smith 1996, 3). Therefore, it is critical to recognize at the outset that the IPRA does not undermine the property rights framework in mainstream economics that proposes instead how stable property rights minimize violent conflict and promote peaceful competition over the use and control of economic resources (Alchian 1965; Alchian and Demsetz 1973). Indeed, the links between secure property rights and economic growth, and consequently, a lasting peace, are essential rationales behind the IPRA and FPIC.

At a micro level, the links between livelihoods or businesses and conflict reduction were proposed by conflict theorists as an alternative or supplement to political guarantees that provide rewards to those rebel leaders who accept a settlement. A recent study on the island province of Tawi-Tawi and the business-is-good-for-peace thesis pointed to the strong connections between trading and peacebuilding, as traders engaged in the robust cross-sea trade played a determining role in reducing the violence that locals tolerate (Quitoriano 2020).

However, the links are not always immediate and direct based on the findings of this study. Conflict specialists Paul Collier and Anke Hoefler (2004) argue that even with the best economic and political design, risks would remain high during the first post-conflict decade. The legacy effects of conflict, usually embedded in historical narratives, cannot be removed overnight.

## Data and Methods

The study is both quantitative and qualitative. It explores the conflict effects of the new property rights under IPRA and related business investments in conflict-affected areas of eastern Mindanao or the Caraga Region. It looks into rival institutions offered by the insurgents and those arising from traditional institutions. The process involves geotagging conflict incidents and deaths and overlaying these with CADT areas and other business investments such as mining.

Using statistical analysis of five-year panel data on violent conflict in the region, the incidents of violence are matched with their causes and costs. The study acknowledges International Alert Philippines (IAP) for permitting access to secondary panel data on conflict causes, intensity, and magnitude used extensively in this study.

The IAP database is based on the combined quantitative data on conflict incidents from 2011–2015 made available by the Philippine National Police (PNP) and the Eastern Mindanao Command (EASTMINCOM) of the Armed Forces of the Philippines (AFP). Supplementing this information are media reports from 12 national and local newspapers and community reports on violent conflict from three frontline academic institutions tasked to document and collect such data.<sup>5</sup> Individual incidents are then coded using comma-separated values (CSV), with an emphasis on hard evidence and quality control.<sup>6</sup> Media reports, together with the Mindanao Displacement Dashboard—a monthly publication of the Protection Cluster in Mindanao, Philippines and co-led by the United Nations High Commissioner for Refugees (UNHCR)—also serve as the source of data on displacement.

In-depth interviews, focus group discussions (FGDs), and “extreme cases” study complement the statistical analysis. As the last adopted step, the extreme cases approach is the most strategic and illuminating method because it compares specific actors, endowments, community-level institutions, and conflict dynamics by using a with-or-without analysis.

To exemplify extreme cases, this study focuses on the municipalities of Lianga and Lanuza in Surigao del Sur, Caraga

Region. As explained later, these municipalities have similar resource endowments and poverty levels, but their local governments employ different ways of addressing land conflicts. Lianga has experienced more violent conflicts than Lanuza. Thus, an extreme case study is relevant in determining the conditions that explain the emergence of violent conflict or its absence.

Other conflict scholars have used extreme cases study to explain divergent outcomes from relatively similar natural resource endowments. For example, in his study linking prosperity and violence in East Africa, Robert Bates (2001) examined the towns of Meru in Kenya and Bugisu in Uganda by using comparative analysis. He introduced his cases by noting how “prosperity was undergirded by peace” in Meru and how “the fear spread by violence undermined the willingness to invest or to engage in economic activity” in Bugisu (26–29).<sup>7</sup>

Using the extreme cases study method helps examine: (1) whether the changes caused by the IPRA can explain the increase or decline of violent conflict, and (2) whether other causal indicators and links can be made to explain conflict outcomes better. Likewise, the causes of violent conflict in the two municipalities in the northeastern Mindanao province of Surigao del Sur are analyzed, and conflict sites are mapped out to see the links between land and resource claims and violent conflict.

## Conflict Dynamics and the IP Rights in Mindanao

The IPRA ushered in an era of state recognition of IPs’ rights. Though it went through controversial legislative debates, it paved the way for a rights-based approach to addressing the needs of IPs and their connection to their land, heritage, and economic livelihood.

Specifically, IPRA contains relevant provisions that amplify the demand to protect IPs’ rights assessed as inadequate and prone to violations. It mandates the state to defend IPs’ rights and indigenous cultural communities (ICCs) to their ancestral domains to ensure their economic, social, and cultural well-being “and shall recognize the applicability of customary laws governing property rights or relations in determining the ownership and extent of ancestral domain” (Rep.

Act No. 8371, ch. 1, § 2b). Such protection includes granting the IPs legal documents that formally recognize their rights of possession and ownership over ancestral domains (i.e., the CADT) and ancestral lands (i.e., the Certificate of Ancestral Lands Title or CALT).

Besides territorial entitlements, protection includes requiring non-IPs to secure free and prior informed consent (FPIC) from the respective IPs/ICCs before entering their areas. The FPIC refers to the consensus of all members of the IPs/ICCs based on their customary laws and practices. It should be free from any external manipulation, interference, and coercion. Also, it must be obtained after fully disclosing the intent and scope of the activity through a language and process understandable to the community.

Finally, the law mandates the Office of the President to institute the NCIP. It shall be the primary government agency responsible for the formulation and implementation of policies, plans, and programs to recognize, protect, and promote the rights of ICCs/IPs.

However, R.A. 8371 is prone to violations because it contains loopholes that can circumvent the FPIC's strict implementation. Moreover, these rules are inadequate as they neither address the fundamentally statist regime or framework that encompasses property determination in the country nor counter other threats of violence that emanate from resource conflicts tied to identity issues and rebel predation.

A recent study by International Alert Philippines (2019) on the conflict situation in the Caraga Region, located in the northeastern section of Mindanao, offers a relevant backdrop. It cites some startling indicators about the dynamics between resource-, identity-, and rebellion-related violence and the myths that have dominated the public imagery of violent conflict in ancestral domains and ancestral lands in Mindanao, especially in the eastern provinces.

However, two important caveats must be kept in mind in assessing the data at the outset: *First*, the PNP database is more robust than the AFP database on a scale of 9 to 1. From 2011 through 2015, the PNP recorded 4,714 incidents of violent conflict while the AFP documented only 479 cases. This situation gives the former more explanatory power over the nature of violent conflict in the region. The AFP incident reports reflect

the areas where military forces operate and the nature of their targets (i.e., rebels and insurgents). *Second*, the dominance of incidents and fatalities in the Agusan provinces, in contrast to displacement, is the primary indicator of human costs in the Surigao provinces, particularly Surigao del Sur. A map of geotagged violent incidents and human costs across the Caraga Region illustrates this reality (see figure 1).

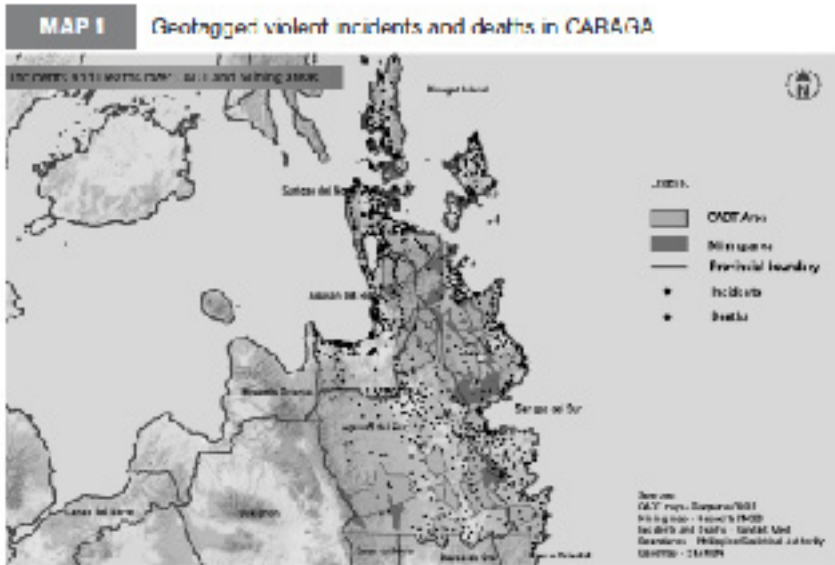


Figure 1. Geotagging of violent incidents and deaths in Caraga Region

Based on the gathered data, the following conclusions can be derived:

1. A mismatch exists between (a) the incidence of violent conflict and (b) the intensity of displacement as an important signifier of the severe human costs associated with violent conflict in the region.

The PNP and AFP reports point to the Agusan provinces as the site of most conflict incidents, though the former points to Agusan del Norte while the latter focuses on Agusan del Sur (see figures 2-3).

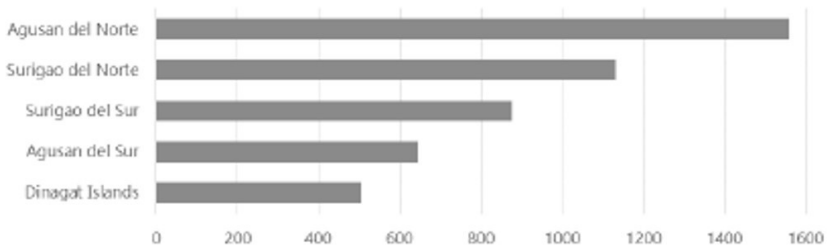


Figure 2. PNP data on conflict incidence in Caraga Region per province from 2011 to 2015

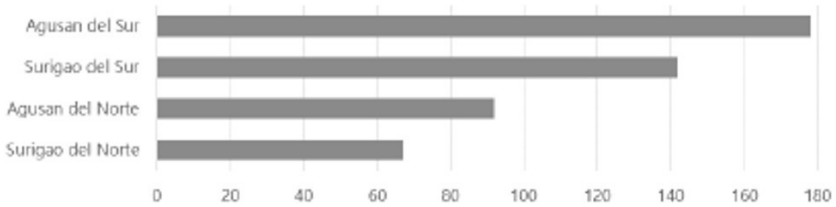


Figure 3. AFP data on conflict incidence in Caraga Region per province from 2012 to 2015

Based on the data, the AFP reports documented a higher volume of conflict incidence related to the New People’s Army (NPA) compared to the PNP reports. The divergence between the military and the police datasets is due to the difference in the conflict monitoring priorities of the AFP that focuses on rural areas and the communist insurgency. In contrast, the PNP gathers all types of conflict data. Hence, the PNP data are viewed by the IAP as a more reliable indicator of the variety of conflicts happening in IP areas.

If displacement were only based on violent conflict incidents, then it would be realistic to assume that the Agusan provinces would also experience higher displacement levels. Yet when it comes to displacement, both the PNP and the AFP data indicate that most of the displaced are located in Surigao del Sur. Why is this the case? The answer is that more incidents do not always mean more deaths, injuries, or displacement. Indeed, a side-by-side graph of incidents versus displacement shows the divergence between the intensity of violent incidents and the magnitude of displacement (see figures 4–5).<sup>8</sup>

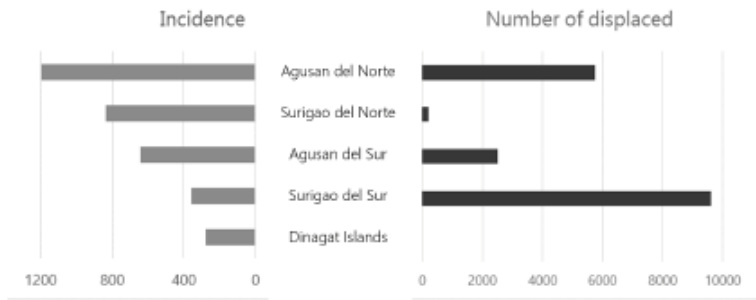


Figure 4. PNP data on conflict Incidents and displacement in Caraga region per province, 2012-2015

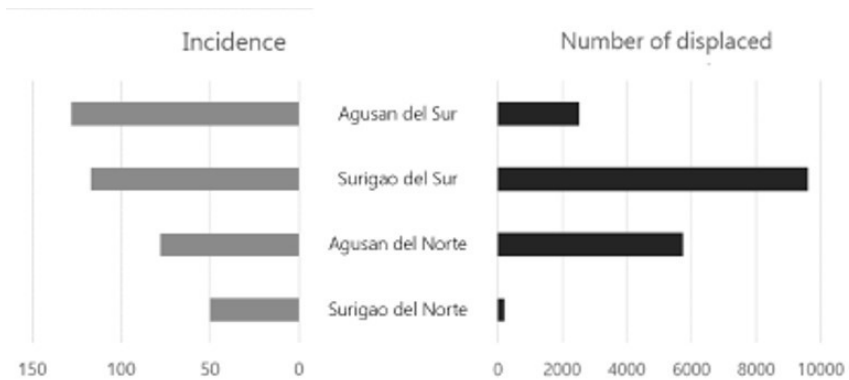


Figure 5. AFP data on conflict incidents and displacement in Caraga Region per province

Surigao del Sur ranks fourth in the PNP database and second in the AFP sample, yet it registered the highest number of displaced people in both data sources. Conflict intensity is higher in Agusan del Norte and Surigao del Norte in the former, while Agusan del Sur is the most violent, followed by Surigao del Sur in the latter. Such a finding explains why Surigao del Sur serves as the source of extreme cases. In addition, the human costs of conflict in the province enable a comparative assessment of why one locale is more peaceful than the other. Hence, the study gives more attention and importance to this province.



2. Incidents of resource-based violence are relatively few in areas where ancestral lands and ancestral domain claims are plentiful and commercial investments in mining and agribusiness are increasing.

This finding undermines the notion that land issues and resource-based conflicts, coupled with rebellion-related violence, are the primary sources of violent conflict in places like the Caraga Region.<sup>9</sup> Instead, the data suggest that identity-related conflicts in the form of clan and tribal feuding and gender violence are the more significant sources of violence (see figure 6).

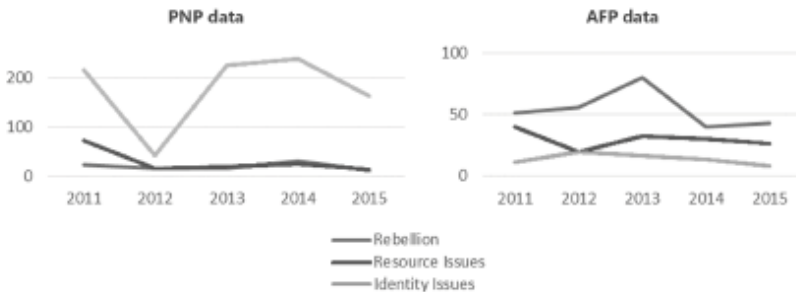


Figure 6. PNP and AFP data on the number of conflict incidents in Caraga Region by cause, 2011–2015

The evidence illustrates the difficulty of assuming that the intensification of violent conflict in resource-rich ancestral lands, like in the Caraga Region, is the product of recent legislation that strengthened the IPs’ property rights. This view is based on the perspective that identity-based and rebellion-related conflicts dwarf resource-based violence.

A mapping of conflict incidents in the Caraga Region shows the preponderance of conflict incidence and deaths in areas where ancestral domain claims have not been resolved. This situation indicates that only a few CADTs had been awarded (see figure 7).



Figure 7. Geotagged violent conflict incidents in the Caraga Region

## Extreme Cases: Lianga and Lanuza in Surigao del Sur

The present extreme cases study focuses on the two coastal municipalities of Lianga and Lanuza due to their distinct yet interrelated characteristics. Both municipalities occupy the long coastline of Surigao del Sur and are rich in forest and marine resources. At the same time, however, they have different ethnic features and distinctive land and resources that shaped their respective communities' governance, development, and peace. More importantly for this research, their implementation of the IPRA has yielded divergent outcomes in terms of conflict and displacement.

The study will explain how local leaders in Lianga and Lanuza have sustained their political authority despite bureaucratic underperformance and continuing insecurity from recurring violence and conflict. It will also reveal the institutional patterns that led to redistributive reforms in land and resource allocation in Lanuza compared to the absence of such measures in Lianga.

In the process, the study hopes to unravel the paradox of Lianga—a town that has not escaped intense violence and conflict despite its long existence, longer economic and development interventions, and higher external investments in contrast to Lanuza.

### Comparable Demographic and Geographic Features

The coastal municipality of Lianga forms a part of Surigao del Sur. Located along the Lianga Bay in the Pacific Ocean and the Diwata mountain range, its size is 161.12 square kilometers or 62.21 square miles, constituting 3.27 percent of the province's total land area. It has a population of 29,493, according to a 2015 census. This is 4.98 percent of the total population of Surigao del Sur province or 1.14 percent of the overall population of the Caraga Region. Based on these figures, the population density is computed at 183 inhabitants per square kilometer or 474 per square mile.

Lanuza is another coastal municipality in the province. It occupies 290.60 square kilometers or 112.20 square miles, constituting 5.89 percent of Surigao del Sur's total area. Census data from 2015 reveal that its population reached 12,001 in 2015 (PISA, 2015). This represents 2.03 percent of Surigao del Sur's total population or 0.46 percent of the overall population of the Caraga Region. These numbers show that the population density is computed at 41 inhabitants per square kilometer or 107 inhabitants per square mile.

Table 1. Demographic and geographic data of Lianga and Lanuza, Surigao del Sur

	Lianga	Lanuza
Demographic data		
• Population (2015)	29,493	12,001
• Population density (persons per sq. km)	183	41
Geographic data		
• Land area (sq. km.)	161.12	290.60
• Barangays	13	13
Health		
Department of Health (DOH) National Health Facilities	12	13
• Barangay Health Station	1	0
• Infirmary/Hospital	1	1
• Rural Health Unit		

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Youth

Percentage of youth (15–29 years old household population from 2015 Census)	25.4%	25.1%
Percentage of literate among the household population from 2015 Census	97.9%	98.1%

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### Ethnic Cleavages

Understanding the “identity” features of the province and the composition of indigenous groups is critical to determining whether ethnic heterogeneity or homogeneity is an important explanatory factor behind the latent potential for identity-based conflict.

The data show that the concentration of IP groups can be found in the four Surigao del Sur towns of Bislig, Hinatuan, Lingig, and San Miguel. These towns have a long history of logging and woodcrafts, commercial fishing, and farming. According to the World Bank (2004, 3), “Most Manobos, Mandayas, and Mamanwas rely on farming, fishing and gathering of forestry products. Others are also engaged in carpentry and handicrafts-making. The average household income is less than Php1,000.”

The population per municipality of ICCs/IPs in the province of Surigao del Sur showed the following ethnic distribution:

Table 2. Municipal distribution of IPs in Surigao del Sur

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Municipality	Estimated IP population	IP Subtribes
1. Barobo	9,784	Manobo-Mandaya
2. Bayabas	302	Manobo
3. Bislig	36,933	Manobo
4. Carmen	2,230	Manobo-Mandaya-Mamanwa
5. Cagwait	1,790	Manobo

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6. Cantilan	2,470	Manobo
7. Carrascal	1,553	Manobo-Mandaya-Mamanwa
8. Cortes	396	Mamanwa
9. Hinatuan	13,360	Mandaya
10. Lanuza	2,713	Manobo-Mandaya-Mamanwa
11. Lianga	3,014	Manobo
12. Lingig	25,712	Manobo-Mandaya
13. Madrid	507	Manobo
14. Marihatag	1,850	Manobo
15. San Agustin	1,561	Manobo-Mandaya
16. San Miguel	18,242	Manobo
18. Tagbina	8,912	Mandaya
19. Tago	1,527	Manobo
20. Tandag	1,217	Manobo-Mandaya-Mamanwa

The data indicate the predominance of the Manobo tribe in the province and the almost similar absolute numbers of IPs in Lianga and Lanuza. However, the latter is more heterogeneous than Lianga. Other identity groups in Lanuza are classified according to languages/dialects used to indicate a considerable number of settlers of Surigaonon, Cebuano, and Waray origin, with 90 percent Catholic. In contrast, Lianga has a majority of Manobo-Kamayo, with less than 5 percent settlers from Surigao, Cebu, and Samar-Leyte.

Studies, e.g., Collier and Sambanis 2005, have shown how ethnic fragmentation has often been a precursor of violent conflict, which means that the relative ethnic homogeneity in Lianga may dampen violent conflict. Therefore, it is crucial to see whether this endowment impacted the state of conflict or its lack in extreme cases.<sup>10</sup>

## Natural and Physical Resource Endowments

Lanuza and Lianga have similar albeit unevenly distributed resource endowments. Lanuza possesses a far bigger land area of 290 sq. km., yet its agricultural land is limited to 3,375 hectares where rice, coconut, vegetables, and abaca are planted. Meanwhile, Lianga only has 160 sq. km., yet the municipality has 4,846 hectares of agricultural land cultivated to grow rice, coconut, banana, vegetables, and root crops. Livestock and poultry sustain local demand in both municipalities, but more domesticated farm animals that produce food and other related products are found in Lianga because of its bigger population.

Marine resources are important sources of income. Again, Lianga generates at least 695 metric tons of fish compared to Lanuza's much lower yield of 93 metric tons. It has five commercial fishponds apart from the rich waters of Lianga Bay. In addition, it sells fish to urban areas as far away as Butuan and Davao City.

The forestry sector is the most important natural resource and plays a vital role in the economies of both municipalities. For example, the 32,236.57 hectares of forestland in Lanuza serve as the main source of lumber materials for the construction industry. A local company called the Surigao Development Corporation uses 21,072 hectares as part of its timberland concession. Meanwhile, forestland occupies 19,000 hectares in Lianga even after forestry suffered a downturn due to the closure of the Lianga Bay Logging Corporation in the 1990s.

In recent years, mining and quarrying operations have increased in Surigao del Sur, affecting people in both municipalities. The mountainous part of Lanuza has been the target of several applications for mining exploration, but none is operational except for several quarrying sites. As a result, receipts from quarrying activities are minimal, though residents enjoy the abundance and lesser prices of filling materials for construction needs. Meanwhile, there is a long history of coal mining in Lianga that started back in the 1980s, involving the Semirara Mining and Power Corp. There are new existing claimants. Still, all prospective mining investors could not sustain their extractive industries in Lianga, including recent attempts to extract gold within ancestral domain claims.

## Poverty and Social Services

Liangá and Lanuza are fourth-class municipalities with comparable health services and human resource endowments. However, Liangá has a bigger population, higher poverty incidence, and earns fewer revenues than Lanuza. Yet, the latter gets a more considerable internal revenue from the national government.

Though Liangá's population and density are double of Lanuza's, both municipalities offer the same health services that are measured in terms of the number of barangay health stations and rural health units.<sup>11</sup> Childbirth is mainly dependent on the support of traditional birth attendants or *hilot* in the community. However, this kind of health service can be limited. Some Manobo-Mandaya-Mamanwa women solely rely on their husbands or other family members for support during childbirth due to financial constraints and inaccessibility of their areas.

Concerning human resource indicators like age and literacy, these two municipalities have relatively similar endowments. Despite this condition, poverty incidence increased in both municipalities from 2012–2015, with Liangá's rate reaching a point higher than Lanuza's.

As a measure of bureaucratic performance in fourth-class municipalities, Lanuza significantly overtakes Liangá regarding net incomes. According to the Commission on Audit (COA) records in 2017, Lanuza gained PHP 11,973,949.48 versus PHP 4,855,964.84 for Liangá (see table 3). Still, unlike Liangá, Lanuza is becoming more dependent on internal revenue allotments (IRA) for its local government's activities and projects. Lanuza started with a lower IRA dependency in 2011 but outpaced Liangá in 2014 (see figure 8).

Table 3: Economic data in the extreme cases

	Liangá	Lanuza
Economic data	2012: 29.2%	2012: 33.1%
Poverty incidence among the population (PSA small area estimates 2012 and 2015)	2015: 38.7%	2015: 37.3%

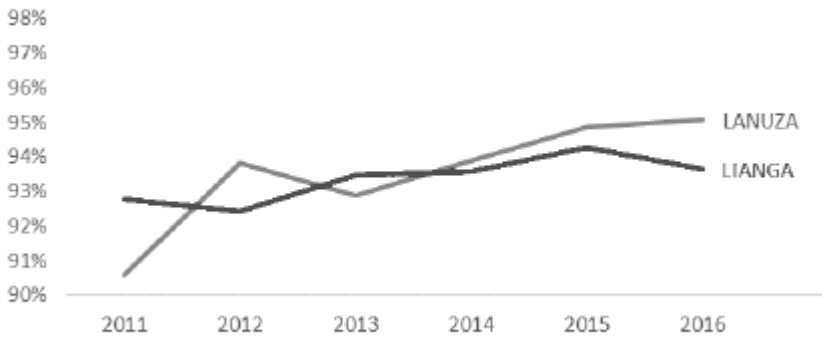


Figure 8. Internal revenue allotments (IRA) dependency as a percentage of funds, 2011–2016

### Redistribution of Resources in the Extreme Cases

There are many unresolved issues on land conflicts and contested claims on ancestral lands and ancestral domain areas. The local governments and other actors in the case study areas have addressed these unresolved conflicts in divergent ways.

### Land Conflicts in Lianga

In Lianga, IP groups have opposed the entry of military operations in their communities. They fear that their ancestral domains—allegedly coal-rich, among other deposits—may be taken away from them. In addition, repeated attempts to build roads to penetrate the area have been blocked by IP groups and the NPA insurgents who fear that accessibility will usher in a more robust military presence.

There is also an ongoing political boundary conflict between the towns of San Agustin and Lianga. Politicians and investors from these localities are gunning for the timberlands of Barangay Gata that used to be part of Lianga but later classified as part of San Agustin in pursuit of its creation of a separate municipality. However, IP groups from these communities have been cultivating the timberlands before



the transfer. They have been challenging the geographic distortion, leading to militarization.

The political elites of both municipalities have not attempted to settle the land conflict. Instead, there have been repeated attempts to block the application of the IPRA in the area. The impasse accounts for why no CADTs and mining tenements have been granted in Lianga despite the provision of CADTs in neighboring municipalities like Marihatag and San Miguel. The situation worsened after the director and paramilitary groups killed two personnel of an IP school in the contested area after accusing the victims of being communist sympathizers.

## Redistributive Reforms in Lanuza

The typical land disputes involving IPs and other settler-farmers usually revolve around illegal occupants in ancestral domains. However, these disputes have been resolved through the allotment of three hectares to any migrant who wants to live within the domain and abide by the tribe's rules and regulations. So far, existing disputes involving so-called illegal occupants have been settled through legal measures.

In contrast to Lianga, several potential sites were explored and proven to contain gold, nickel, and iron deposits, but there has been little to no development undertaken in these areas. The last recorded small-scale mining operation happened in the 1950s to 1960s. On the other hand, the Lanuza local government has taken a strict anti-mining stance, preferring to strengthen tourism, agriculture, fisheries, and processing. Hence, mining investors and industries are non-existent in the area. Most of the threats to its natural resources come from the extractive industries of nearby municipalities (i.e., siltation due to mining). However, illegal logging continues and is reportedly allowed by communist rebels in the vicinity as a source of revolutionary taxation.

Apart from the government prohibitions against extractive industries, several development agencies (e.g., Haribon Foundation and Rare Philippines) are conserving marine resources in Lanuza. This town, along with seven others, is part of what is known as the Lanuza

Bay Alliance. Members of this group are tasked to maintain their sanctuary within Lanuza Bay.

Moreover, unlike in Lianga, about 70 percent of Lanuza's total land area has already been covered by a CADT. IP groups in the CADT areas have also drafted their respective Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) in coordination with the national government, various line agencies, and local development actors. When asked why Lanuza's CADTs were quickly processed compared to Lianga's, the informants answered that their local officials took the initiative to process and secure such legal documents. The IP groups also narrated how the communist insurgents failed to stop the legitimate claims of the IP groups and the grant of CADT in the areas. The NPA, in their view, is opposed to the IPRA because it could strengthen public support for the local and national government if appropriately implemented.

### Clan and Dynastic Rule

The consistency of clan and dynastic control over political office follows much of the experience everywhere else in the Philippines. There are frequent surnames of political families in the 2013, 2016, and 2019 mayoral elections.

In Lianga, members of the Sarmen clan were elected as mayors in 2013 and 2019. In Lanuza, members of the Azarcon clan have been rewarded with a political office in 2013 and 2016.

The 2016 mayoral election in Lianga ended in favor of Kid Pedrozo over Roy Sarmen, for instance. However, his relative, Homer Pedrozo, lost to Novelita Sarmen in 2019.

In the case of Lanuza, Salvacion Azarcon was unable to transfer the position to another Azarcon in 2019 despite being in office for two consecutive terms before the election. The current local chief executive is Jack Dawog.

### Violent conflict in the extreme cases

The towns of Lianga and Lanuza have also been vulnerable to violence and lawlessness because of their rich forest areas, access

to rivers and the sea, and extensive and remote upland area. Some studies have shown a distinct association between the remoteness and inaccessibility of a place and armed conflict (Kalyvas 2006; Collier and Sambanis 2005). Indeed, the rugged mountains and thick forests in these areas may be predictors of insurgent activity.

Both municipalities are also ethnically diverse, though Lanuza is more fragmented than Lianga. One can argue that the division between various ethnolinguistic groups fuels inter-ethnic and inter-tribal conflicts. This reality stares people in the face in light of the brutality and impunity that visited eastern Mindanao in the past five years. Certainly, the ethnic diversity and the favorable terrain for guerrilla warfare have induced a protracted conflict.

The conflict data show that Lianga has encountered more incidents of violent conflict than Lanuza from 2011–2015 (see figure 9). Many of these conflicts are related to common crimes and identity-based conflicts, followed by resource and governance conflicts (see figure 10).

In terms of displacement, Lianga saw the relocation of 3,211 people because of violent conflict from 2012–2015, all resulting from identity-based issues. Lanuza, on the other hand, recorded no case of displacement due to conflict.

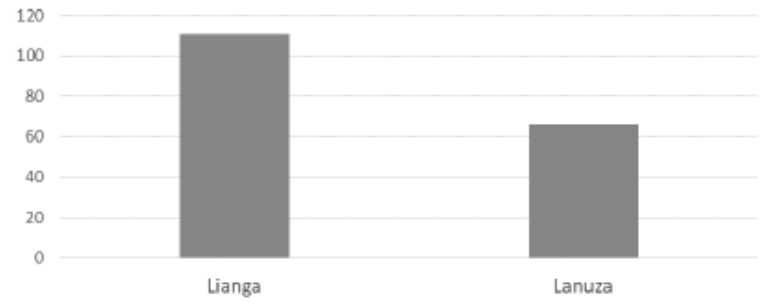


Figure 9. Number of conflict incidents in Lianga and Lanuza, 2011–2015

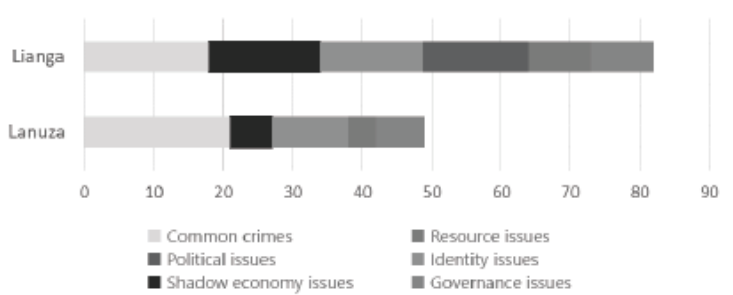


Figure 10. PNP data on the number of incidents by main cause, 2011-2015

Figures 9 and 10 also show the resilience of violence related to the anti-drug war and the trade-in illicit weapons. However, most of the local population in both towns are less engaged in criminal and illicit activities that make up the areas’ “shadow economy” than they are in the survival and coping economies, such as unregistered trade in food commodities, especially rice, or the unlicensed transport equipment and services to support livelihoods and augment rural incomes.

Finally, a close-up image of the Surigao del Sur provincial map (see figure 11) presents the ring-fenced areas of Lianga and Lanuza. It highlights where: (a) most violent incidents are occurring, (b) CADTs have been distributed, and (c) the mining tenements already opened for resource exploitation.

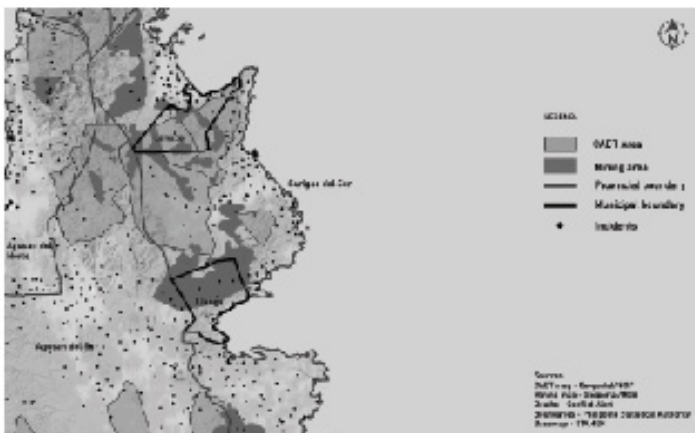


Figure 11. Geotagged violent incidents on zoomed map of extreme cases

To be sure, violent incidents are happening within ancestral domain areas and in the mining tenements. However, it is noteworthy that the concentration of violent incidents is found outside the areas where CADTs have been distributed and other economic investments have been made (e.g., mining). See the glaring absence of CADT areas in Lianga in contrast to Lanuza and the potential causal explanations that lurk behind episodes of violence in the province and the region.

## Conclusions and Policy Implications

This paper has examined the persistence of identity-based conflict despite the implementation of the IPRA. Although previous accounts blamed the weak institutional capacity of the implementors, the study suggests that identities are still relevant causes of violence. The use of extreme cases and existing government data helped provide the empirical case for this claim. Specifically, there are at least three significant findings that can be deduced from this study:

- Resource-related violence is not the primary source of violence even in ancestral domain areas. It is submerged under rebellion- and identity-related violence cases. The latter appears to be the more important determinant of violent flashpoints than the implementation of IPRA.

Even in the areas already covered by the IPRA, ancestral domain development plans designed for investments have not been acted upon not because they invited violent retribution but rather because of the scarcity of economic actors willing to commit funds to a conflict-affected area. Indeed, the implementation of the IPRA, together with the exercise of FPIC and the provision of CADTs, did not produce insurgent or rebel behavior. Reaping the supposed benefits of these instruments has been hampered by already existing conflicts. One clear evidence is how many CADTs have remained unexplored, uninvested, and unproductive because of the insurgency.

- The extreme cases suggest that CADT coverage contributes to reduced violence.

The conflict analysis of Lianga and Lanuza has turned up some interesting empirical evidence about how the differential impact of access to ancestral lands may predict the onset of identity-based

conflict. Indigenous peoples groups in Lanuza have secured CADTs whereas IP groups in Lianga have not.

- The extreme case studies prove that demographic differences in population and language composition make Lanuza more fragmented, yet it is less vulnerable to tribal/ethnic conflicts than Lianga.

This outcome raises questions because too much of the theorizing focuses on the conflict effects of social fragmentation. Still, it may support the alternative thesis that ethnic polarization is a better predictor of violence.

But why does conflict persist despite less uncertainty and more security in redistributing ancestral lands to the IPs? The answer is that the IPRA is not a universal instrument that can resolve all violent conflicts occurring in ancestral domains. This is particularly true in areas where conflicts are tied up to communal identities that are embedded in grand narratives of resistance against the state.

Different actors carry these agendas, and external actors have even turned inter-/ intra-tribal conflicts into proxy wars between government groups and communist insurgents. But, on the other hand, when the CADT process is used to open lands for cultivation, production, exploitation, and residence by the IPs themselves or to force investors to secure an FPIC and to utilize traditional conflict resolution measures to prevent flashpoints, these measures have turned out to be predictors of reduced violence.

The extreme cases illustrated how Lanuza's political leaders have mitigated incidents of violence and mobilized revenues from the local economy. As a result, national and international development agencies have recognized the town as a good model of environmentally sensitive development, IPRA implementation, and conflict management in eastern Mindanao. On the other hand, Lianga continues to experience cycles of political violence, insurgency, and violent land disputes that have stalled more development interventions and economic investments.

Both Lanuza and Lianga form part of the epicenter in eastern Mindanao where the NPA operates. These areas have become

vulnerable to unending rebellion-related violence, displacement, government neglect, and investor abandonment. Yet, Lanuza has remarkably low levels of violence compared to Lianga. The local people have used traditional and hybrid conflict-resolution methods to resolve differences in the former but are unable to do the same in the latter.

Consequently, Lianga fits the description of a conflict-ridden fragile state, with its poor revenues, inequitable land distribution, resilient underground economy, and ubiquitous violence. Moreover, feuds within, between, and among tribes and clans remain an enduring source of violence in the town.

This paper underlines the following important and strategic policy implications:

- 1.) There is a need to thoroughly examine and evaluate the causal linkages and effects that have emanated from a confluence of identity and rebellion-related conflicts impinging upon resource disputes. Future studies should expand to other places outside Mindanao where the IPRA has been implemented.
- 2.) The NCIP must be empowered to act immediately on the IPs' ancestral domain claims despite the unwillingness of local government units to undertake the same in their areas. Further delays in the design and implementation of a counterpart law in the Bangsamoro and other places of extreme conflict will lead to an escalation of violence, such as what is currently happening in Maguindanao and North Cotabato.
- 3.) It is important to prevent the further militarization of the IPRA process, especially in CADT areas located in rebellion or insurgency hotspots, to avoid convergence of land disputes, tribal conflicts, and insurgent and counter-insurgent violence. Therefore, the military and other top national security officials, including the country's intelligence and police forces, must be removed from the IPRA implementation process. This is urgent and relevant because the Duterte government moved the NCIP under the agencies engaged in a total war to eradicate communist insurgency.

- 4.) The process of monitoring conflict incidents and costs beyond the Bangsamoro region and the five-year panel data for southern and eastern Mindanao used in this study must be achieved as soon as possible. In addition, conflict monitoring must be expanded across the country by using platforms like the IAP's Conflict Alert database.

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### Notes

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1. The author acknowledges the financial support provided by the University of the Philippines Center for Integrative and Development Studies (UP CIDS) Political Economy Program (PEP) for this study, particularly for the conduct of the “extreme cases” comparative research on the municipalities of Lianga and Lanuza in Surigao del Sur, Caraga Region. The authors are also grateful to the International Alert Philippines (IAP)—Conflict Alert and Critical Events Monitoring System (CACEMS) for the permission to use its data on violent conflicts in the Caraga Region of Mindanao, and to the Deutsche Gesellschaft



für Internationale Zusammenarbeit GmbH (GIZ) — Strengthening Capacities on Conflict Induced Forced Displacement in Mindanao (CAPID) Project and select team members for their cooperation and support for the analysis and study of displacement and radicalization that accompanied this research.

2. Under the guidelines of the UN Food and Agriculture Organization (UNFAO), FPIC means that consent is: (1) given freely, voluntarily, and without coercion, intimidation or manipulation; (2) based on information provided prior to seeking consent; (3) sought in advance of any authorization or commencement of activities on the land; and (4) based on a collective decision made by right-holders and reached through a customary decision-making process in the communities.

3. Issues range from insensitivity to cultural traditions, the compression of the indigenous rights under national property rights, and the militarization of indigenous communities, especially in mining areas located within ancestral lands.

4. Based on the interview with a senior NCIP official in Mindanao. The person's name and interview schedule are withheld.

5. The three academic institutions are the Western Mindanao State University (WEMSU), the Iligan Institute of Technology (IIT), and the Mindanao State University (MSU) in Marawi. Specific to the Eastern and Southern Mindanao region, the IAP worked with the Urios University in Butuan.

6. The IAP developed a separate database for areas outside Muslim Mindanao (i.e., the Alert Southern and Eastern Mindanao Conflict Database [SEMCD]). A CSV file that can be used for further statistical tests is constantly reviewed to prevent double counting.

7. Another study, undertaken by Jean-Paul Faguet (2005), explains the use of extreme cases to verify the salience of macroeconomic data and to analyze the differential outcomes of decentralization in the towns of Charagua and Viacha in Bolivia, enabling researchers to “place in stark relief the systematic differences in decision-making that characterize each, leading to their very different outcomes” (11).

8. In the IAP database, the number of conflict incidents is used as the barometer for the intensity of conflict, while the magnitude of conflict refers to the human costs of conflict, i.e., the number of people killed and injured, and the number of people displaced by conflict. The notion is mainly the result of media reports, the discourse on tribal wars and the conflict incident reports of the Philippine military, including civil society advocacy campaigns that sought to link resources with violent conflict in Mindanao.

9. The notion is mainly the result of media reports, the discourse on tribal wars and the conflict incident reports of the Philippine military, including civil society advocacy campaigns that sought to link resources with violent conflict in Mindanao.

10. Other scholars have argued that it is not fragmentation, but ethnic “polarization” that matters.

11. In fact, although both municipalities have 12 barangays (or communities) each, Lanuza has 13 barangay health centers in contrast to Lianga’s 12 health stations. Lanuza is obviously better-resourced when it comes to this aspect.

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