

# KAS INTERNATIONAL REPORTS

## MINORITIES – SOCIAL POSITION AND POLITICAL REPRESENTATION



■ **Muslims in Bulgaria – Degree of Integration, Political Representation and Social Status of the Turkish, Pomak and Roma Peoples**

*Marco Arndt*

■ **Alienated Neighbors: The Integration of the Russian-speaking Minority in Latvia**  
*Ivars Ijabs*

■ **Fighting for Land and Identity – The Perpetual Struggle of the Indigenous Peoples in Southwest Mindanao**

*Miriam Fischer /  
Atty Benedicto Bacani*

■ **Political Awakening in Malaysia – Despite Victory, Government Coalition Emerges Weakened from the Parliamentary Elections**

*Jan Senkyr*

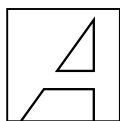
■ **Insecurity in Nigeria: The “Boko Haram” Dimension**

*Tajudeen Akanji*





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## Content

### 4 | EDITORIAL

#### **Minorities – Social Position and Political Representation**

### 6 | MUSLIMS IN BULGARIA – DEGREE OF INTEGRATION, POLITICAL REPRESENTATION AND SOCIAL STATUS OF THE TURKISH, POMAK AND ROMA PEOPLES

*Marco Arndt*

### 21 | ALIENATED NEIGHBORS: THE INTEGRATION OF THE RUSSIAN-SPEAKING MINORITY IN LATVIA

*Ivars Ijabs*

### 43 | FIGHTING FOR LAND AND IDENTITY – THE PERPETUAL STRUGGLE OF THE INDIGENOUS PEOPLES IN SOUTHWEST MINDANAO

*Miriam Fischer / Atty Benedicto Bacani*

#### **Other Topics**

### 68 | POLITICAL AWAKENING IN MALAYSIA – DESPITE VICTORY, GOVERNMENT COALITION EMERGES WEAKENED FROM THE PARLIAMENTARY ELECTIONS

*Jan Senkyr*

### 86 | INSECURITY IN NIGERIA: THE “BOKO HARAM” DIMENSION

*Tajudeen Akanji*



## EDITORIAL

Dear Readers,

In June, an Egyptian court handed down jail terms of several years to two employees of the Konrad-Adenauer-Stiftung. Our office in Egypt was declared permanently closed.

For now, this marks the end of a political process that is having serious consequences for the former head of our Cairo office and for his research officer, whose family has been torn apart by the events. She is now taking on a different role for the KAS in a location far from her family; whether and when she will be able to return to Egypt is an unresolved question.

We note this verdict with dismay. But our concerns go far beyond it. Whereas it used to be military dictatorships in Latin America and just a few countries on the other continents where our work was hampered, it is now becoming more difficult to promote democracy and the rule of law in an ever increasing number of countries.

And by no means does this only affect political think tanks. In Egypt, for instance, 43 employees of a diverse range of NGOs, including some Egyptian ones, found themselves in court. We are receiving similar reports from other countries from NGOs that are active internationally.

However, what is at issue is not first and foremost the foreign organisations, which can be pilloried to make a public point. It is civil society, which is acting ever more effectively in its denunciation of social and political ills.

As a country's civil society becomes more vocal in claiming its right to participation and in demanding transparency and accountability, it increasingly becomes a challenge to the political system. This applies particularly when the

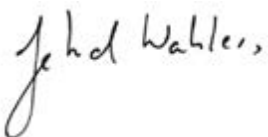
culture of political dialogue and participation has not yet been fully embedded.

A response such as that in Egypt is not consistent with international agreements and declarations, which have also been signed by many of the countries in question, and it is even less consistent with modern times. We live in an era of globally available access to exchange of information and knowledge. To think that it would be possible to turn back this tide is unrealistic.

The fact that numerous countries, in which the Konrad-Adenauer-Stiftung is active, have a difficult relationship to democracy, the rule of law, freedom of speech and civil society justifies our involvement on the ground there. We consider it our mission to foster democratic developments, provide support to political parties and actors of civil society and facilitate dialogue in an atmosphere of trust. Of course, minorities being given an opportunity to be heard and to participate forms a part of this.

Fortunately, setbacks such as that in Egypt and occasionally in other countries remain the exception. The majority of the over 80 offices around the world are not hampered in their work. Interest in topics such as multi-party democracy and the Social Market Economy continues to be high. This is in no small measure due to the fact that Western democracy is considered a successful model.

The recent events in Cairo are thus also an indication of the relevance of our work and of the need for it.

A handwritten signature in black ink that reads "Gerhard Wahlers". The signature is written in a cursive style with a large initial 'G'.

Dr. Gerhard Wahlers  
Deputy Secretary General

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## MUSLIMS IN BULGARIA

### DEGREE OF INTEGRATION, POLITICAL REPRESENTATION AND SOCIAL STATUS OF THE TURKISH, POMAK AND ROMA PEOPLES

*Marco Arndt*

Bulgaria is home to up to one million people of the Muslim faith, making them the largest autochthonous Muslim population group in the European Union. However, they are not a homogenous group, but are divided up into ethnic Turks (hereafter referred to simply as Turks), Bulgarian-speaking Pomaks<sup>1</sup> and Roma.<sup>2</sup> All three groups only share a common Sunni Muslim faith; otherwise negative dispositions towards each other predominate. The Turks have a historical tradition of looking down on the Pomak people, while for their part, the Pomaks are often critical of the Turks for not practising their religious beliefs strictly enough. In turn, both groups share a common negative attitude towards the Roma, an attitude that is also prevalent amongst the Christian majority in the country. What is more, the Turks, Pomaks and Roma all tend to live apart, whether they are in rural settlements or in towns and cities.

1 | On the Pomaks cf. Ulf Brunnbauer, "Pomaken in Bulgarien. Der schwierige Prozeß der Identitätsstiftung", *Ostwest-Gegeninformation*, 9:3, 1997; idem, "An den Grenzen von Staat und Nation. Identitätsprobleme der Pomaken Bulgariens", in: *Umstrittene Identitäten. Ethnizität und Nationalität in Südost-europa*, idem (ed.), Peter Lang Verlag, Frankfurt am Main, 2002, 97-121.

2 | The results of the 2011 census showed there were 325,000 Roma and 588,000 Turks in the country. The census did not contain a question on Pomak identity, so the number of Pomaks is not known. The Pomaks are also not recognised as a national minority. 577,000 people claimed to be of the Muslim faith, although 22 per cent of respondents declined to answer questions relating to their religious beliefs. They were allowed to specify their affiliation to a religion or ethnic group, and it is suspected that up to 50 per cent of the Roma claimed to be Turks. In this respect, the data cannot be considered to provide a realistic picture of the Muslim minority. For details on the census (30 Apr 2013) cf. Национален Статистически Институт (Bulgaria's National Statistical Institute, НСИ), <http://www.nsi.bg/EPDOCS/Census2011final.pdf> (accessed 7 May 2013).



Although there is little ethnic conflict with the majority of the population, the three Muslim groups are far from fully integrated into society. This is particularly noticeable in terms of the distribution of wealth and poverty. Achieving some kind of full integration for these groups is currently the greatest challenge facing both the Muslims themselves and the Bulgarian state. And great care needs to be taken to ensure that initial steps in this direction do not bring about the infiltration of otherwise moderate Muslims by more radical Islamists.

**The three Muslim groups are far from fully integrated into society. This is particularly noticeable in terms of the distribution of wealth and poverty.**

### MUSLIMS IN BULGARIA

The Muslim community in Bulgaria formed during the 500 years of the Ottoman Empire and included Turkish migrants, Muslim migrants from neighbouring and distant provinces of the Empire and locals who converted to Islam under Ottoman rule (Pomaks).<sup>3</sup> This development generally led to Islam co-existing peacefully alongside other cultures in the Balkans, something that today continues to distinguish it from the Salafist form of Islam found in Arab lands.

According to the 2011 census, approximately 588,000 Bulgarians, or nine per cent of the population, consider themselves to be Turks, that is to say people whose forefathers remained in the country after the fall of the Ottoman Empire in 1878. Therefore they cannot be considered a classic migrant group. The same is true of the Pomaks, whose total numbers are estimated at approximately 250,000.<sup>4</sup>

3 | The conversion of a minority of Bulgarians to Islam took place over a long period of time and for various reasons. The largest wave of conversions occurred in the 16<sup>th</sup> and 17<sup>th</sup> centuries. Enforced Islamisation tended to be rare and was usually instigated by fanatical religious leaders. It is more likely that the main motives for conversion were the privileges, tax advantages and better legal and social status that the "orthodox" enjoyed in comparison to non-Muslims. However, there are Pomaks who believe their people were already Muslims before the Ottoman invasion of 1396.

4 | In 2001 131,531 citizens declared Islam their religion and Bulgarian their mother tongue, as no separate column for Pomaks or Muslim Bulgarians was included in the census.

Generally speaking, the Muslims tend to live in rural areas, with few members of the Muslim communities represented amongst the upper strata of urban society. Many of their settlements are concentrated in the Rhodope Mountains and the Dobruja region. Large, closed communities are also situated in southeast Bulgaria, while a smaller number live in villages scattered across the Western Rhodopes.

Bulgaria is still a poor country, although its poverty is not evenly distributed. The poorest people tend to be those living in rural areas, including Muslim minorities. 33 per cent of all households in Bulgaria are found in rural areas, but these include 66 per cent of all households that live below the poverty line. Population groups with low levels of education make up approximately 36 per cent of the total Bulgarian population. 80 per cent of these badly educated people are poor and live in rural areas. In this respect, the Bulgarian Turks and Roma are disproportionately affected by poverty. In fact two-thirds of the Roma and a fifth of all Turks are considered poor. There are indicators that suggest poverty is also widespread amongst the Pomak people.

Table 1

**Place of residence of the major ethnic groups in Bulgaria in per cent**

Place of residence	Bulgarians		Turks		Roma	
	1992	2001	1992	2001	1992	2001
Urban	71.6	73.5	31.6	37.0	52.3	53.8
Rural	28.4	26.5	68.4	63.0	47.7	46.2

Source: Национален Статистически Институт (Bulgaria's National Statistical Institute, НСИ).

Table 2

**Education levels of the major ethnic groups in Bulgaria, people over the age of 20, in per cent**

Education level	Bulgarians	Turks	Roma
University or polytechnic	19.1	2.4	0.2
School leaving examination or vocational diploma	47.7	21.9	6.5
Secondary school	24.9	46.9	41.8
Primary school	7.0	18.6	28.3
No schooling	1.3	10.1	23.2

Source: HCI (updated figures).

### COMMUNIST POLICY WITH RESPECT TO MINORITIES

After the communists seized power in 1944, an initial period of tolerance was followed by constant attempts to try to force the Turks and Pomaks to assimilate and effectively give up their group identities.<sup>5</sup> In 1948 the Pomaks were initially resettled along the entire southern border. Their traditionally closed settlements were partially destroyed in the process. The blueprint for this kind of resettlement policy came from the forced resettlement of entire population groups in the USSR.

In 1958 the Communist Party began what became known as the unveiling of the Muslims. The aim was to do away with their traditional clothing from the fez and the chador to the traditional Turkish trousers and the headscarf. However, the Muslims in many places did not accept the new regulations and continued to wear their traditional dress. At the beginning of the 1960s, attempts to Bulgarise Turkish and Pomak names met with violent resistance from those affected. This policy of homogenisation towards the Pomak people was taken up once again in the 1970s. Once again the situation escalated and many people were killed

5 | Bulgaria has seen repeated waves of "ethnic cleansing" following the collapse of the Ottoman Empire. The number of Muslims dropped from 1.5 million to just 680,000 in the first decade of the new Bulgarian state alone. Brunnbauer, "An den Grenzen von Staat und Nation", n. 1, 103. For more on the assimilation attempts and cycles cf. *ibid.*, 107.

in the ensuing unrest as the militia and police resorted to using force to quell the resistance.

After 1980 the communist state ramped up its restrictive policies toward the Muslims by banning the wearing of “Turkish” clothing altogether as well as the practising of their religion, the building of mosques and the use of the Turkish language in public. These drastic measures were followed in 1984 by yet another campaign to change people’s family names, something which became known in Bulgarian history as the “Process of Rebirth”.<sup>6</sup> It lasted from 1984 to mid 1989. Once again the Muslims resisted and again people were killed and wounded as a result.

Despite all attempts at resistance<sup>7</sup> the names of more than 800,000 Muslims were Bulgarised by the end of the campaign. The fierce opposition of those affected prompted the government to open the border with Turkey, heralding the beginning of the mass exodus, known sarcastically as the “Big Excursion”, during which more than 350,000 people

**The “Process of Rebirth” is still seen as a traumatic experience, especially amongst older Muslims, whose trust in the Bulgarian state and the majority population has been irrevocably damaged.**

left Bulgaria for Turkey. This expulsion had serious economic, ethnic and foreign policy repercussions for Bulgaria that are still felt today. The “Process of Rebirth” is still seen as a traumatic experience, especially amongst older Muslims, whose trust in the Bulgarian state and the majority population has been irrevocably damaged. Another direct consequence was that after 1990 most Muslims devoted themselves even more fervently to their religion and culture.

By early 1992 the government had dealt with approximately 600,000 applications from Muslims who wanted to change back to their old names.<sup>8</sup> However, only around

6 | Not to be confused with the “Process of Rebirth” in Bulgaria in the 19<sup>th</sup> century after 500 years of Ottoman rule.

7 | As a reaction to the communist Party’s repressive policies, the Muslims opted for the most radical form of resistance: terrorist acts. Bombs were set off on 30 Aug 1984 at Varna airport and Plovdiv railway station, resulting in one woman’s death and many injured. On 9 Mar 1985 another bomb exploded in a train travelling from Burgas to Sofia in a compartment reserved for mothers and children. Seven people died.

8 | This was achieved only with great difficulty. It meant overcoming a huge nationalist campaign organised in the mixed settlement areas and the capital by the Communist Party and members of the former state security apparatus.

50 per cent of the refugees returned home after 1989. It was not until January 2012 that an overwhelming majority in parliament voted to apologise for the earlier expulsion of so many people and described it as a kind of “ethnic cleansing”. But to date no-one has been brought to justice for this crime.

## ORGANISATION

The traditional Sunni form of Islam is widespread amongst Bulgarian Muslims. This is considered the most tolerant and liberal school of Islam and has survived since the days of the Ottoman Empire. However, nowadays it is increasingly coming under pressure from more radical forms of Islam in other countries.

The country's Muslims are represented by the Bulgarian Muslim Community, which in turn is represented by the Higher Islamic Council (HIC). This is led by a Chief Mufti as spiritual leader and highest representative. The HIC is elected every five years by the National Islamic Conference, a meeting of all active imams recognised by the HIC. The Bulgarian Orthodox Church is the country's only constitutionally recognised religious community, so the HIC is registered as a kind of association in accordance with Bulgaria's laws on religion.

**The Higher Islamic Council is elected every five years by the National Islamic Conference, a meeting of all active imams recognised by the HIC.**

Imams must have Bulgarian citizenship. They are supposed to be educated in Bulgaria, though this does not mean they cannot also study in other countries, with Turkey, Saudi Arabia, Yemen, Jordan and Egypt being popular destinations. Here, many of them end up being influenced by Salafists, a development that could lead to a security problem. However, debates within the community have so far tended to follow a moderate line.

In 2011 1,225 mosque committees were officially registered in Bulgaria. Some of them organise instruction on the Koran, which is overseen by the Chief Mufti, who himself organises Koran summer schools and sets exams to test children's ability to learn the Koran by heart.

## POLITICAL REPRESENTATION

**The DPS, the Movement for Rights and Freedoms, does not officially define itself as ethnic, preferring to describe itself as a liberal party. It was founded after the fall of communism by Ahmed Dogan, who was the party leader until 2013.**

Although in theory Bulgaria's constitution forbids the formation of ethnic political parties, one such party was in fact set up in 1990 and is now successfully represented in parliament. The DPS, the Movement for Rights and Freedoms, does not however officially define

itself as ethnic, preferring to describe itself as a liberal party.<sup>9</sup> It was founded after the fall of communism by Ahmed Dogan, who was the party leader until 2013.<sup>10</sup> In 2007 it came out that he had worked unofficially for Bulgarian state security since 1974, but this does not appear to have had any serious political consequences for him. The movement, popularly known amongst Bulgarians as the "Turkish Party" is the dominant political force in the Muslim settlements. Among the Turks alone, the number of DPS voters rose from 44 per cent in 1994 to 72 per cent in the 2005 election year. In the last 20 years the DPS has consistently won the local elections in more than 30 of the country's 270 local authorities. Turks and Muslims are therefore represented at all political levels within the country. The party has been a junior coalition partner in three different governments with its own ministers, providing clear evidence of its political "flexibility". The DPS has been the source of much debate due to its ongoing participation in political power and its influence on the economy, not to mention its authoritarian internal party structure and the involvement of some of the party elite in corruption scandals.

9 | The DPS has made every effort to counter this claim. In the European Parliament election in 2007, 50 per cent of the party's candidates were ethnic Turks, while the other 50 per cent were ethnic Bulgarians.

10 | Dogan's stepping down as party leader was spectacular: during his speech to the party congress on 19 Jan 2013 he was threatened by an ethnic Turk with a gas-powered pistol, which did not fire properly. The would-be assassin was then overpowered by security personnel and was badly beaten, despite being held down on the ground. Political opponents suspected that the whole thing had been staged, but the motives for the attack are still unclear. Cf. "Attentat bei Rede: Anschlag auf Politiker in Bulgarien verurteilt", *Spiegel Online*, 19 Jan 2013, <http://spiegel.de/politik/ausland/a-878576.html> (accessed 7 Jun 2013).

The formation of the DPS as the party of the Turks and other Muslims, including a significant number of Roma, gave these ethnic minorities a sense of peace and security after the fall of communism and guaranteed they would have equal rights to participation in Bulgaria's political and economic future. However, the DPS did not in fact represent the interests of Muslims in the true sense of the word, nor did its political activities make any significant contribution to their lives. Fortunately, they have also not shown any politically religious or Islamic tendencies and have in fact probably helped to hinder the development of any Salafist or radical influences. In this respect the DPS cannot be considered a true ethnic party in practical political terms. The same can be said of its relations with Turkey. Neither the DPS nor the Bulgarian Turks in general see themselves as any kind of "fifth column" for Ankara, even though Turkey continues to be the number one destination for those emigrating from Bulgaria.<sup>11</sup>

It is not only in the predominantly Turkish regions of Bulgaria that the DPS is the dominant party. Over the last ten years it has also become the most popular party amongst the Pomaks, but this has been a slow process of change. The dominance of one party is not set in stone, especially as voting – in local elections in particular – appears to be heavily influenced by the clan principle. The larger the candidate's family, the greater their chances of being elected, whatever their political affiliation. Poorly educated Pomaks tend to trust the opinions and recommendations of local politicians and leaders. This does not actually represent the ideal of informed citizens participating in the democratic process. It can therefore be seen as positive that this situation has begun to change in recent years as more Pomaks have become better educated.

**The larger the candidate's family, the greater their chances of being elected, whatever their political affiliation.**

11 | The alternative "Turkish Party" (People's Party Freedom and Dignity), founded three years ago and massively supported by Turkish prime minister Erdogan fared very badly during the country's parliamentary elections of 12 May 2013, winning only 1.5 per cent of the vote, while the DPS secured 11.3 per cent. Cf. Michael Martens, "Türkische Minderheit in Bulgarien. Kolonne fünf antwortet nicht", FAZ.net, 21 May 2013, <http://faz.net/aktuell/politik/ausland/europa/-12188757.html> (accessed 7 Jun 2013).

## THE CURRENT STATE OF RELATIONS BETWEEN BULGARIANS AND ETHNIC TURKS

**The national sense of identity is still very much tied in with the country's (historical) resistance against the Ottomans/Turks, a fact which continues to affect relations with the Turkish minority in the country today.**

Despite the fact that Bulgaria took part in two world wars and lived for a long period under a communist dictatorship, the "Ottoman yoke" and the country's liberation with Russian assistance in 1878 is the event that has historically had the greatest influence on Bulgarians to date. The national sense of identity is still very much tied in with the country's (historical) resistance against the Ottomans/Turks, a fact which continues to affect relations with the Turkish minority in the country today. For their part, the Turks have generally remained loyal to the state, for example during Bulgaria's involvement in various wars. In spite of this, Muslims have been accorded few minority rights and have had to accept that, whatever tolerance it may have, Bulgaria still considers itself an essentially Christian nation, and that Islam and Islamic culture will forever be associated with the "Turkish yoke".

At a personal, private level Christians, Muslims, Turks and Bulgarians live quite peacefully alongside each other. This is mainly due to mutual respect for each other's traditions and culture and neighbourly relations built on a willingness to help one another. Although these relations have constantly been and remain subject to a certain degree of mistrust and prejudice, along with cultural and social revanchism, this has rarely developed into real ethnic tension.

The transition from totalitarianism to democracy carried into the new era the trauma of the 1989 expulsions as a kind of security. People gained a stronger sense of ethnic identity and divisions became more pronounced. For the Bulgarians on the other hand, the fall of communism was effectively a crisis of national identity that triggered the growth of various forms of nationalism.<sup>12</sup> And yet it is still surprising that the Bulgarians appear to harbour far more reservations than the Turks, who in spite of their experiences in the recent past have demonstrated a surprising amount of openness and tolerance. In a relatively recent

12 | And yet only approximately ten per cent of Bulgarians support radical right-wing parties such as Ataka.



survey<sup>13</sup> 87 per cent of Turks said they are happy to live in the same country as Bulgarians and 85.5 per cent claimed they counted Bulgarians among their acquaintances. 94 per cent felt it was possible to befriend Bulgarians, while only 50 per cent of Bulgarians suggested they could imagine being friends with a Turk. However, this tolerance tends to quickly disappear when it comes to the question of interethnic marriage. Only 7.5 per cent of Bulgarians and just over 40 per cent of Turks could imagine being in a mixed marriage. In reality the number of mixed marriages in the country is near to zero. As ethnic origins and children are essential to the maintenance of ethnic identities, mixed marriages still appear to be taboo. Insurmountable religious and cultural differences certainly play a part in this.

**Only 7.5 per cent of Bulgarians and just over 40 per cent of Turks could imagine being in a mixed marriage. In reality the number of mixed marriages in the country is near to zero.**

A significant number of Bulgarians consider Turks to be religious fanatics who are a potential threat to national security and not loyal to the state. It is therefore all the more amazing that only 17 per cent of Turks believe Bulgarians are hostile towards other ethnic groups and that only three per cent admit to feeling like strangers in their own land. 87 per cent of Turks consider Bulgaria to be their homeland (the figure is 89 per cent for Bulgarians). Any hostility the majority may have does not seem to manifest itself in day-to-day life, probably because most Bulgarians also consider Turks to possess largely positive qualities, such as fairness, honesty, hospitality, industriousness and amiability – feelings that must be based on personal experience. The prevailing inter-religious tolerance and ethnic acceptance appears to follow a recurring pattern that has taken hold over the centuries. The survey also shows that while the Turkish minority has a very positive view of the state, their emotional connection with it is weak. People tend to identify with their own ethnic group, while acceptance of the state is gained through rational arguments. As a result, the relationship between majority and minority is quite ambivalent. There is a mutual acceptance of each other, which reduces the potential for conflict, but it would

13 | Results of a study on the relations between Bulgarians and ethnic Turks: Неделчева, Таня, Националната идентичност в събитийността на етноса. В. Търново, 2011, 240. Неделчева, Таня и др., Националната идентичност и социални времена. София, 2011, 326.

be wrong to say there is a real meeting of minds or even genuine integration.

### **THE POMAKS**

The Bulgarian Pomak religious minority mostly consider themselves to be Bulgarian; they speak the Bulgarian language or Bulgarian dialects and are Sunni Muslims. However, a number of Pomaks in the region around Gotse Delchev consider themselves to be ethnic Turks, although the Turks themselves do not consider them to be Turks as they do not speak Turkish and because they have customs and traditions that are very different to their own. This perception of their own identity suggests that the Pomaks struggle with the concept of "ethnic affiliation" and have difficulty deciding whether they are actually Bulgarians or Turks. Nor do they seem particularly concerned. This may well be because they tend to see their identity in terms of small geographic areas and their direct surroundings. This would explain why in Bulgaria there are significant differences within the ethnic group in terms of attitudes and ways of life.

There are two plausible explanations for the origin of the word "Pomak". The first is that it comes from the word "pomagatch", meaning "helper", and is based on the assumption that the Pomaks provided various forms of assistance to the Turks during the time of the Ottoman Empire. The second suggestion is that the word "Pomak" comes from "pomätschen", meaning tortured, forced, coerced, which may have something to do with their conversion to Islam.

The Pomaks live predominantly in rural regions around Smolyan, Chepintsi and Razlog in the Rhodope Mountains of southern Bulgaria and along the Mesta river. However, there are also Pomaks living in northern Bulgaria around Lovech and Teteven, between the Vit and Panega rivers and along the Skat river. Large groups also live around Burgas, Razgrad und Veliko Tärnovo. This isolation in often mountainous, inaccessible areas has played a significant role in preserving Pomak culture. However, apart from religious customs, this culture is not markedly different from that of their Christian neighbours.

In most Pomak villages, the main source of income is the local textile factory, many of which have sprung up over the last ten years. It is mostly women who work in these businesses, while the majority of the men are employed in timber extraction. In addition to having regular jobs, most families supplement their incomes by growing tobacco or other agricultural products and survive in part from subsistence farming. Hard work is considered the standard by which a person's character is measured, so holidays and free time are often used to do additional work, and children regularly help their parents in the fields from a very young age. The Pomaks are renowned for their humility, a result of their simple lifestyle.



Religious feasts and customs: Pomaks celebrating the Ramazan Bayram. | Source: Klearchos Kapoutsis, flickr (CC BY).

However, the modern world has encroached upon their lives. Many customs and practices have been lost or have changed, including some of the rites involved in a traditional wedding. But their traditional hospitality and conviviality remain untouched. Their way of life, traditions and culture largely depend on whether they live in urban or rural areas. The better-educated often move to the towns and cities or even emigrate to other countries, and this trend is growing.

Islam may define the Pomaks' self-image, but their actual knowledge of the religion in terms of religious facts tends to be somewhat limited<sup>14</sup> and so religion seems to be almost solely a cultural issue. Religious festivals and customs are

14 | During the 2011 census very few knew the difference between Shiites and Sunnis.

observed out of respect for tradition, but few seem to know their origins or what they mean and the same can be said of their observance of religious principles such as no alcohol, no fortune telling, no use of charms, the duty to pray, giving alms, etc. Circumcision is no longer as widespread as it once was. So religious practice is more often a question of simply following rituals without understanding what they mean or their religious background.

However, in recent years this situation has begun to change. Key positions in the mosques are now being taken by young imams who have been educated at the Islamic Institute or other universities. While most women still do not wear the headscarf or the veil, the number of women dressing according to the norms of Islam is beginning to grow. At the moment there is still a tendency for traditional clothing such as Turkish trousers, headscarves and veils to be worn almost exclusively by older women, while the younger generation prefer normal clothing that has nothing to do with Islamic tradition.

**During the communist years, the number of Pomaks who studied for degrees was exceptionally small, partly because of a politically-motivated restriction on allowing them access to universities.**

In addition to religious education at school, many children also attend courses at the local mosque, although the content of the classes does not appear to be of the fundamentalist variety. During the communist years, the

number of Pomaks who studied for degrees was exceptionally small, something that was not only due to the fact that the Pomaks tended to afford education little value, but also because of a politically-motivated restriction on allowing them access to universities. These days, it tends to be the cost of studying that deters many of them from going to university. Having said that, the number of Pomaks attending university, including women, has risen significantly in the last ten years. It should be said, however, that there are cultural factors – such as traditional views on the role of women – that still prevent many women from attending university. Marriage at a very young age is also slowing the process of change, although such marriages are generally becoming less common.

Relationships between men and women in Pomak society are still very much based on the patriarchal principle and so religion is just an additional factor that serves to

hinder the emancipation of women. However, in the last ten years there has been a noticeable shift in perceptions about gender roles and in people's views on marriage and sexual mores. A direct indication of this shift in attitudes is the growing number of men who are prepared to help with housework and raising children and the increasing divorce rate. This growing number of divorces is linked to better education, as it is primarily educated women who file for divorce. The average age at which women get married is also steadily increasing.



Bulgarian investigators reenact Burgas bus bombing. | Source: © Vassil Donev, picture alliance, dpa.

## RADICAL INFLUENCES

In 2005, the U.S. ambassador wrote a highly confidential paper on the situation of the Muslims in Bulgaria with respect to radical Islamic influences.<sup>15</sup> The analysis suggested that different radical groups from other countries were seeking to influence Bulgarian Muslims. The Pomaks were supposedly the main targets because they look “European” and were more likely to be open to this kind of propaganda on account of their more isolated, traditional way of life. The report makes a clear distinction between (moderate) traditional Islam in Bulgaria and attempts at radicalisation, predominantly by young Muslims who have

15 | Bivol.bg report from 13 Jul 2011 with reference to Wikileaks, 15 Apr 2013, <https://bivol.bg/wlislambg.html> (accessed 25 Apr 2013).

lived in other countries. New foreign-funded mosques have sprung up to compete with existing ones, but many Muslims are against the influence of this kind of dogmatic Wahhabism. According to the report, al-Qaida, Ansar al-Islam and Hezbollah are active in Bulgaria, although the extent of their activities is not specified. In summer 2012 Bulgaria was also to witness the effects of Islamist terror. A group of tourists from Israel were victims of a bomb attack in Burgas. The group of 154 people had just left the airport and got onto buses to take them to Sunny Beach resort when a suicide bomber detonated a bomb on one of the buses. Seven people died: five Israelis, the bus driver (a Pomak) and the bomber. So far no group has claimed responsibility for the attack. Iran strenuously denies being involved. According to sources within the U.S. government, the bomber was apparently a member of a Hezbollah group operating in Bulgaria.<sup>16</sup> In February 2013, the Bulgarian commission set up to investigate the bombing reached the same conclusion, though Hezbollah continues to deny this.

A currently stalled court case against twelve Imams (Pomaks) and one woman in Pazardzhik has been running since October 2012 and has caused quite a stir. During house searches, police found Islamist literature, predominantly in Arabic. Computers were seized and the men were charged with disseminating Islamist and anti-democratic ideas both orally ("hate speech") and in writing. It was proven that three of them had received money from the World Muslim League for delivering their sermons. The mission of this NGO, which is loyal to its Saudi Arabian government, is the spread of Wahhabi Islam around the world, and it has billions of dollars at its disposal. The court case will recommence at the end of May 2013.

These developments demonstrate that one of the government's most pressing tasks is combating radicalisation through appropriate integration measures, targeted economic and labour policies and financial assistance, so that Bulgaria's Muslims can continue to live in peaceful coexistence.

16 | See Nicholas Kulish and Eric Schmitt, "Hezbollah Is Blamed for Attack on Israeli Tourists in Bulgaria", *The New York Times*, 19 Aug 2012, <http://nytimes.com/2012/07/20/world/europe/explosion-on-bulgaria-tour-bus-kills-at-least-five-israelis.html> (accessed 25 Apr 2013).

# ALIENATED NEIGHBORS

## THE INTEGRATION OF THE RUSSIAN-SPEAKING MINORITY IN LATVIA

*Ivars Ijabs*

The last 22 years after the restoration of independence of the Republic of Latvia have been a period of almost incessant change and reform. After 50 years of Soviet occupation the country has become a democratic, European state, a member of the European Union and NATO, a country where human rights and rights of minorities are protected and respected. However, the very swiftness and intensity of the change sometimes make it difficult to fully apprehend its particular extent, form and Economic changes affect the flows of migration; newly-established party democracy influences ethnic relations; the increasingly global media landscape influences the cultural self-perceptions of Latvians. One of the important spheres, where the changes have been fast and closely intertwined with other factors, is minority policy and the social integration.

Without any doubt, the issue of social integration has been one of the most salient questions in Latvian politics and in public life in general. It concerns mainly (although not exclusively) the relationships between the Latvian majority and the Russian-speaking minority. Although all European countries have their minorities and all new EU member states have introduced their minority policies after the end of communism, the Latvian situation is in several ways particular. Firstly, it concerns the size and origin of the Russian-speaking minority. During the Soviet era, the ethnic composition of Latvia changed drastically: ethnic Latvians, who composed about three quarters of the population in 1939, by 1989 made up only a scarce



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majority (52 per cent) of the population (see Table 1).<sup>1</sup> Moreover, in many cities, including the capital Riga, ethnic Latvians had become a minority in absolute terms.<sup>2</sup> This change was caused by the massive immigration into Latvia of people from other Soviet republics, mainly of previously rural Russians, Byelorussians, and Ukrainians, who migrated to economically more developed regions of the Soviet empire. After the restoration of independence, most of them decided to stay in Latvia, thus becoming a part of society and politics in the newly re-established state.

Table 1

**Total population and ethnic breakdown 1935-2011,  
in thousands**

	1935	1959	1970	1979	1989	2000	2009	2011
Total	1,950.40	2,093.50	2,364.10	2,502.80	2,666.60	2,375.30	2,261.30	2,070.30
<b>thereunder (shares in per cent)</b>								
Latvians	75.40	62.00	56.80	53.70	52.00	57.70	59.30	62.10
Russians	10.60	26.60	29.80	32.80	34.00	29.60	27.80	26.90
Byelorussians	1.40	2.90	4.00	4.50	4.50	4.10	3.60	3.30
Ukrainians	0.09	1.40	2.30	2.70	3.50	2.70	2.50	2.20
Poles	2.50	2.90	2.70	2.50	2.30	2.50	2.40	2.10
Lithuanians	1.20	1.50	1.70	1.50	1.30	1.40	1.30	1.20

Source: LR, n. 1.

Secondly, what also makes the Latvian situation specific in the European context, is its relations with the Russian Federation, which has an expressed interest in preserving its influence among the diaspora. Due to the historically problematic nature of relations between Latvia and Russia,

1 | "Centrālās statistikas pārvaldes datu bāzes", Central Statistical Bureau of Latvia (Centrālā statistikas pārvalde, LR), <http://data.csb.gov.lv> (accessed 10 Jun 2013); Juris Rozenvalds, "The Soviet Heritage and the Integration Policy Development since the Restoration of Independence", in: Nils Muižnieks (ed.), *How Integrated is Latvian Society? An Audit of Achievements, Failures and Challenges*, University of Latvia Press, Rīga, 2010, 34.

2 | See Romuald Misiunas and Rein Taagepera, *The Baltic States: Years of Dependence, Estonia, Latvia and Lithuania, 1940-1990*, Hurst & Hannum, London, 1993.



this dimension also plays a significant role in the fates of Latvian minority policy. On the other hand, also other international actors, such as the EU, NATO, OSCE, Council of Europe, and others, have exercised considerable influence on Latvian minority policies, especially during the period preceding the accession to the EU and NATO in 2004.

Like many post-communist countries in Europe, the Latvian state emphasises its legal and political continuity with the independence of the inter-war period. Moreover, Latvia is the only country in the region that after regaining independence in 1991 reinstated its interwar constitution (*Satversme*) of 1922, which still serves as an important element of Latvian identity.<sup>3</sup> The thesis of state continuity has implications for the minorities' policy. Importantly, it affects the status of the Soviet-era immigrants, who came here during the period, when Latvia was unlawfully annexed by the Soviet Union. All these aspects must be taken into account when analysing Latvian minority policies and the future challenges to the integration of the Russian-speaking minority.

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## POLICIES AND LEGISLATION

As many different factors have made their impact on Latvian policies of social integration, it is hardly possible to speak of one, consistent integration policy. What can be observed instead is a combination of ideologically driven measures, situative decisions caused by the immediate political situation in the country, and willingness to adopt to external pressures. As a result, in Latvian policy of social integration there might be several trends at once which are inconsistent and sometimes even contradictory. E.g., the citizenship policy has been gradually liberalised during the whole period; the state language legislation, on the contrary, was tightened and has become more conservative. For this reason it is necessary to examine major policy spheres separately, addressing citizenship, language, and education spheres individually.

3 | Ineta Ziemele, *State continuity and nationality: the Baltic States and Russia. Past, present and future as defined by international law*, Martinus Nijhoff, Leiden/Boston, 2011.

Citizenship policy has been one of the most hotly debated issues in Latvian integration policy, which has gained wide international resonance. When the Latvian preliminary parliament (Augstākā Padome) restored the status of Latvian citizenship on 15 October 1991, according to the doctrine of the state continuity it was given only to the citizens of the inter-war Republic of Latvia and their direct descendants. Around 750,000 Soviet-era immigrants were left without any comprehensible legal status. Although politicians promised to soon introduce a naturalisation procedure for them, this promise was left unfulfilled for at least four years. Moreover, the situation was complicated by the Russian army, who postponed its withdrawal from Latvia. Many Russian-speakers, who sought to legalise their residence in Latvia by reference to marriage or family reasons, were denied citizenship because of their possible linkage to the Russian armed forces. In 1994, the Latvian parliament finally adopted the Citizenship Law, to a great extent because of the pressure from the Council of Europe. This law provided for a procedure of naturalisation according to a strict timetable for different age groups (so-called “windows of naturalisation”), whereby younger people could get their citizenship earlier. Not much later, in 1995, a special law on the status of non-citizens was adopted, stating that the Soviet era immigrants without Latvian or any other citizenship enjoy in Latvia all civil and socio-economic rights but cannot vote and work in a number of public sector jobs, such as civil servants, notaries, and others. Latvian non-citizens have internationally recognised travel documents, and enjoy the consular protection of the Republic of Latvia abroad.<sup>4</sup>

Since the naturalisation, which began in 1996, was rather unpopular among the corresponding groups and the international pressure to liberalise the naturalisation process grew, the government decided to abolish the windows of naturalisation altogether in 1998. The initiative was also confirmed by a popular referendum. At this point Latvian naturalisation policy became very much like most European citizenship policies, however, without giving any privileges

4 | Nils Muižnieks, “Government Policy Towards the Russians”, in: idem (ed.), *Latvian-Russian Relations: Domestic and International Dimensions*, University of Latvia Press, Rīga, 2006.

to non-citizens *vis-a-vis* other foreigners. Although often born and having spent all their lives in Latvia, they have to pass tests on Latvian language, history, and the political system. However, since 1998, the children of non-citizens were given a right to acquire citizenship by registration. In 2013, Latvian parliament liberalised the legislation further, abolishing the requirement, which demanded the consent of both parents in order to register the child as a citizen of Latvia. Still, the children of non-citizens do not acquire automatic citizenship, which means that, up to this day, the Republic of Latvia is still producing new non-citizens. There remain some 320,000 non-citizens in Latvia, which make up approximately 16 per cent of the total population.

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Looking back to the development of citizenship policy during the twenty-odd years of Latvian independence, it can hardly be called a success story. On the one hand, the initial decision to limit the scope of citizenry was fully justified from a legal point of view. It had also a significant political dimension. The automatic provision of Latvian citizenship to the large community of the former Soviet immigrants, who at that point in time had very little relation to the state of Latvia, to the Latvian language and culture, was justifiably seen as a source of potential instability. There were legitimate fears on the part of Latvian politicians that the aim was to “achieve by democratic means the same result achieved in 1940 by Soviet tanks”, as some Latvians say. However, over time, many mistakes were committed with the introduction of the naturalisation policy that initially was excessively restrictive – and belated. It took seven years for Latvia to introduce a more or less liberal naturalisation policy. This prolonged period also alienated many non-citizens from the Latvian state institutions, and remains a cause of poor naturalisation rates.<sup>5</sup>

Although citizenship is the most acute legal and political issue in the integration of Latvian society, the language question has much more social and cultural relevance. It is also much less exposed to political engineering. On the one hand, the Latvian language has always been an important

5 | See also Ilze Brands-Kehris, “Citizenship, Participation and Representation”, in: Muižnieks (ed.), n. 1, 93-124.

marker of the Latvian identity and enjoys strong support from the Latvian state. Russian, on the other hand, is one of the mega-languages of the world, which, after the collapse of communism, turned from the imperial language into a minority language in the independent Latvian state. During the Soviet era, relations between Russian and Latvian languages can be described as “asymmetric bilingualism”: Latvians needed to be proficient in both languages; Russian-speaking immigrants, on the contrary, had very little motivation or pressure to learn Latvian and in most cases remained monolingual. This situation was also supported by the increasing role of Russian in public communication during the Soviet era.

For these reasons, claims about the rights of Latvian language were among the main issues of the pro-democratic movement Popular Front of Latvia in the late 1980s. As soon as 1989, the Supreme Council of the Latvian SSR adopted the Law of Languages, which made Latvian the sole state language in Latvia, retaining, however, Russian as the language of inter-ethnic communication. After the restoration of de facto independence in 1991, knowledge of Latvian was made mandatory for most posts in government and also in the private sector. At the same time, state-financed university education in Russian was abolished. Also, the Latvian state, in cooperation with the United Nations Development programme, introduced free Latvian language teaching and a special state agency for this purpose. It was intended mainly for those Russian-speakers, whose insufficient knowledge of the state language threatened them with loss of employment in public-sector jobs – teachers, doctors, policemen etc.<sup>6</sup>

The main long-term purpose of these policies was to transfer the burden of bilingualism from Latvians to Russian-speakers, reducing the role of the Russian language in the public sphere. However, there was significant disagreement on the particular measures to be taken in order to achieve this aim. In the late 1990s, Latvian politicians decided to adopt a new Language Law, more suitable for the long-term perspective. Since at that time Latvia was

6 | Angelita Kamenska, *The State Language in Latvia: Achievements, Problems and Prospects*, Latvian Center for Human Rights and Ethnic Studies, Rīga, 1995.

already engaged in consultations about the country's possible accession to the EU and NATO, the new language legislation attracted a lot of international attention – especially, from the EU, OSCE, and the Council of Europe. A radically nationalist version of the law was adopted in 1999, which also provided for strict language regulations in the private sector as well. Since such provisions contradicted internationally recognised norms and minority rights, the newly-elected State President, Vaira Vīķe-Freiberga, did not promulgate the law and sent it back to Saeima for reconsideration. Finally, due to the involvement of the President and international organisations, a revised version of the law was adopted, which limited the interference of authorities in the private sector. At the same time, it strictly required the use of Latvian in most spheres of public life, and all languages except Latvian, Lettgallian (a regional dialect of Latvian) and Livian (a small Finno-Ugric minority of 150 speakers) were recognised as foreign languages – including Russian, which is the

mother tongue of a considerable proportion of the population of Latvia. Since then, this legislation continues to serve as the basis of the language policy and has constantly provoked repercussions both among politicians

**In 2011, the Russian-speaking extremist party Par Dzimto Valodu initiated the referendum on changes in the Latvian constitution, making Russian the second state language.**

and in the broader public. In 2011, the Russian-speaking extremist party Par Dzimto Valodu (For the Native Language), initiated the referendum on changes in the Latvian constitution, making Russian the second state language. This initiative had broad support also among mainstream Russian politicians, and, although the initiative failed, more than 270 thousand Latvian citizens voted in favor of it.

The language question also partly overlaps with the question of education and reforms in this sector. Latvia inherited a segregated school system, divided on the linguistic basis that was established during the Soviet era and was divided on the basis of language. During the Soviet period there were Latvian-language and Russian-language schools, both at elementary and secondary levels. After the restoration of independence, this divided system was retained, at the same time introducing state-financed schools for other minorities (Jews, Poles, Lithuanians, and others) that did not exist during the earlier period. The system of bilingual schools with two working languages was also

introduced, still popular, especially in the rural regions. In higher education, state universities were not allowed to teach in Russian. Private universities were allowed to open Russian-language programs still functioning in Latvia.

The most hotly debated issue in the area of education until now has been the regulation of the use of the Latvian language in the Russian-language schools. The main reason was the necessity to increase proficiency in the Latvian language in order to integrate the younger generation into Latvian society and the labor market. As of 1995, all Russian-language primary and secondary schools were required to teach several subjects in Latvian. In 1998, however, a new Law of Education was adopted, requiring

**In 2003 and 2004 Latvia saw the most extensive mass protests since the restoration of independence, including demonstrations, hunger strikes, and acts of civil disobedience.**

all Russian-language secondary schools to teach primarily in Latvian, beginning in 2004. As this date approached increasing dissatisfaction was expressed by the Russian-speaking community, supported also by Russian politicians in the parliament. In 2003 and 2004 Latvia saw the most extensive mass protests since the restoration of independence, including demonstrations, hunger strikes, and acts of civil disobedience. Mainly because of these protests and the international pressure, the Ministry of Education decided to mitigate the law, so that now 60 per cent of the instruction in secondary schools must be given in the Latvian language. Although protests subsided thereafter, there is very little information about the extent to which this norm is enforced.

After the events of 2003 and 2004, the language issue in the educational system maintained its political relevance. Many Latvian conservative politicians continue to insist that the segregated school system does not promote social integration in any way. At the same time, all simple solutions to this problem, e.g. the full-scale Latvianising of Russian-language schools, are virtually unthinkable for both domestic and international reasons. The year 2010 saw a referendum initiative of the Latvian nationalist party *Visu Latvijai!* (All for Latvia!) to abolish the state-financed Russian-language school system altogether. Although this initiative eventually failed, the changes in the language balance in the Latvian educational system are often used in the political game, and will be in future.

Looking back on the last 22 years of Latvian independence, it can be seen that the discussion about minority integration has centred mainly upon questions of citizenship, language, and education. Taking into account the specific historical and socio-demographic situation, the main challenges have been to harmonise the legal continuity of the Latvian state and its citizenship with a viable naturalisation policy, to strengthen the role of the Latvian language, and, while retaining education in minority languages, to promote the integration of and career opportunities for young Russian-speakers in Latvian society. However, these tasks until now have been solved only in part, and questions of citizenship and language will most probably

dominate the Latvian integration debate in the future as well. In 2005, when Latvia ratified the Framework Convention for the Protection of National Minorities of the Council of Europe, it was done with significant reservations concerning language and citizenship.

**In 2005, when Latvia ratified the Framework Convention for the Protection of National Minorities of the Council of Europe, it was done with significant reservations concerning language and citizenship.**

First, the meaning of the term “minorities” was limited and referred only to the citizens, not to all permanent residents of Latvia. Second, the use of minority languages in communication with the administrative authorities (Article 10, Clause 2) and in traditional local names, street names as well as other topographical indications intended for the public (Article 11, Clause 3) was made dependent on Latvian national legislation, which is very much restrictive.<sup>7</sup>

## SUCCESSSES AND FAILURES

A look at the successes and failures of the Latvian integration policies reveals a mixed record. Although Latvians themselves are often excessively critical about the results of their policies, there are also some significant achievements. The first concerns the knowledge of Latvian language among Russian speakers. If, in 1996, 22 per cent of non-Latvians did not know the Latvian language at all, only seven per cent reported this in 2008. The same year, 57 per cent of non-Latvians reported good Latvian language skills (36 per cent in 1996). The most significant changes

7 | See Council of Europe, “List of declarations made with respect to treaty No. 157”, <http://conventions.coe.int/Treaty/Commun/ListeDeclarations.asp?CL=ENG&NT=157&VL=1> (accessed 15 May 2013).

have taken place among the younger generation. Among people aged 15-34, 73 per cent report good Latvian language skills.<sup>8</sup> From this particular perspective, education reforms have succeeded in promoting the knowledge of Latvian. Not only the knowledge, but also the usage of Latvian has increased. The self-sufficiency of the Russian language, which was characteristic for Latvia in the early 1990s, has significantly decreased. If in 1996 the majority of non-Latvians spoke exclusively Russian at work, in 2008 only 28 per cent did so. The use of the state language has especially increased in areas regulated by the legislation – for instance, in the workplace or, when dealing with the authorities. In informal communication, however, the Russian language still dominates among non-Latvians. Among the factors strengthening the position of Latvian is also the decreasing knowledge of Russian among ethnic Latvians.

However, the positive role of linguistic competence should not be overstated. Although knowledge of the Latvian language steadily improves among non-Latvians, this does not mean that both largest ethnic groups are united as regards the significance of that language in integration processes. In 2010, when asked whether all residents of Latvia must know the Latvian language, 93.1 per cent of ethnic Latvians and 72.2 per cent of ethnic Russians responded positively. However, when asked whether Latvian language and culture should be the unifying factor for all citizens of Latvia, 89.1 of Latvians and only 46 per cent of Russians responded positively.<sup>9</sup> This difference shows that the concentration on language, typical for the most Latvian politicians, does not guarantee successful integration. Although most Russian-speakers agree that the Latvian language is important, they do not accept it as the legitimate basis of social integration. Many of them see state language regulation as artificial, and activities of the State Language inspection – which monitors the use of the Latvian language also in private enterprises of “legitimate public interest” – as repressive and obsolete.

**Although most Russian-speakers agree that the Latvian language is important, they do not accept it as the legitimate basis of social integration.**

8 | Brigita Zepa et al., *Language*, Baltic Institute of Social Sciences, Rīga, 2008.

9 | Brigita Zepa and Evija Kļave (eds.), *Human Development Report, Latvia, 2010/2011. National Identity, Mobility, Capability*, LU SPPI, Rīga, 2011, 25.



Also the political context does not increase the prestige of Latvian language and the willingness of Russian-speakers to use it outside of those institutional settings where it is required under the law. Especially, when, after the 2012 referendum on Russian as the second state language, the Latvian political elite increasingly began emphasising the privileged role of Latvian language and culture in Latvia.

Similarly ambiguous results have been achieved in the field of citizenship and naturalisation. The number of non-citizens has decreased by more than twice: in 1995, there were some 740,000 non-citizens, in 2012 – less than 320,000. More than 130,000 people have acquired Latvian citizenship by naturalisation.<sup>10</sup> The naturalisation began in 1995, and the peak was reached in 2005 when 19,169 people acquired Latvian citizenship by naturalisation. After that, however, naturalisation has virtually come to a halt: in 2012, only 2,213 people acquired citizenship in this manner. Of course, many non-citizens do not naturalise due to purely practical reasons. They do not need Latvian citizenship in their everyday life, and Latvian non-citizens can travel to the Russian Federation and other CIS countries without a visa. A significant proportion of non-citizens (27 per cent) are sceptical about their capacity to pass the naturalisation exams (many of them are older than 60 years of age). Nevertheless, there are also significant ideological reasons for people not acquiring Latvian citizenship. Although the majority of non-citizens express the willingness to acquire Latvian citizenship, a significant proportion of non-citizens (24 per cent) still believe they should become citizens automatically, without naturalisation. Another 17 per cent are waiting for the easing of naturalisation requirements. Only four per cent of non-citizens responded stating they do not want to have Latvian citizenship.<sup>11</sup>

**Although the majority of non-citizens express the willingness to acquire Latvian citizenship, a significant proportion of non-citizens still believe they should become citizens automatically, without naturalisation.**

10 | "Statistika: Naturalizācija", Pilsonības un migrācijas lietu pārvalde (PMLP), <http://www.pmlp.gov.lv/lv/statistika/Naturalizacija.html> (accessed 15 May 2013).

11 | „Pilsonības un migrācijas lietu pārvalde, Nepilsoņu viedoklis par Latvijas pilsonības iegūšanu”, [http://www.pmlp.gov.lv/lv/par\\_pmlp/publikacijas/Nepilsonu\\_attieksme\\_2011.pdf](http://www.pmlp.gov.lv/lv/par_pmlp/publikacijas/Nepilsonu_attieksme_2011.pdf) [17.06.2013].

One of the important factors that influence the course of naturalisation long-term is party politics. Unlike Estonia, a country which also has a large Russian-speaking minority and a considerable amount of non-citizens, Latvia has an ethnically divided party spectrum. There is a clear division between “Russian” and “Latvian” parties in the parliament, and both sides tend to address only “their” ethnic part of the electorate. The “Russian” parties have never been included in a ruling coalition, and, consequently, have

**Many non-citizens do not acquire Latvian citizenship, waiting for the seemingly possible introduction of automatic citizenship, or for significant simplifications of naturalisation procedures in the nearest future.**

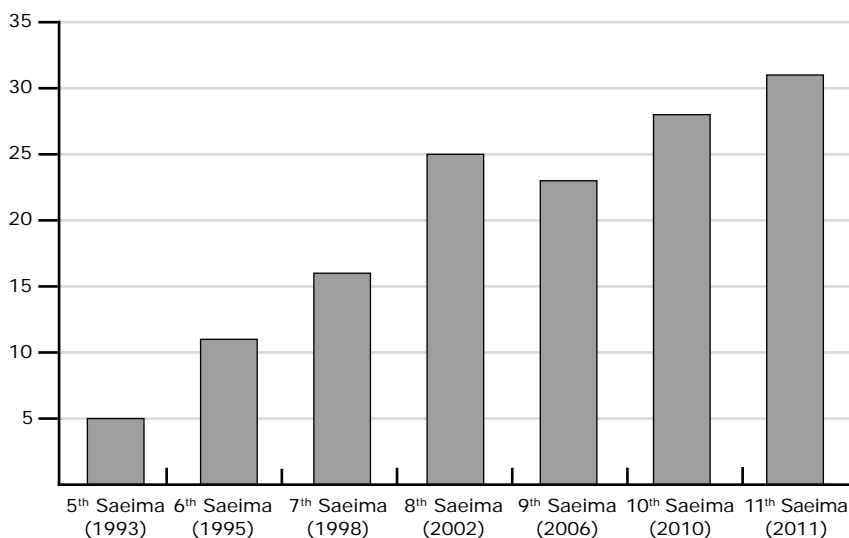
been kept out of the executive power. For this reason they constantly use the issues of language and citizenship to criticise the government, presenting the language and naturalisation policies of the state as illegitimate and “assimilating” on behalf of ethnic Latvian politicians. Needless to say that this approach of the “Russian” parties does not facilitate naturalisation. On the contrary, it tends to promote the perception of current language and naturalisation policies as only temporary injustices, which will be eliminated in the nearest future, when the “Russian” politicians come into power. For this reason many non-citizens do not acquire Latvian citizenship, waiting for the seemingly possible introduction of automatic citizenship, or for significant simplifications of naturalisation procedures in the nearest future. Since neither of these options are in fact realistic, party politics is a significant obstacle to further naturalisation of non-citizens.

Ethnic division in Latvian politics has a long history. Its roots go back to the period of the “singing revolution” of 1988-1991, when a group of Russian-speaking activists (the so-called Interfront) openly opposed the Popular Front of Latvia and the restoration of independence in general. When the democratic regime was reinstated, some of these people remained active in politics, attracting to themselves also those Russian-speakers and some Latvians who disagreed with the ethno-political line of the Latvian government. Their main ideological topics were: first, the language issue, whereby they bitterly opposed the Latvianisation of public life; second, the citizenship issue, where they advocated the so-called zero-option and citizenship for all Soviet-era immigrants; and, third, the geopolitical orientation of the country, defending close relations with

the Russian Federation and opposing the integration of the country in NATO. Until around 2000, the “Russian” parties did not play a significant role in Latvian politics. But, when naturalisation began and ever-increasing numbers of Russian-speakers acquired citizenship and consequently the right to vote, the significance of the so-called “Russian parties” increased (see Fig. 1).

Fig. 1

**Number of seats of Russian parties in Saeima 1993-2012  
(out of 100 seats altogether)**



Source: CVK<sup>12</sup>

Moreover, starting from 2002, we observe a significant consolidation of the Russian-speaking electorate. In the 1990s, there were three relatively significant “Russian” parties, who competed for votes – the moderate *Tautas Saskaņas partija* (National Harmony Party) and two more radical ones – *Latvijas Sociālistiskā partija* (Socialist Party of Latvia), led by the former First Secretary of the Communist Party of Soviet Latvia, *Alfrēds Rubiks*, and the party *Līdztiesība* (Equal Rights) of the former Interfront activist

12 | “Saeima Elections”, Centrālā vēlēšanu komisija (Central Electoral Committee, CVK), <http://web.cvk.lv/pub/public/28757.html> (accessed 11 May 2013). Number of seats of parties *Līdztiesība*, *Latvijas Sociālistiskā Partija*, *Tautas Saskaņas partija*, *Saskaņas centrs*, and *Par cilvēktiesībām vienotā Latvijā* are summed.

Tatjana Ždanoka. In 2013, there is only one relevant Russian party represented in Latvian Saeima – the Harmony Centre, represented with 31 seats out of a total of 100.

The consolidation of the Russian-speaking electorate and the increase of its electoral weight has a significant impact on the process of social integration and on Latvian politics in general. To date, Russian parties have been kept out of the ruling coalitions, and Russian-speakers have never been represented in any government. This stigmatisation does not help the integration in any way. Russian-speakers do not see themselves represented in the executive and often see politics as an exclusive business of ethnic Latvians. This situation alienates Russian-speakers from the state and lends legitimacy to the rhetoric about the ostensibly “ethnocratic” regime in Latvia. However, it would be a mistake to reduce the exclusion of Russian parties to the willingness of Latvian politicians to monopolise the political landscape for themselves. Although this factor undoubtedly plays a role, the ideological profile of the Russian parties is of no less importance. Some liberal Latvian parties have attempted to integrate the Russian parties in formation of governments; these attempts have failed because of the difficulties to find common ground on several important issues.



Nils Ušakovs (r.), talking to Latvian Prime Minister Valdis Dombrovskis: Ušakovs' Harmony Centre is the only relevant Russian party represented in the Latvian Saeima. | Source: Latvian state chancellery (Valsts kanceleja) (CC BY-NC-ND).

First, there is the question of state continuity and its consequences for the citizenship policy. When speaking of the Soviet invasion in 1940, most Russian politicians avoid using the term “occupation”, since the recognition of occupation on their behalf would signal support to the existence of non-citizens. Second, language rights and the status of the Russian language are still important to most Russian politicians, although the salience of this question has decreased during the last ten years. Thirdly, most politicians of the “Russian” parties have geopolitical views that considerably differ from those of most Latvian politicians. In general, friendly relations with the Russian Federation seem to be more important to most Russian parties and politicians than deep integration in Western structures, the European Union, and, especially, NATO. For this reason, Harmony Centre does not support the participation of Latvian soldiers in missions in Iraq and Afghanistan; unlike most Latvian politicians, the party did not condemn the Russian invasion in Georgia in 2008, and has a partnership agreement with Vladimir Putin’s United Russia party.

In conjunction with the growing electoral weight of Harmony Centre, these ideological differences provide plenty of grounds for Latvian right-wing radicals to denounce the Russian party as subversive and “disloyal” to the Latvian state. By creating the atmosphere of constant threat and image of Russian-speakers as the “fifth column”, they successfully exploit fears and precautions of the Latvian majority. Since in the Latvian parties the ethnopolitical agenda is “owned” by the radicals (like the Nationalist Alliance All for Latvia!/TB/LNNK), most Latvian voters are against the participation of a Russian-speaking party in the ruling coalition. If the situation will last, it will probably lead to further isolation and radicalisation on both sides, whereby the party relations may also start to influence the interethnic relations in the broader public.

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However, this relation cannot be understood without taking into account the “triadic” relationship, described by Rogers Brubaker.<sup>13</sup> The relation between the state and minority

13 | See Rogers Brubaker, *Nationalism Reframed: Nationhood and the National Question in the New Europe*, Cambridge University Press, Cambridge, 1996.

is often influenced by the impact of the kin-state of that minority, in our case, by the impact of the Russian Federation. Russia has often acted as a self-professed protector of the Russian-speaking minorities in the Baltic states, and is still willing to use them as an instrument of political influence in these states. Russia often criticises Latvia in different international foras, such as the Council of Europe. It also actively promotes its own version of 20<sup>th</sup> century history, which in many ways contradicts the historical master-narrative of the Baltic elites. The Russian governmental program of the so-called compatriots (*Sootechestvennik*) provides various forms of assistance to Russian NGOs in Latvia, promotes the use of Russian language for teaching, engages in different cultural programmes etc.<sup>14</sup> Taking into account the historically problematic nature of Latvian-Russian relations, the growing influence of the Russian soft

**Symbols and narratives of the Soviet era, manipulated by the Russian media, provide an alternative identity to those Russian-speakers, whose role in Latvian society has been defined only negatively, as non-citizens or non-Latvians.**

power on Russian-speakers in Latvia are met with precaution by most Latvians. Of course, not all aspects of Russian influence can be traced back to the deliberate actions of the Kremlin. First of all, many Russian-speakers feel themselves alienated from the Latvian state. The Russian Federation and its media provide them with a possible source of positive identification, especially when the Russian regime's self-presentation grows more assertive, pompous, and anti-Western.<sup>15</sup> It concerns the use of historical dates and symbols, mostly associated with the "glorious past" of the Soviet Union. Symbols and narratives of the Soviet era, manipulated by the Russian media, provide an alternative identity to those Russian-speakers, whose role in Latvian society has been defined only negatively, as non-citizens or non-Latvians.

The most visible expression of this process is the annual celebration of Victory Day on 9 May.<sup>16</sup> This date and the Soviet involvement in World War II in general is increasingly used by the elites of Russia in order to increase their own

14 | Nils Muižnieks, "Russia's Policy Towards 'Compatriots' in Latvia", in: Muižnieks (ed.), n. 4, 119-130.

15 | Cf. Nils Muižnieks, *Manufacturing Enemy Images? Russian Media Portrayal of Latvia*, University of Latvia Press, Rīga, 2008.

16 | See Eva-Clarita Onken, "The Baltic States and Moscow's 9 May Commemoration: Analysing Memory Politics in Europe", *Europe-Asia Studies*, 2007, 59: 1, 23-46.

legitimacy. Russian media skilfully manipulate nostalgic sentiments after the Soviet era, mixed with the willingness to restore the geopolitical grandeur of contemporary Russia. Most Russian-speakers in Latvia are sympathetic to this approach, whereby the identification with Russia and its glorious Soviet past provides a symbolic remedy to all real or imagined injustices suffered by the Russian-speakers in independent Latvia. For this reason the celebration of 9 May attracts more Russian-speaking people every year, and Russian-speaking political parties take an active part in it as well. Most Latvians, who, according to their pro-Western political orientation, celebrate the end of World War II on the previous day, 8 May, are increasingly suspicious of this gathering of vast numbers of Russian-speaking people. This especially concerns Riga, where the gathering takes place at the large Soviet-era monument not far from the city centre. This event, where red flags are waved and the Soviet “liberators” are celebrated, helps radical Latvian organisations demonise the Russian-speaking community masked Soviet revanchists, disloyal to the Latvian state. So, on both sides, political parties use the celebration in order to increase the support among their corresponding ethnic group, and to reinforce the ethnic divide.



Victory Day on 9 May: many Russian-speaking Latvians gather at the large Soviet-era memorial close to the centre of Riga to celebrate and commemorate. | Source: Pablo Andrés Rivero, flickr (CC BY-NC-ND).

The celebration of 9 May clearly demonstrates the complex nature of interethnic relations in Latvia. On the one hand, many Russian-speakers feel themselves alienated from the Latvian state. The symbolic influence of the Rus-

**Political parties, instead of bridging the gap and providing common ground for a dialogue between both ethnic communities, mainly talk to the members of their own ethnic groups, thus helping to consolidate them along ethnic lines.**

sian Federation, by emphasising the "great" Soviet legacy, provides them with an attractive alternative for self-identification. Most Latvians, who are cautious about Russia and emphatically negative about the Soviet experience, see these activities of their Russian-speaking neighbours as inherently subversive and threatening to the Latvian state and their own cultural identity. Political parties, instead of bridging the gap and providing common ground for a dialogue between both ethnic communities, mainly talk to the members of their own ethnic groups, thus helping to consolidate them along ethnic lines.

#### **OUTSIDE POLITICS: WORKPLACE AND POPULAR ATTITUDES**

Taking into account the ethnic factor in the public life and politics, one might inquire as to possible spill-overs into everyday relations between Latvians and Russian-speakers, and whether interethnic relations in Latvia overlap with the socioeconomic divisions. The process of social integration always takes place in a complex social context, and other, non-cultural factors have an impact on the relations between the ethnic majority and minorities.

When talking about the socioeconomic integration of Russian-speakers in Latvia, despite some serious difficulties, the situation can be described as relatively good. Ethnic Latvians and Russian-speakers share relatively similar educational achievements; also relatively similar levels of employment and average incomes. The main factor which negatively influences the participation and chances of Russian-speakers in the Latvian labor market is still the language. Although the knowledge of Latvian among Russian-speakers has improved significantly over the past 15 years, in some cases the lack of linguistic skills still have an effect on chances to get a well-paying job in Latvia.



According to the research of Mihails Hazans, an employment gap exists between being Latvians and Russian-speakers. The data show that the ethnic ratio of unemployment on average has been around 1.5 during the last ten years. I.e., for a non-Latvian person the probability of being unemployed is one and a half times higher than for an ethnic Latvian. The presence of this difference is a bad thing in itself. However, the level of inequality in Latvia is rather low, say, compared to Estonia, where the ethnic ratio of unemployment has fluctuated between two and 2.4. A similar situation can be observed also in earnings. Russian-speaking workers are paid lower salaries (around nine to ten per cent on average); this especially concerns women and people with poor language skills. However, both lower employment levels and wages must be treated in the context of other factors. Firstly, there is the regional distribution of the Russian-speakers in Latvia. Many of them live in Latgale, which is one of the most economically underdeveloped regions in Latvia. Secondly, there is the occupational and sectorial segregation, whereby Russian-speakers and Latvians often tend to have different occupations and work in different sectors of the economy. Ethnic Latvians tend to work more in highly skilled non-manual occupations, Russian-speakers in elementary and skilled manual occupations. Latvians tend to dominate in non-market services, agriculture, forestry, and fishing; in industry and construction, as well as in market services there is a higher proportion of Russian-speakers. However, the differences are not great enough to speak of clear economic niches in Latvian society. Nevertheless, a certain ethnic division of labour can undoubtedly be observed.<sup>17</sup>

There are also other problems with the socioeconomic integration of minorities in Latvia. There is a clear ethnic imbalance in the participation of the minorities in public administration (less than 20 per cent, less than one half of their proportion in the overall population). State Language Proficiency requirements are often perceived as needlessly restrictive for certain professions; the idea that Russian speakers can actually improve their knowledge of Latvian, when working in a Latvian-speaking work environment,

17 | Mihails Hazans, "Ethnic Minorities in the Latvian Labor Market, 1997-2009: Outcomes, Integration Drivers and Barriers", in: Muižnieks (ed.), n. 1, 125-158.

has not been accepted by the authorities. There is some evidence also attesting to ethnic discrimination in hiring employees, but the levels of discrimination do not seem to be high. About 4.7 per cent of ethnic Latvian employees admitted that at their businesses Russian-speakers have low chances of being hired. There are considerably more problems with discrimination against Roma (24.6 per cent of ethnic Latvian respondents and 29.9 per cent of non-Latvians) and Jews (correspondingly 9.9 per cent and 6.3 per cent).

Table 2

**Attitudes and values of ethnic Latvians and Russian-speakers in Latvia, yes answers/agreement in per cent**

	Latvians	Russians
Are you proud of being a resident of Latvia?	70.5	44.4
All residents of Latvia have to know the Latvian language.	93.1	73.2
Do you feel a sense of belonging to Latvia?	82.8	71.9
Do you feel a sense of belonging to Russia?	3.6	32.9
People of other ethnicities cannot belong to Latvia.	36.4	20.3
Those who wish to preserve their traditions and culture should not be allowed to become citizens of Latvia.	18.5	7.0
The existence of Latvian language, culture is endangered.	55.9	16.6
It was only thanks to help from other Soviet nations that Latvia achieved a high level of economics and culture.	21.7	58.3

Source: Zepa and Kļave, n. 9, 23-38.

When addressing the attitudes and values of ethnic Latvians and Russian-speakers in Latvia, no important differences can be observed in the attitudes to work, family, and religion. In most of these areas, Latvians and Russian-speakers seem to be pretty similar. However, there are important differences in civic values and evaluation of 20<sup>th</sup> century history. Significant proportions of Russian-speakers feel themselves less attached to Latvia, more alienated from the state and its democratic institutions, and have considerably different views on the role of ethnic Latvian identity and culture in the integration of society. On the other hand, Russian-speakers seem to be slightly more

tolerant towards immigrants and people of other ethnic groups; they are more open to the processes of globalisation and integration.

## CONCLUSION

Social integration is a multi-directional process, where multiple factors are at work. In the case of Latvia, the process of integration of the large Russian-speaking community has been determined by several specific factors. It is the large size of the Russian-speaking community; the linguistic situation after the breakdown of the Soviet Union, as well as Latvian integration in the EU and other Western structures, that demanded a constant harmonisation of local integration policies with internationally acknowledged rules and standards. At the moment, the process of integration can be described only as partly successful, at best. Although Latvia has not had massive outbreaks of violence, like Estonia had in the case of the “Bronze soldier” protests of 2007, interethnic relations are far from excellent. This especially concerns political life, where the ethnic divide still plays a prominent role and blocks democratic development in many ways. It is inappropriate to place the blame for this at the feet of Russian-speakers alone. Also the excessively ethnocentric approach of the ethnic Latvian elite has contributed to the alienation of the Russian-speaking community from the Latvian state. However, this process cannot be fully understood without taking into account the partly intended, partly unintended influence of the Russian Federation, especially through its media assets. Willingness on the part of the Russian side to present Latvia as an ethnocratic regime with dubious democratic credentials has contributed to the ethnic confrontation on the political level. The political confrontation, both on the national and international levels, has contributed negatively to the process of social integration, which in many spheres of social life, such as language proficiency and labour market, has achieved considerable success.

**The political confrontation has contributed negatively to the process of social integration, which in many spheres of social life, such as language proficiency and labour market, has achieved considerable success.**

So, what lessons are there to be learned? First, like in many post-imperial contexts, the previous experiences have a deep impact on integration processes. The attitude

of the Latvian elite has been distinctly ethnocentric. It was characterised by real or imagined fears about the preservation of Latvian language and culture, without caring much about the interests and values of minorities. The Russian-speakers, who during the Soviet era represented the imperial “normalcy” of Russian language and culture, found it difficult to adapt to the new situation of a minority in a small, democratic state. Second, in ethnopolitical decision-making, there is a great need for dialogue between the majority and minorities, which cannot be compensated by purely administrative measures. The legitimate interest in preserving the cultural and linguistic identity of the state should not be regarded as an obstacle for involvement of minorities in formulation of corresponding policies. Third, with further economic development and European integration, it would be desirable to plan in advance the integration policy as regards future immigrants, while considering how the existing integration policies will be attuned to new situations. Until now, Latvia, like many other Central Eastern European countries, has been subjected to rather low immigration flows. Hence the excessive concentration on already existing problems of Russian-speakers might prevent policy-makers from developing a sustainable integration policy that is suited to meet future challenges.

# FIGHTING FOR LAND AND IDENTITY

## THE PERPETUAL STRUGGLE OF THE INDIGENOUS PEOPLES IN SOUTHWEST MINDANAO

*Miriam Fischer / Atty Benedicto Bacani*

For decades, armed conflicts as well as deadly rivalries among clans and displacement have been a reality for the entire population of the Autonomous Region in Muslim Mindanao (ARMM)<sup>1</sup> on the southern Philippine island of Mindanao. “Enduring peace in Mindanao seen at last” or other headlines to that end could be read and heard in national as well as international media at the end of 2012, after the forging of the so-called Framework Agreement on the Bangsamoro (FAB) between the Government of the Philippines (GPH) and the Moro Islamic Liberation Front (MILF). The FAB followed the 32<sup>nd</sup> exploratory peace talks between the GPH and MILF, and raised – yet again – high hopes that the violent conflict between the Moros (referring to the Muslims in the Philippines) and the government might finally be put to an end. The FAB is understood as a road map for establishing a new autonomous region, called the Bangsamoro,<sup>2</sup> which is planned to replace the current ARMM. However, a group that has been consistently overlooked when observing the peace process are the non-Islamised and also non-Christianised indigenous peoples (IPs, or Lumad<sup>3</sup>) living inside the ARMM. During the peace talks, the IPs have not once been invited to join in at the table during the discussions.

- 1 | A detailed list of the abbreviations is at the end of the article.
- 2 | While Moro is the word usually describing Muslims in the Philippines, the term Bangsa is the Moro word for homeland. Bangsamoro, thus, means Muslim homeland.
- 3 | *Lumad* is the Bisayan word for “indigenous” or “native”. It was adopted by a group of 15 out of the more than 18 Mindanao ethnic groups in their Cotabato Congress in June 1986 in order to distinguish them from the other Mindanaons, Moro or Christians.



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**More than 40 years of bloodshed and fighting saw three “all-out-wars” and left their marks on the region and its people.**

The Moros have been fighting the Philippine government for an independent Muslim state ever since the 1960s. More than 40 years of bloodshed and fighting saw three “all-out-wars” and left their marks on the region and its people. Five decades of separatist struggle in the ARMM have torn this part of the country, taking the lives of more than 160,000 people and causing the displacement of more than one million people over the years.

Actually, both the Moros as well as the non-Islamised indigenous communities in the region could be considered “indigenous” – as they both agree, they share common roots. Yet, over time and with the spreading of Islam in the region, their religious-cultural identities separated. Today, the Muslims are generally referred to as “Moro”, and when talking about the “indigenous peoples in the ARMM” one usually refers to the non-Islamised and also non-Christianised IPs, the Lumad.<sup>4</sup> Especially for the IPs, it became significant to be recognised as distinct from their “Moro brothers”.<sup>5</sup> This desire for acknowledgement is understandable considering that the IP population is frequently neglected when speaking about the conflict in Mindanao, adding to the fact that they are the most marginalised peoples in the archipelago. Overall in the Philippines, the indigenous peoples comprise about ten to twelve million, which accounts for about ten per cent of the Philippine population. Of these, an estimated half a million lives inside the ARMM, making up about 15 per cent of the ARMM’s population.<sup>6</sup>

The non-Islamised indigenous peoples in the ARMM are indeed a minority in the true sense of the word, meaning without recognition of their rights, without access to even the most basic social and health services and without

- 4 | The term Lumad as it is used throughout the article will refer to those who do not describe themselves as Muslim (Bangsamoro) or Christian.
- 5 | Although the IPs in the island provinces of the ARMM (such as the Samah or the Tausug tribes) are mostly Islamised, they do not consider themselves Bangsamoro either.
- 6 | According to the government census of 1 May 2010, the population of the ARMM totals 3,256,140. For reference see “ARMM – Autonomous Region in Muslim Mindanao”, National Statistical Coordination Board (NSCB), <http://nscb.gov.ph/activestats/psgc/regview.asp?region=15> (accessed 16 May 2013).

inclusion in political decision-making processes. While IPs elsewhere in the Philippines can legally rely (at least in principle) on the quite effective and responsive Indigenous Peoples Rights Act (IPRA) of 1997, the law was never applied in the ARMM due to its autonomous status. During the past 16 years of IPRA's existence, the non-Islamised IPs in the ARMM have not enjoyed the rights that were actually supposed to be granted to all indigenous peoples in the Philippines. Although even in other parts of the archipelago IPs lead their lives far below the poverty lines (even with IPRA in place), in the ARMM they are left completely lawless, invisible, underrepresented and neglected.

Since no reliable and complete household census was ever made among the IPs inside the ARMM, numbers of IP population are often inaccurate and seemingly even used to further marginalise them. There are reports, government sources included, that talk of a mere 60,000 IPs in the ARMM, while more reliable numbers estimate at least 500,000 IPs in the ARMM. During a survey undertaken in the scope of the IPDEV project, the gathered data immediately proved that the number is much higher than estimated so far.

In the ARMM provinces of Maguindanao and Lanao del Sur, the IPs remain among the most vulnerable members of society as they continue to lack access to land and land titles, culture-responsive basic education and the most basic social services. In short, they suffer social, economic and political exclusion. The IPs face disadvantages that deprive them of essential means for claiming their rights, exercising self-determination, and upholding the most crucial issue: their fundamental human right to their *Ancestral Domain*.

**IPs face disadvantages that deprive them of essential means for claiming their rights, exercising self-determination, and upholding the most crucial issue: their fundamental human right to their Ancestral Domain.**

## **THE IMPORTANCE OF LAND RIGHTS AND TERRITORIAL JURISDICTION FOR INDIGENOUS PEOPLES**

The most populous indigenous tribes inside the ARMM today are the Teduray and the Lambangian tribe. In the past, many of them lived in the plains and hills of South-west Mindanao but due to population pressures, resettlement programs and conflicts with the Moros over their

respective *Ancestral Domains*, they had to move further into the mountainous hinterland. Over time, more and more of them were forced into giving up their traditional slash-and-burn methods of cultivation and shifted towards farming with plows. The rapid changes in their environment have completely altered their way of life. Their adaptation to agriculture has logically pulled them deeper into the market and cash economy, making them peasants. And those who were able to withstand the changes were forced to move even deeper into the mountains due to the spreading of logging and other economic interests.

Indigenous communities are mostly clan-sized, and in most cases dependent on swidden farms, hunting and gathering for their livelihood. Little by little individual communities ceased to be the masters in their own ancestral lands and of their own lives, which made them lose their self-determination, since territory is integral to their identity and forms the basis of their tribal self-governance. On top of this, their remote lifestyle offers little schooling and keeps

**The lack of education results in a lack of knowledge about their rights or a lack of confidence to stand up for them.**

them mostly isolated. Non-education leaves them at a huge disadvantage, placing them in a vicious cycle: non-education means illiteracy, which in turn makes people vulnerable to misguidance and deceit. At the same time, the lack of education results in a lack of knowledge about their rights or a lack of confidence to stand up for them.<sup>7</sup>

7 | Education on their rights is what is needed amongst the IPs in the ARMM. This is where the IPDEV project of Konrad-Adenauer-Stiftung in the Philippines comes in. The project, implemented together with KAS' Mindanao based partner Institute for Autonomy and Governance (IAG) and Mindanao based NGO DEVCON, is designed to gather cultural information and baseline data and, thus, facilitate the formulation of the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) as well as their inclusion in the local governments' planning instruments. The project institutes strategic campaigns that strengthen the IP's ability to exercise their collective rights in the ARMM and it capacitates the IPs with rights-based knowledge and skills aiming at increasing their active participation in local governance. And, in another component, it equips the IPs in the ARMM with knowledge and skills towards building sustainable livelihoods and on how to manage natural resources sustainably. The project, which is funded by the European Union and the German Federal Ministry for Economic Cooperation and Development (BMZ) through KAS, is designed for three years, from February 2012 until January 2015.





Teduray women at the IP Women's Summit in March 2013: Population pressures, resettlement programs and conflicts with the Moros have forced the Teduray to move further into the mountainous hinterlands. | Source: © IPDEV.



Teduray men performing a tribal ritual. Their remote lifestyle offers little schooling and keeps them mostly isolated. | Source: © IPDEV.

A cultural profiling and 100 per cent household survey conducted by the IPDEV project in early 2013 (the first of their kind) have revealed little known insights into the *Lumad's* way of life, their culture and their rituals. The survey data showed that the majority of the households (61 per cent) derived their income from farming, making it the main source of income for most. The adult members' skills were generally basic skills common to rural communities, such as carpentry or handicraft and weaving. Other sources of living are hunting wild animals, gathering rattan, wild fruits and herbal plants for medication. While another indigenous tribe in the ARMM, the Higaonon, even still practice nomadic farming. The Timuay Justice and Governance (TJG) is a system of government among the Teduray and the Lambangian tribes. The system is headed by a Timuay leader, who has the power and authority to settle cases and whose command is respected by the people. Collective decision or consensus is practiced by the leadership. With regard to schooling, about 28 per cent of Teduray households' school-aged children are not attending school and literacy levels in general are low among adults. When asked about their highest educational attainment, the majority said "elementary schooling", followed by the second most frequent response "none". Their homes are mostly (86 per cent) made of light housing materials, such as wood or bamboo. Without running water most households get their water from springs, rivers, rain sources or wells, which are not safe for drinking. For many the only access to medical assistance, are the health services provided by the *barangay*<sup>8</sup> health station, but most health stations actually lack medical services, therefore many households do not consult health personnel for the treatment of family members. More than half (58 per cent) of the multi-member families derive a monthly income that ranges from 5,625 to 8,436 Philippine pesos,<sup>9</sup> equivalent to 105 to 160

8 | Barangay is the smallest administrative division in the Philippines.

9 | As a comparison, according to the latest survey by the National Statistics Office in the Philippines conducted in 2009 a Filipino family earns a monthly average income of 17,167 pesos (about 316 euros). "A Filipino Family Earns an Average Annual Income of P206 Thousand in 2009 (Preliminary Results from the 2009 Family Income and Expenditure Survey)", National Statistics Office, Republic of the Philippines, 19 Nov 2010, <http://census.gov.ph/content/filipino-family-earns-average-annual-income-p206-thousand-2009-preliminary-results-2009> (accessed 4 Jun 2013).

euros), which naturally adds to their economic misery. With regards to land ownership, only a shockingly low 14 per cent of those engaged in farming claim to be land owners, most are merely occupants or claimants of the land they till. Another rather low number of 15 per cent of landowners covered by the project's survey say they have a Torrens Certificate, a land title certificate distributed by a government agency, while more than half (53 per cent) stated *Ancestral Domain* as proof of ownership of their landholdings. This basically means they filed as claimants but no land title has been given to them by the government yet.<sup>10</sup> Overall, the survey was able to shed light on the IPs' economic situation and their economic activities have proven to be deeply influenced by external forces, such as traders and migrant settlers, who provide them with loans at rather high interest rates.



A Teduray Timuay during the IP Women's Summit in March 2013. The Timuay Justice and Governance (TJG) is a system of government among the Teduray and the Lambangian tribes. | Source: © IPDEV.

Especially land rights of the IPs in the ARMM are in desperate need of revision and recognition as they are only too often deceived into leaving the land they occupied for the longest time. And lack of land to them means lack of secure livelihood, since for the indigenous peoples, land is life. It is their source of food and medicine, their home,

10 | Most of these results were similar among the other tribes in the ARMM *barangays* covered by the project's survey.

burial grounds, recreation and their place of worship. To systematically remove them from their land is tantamount to annihilating their identity. Their whole worldview on land is different from general approaches to land owning. Their view on land utilisation is inextricably linked with their concept of use right. The deep contrast of this view on land property and use rights as well as the national government's system of land ownership has continuously forced the indigenous tribes to give up their land concept used for generations.

The present habitat of the Lumad is only a small fraction of their *Ancestral Domain*. Their occupation of the area dates back even before the advent of Islam in the Philippines around the 13<sup>th</sup> century. The Lumad have handed down their land ownership since time immemorial, and base their occupancy account and ancestral land claims on genealogy, proving that they have lived in the area for centuries.

The Teduray people have their own form of indigenous spirituality. Sacred places such as Mount Firis, which is located in the mountains of the Daguma Range, and the Brown Stone at its lower part are considered the center of their homeland. For the Teduray and the Lambangian it is a sacred place and forms part of their *Ancestral Domain* claim, as their history is rooted there. Mount Firis holds a revered history that has been handed down over the generations through oral tradition and is a site for pilgrimage and spiritual nourishment for these non-Islamised IP tribes.

**For the Teduray and the Lambangian, Mount Firis is a sacred place and forms part of their *Ancestral Domain* claim, as their history is rooted there.**

Their domain is located in a tug-of-war between two municipalities and has been the center of conflict for years. The most recent eruption of armed conflicts occurred in early August 2012, a clash between the Bangsamoro Islamic Freedom Fighters (BIFF) and the Armed Forces of the Philippines (AFP), which spread also into the hinterlands of South Upi, regarded as an IP municipality and densely populated by Teduray, Lambangian and segments of the Dulangan Manobo tribe. "They attacked our villages. The suffering of the residents here lasted for two weeks", says Sonny Matugas, the Village Chief of Hill 224. "Our

Muslim brothers want to get this land from us. This is one of the root causes of the problem. [...] They look down on our tribe, so they do whatever they want."<sup>11</sup> The Office of the UN's High Commissioner for Refugees in the southern Philippines estimated that this violent clash alone has displaced up to 45,000 people in the area.

Cycles of violence in the Mount Firis Complex recur and members of the Teduray and other tribes were repeatedly forced to flee their homeland. A recent, independent documentary on the situation of the Teduray in the ARMM shows the children of Hill 224 almost playfully demonstrating how, in the instance of attacks, they would seek refuge in small holes dug into the soil underneath their wooden houses.<sup>12</sup> Attacks on their villages by armed groups are not rare, killings are frequent, and displacement becomes more than too often a reality for the families. Living conditions, that have not been opulent to begin with, are devastatingly lowered during displacement, and especially food supply is drastically depleted. Displacement has become a permanent threat to the population in the ARMM. As the conflict is ongoing, displacement is ongoing.

Armed conflicts have caused internal displacement in the ARMM for more than 30 years, with peaks – especially for the IPs – in 1997, 2000, 2003 and 2008. In 2008 and 2009, fighting between the government and rebels of the MILF led to the internal displacement of at least 750,000 people, until the parties declared a ceasefire in July 2009. Yet, in 2011, counter-insurgency operations, sporadic episodes of violence caused by clan feuds as well as infighting within or between rebel groups forced around 100,000 people in the ARMM to flee their homes.<sup>13</sup> Those who were able to return faced other grave problems such as limited access to

11 | Interview quoted from the documentary *Paksul*, made in 2012 by independent video journalist Ferdinandh Cabrera, shows the living situation of IPs in conflict areas in ARMM. The making of the video was logistically assisted by the IPDEV project and Cabrera himself graduated in Multimedia Journalism at the Konrad Adenauer Asian Center for Journalism at the Ateneo de Manila University, an institutional partner of KAS in the Philippines.

12 | Ibid.

13 | Internal Displacement Monitoring Centre, *Global Overview 2011. People internally displaced by conflict and violence*, SRO-Kundig, Geneva, Apr 2012, 91, <http://unhcr.org/50f95f7a9.html> (accessed 10 May 2013).

agricultural assets, education, health care services and to water and sanitation facilities. Having lost their household and productive assets and accumulated significant debts as a result of their displacement, most of them could not afford to replace lost livestock and tools or to buy essential agricultural items.<sup>14</sup> In many cases, IPs who were forced to flee their area later returned to their homes only to find that in the meantime, their land was either titled to somebody else, turned into large-scale plantations or subdivided into municipalities – without any consultations with the IPs.



Indigenous women at a Teduray wedding: Spiritual and cultural traditions dramatically erode. | Quelle: © IPDEV.

But it is not only conflict that endangers the IPs in the ARMM. Especially private sector corporations take advantage of the confused land situation. Human rights violations by multinational corporations are not infrequent. Sometimes these, even together with the government, have a long record of repeatedly ignoring indigenous peoples' rights, especially with regards to mining, logging and large-scale plantation projects. The pull of foreign investment and the temptation of monetary gain have only too often resulted in widespread violation of indigenous peoples' lives and theft of their lands.

As a consequence, IP communities are eroded, or even broken apart because their territories have been developed, polluted, or permanently closed-off to them. After they

14 | Ibid.

were forced once before to move deeper into the mountainous areas and leave their initial *Ancestral Domains* in the plains and hills of the ARMM, even their new areas now become increasingly devastated and the survival of their cultures are dramatically threatened. Excluding the private sector from human rights obligations is a weakness of contemporary human rights and IP rights law that should be remedied, admittedly not only in the Philippines. Once IP communities lose control over their territories, or when their lands are compromised by outsiders, their health, livelihoods, and spiritual and cultural traditions dramatically deteriorate. The IPRA law, that was supposed to preclude exactly these developments, was not considered valid in the ARMM and was never adopted by the autonomous authorities under Muslim influence.

Even though the Philippine government has provided assistance to those displaced, especially during the 2008 to 2009 conflict, most of it was short-term emergency relief. Despite the fact that international organisations such as UNCHR, UNDP and the International Organisation for Migration have also provided much needed assistance to internally displaced persons, many have never received any kind of relief or support. There are reported cases, where whole communities had to flee their homes due to conflict and during the entire period of their displacement and despite the alerting of national and international agencies in the ARMM no assistance or relief has ever been received by them.

**Despite the fact that international organisations have provided much needed assistance to internally displaced persons, many have never received any kind of relief or support.**

It is mostly UN organisations such as UN Women, UNICEF and UNDP and recently also the EU that have begun to introduce IP-specific projects or programmes in the ARMM, but most international development agencies and organisations have been either mainly focussing on indigenous peoples elsewhere in the country, or on general infrastructural, environmental or educational issues in the ARMM – without specifically taking the IPs into account or focusing on them.

Since the situation is very complex, humanitarian relief through provision of food, medicines and shelter is highly important and desperately needed, but the issue cannot

be addressed in a merely temporary manner. The conflict can only be fully understood if analysed in relation to a development that is deep-rooted in history.

### RESETTLEMENT PROGRAMS AND THEIR SHATTERING IMPACT

Not all inhabitants of the Philippine archipelago were subjugated to the Spanish crown during the Spanish colonial regime (1565 to 1898). Stated bluntly, communities at the time could roughly be divided into two broad groupings: those who were colonised, and those who were not, namely the Muslims of Mindanao and Sulu; the Igorot of the Cordillera (northern Philippines) and the tribal peoples. They all have successfully maintained their independent and self-governing status during the three centuries of Spanish rule in the archipelago.

**The Moros enjoyed the advantage of having been part of sultanates, which were de facto states exercising jurisdiction, that managed to resist Spanish colonisation.**

There is no doubt that the indigenous peoples of Mindanao have been living continuously without interruptions in their places of habitation until the end of the 19<sup>th</sup> century.

The Moros enjoyed the advantage of having been part of sultanates, which were de facto states exercising jurisdiction, that managed to resist Spanish colonisation. The Muslim principalities were considered the most developed communities in the entire archipelago, as they had reached the level of centrally organised life by as early as the 15<sup>th</sup> century.<sup>15</sup>

When the USA imposed their colonial power on the Philippines at the turn to the 20<sup>th</sup> century, they neither acknowledged the legitimate existence of the Republic of the Philippines nor the Maguindanao and Sulu sultanates which were states in their own right. It was not until the American colonial regime that land registration acts emerged, some of which are still enshrined in the Philippine Constitution of 1987. The state declared itself the sole owner of what is called state domain and reserves the right to classify it for

15 | Rudy B. Rodil, *The Minoritization of the Indigenous Communities of Mindanao and the Sulu Archipelago*, Alternative Forum for Research in Mindanao, Davao City, 1993, 35 et sqq., <http://de.scribd.com/doc/121775772/Rodil-1994-Minoritization-of-Indigenous-Communities-MindanaoSulu-pdf> (accessed 11 Jun 2013).



purposes of proper disposition to its citizens and to dispose of state domain or public lands. In 1903, the Philippine Commission enacted a law, which dispossessed indigenous leaders (*Datus* or chiefs) of their authority to dispose of lands within their respective jurisdictions. Hence, it became illegal for any indigenous leader to dispose of lands to any member of his community, regardless of the fact that this had been their practice since time immemorial.<sup>16</sup>

For years, any kind of upcoming laws and regulations left no room for the indigenous concept of private communal property and legislation did not recognise customary property rights. The laws passed contained discriminatory provisions such as the declaration of forest land and bodies of water (all of which are sources of daily food and other needs for the indigenous communities) as no longer indigenous territories. Instead, they have become state owned and could only be made use of with the consent of the government. The Torrens system was further reinforced by the provisions of the public land laws which were patently discriminatory against the indigenous communities.<sup>17</sup>

**The Torrens system was further reinforced by the provisions of the public land laws which were patently discriminatory against the indigenous communities.**

Resettlement programs were initiated by the American colonial government as early as 1912, and were intensified during the Commonwealth period (1935 to 1946) until the post-World War years. This paved the way for an influx of Christian Filipinos from densely populated regions to migrate to the south. Settlers were given land as part of this internal migration process and resources in the south were systematically exploited. In addition to these formal programs, a considerable spontaneous influx of migrants from the Northern part of the Philippine Archipelago, who came on their own initiatives, could be seen. It is estimated that more people came this way than through organised channels.<sup>18</sup>

The resettlements programs in Mindanao were carved out in the heart of ancestral territories of the Moros as well as of the IPs. Moros and IPs alike saw their lands being

16 | *Ibid.*, 29 et sqq.

17 | *Ibid.*

18 | *Ibid.*, 39.

occupied by streams of settlers from other parts of the country. Both have experienced cycles of land grabbing and displacement and lost control over their land, although the Moros were still slightly better off than the Lumad in the sense that they were able to retain more territory by comparison. The resettlement process and the subsequent influx of Christians has turned the Moros into a minority in their own territory and caused them severe land loss of what they claimed as *Ancestral Domain*. But especially the indigenous communities found themselves squatters in their own lands and, in turn, the Moros occupied vast areas of their indigenous *Ancestral Domains*. The majority of the IPs, who were once the masters of their own lives, were now dispossessed, poor and landless. They have become a numerical minority in their ancient territory.

Imbalances in the population led to imbalances in the distribution of political power as well as of cultivable lands and other natural and economic resources. The following numbers show the increase in population in Mindanao, Sulu and Palawan: in 1903, censuses quantified the total number of inhabitants at 706,539 of which 39.3 per cent were Muslim, 22.1 per cent were Lumad and 38.69 per cent were "other", including Christians. The 1970 figures indicated that the region by then already had 6.8 million inhabitants, of which the Muslims accounted for a much lower 23.8 per cent, the Lumad totaled at a devastatingly low 6.4 per cent, while 69.7 per cent were "other", including Christians.<sup>19</sup> Even though we know that

**The huge increase in population cannot be solely explained by natural growth. Instead, it sheds light on the speed of the migration process, which deeply affected the balance of population.**

censuses then did not cover the total of the Lumad these figures nevertheless reflect a huge increase in population which cannot be solely explained by natural growth. Instead, this development sheds light on the speed of the migration process, which deeply affected the balance of population. This demonstrates how such programs deeply disarranged the Lumad and Moro *Ancestral Domains* and how the settlers' acquisition of these ancestral lands eventually caused the loss of their livelihood, native ways of life, customary laws and institutions.

19 | Ibid., 104.

It seems indeed an ironic twist of history that it is the unconquered and uncolonised that were later to become the cultural minorities of the twentieth century, who in turn marginalise and discriminate other indigenous minorities around them. In this hostile environment the violence grew, especially between the Moros and the Christian immigrants and by 1972 a full-scale civil war began. The Moros have been fighting for their own homeland, a state as their Bangsamoro, ever since. And the IPs have been caught in between the two fronts.

### **THE ROOTS OF ARMED CONFLICTS IN THE 1960S AND 1970S**

By the 1960s, the marginalisation and “minoritisation” of the Moros and the IPs in Mindanao was pronounced and apparent. The immigrating Christian settlers from other parts of the archipelago began to dominate social, political and economic life. By this time, social tensions and animosity between Christians and Muslims were peaking. Private armed groups were organised to protect and advance the settlers’ interests.

One incident particularly aggravated the brewing in Mindanao in the 1960s – the Jabidah massacre on 17 March 1968. 28 Muslim recruits who were trained clandestinely for a planned invasion of Sabah (on the island of Borneo, today Malaysia) were killed by Christian military commanders. The killing was prompted by resistance of the Muslim recruits to engage fellow Muslims in Sabah to armed encounters. The government then disavowed any invasion plan and claimed that the Muslim recruits mutinied because of inadequate pay. The Jabidah massacre rallied the Moros to rise against the Philippine government and soon the Moro revolutionary front, particularly the Moro National Liberation Front (MNLF), emerged. The core leadership of the MNLF was part of the youth arm which underwent military training in Malaysia.

**The Jabidah massacre rallied the Moros to rise against the Philippine government and soon the Moro revolutionary front emerged.**

After the declaration of Martial Law by the dictatorial President Ferdinand Marcos in 1972 (until 1981), the armed conflict between the Philippine military and the MNLF through its military arm (Bangsa Moro Army, BMA)

**The MNLF, in waging war against the Philippine government, called for the establishment of an independent Bangsa Moro state in the southern Philippines.**

peaked and claimed the lives of approximately 120,000 people, while one million people lost their homes. This development deepened the divides between Christians, Muslims and indigenous groups. Philippine constabulary and military troops were aligned with Christian armed groups against the MNLF, creating a situation where civilians were dragged into the armed conflict and even further exacerbating the fragile relations between Christians, Muslims and the indigenous peoples. The MNLF, in waging war against the Philippine government, called for the establishment of an independent Bangsa Moro state in the southern Philippines, which highlighted the distinct identity, history and social and political life of the Moro people apart from the Christian majority Filipinos and the non-Islamised indigenous peoples. Unlike the Moro people, who had a political elite and an organised army in the MNLF, the non-Islamised indigenous peoples were consequently left even further marginalised and disempowered amidst the power play and war.

#### **ATTEMPTS TO SUSTAIN THE PEACE PROCESS IN THE 1970S**

In 1976, the Tripoli Agreement between the government and the MNLF granted autonomy to 13 provinces and nine cities in southwest Mindanao, which according to the MNLF has been historically part of the political territory of the Moro Sultanates. However, the indigenous peoples were not properly consulted during the process. The issue of dispossession of ancestral lands was not addressed, which means the Agreement did not recognise that land issues were (and still are) at the very heart of the conflict in the area. In the end, the peace process collapsed at the time, since the MNLF strongly protested the unilateral implementation of the Tripoli Agreement by the government.

Only after the end of the devastating dictatorship of Ferdinand Marcos in the seventies with the People Power Revolution in 1986, the newly elected government reopened negotiations with the MNLF. But the new President Corazón Aquino could not afford to embark on bold and risky initiatives for the Mindanao peace process. Instead, she remanded the Moro question to a Constitutional

Commission she appointed to draft a new constitution. In 1987, the new constitution, including a provision for the creation of the so-called Autonomous Regions in Muslim Mindanao and the Cordilleras in the northern main island of Luzon, was overwhelmingly ratified by the Filipino people. For the first time, autonomy for the Moro minority has been enshrined in the country's basic law.

Interestingly, section 20 of Article X of the Constitution vests all powers over *Ancestral Domain* and natural resources in the legislature of the ARMM. For the very first time ever, there was an official recognition that the long-ongoing disputes over land and natural resources were one of the main causes of the long-standing armed rebellion. Also for the first time, the Autonomous Region theoretically had the power to craft a system where *Ancestral Domain* claims by all indigenous peoples could be resolved. Doing so, however, has never been on top of the ARMM's priority list.

Little by little, the Moros became more and more split in their views and became increasingly disunited amongst themselves. The MNLF became a deeply divided organisation, and especially Chairman Nur Misuari, who consistently maintained the position that the government has not fully complied with its obligations, polarised its members. A splinter group of the MNLF is the Moro Islamic Liberation Front (MILF) that demanded the establishment of an independent Islamic state in the southern Philippines, consistently rejecting the idea of mere autonomy in the ARMM to resolve the grievances of the Moro people. But also during the peace negotiations, that have been going on since 1997, the non-Islamised IPs have not been consulted, and their views and opinions were not considered a necessary inclusive part of decision-making.

**During the peace negotiations the non-Islamised IPs have not been consulted, and their views and opinions were not considered a necessary inclusive part of decision-making.**

In August 2008, the negotiating panels of the national government and the MILF have initialled the Memorandum of Agreement on Ancestral Domain (MOA-AD), which recognised it as a birthright of all Moros (and all indigenous peoples) of Mindanao to identify themselves and to be accepted as Bangsamoros. The MOA-AD affirms that the *Ancestral Domain* of the Bangsamoro does not form part of

the public domain but encompasses ancestral, communal, and customary lands, maritime, fluvial and alluvial domains as well as all natural resources therein that have inured or vested ancestral rights on the basis of native titles. The fact that the non-Islamised IPs do not consider themselves Bangsamoro, yet again, was completely ignored by those at the negotiating tables.

But the MOA-AD was never implemented as its signing was stopped by the Philippine Supreme Court which ruled that the process and terms of the MOA-AD violated the Constitution and that the process by which the MOA-AD was crafted did not undergo public consultations as required by the Constitution. With respect to the powers and rights of the Bangsamoro over their *Ancestral Domain*, the Court declared that a mere agreement cannot vest this since a national law, the Indigenous People's Rights Act (IPRA), provides for the procedure of delineating *Ancestral Domain* claims by the indigenous peoples in the country. Clearly, the Court did not appreciate that the *Ancestral Domain* claims of the Bangsamoro is a historical and political claim which is distinct from the *Ancestral Domain* claims of other indigenous groups.

**It seems almost ironic, how long and hard the Moros have been fighting for the acknowledgement of the inherent rights of the Bangsamoro to their ancestral lands, while they have continuously neglected the IPs' rights to theirs.**

Lumad leaders are quite right to stress that the Bangsamoro are not the only group in Mindanao with claims to self-determination. It seems almost ironic, how long and hard the Moros have been fighting for the acknowledgement of the inherent rights of

the Bangsamoro to their ancestral lands, while they have continuously neglected the IPs' rights to theirs. The IPs' situation is a blind spot in the socio-legal sense where the protection and promotion of rights of non-Islamised indigenous peoples in the ARMM are concerned. Despite existing legal frameworks they are left at a disadvantage and unequal before the law, even a law specifically designed for their rights' protection: the Indigenous Peoples Rights Act (IPRA) of 1997.

## THE IPRA – A GENERAL GUARANTY OF RIGHTS FOR ALL INDIGENOUS PEOPLES?

The passing of the IPRA on 29 October 1997 raised hopes among the IPs all over the Philippines. In the agreement, the concept of *Ancestral Domain* rights was recognised as the fundamental right of indigenous peoples in the Philippines. Native Title ceased to be regarded as legal fiction and became the operational term to claim traditional homelands by the country's 110 ethnic groups.<sup>20</sup> The law aimed to prevent the long-ongoing discrimination of the IPs in the ARMM from continuing.

The National Commission for Indigenous Peoples (NCIP) was created with the task to protect and promote the interest and well-being of the IPs regarding their beliefs, customs, traditions and institutions. Yet, NCIP is far from achieving this goal as IPRA's implementation remains flawed. Social discrimination, economic marginalisation and political disempowerment remain major challenges for the IPs as they continue to be the most disadvantaged peoples representing the poorest of the poor and the most vulnerable sector.

Already by 2005, *Ancestral Domain* claims had been submitted to the National Commission for Indigenous Peoples, the largest of which involves a unified claim of three IP groups (Teduray, Lambangian, Dulangan Manobo) accounting for more than 206,000 hectares of *Ancestral Domain* lands inside the ARMM. However for the longest time IPRA was said to be not applicable in the ARMM. The IPRA law itself provides the possibility that the ARMM shall draft its own act governing the rights of the IPs within the ARMM. While an equivalent, namely the Tribal Peoples Rights Act, was introduced in 2008, it remained only a policy declaration lacking Implementing Rules and Regulations (IRR) to become operational. With this, the ARMM law does not contain provision for the delineation and titling of *Ancestral Domain*.

20 | Elenea Joaquin Damaso, "Honoring Mamalo: Turning A Paradox Into A Paradigm Shift – Recognition of Non-Islamised Indigenous Peoples' Rights in the ARMM", in: *Upholding the Indigenous Peoples' Rights to Self-Determination*, Institute for Autonomy and Governance, Autonomy & Peace Review, Cotabato City, 2011, 11.

On top of this, the very institution assigned with the protection of IP rights has not set up an office in the ARMM until today. Instead, an intermediate organisation was formed (the Office of the Southern Cultural Communities) and put in charge for delineation activities of IP *Ancestral Domain* lands. However, the belief that IPRA and the scope of NCIP did not apply in ARMM as well as unclear division of responsibility between NCIP, OSCC and the ARMM government have left the *Ancestral Domain* claims of the IPs in the ARMM untouched, unprocessed and ignored for years.

This is also partly due to the enormously bureaucratic and complicated procedure of land titling with overlapping systems and responsibilities of the different institutions involved. The IPs' *Ancestral Domain* has been subjected to numerous and differing land tenure systems over the years. The situation is often clouded by the fact that the IPs lack legal documents to prove their land ownership, that original land markings have been lost over time, or simply because illiteracy debars them from complying with the bureaucratic requirements, leaving them highly vulnerable to land theft.

**The majority of *barangays* are governed by Moros. Out of all 116 ARMM municipalities, the number of municipal mayors that are IPs can be counted on one hand.**

The disadvantageous situation of the Lumad becomes even more visible when looking at their representation in local and regional government units. Within the IPDEV project area, which comprises *barangays* with high IP population, only 36 per cent of the *barangay* captains actually are themselves IPs. The majority of *barangays* are governed by Moros. Their underrepresentation becomes even more obvious when it comes to the next higher government level in the ARMM: out of all 116 ARMM municipalities, the number of municipal mayors that are IPs can be counted on one hand.

#### **RECENT BREAKTHROUGHS IN THE STRUGGLE FOR IP RIGHTS IN THE ARMM**

In 2012, for the first time in more than 20 years of the ARMM's existence, an Assemblyman representing the indigenous peoples of the ARMM has become a member of the 27-member Regional Legislative Assembly (RLA). Assemblyman Mokudef is the first ever IP representative



to any kind of regional decision-making body. Also in 2012, the ARMM Regional Governor appointed an IP as one of three deputy governors. The position of Deputy Governor for Indigenous Peoples, financed by the ARMM government, was created and filled with an IP, but lack of sufficient funding for staff and actions leave his scope of powers limited.

On 25 October 2012, another milestone: the Implementing Rules and Regulations of the Tribal Peoples Rights Act were finally drafted and ready to be signed. This was made possible through the continuous efforts of the IPDEV project team together with indigenous peoples' organisations,<sup>21</sup> who advocate and support the Lumad's struggle in building their peaceful and developed communities based on their economic, political and cultural belief and principles and who contribute to the strengthening of a harmonious relationship among the tribes, peoples and sectors. They formed an IP Technical Working Group that successfully pushed the Office of Southern Cultural Communities to draft, finalise and publish the Implementing Rules and Regulations in November 2012.

In January 2013, the RLA of the ARMM and Regional Governor Hataman declared that the Solicitor General's Office found no legal impediments in the implementation of the IPRA in the ARMM and that no policy conflict keeps the National Commission for Indigenous Peoples from implementing the IPRA in the ARMM after all. Because of such erroneous readings of the IPRA and other legal acts, the IPs in the ARMM have been deprived of the rights to assert their collective ownership over their *Ancestral Domain* for decades. NCIP is now said to be in the midst of planning the set-up of an office in Maguindanao, which in turn would pave the way for delineation activities and the processing of *Ancestral Domain* claims. When exactly this will happen cannot be said at this point. But for the sake of the protection of the IPs traditional way of life, one can only hope it will be sooner rather than later.

21 | Such as the Timuay Justice and Governance (TJG), the Lumad Development Center Inc (LDCI), the Teduray, Lambangian and Dulangan Manobo Ancestral Domain Claimants (TLAD-MADC), the Organization of Teduray-Lambangian Conference (OTLAC), the Teduray Lambangian Women's Organization Inc (TLWOI) among others.

The continuing peace negotiations between the GPH and the MILF led to the signing of the Framework Agreement on the Bangsamoro (FAB) on 15 October 2012. The FAB is another transition in the quest for meaningful autonomy and democracy for the Moro people. It is a product of the long and protracted peace talks between the government and the MILF and builds on the successes and lessons learned from the failures of past agreements and negotiations as well as from the experiences of the ARMM. It envisions the creation of a new autonomous political entity, the Bangsamoro, as the structure for the self-governance of the Moro people. The FAB envisages a democratic system for the new entity where basic rights for all inhabitants of the Bangsamoro are guaranteed – the right to life, freedom and religion, privacy, freedom of speech, to express political opinion and democratically political aspiration, the right to seek constitutional change, rights of women to political participation, right to domicile, equal opportunity and non-discrimination, right to establish cultural and religious associations, religious freedom, ethnic and sectarian harassment and due process of law.<sup>22</sup>

**The FAB vows to respect the indigenous peoples' rights and seeks to take the customary rights and traditions of the indigenous peoples into consideration in the formulation of the Bangsamoro's justice system.**

With regard to IP rights in the new political entity, the FAB specifically mentions the IPs in three sections, which – in itself – is a breakthrough for the indigenous communities in the ARMM. The FAB vows to respect

the indigenous peoples' rights and seeks to take the customary rights and traditions of the indigenous peoples into consideration in the formulation of the Bangsamoro's justice system, including the recognition of indigenous processes as alternative modes of dispute resolution.

Yet, despite the very loud and celebratory announcement of the signing of the FAB last year, the solutions to three of the most crucial questions (power sharing, wealth sharing and transitional arrangements/modalities) have been delayed and held off by declaring that these will be threshed out in the annexes to the FAB. To date – eight months after the signing of the FAB – these have still neither been published nor signed.

22 | See "Framework Agreement on the Bangsamoro. 15<sup>th</sup> October 2012", <http://opapp.gov.ph/sites/default/files/Framework%20Agreement%20on%20the%20Bangsamoro.pdf> (accessed 10 May 2013).

Democratically questionable and upsetting for the IPs is the fact that the FAB states that the members of the Transition Commission (TC), the body in charge for drafting the Bangsamoro Basic Law, shall be composed of 15 members, all of whom are supposed to be Bangsamoro, meaning Muslim. The blunt exclusiveness of this precondition becomes clear once one considers that neither the Christian minorities nor the non-Islamised IPs in the mainly Muslim ARMM consider themselves Bangsamoro. Basically, the pre-condition that the Moros gave to members of the minorities in the ARMM was either to declare themselves as Bangsamoro or to be left out of this decisive process. When Froilyn Mendoza, a Teduray woman who has been very actively working towards the recognition of the IPs' rights in the ARMM for years, was proposed as a member of the TC by the Philippine government, numerous consultations were conducted amongst the IPs. After all, to them the crucial question was whether they should "deceive" their own identity as Lumad, in order to be able to see a non-Islamised IP as a member of the TC and with this to finally make their voices heard. They decided to compromise in order to finally be included in the drafting of the new political entity, thus proving their political farsightedness. With this, for the first time ever, a non-Islamised IP is part of a decision-preparing body. With IP representation in the TC, they hope for positive influences on the inclusion of IP rights in the future Bangsamoro.

**The pre-condition that the Moros gave to members of the minorities in the ARMM was either to declare themselves as Bangsamoro or to be left out of this decisive process.**

Even though no IPs were involved in the drafting of the FAB, for the first time ever, *Ancestral Domain*, self-governance, justice and human rights, and cultural identity and how these will be incorporated into the Bangsamoro Basic Law were points raised during the recently-conducted Regional Consultative Assembly for IPs on the FAB on 12 January 2013. The fact that they were invited to directly participate in such a consultation, was a new development they appreciated and that should become a role model during any future decision-preparing processes.

For the peace process to sustainably work, both parties must ensure its inclusiveness. Especially since the roots for conflict in the ARMM are so old and complex, it is of paramount importance that the Philippine Government and

the MILF avoid coming up with a simple quick fix to the questions in the three annexes. It is important to directly address the remaining differences, especially the land title problems or redistribution, because as long as these core issues are not tackled, the peace process remains fragile.

So far, there is no peace in the ARMM. Lasting peace in Mindanao can only truly be achieved if President Benigno Aquino advocates the Bangsamoro and the Basic Law also in Manila, most importantly in the Philippine Congress. Leaving the entire process up to the members of the Transition Commission and the MILF will not be enough to reduce the deeply-entrenched anti-Bangsamoro prejudices at the very core of the Philippine state. All parties involved must realise that if this process succeeds, it would not only mean enduring peace in Mindanao but it could also have a tremendously positive impact on structural reforms in the Philippines as a whole. After all, an efficiently functioning Bangsamoro could become a regional success story and thus an impulse for further decentralisation of the Philippine state and development of much stronger and more powerful regions.



The IP Regional Consultative Assembly in January 2013 for the first time addressed *Ancestral Domain*, self-governance, justice and human rights, and cultural identity. | Source: © iWATCH.

It is, however, absolutely crucial to ensure that the non-Islamised IPs will not become even more discriminated, without rights and neglected within the new Muslim political entity, but that the Bangsamoro instead proves to apply

the policy of inclusiveness and equal rights for all. Reforms that ensure IP representation at local and regional level as well as actions towards protecting the IP's livelihood security must become priorities for the future Bangsamoro, in order for it to truly become what the FAB envisages: a citizen-focused society where communities displaced by conflict are to be returned to conditions where they can achieve their desired quality of life, to include the pursuit of sustainable livelihoods and political participation within a peaceful and deliberative society.

### Acronyms

ARMM	Autonomous Region in Muslim Mindanao
BMA	Bangsa Moro Army
FAB	Framework Agreement on the Bangsamoro
GPH	Government of the Philippines
IP	non-Christianised, non-Islamised indigenous peoples
IPRA	Indigenous Peoples' Rights Act
IRR	Implementing Rules and Regulations
MILF	Moro Islamic Liberation Front
MNLF	Moro National Liberation Front
MOA-AD	Memorandum of Agreement on Ancestral Domain
NCIP	National Commission for Indigenous Peoples
OSCC	Office of the Southern Cultural Communities
RLA	Regional Legislative Assembly
TC	Transition Commission
TJG	Timuay Justice and Governance



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## POLITICAL AWAKENING IN MALAYSIA

**DESPITE VICTORY, GOVERNMENT COALITION EMERGES  
WEAKENED FROM THE PARLIAMENTARY ELECTIONS**

*Jan Senkyr*

The parliamentary elections on 5 May 2013 did not fulfil the hopes of the opposition and their supporters for a change of government and new politics in Malaysia. The vehement commitment of civil society, the high turnout and country-wide gains for the opposition all provide clear evidence of the political awakening of the Malaysian people. The National Front has governed without interruption since Malaysia gained independence. For the first time, the National Front feared being voted out and was only narrowly able to ensure electoral victory with considerable losses. The increase of votes for the opposition is an indication that in the future two strong political blocks will compete for power in Malaysia. Malaysia's multi-ethnic and multi-religious population is divided into those who support the status quo and those who want change. The government faces the challenge of reconciling society and finding a national consensus for Malaysia's future development.

### **BACKGROUND**

This year's parliamentary elections were highly anticipated. Developments in recent years had led to the conclusion that possibly, for the first time in Malaysia's history, a change of government and historical turning point was in store. Since independence in 1957, Malaysia has been governed by a party coalition led by the United Malays National Organisation (UMNO), which has been known as Barisan Nasional (National Front, BN) since 1974.<sup>1</sup> With

1 | Until that time, the coalition was known as the "Alliance".

the exception of 1969, the Barisan Nasional always won a two-thirds legislative majority in parliament which gave them the authority to make changes to the constitution. During the early parliamentary election in 2008, the BN experienced an unexpectedly large loss of votes and, besides losing the two-thirds legislative majority in parliament, also lost the government majority in five of the thirteen states. Observers spoke of a “political tsunami”. Election analyses showed that the votes of Chinese and Indian ethnic minorities in particular, who felt disadvantaged by the government’s pro-Malay politics, had crossed over to the opposition. However, the disunity and increasing dissatisfaction of ethnic Malays, who form the largest ethnic group as UMNO’s voter base, contributed to the poor results for the government coalition. As a consequence of the election slump, the prime minister and BN chairman, Abdullah Badawi,<sup>2</sup> was forced to step down and pass his position to his deputy, Najib Razak.<sup>3</sup>

Since his appointment in April 2009, Najib, the son of a former prime minister<sup>4</sup> and prominent UMNO politician, has made efforts to profile himself as a reformer

and national peacemaker, in order to win back the lost votes. The concept “1Malaysia”, introduced in 2010, is supposed to increase national unity and ethnic harmony in society as well as an efficient government leadership

**The concept “1Malaysia”, introduced in 2010, is supposed to increase national unity and ethnic harmony in society as well as an efficient government leadership of state structures.**

of state structures. Improvements in the six “National Key Result Areas” in particular are to be made: preventing crime, fighting corruption, improving access to education, increasing living standards for people with low income, improving infrastructure in rural areas and enhancing public transport.

With regards to the economy, the government would continue to accelerate the Economic Transformation Programme (ETP), announced in September 2010, with its long-term objective to attain the status of high income

2 | Full name: Dato’ Seri Abdullah bin Haji Ahmad Badawi.

3 | Full name: Dato’ Sri Haji Mohammad Najib bin Tun Haji Abdul Razak.

4 | Tun Abdul Razak, 1970-1976 Malaysia’s second prime minister.

nation<sup>5</sup> by 2020. The changes in legislation were viewed positively, which aimed to achieve improvements in important areas such as internal security (Security Offences Bill, Peaceful Assembly Act), freedom of speech and the press (Printing Presses and Publications Bill), education (Private Higher Educational Institutions Bill, Universities and University Colleges Bill, Educational Institutions Bill) as well as voting rights (Elections Offences Bill).<sup>6</sup> The controversial and highly criticised Internal Security Act (ISA) was rescinded in March 2012. The ISA originated from the 1950s and followed legislation by the former British colonial administration. Originally conceived to prevent communist uprisings and to remove them from circulation without legal delays, the legislation was later used against opposition and government critics in particular. The ISA was replaced by the anti-terror legislation Security Offences Bill and regulations regarding the right to assembly Peaceful Assembly Act.

**On a personal basis, Najib is well-liked: his approval rating in the population reached 72 per cent in May 2010, but sank again and has been between 63 to 65 per cent ever since.** Despite his comprehensive programme of reforms, Najib was unable to substantially improve the popularity of the UMNO party and government coalition BN. On a personal

basis, Najib is well-liked: his approval rating in the population reached 72 per cent in May 2010, but sank again and has been between 63 to 65 per cent<sup>7</sup> ever since. However, the support for his government coalition rarely surpassed the 48 per cent mark during this time. Parts of the population view a large proportion of the reform plans as insufficient or as a complex advertising campaign. Critics accuse the government of incompetence, corruption, nepotism and ethnic discrimination.<sup>8</sup>

5 | This objective was announced as part of Prime Minister Tun Mahathir bin Mohamad's long-term programme at the beginning of the 1990s, and supported through the state's major programme "Vision 2020".

6 | The change to election law was retracted by the government in May 2012.

7 | Survey by the Merdeka Center for Opinion Research (MCOR), 15-28 Dec 2012, [http://merdeka.org/pages/04\\_inNews01.html](http://merdeka.org/pages/04_inNews01.html) (accessed 19 Jun 2013).

8 | See Rob O'Brien, "Malaysian elections: 'There's big corruption, a lot of state abuse'", *The Independent*, 3 May 2013, <http://independent.co.uk/news/world/asia/-8603381.html> (accessed 18 Jun 2013).



## EXPECTATION FOR NEW ELECTIONS

Faced with the population's initial relatively positive view of Najib's reform politics, political observers assumed that the prime minister might call snap elections<sup>9</sup> at the end of 2012, in order to, on the one hand, obtain a mandate from the people for his reforms, and, on the other hand, to firm up his position of power towards conservative opponents within the UMNO party and the BN. First estimates assumed that new elections would take place at the same time as the state elections in Sarawak in April 2011. After this, new rumours kept circulating of coming election dates, so that in the last two years, Malaysian politics was constantly in expectation of new elections and therefore de facto in a constant election mode. This led to stagnation in many areas of political and economic life.

For several years now, a primary concern of the opposition and large parts of civil society has been the call for reform of the Malaysian election system. A coalition of non-governmental organisations with the name Bersih<sup>10</sup>

**A coalition of NGOs with the name Bersih have organised several large demonstrations since 2007 to add pressure to their demand of reforming the Malaysian election system.**

have organised several large demonstrations since 2007 to add pressure to this demand. Tens of thousands of people took part in the demonstrations in July 2011 and April 2013. Both demonstrations were broken up violently by the police. Bersih poses eight demands to the Malaysian election commission: Cleaning the voting register of "phantom voters", reforming the postal vote, using indelible ink to mark voter's fingers, extending the election campaign to at least 21 days, free and fair media access for all parties including the opposition, the independence and impartiality of the election commission, the prevention of corruption and vote-buying, as well as the prevention of smear campaigns. In October 2011, on Prime Minister Najib's order, a special committee for the reform of the Malaysian parliament was formed. After six months, the committee produced a report with corresponding recommendations and submitted it to the election commission.

9 | The majority voting system in Malaysia grants the prime minister the authority to dissolve parliament thus forcing new elections, at any time during their five-year legislation period.

10 | Bersih is the Malay word for "clean".

When Prime Minister Najib announced the dissolution of parliament on the 3 April 2013, thereby paving the way for new elections, the step had long lost its surprise effect. As the normal legislation period would have ended on 28 April 2013, the elections would have had to take place 60 days later anyway. However, 3 April had a personal significance for Najib: He had been sworn in as prime minister four years earlier on that very same date.

## ELECTION SYSTEM

The Malaysian constitution sets a majority representation system corresponding to the Westminster parliamentary model. The national parliament (Dewan Rakyat)<sup>11</sup> is elected

**Within 60 days of the dissolution of parliament, new elections must be held, and the date is set by an independent election commission consisting of seven members.**

for a five year legislation period, but can be prematurely dissolved by the king<sup>12</sup> upon the prime minister's recommendation. Within 60 days of the dissolution of parliament, new elections must be held, and the date is set by an independent election commission consisting of seven members. Besides the national parliament, the parliaments for the thirteen federal states are elected for a five-year term. The dissolution of the state parliament is made upon the recommendation by the minister president through the head of state.<sup>13</sup> Here too, new elections must be held within 60 days of the dissolution of parliaments. Since 2004, it was stipulated that the votes for the national parliaments and state parliaments must take place simultaneously, with the exception of Sarawak.<sup>14</sup>

On 10 April 2013, the election commission announced 5 May 2013 as the official election date. Simultaneously it designated 20 April as the nomination day for candidates. The official election campaign period, which lasted

11 | Besides the parliament there is also the senate (Dewan Negara) whose members are partially voted by the state parliaments and partially appointed by the king.

12 | The king – with the official title "Yand di-Pertuan Agong" – is chosen every five years from the rulers of the nine sultanates according to the principle of rotation. Sultan Abdul Halim Mu'adzam Shah has been the king of Malaysia since 13 Dec 2011.

13 | In the nine sultanates, this is the sultan, in the four federal states, the governor.

14 | Since 1979, Sarawak has voted at a different point in time, the next votes are to be held in 2016.

15 days, began on this date. Even though this period was longer than in most of the previous elections, it was criticised as too short and disadvantageous for the opposition. An early vote (e.g. for police, military, medical personnel) was possible on 30 April. Malaysians abroad being enfranchised were able to vote on 28 April by postal ballot at embassies and general consulates. 13.3 million people were eligible to vote in the 13<sup>th</sup> Malaysian parliamentary election.<sup>15</sup> Around 2.3 million of the electorate were classified as first-time voters. All Malaysian citizens of at least 21 years of age who have been registered in the electorate register are eligible to vote.

31 authorised parties competed for the 222 seats in the national parliament and for a total of 505 seats in state parliaments. The government majority in the national parliament is a minimum of 112 seats. In local parliaments, this varies according to the total number of seats. On the nomination day, on 20 April, 579 candidates stood for election to the national parliament. A total of 1,322 candidates competed for the state parliament seats.

## **PARTIES**

Even though 31 parties were permitted to take part, these competed as two large blocks: The government coalition, Barisan Nasional (BN), and the opposition coalition, Pakatan Rakyat (PR). This was a novelty, as in the previous election in 2008, the opposition parties had competed independently and only formed a coalition after the unexpectedly good election results.

The Barisan Nasional is currently a coalition of 13 parties. The strongest force is the United Malay National Organisation (UMNO), which, with its three million members, is Malaysia's largest party. They represent the interests of ethnic Malays, who constitute 51 per cent of the entire population and are therefore Malaysia's largest ethnic group. According to the constitution, Islam is an inseparable part of Malay identity. In this respect, the UMNO can be described as a national conservative Islamic party. The

**According to the constitution, Islam is an inseparable part of Malay identity. In this respect, the United Malay National Organisation can be described as a national conservative Islamic party.**

15 | In 2010 Malaysia's total population was around 28.3 million.

party advocates privileges<sup>16</sup> for ethnic Malays, Islamic values and economically liberal politics. Two more important coalition parties are the Malaysian Chinese Association (MCA) and the Malaysian Indian Congress (MIC), who respectively represent the interests of ethnic Chinese (25 per cent of the total population and ethnic Indians (seven per cent). Furthermore, two smaller parties, GERAKAN and PPP, four parties in Sarawak (PBB, SUPP, SPDP, PRS) and four parties (UPKO, PBS, PBRIS, LDP) in Sabah in Borneo, are part of BN. While UMNO, MCA, MIC, GERAKAN and PPP are only represented on the Malaysian peninsula, the remaining parties are limited to Sarawak and Sabah. The BN stood for election with a shared list of candidates with their own election programme and the BN logo. The chairman of BN is UMNO party leader and Prime Minister Najib Razak.

The opposition coalition Pakatan Rakyat consists of three parties: Parti Keadilan Rakyat (The People's Justice Party, PKR), the Democratic Action Party (DAP) and Islam Se-Malaysia Party (Pan Malaysian Islamic Party, PAS). Anwar Ibrahim<sup>17</sup> is the most prominent politician and informal leader of PR. In the 1990s, Anwar was the Finance Minister and Deputy Prime Minister and was seen as the political protégé of long-standing Prime Minister and UMNO chairman, Mahathir Mohamad.<sup>18</sup> In 1998, the two quarrelled and Anwar was dismissed from all his offices. A year later, Anwar was accused of corruption and sentenced to six years in prison. A short while later, a further prison sentence of nine years for supposed homosexuality<sup>19</sup> was added. In 2004, the federal court rescinded the homosexuality verdict and Anwar Ibrahim was released from prison. In a by-election in April 2008,<sup>20</sup> he was voted in as a

16 | UMNO is responsible for the introduction of "Bumiputra politics", which gives the ethnic Malays political and economic privileges. With its implementation as part of the "New Economic Policy" in 1971, ethnic Malays were to be supported in areas in which they lagged behind ethnic Chinese and Indians in order to prevent ethnic tensions.

17 | Full name: Dato' Seri Anwar bin Ibrahim.

18 | Full name: Tun Dr. Mahathir bin Mohamad.

19 | Practicing homosexuality is a criminal offence in Malaysia.

20 | Due to a ten-year ban on political activities, which only ended on 14 Apr 2008, Anwar Ibrahim was not able to take part on the regular election date on 8 Mar 2008. After his wife Wan Azizah declined her mandate, Anwar was voted as her successor.

Member of the Parliament for the PKR. Anwar Ibrahim supporters founded the reform movement Reformasi in 1999, which resulted in the Parti Keadilan Nasional. In 2003, they fused with the Malaysian People's Party and called themselves People's Justice Party (Parti Keadilan Rakyat, PKR). It advocates social-liberal values; the chairperson is Anwar's wife, Wan Azizah Wan Ismail.



Supporters of the opposition coalition Pakatan Rakyat in the Jaya Stadium of Petaling. For the elections, the three parties formed a loose alliance. | Source: Hitori Bocchi, flickr (CC BY).

The DAP was founded in 1965 and is a member of the Socialist International. It advocates social-democratic economics and stands for secular values. Its voters mostly consist of urban ethnic Chinese. The chairperson is Karpal Singh.

The PAS was founded as an Islamic party in 1955. From 1973 to 1978, it was a member of the BN, but then distanced itself from UMNO. In 1990, it was the first opposition party to win the election in a federal state (Kelantan), where it has ruled ever since. PAS advocates Islamic values and demands the introduction of Shariah law including the *Hudud*.<sup>21</sup> After the 2004 elections, where it suffered a severe loss of votes, PAS steered a more moderate Islamic political course. The president of PAS is Abdul Hadi Awang.

21 | Sanctions according to Islamic law; theoretically, methods such as stoning, whipping or amputation of limbs can be applied.

The PR opposition coalition went into the 2013 elections as a loose alliance. Three parties campaigned under their own party logos and a shared election manifesto, and in some constituencies, their candidates stood against one another. However, the election strategy was closely coordinated, and in many constituencies, efforts were made to avoid double or triple candidatures.

### THE ELECTION CAMPAIGN

Both political camps presented their election programmes early on: the opposition coalition, PKR, on 25 February, and the government coalition, BN, on 6 April. Surprisingly, both programmes were quite similar in terms of content, and in some points, they even agreed. Therefore, both sides spoke of decreasing high car prices caused by taxes and customs, increasing the number of police personnel for crime prevention, building a transit motorway through the states of Sarawak and Sabah and to decrease consumer prices of both states to the levels on the Malaysian peninsula. The striking similarity of the election promises caused PKR to accuse the Government camp of plagiarism. In response, BN argued that most of the points were part of the current reform programme of the Najib government and therefore were included in the election programme.

The 15 day election campaign was intensive and very confrontational at times. Thanks to the long-awaited election date, both political camps were well-prepared. In the choice and nomination of candidates, applicants with the

**In the past disappointed candidates hoping for a place on the list then stood for election as independent candidates against their own party. This had cost the BN valuable votes in the 2008 elections.**

best chances of success were sought. Both coalition parties called upon their members to be unified and disciplined in order to prevent losing votes due to internal rivalries or sabotage. In the past, ever so often, disappointed candidates hoping for a place on

the list then stood for election as independent candidates against their own party. This had cost the BN valuable votes in the 2008 elections. Both the BN and the PR therefore threatened to immediately exclude any defectors who stood as independents from their party.

A few days before nomination day for candidates, the Registry of Societies (ROS), the registration authority for authorising parties, announced that the DAP's executive committee was not legitimately recognised due to irregularities during their last party congress.<sup>22</sup> This would have meant that DAP candidates would not be allowed to stand for election for their party, because their nomination letter would have to be issued by the DAP's general secretary (whom the ROS refused to recognise). This led to both coalition parties, the PKR and the PAS, to accept DAP candidates on their lists. At the last moment, however, the authority relented, and notified the DAP in writing on 19 April, saying that they did not have any objections against candidature under the DAP logo. The process enhanced the opposition coalition's image, as it was able to demonstrate solidarity and cohesion.

During the election campaign, according to expectations, BN proclaimed itself a guarantor of economic growth, security and political stability and warned voters against risking their country's future with a change in government. They labelled the opposition an unstable alliance of parties with contradictory interests and therefore unable to govern. They warned of a loss of Malay and Islamic identity of the country in the case of a PR victory. The opposition, on the other hand, promised a new political style, good governance, transparency and social justice. It accused the government of corruption, nepotism, racism and mismanagement.

**The BN labelled the opposition an unstable alliance of parties with contradictory interests and therefore unable to govern. They warned of a loss of Malay and Islamic identity of the country in the case of a PR victory.**

The voters were most interested in the topic of economics as well as social issues and national security. A survey<sup>23</sup> in December 2012 listed the points which were seen as priorities: crime prevention, improvement of the election system, affordable housing, fighting inflation, extending infrastructure in rural areas and environmental questions. Although there were few reliable public<sup>24</sup> opinion polls, the

22 | During the DAP's party congress in December 2012, the central committee election had to be recounted due to a technical error. Some of the candidates who came off badly then filed a complaint with ROS.

23 | MCOR, n. 7.

24 | Naturally, government and opposition commissioned their own internal polls.

mood in the independent media and social networks in particular, led to the conclusion that a head-to-head race would result on Election Day. A survey by the Merdeka Center for Opinion Research<sup>25</sup> on the 3 May saw the Barisan Nasional and Pakatan Rakyat as nearly equal, with 41 to 42 per cent. The publication of these figures shortly before the election was heavily criticised by the government. Meanwhile, the opposition warned of possible electoral manipulation and called on its supporters to remain vigilant at polling stations.

### THE RESULTS

According to the official final result,<sup>26</sup> BN emerged as the winner from the elections on 5 May 2013, with 133 out of 222 seats in the parliament. Even though they had lost seven seats in comparison to 2008 (140), they still held a comfortable government majority.<sup>27</sup> PR received 89 seats in the parliament, a gain of seven mandates in contrast to 2008 (82 seats). With that, it remained the opposition. None of the independents were voted in. With 84.8 per cent, it was the highest voter turnout in Malaysia's history.



Street decorated with the symbols of the governing coalition Barisan Nasional: BN emerged as the winner from the elections with 133 out of 222 seats in parliament. | Source: Alan A. Lew, flickr (CC BY-NC-SA).

25 | MCOR, n. 7.

26 | The election results were published on 22 May 2013 in the official gazette. An appeal against the results could be submitted until 12 Jun 2013.

27 | A minimum of 112 seats are required for a government majority.



Within the BN government coalition, the UMNO was able to further strengthen their leading position, with a gain of nine seats (to a total of 88 seats). The biggest loser was the MCA, which lost eight seats and will now only be represented by seven mandates in parliament. On the evening of the election, they immediately declared that they wouldn't want to take on any government office due to the electoral debacle. A majority of the votes of the ethnic Chinese voters had obviously gone to the DAP. It was able to gain ten seats, and with 38 parliamentary mandates, it is the strongest force in the Pakatan Rakyat opposition coalition (PR). The PKR received 30 seats (one seat less than in 2008) and PAS commands 21 mandates (minus two seats).

Table 1

**Seat distribution in the national parliament**

	<b>Parliament seats 2013</b>	<b>Difference to 2008</b>
Government coalition Barisan Nasional (BN)	133	- 7
UMNO	88	+ 9
MCA	7	- 8
MIC	4	+ 1
Parties in Sarawak and Sabah	33	
Opposition coalition Pakatan Rakyat (PR)	89	+ 7
DAP	38	+ 10
PKR	30	- 1
PAS	21	- 2
Total	122	

In the federal states, Barisan Nasional received 275 out of 505 seats, the Pakatan Rakyat parties received 229 seats and one seat was won by the STAR party in Sabah. The BN governs in nine federal states: Perlis, Kedah, Terengganu, Perak, Pahang, Negeri Sembilan, Melaka, Johor and Sabah. They have governed in Sarawak since the previous elections in 2011. The Pakatan Rakyat coalition governs in three federal states: Kelantan, Penang and Selangor.

Therefore, the government coalition, BN, was able to regain one state, Kedah. In Perak, where the BN lost in 2008, but was able to govern after a few representatives switched allegiances, they were able to regain a majority of seats (31 out of 59 seats). The opposition coalition, PR, not only defended the three federal states they govern – Kelantan, Penang and Selangor, but was able to obtain a two-thirds majority in all three state parliaments.

## THE ELECTION ANALYSIS

There is no true victor. The ruling BN has successfully defended their claim to power, but has had to accept heavy losses. The declared goal to regain a two-thirds majority in national parliament has fallen far short. Moreover, the attempt to regain the strategically important federal state of Selangor failed dramatically. The PR was even able to attain a two-thirds majority there. Besides Penang (which is also governed by the PR), Selangor is the richest and most productive state in the Malaysian Federation. In addition, this is the heart of Prime Minister Najib's constituency, who personally led the electoral campaign there. A particularly sensitive topic for the BN is the fact

**The fact that the BN was still able to obtain 60 per cent of the parliamentary seats, serves to demonstrate how disproportional and unfair the distribution of constituencies is.**

that they only won 47.4 per cent of the votes on a federal level; in contrast, the opposition parties were able to attain 50.8 per cent. Therefore, the government can no longer claim that the majority of the population stands behind them. The fact that the BN was still able to obtain 60 per cent of the parliamentary seats serves to demonstrate how disproportional and unfair the distribution of constituencies is. The maximum difference between the required votes for parliamentary seats in some constituencies is eight-fold.<sup>28</sup>

The opposition coalition, PR, clearly failed in their mission to take over the government, despite considerable gains. The change in the Malay majority's mood required for an electoral victory seemed to have been insufficient. Both the PKR and the PAS party, both appealing to Malay voters

28 | The smallest constituencies include Igan (18,000 voters), Lubok Antu (19,000) and Putrajaya (28,000), the largest include Kapar (144,000 voters), Serdang (133,000), Gombak (123,000). See Ramesh Rajaratnam, "Gross distortions in Malaysia's voting system", *Malaysiakini*, 9 May 2013, <http://malaysiakini.com/news/229578> (accessed 4 Jun 2013).

in their political programmes, lost votes. The loss of power in the federal state of Kedah did not come as a surprise, as the PAS parties' governance had been under criticism for quite some time there. Good news for PR was the strengthening of their position in the states they govern, Penang and Selangor. This proves that PR can govern successfully and is stable. Kelantan has been the stronghold of the PAS party for over 20 years, therefore it was to be expected that they would continue to govern there – despite a slight loss of votes. A strategically important success for the PR is that they were able to gain additional seats in federal states previously considered BN strongholds. This includes the fiercely contested state of Johor, which has important symbolic meaning for the UMNO party which was founded here. In Johor, the PR was able to obtain an impressive 28 out of 56 seats. In 2008, they got only six seats. In Perak, it narrowly missed the majority with 28 (out of 59). Gaining eleven seats in the East-Malaysian state of Sabah, where the BN had absolutely dominated until now with 59 out of 60 seats, is also important. Therefore, the PR has created a solid basis for further gains in the future.

The electoral results show that in general, the Malaysian population's mood is changing. In particular, the ethnic Chinese seem to have given a large proportion of their votes to the opposition, first and foremost to the DAP. They don't seem to trust the BN anymore and feel disadvantaged by the government's pro-Malay politics.<sup>29</sup> But the Malay population too, who previously remained loyal to UMNO, is changing. An emergent urban middle-class is demanding social reforms, economic liberalisation and modernisation. Additionally, the young generation would like more freedom and better opportunities in the future.

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The Barisan Nasional was aware of this development and employed all its existing advantages during the election campaign. Months before the elections, Najib's government advertised using comprehensive funding programmes and

29 | On election evening, Prime Minister Najib spoke disappointedly of a "Chinese Tsunami".

**The government was able to depend on unreservedly positive reporting by the press and most important television and radio stations, which are under their influence.**

election gifts<sup>30</sup> in order to win the voter's favour. This was particularly popular in rural areas. The government was able to depend on unreservedly positive reporting by the press and most important television and radio stations, which are under their influence. In addition, the Barisan Nasional has considerable resources as well as an experienced electoral campaign apparatus at its command. The opposition, PR, is only strongly represented by the independent media on the internet and social networks.<sup>31</sup> This benefitted them in urban centres in particular, but they were only able to reach the rural areas with difficulty.

### CLAIMS OF ELECTORAL FRAUD

The legitimacy of the election results was questioned with an accusation of electoral fraud. Even before the elections, rumours circulated- of manipulated electoral rolls, vote buying and "illegal" foreign voters abroad, who were given Malaysian identity cards by the government and flown into critical constituencies. During the election, it turned out that the supposedly indelible ink, used to mark the fingers of the voters, was relatively easy to remove. Opposition leader Anwar Ibrahim has refused to recognise the election results and demands an investigation into the irregularities. Pakatan Rakyat submitted a list of 27 constituencies where electoral fraud was suspected, demanding a recount in these constituencies. Additionally, the resignation of the chairman of the electoral commission and his deputy, who were described as the government's henchmen, was demanded. In order to emphasise these demands, the opposition organised nine large demonstrations in the first two weeks after the election, each attended by several thousand people.

30 | As part of BR1M a one-off sum of 500 Malaysian ringgits (around 125 euros) was handed out to all households with a monthly income of less than 3,000 Malaysian ringgits (750 euros).

31 | According to a report by the Malaysian Insider there are 13.6 million Facebook users (48 per cent of the population). "Perception is BN's Biggest Problem says Najib", *The Malaysian Insider*, 3 Jun 2013, <http://themalaysianinsider.com/malaysia/article/perception-is-bns-biggest-problem-says-najib> (accessed 4 Jun 2013).

The Barisan Nasional rejected the claims and invited the PR to submit evidence.<sup>32</sup> The demonstrations were declared illegal; however, the police has not intervened as yet. Investigations of claims of sedition have been initiated against several opposition politicians. Even so, public pressure seems to have had an effect: On 1 June, Prime Minister Najib announced that a mixed parliamentary committee would be formed to investigate the work of the electoral commission.



Najib Razak at the Davos World Economic Forum in January 2013: Shortly after the announcement of the final election results, he was once again inaugurated as Malaysian Prime Minister on 6 May 2013. | Source: World Economic Forum (CC BY-NC-SA).

## OUTLOOK AND CHALLENGES

Shortly after announcing the election results on 6 May, Najib was again sworn in as prime minister. On 15 May, he presented his cabinet with very few changes. His government coalition is weakened politically. The time of a comfortable two-thirds majority for the BN seems to be over for good. The strong exodus of Chinese voters, but also the loss of votes in urban centres poses a challenge to the BN to

32 | Two of the accredited election monitors, the research institutes, IDEAS und CPPS, in their report dated 8 May 2013, the elections were described as "free, but unfair". Despite deficits, they should be recognised by all parties.

rethink its pro-Malay political course and to aspire to a new national consensus without ethnic discrimination. In order to do this, however, the UMNO needs to reform. It remains to be seen whether the UMNO is prepared to do so. Party leader Najib Rajak must stand for re-election at the next UMNO congress and face up to possible criticism from the traditional wing. The UMNO party statutes changed in 2009 states that party leadership must be directly voted by the member base. If Najib is reconfirmed in office, he will have a strong mandate for his reform politics.

A determined and consistent continuation of the reforms is required in order to successfully master the political, economic and social requirements of the next few years. At the same time it is important to overcome the divisions in society and to attain a national consensus regarding the country's future development. This is not an easy task in a multi-ethnic, multi-cultural and multi-religious country such as Malaysia. Ultimately, this will only succeed if both government and opposition are willing to make compromises. Although the political rifts are still deep, there are moderate and open-minded politicians on both sides, in particular amongst the younger generation, who may be willing to be ready to start a dialogue.

Malaysia has experienced rapid economic development in recent years. The macro-economic data is solid: growth rates at an average of five per cent<sup>33</sup>, relatively low inflation (2011: 3.1 per cent), moderate national debt (53 per cent of GDP) and a moderate budget deficit of four per cent.<sup>34</sup> Even so, with regards to the most important economic indicators, Malaysia is lagging behind in comparison to the so-called "tiger" nations Singapore, Taiwan and South Korea. In order to achieve the aim of becoming a high income nation by 2020, it would be necessary to continuously increase economic growth in the coming years. Besides income levels, other factors are important too: A modern and generally accessible education system, efficient affordable health care system, high environmental standards, efficient modern infrastructure, developed

33 | See World Bank, "Malaysia", <http://worldbank.org/en/country/malaysia> (accessed 18 Jun 2013).

34 | See also The Heritage Foundation, "2013 Index of Economic Freedom: Malaysia", <http://heritage.org/index/country/malaysia> (accessed 18 Jun 2013).

traffic and communication networks and, last but not least, the development and strengthening of democratic and constitutional principles within the legislation. In his first term, Prime Minister Najib profiled himself as Malaysia's reform-friendliest head of state. Now he has the opportunity to reinforce this reputation with tangible results by the next elections.

For the opposition it will be important, in the medium term, to preserve cohesion and to become a stable coalition with compatible programmes. Considering the political differences between the secular, ethnic Chinese-character of the DAP and the Islamic PAS party, this will not be an easy task. However, as a coalition which offers political concepts and solutions beyond ethnic and religious divisions, PR can present itself to voters as a better alternative for government office.

This article was completed on 4 June 2013.



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## **INSECURITY IN NIGERIA: THE "BOKO HARAM" DIMENSION**

*Tajudeen Akanji*

Boko-Haram was relatively unknown as a violent or terrorist group before the 21<sup>st</sup> century. Today, the mention of Nigeria in any social discourse directs focus to issues bordering on insecurity, poverty, ethno-religious clashes, corrupt enrichment, kidnapping, and particularly, Boko Haram terrorism. The over 300 ethnic groups that had enjoyed relative cordiality in the past, even after a few years of civil war, have suddenly become "strange bed fellows" due to the insurgence of the Boko Haram in the northern part of Nigeria. Foreigners now issue warnings to their nationals to either avoid trips to Nigeria completely, or do so with much caution. Boko Haram has claimed responsibility for more than 500 violent incidents in different parts of the country, especially in the north, where the group is domiciled, with more than 3,000 lives so far lost.

### **ETHNO-RELIGIOUS CONFLICTS IN NIGERIA**

Nigeria has had a long and unfortunate history of communal conflict and ethno-religious violence. Since the return of democracy in 1999 for example, in Plateau state in Nigeria's "Middle Belt", there have been outbreaks of several bloody violent conflicts between different communities. There have also been riots in the northern urban centres of Kaduna and Kano, and for several decades, there has been a recurring conflict in the Tafawa Balewa district of Bauchi, all located between the north west and north east geopolitical zones of Nigeria. Similar violent conflicts have been reported in the south-east geopolitical zone, where foreign nationals, especial those involved in oil exploration, are being harassed, abducted and sometimes killed. In the



southwest and southeast regions, pockets of communal clashes with heavy human casualties are constantly in the news. Although communal clashes occur in virtually all regions of the country, the intensity and casualties are more severe in the “Middle Belt” region, particularly in the states of Kaduna and Plateau, where many people, especially women and children, have been hacked to death in the most brutal manner. In many cases, mobs have burnt humans, residences, churches and mosques, often with retaliatory motives, and with little or no intervention from security forces. These conflicts have affected the reputations of the country with a resulting negative impact on international relations and trade.

**Violent conflicts have affected the reputations of the country with a resulting negative impact on international relations and trade.**

The incidents have often been viewed as ethno-religious conflict, resulting from tensions between Muslim and Christian inhabitants. A closer examination, however, may reveal that the control of government patronage is the primary cause. Election disputes have also led to breakdowns along Muslim and Christian lines, as was seen in the most recent polls in 2011, when youths went on the rampage in Zonkwa, southern Kaduna state, leaving about 300 Muslims dead. When violence erupts in these circumstances, the genesis is usually in the form of one group asserting control of the apparatus of government over another group or groups in a very heterogeneous and ethnically diverse part of Nigeria.

The danger posed by these insurgent groups to the corporate existence of Nigeria is aptly captured by Robert Kaplan in his 1994 article titled “The Coming Anarchy”, in which he states that “the country is becoming increasingly ungovernable. [...] Ethnic and regional splits are deepening, a situation made worse by an increase in the number of states from 19 to 30 and a doubling in the number of local governing authorities. Religious divisions are more serious. Muslim fundamentalism and evangelical Christian militancy are on the rise [...]. The will to keep Nigeria together is now very weak”.<sup>1</sup>

1 | Robert Kaplan, “The Coming Anarchy”, *The Atlantic*, 1 Feb 1994, <http://theatlantic.com/magazine/archive/1994/02/the-coming-anarchy/304670> (accessed 16 Jun 2013). In 1994, Nigeria had 30 states but was further increased to 36 by General Sanni Abacha, the former military ruler in 1996.

There is also a history of Muslim sects growing in the cities of northern Nigeria. In the 1980s, for example, Yusuf Marwa from Cameroon who founded the violent Maitatsine sect, which claimed that the Prophet Muhammad was not the messenger of Allah, established itself in the slums of Kano. The sect was wiped out very brutally by the security forces of Nigeria, but not without some negative influences on the already fragmented and poverty-ridden society. Several women and children of the sect attacked heavily armed military and police forces with bows, arrows and knives. The present sectarian groups are believed by some to be the offshoot of the former Maitatsine group.

**Reports stated that 83 per cent of the nation's oil wells are in the hands of a few northern elites. In the face of all these inequalities, biting poverty among the general population, especially in large parts of the north, has deepened.**

Meanwhile, corruption flourished. Political elites continued to enrich themselves on the nation's oil wealth. Reports stated that 83 per cent of the nation's oil wells are in the hands of a few northern elites, although there are also reports that over 50 years of the nation's independence have produced more rich southerners than northerners.<sup>2</sup> In the face of all these inequalities, biting poverty among the general population, especially in large parts of the north, has deepened. This is further worsened by an inept, corrupt and brutal police force that is rapidly losing respect and confidence among the people. All these factors provide an environment for the growth of ethnic and sectarian violence which has now become a daily occurrence in a nation that was expected to be the hub of economic activity in Africa.

The weakness of the institutions of politics and the security services has created a political situation where threats to stability are not dealt with until casualties become serious and violence is widespread. Nigerian authorities have ignored warnings of impending crises many times and have reacted only when sectional interests were directly affected by the threats. Such is the weakness of security institutions that their only method of dealing with any such threat is violence. Boko Haram was created under these circumstances.

2 | A.A. Mazrui and A.D. White, *Nigeria: From Shari'a Movement To "Boko Haram"* Global Experts Team, United Nations Alliance of Civilization, 2012.

## THE ORIGIN OF BOKO HARAM IN NIGERIA

Boko Haram is an Islamic sect that believes northern politics has been taken over by a group of corrupt and false Muslims. It wants to wage a war against them, and the Federal Republic of Nigeria in general, to create a “pure” Islamic state ruled by sharia law. Despite efforts by Nigerian authorities to suppress the group, it has often proved itself a hard nut to crack for the security forces, as Boko Haram keeps changing tactics and targets in complicated but organised manners. The group caught the attention of the world in August 2011, when it bombed the United Nations compound in Abuja, killing 23 people. Some observers have claimed that Boko Haram has reached out to allies in other global jihadist movements in the Sahel, yet not confronted Western interests outside Nigeria.

**Boko Haram keeps changing tactics and targets in complicated but organised manners. Observers have claimed that the sect has reached out to allies in other global jihadist movements in the Sahel.**

There are various reports on the origin of Boko Haram in terms of its founding, motivation, goals, positions, structure, funding, affiliations, and the real actors of the organisation. For instance, Adibe noted that contrary to the popular belief that the sect was founded around 2001 or 2002,<sup>3</sup> there is evidence that the group could have been formed around 1995 by one Lawan Abubakar.<sup>4</sup> Some other writers have attributed the formation to Sheu Sani, a civil right activist in northern Nigeria, who helped broker the first attempt at a peace deal with the sect that failed.<sup>5</sup> There was also the Gusau version which traced the origin of the sect to an group formed by Muslim students at the University of Maiduguri, Borno state.<sup>6</sup> This version of origin reported that this group of students was dissatisfied with Western education.<sup>7</sup> There are other reports that have traced the origin of Boko Haram to the earlier notorious

3 | Jidefor Adibe, “Boko Haram: One sect, conflicting narratives”, *African Renaissance*, Vol. 9, No. 1, 2012.

4 | N. Madibe, 2011, cited in: Jidefor Adibe (ed.), *Terrorism in Africa*, 2012, 50.

5 | H.O. Aloziewa Simeon, “Contending Theories on Nigeria’s Security Challenge in the Era of Boko Haram Insurgency”, *Business Day* online, 1 Feb 2012.

6 | *Ibid.*

7 | Ufo Okeke Uzodike and Benjamin Maiangwa, “Boko Haram Terrorism in Nigeria: Casual Factors and Central problematic”, *African Renaissance*, Vol. 9, No. 1, 2012, 100.

**Mohammed Marwa was deported to his Cameroon home by Nigerian authorities because his teachings instigated riots in the country which resulted in the deaths of thousands of people.**

religious sect that existed in the north in time past. This sect, which was known as Maitatsine, was founded by Mohammed Marwa, who was at the height of his notoriety during the 1970s and 1980s. He was deported to his Cameroon home by Nigerian authorities because his teachings at that time generated many controversies among Muslims and instigated riots in the country which resulted in the deaths of thousands of people.

Muhammed Yusuf, now generally believed to be the originator of the sect, according to the competing narratives, actually became the leader after Abubakar's departure.<sup>8</sup> He in fact derived the inspirations for his own notion of "purity" from the teachings of Ibn Taymiyya, a 14<sup>th</sup> century legal scholar who preached Islamic fundamentalism and is considered a "major theorist" for radical groups in the Middle East<sup>9</sup> and after whom Yusuf named his mosque in Maiduguri.<sup>10</sup> The report believed that Yusuf officially founded the group in 2002 in the city of Maiduguri with the aim of establishing a Sharia government in Borno State under former Governor Ali Modu Sheriff.

The plethora of information regarding the founding and operations of Boko Haram may explain why, at the outset, the sect "had no specific name as its members attracted several descriptions where they operated based on the perception of the local population".<sup>11</sup> Such names included Taliban and the Yussufiyyah. The sect soon became formally identified as Ahulsunna wal'jama'ah Hijra – "Congregation of Followers of the Prophet Involved in the Call to Islam and Religious Struggle". The name Boko Haram reflects the sect's anti-Western posturing, literally meaning "Western education/civilization is sin".

Professor Abdullah Adamu, a teacher at Bayero University, Kano, presented a linguistic explanation of the meaning of Boko Haram as follows: "Technically, 'boko haram' means 'deceptive knowledge which is sinful', not 'Western education is sin'. This is because charlatan marabouts – basing their epistemology on faulty interpretation of Islamic

8 | Adibe, n. 5, 50.

9 | Galadima, n. 4.

10 | Ibid.

11 | Ibid.

injunctions to deceive clients – are also technically ‘yan boko’ (dispensers of deceptive knowledge).<sup>12</sup> The fact is that the major intention of Muhammad Yusuf’s lectures and writing was to convince his followers that knowledge inspired by Western ideas is false in some respects, but neither he nor his followers ever actually proclaimed that such knowledge is sinful.<sup>13</sup>

According to Professor Adamu, the pervasive view in the local press that the sect abhorred western education in totality sounded droll to Yusuf and his followers: He thus used the word “boko” in its original Hausa context to mean “false”. It is the process of demonising the movement that created the projected medieval persona of the group as condemning Western education – a fact they found amusing, since they not only use products of Western technology and knowledge (laptops, arms, explosives), but at one stage they even had a full-blown website to proclaim their ideals. In addition, their attack on Bauchi prison in August 2010 was facilitated by extensive use of Google Maps which helped them to map out the prison location and its access roads, and subsequently take strategic locations that hampered counter attack by security agents, as documented in their video release *Gazwatu Abi Ibrahim* (Abi Ibrahim’s War).

**Boko Haram not only uses products of Western technology and knowledge, but at one stage they even had a full-blown website to proclaim their ideals.**

## **PRESUMED INTERESTS AND GOALS OF THE BOKO HARAM SECT**

The available literature on Boko Haram has remained inconclusive about the group’s real motive for its creation, existence and origin. Motivations that have been suggested in literature include crises over citizenship and inter-ethnic rivalries, a lacuna in the 1999 constitution, which is currently in use in Nigeria, institutional weakness and failure of government, poverty and inequalities among groups, colonial legacy and the relics of British monarchy in Nigeria and global political forces.

12 | Cf. Abdalla Adamu, “Insurgency in Nigeria: The Northern Nigerian Experience”, paper presented at The Eminent Persons and Expert Group Meeting On Complex Insurgencies in Nigeria, held at the Nigeria Institute of Policy and Strategic Studies, Kuru, Jos, 2012.

13 | Ibid.

The motivation and underlining interests for the formation of insurgent groups, particularly Boko Haram, are deep-rooted and can be traced to a number of factors. The North, as a regional entity, has suffered a great deal of educational deprivation. Some of these issues may be cultural. Hausa values, on attainment of Nigeria's independence, are disproportionately attached to Quranic and basic Islamic education, an aspect that has not enjoyed government priority attention despite the relative higher population of Muslims than Christians in Nigeria.<sup>14</sup>

Yusuf successfully attracted followers from unemployed youth "by speaking out against police and political corruption".<sup>15</sup> Boko Haram was initially resolved to wage Jihad against bad governance, official immorality, and obnoxious modernity teachings. Poor governance and corruption were the central focus of the Boko Haram issues with Nigerian political leaders. As reported by a Nigerian journalist who has interviewed senior Boko Haram leaders and quoted by Human Rights Watch, "Corruption became the catalyst for Boko Haram. Yusuf would have found it difficult to gain a lot of these people if he was operating in a functional state. But his teaching was easily accepted because the environment, the frustrations, the corruption, [and] the injustice made it fertile for his ideology to grow fast, very fast, like wildfire."<sup>16</sup> Some of the issues which the sect often addresses in their indoctrination exercise of the unsuspecting followers include:

### Governance

**Boko Haram noted that politicians enrich themselves at the detriment of the poor majority. Western education is said to have promoted corruption.**

The group claimed that the entire political system in Nigeria is corrupt, deceptive and "sinful". It noted that politicians enrich themselves at the detriment of the poor majority.

Western education is said to have promoted corruption and should therefore be characterised as a sin. The security forces were largely uncontrolled and wicked. They were

14 | Mazrui and White, n. 2.

15 | See Human Rights Watch, *Corruption on Trial? The Record of Nigeria's Economic and Financial Crimes Commission*, Aug 2011, <http://hrw.org/sites/default/files/reports/nigeria0811WebPostR.pdf> (accessed 26 Jun 2013).

16 | Human Rights Watch, interview with Ahmad Salkida, Abuja, 29 May 2012.

constantly manipulated by the authorities to suppress the masses.

### **Immorality**

The sect said that the organisation of the modern school system which allows co-educational schools bred prostitution among the youths. It stated that the modern school system ran counter to their traditional Hausa cultures which have erroneously been termed Islamic values. Issues like early marriage, rights of women and children, and a number of modern social values are being affected by western “animist” education.

### **Modernity Teachings**

A number of scientific beliefs are being questioned by the sect as they run counter to scriptural claims. Issues like the Evolution Theory, the round shape of the earth which they claim is flat, and the source of rainfall which they believe is the work of the Angels are central in their contestations with western epistemology. Some of these teachings and beliefs were rooted in the fact that the leader of the group, Yusuf, had never enjoyed even a primary education, hence his capacity to understand complex scientific facts was limited. This may also explain the fact that the insurgency in the north can be linked to educational deprivation caused by the system.

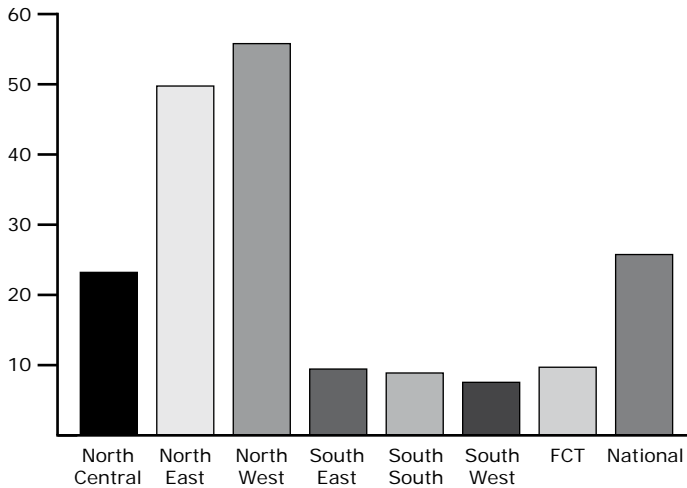
## **DRIVERS OF THE BOKO HARAM INSURGENCY IN NIGERIA**

### **Economic Drivers**

Poverty is a very serious issue in Nigeria. To a great majority of Nigerians, security risks come from hunger, disease, poor education, and even domestic violence aggravated by the present economic woes. With an average of 1,000 maternal mortality cases per 100,000 of the population, an under-five mortality rate of 138 per 1,000 live births, life expectancy of 51.9, over 70 per cent of the population living on 1.25 U.S. dollars per day, and a percentage of GDP expenditure on education at 0.8, Nigeria is among the lowest in human development in the world ranking

notching at just 156 out 187 countries assessed by UNDP in 2011.<sup>17</sup> Even with an estimated population of 162 million, and being the 8<sup>th</sup> largest exporter of petroleum in the world and the 10<sup>th</sup> in proven reserves, most Nigerians still live in abject and excruciating poverty with much of the population in rural and undeveloped areas. This shows that bad governance exacerbated by corruption remains the bane of the Nigerians.

Fig. 1  
**National/Zonal level Analysis of OOSC in Nigeria (Primary), in per cent**



Source: "Nigeria Education Data Survey 2008", Federal Ministry of Education of Nigeria. The survey examined the six geo-political zones incl. the Federal Capital Territory (FCT), an arrangement for easy administration of the regions in Nigeria.

**Educational Inequality as a Driver**

Formal education was introduced early in the South by the Christian missionaries. According to Fafavora, "Churches were virtually barred by the British colonial government from starting schools in the North. The practical effect of this basic preference by the British colonial authorities for the Islamic way of life in the North was that a yawning gap between the North and the South in western education

17 | Abdul Rahaman Danbazau, "Security, Governance and Sustainable Development", paper presented at the Guest Lecture Series, CEPACS, Ibadan, 2012.



began to develop rapidly. This gap is one of the major sources of conflicts and instability in the country, even today. It is directly responsible for the emergence of religious sectarian groups in the North.”<sup>18</sup>

A survey published by the Federal Ministry of Education (Fig. 1) shows that about 31 per cent of Nigerian children are not in school and 75 per cent of them are among the Fulani and the Kanuri located in the North West and North East geopolitical zones of Nigeria. This lends credence to the fact that educational deprivation has a multiple impact on the lives of Nigerians and may be precariously responsible for the reported trend and pattern of the upsurge in youth criminalities and the sectarian violence in Nigeria. Further analysis of the educational inequalities that exist in the North East and the North West reveal that the states with the highest incidents of Out of School Children are more involved in sectarian violence than the others. The states of Bornu, Yobe and Bauchi, which have the worst records of school attendance, are also worst hit by sectarian violence. Some other structural factors that can be cited as responsible for the structural causes of conflict and violence in the northern part of Nigeria may be cultural. Some northerners still see western education as inimical to their cultural values. In addition, the patrimonial economic system which disempowers women has the tendency to aggravate poverty among the economically active men who are just one third of the entire population. This population has become disadvantaged because of the power shift that has come into play in the political system of the country.

**The states of Bornu, Yobe and Bauchi, which have the worst records of school attendance, are also worst hit by sectarian violence.**

#### **PROXIMATE CAUSES OF ESCALATION: THE ROLE OF THE SECURITY FORCES**

There is evidence to suggest that, although the group is militant in its approach, the initial methodology adopted for propagation was relatively non-violent. In January 2006, Agence France Presse reported a statement credited

18 | Dapo Fafowora, “Understanding Insurgencies in Nigeria: Nature, Types, Dynamics and the Way Out”, paper presented at the Eminent Persons and Expert Group Meeting on Complex Insurgencies in Nigeria, held at NIPSS, Kuru, Jos, 2012.

to Yusuf where he says "I think that an Islamic system of government should be established in Nigeria and if possible, all over the world, but through dialogue".<sup>19</sup> These periods witnessed efforts by Yusuf and his deputy to win converts and make them accept their doctrine of purity based on the vision of global political Islam, which is the overthrow of all worldly governments (*Kufur* system) and the enthronement of an Islamic theocratic state. The sect rejected President Jonathan's invitation for dialogue and demands that he converts to Islam or hand over power to a Muslim.<sup>20</sup>

The response of the security agencies to Boko Haram attacks actually aggravated the problem. The Government put in place Operation Flush, using security forces comprising military, police, and intelligence personnel, known as the Joint Military Task Force (JTF), killing scores of Boko Haram suspects and randomly arresting members of communities where attacks had occurred. Reports from various sources, including Human Rights Watch, say that the

**The JTF raids resulted in the death of more than 2,800 people since 2009. There are various video clips on YouTube showing some horrendous acts, although official sources have disclaimed many of these incidents.**

JTF has engaged in excessive use of force, physical abuse, secret detentions, extortion, burning of houses, stealing money during raids, and extrajudicial killings of suspects. In the end, this has resulted in the death of more than 2,800 people since 2009. There are various video clips on YouTube showing some of these horrendous acts, although official sources have disclaimed many of these incidents, saying that they were probably concocted to discredit the security forces. The weight of evidence from the witnesses in the affected areas does not support the claims of Nigerian authorities.

It was the brutal response of the security forces that led to the declaration of war by Yusuf's group on the people of Nigeria. In a leaflet circulated by the group titled, *In*

19 | Emmanuel Goujon and Aminu Abubakar, "Nigeria's 'Taliban' plot comeback from hide-outs", AFP, Biafra Nigeria World, 11 Jan 2006, [http://news.biafranigeriaworld.com/archive/mail\\_guardian/2006/01/11/nigerias\\_taliban\\_plot\\_comeback\\_from\\_hideouts.php](http://news.biafranigeriaworld.com/archive/mail_guardian/2006/01/11/nigerias_taliban_plot_comeback_from_hideouts.php) (accessed 26 Jun 2013).

20 | "Boko Haram Spokesman, Abu Qaqa, 'Convert to Islam or no dialogue' Boko Haram tells Jonathan", *Peoples Daily*, <http://www.peoplesdaily-online.com/news/national-news/29098-convert-to-islam-or-no-dialogue-boko-haram-tells-jonathan> (accessed 5 Feb 2012).

*maye ya manta*, meaning, “If Perpetrators have forgotten, the Victims will not”, the call to arms by Yusuf went thus: “Fighting this government is mandatory on everyone. Whoever refuses this will be accountable to Allah. For us, we would rather die than fail Allah on the account of our deeds. Whoever can, join us; if not, shut up, for it does not concern you, leave us alone, and watch what will transpire.”<sup>21</sup>

In spite of various reports in both local and international media on the allegations of widespread security force abuses, there has been hardly anyone prosecuted by the authorities. Apart from the Boko Haram issue, past security forces abuses in Nigeria have hardly been investigated. The culture of impunity has grown to a point that barely anyone is being held accountable for human rights abuses. This serves as catalyst for the escalation of the crises which we witness up to the present day.

#### **THE FIVE-DAY VIOLENT CLASH OF JUNE 2009**

The major confrontation that triggered the spate of bombings and aggravated the precarious security situation in the North was the shootings and killings that took place on 11 June 2009, when security forces raided a funeral procession of Boko Haram members on motorbikes in Maiduguri. The mourners had refused to put on crash helmets as required by law. Members of an anti-robbery task force, comprising military and police personnel, opened fire on the procession, which caused the death of about 19 members of the sect. Some accounts of that incident state that a member of the group had fired on the police first, injuring several officers. The leader of the sect was reported to have written an open letter to Nigeria’s president seeking that the killers of his followers be charged. Instead, what followed was the hounding of his followers by the security operatives, an action which Human Rights Watch described as having contravened international human rights standards

**The leader of the sect was reported to have written an open letter to Nigeria’s president seeking that the killers of his followers be charged. Instead, what followed was the hounding of his followers by the security operatives.**

21 | Abdalla Adamu, “Insurgency in Nigeria: The Northern Nigerian Experience”, paper presented at the Eminent Persons and Expert Group Meeting on Complex Insurgencies in Nigeria, held at NIPSS, Kuru, Jos, 2012.

and fuelled further attacks. Yusuf was reported to have released several video messages where he urged his members to take up arms against the government of Nigeria. This he did in deviance of existing laws against this treasonable act. For about three days, the group took over the streets of Maiduguri, attacking police stations, security personnel, and indiscriminately killing innocent members of the public, both Muslims and Christians. The group then attacked police stations in Bauchi and Yobe, killing scores of officers. These events prompted the Bauchi local government to crack down on the group, arresting more than seven hundred of its members.

Reinforcement by members of Operation Flush later overpowered the sect members before prosecuting anyone they suspected of being a Boko Haram member, supporter or sympathiser. Dozens of people were rounded up and executed without trial, including Yusuf's father-in-law, Muhammed Fugu, who in fact was not part of the group but was declared wanted on account of his relationship with Yusuf's wife. Videos showing the execution of young boys, including the son of of Buji Foi, a former commissioner, were uploaded on YouTube for the world to see. Although police authorities denied most of these actions, saying that the videos were concocted to attract international sympathy, the events actually contributed to the build-up of tension which escalated the conflict.

**The Police and army relied on information from the traditional and religious leaders for the massive arrests.**

The clampdown on suspected sect members and sympathisers continued in Maiduguri. The Police and army relied on information from the traditional and religious leaders for the massive arrests. A large number of suspects went into hiding, while some actually fled the city. The population of missing people, some of whom could have been executed by the security forces, became enormous. Those who fled the city had their property confiscated and given to the traditional leaders, an action which was soon to cause further mayhem. After a brief return of calm, the sect members returned to Maiduguri and started a guerrilla warfare against the police, often on motor bikes. Gunmen were also reported to have carried out executions of traditional and religious leaders who had cooperated with the security forces. New occupants of the properties were also killed

when found. Police authorities also continued their clamp-down by razing houses of suspected sect members.

### **THE KILLING OF MOHAMMED YUSUF AND SOME POLITICAL BIG WIGS**

The level of insecurity in Maiduguri and its environ has reached an alarming proportion, and inhabitants of the city are living in mortal fear. After the five-day conflict in the city in which scores of people were killed, the activities of Operation Flush were intensified. In the process, Mohammed Yusuf was arrested by the army and handed over to the police, where he was killed almost immediately. As a response, Boko Haram carried out its first terrorist attack in Borno in January 2011. It resulted in the killing of four people. Since then, the violence has only escalated in terms of both frequency and intensity. In January 2012, Abubakar Shekau, a former deputy to Yusuf, who took over leadership after the summary execution of Yusuf, appeared in a video posted on YouTube where he also reiterated the sect's determination to keep up the struggle.

As the 2011 elections drew nearer, political opponents took advantage of the level of insecurity to get at each other. A number of high profile assassinations of political office seekers were carried out. Among the victims were: Alhaji Awana Ngala, a governorship aspirant; Alhaji Modu Fannami Gubio, a governorship aspirant; Alhaji Lawan Yaraye, former Local Government chairman; Alhaji Fannami Ngarrannani, former Local Government chairman. Several others were assassinated, and in fact these killings are still going on.

Soon after, the group became more organised in its attacks, and expanded its targets. At this point, it no longer preached non-violence. Consequently, their demands became more stringent, their attacks more frequent. In January 2012, a group split away to form the Vanguard for the Protection of Muslims in Black Africa (Jama'atu Ansariil Muslimina fi Biladis Sudan), better known as Ansaru. It has since carried out a number of high-profile kidnappings and other attacks. By early 2012, Boko Haram was responsible for over 900 deaths. In June 2012, the group claimed to be responsible for the suicide bombings of three churches

in the northern Nigerian state of Kaduna, killing more than 50 people. In August 2012, Boko Haram opened fire inside a Deeper Life Bible church during a service in Okene, the northern State of Kogi, killing 19 worshippers. Reprisal attacks on some mosques were reported at that time in the same town.



UN Memorial for those killed in the Boko Haram attacks on the headquarters in Abuja in August 2011. Since then the sect has successfully carried out eight concurrent attacks on security offices in Kano. | Source: UNDP (CC BY-NC-ND).

The whereabouts of members of the sect that had fled could not be immediately ascertained, but there are reports that they became attracted to the global Jihadist movements around the Sahel zone. Hence some of them went to various troubled zones, where they received more training. The UN Security Council says that Boko Haram members were trained in a Tuareg rebel camp in Mali. The foreign minister of Niger told reporters that Nigerians have been trained in rebel camps “across the Sahel region”. It is believed that the group’s leadership, including Abubakar Shekau, Mohammed Yusuf’s right-hand man, relocated to a hideout in northern Cameroon. The group has become more devastating in the way it carries out its attacks and created considerable stir when it attacked the police headquarters in Abuja through a suicide bombing just 24 hours after the inspector general had threatened to flush them out wherever they were.

Even the declaration of the state of emergency by the government would not sway them. In fact, bombings and assassinations during the period of emergency rule and the introduction of curfew and mass deportation were higher than during the period preceding them. This implied that force simply aggravated rather than abated the situation. The sect gradually extended its reign of terror to other cities, like Kano, Bauchi, Damaturu, Potiskum, Gombe, Yola, Suleija, Okene, Geidam, Azare, Jaji, Kaduna, and many others.

## THE REGIONAL LINK

### Arming The Boko Haram Sect:

#### The Influence of Neighbouring Countries

The influence of conflict flash points that share borders with the North East region of Nigeria provide ready sources for arms that can escalate the conflict. This is further worsened by the porosity of borders along the West African sub region. The countries with greatest influence are Benin, Cameroon, Chad and Niger because of their proximity to Nigeria in terms of demographics and socio-economic realities. In particular, the borders of Cameroon and Niger with Nigeria span a distance of 1,690 kilometres, and 1,497 kilometres respectively, which provide unhindered routes for arms deals, smuggling, and a haven for terrorist attackers. For instance, the border with Niger stretches along the states of Sokoto, Katsina, Jigawa and Yobe. Similarly, Cameroon shares a border with Nigeria along the states of Taraba and Adamawa in Northern Nigeria. There are reports of deep involvement by these two countries in some of the Boko Haram sect terror attacks. The 21 May 2012 suicide attack on a police station in Taraba state, on Nigeria's border with Cameroon further supports the view that porous border areas have the potential to increase regional and transnational insecurity in the area. The presence of Al-Qaeda in the Islamic Maghreb (AQIM) in Niger and Mali entails the Salafist ideology that Boko Haram is also associated with. This, again, may suggest some form of relationship when it comes to training, recruitment and arms supply. There are reports that light arms are being

**There are reports of deep involvement by Niger and Cameroon in some of the Boko Haram sect terror attacks, which further supports the view that porous border areas have the potential to increase regional and transnational insecurity in the area.**

stockpiled in houses in Maiduguri. Some of these locations are raided and dismantled by security agents. The insecurity in the sub-saharan region, particularly the communal clashes among the Tuaregs in Niger and Mali, and the crises in the Sudan and Libya, seem to provide opportunities for Boko Haram to get their hands on small arms. Some sect members have participated as mercenaries in a number of these crises. After the fall of Ghadafi in Libya, "stockpiles of missiles and other arms were looted and quite possibly fell into the hands of AQIM members who could pass off some of the weaponry to Boko Haram affiliates."<sup>22</sup>

Boko Haram confirmed in several statements that they had received training from AQIM and the Al Shabab organisation in Somalia, where they were taught how to construct and detonate Improvised Exploding Devices (IEDs), as well as employ the use of suicide bombers. The implication of this kind of cross border collaboration underscores the need for the international community to show more interest in the Boko Haram issue as the threat posed by the group may be more than the internal issues of Nigeria.

**Many of Nigeria's neighbouring countries serve as havens for the attackers. The Maghreb presence of Al-Qaeda and the Al Shabab in Somalia have confirmed a partnership with Boko Haram.**

There is evidence, based on various reports, that Nigeriens as well as immigrants from Cameroon, Chad and Sudan, among others, are involved in Boko Haram attacks. Many of these neighbouring countries serve as havens for the attackers. They also provide several other forms of support to the militants. The AQIM groups and the Al Shabab in Somalia have confirmed a partnership with Boko Haram in Nigeria. Nigeria therefore needs to work with regional and international partners, particularly within ECOWAS and the African Union, to break links between international terror networks and the militants. The changes observed in the modus operandi of the sect may be an early warning signal of impending danger unless concerted efforts are put in place to address the issue.

Prior to the attack on the UN Headquarters in Abuja, the 2009 face-off with the security forces revealed the lack of planning and weak capacities of the sect members judging

22 | Human Rights Watch, *Spiraling Violence. Boko Haram Attacks and Security Force Abuses in Nigeria*, 11 Oct 2012, <http://hrw.org/reports/2012/10/11/spiraling-violence-0> (accessed 26 Jun 2013).



from the level of casualties they suffered including the arrest and eventual killing of their leader. Since the sect's attack on the UN Headquarters with numerous casualties that drew the awe of the international community, they have successfully carried out eight concurrent attacks on security offices in Kano. The level of tactical sophistication demonstrated in these attacks, and the fact that they now use suicide bombers and IEDs confirm that they must have received more technical training from their international Jihadist collaborators.

Table 1

### **Records of Bomb Explosions by the Boko Haram Sect in Nigeria in 2011**

<b>Date of attacks</b>	<b>Bombing events</b>
1 Oct 2010	Explosion near the Eagle square, Abuja, claimed twelve lives, leaving many injured
24 Dec 2010	Bomb Explosion in Birkin Ladi, Jos Plateau, killed eight people
30 Mar 2011	Bomb exploded in Damaturu, injuring a police officer injured
8 Apr 2011	Explosion at INEC office, Suleja Niger State, claiming eight lives
9 Apr 2011	Bomb explosion at Unguwardoki Unit polling Unit at Maiduguri
26 Apr 2011	Bomb explosion in a street in Maiduguri killing three people
29 Apr 2011	Bomb explosion at the Army barracks in Bauchi
19 May 2011	Three policemen killed and two soldiers injured in a bomb explosion in Maiduguri
29 May 2011	Explosion at Mammy market of Shandawanka Barrack in Bauchi state
30 May 2011	Bomb explosion on Baga Road, Maiduguri, Borno state, 13 dead, about 40 injured
7 Jun 2011	Incessant bomb explosion in Maiduguri claiming five lives and many injured
16 Jun 2011	Bomb explosion at Damboa, Maiduguri killing four children
16 Jun 2011	Bomb explosion at Damboa, Maiduguri killing four children
11 Jul 2011	Explosion at a relaxation center in Forkados Street, Kaduna
12 Jul 2011	Explosion in a military patrol vehicle claiming five lives
15 Jul 2011	Explosion in Maiduguri, injuring five people
23 Jul 2011	Explosion near the palace of a traditional ruler in Maiduguri claiming eight lives
29 Aug 2011	Explosion at the United Nations' Office in Abuja, Nigeria

Date of attacks	Bombing events
12 Sep 2011	Explosion at Misau Police Station in Bauchi State, killing four Policemen
4 Nov 2011	Incessant explosion in Yobe, killing about 150 people
24 Dec 2011	Explosions in Jos, Plateau killing nearly 80 people
25 Dec 2011	Christmas day bombing in Mandalla, Niger State
20 Jan 2011	Multiple explosion in Kano, claiming over 200 lives

### THE COST OF BOKO HARAM TO NIGERIA

The economic and social cost of the horrendous acts of Boko Haram is surely a cause for concern to all stakeholders. The events have caused remarkable changes in migration patterns, cost of insurance in the North, mass repatriation of funds, and a dearth of skilled labour and economic activities. According to a recent report by Human Rights Watch, the human capital loss between 2009 and 2012 to the sectarian violence was more than 935. According to that report, in 2011, Boko Haram struck 115 times and killed 550 people. Within the first three weeks of 2012, the sect killed 250 people with the deadliest being the coordinated bombings in the ancient city of Kano, which claimed 185 lives. Earlier in 2012, another twelve people were killed in a shoot-out between the Joint Task Force and members of the sect in Maiduguri, Borno State. On Sunday, 26 February 2012, suicide bombers hit a Church in Jos, killing four people, with another four in a reprisal attack, and destroying 38 vehicles. Later that night, gunmen attacked Shuwa Divisional Police Station in Madagali local government area of Adamawa State, killing three policemen on guard. In the month of March, 2013, 60 people were killed in a bomb explosion in Kano. This is the trend of the information dominating the newsstand on a daily basis in Nigeria.

Foreign investment becomes negatively affected. The result of this is a high rise in unemployment and aggravation of poverty. Although the direct and indirect finance and investment losses are unquantifiable, the World Investment Report (WIR) of the United Nations Conference on Trade and Development (UNCTAD) estimated that the domestic

economy loss, owing to the activities of terrorists going by the name Boko Haram, is a whopping 1.33 trillion Nigerian naira (approximately 1.2 billion euros) Foreign Direct Investment (FDI).<sup>23</sup>



Helen Clark, Administrator of the UNDP, looks at the remains of a car bomb that struck the United Nation's premises in Abuja in 2011. | Source: UNDP (CC BY-NC-ND).

The domestic economy of the north has also been affected, with the ripple effect being experienced gradually in other parts of the country. Commercial activities in Maiduguri, the original home of the sect, has almost crumbled as nearly all non-indigenes have fled the city. The Maiduguri Monday Market, said to be the largest market in the city, is reported to have been turned into a ghost of itself, as hundreds of shop owners, especially Southerners, are said to have abandoned their shops and fled the troubled city.

The situation in Kano, the commercial nerve centre of the north, is pathetic. The city, which used to attract traders from Sudan, Niger, Chad and Cameroon, has become abandoned by foreign traders. The situation in Kaduna is no different. Most hotel owners have relocated to Abuja. The tourism potential of Bauchi and Jos is now becoming history. The implication of this for livelihood in Northern Nigeria is that poverty now grows faster in the area, with corresponding reinforcement of other issues of development.

23 | Okechukwu Innocent Eme and Jide Ibietan, "The Cost of Boko Haram Activities in Nigeria", *Arabian Journal of Business and Management*, 2012, Vol. 2, No. 2.

The fear is that if these factors are allowed to linger on for longer than necessary, the nation may be heading towards the precipice.

**The government will have to punish security personnel that have been found to be involved in human rights abuses to end impunity. The new approach to security should combat terrorism by using an intelligence-led approach.**

There is no doubt that both locals and Boko Haram militants no longer have confidence in the security forces of Nigeria. Therefore, the government will have to address specific grievances and punish security personnel that have been found to be involved in human rights abuses to end impunity. The new approach to security should adopt tried and tested counter-insurgency (COIN) principles and methods to combat terrorism by using an intelligence-led approach. It would be useful to systematically train the security forces in key COIN approaches which involve engagement with local communities to regain their confidence and support.

There are those who feel that the Government of Nigeria should not engage Boko Haram in any form of negotiation. Unfolding events have shown that the use of force cannot achieve meaningful results. At best, it would push the sect members into hiding, but only for them to resurface, with stronger and more sophisticated approaches. Dialogue and a possible amnesty still remain a useful option.

Government should consider an amnesty as was done with the Niger Delta militants who were drawn out of their hide-outs in the creeks. Although there is still a level of criminal militants in the Niger delta who in late 2012 and 2013 committed acts of kidnapping, extortion of money and the like, this might address some of the critical factors of the agitations in the short and medium terms.

State governments, supported by the federal government, should immediately engage in programmes that will promptly create employment for the teeming young men and women. The agricultural sector participation should be revived to encourage men and women to go back to farming. This will provide food supplies and income security for the populace. There is also the need to improve our electoral processes to restore the confidence of the people. Public spending should be made more transparent in line with the fiscal responsibility law in Nigeria. This will

address the issue of infrastructural decay, and ensure a grassroots delivery of social services like education, health, transportation, housing etc, and reduce public grievances around political influence in decision making.

It is obvious from reports that the fundamental grievance of the Boko Haram sect and indeed the frequent skirmishes in Nigeria is bad governance which has resulted in the increase of Islamism and in the state of hopelessness of the majority of the population. The fact that the basic needs of the people were left unattended to for so long has created two distinct groups of actors: those with the actual grievance of neglect, and those who have exploited the crises to create wider issues. Also, it may be safe to say the lack of a consensus over societal values, including a division over religion, is also a major source of the frequent religious conflicts in Nigeria.

7 | 13



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