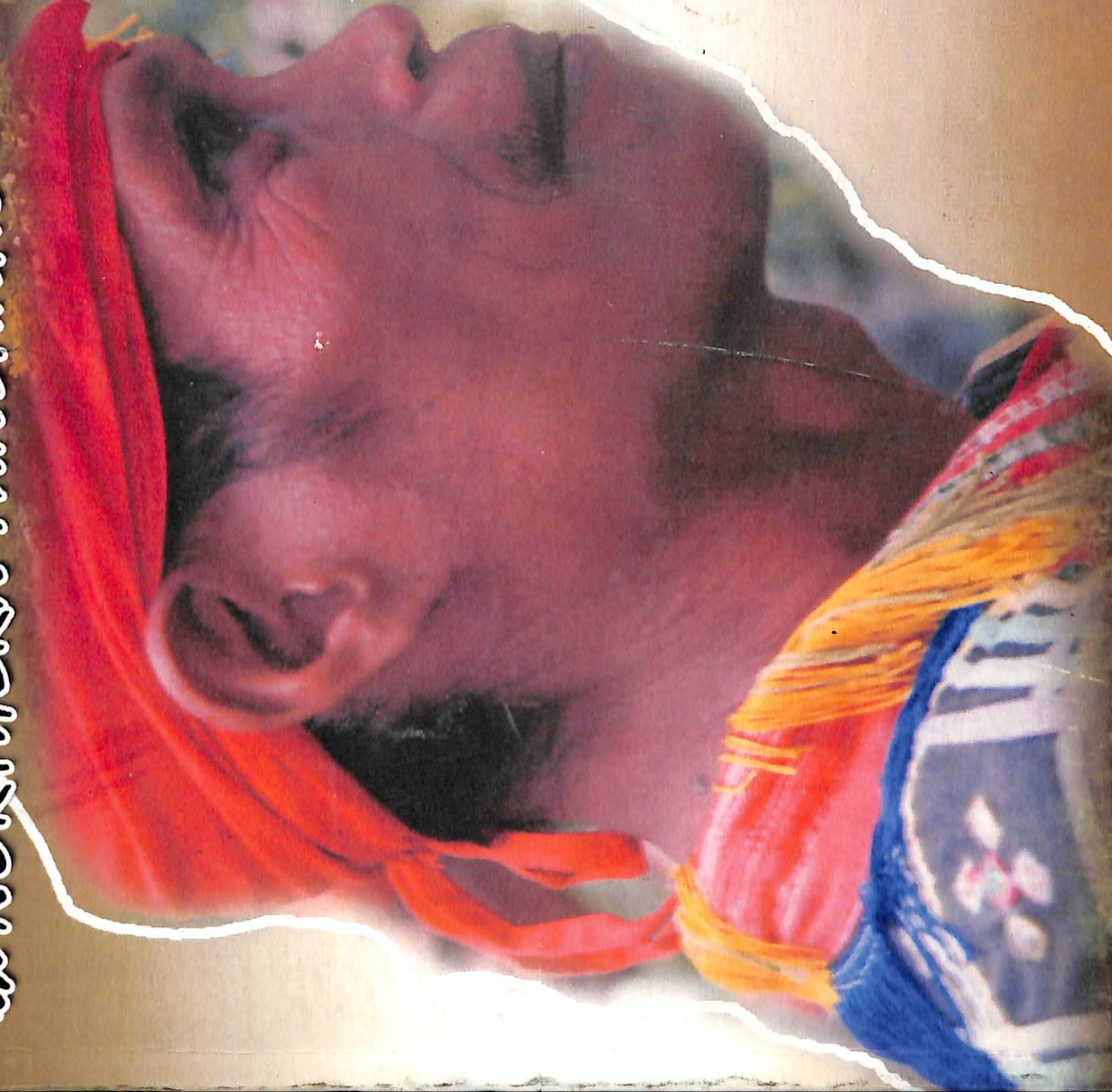


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Research Areas



- ◆ Mirayon, Talakag, Bukidnon (Talaandig)
- Kalagangan, San Fernando, Bukidnon (Matigsalug Manobo)
- Minalwang, Claveria, Misamis Oriental (Higaonon)
- ⬡ Marawi City, Lanao del Sur (Meranao)

Map Source: Microsoft Encarta Reference Library, 2003

CHOICES OF RESPONSE TO INTER-KIN GROUP CONFLICT IN NORTHERN MINDANAO

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PROLOGUE AND ACKNOWLEDGEMENT

This collaborative study on **The Choices of Response to Inter-Kin Group Conflict in Northern Mindanao**, which specifically highlighted the kin group conflict among the Indigenous Communities (Matigsalug Manobo, Higaonon, and Talaandig) of Bukidnon and Misamis Oriental, and the clan conflict called Rido among the Meranao of Lanao del Sur, is deemed a significant contribution to Mindanao and Philippine Studies.

The rich data obtained by the research are documents that should lend information not solely to scholars interested in the study of conflict and its resolution, but likewise to the policy-makers to enhance their understanding of clan or kin conflicts and their implication on the peace and order and development of Mindanao.

Moreover, this present study has barely scratched the surface of a deeply rooted problem that had its historical precedent in pre-colonial period and had pervaded throughout the centuries among these communities. The consequences and effects have devastated relationships among the families and kin groups as well as the community at large, and have forced them to separate and move to other locales for their safety and survival. In the course of research, there were myriads of questions that have emerged, however due to limitation of scope and time, they remained unanswered, thus further research would be able to bring them to light.

This particular study was made possible through the sponsorship of the **Asia Foundation** and the generous support of the **United States Agency for International Development**; for this, the **Research Institute for Mindanao Culture at Xavier University**, wishes to acknowledge with much gratitude these agencies for the opportunity of being involved in such a significant study. Moreover, the RIMCU research team extends its sincere thanks to the Asia Foundation Staff for the efficient facilitation of requirements towards the completion of study on time.

Finally, the RIMCU research team sincerely acknowledges with heart-felt gratitude the collaborators/participants and respondents of the different communities where the study was conducted: Datu Miguel, Jimboy Catawanan, and the Council of Datus of the Matigsalug Manobo of Barangay Kalagangan, San Fernando, Bukidnon; Cornelio "Datu Maagsob" Pinaander and the Barangay Council of the Higaonon of Barangay Minalwang, Claveria, Misamis Oriental; and Datu Rio Besto of the Talaandig of Barangay Mirayon, Talakag, Bukidnon; and the Meranao key informants of Lanao del Sur. Their willingness to share generously the rich information on the nature, processes, and dynamics of inter kin group conflict in their communities are very much appreciated. The wisdom, which they have imparted to us, shall always be etched in our hearts.

The opinions expressed here are those of the authors and do not necessarily reflect the views of the Asia Foundation or the U.S. Agency for International Development.

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EXECUTIVE SUMMARY

This is a comparative study of the choices of response among the members of a community or a kin group when confronted with a conflict situation such as the *rido*, *lido* or the *pangayaw* (sometimes referred also as *magahat*). The two societies that were compared are the Meranao of Lanao del Sur and the Lumad from three different communities namely: the Matigsalug Manobo of San Fernando Bukidnon; the Higaonon of Claveria Misamis Oriental; and the Talaandig of Lantapan Bukidnon. The main objectives of the study were (1) to determine the measures or controls employed to prevent the further escalation of conflict by the concerned kin groups and the community at large; (2) to determine when *rido* or *lido* revenge takes place. The methods used in collecting the data were the following: Focus Group Discussions (2 sessions per area); Key-informant Interviews (10 respondents per area); and Case Studies (4 Meranao, 1 Matigsalug Manobo, 1 Higaonon, 1 Talaandig).

The escalation of conflict is seen by the different societies or communities studied as disruptive of their way of life, specifically, on the economic or subsistence level. Once conflict arises, the members of the kin group or the community are immobilized as they are potentially targets for retaliation (*rido*, *lido*, *pangayaw* or *magahat*). The speedy resolution of conflict is, therefore, of utmost importance. The Meranao has three alternative concepts of justice: the *Taritib-and-Igma* (Customary Law), the Shariah (Islamic Law) and the Philippine Laws. This is also considered a dilemma of the Meranao as preference for one form has repercussions on the person who may be branded as outcast, infidel or unpatriotic. The Lumad adhere to their Customary Laws, the payment of indemnity for an offense and the determination of guilt through ordeal (the *tigi* and *bala*).

The data collected shows that among the societies studied, any form of offense is potentially a cause of *rido* or *lido* (a series of revenge acts which involve killing). This is highly dependent on how the offended or the kin group takes the offense. There is no way, though, to determine what action the offended opts to take. An offended person may seek the help of the *datu* to settle the dispute and ask for payment or kill the offender as retaliatory act. This may also have some bearing on the concept of honor and pride as reckoned by the different societies. The concepts of honor and pride were noted to play roles in the escalation or the resolution of conflict. The *bansa* or *bantug* (honor) among the Lumad is noticeably reckoned to be more individual and personal, and the breach of such may be payable with death or *manggad* (indemnity). Once the payment is done, whether death or indemnity, the conflict can be easily and speedily resolved. Among the Meranao, the *maratabat* or *bantugan* (honor) extends to the family and the lineage, thus resolution may take time as it may hinder the process. Among the Lumad, revenge is directed to the offender in which death or payment of the offense ceases all hostilities following peaceful resolution. Among the Meranao, revenge may not be directed immediately to the offender but to a close relative or family member, which further escalates the conflict. It is noticeable that in settlement of conflict among the Meranao, the mediators appease the *maratabat* of the offended first as it may pose a hindrance to its resolution. Among the Lumad, the payment of indemnity is rather fixed regardless of the number of casualties (in cases where *pangayaw* is conducted) and negotiable regardless of the status of the offended. The settlement is directed to the original conflict and not on the consequences of the offense. Among the Meranao, the settlement involves not only the payment or punishment for the original

conflict but also the consequences of the retaliatory act which reckons highly the status of those people consequently involved in the *rido*. This is where the complication of the settlement figures most.

In conflict resolution, it is observed that the adherence to the customary law, both of the Lumad and the Meranao, is seen to be more effective than using the non-traditional means (*Katarungang Pambarangay* or the courts) although the latter is also invoked whenever deemed to be more effective. Among the Lumad, the intervention of the *Katarungang Pambarangay* is sought when the conflict involves a Lumad and a Dumagat (migrant settler). The use of the traditional and non-traditional means in conflict resolution is seen as adaptive strategies to prevent the escalation of conflict and the restoration of the harmonious relationships among the communities or kin groups.

In the light of the comparative study conducted among the Lumad and the Meranao, the following recommendations (among others) are proposed:

Lumad:

- The recognition and integration of their customary laws as means for resolving and managing conflicts, in the barangay local governance level is imperative.
- For the integration of the customary laws into the barangay system, it is recommended that the codification or at the very least, documentation of the customary laws, is to be conducted.
- The research must be expanded to other Lumad Communities for further comparative studies on conflict management and resolution.

Meranao:

- Integration of Islamic peace education into the curricula in all levels of education and the publication of peace and conflict management modules for use in seminars, radio-TV programs, Friday sermons (*Jumah Khutba*) and other extension programs.
- Strengthening the arbitration services in all levels of local governments and the barangay justice by providing sufficient funds for salaries and allowances of commissioners and arbiters.
- Promotion of the institution of *Taritib-and-Igma* by its codification and incorporation into the legal system and the establishment of the agama court of justice equivalent to Barangay justice.

I. INTRODUCTION

BACKGROUND AND RATIONALE

The breakdown of peaceful co-existence between human groups gives a space for conflict. This arises when an individual or a group of individuals, family, kindred, clan, or tribe is harmed by another party. If immediately unresolved, it may resort to a kind of warfare, which may entail the use of weapons to a great extent. The aggrieved party may take revenge against the offending group. Thus more fighting ensues and the pattern of revenge would usually continue and culminate in death and destruction of properties.

This type of conflict commonly occurs in more traditional societies due to feuding of Kin Groups. Feuding is a "state of recurring hostilities between families or groups of kin, usually motivated by a desire to avenge an offense—whether insults, injury, deprivation, or death—against a member of the group (Ember & Ember, 1985:235). The most significant feature or trait of a feud is the obligation/responsibility of the member of the group to carry out the vengeance. Any member of the offender's group, who is killed, is considered an appropriate revenge by the offended group.

In the Philippine context, inter kin group conflict is pronounced among the indigenous communities in the Cordillera region (Barton, 1919; Cooper-Cole, 1922; Dozier, 1967) and the non-Islamized (Garvan, 1931; Cooper-Cole, 1963; Moore, 1963) and Islamized indigenous communities of southern Philippines. Among the Islamic indigenous peoples, the so-called "Rido", a term used in reference to the continuous revenge acts against each conflicting kin group, is still in existence to a large degree. The practice of *rido* has been observed to be more salient among the



Meranao Muslims than the other Muslim groups such as the Maguindanao, Tausog, and Yakan.

Moreover, inter kin group conflict does occur among the non-Islamized indigenous communities in Mindanao which is referred to as "*lido*" (specifically among the Higaonon; the Matigsalug Manobo refer to it as *pangayaw* or *magahat*). The seeming similarity in the term connotes some cultural connection between these groups in the distant past.

Some societies, on the other hand, when conflict arises at the outset, it is readily responded through amicable resolution or settlement in order to prevent the escalation of conflict, which may result in further bloodshed. In civil societies, courts are resorted to, while some societies where no courts exist, a central authority (either chief or council) settle the disputes to end the enmity. Some studies on conflict resolution among the indigenous peoples of Mindanao (non-Islamized and Islamized) had been conducted and described in monographs (Schlegel, 1970; Burton, 1991; Bula, 2001).

The main focus of this study is to examine the issue of inter kin group conflict, when at the onset the situation is abated and readily resolved. Its main objectives are (1) to determine the measures or controls employed to prevent the further escalation of conflict by the concerned kin groups and the community at large; (2) to determine when *rido* revenge takes place.

The study, moreover, has looked into the comparative perspective of kin group conflict between the non-Islamized communities in Bukidnon and Misamis Oriental (Manobo, Higaonon, and Tala-andig) and Islamized community (Meranao) in Lanao del Sur to determine similarities and/or differences of *rido/lido* practices. In this manner, the results of the study will open up new avenues for further research on inter kin group conflict

In order to achieve the objectives of the study, research questions were postulated:

1. What are the traditional and non-traditional mechanisms used by the kin groups and community at the initial stage of conflict? Who are the responsible persons who initiate such mechanisms or measures? How are these measures/mechanisms applied to prevent further conflict?
2. When does "*rido/lido*" take place and how is it managed in order to prevent the loss of lives on both conflicting parties? When and how is *rido* ended (process)? Who are the individuals responsible in the termination of conflict?
3. What are the community rules or customary laws prescribed by society in the regulation/management of conflict?
4. What is the concept of justice among these communities?

SIGNIFICANCE OF THE STUDY

Inter kin group conflict as opposed to big scale warfare has been given less attention by authorities because it is looked upon as a private enmity between two kin groups. However, many cases of feuds or *rido* can escalate which may involve other relatives living in other communities

to support their kin group. The result of the study on inter kin group conflict, specifically the "*rido*" is expected to lend us information on the dynamics of *rido*, but more importantly, on how it can be terminated at the very start of conflict in order that lives would be saved and prevent further bloodshed.

The study has importance for Local Government Units, especially in areas where *rido* frequently takes place, to be able to develop counter measures that would help the community law enforcement entity in the management of conflict. The need to recognize the traditional resolution of conflict and the use of customary laws in arbitration between kin groups should be given consideration by law enforcing body.

This monograph is a valuable source material for students of political science and governance and those interested in peace endeavors and its management. Some key issues which could emerge from the study would instigate further research on inter kin group conflict.

METHODOLOGY

The research is a collaborative study involving two institutions: Research Institute for Mindanao Culture (RIMCU) based at Xavier University, Cagayan de Oro City and Institute for Peace and Development of Mindanao State University, Marawi City, Lanao del Sur. Each institution was designated to conduct the study of the chosen communities. Thus RIMCU opted to conduct the research among the indigenous communities—Higaonon residents of Minalwang, Claveria, Misamis Oriental; Matigsalug Manobo of Kalagangan, San Fernando, Bukidnon; and Talaandig of Basac, Lantapan, Bukidnon. The MSU researchers concentrated on the Meranao of two

municipalities of Lanao del Sur where "rido" still exists.

Research Setting

Kalagangan is one of the barangays of the municipality of San Fernando, which is heavily populated with Matigsalug Manobo. It lies on the southern fringe of San Fernando where several tributaries of the Salug River cut across the flood plains and surrounded by high plateaus and rolling hills forming into a vast valley. Nine *sitios* of Kalagangan are included within the ancestral domain (CADT) of the Sinuda Matigsalug Manobo under the ministrations of *Datu* Lito Gawilan.

Basac is the last barangay of the municipality of Lantapan and largely inhabited by the Talaandig, an indigenous community that speak the *binukid* language. It is located on the southwestern foothills of Mt. Kitanglad and serves as one of the buffer zones in the Protected Forest area. Basac adjoins Mirayon, one of the barangays of Talakag, also the home of the Talaandig.

Minalwang is a barangay of the municipality of Claveria, Misamis Oriental and mostly populated by another binukid speakers known as the Higaonon. Because of the rough terrain due to the presence of plateaus and gorges, Minalwang can only be reached by going through Gingoog City by way of the use of "*habal-habal*" (motorcycle) or on foot.

Lanao del Sur is abode to the Meranao.

The Meranao communities are found along the

The most significant feature or trait of a feud is the obligation/responsibility of the member of the group to carry out the vengeance. Any member of the offender's group, who is killed, is considered an appropriate revenge by the offended group.

shorelines of Lake Lanao. The province is accessible to any mode of transportation and is conveniently situated about an hour's ride from Iligan City.

Data Collection Techniques

Two main data collection techniques were employed: Focus Group Discussion (FGD) and Key Informant Interview. Case study approach was used to garner data for special cases in the areas of research. For each of the research area, two FGDs were conducted among the religious leaders (e.g. *Ulama*), the traditional leaders, such as the *datus*, and some barangay officials. Ten key informant interviews were conducted and life histories for the case studies were collected. The MSU team also has interviewed their friends from the academe, religious group, and other traditional leaders with whom they had come in contact informally.

The collection of data was done through the use of a tape recorder. The tapes were then transcribed in the language used in the conduct of interviews. The transcribed materials were translated into either Bisayan or English. The data were analyzed through their content in relation to the research.

The two teams had set dates to meet in order to discuss the progress of fieldwork and the writing of the research results. The teams were able to meet the deadline set on the submission of the report drafts.

II. GEOGRAPHY AND ETHNOGRAPHY

BUKIDNON

Bukidnon province is landlocked which is bounded on the north by Misamis Oriental, on the east by Agusan del Sur and Davao, on the west by the Lanao province, and on the south by North Cotabato. The greater part of Bukidnon is gentle-rolling plateau, which appears to be a high broad unbroken plain rising gently towards the mountains. Its surface is cut by many deep canyons, which widen into valleys dominated by grassy plains.

The Bukidnon plateau covers most of Bukidnon province, which is a broad upland plain between the mountain ranges of central Mindanao and the northern coast. It measures around 803,840 hectares separating the Islamized communities of Cotabato from the Christianized towns in the north. In the eastern part, it is bordered by a densely forested mountain range and separated from the Agusan River Valley. The western periphery of the province adjoins the rugged high mountains of Lanao.

Mt. Kitanglad, the highest mountain range in Mindanao lies in the heart of the Bukidnon plateau. From here, water run offs flow into several rivers that cut the plateau into steep canyons and deep gorges. North of Dalwangan divide are two major river systems—the Cagayan and Tagoloan—which empty into Macajalar bay. These rivers flow down south to join the Pulangi (Rio Grande de Mindanao) and drains into the Cotabato Gulf.

This plateau had been inhabited by indigenous communities who speak variants of Manobo language: the Talaandig who are mostly distributed on western Bukidnon from Malaybalay towards Lantapan and Talakag; the three sub-groups of Western Manobo—Pulanginon of



southern Bukidnon, Tigwahanon who are distributed along the Tigwa River, and the Matigsalug along the Salug River that cuts across San Fernando and joins the Davao River; and the Higaonon who are distributed in northern Bukidnon who came up to the plateau and left the coastal areas of Misamis Oriental.

MISAMIS ORIENTAL

Misamis Oriental province has an irregular coastline indented by two bays—Macajalar and Gingoog. It is bounded by Macajalar Bay and Bohol Sea, on the east by Agusan del Norte, on the west by Iligan Bay, on the south by Bukidnon and Lanao del Norte. The eastern part of the province consists of angular hills but by streams in deep gorges, while the central region is characterized by sloping lowlands and river valleys. The western portion has rough hills rising abruptly from the sea and the coastlands are narrow. Several rivers cut across the province, which flow from their headwaters in the prominent mountain ranges down to the bays.

The coastal areas of the province are well developed due to the presence of industries that have established their foothold and heavily populated by the migrant settlers known as the "*Dumagats*". The uplands are still inhabited by the indigenous populations, the Higaonon, who still practice their traditional culture.

LANAO DEL SUR

The Lake Lanao region is the home of the Meranao. The lake, located in North Central Mindanao is some 135 square miles in area and sits at an altitude of 2,300 feet above sea level. This is one of the loveliest potential tourist and recreation sites in Mindanao. Tropical vegetation covers the mountain slopes of Lanao. The climate is pleasant and cool, affected by the altitude and the lake breeze.

The old province of Lanao was created in 1914 with Dansalan City as its capital. Due to the influx of Christian migrants from Luzon and the Visayas to the northern part of the province, the territory was eventually divided in 1959, into Lanao del Sur and Lanao del Norte by virtue of Republic Act No. 2228. Today, Lanao del Sur on one hand, is dominated by the Meranao Muslims by 95% to 5% Christians. Marawi City, Malabang, Balabagan and Wao are the only political divisions with visible Christian populations. On the other hand, Lanao del Norte is dominated by the Christian migrants by roughly 60% to 40% Meranao Muslims.

Lanao del Sur is at the center of the Lake Lanao basin. The province is bounded by Lanao del Norte on the north, Illana Bay on the west, Maguindanao on the south and Bukidnon on the east. Considered as a fourth class province, Lanao del Sur is made up of one city and 39 municipalities.

Marawi City, (the new name of Dansalan City) still served as the capital of Lanao del Sur. The city is host to many educational institutions including the Mindanao State University. It also served as the administrative, cultural, medical and transportation center of the province.

Found in the south and serving as natural boundaries separating Lanao del Sur from Maguindanao and North Cotabato are volcanic

mountain ranges. A large lowland area called Maridogao Valley can be found towards the east near the Bukidnon boundary.

Located at the heart of the province is Lake Lanao, the largest lake in Mindanao and second largest in the Philippines. Draining the lake is the Agus River which bisects the present-day two Lanao provinces as it flows northward emptying its water into Iligan Bay. Six hydro-electric plants were constructed along the Agus River that generate electricity and supplies the whole of Mindanao.

Plateaus are located on the north, northeast and northwest of the lake. Deep canyons cut near the edges of these plateaus where waterfalls provide drainage to these highlands.

BRIEF ETHNOGRAPHIES

Matigsalug Manobo (San Fernando Bukidnon)

The Matigsalug Manobo are found in the southern parts of Bukidnon specifically in the municipalities of Kitaotao and San Fernando. The Matigsalug Manobo are a variant of the Manobo-speaking groups referred to as such as they are found thriving near the Salug River ('*matig-salug*' is a Manobo term meaning 'people living along the Salug'). There are more than twenty communities of the Matigsalug Manobo in San Fernando, Bukidnon nine of which belong to the Sinuda Ancestral Domain of Kitaotao. San Fernando was declared a reservation for the Matigsalug Manobo in the 1970s but due to the influx of the entry of the migrant lowlanders, the indigenous people are scattered in the hinterlands while the former occupy the center owing to the lands that they acquired from the latter planted to rice, corn and sugarcane.

The Matigsalug Manobo are swidden agriculturists who thrive on camote (sweet potato)



as their staple food. They also plant corn which they sell to the lowlanders in the *poblacion* (center). They used to hunt game in the forests but due to the fact that the place was logged over in the seventies, they occasionally do so as the remaining forest takes about a day to walk. They also plant rice but on a very minimal production. Some of them content themselves as laborers of the rice planters (the lowlanders).

Every community is headed by an *igbuyag* (tribal chief) who used to be selected by the people through recognition of his capacity to settle disputes, help in the payment of indemnity and defend the people from enemies. As such, an *igbuyag* is necessarily a *bagani* (a tribal warrior). There is no hierarchy in the Matigsalug Manobo political system. The tribal chief lives the same life as the other community members, working on his own to feed his family. Being chieftain is actually an additional obligation for which once recognized, one simply has to comply and accept. Currently, the tribal chieftains are elected by virtue of the power of the local governing units who will not recognize a community whose *igbuyag* is never elected.

The Matigsalug Manobo are animists. They believe in the *Diwata* (spirit deities) who live in the trees, the rivers and land. The highest *Diwata* is the *Manama* who is the creator of the water and the land. The *Magbabaya* is the *diwata* who dwells

in the sky. Rituals are performed to thank or appease the *diwata*, for healing purposes, in opening lands, hunting or burial. The rituals are simple and not elaborate. Chicken or pig, depending on the extent of the ritual, are offered to the *diwata* together with betel nut.

The family is the smallest unit of their social organization. It is both nuclear and extended. The reckoning of relatives is bilateral, i.e., recognition of relationship through both parents. They are strictly exogamous (marrying a woman from outside the community). A community is composed of families related to one another and marrying a relative is strictly a taboo. They practice matrilineal residency, i.e., the man will live in the community of the wife after marriage. The *duay* (polygyny) is practiced by those who can afford.

Higaonon (Claveria, Misamis Oriental)

The Higaonon, a sub-ethnolinguistic group of the Manobo linguistic stock, are distributed in Bukidnon, Misamis Oriental and in Agusan del Sur (referred to as the Banwaon). Higaonon means 'shrimps removed from the water' to connote their displacement from the coastal settlements to the hinterlands. They are culturally and linguistically related to the Manobo.



They engage in farming, either swidden or sedentary, as mode of subsistence. They also fish

as they live along the rivers. Hunting is also practiced by the Higaonon. The family is the unit of subsistence and the members compose its labor force. On instances such as clearing or harvest or felling trees, the community members band together and act as one unit. This practice is called 'hunglos'.

The Higaonon community is headed by a *datu* or a chieftain. The lower *datu*s who lead certain villages (*tulugan* or family community) are called *didingkulan* particularly in subsistence activities such as trapping, fishing, planting or hunting. The *datu* has two main functions, i.e., to judge and arbitrate in matters concerning disputes and to assist the *baylan* (shaman) in religious ceremonies. The *datu*, once chosen, undergoes several ceremonies in his lifetime.

The smallest unit of their social organization is the family. The group of families is called a *gaup* which also serves as the political unit. Most members of a community are related either by consanguinity or affinity. Kindreds are traced bilaterally and is recognized through both parents. Marriage is construed as an alliance between families rather than contract between individuals. Polygyny is practiced and generally allowed to all although the *datu* may have the advantage as he can afford.

The Higaonon belief system is associated with the cosmos, which is classified into four worlds namely the *langit* (heaven), *kalibutan* (earth), *didalum ha nanad* (underworld) and *ulagingan* (the paradise of the Higaonon epic heroes). They are animists and have a hierarchy of spirit deities (*diwata*) headed by the *Magbabaya*. The rituals are officiated by the *datu* and the *baylan*.

Talaandig (Lantapan, Bukidnon)

The Talaandig are a sub-variant of the

binukid-speaking groups in Bukidnon. They are also culturally and linguistically related to the Manobo. Talaandig literally means 'people living on the slopes'. They are generally found in Lantapan Bukidnon. Some communities are found in Talakag, an adjacent municipality to Lantapan. They are distinctly different from the other groups in their traditional costumes, which abound in geometric designs and using very loud colors.

Similar to the other indigenous groups in Bukidnon, the Talaandig are also swidden cultivators. They clear plots mostly on the slopes of the mountains. Their staple food is basically camote (sweet potato), though they also plant banana, cassava and yam. Corn and palay are not very popular with the Talaandig. Hunting and trapping are also pre-occupations of the Talaandig men owing to the fact that they live on the slopes of Mt. Kitanglad, a dormant volcano which is currently a protected area owing to its declaration as a National Park. They supplement their diet with fish obtained from the rivers and streams which abound in the area.

The Talaandig live in family-communities called the *tulugan*. A *tulugan* is headed by a *datu* (chieftain). The customary law (*Batasan*) is the instrument of governance and social order. There are several *datu*s in a community: the *Balaghusay* (arbitrator) is an expert in customary arbitration; the oralist or historian is called *Palagugudi*; the *Talamuhat* or *Baylan* is the ritualist (shaman); the healer is called *Mananambal*; the *Malagbasuk* is the expert in agricultural activities; and the warrior is called the *Bagani*. The functions of the *datu*ship cover the social, political, economic and religious activities. Women who are also engaged in leadership are referred to as the *Bai*. The *datu*ship is usually inherited and passed on by the elders to

the younger generation through informal training. The institutionalization of the *datu*ship is done through a ritual called *Panagulambong*.

The Talaandig believe that man is only a traveler who rests on earth overnight. Man comes to the earth as spirit who acquires material existence. From birth, it is believed that man already owes debts for his survival. As such, before passing on to the next life, he needs to pay his material obligations. Failure to do so would make him a prisoner on earth; this would hinder his journey to his ultimate destiny, which is perfection in the *Ulagingen*, said to be the home of the epic hero, *Agyu*. To pay for such debts, man needs to execute religious sacrifices and offerings..

The Talaandig social organization follows a patriarchal system where the father's line of authority is followed and respected. The reckoning of lineage though is bilateral based on consanguinal relationships. Affinal relationships are also recognized in the kinship system. The family unit is both nuclear and extended.



THE MERANAOS

The name Meranao, 'me' (adjective marker) plus 'ranao' (lake), means approximately "lake shore dwellers". In the early *salsila* (genealogy) and still today, this term refers to the native people living around Lake Lanao.

It is not known when the Meranao started to populate Lanao, but it is probable that they were migrants from the coast, who blended with earlier inhabitants in the lake area. They have close cultural and linguistic relationships with the *Ilanun* and Maguindanao. The speech of these three groups indicates descent from a common "proto-Danao" language. Observation reveals that the indigenous socio-cultural practices, mores and behavioral outlook of the three groups show more similarities than differences.

In the year 2000, the Meranao of Lanao del Sur were reported by NCSO to number 760,154 (95% of the total population of 800,162). This figure does not include those residing in Lanao del Norte and those who migrated in other places due to the Mindanao conflict and the Meranao adventurous behavior in business. The Meranos are known to be present in places all over the country as businessmen or itinerant vendors. Some scholars believe that they are the largest group among the 13 Muslim ethno linguistic groups, but the others believe that the Maguindanaon are the largest group.

Foreign influence

In spite of isolation of the Meranao society in the interior of Mindanao for centuries, traces of foreign influences especially Indian, Chinese, and Islamic are visible in their material and non-material culture. Chinese influences are apparent in the porcelain wares they have inherited from their ancestors. Due to their commercial value in the modern world, these heirlooms have been swiftly flowing to the market commanding a very good price. Indian influences, on the other hand, are dotted in the folk literature of the Meranao culture and in the language of the people. The famous *Maharaja Lawana*, for instance is believed to be

an adaptation of the *Ramayana* of India.

Among the foreign influences that have reached the Lake Lanao region, it is Islam that commands prominence. Aside from the consequential effects that Islam wrought upon the Meranao society, which, together with the other Muslim communities in the Philippines, set them apart from all the rest of the Filipino nation, Islam is continuously transforming the Meranao society along distinctive Islamic ideological orientation. Islam as a complete way of life provides its adherents with general principles in accordance with which religious, social, cultural, economic, political, legal and other institutions may develop.

Socio-Political Organization

One of the most striking characteristics of the Meranao culture is their notion of a distinctive society, *Pangampong ko ranao* (encampment of the lake), conceived as joining all Meranao speakers into a single structure of institutions, values and beliefs (Mednick, 1965: 42). Lanao has four *pangampong*: Masiu, Unayan, Bayabao and Baloi. Each *pangampong* has a system of government handed down from generation to generation adhering to a set of pre-Islamic laws (unwritten) referred to as *igma ago taritib* (consensus and code of custom).

Some provisions of the *taritib* have their origins in legends, codes or contracts devised by the early leaders/ancestors of the Meranaos. The *taritib* and the *salsila* (genealogies) define kinship groups and the *bangsa* (status or rank) is based on ancestral family trees. The *salsila*, therefore, had become the basis of leadership and authority in Meranao society.

Because each *pangampong* has its own system of government based on *igma ago taritib*, they divided or sub-divided the area of their

respective *pangampong* in varying fashion. Consequently, they also differ in defining relationships between *ingeds*, set of political leaders, and other aspects of their daily life. To start with, therefore, the *taritib* of a *pangampong* is independent from the rest. In cases involving relations between the four *pangampongs*, another set of *taritib* and the set of leaders who can execute them are consulted.

Economic Life of the Meranaos

Around 70% of the Meranaos inhabit the Lake Lanao shore and riverbanks. For this reason one productive economic activity of the Meranaos centers around the lake. The lake is a source of fresh fish that finds ready market need in the daily menu of the Meranaos. Surplus catch can be sold in Marawi City for a higher price. Traditional methods of catching fish by the use of nets and bamboo traps are still in use.

Because of the size and depth of the lake, fish caging and other modern methods of raising fish cannot be applied. The introduction of new species to the lake and the construction of dam at its outlet, and Agus Hydro-Electric Plant I by the National Power Corporation in the 80's have aggravated the extinction of the fish population.



Agriculture is the principal pursuit of the Meranaos. In the basak (lowland) area, rice is the main crop planted. Due to the absence of irrigation

facilities, capital and technical know how, farmers can hardly provide the basic needs of their families. Aside from rice, the upland farmers also plant corn, fruits of various kinds such as bananas, jackfruit, marang, durian, avocado, mangoes, lanzones and vegetables. Cabbage, eggplant, pechay, onion, carrots, cassava, camote and potatoes are grown but most of the vegetables are not grown in commercial quantities.

Weaving is also one of the important economic activities of the Meranaos, though this occupation is solely women's undertaking. Mats and malongs woven in Lanao find its market all over the country. Brass making and blacksmithing seem to be the monopoly of the Tugaya people. The reason for this is that some of the basic materials used in brass casting can be found only in that place. Their products do not sell only as household utensils but also as tourist souvenirs that can be found in the stalls all over the country.

Aside from these four major economic activities, we can add the sari-sari store operators, gift shop operators, groceries, hard wares and other related retailing business and/or service-oriented establishments (e.g. restaurants, barber shops, etc.). Government employment is also one of the major sources of income in the province. Private employment is almost nil because Lanao del Sur has no factories. Only the private schools in Marawi City and some big stores can provide employment for a limited number of people.

The Meranaos is also known as the "Chinese" among the Muslim groups in the country because of their adventurous behavior in business. Wherever you go in the country, it is always easy to find Meranao vendors in the public markets and some shopping malls.

The Meranaos live in proximity with the

Iranon/Ilanun and the Maguindanaons. The *Ilanun* or (*Iranon*) are very closely related culturally and linguistically to both the Maguindanaon and the Meranao. Sometimes the *Ilanun* (especially those living in Lanao del Sur) are counted with the Meranao, and sometimes they are counted with the Maguindanaons. But historically they have been a separate group, though all these groups probably sprang from a common ethnic origin long centuries ago. The meaning of the word *Ilanun* is obscure. However, the Maguindanaon word ILANAWEN (people from the lake) is suggestive as the original form of this name. The people of Sulu refer to the Muslim groups of mainland Mindanao as *Ilanun*. The Meranao and Maguindanaon as a tribe name do not exist in their vocabulary.

Presently, the *Ilanun* are primarily concentrated along the Illana Bay coast, north of the mouth of the Pulangi River (Sultan Kudarat, Parang, Matanog, etc) all the way to Sibugay Bay in Sibugay and Zamboanga del Sur provinces. Most of them engage in fishing while the rest raise food crops.

The *Ilanun* are, historically, the most famous Mindanao group particularly outside of the Philippines where their raiding and "buccaneering" brought terror to insular Southeast Asia. As a result, the name *Ilanun* came to stand for all of the Muslim groups in mainland Mindanao during the 18th century.

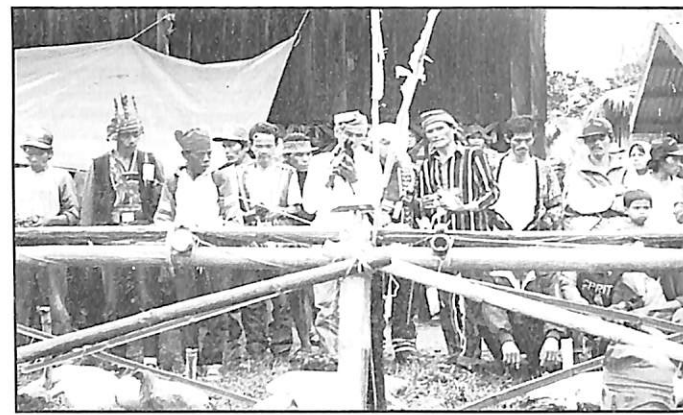
At the time of the coming of the Spaniards, the *Ilanun* were a client people to the Maguindanao Sultan. Under Maguindanaon leadership the *Ilanun* launched into piracy in response to the imperialistic activities of the Europeans, which among other things tried to control, Southeast Asian trade. When the Maguindanaon Sultanate declined as a result of the international trade switching to Sulu, the

Tausogs invited groups of *Ilanun* to settle in their area for purposes of slave trading. The *Ilanun* settled in Sulu under their own leaders (in the community level) and as their raids ranged farther and farther from their Illana Bay home base, intermediate "bases" were set up. At first, these bases served as safe place for boat repairs and source of supplies (e.g., water and possibly fruits). As the years went by, some of these bases become permanent Iranun communities, which serve as the "home base" for raiding parties to more distant coasts.

Most of these bases and/or *Ilanun* settlements did not survive perhaps, because of their small population that was rapidly absorbed or blended with into the larger community. However, Lebar (1975: Vol. 2:35) noted that at least one of these settlements survived:

The *Ilanun* bases have all disappeared with the exceptions of the North Borneo settlement, which survives as an ethno linguistic community in Modern Sabah, numbering some 4,000 persons and located mainly on the Western coast plain, from the lower reaches of the Tempasuk north to the Kudat Peninsula.

The other tribe closely related to the Meranaos is the Maguindanaons. The homeland of the Maguindanaon people is the basin of the Pulangi River or Rio Grande in Spanish account. The word Maguindanao means "people of the flooded-plain" for they mainly inhabits the broad Pulangi River Valley and delta, which are occasionally flooded. The Pulangi River has its beginning in the mountains of Bukidnon (Valencia) and some of its tributaries spring from the Liguasan Marsh and Lake Buluan.



Some twenty miles from the coast, the river forks into north and south branches. After the coming of Islam, this geographic break was paralleled by a political division. The lower valley (*sa-ilud*) nearest the sea was the locus of the Sultanate of Maguindanao. It was also called by some writers as the Sultanate of Mindanao because her influence in the 17th century extended over a wide territory from Sibugay Bay in the west to the coast of Davao. This is also the reason why the second largest island of the Philippines was named Mindanao. The upper valley (*sa-rawa*) inland was loosely under the control of the Sultanate or Rajaship of Buayan. The fortune of these two states rose and fell; and, at time, a third and smaller principality, that of Kabuntalan (Bagumbayan), located at a point between the two larger states, momentarily appeared and then receded from view.



III. CONCEPTS OF CONFLICT AND JUSTICE

Generally speaking, the concept of justice is so much related to the administration of impartial judgment but the process of administration differs from society to society. Among the non-literate societies, the penal law found in literate societies is not the law of crimes; it is the law of wrong or, torts (private law) (Maine, 1959). It is not the state that is regarded as the aggrieved party but the individual who committed the offense and his kindred; the individual is emerged in his group, and logically, his relatives are collectively responsible for his misdeeds (Hoebel, 1974: 398-399).

In pre-conquest Filipino society, the system of justice was deeply rooted in religion, magic and myth. The crucial aspect of their judicial processes included the swearing of an oath and trial by ordeal. Oath swearing was supported by the testimony of witnesses and the main source of proof. Since the use of documentary records was non-existent, testimonial evidence was very significant. Hence it was on this point that religion provided vital support to the presumption of justice (Fernandez, 1976: 128).

Undoubtedly, trial by ordeal is rooted in religion since the main assumption was that the spirits or deities had the power to intervene in human affairs. Thus, the wicked are punished while the innocent and just are shielded and protected. In this method, if the accused refused to undergo the ordeal, he was presumed guilty; on the other hand, if he complied to go through the ordeal and led to his injury – this denoted that the supernatural has provided the seal to his guilt.

The introduction of the penal system to the Philippines did not necessarily erode the indigenous system of justice. As found among the



existing cultural communities, the traditional judicial process survived.

THE LUMAD CONCEPT OF JUSTICE CUSTOMARY LAWS

Social order among the indigenous peoples is maintained through the adherence to their customary laws. These laws are unwritten but are passed on orally from one generation to the next. These laws become the bases of the *datus* in settling disputes. The *lumad* do not have the concept of right. They only have the concept of indemnity (referred to as *husay*). When an offense is committed, there is always a corresponding payment. The payments though are highly negotiable and dependent on the skill of the *datu* in the art of compromise and negotiation. It is also important to note that those people who want to involve themselves in settling conflicts must also be willing to contribute to the payment of indemnity. In the *lumad* justice system, what is important is that the dispute is settled and social order is restored as soon as possible. Conflicts that lead to *pangayaw* or *magahat* (retaliation) can disrupt an entire community's economic subsistence.

These unwritten customary laws are known as *Gantangan Palabian* for the Matigsalug Manobo and *Sukod* (*Mangalilis ha batu naimi ha batasan*) for the Higaonon. The *Gantangan* and *Sukod* are terms that both connote measurement. These

In pre-conquest Filipino society, the system of justice was deeply rooted in religion, magic and myth. The crucial aspect of their judicial processes included the swearing of an oath and trial by ordeal.

terms are the ones used in the particular areas of research. In the other variants of the Manobo and Higaonon, other terms for the customary laws are used.

BANSA OR BANTUG

Bansa or *bantug* (honor or pride) is highly preserved among the Matigsalug Manobo and the Higaonon. Any act committed against the *bansa* or *bantug* shall be payable through indemnity ordered by the *datu* or *igbuyag* during settlement. Likewise, any act committed offensive to the *bansa* or *bantug* of any man or woman (elder or young) is enough to cost one his life.

Bansa or *bantug* is also referred to as a way of life. The acquisition of *bansa* or *bantug* is through the recognition of the people of one's capacity to extend help to others or simply by living a life which follows the norms of the customary laws. Among the *datus*, *bansa* or *bantug* is defined by their capacity to settle disputes, protect the community from enemies and the maintenance of harmony and social order. For the Mabalaw or Bagani or Alimaong (tribal warriors), *bansa* or *bantug* is reckoned from the number of enemies they have killed as a sign of bravery.

Bansa or *bantug*, may be good or bad. The preference though is for the former. Non-adherence to the customary law or to the rule of the *datu*, is considered bad *bansa* or *bantug*.

Adultery, rape, ridicule (such as taunting someone of his or her physical inadequacies) is an offense to the *bansa* or *bantug*. According to the

Matigsalug Manobo, they used to have several families in a single house partitioned into different rooms. When someone sits on the floor and another happens to stride over his or her legs, the deed is considered an offense to the *bansa* and enough to cost the person his life. If prevented, indemnity is to be paid. Such is the reckoning of the Lumad of their *bansa* or *bantug*.

ORDEAL

Both the Higaonon and the Matigsalug Manobo practice ordeal to determine the offender in cases wherein accusations without evidence are brought to the *datu* or *igbuyag*. The Matigsalug call theirs *tigi-an* while the Higaonon refer to theirs as *bala*. It is believed that both the *tigi-an* and *bala* are guided by the *diwata* and thus, can never be wrong. It is advisable not to undergo such ordeal as the guilty will always be caught and penalized. Better admit the crime as the ordeal may cause one his death (especially for the Matigsalug). The Matigsalug ordeal is much dangerous compared to the Higaonon way.

Tigi-an

There are four ways wherein the ordeal is conducted among the Matigsalug Manobo. *Pamalás* (invocation) is conducted by the *datu* or *datus* before the *tigi* is done. This is to ensure that the bad spirits cannot interfere with the process. If the accuser's contention is unfounded, he shall pay the accused indemnity for falsely accusing him (called *ha'on*). If he refuses to pay, he shall be

killed or the *diwata* will cause death to his family members.

Hindang. The accused person holds a branch of *hindang* (a tree that is itchy to touch) then immerses himself in the river. If the person is not guilty, nothing would happen to him and he may stay underwater for several hours. If the person is guilty, water and sand would enter his nose, mouth and ears. This may cause his death.

Bagyang. *Bagyang* is an itchy leaf which is chopped into seven pieces and eaten by the accused one by one. If the person is not guilty, nothing would happen. If the accused is guilty, his throat would expand and his tongue would shorten or retract.

Gabi. The *gabi* stalk and leaf is placed on boiling water. If nothing happens, the accused is not guilty. If the leaf and stalk wilts, the accused is guilty. If there are several accused, several leaves would be placed on boiling water representing each of the accused. If a leaf wilts, the person represented by the leaf is deemed guilty.

Pinabagang Puthaw. A piece of metal is put into the fire till it glows red. The accused shall be ordered to hold the metal. If the accused is guilty, the red-hot metal interlocks his hand till it is cut off. If not, the metal would not harm him or may even jump off from his palm.



Bala

There are also four ways to determine the innocence of the accused among the Higaonon. Similarly, rituals are also conducted before *bala* is commenced.

Bangkaw. A spear is handed to the accused and ordered to measure his arms' length. The length is noted or marked and the accused is told to do it again. If the arms length falls short of the noted or marked measurement, the accused is considered guilty and is penalized.

Say-og. A thread with a weight on the other end is handed to the accused and ordered to hold it still. If the weight moves, the accused is considered guilty.

Tunglo. This literally means 'to curse'. In cases wherein the offender is unknown, the *datu* would perform a *pamalás* and implore the help of the *Magbabaya* (Supreme Deity) to inflict pain on the unknown offender. For instance, the *datu* curses the offender to fall from a tree he is climbing. If such thing occurs to anyone in the community, the person is considered the guilty one.

Tagna. Divination. The *baylan* performs a ritual and pinpoints the offender. This is especially conducted when the accused is branded to be *bul-uyan* or one who practices witchcraft.

PANGAYAW, MAGAHAT AND LIDO

Pangayaw and *magahat* are two related concepts among the Lumad. *Pangayaw* refers to a retaliatory act by an offended person the intention of which is to kill the offender. This is more of a spur of the moment decision to retaliate to redeem one's honor offended by the other. The target of a *pangayaw* is generally, the offender. Specifically, this is referred to as *panalusow*. *Panalusow* is a retaliatory act wherein one goes alone to hunt and

kill the offender. Most often, the term is used within family conflict where a husband and wife are involved. *Magahat* is more organized and premeditated. It generally refers to a raid and is usually headed by the *datu* or the *bagani* (warrior). The purpose of the *magahat* is also retaliatory although the other community is informed by sending a rattan with knots (*kurow* or *kudaw*) to indicate the number of days before the raid is conducted (usually seven to mean a week). The *kurow* (Matigsalug Manobo) or *kudaw* (Higaonon) is usually tied with a red handkerchief to indicate that blood will be shed. This gives the community time to rid itself of all women and children who may not be spared. While there is the option to vacate the whole community including the men, it is considered cowardice and not very good to the *bansa* or *bantug*. A *pangayaw* does not require information of the other tribe that such will be conducted as the object is to kill the offender. In the case where the offender cannot be found, anyone in the community first seen by the retaliator would be killed. This can lead to *magahat*.

Among the Higaonon, the term used for conflict which involves killing is *lido*. Conflicts such as scuffles or brawls cannot be called *lido*. It is called *logong*. The one that involves killing where the intention for such is to grab one's land, or to steal, or grab someone else's wife is referred to as *lido hu katangkawan* (the highest form of conflict). This is usually meted with death as punishment.

KUMANAYTAY UN SA ALIMAONG TA BALUKAN HU DATU

Literally, this means that the *mabalaw* or *alimaong* (tribal warrior) is allowed to walk down the arms of the *datu*. This means that the warrior is ordered by the *datu* to kill an offender. The

mabalaw is given three days to kill the person ordered to be killed. This happens when the offense is so great that settlement will not suffice. Disobedience to the order of the *datu* especially during settlements may cost one his life. As a rule, only the *datu* can order anyone to be killed. The community members are prohibited from such. There are instances, though, that the offended person kills the offender out of the spur of anger. This calls for the *datu* to interfere immediately so as to prevent *pangayaw* (retaliation).

PANABUD

This is a unique practice of the Matigsalug Manobo, which, literally means that an offended person challenges anyone (but usually a *bagani* – warrior) to kill the offender. The challenge may take any form. The most common and considerably honorable way is to offer the *bagani* a *tangkulok*. The *tangkulok* is the headdress of an *igbuyag* and a symbol of honor. In this case, it is assumed that an *igbuyag* is making the challenge to the *bagani* as only an *igbuyag* can own a *tangkulok*. The *tangkulok* is used by the *bagani* when he accepts the challenge. Another way is to spit on the face or the hands of a person or *bagani* and challenging him to kill for you. Some would throw a chicken on the feet of a *bagani* with words to challenge his *bansa* (honor/pride). Still others would hit the *bagani* with a branch to challenge his *bansa*. Some women would throw themselves on the feet of several men and shed tears to avenge her. Sometimes, according to accounts, shedding a tear in front of a *bagani* is enough to challenge him. Challenging a *bagani* even if it hurts him is considered an honor as the person recognizes his bravery. When a *bagani* refuses to do such, he returns twice the amount of what was given him like

the *tangkulok* or chicken or pig. Aside from returning twice the amount, he is branded a coward or someone who belongs to those who wear skirts.

Challenging the *bagani* to kill someone does not mean that the challenger is a coward. It means that the challenger cannot commit the act as he is not a *bagani* or if he is, he just can't do the act as the person to be killed may be his friend, his brother or his father or a near relative.

When the *bagani* takes the challenge, he goes on a *pangayaw* – to run amok. He seeks the person whom he intends to kill. Anyone who crosses his path is also killed. The *bagani* is given three days to kill the person. It is the belief that if he cannot do it within the timeframe, the *talagbusao* would inflict harm on him. If in case the *bagani* cannot find the person intended to be killed, he must find a substitute to appease the *talagbusao*.

When the mission is over, the *bagani* returns to the challenger and the latter may present him with another *tangkulok* or any valuable or animal to symbolize that he is honored to have done his request. The challenger then takes full responsibility for the act. The *bagani* is absolved of the killing. The challenger shall pay the offended party indemnity for the killing. Or if the offended party refuses to settle the dispute, they can opt to perform *pangayaw*, not on the *bagani* but on the challenger.

COMMON CAUSES OF CONFLICT LEADING TO PANGAYAW (Retaliation)

The conflicts cited in this section are actual events. Among the Matigsalug Manobo in San Fernando, the practices leading to *pangayaw* are still very much observed. Among the Higaonon in Claveria, the practices have already waned; in fact, the elders could not recall any major incident or

conflict for the past thirty years (conservative estimate). The accounts here include incidents that could be remembered by the respondents. Some of these incidents happened in the past while some are very recent.

MATIGSALUG MANOBO

Panalusow

This conflict was between a husband and his wife incited by jealousy. This conflict happened to a married couple wherein the wife verbally expressed her regrets for having the man as her husband during a quarrel. She told him that she never liked him and that she would have been better off if she married the other man whom she loved. The husband was angered and searched for the man described by his wife. When he found him, he killed him and worse, cut off his head and brought it to his wife. The relatives of the murdered man retaliated and the conflict grew. *Pangayaw* (retaliation) started and anyone seen who is a member of the tribe where the killer lived shall be killed. The *igbuyags* (*datu*s) were alarmed because many had already been killed. The relatives of the married couple were called. The *igbuyag* decided that *lebut* would be performed. *Lebut* means to kill the source of the conflict. The husband was handed over to the relatives of the wife and the wife to the relatives of the husband. Both were tortured (killing slowly by inflicting non-fatal stabs) and were beheaded by a *bagani* (tribal warrior). The bodies were chopped into pieces and indiscriminately thrown anywhere. The killings ended.

Ahow/Ahaway

This conflict resulted from wife grabbing. A husband had a very beautiful wife. Someone from another place was captivated by her beauty. This resulted to taking the wife with him. The husband

got angry but could not dare kill the other man. He went to a *bagani* and did the *panabud* (challenging a warrior to kill for him). The *bagani* asked who and where could he find the man. The *pangayaw* immediately started. The first person seen by the *bagani* was immediately killed. This is called *suha-suha*, i.e., during a *pangayaw*, any one can be killed to remind the people not to commit anything against the customary law. The conflict was settled by a *datu* who was not from the two conflicting communities. It was settled in a different place. Indemnity was paid. One life was equivalent to five horses.

Balo-balo

This conflict arose from non-payment of *bugay* (dowry/bride wealth) when a partner dies and the other wants to remarry. The customary law dictates that when a partner dies and the other wants to marry again, he or she is required to repay the parents or relatives of the deceased partner the bride price or bride wealth given to him or her, referred to as *samblag*. In cases where the surviving partner refuses to pay, a *pangayaw* can ensue. The surviving partner who refuses to pay will be killed. This is very common in the area.

Lebogoy/Panlibug

This conflict sprang from an adulterous act, which happened between two neighbors. The wife of the first neighbor had an affair with the husband of the second neighbor. The husband of the former suspected that an affair was going on. Even the other neighbors were also aware that there really was an affair. The problem was that there was no evidence of such. According to the law, no killing can be done unless both parties are caught in the act. The husband brought the case to the *igbuyag* who performed the *tigi-an* (ordeal). The other man admitted the act. Since there was no evidence, he

was penalized one horse to be slaughtered to appease the relatives of the offended party. The horse cannot be kept because it was payment for the deed. The case was solved.

Peg-imatey/Peg-imateyey

This was conflict due to murder. A *bagani* was involved in a conflict about land. He killed his opponent and took the wife for himself. The relatives threatened that if he would not pay five horses for the death of their kin, they would conduct the *magahat* (ritual killing in mass). The *bagani* went to his brother to help him pay the indemnity. His brother shrugged him off telling him that it was not his problem. The *bagani* got angered and killed his brother. The conflict is still going on as his relatives will not accept his offer of paying three horses instead of five. He is now an *igbuyag* and ought to resolve the problem himself. To date, the case remains unsettled. The barangay council and other groups in the tribe would not interfere for fear that they might get involved and be killed along the process. The law dictates that if anyone wants to be involved, then he must be ready to help pay the indemnity. The difficulty in the resolution of the problem springs from the fact that it happened within one family. Meantime, the family members simply avoided each other.

Dampas

This is a case wherein a conflict resolution mechanism resulted to an escalation of conflict. *Dampas* is a form of conflict resolution wherein stealing is resorted to with the consent of the *igbuyag*. The stolen good (usually an animal) must be brought to the *igbuyag* for the conflict to be resolved. Bringing the animal elsewhere means there is intent to steal and therefore punishable. A man lent money to another *Lumad* with the terms that within two years, he would pay it with two horses.

The two years elapsed and the borrower could not pay the agreed payment for the debt. The creditor went to the *igbuyag* so the debt could be settled by forcing the debtor to pay. Still, the debtor would not pay. The creditor asked the *igbuyag* if he could do the *dampas*. The *igbuyag* allowed it. The creditor, who they claim was ignorant/uneducated, accidentally took the horse of another person. The owner was angered and *magahat* ensued thereafter. The conflict led to the killing of two people but the community was affected as they could no longer work in the farm for fear that they be killed. The conflict was eventually settled by the *igbuyag* who happened to be related to both parties. Payment was made and the case was resolved.

Oripin

Kidnapping of children was rampant before the war. This is no longer practiced now since the people are slowly being educated. According to accounts, *pangayaw* and *magahat* usually occur when one attempts to take children to be sold or as payment for debt. The children were turned into slaves. A certain *bagani* lost a child due to this. Until now, the child could not be found. He vowed not to step foot on the lands of the Salug nor drink the water of the river because he believes that it is already impure and dirtied by the deeds of the Matigsalug Manobo. He wanted a *tampuda tu balagon* to be performed in order to cleanse the deed. The problem is, until now, nobody knows who took his child.

Pugos

The Matigsalug Manobo are very protective of their women. Incidents of rape in the past were quite common. Most of the tribal wars before were incited by crimes against women. A man proven to have raped a woman would be tortured and killed.

The wars due to this were very common in the past that according to accounts, this may have been the reason why male and female adolescents seen going together is considered taboo. A *sala* (cultural penalty) shall be imposed on them by the elders and they shall be forced to marry immediately. This practice was adopted to prevent tribal wars. To date, the practice is very much functional in San Fernando.

Other Conflicts

There are also other potential causes for *pangayaw*, which are enumerated and described below, as no particular case was cited in the conduct of the data collection.

Panlemet – to ridicule, criticize, mock or insult another person

Panakew – stealing someone else's goods such as beehive or game

Taleseb/Tampulo – bearing false witness against another

Bagwal – disobedience to parents-in-law

HIGAONON

Bul-uyanon

A *bul-uyanon* is one who practices witchcraft. This is one of the common causes of conflict in the olden times. For instance, a neighbor is in good health. Upon someone's visit, the person got sick. The neighbor would cast doubt on the person as the cause of the sickness and divination is done. If the *baylan* confirms that the visitor was a witch, the latter would be put to death immediately. The rest of the family and the relatives would, likewise, be put to death as their blood is considered dirty and must be cleansed completely to prevent further perpetration of witchcraft.

Panagat sa Lasang

In the past, stealing was a grave crime. For

instance, when one is caught taking the honey from the beehive which is not his, his head would be forced into the beehive still teeming with bees. Lido (retaliation) can ensue from this. The killings would not stop unless settled by the *datu*. The same is true with stealing wild boar from someone else's trap.

Abduction

This is still *pangayaw* but the offender kidnaps children to be sold as slaves. This is no longer practiced but in the olden times, this was a major cause of lido. The people point to the Umayamnon as the culprits. The Umayamnon are those who live along the Umayam River.

Wife Grabbing

This is another cause of lido. There was a case of a wife who was constantly beaten by her husband and she left him and went to her father's house. The husband got jealous and believed that his wife was having an affair with someone else. It led to the killing of his father-in-law. The relatives retaliated and lido ensued. The husband was imprisoned. The remaining relatives had to perform the *tampuda ho balagon* to appease the spirits and prevent them from inflicting sickness throughout the tribe.

MERANAO

The discussion on the concepts of conflict and justice is based on the perceptions of the Meranao respondents in the light of their experiences as expressed within the framework of their values, norms and practices. The Meranao, like some other tribes in the Philippines – the Maguindanaon and the Tausog – are at the midst of three concurrent legal systems, namely: the traditional customary law known as the *Taritib-and-Igma*, the Islamic Law or Shariah and the Philippine legal system.

The socio-economic and political life of the Meranao is being regulated, if not totally controlled, by the aforesaid three legal systems. Unfortunately, in most cases, these three legal systems are contradictory to and conflicting with each other making it difficult for a Meranao, as a subject, to decide, which of these three systems he shall follow or abide when confronted with particular conflicting situations. Hypothetically, if he ignores the traditional laws and the Philippine laws and chooses Shariah he could be an outcast and a criminal for his disregard of the other two systems. If he chooses the traditional laws he could be a criminal and an infidel. If he chooses Philippine laws he could be an outcast and infidel. Every time a Meranao is at a legal problem he usually weighs the three legal systems and chooses the most favorable and convenient to him on a given circumstance. Hence, a Meranao is at constant worry, instability and confusion on these three sets of regulations. This turbulent environment could be one of the factors that can explain, if not to justify, the violent character of Meranao society.



The *Taritib-and-Igma* is an indigenous set of rules and regulations with corresponding procedures and sanctions promulgated or adopted by legitimate traditional authority. This had been existent even before the coming of Islam and the colonial powers and still persisting to operate up to

the present. It covers the political, social and economic life of the Meranao. While it used to be the only law governing the Meranao, its importance gradually eroded along with the passage of time since the coming of Islam and the colonial powers in the Philippines. But the wonder of it, is that despite of its persistent repulsion by Islam particularly on matters directly contradictory to its tenets and precepts and its total forcible abrogation by the colonial powers including the present Philippine Republic, yet the traditional *Taritib-and-Igma* remains now still a part and ingredient of Meranao life. In fact the Meranao society remains a comparatively close traditional one especially on some of its institutions of endogamous marriage, burial ceremony, sultanate system, rigidity of social mobility, family structure and close family ties, hospitality and its concept of *Rido* including the unique modes and mechanism of settling disputes. It is along this trend that the findings of our study are based on the traditional perspective of settling disputes or conflict management.

The Nature of Rido

The so-called *Rido*, a term used in reference to the continuous vengeful acts against each conflict kin group, is still in existence to a large degree. The practice of *Rido* is more salient among the Meranao Muslims than the other Muslim groups such as the Maguindanaon and Tausog and Yakan (Asia Foundation Letter of Agreement, 2004). *Rido* is a general term covering any disagreement or when the interests of people do not coincide. It is so pervasive that one cannot find a place in Lanao del Sur today where there is no *Rido*.

Rido is classified into big or grave and small or light. Big or grave *Rido* involves life which includes premeditated killing (*bono*), serious crimes against women or against chastity, family honor is

publicly disgraced or maligned, etc. Small or light *Rido* includes accidental killing, altercation, grave or light threats, slander, grudges, etc. However, when a small or light *Rido* is not resolved or attended carefully during the initial stage it can escalate to a big or grave *Rido*. Another indicator of the classification of *Rido* is based on the evaluation of the negotiator. If it is so hard to negotiate for its settlement then that *Rido*, although small or light on its face value, is big or grave.

The common causes of *Rido* includes the following:

- Superiority complex, display of arrogance (*Kibr*), domination of one over the other, lack of due regards with others, enmity, envy or jealousy, evil desires, disrespect, lack of sense of real brotherhood, lack of knowledge in God and His divine laws and/or the disbelief in God and His divine laws.
- Land disputes mostly brought about by the lack of land titles or tax declaration of real properties, unmarked boundaries; absence of testament or last will of the deceased parents; the rich heir tries to usurp the entire or greater part of the inherited land in gross disregard of the legitimate rights of the poor or illiterate co-heirs; absence of written contract or agreement on land transactions like sale, barter, lease, rent, donation, usufruct, collateral, land borrowing or lending, etc. There is a popular belief among Meranao that when the causes of a *Rido* are land and women they are hard to be settled and will involve many losses of lives and properties.
- Drug and drug-related cases, addiction, habitual drunkenness for wine and other intoxicants, gambling and other similar vices.

- Robbery, theft and other forms of stealing properties.
- Elopement, abduction, kidnapping, acts of lasciviousness, rape (including consented and statutory rape), impregnation, other crimes against women and chastity, juvenile delinquencies, etc.
- Graft and corruption in the government bureaucracy, misappropriation or malversation of public funds like the Internal Revenue Allocation (IRA) funds most especially in the local government units.
- Electioneering and election-related anomalies and irregularities.
- *Maratabat* (pride or honor or *amor propio*).
- When there is a disregard of norms, ethics, morality and divine laws.
- Some people serve as brokers of *Rido* by trading information, real or fabricated, to ignite the anger and fury of both sides of the conflict.

Concept of Justice

The term justice refers to the administration of what is just by assigning merited rewards or punishment. It is the administration of law to attain fairness and righteousness (Webster, 1997).

Justice is the universal order of things. It consists in fulfilling an obligation, or in avoiding something unlawful, or in a combination of the two; and that injustice also consists in neglecting an obligation, or in doing something unlawful, or in a combination of the two. Thus, justice and injustice affect a person himself, and may affect the rights of others. All good deeds are included in justice, and all bad deeds are included in injustice.

Every soul contains an impulse to wrong others through arrogance and envy towards them and through trespassing on their rights. It also has

an impulse to wrong itself through satisfying vile cravings, like the appetite for unlawful sex or noxious food. It is in this reason that laws and regulations are needed to compel a person to do right and forbid wrong. The administration of the law determines whether or not justice or injustice is attained. It necessitates the proper observance of reward and punishment for every act and deed.

Among Meranao, justice is attained and preserved if the reward or penalty given is commensurate to the good done or wrong committed. This is very much dependent upon the objective and qualitative evaluation of the surrounding circumstances of a particular case. In any case, fair and impartial trials are necessary to determine the culpability of the wrong doer. A *Kali* (local judge) or a jury plays a vital role in the attainment and preservation of justice. The *Kali* or jury must not only be fair and just but also knowledgeable on the substantive and procedural aspects of the customary laws known as *Taritib-and-Igma*. The character, integrity and track records are unquestionable and beyond reproach.

The cardinal principle in the judicial dispensation of justice is "*Saksi ki modai_sapa ki modalai*" which means that the complainant is entitled to present witnesses while the defendant/respondent is entitled to swear before God in the presence of the Qur'an. Here, there is a shifting of the burden of proof so that the complainant has the prior right and the responsibility to look and present at least two competent and credible witnesses. If the complainant cannot produce the required witnesses or his witnesses are either incompetent or not credible or both, the burden of proof now shifts to the respondent by enjoying his right to swear before God in the presence of the Qur'an denying or proving the issues of his case.

It is a requirement that one male witness is equivalent to two female witnesses. In the course of the trial, the engaged *wakil* or counsels assist for and in behalf of the parties in every stage of the proceedings.

In the case of amicable settlement, the negotiator performs the functions of the *Kali* or jury but the procedure is so abbreviated and simplified and the approach is inquisitorial. But the observance of the minimum due process is still an essential requirement. The conduct of the judicial trial or the amicable settlement is being facilitated by the Sultan or *Datu* or negotiators or any concerned relatives and community members. They also ensure the effective implementation of whatever decision made by the *Kali*, jurors or negotiators which are usually *Kakitas* (execution), *Kandiat* (blood-money), *Kashappa* (swearing), *Kashapot* (wearing white cloth), *Kapheletakan*, *Kalephad* (lashed), *Perajamen* (stoning), *Kakandori*, *Kapangetoma* (reprimand), *Karila* (forgiveness), *Kataog* (deportation or excommunication or exile), *Dorogen* (compensatory damages) and *Kapamamanikan* (offender goes to the residence of the offended as sign of repentance and/ or surrender).

The Maratabat

Operationally, *Maratabat* means honor, pride, ego, and shame or *amor propio*. It is a psychological drive that propels a Meranao to be



extra-active to perform an act or be steadfast in his stand for the protection or preservation of his name or of his family, clan, tribe or any group where he belongs or he identified with. Sometimes, *Maratabat* is also equated or intimately related to lineage (*bangsa*) or social status in the community. People belonging to the royal blood or ruling class has high degree of *Maratabat* than those belonging to the common class. The protection or vindication of the offended *Maratabat* is more serious on those committed against a woman than those committed against a man. A *Meranao* can easily forgive or forget any physical injuries inflicted on him but not on injuries, which tainted his *Maratabat*. There are many *rido*, which are caused by *Maratabat* in the same way that there are also many *rido* that cannot be settled because of *maratabat*. Shame is also related to *Maratabat*. That is why retaliation or vengeance is the only means to vindicate the tainted *Maratabat* and unless vindication takes place the victim has no face to confront the public.

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IV. CONFLICT MANAGEMENT AND RESOLUTION

One of the functions of a political system is the resolution and settlement of conflict which may be achieved peacefully by adjudicating disputes, negotiating compromises, or by the threat of social sanctions. When such procedures fail due to the absence of a mediating process, disputes may erupt into violent conflicts. The peaceful resolution of conflict is found in all societies but differs in procedure and process. Industrial states have formal institutions such as police, lawyers, courts and a penal system – all of which generally operate according to codified laws.

Non-industrial and simple societies lack such specialized institutions for dealing with conflict. Nonetheless, this is not an indication that they lack the system of law. Simple societies have peaceful regularized ways of handling certain disputes. Any decision reached not only resolves a specific dispute but also sets a precedent for other people to follow in the future.

In the past, whenever conflict arose, for instance, murder of someone, common friends of the offender and the offended party would immediately bring about a settlement and reconciliation through the payment by the offender of a sum determined in accordance with the customary schedule (Colin, 1663). Such settlements were arrived at only after arduous efforts on the part of the mediators.

Although the act of mediation and conciliation and arbitration of the traditional way of resolving conflict was replaced by the western judiciary process, yet the tribal communities have preserved their indigenous procedure of conflict resolution, though with some modification, perhaps as an adaptive means to the changing times.

THE LUMAD CONCEPT

It is imperative for the lumad to settle disputes immediately before it can escalate into a lido or a magahat. The lido or magahat or pangayaw

can disrupt the economic activities of the community members as killing is indiscriminate, i.e., if the person intended to be killed will not be found, someone else can take his place. This is to ensure that the blood-thirsty spirit (the *Talagbusao* or the *Mandalangan*) will be appeased. The disruption of the economic activities of the communities will not do them any good as the lumad survive on subsistence existence.

INITIAL STAGE AND ESCALATION OF CONFLICT

While the conflicts among the lumad can be classified as major or minor, the distinction is not very clear. A conflict that can be settled with a ritual offering of chicken and a manggad may be considered minor in the same way that stealing may be considered a major offense. Any offense among the lumad is potential cause of magahat or lido. When the bansa or bantug is offended, life could be its price. It is also hard to determine an initial stage of conflict. A simple offense can lead to killing while major offense may not directly lead to magahat or lido. Generally, a magahat or a lido requires a *tampuda tu balagon* to be completely settled, after



the payment of indemnity. In some cases, offenses will not be settled unless there is already killing involved. Still in other cases, especially adultery, the datu will not settle the dispute unless the offended person has killed the other man. Adultery is a major crime against the bansa that it has to be restored first before it can be settled. Among the Higaonon in the past, a case cannot be settled unless the number of people killed in one party equals the number from the other.

Some lumad opt to go to the datu immediately to settle the conflict. Others retaliate immediately. Settling disputes may come as easy as the offense is committed. As a matter of practice, a dispute must be settled immediately through payment of indemnity or perhaps killing the originators of the crime. To determine the initial stage or escalation of conflict is very difficult. The lumad though are generally pacifists. It is imperative for them that a conflict is solved immediately for the community to go on with their lives.

RESOLUTION OF CONFLICT

There are several ways to resolve a conflict. What is important is that the conflict is resolved in whatever way it can be resolved. The laws are unwritten and modification of the law, which is dependent on who arbitrates, may be resorted to.

When a grave offense (especially crimes against the bansa or bantug) is committed, the most likely thing that happens is the pangayaw (retaliation). Seldom do the lumad go to the datu immediately for a settlement. Among the Matigsalug Manobo, if the offended is incapable of killing the offender, he or she can resort to panabud. For minor offenses (though dependent on how one reckons a minor offense), one may go directly to the datu.

In order to commence a settlement, the mediator (usually a datu), intervenes by bringing a husay (usually an animal like a horse for crimes involving death and some pieces of cloth) to the offended party. This is done to reduce the anger of the offended party and also an indication that the offender is willing to settle. The offender cannot go directly to the offended party as he may be killed. Once the husay is accepted, the settlement may commence. If one of the parties does not wish to settle the conflict, the datu performs the tutungan to labi, a ritual act of burning the husay (especially the cloth), which indicates that a curse is put on the party that refuses to settle thus, putting the fate of the party to the dispensation of the diwata. The act also puts the datu in full authority to settle and any defiance thereof ends in one's death. Thus, any of the parties can no longer refuse.

There are cases though when the offender is nowhere to be found and his relatives want the settlement. The relatives then may offer (through the datu) thirty or forty pieces of cloth to the offended party to signify their intent for a settlement. Since the offender is not around, the offering of cloth simply signifies that they admit the guilt of the offender but since the settlement is not due in his absence, the cloth binds the conflict for the meantime. This act is called bugkos sa pangariban, which means that the conflict is bound and pangayaw is suspended. The settlement may only commence when the offender is found. Both parties will hunt for the offender to end the conflict.

In case where the offender is present and the husay is accepted by the offended party, the settlement commences. Payment of manggad (indemnity) may then be negotiated. When this is settled, the datu proceeds with the pamalas. The pamalas is a ritual to wash off (palas) any grudge

or enmity between the parties-in-conflict. An exchange of bolos (*sundang*) between the two parties will be done. This means that both parties have erased the grudges they had for each other and the harmonious relationship between the parties is restored. The datu then performs the *pandingding* — a ritual asking the diwata to put a wall to the enmity between the two feuding parties. An animal, usually a pig, will then be slaughtered (in case of conflict involving death) to represent the life of the offender. The offense goes with it. The offender though may not partake in eating the slaughtered pig as it represents him.

There are other mechanisms though that had been passed on since the olden times. Among these are the following:

- **Tampuda Hu Balagon/Tampura Tu Baegon/Tampura tu Balagon**

The tampuda hu balagon/baegon is one type of resolution of conflict conducted when there is inter ethnic/tribal conflict among the indigenous communities in Mindanao. It has been practiced by various Manobo groups, including the Talaandig and the Higaonon, to settle conflicts between two warring ethnic groups. The tampuda hu balagon is an act of agreement that seals a compact between two ethnic groups, which entails the cutting of the vine of discord; but it is practiced in varied ways among the ethnic groups. The Matigsalug Manobo of San Fernando would tie chicken heads to both ends of the rattan vine, which is then placed on a table serving as an altar. The datu of each warring party would then cut the vine with one stroke. If one end of the vine was not cut, this means that the other party is still holding a grudge against the other, or that the diwata (spirits) do not wish that the conflict would be resolved; thus this would

lead to further killings. The warriors or the kins of both parties may kill each other right then and there.

Among the Higaonon, if the other party failed to cut off the vine, the opponent may directly kill him without the interference of others. It is believed that when the datu serving as arbitrator could not cut off the vine, the person involved in the conflict is guilty. Anyone who interferes is not spared.

In the past, tampuda hu balagon was only practiced when two different ethnic communities were in conflict, which could be due to the killing of one member by another from a different group. Today, the tampuda is seldom practiced because of the entry of the implementation of barangay justice in the communities. Nevertheless, there were recent incidents wherein the tampuda had been conducted due to the gravity of the case. It is worth citing a case involving the killing of a Manobo youth by a Talaandig friend. This case, which happened in 1997 in Bukidnon, is fully described, as observed by one of the researchers, in the context of procedural manner of conflict resolution through the application of customary law.

Two young men—Manobo and Talaandig—were very good friends since they were schoolmates and also working in the same work place. It was the birthday of the Manobo boy who invited his Talaandig friend to celebrate in one of the carenderias of the town. After a few drinks they went home for it was already late at night. On their way home, the Talaandig who was carrying a knife stabbed his Manobo friend to death and fled. However, there was a witness who saw the act and reported the incident to the Manobo's family who then consulted their datu. The initial reaction of

the Manobo kin group was to search for the assailant, who was nowhere to be found, to kill him in retaliation and perform a "pangayaw" (raid). However, their datu advised them to wait until he was able to see the Talaandig datu who was also the relative of the offender and known for his prowess in arbitration. This situation was also reported to the police, since this was murder, and were able to persuade, together with the datu, the offender to surrender. Due to the seriousness of the offense, several datus from the Manobo and the Talaandig communities were called to investigate the incident (cause and reasons for killing). The Talaandig assailant himself did not really understand why he did it, except that there was a strong urge to kill; he felt that there was an evil power behind it, which the datu believed was the "talabusao/tagbusao" (an evil diwata, also the patron diwata of "baganis" or warriors).

It was decided by the datus that a tampuda hu balagon/baegon must be conducted to prevent escalation of the case to a full-scale inter-tribal conflict. In the process, the Talaandig group offered indemnity, i.e., a payment, either cash or in kind, which is given to the aggrieved party; it is referred to as "blood money". On the other hand, there also were negotiations made if the indemnity offered was not acceptable to the offended group. The Talaandig offered some cash, several sacks of rice, two carabaos and a horse. The animals were examined as to their state of being. The horse was returned to the Talaandig because it was puny looking; they

wanted a healthy looking mare. This further delayed the compact to take place since they have to find for a replacement.

The tampuda was slated to take place on a full moon with the hope that there would be no omens that may interfere into the situation, such as the sound of the limokon (omen bird). Prior to the tampuda, in the morning of the same day, all the datus from the two communities who were invited in the arbitration and mediation of the case, in the Talaandig "tulugan" (tribal community), met at the residence of one of the Talaandig relative to go through a ritual process. This was the calling of the different diwatas to heed/listen to the problem, which they were to resolve for the sake of peace. Initially, they shared the "mam-on" (betel chew), a symbol of respect for each other and said their prayers to Magbabaya (supreme deity). This was followed by killing of five chickens, as offerings to the spirits, and the blood smeared on the feet of those in attendance. Two pigs were killed by stabbing with a spear and likewise offered as a sacrifice to appease the spirits.

Before noon, the members of the two parties (relatives and supporters), the datu mediators, observers, some members of the police force transferred to the ceremonial grounds of the "tulugan" for the tampuda ritual. A small platform was prepared made of bamboo and erected 4 feet above the ground; and decorated with young coconut fronds. On the platform were a plate containing slices of betel nut called "bunga", some buyo leaves (pepper leaves) which were sprinkled with "apog" (lime from

burnt seashells). A young rattan vine (one inch in diameter) about 4 feet long was laid across the platform. Near the rattan was a sharp looking bladed weapon to be used in cutting the "balagon" or vine. Under the platform were a pig and two white-feathered chickens, to be offered again to the spirits.

The main datu arbitrators from the two tribal communities officiated the tampuda ritual. Each one took turns in calling Magbabaya to help guide them in the ritual that they were to conduct for the resolution of conflict between their communities. The two chickens were killed first and the blood smeared around the platform; this was followed in the spearing of the pig by the participating datus. The cutting of the baegon/balagon by the two datus took place, thereafter. The kin group from each warring party was standing on each side of the platform, while the police were waiting from a distance. Everyone, including the observers, was holding their breath as to the consequence or result of the vine cutting. The warriors—Alimaongs of the Talaandig and the Baganis of the Manobo—were prepared to fight and were holding onto their weapons (bolos/sundang); while the police had their firearms. At one stroke of the weapon by the datus, the vine was cleanly cut. There was a sudden jubilation of shouts and cries coming from the members of both groups; the women were crying and making a sign of the cross (since some are Catholics) and the men were embracing each other; observers clapped their hands and felt relieved that the conflict was fully resolved.

The two datus shook hands and embraced.

In some cases where tampuda was used to resolve the conflict, the offender may seem exonerated and could go scot-free. However, there are stipulations such as the offender must live with the family of the victim who should take the place of their dead son and carry the responsibility expected of a son like working in the farm and taking care of chores. An alternative would be the sister of the offender to live with the victim's family as a replacement. In the case cited above, the Talaandig youth was kept in jail for the time being that the negotiations between the two communities were going on. After the tampuda, since the Manobo group respected the customary law, there was no criminal case filed against the offender. However, the datus had imposed certain sanctions and precepts on the young Talaandig; he also had to live with the family of his victim and commit to the responsibility of a "son".

- **Payment of Manggad or Bahandi or Gahum**

Before any *tampuda* is done, exchange of goods (*manggad*, *bahandi* or *gahum*) takes place in the case where lido or *pangayaw* (revenge by killing) has already occurred, i.e., the two parties had already committed damages to both sides. The one who started the conflict would pay more. For the Matigsalug, one life is equivalent to five horses although this is negotiable. For the Higaonon, payment is dependent on what the elders had agreed on. For both the Higaonon and the Matigsalug, *manggad* and *gahum* mean goods such as

animals or cloth/clothes or gong. *Bahandi* is only for the Higaonon. This connotes payment of antique jars or porcelain wares.

- **Pamalas or Singampo**

Aside from the payment of *manggad*, *bahandi* or *gahum*, a pig is usually required for the ritual. A brand new bolo is also required to kill the pig. The pig represents the life of the offending party. The life of the pig is used as an exchange for the life of the offender. The slaughtered pig is eaten to appease the relatives of the killed person. The offender cannot eat the pig as it represents him. The *pamalas* or *singampo* binds both parties as a curse to anyone who breaks the agreement. It is believed that the *diwata* cause the illness of anyone (including his family) who breaks the pact. In the case wherein one of the parties breaks the pact, the community would immediately kill him to prevent the curse of the *diwata* from harming the community members. For the Higaonon, anyone who breaks the pact would cause the death to everyone in his family including the in-laws. They believe that his blood is stained by the act and thus, anyone who shares his blood is bound to commit the mistake again. The disease is contagious and must be eliminated.

- **Smearing of Pig's Blood**

This is only practiced by the Matigsalug Manobo. When an offended person does not want to settle a dispute but in turn wants to take the offender's life (*pangayaw*), the *igbuyag*/datu may resort to a ritual of smearing the pig's blood. The offended party would be tricked to leave his house. Once he has left his house, the

igbuyag and a companion would slaughter a pig in his doorstep and smear the inside of his house with the pig's blood. The pig would represent the life of the offender. This ritual brings with it a curse to the offended person that if he pursues his planned revenge, he will die in the process.

The talagbusao (warrior guardian spirit) would take it against him. In this case, the offended person can no longer pursue his revenge for fear of the consequences. He would be forced to agree on a settlement.

- **Avenging with the Datu/Igbuyag's consent**

For the Matigsalug, an offended person may go to the *igbuyag* to report a crime and ask for consent to kill the offender. The *igbuyag* gives the offended person three days to kill the offender. If in case the offended person cannot do it in three days, the case goes to the *datu* for settlement. The offended person may no longer kill the offender or it is considered disobedience to the *igbuyag*. The *igbuyag* reserves all the right to kill him for such. For the Higaonon, an offended person must directly go to the *datu* to report an offense. If the *datu* deems it necessary that the payment is to kill the offender, he sends the *alimaong* or *mabalaw* (tribal warrior) to kill the latter. Only the *datu* has the power to kill an offender. The people are prohibited from doing such or else they would be penalized.

- **Settling disputes without the Datu**

Minor disputes may be settled without the *datu*/*igbuyag*. The two parties may simply agree on payment of *manggad*. *Pamalas* is

done by offering a chicken to the *diwata*. In case of intra-familial conflict, i.e., conflict between siblings, a chicken offering may suffice.

• **Dampas**

This is practiced only by the Matigsalug. When a person refuses to pay his debt, the *igbuyag* may order the creditor to steal an animal or anything of value from the debtor. The stolen animal or good must be brought to the *igbuyag* for settlement to start. Failure to bring the stolen animal or good to the *igbuyag* is interpreted as stealing thus the creditor shall be penalized.

• **Lebut or Bake**

This is conflict resolution wherein the source of the conflict is eliminated or killed to stop further aggravations. The relatives of both opposing parties are called by the *igbuyag*. It would be agreed upon that both sources of the conflict would be killed. The relatives of one party would kill the source of the opposing party and the same with the other. Both would be tortured and killed. For the Matigsalug, the conflict will never stop until the origins of the conflict are terminated. When the conflict involves marital infidelity and the community decides that both man and woman are killed, it is called *bake*.

NON-TRADITIONAL MECHANISMS

Non-traditional means of settling disputes are also adhered to by the Lumad. This mechanism follows the concept of dispute settlement through the intervention of the barangay governance as stipulated in the Local Government Code.

Among the Matigsalug Manobo in San Fernando, disputes between the *Lumad* and the

Dumagat (lowlanders) are settled by the *Lupong Tagapamayapa* or *Katarungang Pambarangay*, an arbitration committee created by the *Barangay Council* whose members is appointed by the *Barangay Captain*. This is due to the fact that the customary laws cannot be imposed on the *Dumagat*. The *Barangay Council* respects the authority of the *datu* in settling disputes among the *lumad* as it is effective that way. More so, the customary law dictates that anyone who wants to be involved in settling disputes must be willing to contribute to pay the *manggad* or indemnity.

In the case of the *Higaonon* in *Minalwang Claveria*, which is composed of approximately 95% *lumad* settlers, the *Lupon* is the sole arbitrator. This is not a very strict policy though. When the *Barangay Council* deems it that the conflict can be settled by the elders, the case will be brought to the elders. Similarly, if the elders feel that the case will be effectively settled the non-traditional way, it will be sent back to the *Lupon*. This unwritten agreement is respected by the *Lumad* and the *Dumagat* in the area. From the accounts, even conflict among the *Dumagat* themselves are brought to the elders for settlement. For conflicts that may involve the conduct of the *tampuda hu balagon*, the case will be settled by the elders. It is unclear though for the elders if the government would recognize this type of settlement.



THE MERANAO CONCEPT

The Initial Stage of Conflict

The *Meranao* has a number of conflict avoidance mechanisms or conflict prevention strategies. Conflict prevention means that a situation where conflicting goals exist is controlled to avoid the development of violent conflicts. Institution building for conflict regulation is one form of conflict prevention. Among *Meranao*, the institutionalization of their customary law called the *Taritib-and-Igma* which strongly underscores the preservation of peace and the avoidance of conflict is one effective conflict prevention mechanism. The *Sultanate System* mandates the vast power and influences as well as resources of the *Sultan* in order to effectively promote and preserve peace and harmony and to suppress all forms of violence through conflict management and resolution. Their religion, *Islam*, is another effective institution for the preservation of peace and the prevention of conflict. *Islam* is an Arabic term which is derived from the word *Salam* that literally means peace. Its ultimate teaching is the promotion of peace and the elimination of conflict. It is a means for attaining justice and a deterrence for violence and oppression. Thus, *Islam* is an effective conflict prevention mechanism.

Whether conflict is avoidable or inevitable, a *Meranao* anticipates both assumptions by their ability to solve conflicts. If conflict takes place due to individual or group differences or their interests do not coincide, appropriate interventions must be skillfully introduced right at the initial stage of the conflict formation.

People Involved

In any conflict situation, the first step to be done is to inform the *sultan* or *datu*, *ulama* (religious

leaders), government officials, politicians, common relatives or go-betweens or any members of the community or any persons who are experienced and interested in settling disputes regardless of tribe, religion, sex, profession or occupation. Normally, what they usually do as initial step is to have an in-depth understanding of the nature and dynamics of the conflict by looking at the issue, the parties involved, and the probable facilitators/mediators.

The issue of the conflict refers to the content or subject matter which is more readily identifiable like killing, revenge, land dispute, act against women or against chastity, or an offense on property, etc. The parties must be known to define the relationship or connection existing between and among the people involved thereby drawing the lines between allies and adversaries. The parties to be identified extend up to the 5th civil degree relatives who constitute the circle of targets of revenge and counter revenge. It is also through knowing the relationships of parties where probable facilitators/negotiators can be identified although the best of them are common relatives and go-betweens, at least in the initial stage of the conflict.

After knowing the nature and dynamics of the conflict, it is now to be determined whether or not to start at once the possible intervention because there are *rido*, which are not proper to take immediate actions. If it cannot be started at once for settlement, the usual strategy used is avoidance of the parties by separating the disputants apart from each other, or by posting go-betweens, common relatives, *ulama*, *sultan* and *datu*s, politicians, government law enforcers, soldiers or composite group, regardless of tribe, religion and sex, as buffers to prevent escalation

of the conflict. In fact, even women are encouraged to take active role in the initial stage of the conflict. The elders who are knowledgeable of the genealogy of the conflicting parties also play important role by explaining to both sides their blood relationships and inter-marriage connections, which help soften their hearts toward one another.

Conflict Escalation

Conflict escalation takes place when conflicting parties have gone into the phase of attrition, both verbal and combat, and when the conflict enters into a spiral of violence and counter-violence. There is very little to be done to intervene when conflict escalates into bloodshed and violence.

When killing takes place, the most concerned members of the community especially common relatives exert efforts to immediately organize a team of negotiators or mediators to intervene to prevent further escalation of the conflict. Usually there are options available to the negotiators/mediators. First, if possible, to bring the assailant to the safe custody of the government authorities, perhaps to the mayor, governor, congressman or to any influential politician or traditional leader like the sultan or *datus* or to the nearest PNP or army detachment or prison detention center pending negotiation. If it is not possible because the assailant or his family does not agree or he cannot be reached because he is hiding, the other option is to persuade or pressurize the offending party to move to other place where they can be safe from the avenging family. After separation of parties from each other or the assailant is put in detention or custody, negotiation/mediation process can be started by establishing separate contact or personal link with the conflicting parties.

It is important for the facilitators/negotiators to be extra-careful and skillful in knowing the feelings, interests and needs of each side of the conflict. In the course of the preliminary discussion, the facilitators/negotiators must be cautious in not hitting the ego or *maratabat* (pride) and honor of the parties or seemingly taking side for either party because this will complicate the process. Among Meranaos, there is a strong correlation between shame and anger. When one is shamed in front of people, the tendency is to get angry and retaliate against the aggressor. Another point is that the Meranao is very arrogant (*kibr*) people and arrogance fuels the occurrence of *rido*. This is the reason why the conflicting parties should be dealt by the facilitators/negotiators separately to avoid confrontation which may ignite their anger, arrogance and *maratabat*. Even in the culmination of the negotiation process, nobody is allowed to talk or give comments to avoid touching the arrogance and *maratabat* of the other party.

One of the critical parts of the negotiation process is the discussion of the issues of the conflict. First of all, the facilitators/negotiators have to know the readiness of the parties to come to discussion of the issues. This can be done by sending the well-chosen emissaries (*maongangen-a-sogo*) to the parties to feel their moods, willingness and readiness to start the conflict resolution talks.

In the discussion of the central issues of the conflict, it is always helpful for the facilitators/negotiators to develop an attitude of respect, partnership and personal concern because a Meranao becomes more violent when he feels that he is not respected or his worth is not recognized. He becomes cooperative when he feels that he is

treated as partner and equally regarded important to the process. He gives importance to any effort, which he feels meant for his interest. That is why it is helpful if before the discussion of the central issues of the conflict, the negotiators/facilitators are able to have the aggressor put in detention or custody so that the aggrieved party feels that his interest is protected or at least the facilitators/negotiators are impartial and supportive.

After understanding the dynamics and intricacies of the issues of the conflict then it is time to explore the possible solutions to be offered to both parties. The solution must be mutually acceptable and beneficial to both parties involved. It is an art for the facilitators/negotiators to make both parties feel happy about the expected outcome of the process. The hope is to reach a win-win solution.

As it is practiced today, when a conflict takes place the preference of the negotiators and the parties to prevent escalation is to avail of the traditional methods before the Shariah is resorted to. We inferred that about double or triple of the number of the potential *rido* have been abated or prevented by the effective use of the indigenous methods. It is very noticeable that the practice of the indigenous methods are mostly observed in the remotest areas and least observable in the centers of population such as in Marawi City and in the more urbanized municipalities. It is unfortunate that the these traditional indigenous methods have been gradually disappearing probably due to the deaths of those learned in the substance and mechanics of these indigenous methods. Likewise, some of the methods in settling the *rido* are also vanishing.

Traditional Mechanisms

As provided for under the *Taritib-and-Igma*,

the solutions/interventions that can be resorted to by the facilitators/negotiators include the following:

- *Kakitas* – When there is a murder or a deliberate or premeditated killing, the appropriate solution is to kill the killer (death penalty) with or without aggravating or justifying or exempting circumstances.
- *Kandiat* – When the killing is accidental or through reckless imprudence, the appropriate solution is diat (blood-money), the amount of which varies depending upon the attendant circumstances of the victim like status, profession, income, number of dependents, etc.
- *Kashappa* – It is a denial of the accusation through an oath-taking or swearing before God in the presence of Qur'an by the accused/respondent and sometimes with a number of his relatives also taking an oath when demanded by the aggrieved party. This can be resorted to when the issue of the conflict is person, property or chastity.
- *Kashapot* – It is a wearing of a white cloth by the aggressor and sometimes with a number of his relatives when demanded by the aggrieved party parading to the residence of the offended party as a sign of admission of guilt and surrender to the offended party. This solution is appropriate for grave *rido* involving the issue of person or chastity like rape, abduction, elopement, acts of lasciviousness, etc.
- *Kapheletakan* – It is a solution when the

issue of the *rido* is a crime against chastity of an unmarried woman regardless of the civil status of the male offender. This penalty requires the offender to carry a piece of bamboo with two holes through which his two hands protrude. The duration of the penalty is dependent upon the attending circumstances of the case.

- *Kalephad* – This is a solution giving 80 lashes or beatings on the back of the unmarried offender as in the cases of adultery and fornication.
- *Perajamen* – When the offender in an adultery case is a married person, the penalty is stoning to death.
- *Kakandori* – It is a solution to a slight *rido* like the conflict between spouses, slight physical injuries, etc. in which the offender or go-betweens call for a gathering and offer foods and money to those in attendance with a mass prayers for the good and blessings of God to the parties of the conflict. *Kandori* is also considered as an accessory penalty on grave *rido* because it is usually tendered during the gathering for the final settlement of the *Rido*. The money needed is provided by the *sultan* or *datus*, politicians and the contributions of the people in the community.
- *Kapangetoma* – It is a solution on slight *rido* wherein the offender is given serious reprimand and warning that should he repeats the same mistakes against anyone, he will be dealt with strictly using the full force of the

customary law. Associated with the reprimand/warning is a sermon or lecture to the offender on good manner and right conduct based on the Mranao culture.

- *Karila* – It is forgiveness by the offended party to the offender on a slight conflict where no damage or injury is suffered. This is based on the belief that God loves the forgiving person.
- *Kataog* – It is an excommunication or exile or banishment of the offender to far away land and banned from returning to his place of origin. This can be imposed on the offender regardless of the issue of the conflict.
- *Dorogen* – It is a solution on a conflict the issue of which is a stolen personal property like working animals, jewelries, etc.; by which the number or value of the stolen property shall be doubled and returned to the owner as compensatory damages. Part of the penalty will go to the facilitators/negotiators as rewards for them.
- *Ka-salk* – It is a solution by which the controverted portion of the disputed property, like land, shall be divided equally to the disputants.
- *Kapamalao* – It is a solution to a conflict where a male offender is accused by a married or unmarried woman for any crime against women or chastity. The offender is required to give certain amount of money to the offended woman as denial of her accusation.
- *Kapamamanikan* – It is a means of settling disputes in which the offender

is being accompanied by his relatives, the *sultan* or *datus*, facilitator/negotiator and the community members to the residence of the offended party as a way of asking the understanding and forgiveness of the offended party.

After a solution is identified the next step is to get the acceptance or agreement of the conflicting parties. They will agree on the proposed solution if both feel that they are winners and their *maratabat*, honor and pride are upheld. The implementation of the solution or agreement is the sole determinant of the whole conflict resolution process. Unless agreements are implemented, healing and reconciliation process cannot be started among the disputants.

The Kandori

The usual manner of culminating the settlement process is the holding of the gathering known as *kandori* to be attended by respected leaders, politicians, government officials including the PNP Provincial Director, the Army Brigade Commander or Detachment Commander, the Ulama, the disputants themselves and their designated representatives. It is in this occasion that the disputants confront each other for the first time but none of them is allowed to speak or give any comments or remarks to avoid touching the *maratabat*, arrogance and honor of the other party



thereby affecting the whole efforts. The holding of *kandori* is more ceremonial because the substantive parts of the agreements had already been made and fulfilled prior to the day of the *kandori*. But the most important activity in the *kandori* is the oath-taking ceremony where all the parties swear before God in the presence of the Qur'an that henceforth they have ended their *rido* without any mental reservation or purpose of evasion. This is the last stage of the settlement process. The *rido* is resolved finally. But in order to ensure the perpetual settlement of the *rido*, the parties are encouraged to have inter-marriages between and among themselves. In case of recurrence, the offender opens a new and different *rido* without any reference to the resolved one.

They will agree on the proposed solution if both feel that they are winners and their maratabat, honor and pride are upheld. The implementation of the solution or agreement is the sole determinant of the whole conflict resolution process. Unless agreements are implemented, healing and reconciliation process cannot be started among the disputants.

SOME CASES AMONG THE LUMAD

A NOBLE ACT

This incident happened in the Higaonon settlement in Minalwang. According to accounts, a conflict ensued between the Supreme *Datu* Pinaluay and another *datu* in another community. This led to the conduct of *pangayaw* (retaliation) between the two communities. *Datu* Pinaluay was a peaceful man. He initiated the settling of the dispute between the two communities through the elders. After the exchange of *gahum* (goods), the *tampuda hu balagon* was to be performed to completely seal the peace process. The customary law dictates that when the two parties face each other in a *tampuda* to end the dispute, it is imperative that the vine must be cut. If one fails to cut the vine, the other person would kill him immediately without his relatives or constituents objecting to the act. It is interpreted as the other person still holding grudge.

During the *tampuda*, *Datu* Pinaluay was able to cut his other end of the vine. The other party failed to do so. Having seen the uncut vine, *Datu* Pinaluay raised his *sundang* (bolo) and struck the vine and cut it in half. According to accounts, *Datu* Pinaluay refused to follow the customary killing of the other as he wanted the conflict to end. The incident is conjectured by many as the beginning of the termination of killing as a punishment to an offender. The act of *Datu* Pinaluay changed a law that has been passed on since the generations of *datu*s before him. For the past 30 years — and this is a conservative estimate — no killing as form of punishment has been observed in the tribe. Virtually, the tribe has not experienced any major conflict since then.

HUSAY

In the late 60's or early 70's, Kalagangan in San Fernando Bukidnon, was already home to

majority of the Matigsalug Manobo in the municipality. This is by virtue of an order of then President Marcos to declare the area a reservation for the Matigsalug Manobo. Accordingly, they were given fourteen thousand hectares (14,000 Ha) as *Lumad* Reservation. It was during that time also when the Dumagat (the Bisaya, specifically the Ilonggo) moved into the area to buy or rent lands from the *Lumad*, who were willing to trade their lands for food and clothing or even alcoholic drinks. The practice had become rampant that the *Lumad* gradually lose their lands to the Dumagat. This phenomenon prompted *Datu* Panuda to rebel against the barangay governance in Kalagangan which was predominantly controlled by the Dumagat who were considered 'educated' enough to run the local governance unit.

Datu Panuda wanted the area to be solely controlled by the *Lumad* as it is where they owe their subsistence and survival. The Dumagat, who already owned some lands, refused to move out for obvious reasons. This led to the infamous rebellion of *Datu* Panuda leading to *pangayaw* against the Dumagat. Several Dumagat were killed during the raids conducted by the group of *Datu* Panuda. The military were detailed in the area to prevent more bloodshed. The plaza in Kalaganagan is witness to a lot of *Dumagat* and *Lumad* who were killed and buried there. It used to be their killing field.

Datu Panuda was considered a skilled bagani and it was difficult to capture, even to find him as he retreats to the dense forest in the area. Allegedly, some military forces and civilian Dumagat, who cannot find *Datu* Panuda, attacked the Malunasay community which is far from the center. According to accounts, twelve people were killed and the community was burned by the raiding

military and Dumagat civilians. The *datu* of the community was in his farm when the incident happened. One of his sons, who was in the community, got killed. The raid was considered unjustified which calls for a *pangayaw* or *magahat*. The community prepared to retaliate. The atmosphere then was already threatening and alarming.

The Government, through then Panamin Commissioner Elizalde, recognized the mistake committed by the military and the Dumagat civilians. The tribal leaders were summoned to resolve the conflict and prevent *pangayaw* to occur. As *husay* (payment of indemnity), a parcel of land along the road, is to be given to the Malunasay community, in return for the cessation of the broiling *pangayaw*. The leaders agreed to the *husay* and immediately ceased their preparations for the *pangayaw*.

Several years passed since the *husay* occurred. The *Lumad* went back to their community, leaving the area as it were. The Malunasay community, together with nine other sitios, became part of the CADT of the Sinuda Claim. The Makopa, the area given to the Malunasay community as *husay*, was in time, inhabited by some Dumagat. The *Lumad* allowed them to do so as ownership is not a practice among them. Letting them use the land is alright so long as it would be returned when they decide to utilize it. Many years have passed and the *husay* seemed to have been forgotten.

Very recently, the local governance conducted a survey of its territorial extent. The Makopa was included in the land survey. This prompted the Malunasay Community, which already transferred in the Simsimon area (a delta formed by the convergence of three rivers), to object to the survey. They insisted that the area could not be claimed by the local governance as it was given

to them as *husay* for the massacre that occurred in the 70's. By virtue of the agreement, attested by leaders and elders who were present during that time, the area belongs to the people of Simsimon (then Malunasay inhabitants).

This is currently a serious issue in the area. Two groups are claiming the land since it is technically part of the Kalagangan Domain, and that the Sinuda CADT only extends as far as the Salug River. The Makopa area happens to be situated on the other side of the river. The Simsimon Community, by virtue of their ownership of the land as *husay*, is now asking the present inhabitants of Makopa to vacate the place as soon as possible. Failure to do so will lead to *pangayaw*.

The issue is currently being deliberated in the Municipal Governance. The conflict is not really about the ownership of the land but in the nature that it is payment for the death of their kin. It may be conjectured that the land (as *husay*) has become a seal to the pact of the cessation of the *magahat* or *pangayaw* which was then brewing in the 70's.

Taking the *husay* out would technically unleash and rekindle the old grudge among the Matigsalug Manobo of Malunasay and the Dumagat migrants of Kalagangan. When the seal of the *pangayaw* is removed, it could only mean the never-ending unpeaceful situation in the area.

THE TALAANDIG EXPERIENCE

This is a case of conflict between two related kindred in a Talaandig community in Lantapan Bukidnon. The conflict is so old no one can ever remember how it all started. To date, the conflict escalates further resulting to the deaths of so many people. To trace the roots of the conflict, we can only narrate some conjectures.

If the conflict is traced from the point of view

of the people in the community, the accounts would only be traced back to the incidents they can freshly recall which may date two decades ago. When taken from the point of view of the people in another community, the conflict could be traced back around fifty years ago.

According to an informant in another community, the two groups are related. The conflict is an effect of the introduction of western politics in the area. The ancestors of the two kindred, Nawahag and Wingagaw, were very close cousins. According to accounts, the two families were very close-knit that whenever one gets to find a fight in a nearby barangay where the "tabu" (market day) is held, in the next *tabu*, the two kin groups would join forces to avenge a kin member. The fights were usually between them and the Dumagat (lowlanders).

Political Motivation

When the area was declared a barangay sometime before the WWII, the two kin groups alternately shared the administration as Tiniente de Barrio (presently, Barangay Captain). During those times, the heads of the barrios were not elected but rather appointed by the Gobernadorcillo. The two cousins, agreed to alternately share the responsibility; one took over when the other's term had expired. The arrangement proved to be effective as the community lived in harmony. Then came the time when elections were enacted by virtue of the Constitutional mandate during the time of then President Marcos. At first, the two cousins alternately run uncontested as barangay captains when the elections came. It was still alright until such time when Wingagaw refused to budge and ran still in the next elections; the chain of alternately running with his cousin, Nawahag, was broken.

Thus, the conflict began. The two cousins became indifferent to each other. A faction within the community, supposedly all related by consanguinity and affinity, was created. The indifference between the two kin groups allegedly escalated to the present day conflict within the community.

In the recent past, the incident was replicated. A member of the Nawahag kin has been barangay captain for quite a time. The barangay secretary, a member of the Wingagaw kin, secretly filed his candidacy, thus running against his uncle, the incumbent administrator. The then incumbent barangay captain, knowing that his nephew would run against him, decided to withdraw his candidacy but was not able to do so officially. He lost to his nephew. The secret filing of candidacy was seen by the other members of the kin as an insult. The indifference between the two kin groups was once again rekindled.

Conjectures

There is difficulty in tracing how the killings started. Some say, it started when two members of the opposing kin, after their feuding ancestors died, had a brawling incident in a *bayle* (a barrio dance socialization attended by the community) sometime in the 70's. A member of the Wingagaw kin group saw a drunken Nawahag beating his nephew who is close to the former. When the former reprimanded the latter, a brawling incident ensued, causing the latter who was drunk to be hurt badly. This according to accounts started the series of killings in the area.

Another conjecture is when a member of the Nawahag kinsmen, known to be the only one who could politically contest the incumbent barangay captain (Wingagaw), got killed by unidentified gunmen. He was hospitalized for a few months before he died. The cause was not very clear but

the blame was put on the barangay captain. The suspects of the killing were the two nephews and son of the barangay captain. Some witnesses claimed that the three suspects did not commit the murder but the relatives of the other kin group would not accept it, claiming that the barangay captain was the mastermind. According to some, this triggered the killings between the two families/kinsmen.

Another potential explanation for the killings was the accidental death of a member of the Nawahag kindred who tried to stop the fight between two members of both families. According to some informants, a member of the Nawahag kindred got fired from the land he was tilling owned by a member of the Wingagaw kin. From then on, he would always challenge the landlord whenever he got drunk. A member of the Nawahag kin interceded in one of the fighting incidents and was struck by the bolo of the landlord in the neck. He died and the Wingagaw member admitted the crime and served a jail sentence. When he was released, he left the place and lived elsewhere. No one knows where he lives to date.

There were many incidents of killings and brawls that led to the escalation of the indifference between the two kin groups. A brawling incident between drunken members of the two families (one Nawahag against two Wingagaw) occurred sometime in the early 80's. The Nawahag kin who was obviously outnumbered, told his kin that he was intentionally mauled by the two others who were brothers of the barangay captain. This led to an attack of the house of the barangay captain, a supporter of whom was hit and died. According to accounts, someone else admitted the crime instead of the real culprit which was considered by the other group whitewashing and accused the other of hiding

the truth.

In the late 80's, after a New Year incident in the Manupali River which led to the partial disability of a member of the Wingagaw kin, a *tampuda hu balagon* was conducted after the payment of indemnity by the Nawahag kin. The *tampuda* ritual was conducted by a *datu* respected by both kin groups. The ritual was witnessed by the Provincial Governor and a judge in the Municipal Trial Court. The *tampuda* was said to be sponsored by the Governor.

Several incidents happened after that and the killings continued up to the present. The *tampuda* is a ritual that ends the enmity between opposing parties. As to the disrespect of the *tampuda* ritual, we can only make conjectures. The *tampuda* ritual that was conducted was specific to the incident that occurred. It was not a *tampuda* for the conflict between the two kin groups. Thus, while the specific conflict may have been resolved, the bigger conflict was not. Also, it may be conjectured that since the *tampuda* was sponsored by a Dumagat (the Governor), it was never effective.

In May 2004, unidentified gunmen fired shots at the house of a member of the Nawahag kin, injuring the husband and killing his wife. A bystander also got killed on the spot. Allegedly, the gunmen were after someone who was wanted for some killings in previous incidents. He was suspected to be hiding in that house. The Nawahag kin filed a case against the alleged suspects who were relatives and immediate family members of the Wingagaw kin. They denied the accusation but warrants of arrest were already issued to the eleven suspects who fled to evade arrest. Allegedly, it was the decision of the head of the Wingagaw kin that they fled as the case is non-bailable and since

the case would take long to settle, they may stay in jail for years. According to other accounts, the Nawahag kin did not believe that the culprits were from the Wingagaw kin but they simply want to pin down anyone close to the Wingagaw head whom they believed masterminded everything that happened.

Negotiation

In the 2004, the accounts of attacks and killings have risen to an alarming rate. The Provincial governor sent an emissary to settle the conflict once and for all. In September 2004, the initial negotiations were conducted. Both families were asked to withdraw the cases they have filed and indemnities be paid to commence the amicable settlement. The Supreme Datu was also asked to intervene. The Supreme Datu, according to accounts, asked both parties that if they want the conflict to be settled, all retaliatory actions and killings must be ceased so the negotiations could begin by October. Everyone seemed to agree but on the month of October, another incident occurred. According to some accounts, the incident is a separate one but since the involved personalities were also members of the two kin groups, it was taken as part of the main conflict. The Supreme Datu, according to accounts, considered the incident as disrespect of his authority. He took it as an indication that both parties did not want to settle the conflict with him as mediator. Perhaps there was someone else aside from him who could settle the conflict. The supposed settlement was indefinitely suspended.

In November 2004, an attack was made on the hideout of five of the eleven suspects of the May 2004 incident. Two were wounded but never filed a case as there is an existing warrant for their arrest. The Wingagaw group suspected that the

Nawahag group made the attack. Five days after the first attack, a second attack occurred on the same hideout causing the brother of the Wingagaw leader to be hit on the face. He was brought to an undisclosed hospital to evade arrest due to a standing warrant against him. According to the accounts, the attack happened on broad daylight that the suspects could be easily identified as members of the Nawahag kin together with some hired gunmen from another barangay. It was said that people were in fact watching the incident on the other side of the river where the incident happened. The worst thing was that, allegedly, even the members of the police force were there watching the incident as well. The cited reason for non-interference is that the other side of the river is no longer their area of jurisdiction.

Five days after the second attack, another negotiation was attempted by the Provincial Government. He asked that the cases against the eleven suspects of the May 2004 attack be withdrawn so they can start the negotiation. The complainant refused to withdraw the case as he wanted the eleven to surrender first before any negotiation could start. The argument was the suspects could never be released, if in the first place, they were not in jail at all. Only then will he sign an affidavit of desistance. The other party refused to surrender their kin as they suspect that an affidavit will never be signed once the eleven suspects were in jail. The negotiator left with the stalemate still on.

Show of Force

In early December 2004, armed men in black uniform were seen on the other side of the Manupali River. Allegedly, they were the hired men of the Wingagaw Kin challenging the Nawahag Kin for a fight. They even fired their guns to make

their presence felt in the area. The people were watching them from the other side of the river. The other group never took the challenge that instant. The next day, another group, twice as many as the group in the previous day, also showed up in the same area armed. Allegedly, this was the Nawahag Kin challenging the Wingagaw Kin for a fight. Likewise, the Wingagaw group did not respond to the challenge.

A week after the challenging incident, the alleged hired group of the Nawahag Kin attacked the house of some of the suspected hired members of the Wingagaw Kin. There was shooting killing three of the alleged hired gunmen of the Wingagaw Kin and one of the assailants allegedly hired by the Nawahag Kin. A member of the assailants, wanted for fleeing after a stabbing incident, was wounded on both legs and was captured. Allegedly, he confessed that he was hired by the Nawahag Kin together with thirty others, to attack and kill the three men.

In January 2005, after being hospitalized for his wounds on both legs, the suspect got killed in a shooting incident. A week thereafter, two members of the Wingagaw Kin also got killed. In February 2005, another one (Wingagaw Kin) also got killed.

Presently, there is no way of knowing when the conflict will end. The Government is already making the interventions but the members of the two related kin groups refuse to budge an inch. According to sources, both kin groups had an informal agreement very lately. They are to close the area (the entire barangay) from all outsiders and insiders. As of this writing, all outsiders are

prohibited from entering the area. Likewise, all insiders are prohibited from leaving the area for transfer of residence.

It is conjectured by some that the reason for doing so is to settle the conflict once and for all. We may be foreseeing bloodshed for the last time. We can only wait and see.



It is conjectured by some that the reason for (closing the area to strangers) is to settle the conflict once and for all. We may be foreseeing bloodshed for the last time.

SOME CASES AMONG THE MERANAO

Case No. 1: Murder

Hadji Ali, Mama, and Cairod were all natives of Marantao, Lanao Del Sur. Like other Meranaos, they stayed and did some small trade businesses in one of the municipalities of the province in Western Visayas. Hadji Ali had been extending loans and some merchandize goods to Mama and Cairodin and sometimes he lent them cash to augment their capitals. Hadji Ali had a bigger capital because of his accumulated savings from his overseas employment in Saudi Arabia. Later on, their relationships turned sour. They had a problem on repayment of loan to Hadji Ali because the latter insisted to be paid by Mama and Cairodin. Hadji Ali gave them an ultimatum to pay him. This created a serious conflict and tension among the three.

One night, while they were alone in the house they rented, allegedly, Mama and Cairodin conspired to kill Hadji Ali. On the following day, Hadji Ali was missing from their group and two days after, his body was found dismembered contained in a sack in the banana plantation. The murder of Hadji Ali was immediately known to the Meranaos staying in the province in Western Visayas including the relatives in Marantao, Lanao del Sur who immediately sent representatives to recover and bring the dismembered body of Hadji Ali to Marantao for burial. It took about three days to transport and bury the body to his birthplace.

The day following the murder of Hadji Ali, the whereabouts of Mama and Cairodin could not be known because they left the house they rented and nobody detected their movements. Few days after, the police authority arrested Mama and he confessed that he was the only one who killed Hadji Ali and Cairodin had no participation in the killing whatsoever. Cairodin was still at large.

While Mama was serving his sentence in prison, a group of mediators met the aggrieved relatives of Hadji Ali and negotiated for the freeing of Cairodin from the *rido* on the account of the confession of Mama that Cairodin had no participation whatsoever in the killing of Hadji Ali. The mediators offered *sappa* or denial by Cairodin that he had no participation whatsoever in the killing of Hadji Ali. Among Meranaos, *sappa* or denial by swearing before Allah in the presence of the Holy Qur'an is the most effective mode of settling disputes. After several attempts the relatives of Hadji Ali agreed on the *sappa* provided that qualified twenty relatives of Cairodin will join Cairodin in the swearing or *sappa*. This condition was accepted by the relatives of Hadji Ali. On the day designated for this ordeal, Cairodin, along with his qualified twenty relatives, took the oath before Allah in the presence of the Holy Qur'an that Cairodin had no participation whatsoever in the killing of Hadji Ali. After the swearing of Cairodin and his twenty qualified relatives Cairodin was freed from the case of murder of Hadji Ali. This settlement was respected and honored by all parties as it was guaranteed by the group of mediators who were all respected leaders in Marantao.

During the confinement of Mama in prison, another group of mediators negotiated for the settlement of the case with respect to Mama. The solution being offered by the mediators to the relatives of Hadji Ali was *diat*, which means "blood-money". The relatives of Mama would be paying an amount to the relatives of Hadji Ali as blood-money. The amount was fixed by the mediators which was accepted and received by the aggrieved party. Aside from the blood-money, it was agreed that at the time Mama will be released from prison he would be surrendered to the relatives of Hadji

Ali. The purpose of this temporary settlement was to prevent the spread of the conflict by not involving the immediate relatives of Mama in the revenge.

Several years later, Mama was released from prison but instead of returning to Marantao he stayed in the adjacent municipality. His release from prison was known to the relatives of Hadji Ali. About a year later, Domaob, son of Hadji Ali, who had just entered to full adolescence, saw Esmayatin, the father of Mama, in the adjacent barangay. Domaob went home to get his M-14 rifle and immediately returned to where he saw Esmayatin and then shot him to death. The victim Esmayatin died defenseless because his belief was that their *rido* was already settled. The tension heightened once again and the situation became so volatile that anytime shootings would take place. New group of mediators started to work together to ease the tension and to prevent escalation of the conflict.

When the mediators confronted Domaob and asked him why he killed Esmayatin, his answer was that "because they did not comply with the agreement that after Mama will be released from the prison he should be surrendered to us."

Several months after, Mama kidnapped Farouk, the maternal uncle of Domaob, as his hostage. Another group of mediators came out to negotiate for the release of Farouk. The demand of Mama was to bring to him Domaob as a ransom for the release of Farouk. For a while there was a stalemate. Some elements of the Moro Islamic Liberation Front (MILF) were involved in the negotiation for the release of Farouk. One influential commander of the MILF was a relative of Farouk, who took hold of Farouk at the time he was in the safe custody of the MILF.

After several attempts of mediation, a successful solution was offered by the composite

mediators to both parties. The offer was that the blood-money given by the family of Mama during the confinement of Mama in the prison for the killing of Hadji Ali would be returned to them by the family of Domaob and Farouk would be released by Mama without ransom. With the strong influences of the composite mediators especially MILF the offer was accepted by all parties. The *rido* was finally settled. Domaob is now peacefully earning living through trades in one of the provinces in the Visayas while Mama is living in the adjacent municipality and doing farming.

Case No.2: Adultery

It is a general characteristic of the Meranao to be found in almost all urban areas in the Philippines. In one of the cities in Davao there lived a community of Meranao of about one thousand members, a great majority of whom were engaged in trade businesses, including two couples, namely: Mr. Ibra and his wife, Sauda; and Mr. Ali and his wife, Bae. Ibra and Sauda are both Meranao with five minor children. They had been residing in that city since their early marriage of more than fifteen years. Ever since they got married their relationship as husband and wife had been peaceful and sweet since Sauda had been very understanding and forgiving. On the other hand, Ali is a Meranao and his wife, Bae, is a Maguindanaon. In spite of their long time marriage they did not have children. They also lived in that city for about ten years. Their relationship as husband and wife had been generally good and cordial although there were times that they had conflicts which were common to married people.

The two couples had been old neighbors in their residences as well as in their stalls in the market. Out of the long company and close

relationships the two couples developed intimacy. Later on, their good and cordial relationships became indifferent and suspicious. Ali got so jealous and suspicious of the closeness of his wife to Ibra. He always kept a sharp look and an investigative eye on the two especially when they were in their stalls in the market. Ali had been known to their community as a jealous husband while Bae was also been looked as an attractive lady whose gestures could be easily misunderstood by others. This suspicious relationship between the two couples subsisted for a number of months until one day a rumor was circulated in their community that Ibra and Bae were caught by Ali in the act of a scandalous situation in one of the beaches in the city. This rumor was proved by the sudden disappearance of Ali and Bae. The incident was formally reported by Ali to the elders of the community.

When investigation of the incident was made, only the narration of Ali was heard because the whereabouts of Ibra and Bae were unknown. Later on, it was found out that immediately after the alleged incident in the beach Ibra fled to Lanao del Sur via Kidapawan while Bae also fled to her hometown in Maguindanao. Upon inquiry by the mediators, Ali made the following account of the incident:

"For several months I had noticed that my wife and Ibra had unusual closer relationship which made me suspicious of them. Since then I closely observed and monitored their interactions. One day, Dec. 15, 2003, at noon time, both my wife and Ibra were not in our respective stalls in the market. I immediately drove my motorcycle and went to the beach and there I saw my wife and Ibra doing illicit sexual relationships in a scandalous situations. We had exchanges blows with Ibra but he was able to escape half-naked and my wife was able to escape also."

This personal narration of facts of Ali suffered a set-back because no other person(s) who could serve as witness(es) to corroborate his statements. On the other hand, when Ibra was confronted by the mediators in Marawi City he disclosed the following information:

"It is true that Bae and I had a close relationship but that was only as neighbors and friends. It is also true that Bae and I were in the beach when Ali saw us there on Dec. 15, 2003 but our presence in the beach on that day was purely accidental. Bae was there to swim in the sea and I was there also to have a breaking of my newly bought motorcycle. We never had done wrong in the beach much more had we done any immoral or illicit scandalous situations anywhere else. We did see each other in the beach but we only exchanged the usual greetings of friends. I also never had exchanges blows with Ali either in the beach or in any other places. My reason for going to Lanao del Sur was to cool-off the anger of Ali and to give him a time to reflect and to know the truth."

Again, the set back of this narration is like that of Ali. No other person(s) to corroborate the given statements. There were no witnesses to the alleged commission of the crime.

In so far as Bae was concerned she was not available for inquiries. The only reference on her side was her letter expressing her denial of the alleged crime and revealing the characteristics of her husband as a very jealous person and also mentioning their recurring marital problems.

The first attempt for settlement in Davao did not prosper not only because of the high variance of demands by both sides but because the relatives of the parties jointly requested that the settlement of the case would be done in Lanao del Sur.

The venue of the case was transferred from Davao to Lanao del Sur. It was Ali who reported first the case to the Moro Islamic Liberation Front

(MILF) which immediately assumed jurisdiction. Notices were issued to the parties by the MILF Unit setting as collegial judicial body. Two Aleem and one commander, all of the MILF, who were all related also by blood to the parties served as mediators to settle the dispute amicably outside of the MILF judicial processes.

Adultery is a capital offense in Islam and the penalty is stoning to death. That was the main reason why there emerged a three-man mediator who would like to settle the case through the traditional means of *Taritib-and-Igma* by way of *Pamalao* which is giving of money as a denial to the alleged crime by the offender. This was done to avoid the rigorous requirements of Shariah judicial proceedings and the death penalty imposed upon the crime of adultery.

After series of negotiations and critical judicial consultations, the mediators imposed a decision that Ibra should have to give fifty thousand pesos as *Pamalao* or denial money to the charge of adultery. This amount should be given to Ali which he might use as dowry should he decides to marry another woman. Upon the execution of the decision the case was finally settled.

Ibra and Sauda are now residing in the city continuing their trade businesses there while Ali transferred residence to unknown place although there was a rumor that he and Bae had been together again and residing somewhere.

Case No. 3: Breach of Contract

After the 2000 local elections in the Municipality of Palapa, Lanao del Sur, the newly installed Municipal Mayor, Hon. *Datu* Hamis called for a special meeting to all winning candidates in his town. After the meeting, the Mayor invited his Vice Mayor, Hon. Salik Alimodin for a confidential

meeting. The other officials present were: Municipal Treasurer Malonzo Makir and Brgy. Chairman Lorenzo Musa. The Mayor arranged this meeting with his Vice Mayor who belonged to other political party for reconciliation and better understanding in running their local government harmoniously and effectively as team. The other purpose of the meeting was to forget their past enmity during the campaign period and to make an agreement with his Vice Mayor regarding the financial matters in office operation and other related matters. I was not told of the other terms and conditions but the Mayor offered to the Vice Mayor verbally, that he will maintain P60,000.00 for him every month on condition that he will not question and complain against him to any government authority regarding the disbursement of their local financial matters, like the Internal Revenue Allocation (IRA). However, this accepted offer was not put into writing. What happened was only the first month of their agreement was complied and the succeeding months were not fulfilled.

Whenever the Vice Mayor complained to the Mayor, saying "Is it not your promise to maintain an amount of P60,000.00 for me every month? Your treasurer told me that you instructed him to give me only what is in the plantilla.". The Mayor said, "Alright proceed to the treasurer and tell him that I am instructing him to give you an amount of P60,000.00." So the Vice Mayor went back to the treasurer conveying the verbal instruction from the Mayor. The Treasurer said, "This is a financial matter, I am sorry to inform you that I can not do the request of the Mayor unless there is a written proof from him. Why don't you get a written instruction from him bearing his signature or tell him that we will meet him personally so that once and for all, this problem will be solved." The Vice

Mayor believed that he was being deceived from their agreement. The Mayor will not meet the Vice Mayor as well as the Treasurer at the same time.

Many months had passed, that was always the situation of the Vice Mayor. Sometimes the Mayor would even make excuses and the Vice Mayor was not satisfied. The Vice Mayor could no longer bear his problem so he convinced some of the councilors and some Barangay chairmen in their municipality to file a criminal case against their Mayor before the Ombudsman at Davao City. The case was filed and the Mayor was suspended and had no grounds to defend himself. We were told that he would be removed from his office or he would be jailed. In this situation, a group of mediators came to resolve the *rido*. They negotiated with the Vice Mayor to withdraw the case. They said that it was going to be a serious *rido* if he will not withdraw the case against the Mayor. The Vice Mayor is too firm in his stand; he said that, "I am not the only one involved in this problem. Anyway, many of us will die." So the mediators went back to the Mayor and told him what happened with the negotiation. The Mayor told the negotiators that he will offer him P80,000.00 every month and this will be witnessed by some influential leaders for him not to breach the contract. This time, the Vice Mayor withdrew the case; however the agreement was again not put into writing. For two or three months the mayor complied with the agreement, but in the succeeding months he no longer did. The situation has repeated.

One day, while the Vice Mayor was on his way to Iligan City with his family, he met Treasurer Makir who was also with his family. Both of them stopped at the Marines checkpoint. Immediately the Vice Mayor parked his car and went down with his son and his brother-in-law, Ali. The Treasurer also

went down from his car and met them not expecting any trouble to happen. At first they were having conversation and suddenly their conversation became heated. They were shouting at each other and then they exchanged punches. Eventually, the daughters of the Treasurer alighted from of the car and shouted for help. The son of the Vice Mayor, went to one of the daughters of the Treasurer and said; "Do you want to help?" The daughter said; "Of course, he is our father". Right after that response, he punched the girl on the face. The people who were watching immediately came on the scene and parted them. It is a grievous crime and *maratabat* of the Meranao to offend a woman by hand or abusive words. So both parties went back to their respective places and prepared themselves. The Vice Mayor's relatives and his wife's relatives all went to Pasada, Palapa. Even their relatives all residing in the neighboring municipalities and cities went home, they believed that there will be shooting.

The Meranao are well known for *rido* and vendetta. A group of mediators intervened, namely: Judge Ambong Ractom, Sultan of Palapa, Mayor Ramsi *Datu* Hamis, Mayor Abdul Kilala of Ganassi, Sultan of Pasada and Mayor of Pala-os. There were series of negotiations made to the offended party but they were too firm to retaliate. They believed that death was the only solution to calm their *maratabat*. But at last the offended party was softened and agreed for the solutions offered by the negotiators. The solution made was that the party who have offended have to give a sum of amount as a penalty of grievous *ta'azir* in highest order and they have to wear white cloth as a sign of surrender to the agrieved party. After series of talks of the religious leaders to soften the heart of the offended party, a *kanduri* followed and a prayer ended the *rido* aspect of the conflict. However, the

Vice Mayor complained that unless his original problem will not be solved they will have to expect another trouble to happen. So they negotiated with the Mayor and the Treasurer to resolve the problem of the Vice Mayor to give what is due to him. So after the *kanduri*, the amicable settlement followed between the Vice Mayor and the Mayor with the Treasurer.

Case of Potential Rido

Numer wanted to buy ten loaves of bread from the bakery of Edward. It was the daughter of Edward who attended the store. Unfortunately, the bakery was supplying many retailers due to the fasting month of Ramadhan. For this reason, they did not sell more than five loaves to any one to avoid competing with their retailers. The girl or young lady was hesitant to sell ten loaves of bread to Numer on suspicion that he would in turn resell them to other customers.

But without the knowledge of the young lady, the customer, Numer, recently built his own mosque in the compound of his residence. He was buying ten loaves of bread to be served to the members of the "*Jama*" (those praying on his mosque) at the time of breaking fast (*Iftar*).

Numer became angry when the young lady refused to sell him ten loaves of bread. The anger was probably influenced by the fact that the customer was fasting and it was almost 5:00 p.m. Another possible reason was his status in the community being one of the FEARED personalities due to the number of *rido* that he was involved in and the fact that he had killed some people by himself or through his order.

The young lady did not recognize him and he did not also introduce himself. Instead, he threatened the young lady that he will close down

their bakery. To this threat, the young lady (knowing also that they were a well respected family) simply retorted by saying that "try it".

At this moment, the brother of the young lady interceded by explaining to the customer that the younger sister did not recognize him. But instead of being appeased, the customer slapped the young man and told him not to interfere. At that instant, the young man hit the customer several times. The father of the young man saw his son and immediately came to his rescue. The father did not also recognize Numer when he aided his son punching the said customer. One of the other customers around immediately shouted to the father of the young boy to stop and calm himself because their opponent was Numer. Upon realizing who their opponent was, he immediately ceased punching and also stopped his son and told him to hide.

The father immediately apologized to Numer asking forgiveness for they did not recognize him. But Numer was already very furious, claiming that in his lifetime, this was the first time he was ever beaten up by other people.

Numer immediately left the scene with a warning that he would return. In less than 20 minutes he was back with two vehicles filled with a number of armed escorts.

He demanded that the father and son come out and would go with them. Fearing for their lives, the two refused to go out. The wife of the bakery owner pleaded for mercy to Numer but was ignored. Some witnesses to the scene narrated that Numer has pointed his handgun to the lady to get out of his way. But the lady tried to block Numer at the entrance of their house/bakery. For this reason, the lady was forcefully shoved aside and the escorts of Numer entered the house.

Some friends of Numer and some of his

relatives in the area were trying to calm him, but to no avail. After a while, the father and son emerged being dragged by the escorts of Numer. They carried the two including the wife to a secluded place described by some residence as the "killing field" of this group. It was hard to determine if Numer intended to kill them but some people were saying that the execution was halted by a phone call from the older brother of Numer.

After taking the three to his custody, a moment later, a number of armed men arrived in the bakery. The nephew and cousin of Numer headed this second group. These men took the 5 Christian bakers and brought them to an undisclosed place.

The following day, it was rumored that the family of the bakery owner (father, mother, son) were released. Four of the five bakers were also released but the fifth baker was nowhere to be found.

ABS-CBN Cagayan de Oro covered this incident but to my surprise, even the well-known TV Station failed to name names as to who were the individuals or families involved in this dispute/ incident.

The following day (Saturday), the bakery was closed the whole day but some Marines and ABS-CBN staff were seen on the vicinity. The involvement of the military and the Media probably influenced the early release of the family and the four bakers. The 5th baker's fate is still unknown.

Other side stories:

On the night of that incident, the relatives of Numer and some of his friends, *balais*, etc. came to his house, with the intention of calming him and to forgive his adversaries. His sister explained to him that probably, this is a test from God because Numer recently became religious and even erected his own Mosque within the premises of his house.

Some observers, also theorized that it was their sister who called up their brother (with executive position in the government) to prevent the escalation of the conflict. This action spared the lives of the bakery owner and his son.

But there were also relatives who came to further escalate the conflict. The second wave of armed men (nephew, cousins, *bata-bata* or followers) came and abducted the five bakers.

That Saturday, it was rumored that the elder brother of Numer was trying to settle the conflict but the bakery owner was not around.

The following day, Sunday, I learned that the bakery became operational. It seemed that the conflict was settled. Some friends narrated that it was the incumbent Vice-Mayor of the City of Marawi who settled the conflict. The other stories indicated that it was the Vice-Mayor and one of our Provincial Board Member who jointly settled the conflict before it escalated to *rido*.

The above-cited incident is illustrative of the effectiveness of the *Meranao* indigenous mechanisms for the prevention of the escalation of conflict to full blown *rido* or even to settle a grave *rido*. At the first instance, it was the relatives present in the scene who tried to pacify the conflicting parties. Later, it was the close relatives (sister and brother) who intervened, and lastly, the recognized leaders who are also related to one or both the conflicting parties. The Vice Mayor and Board Member were all related to Numer by blood.



V. SYNTHESIS, CONCLUSION AND RECOMMENDATIONS

COMPARATIVE SYNTHESIS

Inter kin group conflict exists in many societies the world over. One form of this conflict is feuding which is "a state of conflict between two kinship groups within a community, manifest by a series of unprivileged killings and counter killings between kinship groups, usually initiated in response to an original homicide or other grievous injury" (Hoebel, 1972:516). This conflict has been known to escalate into a "private war" between kin groups/families affecting the community at large.

In the Philippine context, inter kin group conflict is common among different ethnic groups—the lowland Christian communities, the indigenous communities, and Muslim Filipinos. Among the lowland Christians, politics and land disputes seem to be the main cause of conflict wherein "vendetta" (revenge) is perpetrated over generations. Feuding among the indigenous communities exists also but regulated by customary laws and the enmity between two conflicting kin groups is terminated. The Muslim Filipinos—Meranao, Tausog, Iranun, and Maguindanao—on the other hand, practice the "*rido*". It is however, more pronounced among the Meranao of the Lanao region.

Inter kin group conflict, though not widely known, is a significant event especially in Mindanao because many lives have been lost because of continual revenge against each kin group. Thus this current study on the choices of response towards inter kin group conflict has been undertaken to understand better the dynamics of feuding or *rido* in the Meranao society. But an alternative problem poses the question whether *rido* also exists among the non-Islamized indigenous communities. In this stance, a comparative study



of inter kin group conflict between the Meranao and the indigenous communities (Matigsalug Manobo, Higaonon, and the Talaandig) seems necessary to determine similarities and differences in choices of response to conflict.

Moreover, the study has focused on the choices of responses to avert a conflict at its incipient stage in order to prevent *rido* or revenge to occur or take place. The act of *rido* takes place when peaceful measures break down. Thus in this comparative synthesis, the results and findings of the study on the Meranao and the indigenous communities are delineated below:

Concepts of Conflict

Among the *Lumad*, conflict is referred to as *ehetey* (for the Matigsalug Manobo) and *logong* (for the Higaonon). These terms refer to simple quarrels or scuffles. For the Higaonon, the term *lido* is used when there is already killing involved in the conflict. Killing which involves other intentions such as taking someone else's land or grab someone else's wife is called *lido ho katangkawan* (the highest form of conflict). Generally, any form of offense is a potential ground that can instigate *pangayaw* (retaliation) or *magahat* (raid) dependent solely on the response of the offended person.

Among the Meranao, the term *rido* is used for disagreements or when the intentions of people do not coincide. *Rido* can be classified as grave or

light, big or small. Grave *rido* is when premeditated killing is involved or a crime against women is committed or when the family honor is offended. Small *rido* refer to accidental murder, scuffles, grudges, slander and other offenses deemed light. *Rido* is pervasive in the community life of the Meranao. There is no place in Lanao where there is no *rido*.

The terms *rido* (Meranao) and *lido* (Higaonon) mean the same in the context when killing as retaliatory act is already involved. Among the Matigsalug Manobo, there is no term to determine the degree of conflict.

Concepts of Justice

Justice among the indigenous peoples (Matigsalug Manobo and Higaonon) is reckoned through ordeal. There is no local term for the word justice. The customary law also does not indicate the rights of individuals, only payment for offenses committed (the concept of indemnity). There is also no local term equivalent to term 'right'. The Lumad use the Bisaya term, '*katungod*', an indication that the concept of right is not present among the indigenous peoples and somehow simply introduced to them. The determination of one's guilt or innocence is through *tigi* (Matigsalug Manobo) or *bala* (Higaonon). The *tigi* or *bala* is administered by a *datu* or several *datu*s who are knowledgeable on the *Gantangan-Palabian* (Matigsalug Manobo) or the *Sukod* (Higaonon), dependent on the degree of the offense and the extent of the damage. Justice (for lack of a better term) is attained by punishing the guilty party with either payment of *manggad* or *gahum* (blood money, animal or goods) or *bahandi* (antique wares or any valuables) or death. The purpose is for the restoration of social order, peace and harmony

among the communities.

Among the Meranao, justice is attained and preserved if the reward or penalty given is commensurate to the good done or wrong committed. Fair and impartial trials are necessary to determine the culpability of the wrong doer upon careful evaluation of the surrounding circumstances of a particular case. A *Kali* (local judge) or a jury plays a vital role in the attainment and preservation of justice. The *Kali* or jury must not only be fair and just but also knowledgeable on the substantive and procedural aspects of the customary laws known as *Taritib-and-Igma*. The dispensation of justice is dependent on the complainant who bears the burden of proof by presenting his case with at least two credible witnesses (by law, one male witness is equivalent to two female witnesses). If the witness or witnesses are found to be lacking in credibility, the defendant shall present his arguments to prove his innocence by swearing before the Holy Qur'an. Amicable settlements are also conducted by competent negotiators the approach of which is inquisitorial and the procedures simplified and abbreviated. The dispensation of justice though, through the adherence to the customary law, is preserved despite the informalities.

Concepts of Maratabat, Bansa or Bantug

Honor and pride, *bansa* (Matigsalug Manobo) or *bantug* (Higaonon), are concepts that must be considered in reckoning conflicts or feuds among the indigenous peoples. When the *bansa* or *bantug* is offended, killing may be resorted to. Offenses to the *bansa* or *bantug* may come as ridiculing another person for physical deficiencies, rape, wife-grabbing or insults. This is highly dependent on how one accepts ridicule or taunting or if one considers such as an offense to the *bansa*

or *bantug*. An offended person may go to the *datu* for payment of indemnity or may resort immediately to kill the offender. As previously mentioned, any offense to the *bansa* or *bantug* may cause one his life.

The Meranao also have the concept of *bantugan*, which is the local term for honor. A corrupted Arabic term, the *maratabat*, is also a related concept. *Maratabat* and honor (*bantugan*) are two usual causes of *rido*. These two are also common hindrances in the speedy settlement of *rido*.

Among the Lumad, an offense to the *bansa* or *bantug* may be appeased through the payment of indemnity or *husay* or even death to the offender. When appeased, the conflict is settled and harmony is restored. The conflict virtually stops. The concept *bansa* or *bantug* among the Lumad is more personal and individual and not extended to the other members of the kin group. Thus, an offense to the *bansa* or *bantug* of a person is only payable to him. It cannot be extended to the *bansa* or *bantug* of his or her kin.

The Meranao reckoning of the *maratabat* is different. An offense to the *maratabat* of one member extends to the *maratabat* of the *bangsa* (lineage) or the family or the kindred. Thus, it is more difficult to settle the conflict. As mentioned above, the *maratabat* can hinder the settlement of the conflict.

Revenge and retaliation among the Lumad are generally directed to the offender. In cases wherein the offender cannot be found and the need to kill is necessary (the *panabud*, for instance), the act may be directed to anyone else who happens to be chanced upon by the retaliator. This is referred to as *suha-suha* wherein someone else will be killed to remind everyone to never breach

the customary law. This is based on the belief that the blood-thirsty *diwata* (the *Mandalangan*) of the *bagani* (tribal warrior) will not take the punishment against him. Among the Meranao, revenge may be directed to the other members of the offender's family or kin group. The preference for such is to make the revenge act hurt more. There is also the tendency to prefer those members who have attained higher status in the community or those who are highly educated perhaps to hurt the *maratabat* more. Another potential target would be those members who are wealthy and capable of financing *rido*. This preference for the other members of the kin group as potential targets of revenge further escalates the conflict as more people get involved. This mode of revenge makes the settlement difficult to attain.

Conflicts leading to Rido or Magahat

It is difficult to determine which conflict leads to *pangayaw* or *magahat* among the indigenous peoples. Any conflict is a potential cause for *rido* or *pangayaw*. This is highly dependent on the offended party. If the offended party feels like he will kill the offender, he will resort to *pangayaw*. If otherwise, he would go to the *datu* or *igbuyag* for settlement and payment of indemnity, he may do so. He also has the option to challenge a *bagani* to kill for him especially among the Matigsalug Manobo. Crimes against chastity, adultery, murder or witchcraft are most likely causes for *pangayaw* and *magahat*. Smaller crimes such as stealing or emotional outbursts such as jealousy may be settled immediately through the arbitration of the *datu* but are still potential causes for *pangayaw*.

Among the Meranao, *rido* are classified as grave or light. Grave *rido* are those that involve murder, crimes against chastity or maligning of the

family *maratabat*. Light *rido* are those that involve accidental homicide, threats, grudges, slander or altercations. A light *rido* which is not resolved immediately can escalate into a big *rido*. The classification of *rido* as grave or light may also be determined by the negotiator.

For the Meranao and the Indigenous Peoples, conflicts among children are left as childish acts and parental interference is not common.

Conflict Management and Resolution

The indigenous peoples (the Matigsalug Manobo and the Higaonon) are generally pacifists. There are mechanisms provided and adapted to settle conflicts at the initial stage or even in its escalation. It is imperative that a conflict is resolved as it will disrupt the economic subsistence of the communities especially when *pangayaw* or *magahat* is in the offing. The community members cannot go to their farms for fear that they would get killed by individuals or raiding members of the other community. For the Higaonon, the immediate settlement is imperative as an offense, is foremost, a crime against the *diwata* and the offended person, only secondary. It is believed that when a crime is unsettled, the *diwata* will inflict sickness on the entire community as payment for the crime.

For the Higaonon and the Matigsalug Manobo, the offended party may file a complaint to the *datu* to ask for indemnity especially if the offense is not so grave (though dependent on how the concerned determines grave or light offense). In cases of stealing or debt, the *datu* authorizes the *dampas* (stealing the offender's property or animal) as payment after which the case will be settled. There are also mechanisms to prevent the escalation of conflict especially between community members such as the *pamalalas* or *singampo* wherein chicken will be killed and prayers will be offered to

the *diwata*. This may be done by an elder or community member who may be a common friend or relative. Payment of *manggad* or *gahum* may be done without the *datu*. Smearing pig's blood on the house of the offended person who intends to commit *pangayaw* may also be done especially if the person does not heed the *datu's* order for settlement. In this case, the offended person is forced to stop his intention as blood is already shed. This forces him to adhere to settlement. There are offenses though that will not be settled without shedding blood first. The case of adultery requires blood to be shed first before any settlement is conducted. The *datu* orders the person to kill the offender within a certain time frame. If the person fails to do so, the settlement may proceed but the offended person is prohibited from killing the offender. Among the Higaonon, a person proved to be practicing witchcraft will be killed and the entire kindred will be massacred to cleanse the community of their tainted blood. Likewise, breaching the *tampuda hu balagon* will cost the offender the life of his entire kin for the reason that the blood is tainted with treachery and most likely, is bound to recur.

Among the Meranao, the institutionalization of the customary law, *Taritib-and-Igma*, is an effective mechanism for the prevention of conflict escalation. The Sultanate System which utilizes the powers and influences of the Sultan to suppress violence and preserve peace and harmony, also proves to be an effective means for conflict resolution and management. The tenets of Islam which adheres to peace are also utilized. Whichever way is seen to be effective in preventing the escalation of conflict, will be utilized.

The initial step done whenever there is conflict is to inform the *datu* or sultan, the *ulama*,

the government authorities or any relative or person who is competent or experienced in settling disputes. A thorough understanding of the nature and dynamics of the conflict is imperative to the effective resolution of the dispute. The parties involved are identified and the possible mediators and arbitrators will be identified. Some *rido* cannot be resolved immediately or it is considered not proper to resolve them instantly. The best thing to do is to keep both parties avoid each other until such time that the mediators and go-betweens could find better solutions. Women are also encouraged to take part in preserving peace.

When the conflict has escalated into bloodshed and violence already, there is very little that could be done as it would be much more difficult to control the feud or dispute. This will go on until such time that the mediators can form teams of arbitrators which will find ways to control the further shedding of blood. Options such as putting the assailant in the custody of influential people like the politicians or sultans may be resorted to. If not, the family will be pressured to flee to another place to be spared from the avenging party. Once the violence is controlled, the negotiation process may then be commenced.

It is vital that the mediators and arbitrators are skilled in the art of negotiation especially in the realms of determining the feelings and needs of both parties. This is to avoid offending the *maratabat* (pride) and *bantugan* (honor) of each family. When the *maratabat* is offended, the negotiation would be most difficult. This can lead to the further escalation of the conflict. The *maratabat* may prove to be a hindrance to the negotiations.

The utilization of the Islamic tenets, the *Taritib-and-Igma* or any law that may prove effective

to the speedy resolution of conflict may be adhered to as necessity counts.

The Tampuda hu Balagon

Common to the indigenous practice of the Meranao, the Matigsalug Manobo and the Higaonon is the *tampuda hu balagon* – the ritual cutting of the vine of discord to end all enmity between parties. This is still actively done among the indigenous peoples although presently, only in bigger conflicts.

Some accounts point out that it used to be done among the Meranao. Among the Meranao in the past, settling *rido* was accompanied by the cutting of a rattan, breaking of a chicken egg and putting of a lamp (*suga* or *sulo*) to symbolize the end of the *rido* that it may not recur. This indigenous practice, however, was "overshadowed" by the teachings of Islam and led to its disappearance.

The practice of cutting the vine, breaking the egg and putting off the lamp was also practiced by the Higaonon of Minalwang. The similarity of the practice among the Meranao and the Higaonon point out that at some point in time, these people were culturally related. Other manifestations of this are the use of *bantug* and *bantugan* to mean "honor" or "pride"; the terms *lido* and *rido* to mean conflict that involves killing and retaliation is also another indicator. The influence of Islam may have blurred the practice out among the Meranao. There may be a need for deeper understanding of its dynamics.

CONCLUSION

Conflicts exist in almost all human societies, either large or small, and are inevitable since behaviors of members vary. Such actions may be detrimental and dysfunctional to the social structure. Behaviors not sanctioned by society usually bring about reactions from the members, which may lead

either to the use of harmful physical means or simply severing relationships. However, all societies have peaceful regularized ways of handling certain disputes.

In Mindanao, three communities were studied—Matigsalug Manobo, Higaonon, and the Meranao—specifically on the choices of responses to inter kin group conflict. Among these ethno-linguistic groups, they have terms used in reference to feud or inter kin group conflict. The Higaonon and Meranao use the term *lido* or *rido*, respectively; while the Matigsalug Manobo use the term *pangayaw*, which seem to have a traditional usage and reference.

In this current research, the results and findings of the study show that communities have their particular and distinct ways of responding to conflicts even at the initial stage. There are various ways employed by either the community or the persons in authority including the kin members to deter the escalation of conflict. Each people has its system of social control (Hoebel, 1968); this is in the form of law, whether formal (as in state societies) or informal (in simpler societies), that “provides a means of dealing peacefully with whatever conflicts develop” (Ember & Ember, 1985:230).

The study reveals that in the management and resolution of conflicts among the indigenous communities (Matigsalug Manobo and Higaonon) and the Meranao of Lanao del Sur, the traditional (customary laws) and non-traditional (formal law and courts) means are employed to maintain social order and harmony in their communities. The manner in which these practices are implemented vary among these groups.

In the Matigsalug Manobo, the customary laws are still very much followed and observed in

spite of the presence of barangay local governance. Only in cases wherein conflict arises involving Dumagats that the non-traditional mechanism (barangay justice) is applied. The Higaonon, on the other hand, the barangay justice system is followed, which is administered by the Barangay officials who are predominantly *Lumad* themselves. The officials admit though that they usually seek the assistance of the elders in matters of settling disputes among the *Lumad* themselves. The syncretic nature of conflict resolution and management among the Higaonon in Minalwang is easy to achieve as the area is predominantly *Lumad*. In this case, the Dumagat adhere to such system as they belong to the minority.

Likewise, the Meranao utilize both the traditional and non-traditional mechanism of conflict resolution shown in three ways: the *Taritib-and-Igma* (customary law), the *Shariah* (Islamic law), and the Philippine laws. It can be observed that in the Meranao society the system of conflict resolution used appears to be a syncretism of the Islamic laws and the traditional customary laws of the Meranao. Thus, while a trial is in the procedural bounds of the Islamic law, the resolution may be referred to the customary dictates. On the other hand, whichever law is more apt to facilitate speedy dispensation of justice, that procedure will be pursued.

The major difference among the three means is the imposition of the ruling or judgment. It is only in the Philippine Courts that decisions are enforced by the police and the military authorities. As a consequence, the parties who were defeated in these courts may view the judgment as biased and unjust, which can ultimately lead to *rido* by putting the law in their own hands.

The escalation of conflict among the three

societies are so damaging and disrupting to the communities that conflicts must be prevented at the initial stage. Among the *Lumad* communities, it is difficult to determine when a conflict starts or when it escalates. Prevention of the escalation of conflict is dependent on the offended party who may opt to go to the datu to file a complaint. On the other hand, the other option, which is commonly practiced, is the *pangayaw* (retaliatory killing). When the *pangayaw* is already committed, the intervention of the leaders or mediators is imperative to prevent the *magahat* (revenge through raid) which is disruptive of the economic subsistence of the communities.

Among the Meranao, the prevention of the escalation of conflict from the initial stage is done through mediators and arbitrators who may be relatives of both parties, close allies, politicians, the *ulama* or the sultan. Common to the settlement patterns is the reckoning of the genealogical connection between the two conflicting parties to prove that they are related. When negotiations at the initial stage fail, *rido* takes place. Relatives up to the fifth civil degree or second cousins of the conflicting parties become targets for revenge and counter-revenge. It is common to Meranao families now to accept that when somebody is killed, they are willing to suspend retaliation for as long as the offender is in jail. Negotiations can start with the offering of blood money or giving up the assailant as *kitas* (death by execution). Inter-marriages may also be done.

The role of the *maratabat*, *bansa* and *bantug* may be recognized here as operative in the speedy resolution of conflict. Among the *Lumad*, while an offense to the *bansa* or *bantug* may lead to *pangayaw*, the payment of *manggad* or *gahum* can appease the offended. Among the Meranao,

an offense to the *maratabat* is considered grave and is a usual cause of *rido*. Thus, in settlements, this is the first to be upheld and respected. The *maratabat* may also pose as hindrance to the settlement of conflicts.

Finally, in all three societies, traditional and non-traditional means of conflict resolution and management are adaptive strategies to prevent conflict from escalating at the outset. Whatever the means are, the most important thing is the arrival at a peaceful and harmonious conclusion thereby restoring social order within and between families, kindred and communities.

RECOMMENDATIONS

Matigsalug Manobo and Higaonon

- For the indigenous peoples, the recognition and integration of their customary laws as means for resolving and managing conflicts, in the barangay local governance level is imperative. The laws adhered to by the barangay governance are appropriate for disputes among the Dumagat (lowlanders) and may not be suited for the customs of the *Lumad*.
- For the integration of the customary laws into the barangay system, it is recommended that the codification of the customary laws is to be conducted.
- A special body or committee in the barangay local governance must be created for the *Lumad* and administered by the *Lumad* themselves.
- The research must be expanded to other *Lumad* Communities for further comparative studies on conflict management and resolution.
- The study reveals that there is a similarity

between the conflict resolution and management among the Higaonon and the Meranao as manifested in the terminologies (*rido* and *lido*, *bantug* and *bantugan*) and the practice of the *tampuda hu balagon*. It is recommended that further in-depth study of both societies especially on the indigenous practice of conflict resolution and management be pursued.

- The conflict among the Talaandig is a case at hand. It is difficult to explain why such deviation from the *Lumad* norms occurs in this society. The problem encountered along the conduct of the research is the difficulty in collecting data as violence in the area is beyond control momentarily. It is recommended that further in-depth analysis of the situation be conducted at a time when the situation is no longer threatening.

Meranao

- Land disputes are among the most recurring causes of *rido* due to lack of certificates of land titles, no written testaments of the deceased parents, no written agreements on land transactions, etc. It is recommended that concerned government institutions and individuals shall exert efforts for the conduct of massive land surveys and titling of land ownerships, the earmarking of land boundaries and adopting Islamic and legal requirements to reduce to writings all transactions on lands.
- Strict enforcement of accounting and auditing laws, rules and regulations in the different local government units from ARMM to the barangays especially in the disbursements of the Internal Revenue

Allocation (IRA) and the 20% Development Funds.

- Pre-marital and marital guidance counseling seminars on the rights, duties and responsibilities of spouses and children; child care; family planning, and family management shall be institutionalized and made as the requirements for the issuance of marriage contract and live births certificates.
- Integration or incorporation of mandatory 5% reserved funds for arbitration services out of the 20% Development funds over and above the existing funds in all levels of local government units in Lanao provinces and the City of Marawi.
- Integration of Islamic peace education into the curricula in all levels of education and the publication of peace and conflict management modules for use in seminars, radio-TV programs, Friday sermons (*Jumah Khutba*) and other extension programs.
- Strengthening the arbitration services in all levels of local governments e.g. Regional Unification Commission (RUC) of ARMM, provincial arbitration committees of the provinces, Municipal/City arbitration committees of the municipalities/city and the barangay justice by providing sufficient funds for salaries and allowances of commissioners and arbiters.
- Gaining the trust and confidence of the Meranao by strengthening the criminal justice system in Lanao provinces and the city of Marawi – the judicial courts including *Shariah* courts and the *Katarungan Pambarangay*, the prosecution, the investigation and the custodial services.

- Promotion of the institution of *Taritib-and-Igma* by its codification and incorporation into the legal system and the establishment of the agama court of justice equivalent to Barangay justice.
- Strict imposition of laws and ordinances on drugs, wines, gamblings, juvenile delinquencies, etc.
- Strict imposition of election laws, rules and regulations and the prosecution, conviction and imprisonment of the violators.

In all three societies, traditional and non-traditional means of conflict resolution and management are adaptive strategies to prevent conflict from escalating at the outset. Whatever the means are, the most important thing is the arrival at a peaceful and harmonious conclusion thereby restoring social order within and between families, kindred and communities.



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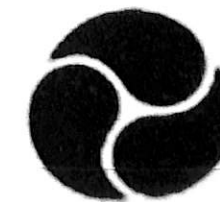
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