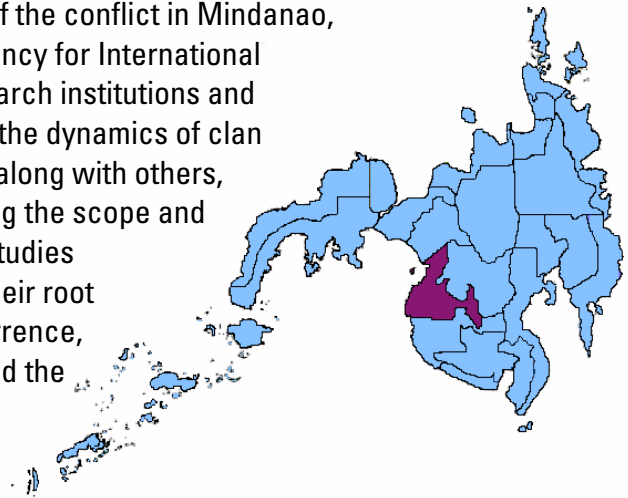


## Executive Summary

# Dynamics and Management of *Rido* in the Province of Maguindanao

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In an effort to create a clearer understanding of the conflict in Mindanao, The Asia Foundation and the United States Agency for International Development supported Mindanao-based research institutions and non-government organizations in investigating the dynamics of clan violence, otherwise known as *rido*. This study, along with others, provides a comprehensive conflict map showing the scope and magnitude of clan conflicts in Mindanao. The studies highlight specific cases of conflict, exploring their root causes and conditions for escalation and recurrence, their interaction with state-related conflicts, and the potential for conflict resolution.



## STUDY OVERVIEW

This study seeks to provide baseline data to improve understanding on the dynamics and management of *rido* in the province of Maguindanao. Specifically, it tries to answer the following questions:

- What are the causes of conflict that turn into *rido*?
- What practices are used to prevent conflict from becoming *rido*?
- What conflict resolution practices are used in the peaceful resolution of *rido*?
- What roles do kin, and political, traditional and religious leaders play in resolving *rido*?
- What causes the recurrence of *rido*?
- How is *rido* exacerbated or mitigated within the context of separatist movements in Mindanao?

This is a descriptive study. It employed a survey method in the collection of quantitative data. Focus group discussions, key informant interviews, and documents analysis were used in gathering qualitative data for analysis and interpretations.

This study was conducted in the province of Maguindanao. The city of Cotabato was included in the area of study, because it is geographically part of the province.

Maguindanao is the most populated province in the Autonomous Region in Muslim Mindanao (ARMM), with a total population of 801,102. It is composed of 28 municipalities and 481 barangays. Most of the residents of Maguindanao classify themselves as Magindanaon (64 percent), about 14 percent as Iranun; 5 percent, Teduray; and 17 percent, other ethnic groups. Majority (81.8%) of the people in Maguindanao are Muslims. Roman Catholics account for 9.55% of the total population.

## **FINDINGS**

Of the 218 cases of *rido* identified by respondents between 1970 and 2004, 116 cases were resolved and 102 cases remained unresolved. Out of the resolved cases, eight recurred.

These cases of *rido* caused the death of 811 persons. Respondents also revealed that 369 were wounded, 46 imprisoned and 6 reported missing. *Rido* also caused the relocation of 422 families of the major parties involved, 116 families of allies and 43 families of those indirectly involved.

The major causes of *rido* can be found in elections (19.27%), land conflicts (14.68%), cattle rustling/robbery (10.55%), crimes against chastity (10.09%), and suspicion (5.50%). Other causes identified by respondents included business competition, lack of sportsmanship, non-payment of dowry, extortion, and accidental killings.

To avert a conflict from becoming *rido*, one of the traditional practices involves bringing the offender to the house of the offended party, accompanied by the relatives and community leaders, to ask for forgiveness. In most cases, the offended party forgives the offender, but the practice also needs consent and cooperation from the relatives of parties involved.

When a conflict turns into *rido*, mediation is the usual method of resolution. An effective mediator must be credible, respected and have influence on the parties involved. Filing of cases in government courts or revolutionary courts of the separatist movements is also resorted to.

Resolved cases of *rido* will have a recurrence of violence under the following conditions: when a party is shamed (*kapanunungka*); the settlement is unfair; a party fails to comply with the provisions of the agreement; some family members of the conflicting parties are not properly informed of the settlement; or when a person feels left out of the settlement.

Although both the Government and the MILF are concerned with the problem of *rido*, their competing systems of addressing the problem give parties the opportunity to “forum shop.” Mediation efforts are further complicated by armed encounters between Government and MILF forces, or when relatives in the police, military, or MILF become involved in the *rido*.

*Rido* is a consequence of the inefficiency and ineffectiveness of the justice system. The competing authorities (constitutional government, revolutionary movement, and traditional leadership) in the province (region) complicate the resolution of *rido*.

Conflict becomes *rido* when a family member of the offended party attempts or carries out violent retaliation. In most cases, conflict becomes *rido* when it causes the death of a family member from either party. The retaliation and counter-retaliation results in a cycle of vengeance.

## **RECOMMENDATIONS**

To address the problem of *rido*, the study recommends the following:

1. Improvement of the justice system
  - a. Appointment of judges in every municipality. As of this writing only one judge attends to cases in twenty-eight municipalities.
  - b. Ensure the security of judges
  - c. Assign more personnel in the Public Attorneys Office to attend to cases of those who cannot afford private lawyers
  - d. Explore possibility of placing under the jurisdiction of the Shari’ah Courts crimes against chastity and other criminal aspects involving Muslims
  - e. Train paralegals and legal aides to assist the people at the community level to have access to the formal legal system.
2. Improvement of law enforcement
  - a. Institute measures to improve quality of police personnel and their working conditions
  - b. Introduce measures to hold police accountable for obstructing investigation and failing to execute court decisions like serving warrants of arrest.
3. Review of the electoral process as practiced in the province and other Muslim areas. Although elections do not contradict the democratic teachings of Islam, they are not the traditional way of choosing leaders. In addition:

- a. Implementation of computerized counting of ballots
  - b. Strict implementation of the gun ban during election period
  - c. Neutrality of the military and police during elections
  - d. Sustainable campaign for free and honest elections by non-partisan and credible groups
4. Review of land policies in the province
    - a. Formulate policy framework that shall harmonize the *pusaka* (traditional) system of ownership and private ownership
    - b. Create special body to address competing land claims
    - c. Undertake program to expedite processing of applications for land titling
    - d. Completion of the cadastral survey and mapping in the province
  5. Improvement in the mediation and arbitration system of resolving *rido*
    - a. Organization of local councils, other than the *Katarungang Pambarangay* (barangay [village] justice), at the municipal and barangay levels composed of respected and credible community leaders to resolve *rido*
    - b. Capacity training for community leaders involved in mediation or arbitration of *rido*
    - c. Development of training manual on mediation and arbitration of *rido*
  6. Educational campaign on the negative effects of *rido*, and promotion of Islamic values on justice, forgiveness, mercy and peace.
  7. Exploration of the possibility for the Government and the MILF to take joint action against *rido*.
  8. Research institutions to conduct further studies on how to improve the justice system to make it responsive to the problem of *rido*. Studies also on traditional ways of conflict resolution and how they can be used and be effective in the context of Philippine legal system are also relevant and useful.

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