

Hermeneutic Experience as Paradigm of Conflict Resolution: The Case of the Bangsamoro Conflict in Mindanao, Southern Philippines

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Abstract

The Philippine government has recently been preoccupied with cultivating a sense of genuine and lasting peace among the Moro-Islamic ethnic and cultural groups in Mindanao, Southern Philippines through the ongoing Bangsamoro Peace Process (BPP) that would eventually grant the Moro-Islamic communities with political autonomy and self-government. Such policy highlights the notion that conflict resolution is just a matter of re-negotiating and the re-defining of the terms of power and power relations between the national government and the Moro-Islamic communities in Mindanao to forge a sense of solidarity. Recently, we have begun to see the breakdown of such conception of conflict resolution. When the Bangsamoro peoples do not 'fit' the role set out for them by the national government, they are labelled as betrayers of the peace process or worse, as terrorists. The problem here is not that the Bangsamoro peoples are failing in fulfilling their end of the bargain, but that they are framed as such. This framing and positioning of the Bangsamoro people has real on-the-ground implications which, in turn, raise crucial questions on how relationships between the national government and the Bangsamoro peoples, the modern and the ethnic, the 'I' and the other, should be conceived in the practice of conflict resolution. Drawing on Hans-Georg Gadamer's theory of hermeneutic experience, this paper explores the hypothesis that genuine conflict resolution can be better achieved not through changing the power dynamics between two conflicting groups, but through a hermeneutic dialogue that aims at understanding and learning from the other. A proper model or paradigm for conflict resolution is a *hermeneutic* one that recognizes the differences of two-conflicting groups—working out these differences to come up with a resolution that will not only benefit one party, but would benefit both parties involved.

Keywords: Bangsamoro Peace Process, conflict resolution, hermeneutic experience, Mindanao

1.0. Introduction

The Philippine government has recently been preoccupied with cultivating a sense of genuine and lasting peace among the Moro-Islamic ethnic and cultural groups in Mindanao, Southern Philippines through the ongoing Bangsamoro Peace Process (BPP) that would eventually grant the Moro-Islamic communities with political autonomy and self-government. Such policy highlights the notion that conflict resolution is just a matter of re-negotiating and re-defining of the terms of power and power relations between the national government and the Moro-Islamic communities in Mindanao.

Recently, we have begun to see the breakdown of such conception of conflict resolution. When the Bangsamoro peoples do not 'fit' the role set out for them by the national government, they are labelled as betrayers of the peace process or worse, as terrorists. The problem here is not that the Bangsamoro peoples are failing in fulfilling their end of the bargain, but that they are framed as such. This framing and positioning of the Bangsamoro people has real on-the-ground implications which, in turn, raise crucial questions on how relationships between the national government and the Bangsamoro peoples, the modern and the ethnic, the 'I' and the other, should be conceived in the practice of conflict resolution.

In exploring this lacuna, this paper discusses conflict resolution in light of Hans-Georg Gadamer's theory of hermeneutic experience. Gadamer's insights on understanding, dialogue and solidarity emphasize the particular bonds that already exist between individuals, which are anchored in various societal, political contexts and historical moments. He argues that these are not immediately visible, but can be brought to awareness through an understanding of the other in the manifold contexts in which s/he exists. This process can enable a 'fusion of horizons', which is linked with a broader understanding of the other in light of the various contexts which shape the other's and one's own perspective. This process leads to a joint creation of a new understanding about oneself, the other, the subject of discussion and the encounter as well as about the limits of knowledge.

This paper shall proceed as follows. In part 2, I trace the history of the conflict across different colonization periods and administrations. I will argue in Part 3 that we need a conceptualization of conflict resolution, which takes under consideration not only

plurality and difference but also the challenges that the process of coping with plurality is marked with. It emphasizes the need to confront the finitude of our knowledge and the unpredictable possibilities that uncertainty, mistakes and failures imply for people and governments. Drawing on Gadamer's theory of hermeneutic experience, I claim that responding to these challenges can be better achieved not through changing the power dynamics between two conflicting groups, but through a hermeneutic dialogue that aims at understanding and learning from the other. I will conclude in part 4 by arguing that the proper model or paradigm for conflict resolution, then, is a *hermeneutic* one that recognizes the differences of two-conflicting groups—working out these differences to come up with a resolution that will not only benefit one party, but would benefit both parties involved.

2.0. THE BANGSAMO CONFLICT IN MINDANAO, SOUTHERN PHILIPPINES

The history of conflict in Mindanao can be traced back to Spanish colonization in the 16th century. By then, Islam had already taken root in Mindanao, having been introduced in the 13th century by Arab traders and promoted by missionaries from Indonesia and Malaysia in the 15th and early 16th centuries. In line with Islamic tradition, a governance structure was in place in the form of Sultanates.¹

The ability of the Muslims to thwart successive attempts of the Spanish colonial forces to subjugate them set their people apart from the northern inhabitants of the Philippine archipelago, most of whom were conquered and converted to Christianity. Deep distrust and suspicion were cultivated by the colonizers among the Christian converts against their Muslim brothers as a way of ensuring their control of most of the country and its inhabitants. Intermittent wars were fought between the Spanish invaders and their local Christian allies and Muslim fighters throughout three centuries of Spanish colonial rule.²

The advent of American colonial rule did little to change the situation. The American regime passed a series of land laws³ that favored settlers and private corporations at the

¹Benjamin Rodil, *The Lumad and Moro of Mindanao* (Manila: Minority Rights Group, 2003), 5; See also his *A Story of Mindanao and Sulu in Question and Answer* (Davao City: MINCODE, 2003), 8-15.

²S. Schiavo-Campo & M. Judd, *The Mindanao Conflict in the Philippines: Roots, Costs and Potential Peace Dividend* (Washington DC: The World Bank, 2005), 76; See also R.T. Nuñez, *Roots of Conflict: Muslims, Christians and the Mindanao Struggle* (Makati City, Philippines: Asian Institute of Management, 1997), 154.

³Refer to the 1902 Philippine Bill, which effectively upheld Spanish cadastral laws; the 1902 Land Registration Act, which established the requirement of a "Torrens title" as proof of land ownership; and the 1905 and 1918 Public Land Acts, which determined all unregistered and untitled lands to be owned by the State, and that such public lands may be claimed and registered through the free patent system.

expense of the Moros. This, along with the implementation of land titling programs in Mindanao anchored in a property rights⁴ regime alien to the customs and traditions of the Moros, led to massive dispossession of Moro lands by settlers and private investors.⁵

After the Philippines gained independence from the United States, a series of land resettlement programs in Mindanao in the 1950s and 1960s further accelerated this dispossession. The resettlement programs were undertaken to ease the social unrest spawned by the Communist-led Huk rebellion in the islands of Luzon and the Visayas and, purportedly, to further develop Mindanao by exploiting its vast natural resources.⁶

In the late 1960s and early 1970s, tension increased between the settlers and Moros as land scarcity grew and centuries-old distrust continued between the two groups. The contemporary armed conflict between the government in Manila and the Moros was triggered by the Jabidah massacre in 1968,⁷ which led to the establishment of the first Moro separatist groups initially with the founding of the Moro Independence Movement (MIM) and eventually the Moro National Liberation Front (MNLF).⁸

The declaration of martial law by President Ferdinand Marcos in 1972 transformed the conflict from a simmering rebellion into a full-blown war. Ultimately realizing that he could not achieve total victory against the Moro combatants, Marcos initiated the signing of the 1976 Tripoli Agreement with the MNLF. Under this agreement, the MNLF would drop its separatist goal in favor of creating an autonomous government for the Moros. In the years that followed, the conflict returned to being a low-intensity rebellion, with the Central Government in Manila implementing its own definition of autonomy for the Moros.⁹

⁴This is the Regalian doctrine, which was first introduced during the Spanish colonial period and became the basis for all land laws as established in the 1935, 1973 and 1987 Philippine Constitutions. It stipulates that all lands of the public domain and other natural resources belong to the King of Spain and later to the State as the natural successor.

⁵P.G. Gowing, *Mandate in Moroland: The American Government of Muslim Filipinos, 1899-1920* (Quezon City: Philippine Center for Advanced Studies, UP System, 1977), 89; Cesar Majul, *Muslims in the Philippines* (Quezon City: Published for the Asian Center by the University of the Philippines, 1973), 58.

⁶P.G. Gowing, *Muslim Filipinos: Heritage and Horizon* (Quezon City: New Day Publishers, 1979), 146.

⁷This involved the killing of at least 28 young Moro military trainees by their superiors to prevent a leak of the Philippine Government's intent of fomenting unrest in Sabah, to which the Sulu Sultanate has a claim.

⁸Miriam Coronel-Ferrer, *Peace-Building and Mediation in the Philippines* (Quezon City: Center for Integrative and Development Studies, 1994), 47.

⁹J.A. Kamlan, *Bangsamoro Society and Culture: A Book of Readings on Peace and Development in Southern Philippines* (Iligan City: Iligan Center for Peace Education and Research, Office of the Vice-Chancellor for Research and Extension, MSU-Iligan Institute of Technology, 1990), 27.

In 2000, concerned about the MILF's growing strength, the Estrada regime declared an "all-out war," resulting in the displacement of more than a million people, with high human and physical costs to the entire country. Following Estrada's impeachment and ouster in 2001, President Gloria Arroyo reversed her predecessor's aggressive policy and declared an "all-out peace" stance toward the MILF. Peace negotiations began but broke down when the government unilaterally attacked MILF positions in 2003, resulting in the displacement of more than a half a million people.¹⁰

It was not until mid-2010, with the newly elected government of President Benigno Aquino III, that negotiations resumed. In early 2011, President Aquino personally met Chairman Murad in Tokyo to assure him of his government's sincerity in seeking lasting peace with the MILF. In October 2012, the GPH and MILF peace negotiating panels, through mediation by the Malaysian Government, reached a breakthrough and signed the Framework Agreement on the Bangsamoro (FAB). A series of negotiations provided the details of the FAB, which are contained in four annexes pertaining to: (1) Transitional Arrangements and Modalities; (2) Wealth Sharing and Revenue Generation; (3) Power Sharing; and (4) Normalization. The signing of the Comprehensive Agreement on the Bangsamoro signaled the start of a new phase in the relationship between the MILF and the GPH and the difficult task of implementing the peace accord as embodied in the proposed Bangsamoro Basic Law.¹¹

3.0. TOWARDS A SHARED UNDERSTANDING: GADAMER AND CONFLICT RESOLUTION

Reaching an understanding in conversation presupposes that both partners are ready for it and trying to recognize the full value of what is alien and opposed to them. If this happens mutually, and each of the partners, while simultaneously holding on to his own arguments, weighs the counter-arguments, it is finally possible to achieve, in an imperceptible but not arbitrary reciprocal translation of the other's position (we call this exchange of views), a common language and a common statement.¹²

¹⁰Human Development Network, *Philippine Human Development Report 2005: Peace, Human Security and Human Development in the Philippines* (2nd ed.) (Human Development Network in cooperation with the United Nations Development Programme & New Zealand Agency for International Development, 2005) Retrieved January 13, 2017, from http://hdr.undp.org/docs/reports/national/PHI_Philippines/Philippines_2005_en.pdf

¹¹See The Framework Agreement on the Bangsamoro, URL= <http://www.gov.ph/2014/10/15/the-framework-agreement-on-the-bangsamoro/>

¹²Hans-Georg Gadamer, *Truth and Method*, trans. W. Glen-Doppel (London: Sheed and Ward, 1975), 348; Referred hereafter as TM.

This quotation is from neither a negotiation manual nor a mediation handbook, but from Hans-Georg Gadamer's magnum opus *Truth and Method*. Negotiation has been described in negotiation theories as a process of joint decision making, where individuals try to forge an agreement so that they can bring together previously incompatible elements into a single outcome.¹³ This requires communication. However, an element of mystery is also involved: we do not know how a shared understanding is reached between the parties in conflict. Negotiation and conflict resolution theories do little to shed light on the role of understanding in resolving violent political conflicts, and thereby they can be complemented with Gadamer's views on coming to an understanding (*Verstiindigung*) in dialogue.

3.1. Interpretation and Understanding

In order to apply the Gadamerian insight to conflict resolution in a more detailed manner, some basic concepts need to be introduced. Conflict resolution models are often informed by the view that the human being is a rational animal, something living that has reason. On the other hand, hermeneutics, which emphasizes that human 'being' is interpreting 'being', also argues that 'being' is characterized by absolute historicity, temporality and being-in-the world, that is, *Dasein*.¹⁴ As Gadamer puts it, "all *Dasein* is in a world and is so in such a way that it "has" its world, that is, that it is already in an understanding of itself and of the world in which it lives."¹⁵ Understanding is the original form of the realization of *Dasein*, the original character of the being of human life itself. Understanding is, thus, not so much an action of one's subjectivity, but the placing of oneself within a process of tradition, and in dialogue it has the characteristic of sharing between two or more people.¹⁶ Gadamer argues that human 'being' is itself a self-interpreting activity. This activity involves an understanding of what 'being' means, and it is this understanding that opens up a clearing in which human beings can encounter objects, institutions and other human beings. In these encounters, the interpreter begins

¹³William Zartman, "Negotiating Identity: From Metaphor to Process," *International Negotiation* 6, no. 2 (2001): 137. (137-140)

¹⁴See Martin Heidegger, *Being and Time*, trans. J. Macquarrie and E. Robinson (NY: Harper and Row, 1962).

¹⁵Hans-Georg Gadamer, *Plato's Dialectical Ethics* (New Haven, CT & London: Yale University Press, 1991), 21-22; Hereafter referred to as PDE.

¹⁶Gadamer, *TM*, 258.

the analysis from within the practices she is seeking to interpret. Interpretation is characterized by two features. First, it begins with fore-conceptions or fore-meanings and prejudices, as Gadamer also calls them—that are replaced by more suitable ones during the event of understanding. Second, understanding is ultimately an interplay between the movement of tradition and the movement of the interpreter.¹⁷

In other words, interpretation begins with fore-conceptions that are replaced in the process of understanding. A person who is trying to understand will project fore-conceptions to the object, institution or person she wants to understand. However, understanding is not simply about projecting fore-conceptions on something new, but also an exercise in working out one's conceptions in the light of the novelty of the object one encounters. The aim is to “remain open to the meaning of the other person or of the text.”¹⁸ Understanding a written text or oral argumentation requires recapturing the perspective from the framework within which the authors have formed their views and ultimately sharing a common meaning with the author.¹⁹

Our fore-conceptions are tied to tradition. Tradition is not for us something other in the past, but it is a part of us. Neither is tradition something that is univocal. It consists of multiple voices that all echo the past.²⁰ We produce tradition by understanding it, by participating in its evolution and, eventually, by determining it. Tradition not only conditions our 'being' in the world. We are also within the situation that provides us with a standpoint, and that is determined by the prejudices we carry with ourselves. Our standpoint limits the possibility of vision.

To capture the idea of our limited visions, Gadamer introduces the notion of horizon.²¹ For him, “the horizon is the range of vision that includes everything that can be seen from a particular vantage point.”²² The horizon helps us to meet with tradition, because tradition speaks out of the horizon. Although our vision may be limited, the horizon is never closed: it is never bound to any one standpoint, nor is it stable. The horizon of the present is constantly in the process of being shaped and tested. Through the

¹⁷Gadamer, *TM*, 261.

¹⁸Ibid., 238.

¹⁹Ibid., 258-260.

²⁰Ibid., 252.

²¹Ibid., 267-274.

²²Ibid., 269.

horizon, one can look beyond what is close at hand. "In the process of understanding there takes place a real fusing of horizons,"²³ where one's own horizon meets with or, rather, fuses with the horizon of the text or person one encounters.

3.2. The Importance of Foreconceptions in Conflict Resolution

Gadamer's notion of fore-conception differs from the ideas of cognitive biases and heuristic devices suggested by behavioural-cognitive models of conflict resolution. Interest in the cognitive mechanisms that are thought to influence, if not guide, negotiations on conflicting issues has inspired a line of research in conflict resolution that is preoccupied with differences in negotiators' perceptions and their information-processing procedures. The focus has been, first, on cognitive heuristics and biases that are assumed to be mental shortcuts and that are thought to produce often erroneous judgements. Second, the schematic nature of information processing has been emphasized. Organized knowledge structures based on misperceptions are supposed potentially to distort the acquisition, storage and recall of information.²⁴ In these models, negotiators are thought to have a limited span of attention and limited capacity to store and retrieve information from memory. As a consequence, they tend to simplify things in order to cope with the flow of incoming information. The negotiators can, thus, judge the situation erroneously. In terms of information processing, these theories have suggested that the negotiator's knowledge is represented in schemata that can lead to selective attention and memory. Bias and information processing become sources of inaccurate perception and judgement. In short, individuals are seen to be selective information processors who have limited cognitive capabilities. In handling decision problems, it is assumed that they use some sort of heuristic or mental aid. For Gadamer, fore-conceptions are the prerequisite for, not constraints of, the understanding that takes place when making decisions. The issue is not whether or not we select information and whether our perceptions of reality are 'correct' enough for us to make purposeful decisions, for example, at the negotiating table. We are always within a situation that limits our horizon. On the other hand, our situation is a window on the world, without which there can be no interpretation and understanding of

²³Gadamer, *TM*, 269.

²⁴For detailed accounts, see: Christer Jonsson, *Communication in International Bargaining* (London: Pinter, 1990) and John Vasquez, *The Power of Power Politics* (New Brunswick, NJ: Rutgers University Press, 1983).

meaning, for being, acting and making decisions in the world as a human being is about interpretation and understanding. The negotiators do not enter the negotiating table with their minds as *tabula rasa* or as 'information processors', but as human beings whose action is guided by their fore-conceptions.

3.3. Encountering the Other in Dialogue

Some theorizing on conflict resolution has a tendency to instrumentalize the relationship to the other, when the negotiators are seen to calculate how other persons behave at the negotiating table and estimate which frame, competitive or cooperative, is most beneficial in terms of maximizing one's utility. However, as Gadamer argues, it is "an illusion to see another person as a tool that can be absolutely known and used."²⁵ Instead of calculations, 'I-Thou' relationships are ultimately governed by dialectic reciprocity. The claim that one knows the other person and can predict her behaviour keeps the claims of the other person at a distance and cannot, according to Gadamer, serve as a basis for understanding, and therewith for joint decisions. The experience of 'Thou' truly as a 'Thou' implies an openness to the other, to listening to her claims. There is a logical structure in openness, and it takes the form of a question. We cannot have experience without asking questions. Questions are vital, because "the emergence of the question opens up, as it were, the being of the object"²⁶; the question gives the object to us as well as opening up the existence of the other, 'Thou', to us. In short, without questions there is no encountering the object and the other. Questioning takes place in dialogue. True dialogue is a kind of speech that progressively discloses the object, continually addressing it as something different. It is a kind of speech that lets the other person speak as well and shows a shared willingness to question. Conversation is "a process of coming to a shared understanding about the facts of the matter."²⁷ Dialogue is also the origin of knowledge. Knowledge is gained through the search for a shared understanding of the matter in question, and that search takes place through conversation. Knowledge is ultimately about understanding; explaining is a secondary category in knowledge-formation. Finding a common language is vital for conflict resolution through negotiation. According to the Gadamerian view, a

²⁵ Gadamer, *TM*, 323.

²⁶ *Ibid.*, 326.

²⁷ Gadamer, *PDE*, 40.

shared language arises when the object 'speaks' to us. This means coming under the influence of the truth of the object and, thus, forming a new community. To reach an understanding and coming to agreement is ultimately “a transformation into a communion, in which we do not remain what we were.”²⁸ Gadamer's view on language and linguistic community differs from the views held by some negotiation models, namely those which are concerned with the correspondence of the language with 'reality'. Conveying a message and receiving it in an accurate manner—that is, in the way that the sender intended and in a way that corresponds with reality—is seen in these models to be the main function of language, whereas Gadamer emphasizes the community- building function of language. Dialogue also allows the participants to become manifest to each other, which is important in conflictual relationships:

This pattern of mutual self-expression constitutes a specific possible way of being with one another. The idea of shared understanding which guides this activity is not one in which agreement is reached about the matter under discussion, and its motive is not to secure the disclosure of the matter, but, rather, to enable the participants themselves become manifest to each other in speaking about it.²⁹

Inability to come to a common understanding does not imply failure, because this is never a final outcome; it merely indicates that one has been unable to bring the process of understanding to a conclusion. Conversation can be resumed and repeated, and thereby moved forward towards gaining access to the facts of the matter and thus agreement.³⁰ Similarly, conflict resolution can be seen as an open process that can be repeated. Through dialogue and its repetition, a community is established.

3.4. Mediation as Translation

Mediation is seen to be an extension of the negotiation process, because mediators rely on the same tools as effective negotiators. In other words, “mediation is the continuation of negotiations by other means.”³¹ The idea of the negotiation triad, however, enlarges the view on mediation. By bringing her own interests into the triadic structure,

²⁸Gadamer, *TM*, 341.

²⁹ Gadamer, *PDE*, 37.

³⁰ *Ibid.*, 39.

³¹Jacob Bercovitch, “The Structure and Diversity of Mediation in International Relations,” in *Mediation in International Relations: Multiple Approaches to Conflict Management*, ed. by Jacob Bercovitch & Jeffrey Rubin, pp. 1-29 (Basingstoke & London: Macmillan, 1992), 15; See also Fred Ikle, *How Nations Negotiate* (New York: Harper & Row, 1964).

the mediator is seen to change the structure of negotiation in a fundamental manner.³² In views that rely on human needs thinking, the mediator's facilitative role is emphasized.³³ It is assumed that the facilitator knows more about the causes and processes of human behaviour than the participants themselves, and that she will act as an outside observer in the assisted negotiation process. The facilitator is thought to be an expert who will assist the parties in recognizing their true—and ultimately shared—human needs, and therewith, to help them overcome their differences.³⁴ Seen from the Gadamerian perspective, the mediator does not primarily bring into the process her instrumental negotiation skills, interests or superior knowledge of the causes of conflicts. What she brings along are fore-conceptions, situation-ness and horizon. The mediator is, thus, a participant who has a different role in the process than the parties in conflict. The fore-conceptions open up the issues and the parties to the mediator, in the same manner as for the negotiation parties. The mediator does not have privileged access to the negotiation process by virtue of either expert knowledge or instrumental mastery of the world. Rather, she is part of the dialogue where meaning is interpreted. Mediators use language as a medium of understanding, because “language is the middle ground in which understanding and agreement concerning the object takes place between two people.”³⁵ Understanding and reaching an agreement involves a form of translation, conveying meaning from one context to the context where the other person lives. Meaning needs to be conveyed to a new linguistic world, and in order to do this, the translator must interpret and express the meaning in a new way. As noted earlier, the parties in conflict often play incommensurable language games. They can have disparate interpretations of the conflict, which means that there is no mutual definition of conflict resolution either. The games in conflict situations are often enclosed and schematic. In other words, rather than opening up conflict resolution, language games enclose the world and the option of conflict resolution to the parties in conflict. The mediator conveys meaning from one game to the other, and by doing this interprets the conflict for the parties. The requirement that translation should be faithful to the 'original

³² Christopher Mitchell and Keith Webb, *New Approaches to International Mediation* (Westport, CT: Greenwood, 1988).

³³John Burton, *Violence Explained* (Manchester: Manchester University Press, 1997), 45.

³⁴Jacob Bercovitch, *Studies in International Mediation* (London: Palgrave, 2003), 179; See also Thomas Princen, *Intermediaries in International Conflicts* (Princeton, NJ: Princeton University Press, 1992).

³⁵Gadamer, *TM*, 346.

meaning' does not remove the problematique of interpretation and the importance of the mediator's own preconceptions. As Gadamer states, "translation as all interpretation, is a highlighting,"³⁶ because the translator always has to make difficult decisions in terms of what to play down and what to emphasize. Like the translator, the mediator "does not attain the ideal of leaving himself aside"³⁷ in the process, but participates fully in the search for shared meaning. In sum, the Gadamerian perspective suggests that the mediator is a participant in negotiations and that her engagement is based on an attempt to understand the parties and issues at hand. She does not have privileged access to the issues and parties. The mediator brings her fore-conceptions to the negotiating table, and they form the basis for understanding and action. The mediator also acts as a translator who interprets meaning from one language game into another.

4.0. Conclusion

Applying Gadamer's hermeneutics to conflict resolution sheds light on how negotiating conflictual issues is ultimately about engaging in a dialogical 'I-Thou' relationship. The Philippine national government and the Bangsamoro peoples as members of a negotiation process seeking to resolve a conflict bring along with them their own fore-conceptions, which change through the logic of question and answer. In order for them to reach an agreement, they need to be prepared for dialogue, open to what is alien and opposed to them, and willing to weigh the counter-arguments while holding on to their own views. They must be willing to understand and encounter something new and to take fresh and novel views on the conflictual issues.

Owing to the fundamental breakdown of a shared reality that characterizes the conflict, the parties need to find a common language as a medium for understanding. In the Gadamerian spirit, it can be argued that the mediator can fulfill the function of the translator who transfers meaning from one language game to another. Like the parties, the mediator enters the process with her own horizon. Being a translator does not imply being an outsider. Rather, the mediator is a participant whose goals may be different from those of the parties in conflict, but whose being-in-the-world is guided by the same principles as any human being's existence.

³⁶Gadamer, *TM*, 348.

³⁷*Ibid.*, 358.

Some important topics are not tackled by the Gadamerian framework, notably the issue of asymmetry and power in conflict resolution. Genuine dialogue between the parties can be difficult if the stronger party, for example with a clear national security agenda, is not willing to concede much. Similarly, the weaker party may be willing to accept little in order to avoid further marginalization.³⁸ Seen from a Gadamerian perspective, this is unlikely to lead to a shared understanding. Struggles to discipline and control definitions of reality characterize conflict. These struggles produce power structures as well as grids of communication and interpretations that limit the identity of the parties to the dialogue. They set also the agenda for what are considered appropriate and inappropriate matters for debate. Typically, power 'sanctifies the speech' of some parties over others and privileges dominant ideologies.³⁹

Despite the limitations of the Gadamerian model, the conceptual and theoretical framework suggested here can be translated into two practical policy implications: (1) To have a solid foundation for conflict resolution—an activity separate from conflict settlement that primarily aims at the cessation of violence—the parties themselves need to see their conflict as a problem and have a horizon of expectation that includes the possibility of peaceful conflict resolution. (2) The role of the mediator is not that of an outsider. Rather, she is a participant in a process of interpretation. The mediator's task is not to try to force the parties to overcome their differences. The goal is to act as a translator who translates meaning from one language game to another and to allow the parties to examine the border between 'us' and 'them' in a dialogue. The mediators who use coercive tactics are unlikely to be successful, because the parties will not be engaging in a genuine dialogue with a power-mediator.

³⁸See Hilde Henriksen Waage, *Peacemaking Is a Risky Business' Norway's Role in the Peace Process in the Middle East, 1993-96* (Oslo: International Peace Research Institute, Oslo, 2004).

³⁹On the importance of dialogue see: Seyla Benhabib, *Situating the Self* (Cambridge: Polity 1992); Sara Cobb & Janet Rifkin, "Practice and Paradox: Deconstructing Neutrality in Mediation," *Law and Social Inquiry* 16, no. 1 (1991): 35-62.

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