# Table of Contents

List of Acronyms and Abbreviations .......................................................... 15  
Preface ............................................................................................................ 17  

1 Introduction – Closing the Unfinished Business ................................. 19  
  1.1 Mediation and Negotiation – Bridge or Drift? ............................. 20  
  1.2 Intractability of Identity Conflicts – Dealing with Slippery  
    Agreements in the Philippines .............................................................. 21  
  1.3 Identity Violence in the Philippines – Between  
    Misrecognition and Nation-building .................................................. 23  
  1.4 Stumbling Blocks and Strategic Facilitation – Assessing  
    the Negotiation Process ..................................................................... 26  
  1.5 Research Objectives and Contributions ....................................... 28  

2 Catching the Slippery Fish – A Theorization of the  
  Concept of Identity and Identity Conflicts ......................................... 31  
  2.1 Conflict Defined ............................................................................... 33  
  2.2 A Conflict Analysis – the Systematic Approach ......................... 34  
    2.2.1 Conflict and Scarcity – Reduced Human Capital .............. 37  
    2.2.2 Conflict and Colonization – the Distorted State-building  
    ........................................................................................................ 40  
    2.2.3 Conflict and the Civilizational Fault-lines ....................... 42  
    2.2.4 Conflict and Misrecognition – Hegemonial Identity  
    Politics and Social Relations ......................................................... 42  
  2.3 The Construction of the Bangsamoro Identity – The  
    Collective Memory of Misrecognition .............................................. 49  
  2.4 Conclusion – Initiating a Theoretical Debate in the  
    Philippines ......................................................................................... 55
3 The Nation as a Subject of Scientific Studies ................. 63

3.1 The Nation and Postcolonial Studies ......................... 63
3.2 The Four Streams of the Study of the Nation .............. 64
   3.2.1 Historicity and Subjectivity/Normativity ............... 66
   3.2.2 Historicity and Objectivity/Methodism ................. 68
   3.2.3 Non-historicity and Subjectivity/Normativity ....... 70
   3.2.4 Non-Historicity and Objectivity/Methodism .......... 71
3.3 Conclusion – The Nation Defined ............................. 73

4 The Hegemonic Nation – How Minorities are Invented ....... 77

4.1 The Hegemon vs. the Leader – Identifying the Fundament of
   Bureaucracy ....................................................................... 78
4.2 The Hegemonic Nation – Profiling the Philippine Nation... 80
   4.2.1 The Tagalog as Freedom Fighters – The Role of
       Independence Entrepreneurs ........................................... 81
   4.2.2 Language and Constitution – Consolidating the
       Hegemonic Bureaucracy ................................................. 83
   4.2.3 System Stability through the Absence of Challengers .. 85
   4.2.4 People Power or Tagalog Power? – The Role of the
       Elites from the Capital ..................................................... 87
   4.2.5 The Hegemon following the colonialist divide and rule
       strategy – the role of Political Warlords in Maintaining
       Hegemony ....................................................................... 88
4.3 Interim Conclusion – Reframing Hegemony to Leadership 89

5 The Nation and the Legitimacy of Violence – The Need for the
   Concept of “Non-Competitive Nation-Building” .............. 93

5.1 Nation-hood and State-hood – the Functionality of Violence
   .......................................................................................... 94
5.2 Defining Violence – What Lies Behind by this Elusive Concept? ................................................................................................................................. 96
5.2.1 Direct Violence ......................................................................................... 96
5.2.2 Structural Violence .................................................................................... 97
5.2.3 Symbolic Violence ...................................................................................... 97
5.3 The Bureaucracy of Violence – Acquiring and Maintaining Legitimacy ....................................................................................................................... 99
5.4 Failure to Monopolize Violence as State Failure? - Franchising Violence to Political Warlords .............................................................. 101
5.5 Democracy Nurturing Violence – Between Power and Hierarchy .............................................................................................................................. 102
5.6 The Need for a Paradigm Shift – The Concept of a “Non-Competitive Nation-Building” ......................................................................................................... 104
5.7 Nationalistic Paradigms (P) – Discovering Patterns of Misrecognition ..................................................................................................................... 106
5.8 A Concept of “Non-Competitive” Nation-building ........................................ 107
  5.8.1 The Nation-State and Institutional Pluralism ........................................ 107
  5.8.2 Stability vs. Resilience ............................................................................. 108
  5.8.3 Resilience and Leadership ..................................................................... 109
  5.8.4 The Nation and the Identity of Solidarity .............................................. 110
  5.8.5 Nation-building and History – Reframing Narratives. .......................... 111
5.9 Interim Conclusion – Legitimizing Violence through Nation-Building ............................................................................................................................. 113

6 Mediation as Intervention of Choice – A Critical Analysis of Mediation in Identity Conflicts ......................................................................................... 117

6.1 Studying Mediation ...................................................................................... 117
6.2 Conceptualizing Mediation ........................................................................ 120
6.3 How Mediation Works ................................................................................. 124
  6.3.1 The Different Stages of Mediation – Bringing Structure to the Process .................................................................................................................. 125
6.3.2 Conditions for the Use of Mediation in Identity Conflicts ................................................................. 129
6.4 Rationale and Motives of Mediation in Identity Conflicts – Altruism or Pure Politics? .......................................................... 132
6.5 Dilemmas of Mediation Standards - Quality Assessment as Guarantee for Success? .......................................................... 135
   6.5.1 Neutrality and Impartiality of Mediators .................. 135
   6.5.2 Autonomy of Conflicting Parties .......................... 136
   6.5.3 Confidentiality of the Process ............................... 137
   6.5.4 Voluntariness ...................................................... 137
   6.5.5 The Power Balance between Conflicting Parties ..... 138
6.6 Critical Views on Mediating Identity Conflicts – Gaps through the Bridge ................................................................. 139
   6.6.1 Mediation and (In)justice ...................................... 139
   6.6.2 Mediation and the Pro-Rights Approach ................. 140
   6.6.3 Mediation, Power Imbalances and Sustainability ...... 141
   6.6.4 Mediation and Accountability ............................. 142
6.7 Interim Conclusion – Mediation as Intervention of Choice in Identity Conflicts ................................................................. 143

7 Managing Intractable Identity Conflicts – A Concert of Measures in the Southern Philippines .............................................. 149

7.1 Causes of Intractability – Mapping out the Bangsamoro Conflict ............................................................................. 149
7.2 Mediation and other Intervention Efforts in the Philippines ..................................................................................... 154
   7.2.1 First-Track Mediation in the Philippines – Dealing with “Biased” Mediation ......................................................... 158
   7.2.2 Mediation by Regional Organizations – The Organization of Islamic Conference (OIC) in the Philippines .......................... 165
   7.2.2.1 The Organization of Islamic Conference (OIC) ....... 167
7.2.3 Non-Governmental Organizations as Mediators – The Imperative Partnership

7.3 Interim Conclusion - Designing the Intervention Process

8 Relating Agreements to the Peace Process – The Science and Art of Decision-Making

8.1 Uncertainty and Negotiated Outcomes
8.2 Reaching an Agreement – Options and Dilemmas
8.3 Negotiation Outcomes - Agreement, No Agreement and Collapsed Agreement
  8.3.1 Agreement
  8.3.2 No Agreement
  8.3.3 Collapsed Agreement
8.4 Macro-Perspectives in a Long-Term Process – the Mindanao Case
8.5 The Implementation of Agreements – Dilemmas in the Operationalization
8.6 Monitoring Agreements
8.7 Interim Conclusion - Managing Process Complexity

9 Stumbling Blocks - Reasons for Collapse of Agreements

9.1 Actor-related Stumbling Blocks – Dealing with Humans
  9.1.1 Diversity of Actors, Professional Cultures and Communication Skills
  9.1.2 Lack of Information and Lack of Institutional Memory
  9.1.3 Spoilers and Negotiators for “Side-Effects”
9.2 Issue-related Stumbling Blocks – Issue Complexity
  9.2.1 Problem of Ranges – Framing Problems and Issues
  9.2.2 Multi-causality and Diffusion - Horizontal and Vertical Linkages of Issues
9.2.3 Low Politics vs. High Politics – Problematization of Rewards and Costs ............................................................... 214
9.2.4 The Zero-Sum Trap – Violence and Security ............. 216
9.3 Structure-related Stumbling Blocks ................................... 216
  9.3.1 Power Structures and Asymmetries ............................ 217
  9.3.2 Lack of Information and Immeasurability of Stakes .. 218
  9.3.3 Constituency Accountability ....................................... 219
  9.3.4 Multi-Party Setting ...................................................... 220
9.4 Process-related Stumbling Blocks ..................................... 220
  9.4.1 Time Frame Paradox – Between Short-term and Long-
Term Approaches ................................................................ 220
  9.4.2 Sectoral Arrangements ................................................ 222
9.5 Outcome-related Stumbling Blocks ................................... 223
  9.5.1 Varying Expectations .................................................. 223
  9.5.2 Post-settlement Dilemma ............................................ 224
9.6 Interim Conclusion – When Means Become Ends ............ 225

10 Strategic Facilitation of the Mindanao Peace Process –
Dealing with Stumbling Blocks................................................. 229

10.1 Actor-related Prescriptions .............................................. 230
  10.1.1 Problem-Solving Mode – Separating Persons (Relationships) from Problems (Issues) ......................... 231
  10.1.2 Management of Professional Cultures and Group Cohesion in Negotiation .................................................. 231
  10.1.3 Capacity Building ..................................................... 232
  10.1.4 Dealing with Spoilers – Identifying Structural Weaknesses ........................................................................ 234
  10.1.5 Dealing with “Side-Effects” and Hardliners through Engagement ................................................................. 235
10.2 Issue-related Prescriptions ............................................... 237
  10.2.1 Knowledge Management – Truth Commissions and Early Warning Systems .............................................. 237
10.2.2 Sequential Agreements and Amendment Procedures – Flexibility of Agreements .................................................... 239
10.3 Structure-related Prescriptions ......................................... 240
  10.3.1 Integrative Bargaining ............................................... 240
  10.3.2 Dealing with Constituency Gaps – The Role of Public Spheres ................................................................................. 242
10.4 Process-related Prescription – Process Management ...... 243
10.5 Outcome-related Prescriptions ......................................... 244
  10.5.1 Expectation Management ............................................ 246
  10.5.2 Dealing with Insufficient Outcomes – Evaluation and Selection of Alternatives ...................................................... 247
10.6 Interim Conclusion – Bridging the Gaps ......................... 249

11 Conclusion – Lessons for Theory and for Action to Resolve Identity Conflicts ................................................................. 253

  11.1 Lessons for Theory and for Action – Dealing with Complexity ....................................................................................... 254
  11.2 Outlook for Further Research .............................................. 261
Nation-building and Identity Conflicts
Facilitating the Mediation Process in Southern Philippines
Hernández, A.
2014, XVIII, 244 p. 4 illus., Softcover
ISBN: 978-3-658-05214-0