



Isyu-Sera

HOT THIS 2010: The Maguindanao Massacre and the Prevalence of Election-Related Violence

The massacre of 57 civilians in the town of Ampatuan in Maguindanao last November remains to be one of the biggest blows to Philippine democracy in 2009. The monstrosity of the mass killing shook the whole nation. Several groups mobilized to show their disdain towards the incident, while many others released their statements condemning what is now dubbed as the 'Maguindanao Massacre'.

This contemptible act brings to the fore one of the most pressing issues that our government and state has failed to confront and deal with head on – election-related violence and warlordism in the country. More skeletons in the closet were exposed as election-related and politically motivated crimes take center-stage.

The swift resolution of this case is of vital importance and is a challenge not only for President Arroyo but also for the next administration.

What happened and what's happening in Maguindanao?

1. At least 57 people died. The list of casualties includes the wife, relatives and supporters of Esmael Mangudadatu, who is running for provincial governor, a number of journalists and other innocent civilians in the vicinity. The gravity of the number of deaths is not only alarming; it clearly shows what can be said as 'lawlessness' in certain areas in the country and also the apparent lack of deterrent

to committing human rights violations in the country.

2. The dangers confronted by women in a patriarchal society are clearly shown in this case where a number of women were brutally murdered. Among the 57 casualties, at least 22 were women, some of which were not only killed but raped with their genitalia mutilated. At least 5 of the women killed showed signs

of sexual abuse while almost all were shot at their genitalia.

3. More than half of those who were killed - at least 31 of the 57 - were media practitioners. Journalists go to danger zones and are at the front line during important events to cover these stories, even life-threatening ones. The extra-judicial killings of journalists curtail not only one's right to life, but it effectively threatens the

Names of journalists killed

- Ian Subang, Leah Dalmacio, Gina Dela Cruz and Maritess Cablitas (all of Mindanao Focus, a General Santos City-based weekly community newspaper)
- Bart Maravilla (Bombo Radyo-Koronadal City)
- Jhoy Duhay (Mindanao Goldstar Daily)
- Henry Araneta (DZRH)
- Andy Teodoro (Central Mindanao Inquirer)
- Neneng Montano (Saksi weekly newspaper)
- Alejandro "Bong" Reblando (Manila Bulletin)
- Victor Nuñez and Macmac Arriola (UnTV)
- Jimmy Cabillo (radioman based in Koronadal City)
- Rey Merisco, Ronnie Perante, Jun Legarta, Val Cachuela and Humberto Mumay (Koronadal City-based journalists)
- Joel Parcon, Noel Decena, John Caniba, Art Belia, Ranie Razon and Nap Salaysay (local press)

freedom of the press, our right to information and our right of expression.

4. The incident also shows the proliferation of illegal firearms and armies in the country. Warehouses allegedly owned by the Ampatuans contained guns, missiles and ammunition capable of obliterating a small town. Some of the firearms, upon inspection, are said to be restricted firearms, which are supposedly for government use only and are made in limited supply. This clear lapse in the government's control over the purchase and use of firearms contributed to the proliferation of private armies serving as goons of influential political families.

5. Corruption has also reached a disturbing level. With Maguindanao suffering from poverty, conflict and poor governance, the currently ruling Ampatuan family is believed to have assets worth billions of pesos – most of which allegedly came from pork barrels and other funds that are supposedly for government programs. They also allegedly own a significant amount of property, which include the following:

- 16 homes in Davao City
- 14 houses located in

Maguindanao province, divided among family members

- 2 houses in nearby Tacurong City in adjacent Sultan Kudarat province
- 2 mansions in Metro Manila - one in Makati City and another in a posh Alabang village

6. With rampant corruption and lawlessness that inhibit the inflow of business investments and, subsequently, the development of the province, Maguindanao remains to be one of the poorest provinces in the Philippines.

In the last statistics released by the National Statistical Coordination Board (NSCB), Maguindanao still has one of the highest Poverty Incidence in the country (see Table below). In the National Poverty Map of 2007, prepared by the Peace and Equity Foundation (PEF), the province ranked in the top ten poorest provinces in terms of the PEF Development Index, and it was second poorest in terms of Poverty Incidence.

7. The persistence of political dynasties also remains an issue. A particular family like the Ampatuans is able to concentrate their hold to power

as incumbents to become formidable political players in their so-called "home court". The 1987 Constitution states that "the State shall guarantee equal access to opportunities for public service and prohibit political dynasties as may be defined by law". The tragedy in Maguindanao effectively shows the State's failure to do so, and based on experience, not just on the local but also at the national level.

The biggest question is: with this disaster happening less than a year before the elections, how will it affect electoral developments? More importantly, how will the 2010 elections respond to the old problem of election-related violence in the country?

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Poverty map shows poorest RP provinces. Philippine Daily Inquirer. 13 April 2008.

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Tests suggest 5 women raped in Maguindanao Massacre. Philippine Star. 03 Dec. 2009.

Table shows Poverty Incidence and rank of the five poorest provinces in 2000, 2003, and 2006 (NCSB 2006)

Province	Region	2000		2003		2006	
		Poverty Incidence	Rank	Poverty Incidence	Rank	Poverty Incidence	Rank
Tawi-Tawi	ARMM	52.4	8	34.6	31	78.9	1
Zamboanga del Norte	IX	47.0	17	64.6	1	63.0	2
Maguindanao	ARMM	59.3	2	60.4	2	62.0	3
Apayao	CAR	26.5	59	16.8	69	57.5	4
Surigao del Norte	CARAGA	42.6	23	54.5	4	53.2	5

Spotlight

Different Voices, the Same Call for Justice

Five Presidential Aspirants speak about the Maguindanao Issue

Reactions erupted when news about the Maguindanao Massacre came out last year. Different sectors of society have expressed their condemnation of the gruesome killing of 57 people – women, journalists, lawyers, Mangudadatu supporters and innocent bystanders in Ampatuan, Maguindanao. The outpour of grief, shock and anger has been overwhelming. This single incident once again affirmed the prevalence of election-related violence in the country and to the extent it has worsened. Warlords continue to terrorize local communities, the arena of politics is still dominated by a handful of influential politicians and/or political clans that resort to violence to remain in power. This is Philippine politics. Or what it has become.

What do our presidential candidates have to say about the Maguindanao issue? Do they have in mind concrete actions or plans that can be undertaken to address the problem of electoral violence? How do they view the situation?

SPOTLIGHT gathered the responses of four presidential candidates -- Senator Benigno "Noy" Aquino III, Senator Richard "Dick" Gordon, Former Defense Secretary Gilbert Teodoro and Senator Manny Villar -- to the news articles that came out about the Maguindanao incident (including the declaration of martial law in Maguindanao through Proclamation 1959). The information presented had been lifted from their blogs and the press releases that they issued.

AQUINO: Legislative measures to end violence in Mindanao

Sen. Noy Aquino, together with his running mate Sen. Mar Roxas, released a Senate resolution condemning "in the strongest possible terms the brutality and inhuman election-related massacre and carnage of innocent civilians in Maguindanao". The resolution also asked the appropriate Senate committees to conduct an inquiry in aid of legislation, for the purposes of proposing legislative measures that will end violence in Mindanao.

Aquino urged that justice be immediately served to the victims and measures should be taken to protect the witnesses by giving them utmost security and confidentiality, so they can easily cooperate with judicial procedures without casting fears for their lives.

Aquino reacted on the declaration of martial law in Maguindanao by saying it "does not make sense." He affirms that "there is no advantage of having a martial law regime – legally and militarily."

Aquino called for the disarmament of armed groups and a supposed legislative action to enact peace in Mindanao. To deal with the situation and to further prevent violence in the region in the long-run, Aquino, together with Roxas, proposed the preventive suspension of all local officials who will be charged in connection with the massacre.

The Aquino-Roxas tandem also seeks the immediate relief and replacement of all police officials and personnel in Maguindanao as a viable measure. For Aquino and Roxas, the suspension of the local government's control and authority over the local police force in Maguindanao can help lessen, if not totally eradicate, the influence of politicians and political clans.

They also called for the immediate revocation of Executive Order No. 546, which authorizes the Philippine National Police (PNP) to deputize or authorize *barangay tanods* as force multipliers in the implementation of peace and order in local government units.

Finally, Aquino and Roxas proposed the immediate return to normal operations of the COMELEC office in Cotabato City.

GORDON: Murderers must not be mistaken as rebels

Sen. Richard Gordon expressed his disappointment with the declaration of martial law in Maguindanao. He warned the public of being swayed and thrown "out of focus" by the controversy surrounding the declaration. "Our focus must be on justice [and] on the crime of multiple murders," he said.

Gordon stressed that pursuing rebellion instead of murder charges against the suspects in the massacre is an injustice to the victims and their families who have tremendously suffered from the atrocious act.

Gordon believes that such an action is akin to “letting the suspects get away with their worst crimes.”

Gordon pointed out that the suspects should be charged with every count of murder and illegal possession of firearms in order to bring justice to the victims. He warned that the “murderers” must not be considered as “rebels” or absorbed in the crime of rebellion, only to entitle them to lesser offenses.

In light of the election-related massacre, Gordon pushed for the immediate passage of the Early Voting Bill to pave the way for advanced elections in areas of concern. As the author of Senate Bill 2972 (Early Voting in National Elections), Gordon believes that holding advanced polls would allow the Commission on Elections (COMELEC), police and military forces and election watchdogs to concentrate their efforts in areas that need special attention like the province of Maguindanao.

TEODORO: Disarm private armed groups and consider early gun ban

Former Defense Secretary Gilbert Teodoro immediately condemned the “gruesome massacre” in Maguindanao and called the government to effect a swift action against the perpetrators. The Maguindanao massacre, according to Teodoro, is as a “barbaric act” done by a “lunatic person or group.”

As Chairman of LAKAS-Kampi-CMD, he expelled the entire Ampatuan clan from the party. LAKAS-Kampi-CMD declared that the removal of the Ampatuans is “a symbolic act of condemnation for the political clan’s failure to uphold the party ideals”. Teodoro, however, was criticized for not directly condemning the Ampatuans.

Teodoro immediately went to Mindanao to offer his support and sympathy to the families of the victims, including that of Buluan Vice-Mayor Esmael Mangudadatu. He offered legal services and government protection against death threats to the victims.

Teodoro believes that the problem stems from the mere presence of weaponry. He said the disarmament of private armed groups, whether rebel or pro-government groups, is a key measure to address the problem.

Teodoro called on the PNP to seriously consider an early gun ban, particularly in areas identified by the COMELEC as hotspots. He said the privilege to bear firearms covered by PTCFORs (Permit to Carry Firearms Outside of Residence) should be immediately suspended.

VILLAR: Martial Law is unnecessary

Villar condemned the government for its “slow response” on the issue. Villar and his party, the Nacionalista Party, called for justice and indemnity for the victims of human rights violations. Villar also vowed to work closely with human rights groups and advocates to ensure that the human rights of every Filipino are guarded and protected. Villar flew to Mindanao to “see what he can do for the victims of the massacre”.

As the trial is being set-up, Villar asked the Supreme Court (SC) to beef-up the securities of the judges to ensure their safety and guard them against possible death threats and intimidation.

The standard bearer of the Nacionalista Party did not agree on the imposition of martial law in Maguindanao, saying that the act was merely an overreaction from

the government. Villar stressed that the declaration of martial law was unnecessary and gave “hints of weak leadership and the inability of the government to quell lawlessness.”

According to Villar, it appeared that the government was “reluctant to go all-out against those responsible for the Maguindanao massacre.” He maintained that the government only needed to enforce existing laws, and a state of emergency “should have already been enough to dismantle the private armies operating in the province.”

Villar expressed confidence on the capability of the Armed Forces of the Philippines (AFP) and the PNP to restore law and order in the area. “Aside from bringing the perpetrators behind bars, the government must dismantle private armies...and that can be done without declaring martial law,” he said.

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