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READINESS OF THE BANGSAMORO PEOPLE ON THE PROPOSED FEDERALISM

BAI SITTIE RACHMA ONG BANSUAN

<u>Introduction</u>

Today, the Bangsamoro is consistently asserting for their right to self determination and the right to self rule, foremost hoping for the immediate passage of the Bangsamoro Basic Law as the foreseeable solution to the Bangsamoro problem. Unfortunately this Bangsamoro Basic Law became a fiasco hence some provisions therein may contradict the Philippine laws and the constitution.

Philippine is under a unitary form of government therefore, the power and authority are highly concentrated in the central or national government. It has been noted that there were many agreements signed between the Moro revolutionary groups and the Philippine government in the past, but all of them did not work and realize because of constitutionality issues i.e.,. 1976 Tripoli Agreement, MOA-AD, and very recently the BBL. These agreements were all subject of constitutional and democratic processes later remained a piece of paper and set aside in the limbo. The Organic Law (RA 6734) was enacted

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purposely to pacify the Moro despite of great resistance on the essence and merit of the law, failed to undergo scrutiny from the Moro populace. Lest the law was deliberately and unilaterally implemented by the government, therefore it brought to futile undertaking and did not achieve the purpose of granting autonomy for the Moro people. The ARMM was a failed experiment so to speak.

President Rodrigo R. Duterte is pushing for federalism as one solution to the Mindanao conflict. Now, Federalism being an alternative institutional device will be the priority program of the government to pursue complete development for the Filipino particularly the Bangsamoro.

Therefore this study discerned on the related issue of the proposed Federalism and the Bangsamoro assertion to freely determine their political status. But the questions are the Bangsamoro ready on the proposed federalism?

Further this study will now test some related theories of public administration and other associated study on public policy, administrative culture, and political change.

Theoretical Framework

The study espoused the theory of Riker, 1964 and Filippov et.al. 2004. To them federalism is the main alternative to empire as a technique of aggregating large areas under one government. Federalism also is a state in which (1) two levels of government rule the same land people, (2) each level has at least one

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area of action in which it is autonomous, and (3) there is some constitutional guarantee of the autonomy of each government in its own sphere.

Further the study is influenced by the writing of Watts 1998:120; quoting from Elazar 1987, 1993, 1994 and Burgess and Gagnon 1993. They refer federalism as a genus of political organization encompassing a variety of species, including federations, confederacies, associated statehoods, unions, leagues, condominiums, constitutional regionalization, and constitutional 'home rule'.

However, taking into consideration the book of Sukarno D. Tanggol (2013) entitled "Regional Autonomy and Federalism: Concepts and Issues for the Bangsamoro Government". He said the term federalism has been defined by various authors in many different ways. This lack of definitional consensus derives from the various historical contexts, approaches, values, backgrounds, emphases (foci), and goals by which federalism was conceived and applied.

Statement of the Problem

In general, the study explored the readiness of the Bangsamoro people on the proposed federalism. The researcher has found the answers on the following questions:

1. What is the extent of understanding of the Bangsamoro people towards federalism?

- 2. What would be the level of awareness of the Bangsamoro people on the possible effects of federalism?
- 3. What is the level of readiness of the Bangsamoro people on the proposed federal form of government?
- 4. How can proposed federalism contribute to the Bangsamoro people right to self determination?
- 5. What are some implications of this study which requires development of public policy and improvement of our administrative and political culture?

Significance of the Study

Since this study focused on the readiness of the Bangsamoro people on the proposed federalism, it will be great importance to both government and the people. The people, if allowed access to this study's findings, will help them have an understanding of how government pursued its agenda in resolving conflicts in Mindanao and how policies are made. Understanding is the key to a better citizenship, especially in a setting where democratic ideals are being sought. Government for its part will be given an opportunity to evaluate its own self. Assuming a government that is committed to a peaceful settlement of the Mindanao problem, the study will might be helpful in the final resolution of the latter.

For students, researchers, politicians and academicians, particularly those in public administration, political science and other related fields, this study may provide a descriptive data which can be used for purposes of study, teaching and further research.

Scope and Limitation

This study focused on the readiness of the Bangsamoro people on the proposed federalism. The statement of the problem provided the scope of research questions and variables considered to this study. The choice of the methodology also was limited due to some practical constraints such as time and resources. Moreover, the study was limited to the area of readiness and adoptability of the federalism. This also includes the better understanding of the new government set-up; shifting from unitary system to federal form of government.

Definition of Terms

Bangsamoro. Are those who at the time of conquest and colonization were considered natives or original inhabitants of Mindanao and the Sulu archipelago and its adjacent islands including Palawan, and their descendants, whether of mixed or of full blood, shall have the right to identify themselves as Bangsamoro by ascription or self-ascription. Spouses and their descendants are classified as Bangsamoro.

Federalism. A federal form of government is a form of government in which governmental powers are by the common sovereign distributed between a central government and the local governments, each being supreme within its own sphere.

Unitary system. A sovereign state governed as a single entity. The central government is supreme, and the administrative divisions exercise only powers that the central government has delegated to them.

Centralized system. Is one in which power or legal authority is exerted or coordinated by a de facto political executive to which federal states, local authorities, and smaller units are considered subject.

Government. It sets and administers public policy and exercises executive, political and sovereign power through customs, institutions, and laws within a state.

Readiness. The state of being fully prepared for something and have the willingness to do something.

Awareness. Refers to the ability to directly know and perceive, to feel, or to be cognizant of events.

Right to Self - Determination. The right of the people of a particular place to choose and to freely determine their political status.

Bangsamoro Basic Law. As an organic act, the Basic Law would have provided for the basic structure of government for the Bangsamoro Autonomous Region, and enacted the agreements set forth in the Comprehensive Agreement on the Bangsamoro, which is the peace agreement signed between the Government of the Philippines and the Moro Islamic Liberation Front in 2014.

CHAPTER II

REVIEW OF RELATED LITERATURE AND STUDIES

This chapter presents the review of the literatures and related studies culled from the books, research journals, newspapers, magazines, internet, theses, and dissertations here and abroad.

Related Literatures

What are the fundamental principles of Federalism?

Federalism is not only an institutional arrangement within a nation, but also a political philosophy in which a group of members are considered bound together, with a governing representative head. The word federalism comes from the Latin word, *foedus*, which can be interpreted as a union or alliance where equal parts agrees to create a common union with its own identity and integrity but at the same time the different parts will keep its own identity and integrity (Peterson, 2004). In this original definition, federalism is a system of sovereignty rule and common rule and in the agreement there is an assumption that conflict are to be solved peacefully under judicial regulated forms. Traces of federalism can be found way back in time, according to the political scientists Daniel Elazar, this kind of union of federation goes back to

stories in the Old Testament where different groups of people came together and created a community with common laws and institutions.

Even though the idea of federalism has existed for a long period of time, political scientists trough out time have had difficulties when it comes to defining a federal state and it is possible to come to the conclusion that 70% of the countries today have some kind of federal features. For example the United Kingdom, the UK has autonomous regions but is still not seen as a federal country. Federalism is consequently hard defined (Peterson33). However there are a number of features that a state needs to acquire in order to call themselves a federal state.

Ancient federalism

The first time something similar to the federalism we see today occurred was in ancient Greece, after the Peloponnesian War. The reasons for why the city-states in Greece decided to come together in a federal system were exclusively military reasons. Greece were under threat from different enemies, there were threats from Sparta, Macedon and Rome. Since the only purpose of the federation was military the constituent cities delegated the federal rulers' only military authority. They kept decisions concerning diplomatic matters such as whether or not to make war, if they should conclude treaties, and other issues very relevant to military decisions, to themselves. This was a big mistake, and as a consequence the military function was badly performed. The poor performance was used by the rulers the constituent cities as a

justification for further restrictions on the authority of the federal military officials.

Consequently such restrictions led to even worse military performance. First Macedon and then Rome triumphed over Greece (Riker, 1975). So the first glimpse of federalism was not of greatest success and it was not until 1500 years later as it appeared again. It was then happening in northern Italy and southern Germany.

Some medieval cities here formed military federations as a way to resist the invasion of emerging nation states. Unfortunately for the new created federations the story, as it was in the Greek federalism attempts, repeated itself. Only one federation survived into modern times: the Swiss confederation (a broader description of the Swiss confederation and its history follows later on). The reasons for its survival was not its constitutional form, but because of it unique geographic advantages for defensive military operations.

In the 16th century the first, in many ways, successful federation was formed, the Dutch federation. It was created as an incident in the struggle for the independence of the low country bourgeoisie from the imperialism of the Spanish crown. The Dutch federation survived for over 200 years, until demolished by Napoleon. The Dutch federation was not only the longest lasting one so far; it also represented a major constitutional innovation compared with earlier federalism. While the earlier ones had been considerable decentralized, the Dutch federation was more centralized. An increasing amount of decisions

concerning both diplomatic and military questions were now being made on a federal level (Petersson, 2004).

Ever since these times new forms of federations have occurred, and more and more countries have, for different reasons decided to create systems based on the federalist idea. The next part of this chapter will describe the process of creation of the today existing federal countries, looking at the individual cases. Starting off with a deeper insight into three of the most characteristic federations which were all created in different ways; the USA, Switzerland and Germany. After that there will be a description of the remaining federal countries and the reasons behind their creation.

Division of power

"Federalism is a political organization in which the activities of government are divided between regional governments and central governments in such way that each kind of government has some activities on which it makes final decisions". (Riker 1975 p.101) This is how one of the most important researchers in the field of federalism, William H. Riker, defines federalism. By this statement it is clear that a division of power between different levels is the fundamental characteristics for a federal state. Meaning that the governing power is divided, the federation as a whole has its governing system and the regions or states have their own (Peterson, 2004).

The essential institutions of federalism are of course a government of the federation and a set of governments of the member regions, in which both kinds of governments rule over the same territory and people and each kind

has the authority to make some decisions independently of the other (Riker, 1975).

Accordingly, the states of regions in a federal state have the right to make their own decisions concerning particular issues. One obvious example here is the US; it is easy to observe the different decisions taken by the different states. They have a great amount of sovereignty to form and create the state they want to. At the same time some areas are always being handled by the national government.

When talking about division of power it is also important that there are guarantees that the division is not being changed against the will of the states, most federations have such a guarantee in a written constitution (Karvonen, 2003).

Self Rule

Certainly the regions within a federal state will have a curtain degree of self rule. The issue of self rule itself is not questionable at all, the critical point though is how much power the regions should have and how different responsibilities should be divided between the national state and the regions. The principle for this assignment division is stated in the counties constitution, however the implication can be interpreted in different ways and it can be changed (Peterson, 2004).

So what are the states allowed to do? Where is the borderline between regional power and national power set? The easiest way to establish this would

be to give the different levels exclusive separated responsibilities. For example the national state takes care of foreign politics while education is a question for the different regions. This clear division is called dual federalism or layer cake federalism.

The dual federalism system is the system of government that for example prevailed in the United States up till 1937, in which most fundamental governmental power where shared between the federal and state governments (Ginsberg, Lowi, Weir, 2007). In this kind of system it is easy to see which areas that are controlled by the national government and which are control by the states.

Cooperative federalism on the other hand is a concept of federalism in which national state and local governments interact cooperatively and collectively to solve common problems, rather than making policies separately. This kind of system is being demonstrated by a marble cake, showing how difficult it is to say where the national government ends and where the state and local government begin (Ginsberg, Lowi, Weir, 2007).

There are different ways in the constitution to decide how the power should be divided between the government and states. One method is that through a more or less detailed list of areas decide what each level should be responsible for. There is often the case that the list of responsibilities is general and formulated in a diffuse way. It then becomes a question of interpreting the laws.

No matter how diffuse or general the list of responsibilities might be there is always a limit. The states can never make decisions that go against the country's constitution. As an example the American states have to obey the constitutions and the laws legislated by the federal institutions, and the German constitutional law includes an agreement that declares the federal government's right being above the rights of the different regions.

Making a generalization some areas that most often, in most federations are handled by the national government are foreign affairs, tariffs and infrastructure. And the states are generally assigned responsibilities such as education and healthcare (Ginsberg, Lowi, Weir, 2007).

One can also talk about centralized and decentralized federalism. Riker describes a range of possibilities in the relationship between the different levels of governments, the scale he mentions ranges between minimum and maximum. In a situation where minimum federalism is in place the rulers of the federation can only make decisions in one narrowly restricted way of action, meaning that the different units of the federation have a great power. This situation is called a decentralized federalism. This given, maximum describes the situation where the rulers of the federation can make decisions without even consulting with the rulers of the member governments (Riker, 1975). Certainly very few federal state lie at either of the extremes, most of them are situated somewhere between the two extreme definitions.

In additional to these, there are a number of other characteristics that are typical for federal states, the states are generally assumed to be a

bicameral legislature with a strong federal chamber to represent the constituent regions. A typical example for this is the Senate and the House of representatives in the US. A written constitution that is difficult to amend is also a reappearing feature in federations; again the US constitution provides an excellent example. Between 1789 and 1996 more than 11 000 amendments were formally offered to the Congress. Of these, Congress officially proposed only 29 and 27 were eventually ratified by the states. The majority of these amendments were done early and only 12 have been adopted since the Civil War amendments in 1868 (Ginsberg, Lowi, Weir, 2007). A Supreme Court or special constitutional court that can protect the constitution is also a repeating element in federations (Wachendorfer-Schmidt, 2000).

Accordingly a federal country can be seen as a community of communities, and is a solution to the problem how regions can keep their independence but at the same time have common decision making organs and a common legislative branch. This solution can be a crucial when it comes to keeping the peace and keeping a country together, this will be clarified in the next chapter where the historical development of federalism will be highlighted.

Concepts of Federalism

While the Constitution addressed only the relationship between the federal government and the states, the American people are under multiple jurisdictions. A person not only pays his or her federal income tax but also may pay state and city income taxes as well. Property taxes are collected by

counties and are used to provide law enforcement, build new schools, and maintain local roads.

Throughout the 20th century, the power of the federal government expanded considerably through legislation and court decisions. While much recent political debate has centered on returning power to the states, the relationship between the federal government and the states has been argued over for most of the history of the United States.

Dual federalism

Dual federalism looks at the federal system as a sort of "layer cake," with each layer of government performing the tasks that make the most sense for that level.

The initial framing and ratification of the Constitution reflected this theory. Even those people supporting a stronger national government proposed that powers in the federal government be distinct and limited, with certain tasks enumerated for the national government in the Constitution and the remaining tasks left to the state governments. Because this theory leaves each government supreme within its own sphere of operations, it is also sometimes called *dual sovereignty*.

One more-extreme outgrowth of this theory is the idea of states' rights, which holds that, because the national government is not allowed to infringe on spheres left to state government, doing so violates the states' constitutional rights (especially the Tenth Amendment, which specifically

reserves undelegated powers for the states). Federal government action in those spheres represents an unlawful seizure of power by one level of government at the expense of another. This view has historically been popular in the South, where it was viewed as preventing national government interference in the region's race relations, but it has been invoked elsewhere as well.

The problem with taking dual federalism this far is figuring out who defines where one layer ends and the next layer starts. Before the Civil War, some voices said that, to protect their rights, states could secede from the Union or declare national laws that affect them null and void — but those arguments are no longer taken seriously. Instead, the U.S. Supreme Court resolves disputes within the federal structure, and because the Court is a national institution, it rarely favours the states.

Cooperative federalism

The theory of cooperative federalism emerged during the New Deal, when the power of the federal government grew in response to the Great Depression. It does not recognize a clear distinction between the functions of the states and Washington, and it emphasizes that there are many areas in which their responsibilities overlap. For example, drug enforcement involves federal agents, state troopers, and local police. The federal government supplies funds for education, but the state and local school boards choose curriculum and set qualifications for teachers. (Interestingly, attempts to set national standards for students in certain subjects have raised concerns of federal intrusion.) The

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notion of overlapping jurisdictions is expressed by the term *marble-cake* federalism.

Cooperative federalism takes a very loose view of the elastic clause that allows power to flow through federal government. It is a more accurate model of how the federal system has worked over much of U.S. history.

Functions and Goals of Federalism

In order to determine the meaning of federalism, one has to delimit certain functions of federalism. Indeed, basic functions exist which are applied in all federal states within the scope of different modalities. This common basis creates specific features of federal communities. Federalism turns out to be an efficient form of separation of powers. In a common state, the federation and the Member States (states) act side by side and complement each other mutually; however, they control each other mutually, as well. This control function through federalism, hence, of the federation towards the Member States (states) and the Member States towards the federation is just a substitute for the classical separation of powers.

Federalism allows a solution of national conflicts in countries with a multinational structure. Via federalism, the subsidiary principle is realized most clearly in the area of allocation of competences. As fundamental aims of federalism, the following shall be quoted:

- > Safeguarding of diversity and different identities,
- Protection of specific features of every minority community,

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Protection of the individuality of every nation, the federal state or the region.

Just because of what has been said, the basic features of federalism can be identified, which exist in the development and guidance of complexity, in opposition to uniformity and rigidity. In practice, a federation originates and develops in an atmosphere of pluralism, freedom and democracy, in the variety of parties, regions, ideas and cultures. Still, in spite of the numerous advantages mentioned, on may not disregard that there is no ideal form of federalism, for the formation of any federation is based upon really existing political institutions and cultures. What encourages is the opinion of Denis de Rougemont according to whom "the future lies with federalism and computers".

Federalism as a conflict reducing device

Federalism, and other forms of territorially autonomy, is generally seen as a useful way to structure political systems in order prevent violence among different groups with countries because it allows certain groups to legislate at the sub national level. Some scholars have suggested, however, that federalism can divide countries and result in state collapse because it creates proto-states. Still others have shown that federalism is only divisive when it lacks mechanisms that encourage political parties to compete across regional boundaries.

Causes of federalism

Political scientists have over time been discussing what the reasons for a country become a federation might be. Are there any common relationships for the countries that from a quick glimpse are completely different? The range of federal states varies between countries from different continents, they are small and large, rich and poor (Petersson, 2004).

Related Theories

Functional and Legislative Theories of Federalism

There are two contrasting theories of federalism. The first, functional theory identifies distinctive areas of competence for each level of government. It predicts that each level will expand in its arena of competence but will remain limited or will diminish in its less competent arena. The second, legislative theory, says that the modern federal system is shaped by the political needs of legislators responsible for its design. Legislator at all levels of government will seek to distribute governmental benefits for which they can claim credit and, if all possible, will shift governmental burdens to other levels of the federal system.

Functional Theory

Functional theory identifies the two main economic purposes of domestic government as developmental and redistributive. Developmental programs provide the physical and social infrastructure necessary to facilitate a country's economic growth. Redistributive programs reallocate societal resources from

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the "haves" to the "have-nots". They transfer economic resources from those who have gained the most from economic development to those who have gained the least.

For federal governments to function effectively, the division of responsibilities among levels of government must respect the comparative advantages of each level of government. The national government should assume the primary responsibility for redistribution, while state and local governments assume primary responsibility for development.

Local governments are best equipped to design and administer developmental programs because their decisions are disciplined by market forces as well as by political pressures. Although some developmental tasks must be undertaken by higher levels of government, the national government, on the whole, is the least efficient provider of development policies. Unlike local and state governments, it operates under few markets like constraints.

The national government, however, is the most competent agent of redistribution. Local government are unable to redistribute wealth effectively because labor and capital are mobile in an economically and political integrated nations-state. The national government has the greatest capacity to engage in redistributive programs, because it can prevent the in-migration of labor from foreign countries and can impose some constraints on capital flow.

Legislative Theory

Legislative theory thinks that the political incentives that shape the decisions of policymakers induce them to make the wrong choices. The theory bears the legislative label because it assumes that policies are shaped by political needs of those who write the country's law. It also gives a less important policy role for presidents than functional theory. It assumes that, in general, the preferences of presidents (and governors) have much less effect on domestic policy than do preferences of the members of congress (and state legislatures).

Legislative theory assumes that elected representatives' primary goal is their own re-election. In pursuit of that goal, representatives seek to secure benefits for and screen costs from their constituencies. Legislative theory further assumes that constituents easily recognize spatially concentrated costs and benefits, but that spatially dispersed costs and benefits are less perceptible. Legislators therefore support projects that have geographically concentrated benefit but diffuse costs, and they oppose policies that have diffuse benefits but spatially concentrated costs.

Legislators' opinions about redistribution are according to legislative theory, strongly influenced by constituency pressures. Legislator who represents a low-income, needy population or a liberal constituency is likely to favor the expansion of redistributive programs. Those who represent middle-income constituents less likely to need government aid are more likely to resist redistribution. Political support for redistribution is expected to be greater in cities and states with higher poverty rates.

Related Studies

Switzerland

Another country with a long and interesting history of federalism is Switzerland, so here is an overview of how the Swiss federalism was developed.

Switzerland is a federation consisting of 26 states called cantons. The independence of the cantons goes back to very early days of history. As early as 1291 three cantons, Ury, Schwyz and Unterwalden signed a contract agreeing that they would defend each other, solve internal conflicts without violence and respect the local sovereignty. With this as a background it is easy to see the importance of the cantons in Switzerland but it was not until 1848 as the country became a federation.

Until 1798 Switzerland had been a loose organized confederation but still been able to keep its sovereignty. But in 1798 Napoleon and his troops invaded the country. Napoleon tried to reshape Switzerland after French measurements but his attempts failed. After a couple of years he was forces to acknowledge a curtain degree of cantonal sovereignty and additional some French speaking areas were declared as cantons. After the fall of Napoleon Switzerland became neutral but voices of disagreements started to appear in Switzerland. Two big religions were being practise in Switzerland, those were Protestantism and Catholicism. In the protestant cantons more liberal views started to grow, they wanted Switzerland to be a modern unitary state. The conservative Catholics on the other hand wanted to go back to the old confederation (Petersson, 2004).

As a result a civil war, the Sonderbund war, broke out. After 27 days a compromise was in reach, and the two parts could come to an agreement, and the agreement was to create a federal state. As the federation was created the citizens were given a Swiss citizenship in additional to the cantonal one. A federal central government was set up to which the cantons gave up certain parts of their sovereign rights. Areas of responsibilities that still are assigned to the cantons are for example education, taxes and healthcare. The federal government decides over issues such as foreign policy, infrastructure and tariffs. The Swiss federal model shows signs of resemblance of the US system. As the Americans have their Congress Switzerland has a Federal Assembly which is made up by two houses, the Council of States and the National Council. The Council of States is similar to the US senate, with two representatives from each canton and the National Council is made up by 200 representatives, proportionally elected by each canton. The two houses are equal and legislative decisions need to have consent from both houses (Elazar, 1994).

While creating the federation it was intended to integrate the different religious and linguistic groups during the time of the founding the denominational question was of highest importance but it is of minor relevance now and the last decades, the linguistic divide however, still exists and is of highest relevance. The Swiss federalism grants rights of representation of the different linguistic groups in all domains of the federal political system.

The constitution has been modified several of times since 1948 and was wholly revised in 1999 (Wachendorfer-Schmidt, 2000).

<u>Nigeria</u>

Nigeria is a federal republic in West Africa. With an estimated population of about 130 million people, Nigeria is the most populous country in Africa. The development of federalism in Nigeria took off when the British arrived to the country.

The British took over the power in Nigeria in 1900. After different adopted constitutions under British rule it was the Richards constitution in 1946 that a real federation started to developed. This constitution set a Legislative Council for the entire country and divided the country into three regions - north, west and east. The constitution also established three regional legislatures. The regional legislative bodies considered matters referred to them by the Governor and advised him accordingly (Elazar, 1994). In 1951, the constitution was changed to make necessary provisions for a Council of Ministers of 18 members. The Council of Ministers was made up of equal representation from each of the three regions and the nomination of regional representatives was by the Regional Legislature. A House of Representatives was then created. In 1954 another constitution was adopted. This constitution made the federal character of Nigeria even stronger. It declared Nigeria a federation and recognized the limited autonomy of the regions. While the national government was in power over for example foreign relations, defence,

the police, the regions were responsible for primary and secondary education, agriculture and public health.

Even though this kind of federal system had been created, Nigeria was still under British power, and it was not until 1960 that the country got its independence and could, a few years later become a federal republic based on the system set up by the British (Griffiths, 2005).

<u>Belgium</u>

The big defining political feature in Belgium is and has always been its multilingual character. The north part, Flanders, is the home of the Dutch-speaking part of the population and the south, Wallonia is French-speaking. The situation gets even more complicated by a small German-speaking part in the southeast and by the capital, Brussels, which is located in the Dutch-speaking part, but is predominately French. Even though the linguistic issue is the biggest, there are two other divisions, intersecting with the linguistic problem, they are religion and class. These diversities are the reason to federalism in Belgium (Elazar, 1994).

Belgium was created in 1830 when it was detached from the Dutch Kingdom and made into an independent state by a French-speaking bourgeoisie who was against the linguistic and the religious policies of the Dutch King William 1 of Orange. A strong unitary state was created which operated almost completely in French. The Dutch-speaking could not accept this situation and Flemish movements started in order to get the Dutch language equal to French.

After years of struggles between the two sides, the federalization of Belgium occurred step by step there were constitutional reforms in 1970, 1980, 1988 and 1993. The main reason for the different reform and the amount of time it took to create the federation was that Flemish and French parties favoured different federal models. The Flemish side advocated a bipartite federalism structured around the two major linguistic and cultural communities. While theFrench side, called the Francophone argued for tripartite federalism where both Wallonia and Brussels would be, along with Flanders, constituent units. Additionally the Flemish parties generally favor much larger community autonomy while the French-speaking parties tend to favor more state control (Griffiths, 2005).

Today there is situation between the two big linguistic and cultural groups are more equal in the political life, for example the numbers of Dutchand French-speaking ministers have to be equal. However, even though the federal structure makes it easier to hold the country together, the differences still created fractions and disagreements in Belgium (Elazar, 1994).

Canada

Trough a constitution in 1867, Canada became a federation under the British crown. The factor effecting federalism in Canada the most is the two linguistic groups and the ethnical diversity. Canada has two official languages, French and English. English is the mother tongue of more than 60% of Canadians and French of about 24%, mostly concentrated in Quebec. Since Canada's settlement and growth have depended heavily on immigration;

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approximately 14% of Canadians have other mother tongues. In 1991, almost 1 million people in Canada reported having some aboriginal origins.

The problems when it came to keeping the federation together were increasing in the 1960 when the demands for independence were growing in Quebec. The question now was if the province would leave the federation or if the federal institutions could change in a way that the country could be kept together. Canada then went from being a centralized federation to becoming a more decentralized one, were more power was given to the different states.Quebec then decided to stay within the union; however, the fight for an independent Quebec is not over in Canada (Meekison, Telford, Lazar, 2004).

Comoros

The Comoros archipelago includes four islands in the southwest Indian Ocean between Madagascar and the east coast of Africa. Europeans first discovered the Comoro Islands in the 16th century but it was not until the 19th century, during the French colonization that the islands became unitary under a single authority (Elazar, 1994).

As the independence movement was going on in many places around Africa, it also spread to the Comoros and in provoked a burst of nationalism in the country. The people wanted their independence from France. So in 1975 the Comoros became independent. Ever since then, the political situation has not been that stabile at all, the major problem has been that each of the islands have had a tendency to defend its own interests and not been interested at all what might be the best thing for the country as a whole. As a

way to remedy this, to give the islands their power but still keeping the country impact, a federal system was implemented. The constitution gives the islands the right to govern most of their own affairs with their own presidents. Even though problems and conflict in the Comoros are ongoing, the country is considered by the organization Freedom House to be one out of two real electoral democracies in the Arab world (Griffiths, 2005).

Ethiopia

Before Ethiopia became a federation in 1995 the country was based on the Soviet model and was a one-party, communist state. It was not until the end of the Cold War that the communist ruled state started to get problems. Soviet support then got weaker and the integrity of the centralized sate was challenged. In addition military defeats in Eritrea and Tigray fatally weakened the regime.

In 1991 the Ethiopian Peoples' Revolutionary Democratic Front, created a new coalition and took control over the country. They implemented a transitional government whish implemented extensive economic reforms and they started to form a federal system in Ethiopia, by dividing the country into nine regions. These states were divided along ethical lines. Then, after a few years of drafting the constitution, a process which included public consultation, the voters accepted the constitution and the Federal Democratic Republic of Ethiopia was proclaimed (Griffiths, 2005).

Pakistan

Pakistan became independent from British rule in 1947. It is easy to come to the conclusion that Pakistan at the time had a complicated geography, with two wings, separated by over 1500 kilometres of Indian Territory. Most of the Pakistan states had Muslim majority, however the two states of Hyderabad and Junagadh were populated largely by Hindus. These two states did belong to Pakistan but were occupied and annexed to India. The accession of the Muslim majority state of Jammu and Kashmir became a major conflict between Pakistan and India.

Looking at these features one could say that a federal solution would be the best for Pakistan, unfortunately that did not happened. Instead a time of conflicts and wars took place. A war that in the end led to a separation of the two wings, the eastern wing, that we today call Bangladesh became an independent state.

The first steps towards federalism in Pakistan were initiated by the British with a package of reforms embodied in the Government act of India of 1935. Pakistan adopted the Indian constitution until 1958 when they adopted their own. One important feature in the creation of Pakistan was the political struggles of the Muslims in British India. They started to question if they wanted to be a part of the federal India, they saw themselves as a separate nation where they could determine their own political system, culture and religion.

In when the Pakistan resolution was created, the Muslim parts in India and the different provinces within Pakistan voted whether or not to join the federation. Accordingly, Pakistan was not a case where a central authority gave regional autonomy to its various components; it was more a case where regional units set about established a federation.

Venezuela

Venezuela has had a long history when it comes to federalism; it started when the country declared its independence from Spain in 1810. After that the country developed a federal form of government, heavily in influenced by the US constitution. The different provinces in Venezuela were isolated from each other, and socially and politically different. A federal system in Venezuela could form an independent state and parts that never before been united could now be it. For the matter of fact, the early federalization made Venezuela the second modern federation after the US. However, Venezuela's total independence did not last for such a long time; it did not take many years before the county became integrated into the Republic of Colombia. This integration of states into Colombia was called the "Grand Colombia" project; the project did not take part of the project for that long time. Due to the strong forces developed in the Venezuelan provinces, wanting independence, the project came to an end in 1830 (Elazar, 1994).

As a result a federal but very centralized government was established. However, people were not completely happy with this arrangement, so struggles between the central forces and the provincial forces, who wanted a decentralized government, started to emerge. This led to a five-year long war called the Federal War. The side wanting federalism won the war so in 1864 the

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new federation was created and Venezuela has ever since been a federal state (Griffiths, 2005).

The Philippines is a unitary state with some powers devolved to Local Government Units (LGUs) under the terms of the Local Government Code. There is also one autonomous region, the Autonomous Region of Muslim Mindanao. Over the years various modifications have been proposed to the Constitution of the Philippines, including possible transition to a federal system as part of a shift to a parliamentary system. In 2004, Philippine President Gloria Macapagal Arroyo established the Consultative Commission which suggested such a Charter Change but no action was taken by the Philippine Congress to amend the 1987 Constitution.

FEDERALISM AS A BANGSAMORO OPTION

The Federal Option

There are various options espoused in respond to the Bangsamoro People's quest for freedom and self-determination. One of them is federalism which is gaining ground as a "lasting solution to separatism" and as a final option in dealing with Filipino diversity. They argue that federalism will end unequal distribution of wealth by the national government. The most active advocate is Lihok Pideral (Federal Movement), a non-governmental organization that is spearheading the federalization proposal. Under the proposed federal constitution, there will be a shift in the structure of government from the unitary system to a federal system and from a presidential type to a parliamentary form of government. There will be consolidation of the local

governments in the existing 16 administrative regions, Metro Manila and the Autonomous Region of Muslim Mindanao into 11 states or autonomous regional governments. One of the component states or regional government is Bangsamoro.

According to the advocates of the federal constitution, the unitary system where there is more emphasis on national integration and assimilation rather than unity in diversity and pluralism have alienated the Bangsamoro People and other ethnic and cultural communities. They feel that they are neglected and discriminated by the national government which is dominated by the Christian Filipino majority.

The proponents also argue that the ineffective and irresponsible unitary system and the weakness of the rule of law have allowed political warlords and corrupt politicians and public employees to exist and prosper. These warlords and abusive leaders feel that they are above the law. They violate and often get away with it. They further observe that the same factors plus mass poverty, economic inequality and social injustice are the reasons why the communist and the Moro rebellion persist to the present. Whereas progressive countries like Singapore, Malaysia and Thailand have long solved the Communist insurgency. They also claim that the Moro rebellion and secessionism coupled by government corruption have been aggravated by unresponsive and unaccountable governance under the present unitary system and presidential government. What is needed in response to this problem is by reforming political parties, strengthening the rule of law, empowering the people, improving governance, and holding leaders accountable. The federal system

and parliamentary government will displace local warlords and reduce corruption in government.

There are many more pros and cons in the unitary and federal system, but we shall deal more on the Bangsamoro option. The federal alternative is a national alternative and not an exclusive Mindanao concern or advocacy. Mere decentralization, including the ARMM model is found to be inadequate. Thus, "Running autonomy within a unitary and centralized presidential system apparently still limits that autonomy." The previous attempts to resolve the conflict between the Bangsamoro people and the Philippine state by offering autonomy for Muslim Mindanao have failed, largely because of the inadequate powers assigned to the autonomous government.

There are two essential things for Bangsamoro autonomy, namely: the capability to be adequately self-sustaining, not dependent on the central government; and some degree of compensatory justice for Muslims. The ARMM has only limited autonomy, mainly over the economic development of the region. The central government remains in control of defense, financial and foreign policies. Senator Aquilino Pimentel is quoted to have said that "unless the Philippine Constitution is drastically changed or amended, it is impossible to grant genuine autonomy to the Bangsamoro people."

Other Bangsamoro Options

During a committee hearing in the Senate presided over by Senator Mariam Defensor Santiago two years ago when the Organic Act for the expanded ARMM was being deliberated, Senator John Osmena proposed the establishment of a Commonwealth of Moro Sultanates. Senators Biazon and Emile who were present concurred with the idea of Senator Osmena. There was no follow up of this proposal by the Senators present.

Why not? The Sultanate of Sulu and the Mindanao principalities were deemed protectorates of the United States of America under the Kiram Bates Treaty of August 20, 1899. Regrettably, the US President unilaterally abrogated the said treaty in 1904 thereby prompting protest from the Sultan of Sulu. The abrogation of the Kiram- Bates treaty by USA according to some legal scholars had the effect of restoring to the Sulu Sultan his de jure sovereignty over the Sulu dominion and its dependencies.

The restoration of the Bangsamoro sovereign statehood is well supported by historical records. It has historical and legal basis under the so-called Moro treaties. While the Philippine state make use of the Moro treaties for its claim over Sabah, it denies any historical right to the Bangsamoro people its claim for statehood over its ancestral territories or homeland. Far more ironic is the fact that while the Treaty of Paris of 1898 disregarded Philippine independence under the Malolos Constitution, it is used by an independent Philippines to justify its illegal inclusion of the Bangsamoro territories in the Philippine national territory.

On the other hand, the restoration of the date of Philippine independence on June 12, 1898 reaffirms President Emilio Aguinaldo's recognition of Bangsamoro sovereign status at the time the first Philippine Republic was proclaimed. As an unincorporated territory of the United States of America, the

Bangsamoro people could well fall under the decolonization principle of the United Nations as a colonized people or nation.

On December 14, 1960, the United Nations General Assembly proclaimed the Declaration on the Granting of Independence to Colonial Countries and Peoples under resolution 1514 (XV). Also in 1960, the UN General Assembly approved resolution 1541, defining free association with an Independent State, integration into an independent State, or independence as the three legitimate options offering full self-government.

Under the first option, Gilles Fireagle proposed an Associated Free State of Mindanao (Philippine Star, June 13, 2002). Initially, he proposes that the Republic of the Philippines will give up sovereignty over the islands of Tawi-Tawi, Sulu and Basilan. The inhabitants of these islands will be free to create their own country. The only limitation is that the new country will have to be associated to the Republic of the Philippines. It will be self- governing in all respects, except that it cannot declare war against the Republic of the Philippines. The Free State of Mindanao as conceptualized will exist for 15 years. On its 16th year, it must conduct a referendum among its citizens on whether or not to continue as an associated free state or return to the folds of the Republic of the Philippines. At the same time, a referendum will also be held, open to all administrative/political units, including the ARMM to determine if any additional citizens would vote to join the Free State. Should 50 percent or more elect to join the Free State, then the new state will become an independent nation.

There are many models of Free State association. An early model of association is that of the North American Indians who are considered dependent nations under treaty relations with the US Federal Government. Based on American Jurisprudence, "the settled doctrine of law of nations (e.g., the Cherokee Nation) is that a weaker power does not surrender its independence - its right to self-government, by associating with the stronger and taking its protection (through a treaty)." (Worcester v. The State of Georgia, 483,501 (1832).

The Treaty of 1878 between Spain and the Sultanate of Sulu recognized the Sulu realm as a protectorate rather than as a territorial possession of Spanish colonial administration. This was officially adopted as a policy by the United States of America in the Instruction of President William Mckinley to the First Philippine Commission of 1900. Thus, the Congress of the United States regarded the Moro Nation as dependent nation similar to the North American Indians under treaty relations with the US Federal Government. The Treaty entered into between Sultan Jamalul Kiram II of Sulu and General John C. Bates of the United States Army confirmed the protectorate status of the Sulu Sultanate under the Spanish Treaty of 1878.

There are many models of Free State association according to Fireagle. The most familiar model known to Filipinos was the former Commonwealth of the Philippines. Other examples are the Estado tibre Associado de Puerto Rico, the British Commonwealth countries of Australia, New Zealand, Canada, and Zimbabwe. The more recent trust territories of the Pacific islands that became self-governing in Free State association with USA in 1990 are the Federated

States of Micronesia, Republic of Marshall Islands and the Commonwealth of the Northern Marianas Islands. Another Pacific Island, Palau became fully selfgoverning in free association with the USA in 1994.

Referendum and De-colonization

The East Timor experience which achieved independence through the 1999 referendum under the supervision of the United Nations has inspired many as a peaceful and democratic option to settling political conflict.

In an interview of Moro Islamic Liberation Front (MILF) Chairman Salamat Hashim by Noli de Castro at Camp Abubakar on February 16, 1999, he declared that "we want a civilized solution to the problem through a UN supervised referendum." He said that the Bangsamoro people should be given the opportunity to decide their political status similar to that in East Timor. MILF Vice Chair for Political Affairs Ghazali Jaafar similarly called for a UN sponsored referendum. He said that "the most effective formula" to end the Bangsamoro struggle is to ask them to express their political will on four (4) options through a referendum, either: (1) remain part of the Philippine state; (2) to establish a federal form of government; (3) pursue an autonomous government; and (4) set up an independent Bangsamoro state.

Moro National Liberation Front (MILF) Chairman Nur Misuari has similarly called for a UN sponsored referendum. In his speech before the 27th Islamic Conference of Foreign Ministers (ICFM) in May 2000 in Jeddah, he also expressed intention to follow the examples of East Timor and the independence movement of Quebec. The clamour for Bangsamoro independence has gained

support from the Bangsamoro, masses and civil society. During the first Bangsamoro People's Consultative Assembly (BPCA) held on December 3-5, 1996 in Sultan Kudarat, Maguindanao, the delegates numbering about 1,070,697 were unanimous in calling for the reestablishment of the Bangsamoro state and government.

During the rallies for Peace and Justice attended by thousands of Moro participants held in Cotabato City and Davao City on October 24, 1999 and in Isabela, Basilan on December 7, 1999, they issued a manifesto declaring: "we believe that the only just, viable and lasting solution to the problem of our turbulent relationship with the Philippine government is the restoration of our freedom, liberty and independence which were illegally and immorally usurped from us, and that we be given a chance to establish a government in accordance with our political culture, religious beliefs and social norms." (Abhoud Seyed M. Lingga, "Democratic Approach to Pursue the Bangsamoro People's Right to Self-Determination," July 17, 2002).

Traditional Bangsamoro leaders have equally expressed support of the Bangsamoro strong desire to regain their usurped independence. During a meeting of Moro leaders headed by Sultan Adbul Aziz Guiwan Mastura Kudrat y IV of Maguindanao on January 28, 2001, they issued a petition which have been earlier circulated for signatures among the Bangsamoro People in October 2000 addressed to the US President and the Congress of the United States calling for a referendum on Bangsamoro independence. This document is known as the "Declaration of Intent and Manifestation of Direct Political Act" (DIMDPA). The declaration states: "As sovereign individuals, we believe that the

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Bangsamoro people's political life, as matters stand, call for an OIC - sponsored or UN supervised referendum in the interest of political justice to decide once and for all:

- To remain as an autonomous region
- To form a state of federated union
- To became an independent state."

The Bangsamoro people have remained faithful in their political aspiration to be a free nation. They have never waived that right starting from the American regime up to the present as evidenced by the following historical documents issued by their leaders:

- 1. The Cotabato Memorial of Datus and important persons of 1916 acknowledging the benefits of the establishment of the new Government of Mindanao, including the right "to perform part of the work of the Government" and "to take part in the making of laws for us" (Bangsamoro).
- 2. The Petition of the People of Sulu of 1921 to the President of the United States, expressing their desire to be a separate territory for the failure of the Philippine Legislature to pass laws for their benefit and protesting their filipinization and militarization.
- 3. The Dansalan Declaration of 1935, protesting the inclusion of the Moro Nation (Bangsamoro) in the grant of Philippine independence, and citing the discriminatory acts of the Filipinos under the Constitution of

the Philippine Commonwealth, where there was "no provision whatsoever is made that would operate for the welfare of the Moros", and in the event the American People decide "to grant Philippine independence to the Philippine Islands, the Islands of Mindanao and Sulu should not be included in such independence."

4. The Zamboanga Declaration of 1924 of Moro leaders, concerning their rights and purposes addressed to the Congress of the United States of America, calling for a plebiscite to be held in the unorganized territories of Mindanao, Sulu and Palawan, fifty (50) years after the grant of Philippine independence on July 4, 1946, to decide by vote whether the proposed territory will be incorporated in the islands of Luzon and Visayas, or remain as a territory of the United State of America, or became an independent nation to be known as "Moro Nation" (Bangsamoro).

The right of the Bangsamoro people to self-determination matured in 1996, the year the Final Peace Agreement was signed between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF). The MILF did not take part in the signing of the said final agreement and instead started to assert and call for a referendum.

5. On May 1, 1968, the Mindanao Independence Movement (MIM), founded by former Governor of Cotabato Datu U dtog Matalam, issued a Manifesto calling for the establishment of the Republic of Mindanao and

Sulu. Copy of the Manifesto was forwarded to U.N. Secretary-General U

Thant who officially acknowledged receipt of the same.

Other independent movements seeking to decolonize Sulu and Maguindanao through the affirmation of UN Resolutions recognizing indigenous nations have been initiated. They include Datu Amir Baraguir, an heir to the Maguindanao Sultanate and Prof. Limpasan Ijirani who authored the Sulu Archipelago Decolonization Movement (SADEM). The latter drafted a petition to the UN ahead of DIMDPA.

In 1971 shortly before the declaration of Martial law, Moro leaders met and came up with a consensus of unity, serving notice that no redress was possible under the prevailing genocidal campaign of the regime of former President Marcos on the Bangsamoro people. They pledged to preserve their community and land. They declared that to continue within the Philippine Nation State will be tantamount to condemning and debasing the very identity of the Bangsamoro people and other indigenous peoples of Mindanao, Sulu and Palawan. Towards this end, the Moro delegates to the 1971 Constitutional Convention reiterated the call for a referendum under C.R. No. 5830.

Prospects of Resolving the Mindanao Conflict.

As an aftermath of the "all-out-war" declared by former President Joseph Estrada against the MILF and the Bangsamoro people and the EDSA II People's Power that caused his downfall then Vice President Gloria Macapagal-Arroyo was installed as the new President. Upon her assumption to Office, one of her national policy was "all-out-peace".

She talked to Malaysian Prime Minister Mohamed Mahathir to persuade the MILF leadership to return to the peace negotiating table. The Prime Minister immediately dispatched emissaries to see Chairman Salamat Hashim. On March 24, 2001, representatives from the Philippine Government and the MILF met in Kuala Lumpur, Malaysia and signed the Agreement on the General Framework for the Resumption of Peace Talks between the GRP and the MILF. In the opening preamble of the agreement the parties declared:

"Recognizing the need to resume their stalled peace talks in order to end the armed hostilities between them and achieve a negotiated political settlement of the conflict in Mindanao and of the Bangsamoro problem, thereby promoting peace and stability in this part of the world."

The preamble further declared "the need to create an atmosphere conducive to the resumption of the peace negotiation through the normalization of the situation ..." in the conflict affected areas; "to pursue a solution to the Bangsamoro problem with honour, justice and dignity for all concern (ex.);" "Acknowledging the ascendancy of moral and spiritual development as the primary foundation of socio-economic and political development of all people in Mindanao;" and "Holding a common belief that the resumption of the peace negotiation should go hand in hand with relief, rehabilitation and development efforts in the areas affected by the armed conflict."

The foregoing preamble of the Kuala Lumpur Agreement of 2001 served as the terms of reference in the succeeding peace talks that were held in

Tripoli, Libya and in Kuala Lumpur, Malaysia. The Agreement on Peace between the parties signed in Tripoli, Libya during the opening of the peace talks on June 22, 2001 served as the mother agreement. The succeeding peace talks held in Kuala Lumpur, Malaysia came up with Guidelines providing the details of the Tripoli Accord. Two subsequent agreements on implementing guidelines were signed in the resumption of talks in Kuala Lumpur from 2001 to 2002; one was the Guidelines on Security Aspect and the second on Humanitarian, Rehabilitation and Developments Aspects. The Ancestral Domain Aspect was deferred for succeeding talks in view of its implications on the political aspect of the talks.

The parties are supposed to meet for the resumption of the peace talks by the last week of February till (2003). We can only hope that the eruption of hostilities between the Bangsamoro Islamic Armed Forces (BIAF) and the Armed Forces of the Philippines (AFP) last February 11, 2003 will not affect the resumption of the peace talks between the GRP and the MILF.

Federalism and Bangsamoro Statehood

Federalism presupposes the establishment of component states or self-governing regional governments comprising the federal union. It is not necessarily incompatible with the political aspiration of the Bangsamoro people for statehood. The basis of Bangsamoro "statehood is the administration of the Sultanate governments in Mindanao and Sulu, which entered into treaties with nations like Spain, Britain and the Dutch East India Company." ("Political Options for Mindanao", MTC Peace Summit, September 10-12, 2002).

The establishment of Bangsamoro statehood will be a forward step towards the advocacy for a Federal Constitution. The Bangsamoro Nation may opt to federate with the Philippine state or enter into a Free State association (or better known as Commonwealth like that of Puerto Rico, a self-governing commonwealth associated with the USA). The Bangsamoro state may enter into a treaty with the Philippine state to form a federal union like that of the State of Texas which federated with the American Union via treaty.

The Mindanao conflict cannot await the amendment of the Philippine Constitution restructuring the Philippine Islands into eleven (11) component states under a federal constitution. The timetable of the Federal Movement advocacy to amend the Philippine Constitution to shift from a unitary to a federal system is by the year 2010. The Mindanao conflict is one of urgency that would need immediate political solution. We have laid down the various options to resolve the Bangsamoro problem.

Under modem contemporary international law, a treaty device is one of the legal modalities in the resolution of political disputes. Another procedure in through decolonization and the conduct of referendum similar to the East Timor experience. The East Timorese have earlier declared their independence from Portugal being its former colony. But after Indonesia annexed their territory as one of the province of Indonesia, the East Timorese opted to. Withdraw their declaration of independence and sought for inclusion as trust territory for decolonization under the United Nation. The peaceful political settlement of the Bangsamoro problem will be to the best interest of both the Filipino Nation and the Bangsamoro People. The military option will not put an

end to the Bangsamoro problem. Even if all the Moro fronts are vanquished today, there will always be new generation of Moros who will assert the right to self-determination. The Philippine Government have been spending billions of pesos for the pacification of the Moro rebellion. This is not to mention the loss of innocent lives and destruction of property. The Philippines has the highest rate of poverty in the world. What is uselessly spent for military campaign should instead be spent for the alleviation of poverty of poor Filipinos.



CHAPTER III

METHODOLOGY

This chapter contains the different methods used such as the design of the research. The respondents of the data, the instrumental research, research locale, sampling technique, statistical treatment and the procedure of the data gathering and the analysis of the data will also be part of this chapter.

Research Design

The design used in this study was descriptive and exploratory. It aimed to know and describe the readiness of the Bangsamoro people on the proposed federalism. Survey and interview research design was being used as a method of gathering data.

Research Locale

This study was done within and outside the Cotabato City premises were the respondents can be found.

Respondents of the Study

This study has at least 200 respondents and was randomly selected. The respondents were categorically classified as follows: academe, politicians,

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professionals, religious leaders/ sectors and the households. The respondents are within the area of Bangsamoro Homeland.

Sampling Technique

This study used percentage technique where a specific number of respondents were set for the study. Once the number of desired quota was reach, the gatherings now stop.

Research Instrument

There were three types of survey instruments used in this study. The first instrument was a survey questionnaires and the second instrument was an interview type. The third instrument includes documents analyses. The main part of the questionnaires covered the issue on the readiness of the Bangsamoro people on the proposed federalism. A Likert Scale was use to indicate the extent of implementation were mean ranges and descriptions are as follows:

1.00 - 1.45 = 1 - Least Manifested/ Aware/Ready

1.46 - 2.45 = 2 - Less Manifested/ Aware/Ready

2.46 - 3.45 = 3 - Moderately Manifested/ Aware/Ready

3.46 – 4.00 = 4 – Highly Manifested/ Aware/Ready

Validation and Reliability of the Instrument

The proposed instrument was subjected to content validity by the panel of experts and a reliability test was done by pretesting it on 40 samples which

were excluded from the study. The reliability test yielded a result of .725 suggested that the items have relatively high internal consistency, meaning that the items were reliable and were accepted. After which the researcher sought approval from the panel committee of the Graduate College of Cotabato City State Polytechnic College before its adaptation for actual administration.

Data Gathering Procedure

Before gathering the data, it was deemed necessary that the researcher must prepare a letter of permission to the Dean of Graduate College, Chairman of Graduate College and to the possible respondents to conduct the survey.

Statistical Treatment

The researcher tallied responsibilities from the questionnaire. The statistical methods used in the study were frequency, distribution, mean and percentage. Interpretation and findings was based on the tabulated data.

CHAPTER IV

PRESENTATION, ANALYSIS AND INTERPRETATION OF DATA

The purpose of this study was to uncover the readiness of the Bangsamoro people on the proposed Federalism. The data and results presented here reflect the perceptions of the Bangsamoro on the proposed Federalism. The source of data was derived from the survey questionnaires and

interview done to the respondents. This chapter present the data analysis and interpretation of the data gathered from the respondents.

Part I presents the profile of the respondents such as the occupation, religion and their address. Majority of my respondents were teachers, professors, instructors and other government employees. And Islam was the majority religion of my respondents. Most of my respondents reside at Cotabato City.

Part II presents the readiness of the Bangsamoro people on the proposed Federalism. Table numbers 1, 2 and 3 showed the respondents' perceptions regarding on the readiness of the Bangsamoro people on the proposed Federalism.

Table I presents the results of the mean values on the extent of understanding of the Bangsamoro people towards federalism. Majority of the respondents with a mean average of 3.40 were moderately manifesting an understanding and knowledge about federalism is a type of government that turns out to be an efficient form of separation of powers. Moreover it was supported by an interviewed participant stating that:

Participant: federalism is a form of government where sovereignty is constitutionally shared between a central governing authority and states or regions.

Some of them with a mean average of 2.93 are moderately manifesting an understanding on federalism protects specific features of every minority in the community.

The total mean of the computed results of 3.13 was interpreted as moderately manifesting extent of understanding of the Bangsamoro people towards federalism. Meaning the respondents were moderately manifesting understanding and knowledge about the proposed federalism. The respondents also expressed that they gain their knowledge about federalism from the tri – media; television, radio, and print media.

Table 1

Mean Values on the Extent of Understanding of the Bangsamoro People towards Federalism

Statements	Mean	Descriptive Interpretation
Federalism is a political organization.	3.05	Moderately Manifested
Federalism allows having their rights to make their own decision concerning particular issues.	3.19	Moderately Manifested
Federalism is a type of government that turns out to be an efficient form of separation of powers.	3.40	Moderately Manifested
Federalism allows a solution of national conflicts in countries with a multinational structure.	3.12	Moderately Manifested
Federalism is realized in the area of allocation of competencies.	3.22	Moderately Manifested
Federalism originates and develops in an atmosphere of pluralism, freedom and democracy.	3.03	Moderately Manifested
Federalism is critical to the issue of self rule.	2.95	Moderately Manifested
Federalism safeguards the diversity and different identities of its constituents.	3.30	Moderately Manifested

Over-all Mean	3.13	Moderately Manifested
Federalism protects the individuality of every nation, the federal state or the region.	3.08	Moderately Manifested
Federalism protects specific features of every minority in the community.	2.93	Moderately Manifested

Legend:

Scale	Range of Means	Interpretation
4	3.46 - 4.00	Highly Manifested
3	2.46 - 3.45	Moderately Manifested
2	1.46 - 2.45	Less Manifested
1	1.00 - 1.45	Least Manifested

Table 2 presents the results of the mean values on the level of awareness of the Bangsamoro people on the possible effects of federalism. Most of the respondents with a mean average of 3.50 were moderately aware that the economic growth will flourish for the possible implementation of the proposed federalism. According to a participant that I have interviewed he stated that:

Participant: yes, it will hasten the economic development of the Bangsamoro in the sense that the economic resource of the area of the Bangsamoro will solely be managed by them in a manner with less intervention from the National government.

Some of the respondents with an average mean value of 2.90 were moderately aware that the nationalism will prevail because political stability is achieved and peace and development are also the possible effects of the implementation of the proposed federalism as identified by the respondents themselves. As per supported by the participant that I have interviewed he agreed that:

Participant: it can improve governance and the country will be break into autonomous regions with national government focused on the interest with the national bearing particularly defence and foreign policy.

The total mean of the computed results of 3.15 was interpreted as the respondents were moderately aware of the possible effects on the implementation of the proposed federalism.

Table 2

Mean Values on the Level of Awareness of the Bangsamoro People
On the Possible Effects of Federalism

Statements	Mean	Descriptive Interpretation
Economic growth will flourish.	3.50	Moderately Aware
Power struggle will be lessened and toned down.	3.11	Moderately Aware
Political issues will be resolved through peaceful measures.	3.00	Moderately Aware
Conflict and violence between government and rebels will be minimized.	3.36	Moderately Aware
Separation of powers provides check and balance in its governance.	3.02	Moderately Aware
Level of representation provides impact within the national level of federalism.	3.22	Moderately Aware
Constitutional reforms can be achieved without delays and bureaucracy.	3.02	Moderately Aware
Nationalism will prevail because political stability is achieved.	2.90	Moderately Aware
Preservation and recognition of different culture will be strengthen.	3.43	Moderately Aware
Peace and development will be achieved.	2.90	Moderately Aware
Over-All Mean	3.15	Moderately Aware

Legend:

Scale	Range of Means	Interpretation
4	3.46 - 4.00	Very Aware
3	2.46 - 3.45	Moderately Aware
2	1.46 - 2.45	Less Aware

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1 1.00 - 1.45

Least Aware Table 3 presents the results of the average mean values on the level of

readiness of the Bangsamoro people on the proposed federal form of

government. Most of the respondents with an average mean value of 3.01 were

moderately ready to assert on the right to self – determination on the possible

implementation of the proposed federalism. As agreed by one of the interviewed

participant he stated that:

Participant: the Bangsamoro people especially the knowledgeable one is

ready to lead their people.

Some of the respondents with an average mean value of 2.80 were

moderately ready to create system based on federalist idea and ready to reform

political parties and hold leaders accountable for the possible implementation

of the proposed federalism.

But some of the participants I have interviewed they stated that:

Participant: The Bangsamoro is not yet ready for the implementation of

proposed federalism, because some of the stakeholders want the passage

of the Bangsamoro Basic Law that will replace the current Autonomous

Region in Muslim Mindanao.

Participant: we are not ready for the implementation of the proposed

Federalism, we still have to educate our people and our leaders have to

undergo a moral recovery program. Autonomy or a federal form of

government is one step to independence. It will all depend on the

direction that will pursue in the coming years.

Participant: the Bangsamoro are not ready to adopt the federal form of government, there is a need for an extensive information drive. Federalism is actually an alternative way for the aspiration of the Bangsamoro to self-determination.

The total mean of the computed results of 2.80 was interpreted as moderately ready on the level of readiness of the Bangsamoro people on the proposed federal form of government. There were respondents who were somehow ready for the possible implementation of the proposed federalism, for some reason was they see federalism as a solution to Mindanao conflict and can also be a solution to lessen the poverty experiencing here in Mindanao. For some people who are not yet ready for the said possible implementation of the proposed federalism maybe they were just being practical and realistic because some of them believe that shifting to another type of government will not be a solution to the problem here in Mindanao as one of the participant I have interviewed he said that:

Participant: I am not sure; it could be the same dog with different collar... we still have to educate our people and our leaders have to undergo a moral recovery program.

Some of the respondents believed that even if we shift our government from unitary system to a federal form of government if the leaders were still the same and corrupt it is useless.

Table 3

Mean Values on the Level of Readiness of the Bangsamoro People on the Proposed Federal Form of Government

Statements	Mean	Descriptive Interpretation
Ready to create systems based on federalist idea.	2.80	Moderately Ready
Ready to be independent in many aspects like political and economic concerns.	2.84	Moderately Ready
Ready to frame a new constitution to be ratified by its constituents to come up with new federal government.	2.69	Moderately Ready
Ready to converge and tolerate differences between and among the populace.	2.58	Moderately Ready
Ready to assert on the right to self-determination.	3.01	Moderately Ready
Ready to reform political parties and hold leaders accountable.	2.80	Moderately Ready
Ready to break away from the national government to achieve integration and assimilation.	2.87	Moderately Ready
Ready to recognize member states act side by side and complement each other mutually.	3.00	Moderately Ready

Ready for division of powers between	2.63	Moderately Ready
different levels.		<i>y y</i>
Ready to align foreign affairs tariffs and		
infrastructure and other sectors in the	2.70	Moderately Ready
desired federalism.		3

Over-All Mean		2.80	Moderately Ready
Legend:			
Scale	Range of Means	In	terpretation
4	3.46 - 4.00	Hi	ghly Ready
3	2.46 - 3.45	Mo	oderately Ready
2	1.46 - 2.45	Le	ss Ready
1	1.00 - 1.45	Le	ast Ready

CHAPTER V

SUMMARY OF MAJOR FINDINGS, IMPLICATIONS OF THE STUDY

CONCLUSION AND RECOMMENDATIONS

Summary of Major Findings

Majority of my respondents were government employees, most of them were Islam believers and resides at Cotabato City. The respondents have moderately manifested knowledge about Federalism and moderately aware of its significant effects. The respondents also were moderately ready for the possible adaptation of the federal form of government.

The results of the average mean values on the extent of understanding of the Bangsamoro people towards federalism. Majority of the respondents with an average mean value of 3.40 were moderately manifesting an understanding

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and knowledge about federalism is a type of government that turns out to be an efficient form of separation of powers.

Some of them with a mean average of 2.93 are moderately manifesting an understanding on federalism protects specific features of every minority in the community.

The total mean of the computed results of 3.13 was interpreted as moderately manifesting extent of understanding of the Bangsamoro people towards federalism. Meaning the respondents were moderately manifesting understanding and knowledge about the proposed federalism. The respondents also expressed that they gain their knowledge about federalism was from the tri – media; television, radio, and print media.

The results of the average mean values on the level of awareness of the Bangsamoro people on the possible effects of federalism. Most of the respondents with an average mean value of 3.50 were moderately aware that the economic growth will flourish for the possible implementation of the proposed federalism.

Some of the respondents with an average mean value of 2.90 were moderately aware that the nationalism will prevail because political stability is achieved and peace and development are also the possible effects of the implementation of the proposed federalism as identified by the respondents themselves.

The total mean of the computed results of 3.15 was interpreted as the respondents were moderately aware of the possible effects on the implementation of the proposed federalism.

The results of the average mean values on the level of readiness of the Bangsamoro people on the proposed federal form of government. Most of the respondents with an average mean value of 3.01 were moderately ready to assert on the right to self – determination on the possible implementation of the proposed federalism.

Some of the respondents with an average mean value of 2.80 were moderately ready to create system based on federalist idea and ready to reform political parties and hold leaders accountable for the possible implementation of the proposed federalism.

The total mean of the computed results of 2.80 was interpreted as moderately ready on the level of readiness of the Bangsamoro people on the proposed federal form of government. There were respondents who were somehow ready for the possible implementation of the proposed federalism, for some reason was they see federalism as a solution to Mindanao conflict and can also be a solution to lessen the poverty experiencing here in Mindanao.

For some people who were not yet ready for the said possible implementation of the proposed federalism maybe they were just being practical and realistic because some of them believe that shifting to another type of government will not be a solution to the problem here in Mindanao. Some of the respondents believe that even if we shift our government from

unitary system to a federal form of government if the leaders were still the same and corrupt it was useless.

<u>Implications of the Study</u>

The results of this study have direct implications for those who pursue the implementation of the proposed federalism in the Philippines and for those who were willing to embrace the proposed federal form of government. Moreover, these implications have further potential to influence both research and the possible application of the proposed federal form of government, especially for the public administrators who studies this kind of field. This study was significant to the public servants, to the political body and to the public administrators who enact and implement laws.

This study also implied that some Bangsamoro people were ready for the possible implementation of the proposed federalism; some of them see federalism as a solution to problem here in Mindanao. But some of the Bangsamoro were not yet ready to the said implementation they see federalism as a new government with the same problems; especially when the leaders were still corrupt and selfish. This study plays a significant role for future research as it will became as a basis for future study because of the information gathered and consolidated in this study.

Conclusion

Based on the findings of the study the researcher concluded that some of the respondents were ready and not yet ready for the possible adaptation of the federal form of government. Most of them stated that they were ready to assert on the right to self – determination on the possible implementation of the proposed federalism; some of them said that they were ready to create system based on federalist idea and ready to reform political parties and hold leaders accountable. Majority of the respondents were knowledgeable about what federalism was but some of them were not; they know little about federalism. Some of them have this doubts and questions if the Bangsamoro were ready for this kind of change especially on shifting the type of government to a federal form.

Most of the respondents were aware of the possible effects of the proposed federal form of government they stated that the economic growth will flourish for the possible implementation of the proposed federalism. And some of them stated that the nationalism will prevail because political stability was achieved and peace and development.

Recommendation

Based on the foregoing findings and conclusion of the study, the following recommendations were raised and identified:

- 1. There should be a proper information drive about federalism;
- 2. Sectoral Dissemination of information like having a general assembly regarding the definition, concepts and features of federalism;
- 3. There should be a broad selection of respondents for each sector he/ she represents.

- 4. There should be a lecture regarding federalism on how it can be beneficial to the Bangsamoro Basic Law.
- 5. A proper activity should be done in order to inform the Bangsamoro people on what would be the significant effect of this possible implementation of federal form of government.

Recommendation for Further Studies

Further studies to the following fields and criteria to further evaluate and assess the federal form of government.

- Perceptions of Political and Academic Leaders on Federalism
 Concerning its Adaptation in the Philippines.
- 2. Perceptions on the Issues Surrounding the Federal System of Government.
- 3. Federalism: As a solution to Mindanao's Conflict.
- 4. Perceived Effects of the Possible Implementation of Federalism

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 Cotabato City
- Jana, Mercasim M., Administrative Officer IV and Human Resource

 Management Officer II-ARMM, Sultan Kudarat, Maguindanao
- Ong, Danilo A., Chief Planning and Programming Division and Concurrent
 OIC-Director, Bureau of Services DPWH-ARMM, Amado Papa Street, RH
 10, Cotabato City

Pahm, Hamlet M., Law Dean (Notre Dame University) and Practicing Lawyer,
Krislamville, RH 6, Cotabato City



APPENDICES



Republic of the Philippines
Cotabato City State Polytechnic College
Graduate College
Master of Public Administration
Sinsuat Avenue, Cotabato City

Estrella A. Cantallopez, Ed.D.

Dean of Graduate College Cotabato City State Polytechnic College Cotabato City Dear Ma'am,

I, **BAI SITTIE RACHMA ONG BANSUAN** a master graduating student of Cotabato City State Polytechnic College under the Graduate College, Master of Public Administration conducting a research on "**READINESS OF THE BANGSAMORO ON THE PROPOSED FEDERALISM"**. The aim of this research is to know and assess the readiness of the Bangsamoro people on the possible adaptation of proposed federalism.

The purpose of this letter is to inform you of my research and to request your permission to conduct the said research. This information will help the researcher determine the readiness of the Bangsamoro on the proposed federalism.

Thank you very much for your consideration and cooperation.

Yours sincerely,



Republic of the Philippines
Cotabato City State Polytechnic College
Graduate College
Master of Public Administration
Sinsuat Avenue, Cotabato City

Saidamin P. Bagolong, DPA.

Chairman Graduate College Cotabato City State Polytechnic College Cotabato City

Dear Sir,

I, **BAI SITTIE RACHMA ONG BANSUAN** a master graduating student of Cotabato City State Polytechnic College under the Graduate College, Master of Public Administration conducting a research on **"READINESS OF THE"**

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Yours sincerely,

BAI SITTIE RACHMA ONG BANSUAN

Researcher

Republic of the Philippines Cotabato City State Polytechnic College Graduate College Master of Public Administration Sinsuat Avenue, Cotabato City

ATTY. HAMLET M. PAHM

Dean, College of Law and Practicing Lawyer Notre Dame University Cotabato City

Dear Sir,

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Yours sincerely,

BAI SITTIE RACHMA ONG BANSUAN
Researcher

Republic of the Philippines
Cotabato City State Polytechnic College
Graduate College
Master of Public Administration
Sinsuat Avenue, Cotabato City

PS SUPT. VICTOR C. VALENCIA

City Director Philippine National Police Cotabato City

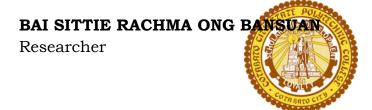
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Republic of the Philippines
Cotabato City State Polytechnic College
Graduate College
Master of Public Administration
Sinsuat Avenue, Cotabato City

ENGR. DANILO A. ONG

Chief, Planning and Programming Division and Concurrent OIC – Director, Bureau of Services Department of Public Works and Hiways Autonomous Region in Muslim Mindanao

Dear Sir,

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BAI SITTIE RACHMA ONG BANSUAN

Researcher



Republic of the Philippines
Cotabato City State Polytechnic College
Graduate College
Master of Public Administration
Sinsuat Avenue, Cotabato City

MR. MERCASIM M. JANA

Administrative Officer IV, Human Resource and Management Officer II Autonomous Region in Muslim Mindanao

Dear Sir,

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Yours sincerely,

BAI SITTIE RACHMA ONG BANSUA

Researcher

Republic of the Philippines

Cotabato City State Polytechnic College Graduate College Master of Public Administration Sinsuat Avenue, Cotabato City

MR. ALI A. ABDULLAH

Ustadz/ Mudarris Madrasatu Rahmani Cotabato City

Dear Sir,

I, **BAI SITTIE RACHMA ONG BANSUAN** a master graduating student of Cotabato City State Polytechnic College under the Graduate College, Master of Public Administration conducting a research on "**READINESS OF THE BANGSAMORO ON THE PROPOSED FEDERALISM".** The aim of this research is to know and assess the readiness of the Bangsamoro people on the possible adaptation of proposed federalism.

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Yours sincerely,

BAI SITTIE RACHMA ONG BANSUAN

Researcher

Republic of the Philippines
Cotabato City State Polytechnic College
Graduate College
Master of Public Administration
Sinsuat Avenue, Cotabato City

To my dear Respondents

Dear Sir/ Ma'am,

I, **BAI SITTIE RACHMA ONG BANSUAN** a master graduating student of Cotabato City State Polytechnic College under the Graduate College, Master of Public Administration conducting a research on **"READINESS OF THE BANGSAMORO ON THE PROPOSED FEDERALISM"**. The aim of this research is to know and assess the readiness of the Bangsamoro people on the possible adaptation of proposed federalism.

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Thank you very much for your consideration and cooperation. Your response to this will be treated with confidentiality.

Yours sincerely,

BAI SITTIE RACHMA ONG BANSUAN

Researcher

Survey Questionnaire

Part I

Socio - Demographic Profile of the Respondents

Direction:	Please fill the information being ask	ted for.
Name:		(Optional
Occupation	n:	<u> </u>
Religion: _		<u> </u>
Address:		

Part II. Objectives of the Research

This part of the questionnaire would like to know the readiness of the Bangsamoro people to the proposed federalism. Please answer the statements, encircle the choice that corresponds your answer.

Rate your answer from 1to 4.

- 1 Least Manifested/ Aware/Ready
- 2 Less Manifested/ Aware/Ready
- 3 Moderately Manifested/ Aware/Ready
- 4 Highly Manifested/ Aware/Ready

1. Extent of understanding of the Bangsamoro People to Federalism	ward	ls		
> Federalism is a political organization.	1	2	3	4
> Federalism allows having their rights to make their own decision concerning particular issues.	1	2	3	4
> Federalism is a type of government that turns out to be an efficient form of separation of powers.	1	2	3	4
> Federalism allows a solution of national conflicts in countries with a multinational structure.	1	2	3	4
➤ Federalism is realized in the area of allocation of competencies.	1	2	3	4
> Federalism originates and develops in an atmosphere of pluralism, freedom and democracy.	1	2	3	4

> Federalism is critical to the issue of self rule.	1	2	3	4
➤ Federalism safeguards the diversity and different identities of its constituents.	1	2	3	4
➤ Federalism protects specific features of every minority in the community.	1	2	3	4
> Federalism protects the individuality of every nation, the federal state or the region.	1	2	3	4

2. Level of Awareness of the Bangsamoro People on the F of Federalism	Possi	ble l	Effec	ets
> Economic growth will flourish.	1	2	3	4
➤ Power struggle will be lessened and toned down.	1	2	3	4
Political issues will be resolved through peaceful measures.	1	2	3	4
Conflict and violence between government and rebels will be minimized.	1	2	3	4
Separation of powers provides check and balance in its governance.	1	2	3	4
➤ Level of representation provides impact within the national level of federalism.	1	2	3	4
Constitutional reforms can be achieved without delays and bureaucracy.	1	2	3	4
Nationalism will prevail because political stability is achieved.	1	2	3	4

Preservation and recognition of different culture will be strengthen.	1	2	3	4
> Peace and development will be achieved.	1	2	3	4

3. Level of Readiness of the Bangsamoro People on the Proposed Federal Form of Government				
> Ready to create systems based on federalist idea.	1	2	3	4
> Ready to be independent in many aspects like political and economic concerns.	1	2	3	4
➤ Ready to frame a new constitution to be ratified by its constituents to come up with new federal government.	1	2	3	4
➤ Ready to converge and tolerate differences between and among the populace.	1	2	3	4
➤ Ready to assert on the right to self-determination.	1	2	3	4
> Ready to reform political parties and hold leaders accountable.	1	2	3	4
➤ Ready to break away from the national government to achieve integration and assimilation.	1	2	3	4
➤ Ready to recognize member states act side by side and complement each other mutually.			3	4
> Ready for division of powers between different levels.	1	2	3	4

➤ Ready to align foreign affairs tariffs and infrastructure and other sectors in the desired federalism.	1	2	3	4	
--	---	---	---	---	--

Interview Questionnaire

Part I

Socio - Demographic Profile of the Respondents

Direction: Please fill the information being asked for.					
Name:					
Occupation	n/Position: _			_	
Religion:		17	\sim		
Address:					

Questions:

- 1. Do you have any idea or knowledge or information of the proposed federalism?
- 2. Shifting from unitary structure to federal system will hasten the economic development and cultural preservation of the Bangsamoro.
- 3. Solving the conflict within the Bangsamoro, would you think federal form of government is in the same track with current proposed Bangsamoro Basic Law?

- 4. What would be the significant effects of the possible adaptation of the proposed federalism?
- 5. Are the Bangsamoro ready for the implementation of proposed federalism?
- 6. How can proposed federalism contribute to the Bangsamoro people right to self determination?



PHOTO DOCUMENTATION



















Personal Information

Name: Bai Sittie Rachma Ong Bansuan

Address: 14 Back of Rojas Elementary School, Rosary Heights 12,

Cotabato City

Gender: Female

Birth Date: July 20, 1988

Birth Place: Cotabato City

Height: 5'4" ft.

Weight: 59 kgs.

Civil Status: Single

Religion: Islam

Nationality: Filipino

Father's Name: Mac Arthur B. Bansuan

Mother's Name: Suraida O. Bansuan

ACADEMIC BACKGROUNDS:

Post Graduate: Master in Public Administration (Plan A)

Cotabato City State Polytechnic College

Cotabato City

2014 - 2017

Law Student

College of Law

Notre Dame University

2011 - 2012

Tertiary: Bachelor of Science in Nursing

Notre Dame University

Cotabato City

Secondary: Notre Dame RVM College of Cotabato

With Honours

Cotabato City

Elementary: Notre Dame of Cotabato for Girls (NDRVMCC)

Cotabato City