

## THE CONFLICT IN MINDANAO: PERSPECTIVES FROM SOUTH OF THE BORDER\*

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### 124 DIE IN MORO RAID

MANILA, Sat. — Muslim secessionists, mounted their biggest offensive in six years amid preparations for a Papal visit, massacred 124 army troopers on a southern island, authorities said today.

Sketchy military reports said secessionists belonging to the separatist Moro National Liberation Front (MNLF) struck yesterday killing 124 men of the 31st Infantry Battalion, 1st Infantry Division — UPI

This was the front page banner headline and story which greeted Malaysian readers of the *New Sunday Times* on February 15, 1981. It served as a reminder, more especially to Malaysian Moslems, that the war in the Southern Philippines was alive and well, and to raise fears that any Philippine army military operations to avenge the killings on Pata Island, in an area so close to the Philippine-Malaysian border may result in yet another influx of Filipino Muslim evacuees across into Sabah, Malaysia where already over 100,000 Filipino Muslim evacuees presently reside.

These fresh fears come just weeks after armed gangs of "foreigners" totting automatic weapons and speaking Malay "with a heavy foreign accent" staged two raids in the Lahad Datu and Semporna areas of Sabah's East Coast facing the Philippines (*New Sunday Times*, December 7, 1980; and *New Sunday Times*, December 21, 1980). These attacks have revived memories of the *Saleha Baru* incident of October 23, 1979 which involved the hijacking of the boat, the *Saleha Baru*, and its 42 passengers, most of whom were Filipino Muslim evacuees residing in Sabah. That incident led to accusations by Admiral Espaldon that Sabah was a Filipino Muslim rebel sanctuary, which served as a conduit for arms and supplies to the Muslim insurgents in the Southern Philippines. He alleged that Sabahan hospitals, especially those in Sandakan, were crammed with pirates and terrorists wounded in clashes with the Philippine military. He said that:

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1. Sabahan immigration authorities are the ones in contact with the pirates and terrorists, and actually facilitate (their) stay in Sabah . . .
2. Sabahan police authorities have full knowledge of the presence of such pirates and terrorists. Police boats, in fact, escort (them) . . .
3. Since the early 1970s, Sabahan boat builders have been manufacturing watercraft for the pirates and terrorists, especially the fast watercraft used to smuggle war materials from Sabah to the secessionist terrorists in the Southern Philippines . . . (Quoted in *Asiaweek*, December 28, 1979 – January 4, 1980, p. 42).

Sabah's Chief Minister, Datuk Harris Salleh, in turn called Admiral Espaldon a "great liar," and described his allegations as "lies, lies, lies . . . rubbish and nonsense," and warned that such "statements containing falsehoods . . . (are) certainly not in the interest of ASEAN relations." (*Asiaweek*, December 28, 1979 – January 4, 1980, p. 42).

The war being fought in the Southern Philippines government has become an international issue, it being regularly discussed at forums such as the Islamic Foreign Ministers Conference and the Islamic Conference. A representative example of the point of view being expressed at these forums is this extract by the Special Adviser on Muslim Minorities in the General Secretariat of the Organization of the Islamic Conference:

The reaction of the Philippine government to the present war is identical to that of the previous colonial governments. The Muslims are being suppressed, even being obliterated by brute force. Even in areas of their greater concentration they are allowed no autonomy in their own affairs. In every respect the Muslims of the Philippines are the successors of the Muslims of Spain. The fall of Sulu in 1940 reminds me of the fall of Gharnatah (Grenada) in 1492. The Muslims are no more than 10 per cent of the total population of the Philippines (about 4,000,000 Muslims now). They are being subjected to conditions that are hardly any different from those of the Spanish Inquisition. Our only hope is that they will escape the Andalusian fate (Kettani, 1979, p. 257).

The war in the Southern Philippines directly impinges on Malaysia in the form of tens of thousands of Filipino Muslims who have evacuated their barrios and municipalities and crossed over into the adjacent Malaysian State of Sabah. Their continued presence in Sabah is a potential cause of Malaysian-Philippine friction, and their large numbers – they already now comprise the second largest ethnic group in Sabah – are the source of many social, economic and political problems in Sabah.

This paper seeks to outline the background of the conflict in the Southern Philippines which resulted in the flood of evacuees into Sabah, to analyze their numbers and distribution in Sabah, and to examine the many implications their continued presence in Sabah poses to Sabah, to Malaysia in general, and to Malaysian-Philippine relations.

## The Conflict in the Southern Philippines

Religion, trade, territorial subjugation and exploitation of labour are the essential characteristics of the Philippine colonial experience. The Spanish-Muslim Filipino encounter illustrates the problem of correctly understanding colonial history. Governor Francisco de Sande issued the following instructions to the very first Spanish military expedition to Mindanao and Sulu in 1578. These outline what was to be four centuries of Spanish policy towards the "Moros" (Muslim Filipinos):

1. Get them to acknowledge Spanish sovereignty over their territory.
2. Promote trade with them while obliging them to limit their trade to the Philippine Islands; and discover the natural resources of Moroland with a view to their commercial exploitation.
3. Bring an end to Moro "piracy" against Spanish shipping, and an end to Moro raids on the Christianized settlements of the Visayas and Luzon.
4. Begin the Hispanization and Christianization of the Moros, in line with the pattern followed with respect to other Filipino groups (quoted in Gowing, 1979: 29-30).

Historian Peter Gowing (1979: 30-31) argues that "this last element in Spanish policy . . . was at the root of the Moro's fierce resistance to the Spaniards and their Christianized Filipino allies," that the Spaniards had a "fanatical hatred of the Moros which was born of hundreds of years of struggling for independence from Moorish rule in the Iberian Peninsula," and that it was this religious based antagonism which resulted in centuries of "bloody, cruel wars" – the so called Moro Wars. This interpretation of Philippine colonial history sets Islam against Christianity and views four centuries of Moro armed struggle against the Spaniards, Americans and more recently, successive "Christian" Filipino governments as a religious war in defense of that part of the *Darul-Islam* (Islamic territory) located in the Southern Philippines.

That this remains the popular perception, is not disputed. Kettani's (1979: 257) statement which is quoted above and which draws a parallel with the fall of Gharnatah (Grenada) and the forced conversion of Muslims living in Spain reflects the extreme Muslim "religious" interpretation of the conflict in the Southern Philippines.

The equivalent "Christian" view is this extract of a letter received in 1972 by ex-Senator Domocao Alonto, a Filipino Muslim leader, from a terrorist gang leader:

The entire nation would have been united, peaceful and progressive were it not for the mistake of the Muslims in resisting the implementation of the Cross in Mindanao . . . You and your people should not compound your greivous historical mistake by clinging on to the religion that has only brought poverty, ignorance and darkness to you and your communities (quoted in Gowing, 1979: 42).

There is, however, a growing recognition among students of Philippine colonial history that this Christianity vs. Islam hypothesis over-simplifies reality. Spanish and American colonialism were both motivated and sustained by the desire to control trade, and exploit the natural and human resources in the Philippine archipelago: the Muslim South, the present-day Christianized lowland areas of the Visayas and Luzon, and the uplands inhabited by the Tribal Filipino. All three groups resisted colonial exploitation and subjugation although with varying degrees of intensity and success. The Tribal Filipinos of Northern Luzon turned back numerous Spanish expeditions with the socio-political institution of the peace pact playing a major role in maintaining inter-tribal cooperation (Scott, 1977). The lowland Christianized Filipino repeatedly rose in rebellion, both minor and major, against Spanish and local elite exploitation and oppression (Constantino, 1975: Chapters VII and IX). They frequently had recourse to religion (Christianity) to sustain their rebellions, and Christian Philippine history is littered with numerous millenarian and messianic movements led by self-proclaimed Popes, Christ-like figures, and other charismatic personalities proclaiming the New Jerusalem (Sturtevant, 1976). Philippine historian Reynaldo Ileto (1979) has convincingly argued that the *pasyon*, or native account of Christ's life, death and resurrection, provided a cultural framework for radical rural-based peasant movements against both the Spaniards and Americans.

Religion was a common element in the organizing of early Filipino resistance, both Christian and Muslim, against colonial oppression. Both Christianity and Islam were used by the Filipinos in their struggle against colonialism; Christianity frequently against Spanish excesses, and Islam to successfully defend the independence of the Southern Philippines for over three and a half centuries.

Constantino (1975: 385ff) has identified this Filipino resistance to colonial oppression and subjugation, whether by Christian lowlanders, animist Tribal Filipinos or Muslim Southerners, as the unifying thread of Philippine history which draws all Filipinos together irrespective of their ethnicity or religion. They were all defending their land and their way of life against colonial invasion. Viewed from this perspective, Islam and Christianity in the Philippines are not adversary religions, but rather cultural weapons which were used defensively by the Muslim Filipinos and oppressed Christian peasants, and offensively by the Spaniards as a strategy to divide and rule.

The struggles of the Muslim Filipino against Spanish and American colonialism have been extensively studied (see, for example, Tan, 1968; Gowing, 1977; Tan, 1977; Majul, 1978) and need not concern us here apart from noting that the roots of the present phase of the conflict in the

Southern Philippines lie in American initiated efforts to exploit Mindanao after the battle of Bud Bagsak in 1913 which ended large-scale Muslim resistance to American imperialism. American designs for Mindanao, the "Land of Promise" were quickly unveiled (see Gleek, 1974). A programme of systematic settlement of the island was discussed, and the migration of land-short Christian Filipinos to the south was encouraged.

Hundreds of Christian families from Luzon moved south settling in the fertile valleys of Mindanao. They emigrated for no other reason than a better life in the undeveloped regions of the south where land was abundant. . . . They brought their lowland Christian Filipino cultures and a dynamic society into Mindanao and Sulu where they served as a conduit of both change and conflict. . . . They became the logical partners of American soldiers, businessmen, and missionaries with whom they shared a common Christian heritage (Tan, 1977: 79).

Close on their heels came American and Japanese business interests, including rubber, pineapple and abaca plantations. The vast Koronadal and Allah Valleys in Cotabato Province became the destination of a deluge of migrants, many on government sponsored resettlement programmes and this "provided the opening wedge for the massive and systematic exploitation of the vast natural resources of Mindanao" (Silva, 1979: 48). In the 1950's and 1960's prospectors, multinational industrialists, loggers and local and national elites, disposed Muslims, Tribal Filipinos living in Mindanao's uplands, and even Christian migrant peasants of their lands through "title frauds, tedious application procedures, and costly legal processes" (Tan, 1977: 113).

Christians migrating from Luzon and the Visayas into Mindanao in the pre- and post-independence eras meant that the Muslim Filipino became progressively a minority in his traditional areas. Today, only four southern provinces have Muslim population majorities. More disturbing to the Muslim Filipino is the fact that official government estimates place the number of Muslims at about 2 million, or less than 5 per cent of the total population. Muslim sources, however, alleging "statistical genocide," and dismissing these figures as "colonial statistics," claim up to 5 million Muslim Filipinos (O'Shaughnessy, 1975; George, 1980: 225).

The Kamlon uprising of 1951 on Jolo Island, the restriction of traditional free trade between Sulu and Borneo, the resettlement of Hukbalahap surrenderees in Mindanao under the Economic Development Corps (EDCOR) programme, the actions of the Philippine constabulary, and army units, who "behaved very much like an army occupation," and against whom complaints of abuses inflicted on innocent civilians were frequent (Gowing, 1979: 188), and the general neglect of the Muslim areas in government development programmes, contributed to the feeling among

Muslim Filipinos that they were on the verge of being physically overwhelmed by exploitative "outsiders," both Filipinos and foreigners.

In the late 1960's, the situation came to a head with the widespread terrorism of the Ilagas (Rats), described as a "Christian" gang led by the notorious Kumander "Toothpick." In self-defence, rival Muslim gangs called the "Barracudas" and "Blackshirts" were established. Muslim Filipino resentment and anger peaked with the as yet unexplained massacre of 28 Muslim army recruits on Corregidor Island in March 1968. In May that year the Mindanao Independence Movement (MIM) was organized because, as alleged in the MIM's manifesto, there was a "systematic extermination of the MUSLIM youth — like the Corregidor Fiasco — the policy of violation and dispersal of the MUSLIM communities have been pursued vigorously by the government to the detriment of the MUSLIMS" (MIM Document No. 1, in Glang, 1969, Appendix A: 104). Further, the MIM declared in its Constitution and By-Laws that:

it is the duty and obligation of every MUSLIM to wage JIHAD, physically or spiritually, to change DARUL AMAN (present status of the Muslim Communities) to DARUL ISLAM (Islamic Territory), and prevent it from becoming DARUL HARB (hostile territory to the MUSLIM) (MIM Document No. 1-A, in Glang, 1969, Appendix B: 107).

Secession was openly discussed. Noble (1976: 409-410) writes that in early 1970 Philippine newspapers began reporting the return to the Philippines of Muslims who had been "trained abroad," and that the "Malaysian government had provided training for Muslim 'rebels,' first in 1969 on Pulau Pangkor, off West Malaysia, and later in Sabah." She believes that the MNLF was "formally organized on Pulau Pangkor, and Nur Misuari, who was in the first group trained, was named chairman." Meanwhile, the Ilaga-Barracuda hostilities escalated to the point that by the end of 1971 the violence had claimed "800 lives (according to official estimates) and there were 100,000 refugees" (Gowing, 1979: 195). Gowing (1979: 195) describes Mindanao-Sulu as being rife with news of massacres, rumours of impending attacks and raids, Muslim charges of genocide, and with the "Ilagas and Philippine Armed Forces squared off against Blackshirts and Barracudas."

The "Mindanao War" was one of the main reasons given by President Ferdinand Marcos for his imposition of martial law throughout the Philippines on September 21, 1972. The Martial Law Proclamation No. 1081 held that:

because of . . . disorder resulting from armed clashes, killings, massacres, arsons, rapes, pillages, destruction of whole villages and towns and the inevitable cessation of agricultural and industrial operations, all of which have been brought about by the violence inflicted by the

Christians, the Muslims, the 'Ilagas,' the 'Barracudas,' and the Mindanao Independence Movement against each other and against our government troops, a great many parts of the islands of Mindanao and Sulu are virtually in a state of actual war.

The Proclamation further stated that "the violent disorder in Mindanao and Sulu has to date resulted in the killing of over 1,000 civilians and about 2,000 armed Muslims and Christians; not to mention the more than five hundred thousands of injured, displaced and homeless persons as well as the great number of casualties among our government troops, and the paralyzation of the economy of Mindanao and Sulu."

The estimates of deaths and evacuees in the Proclamation of September 1972 are approximately four times that of the "official estimates" made at the end of 1971 and cited above. While it is clear that both these sets of figures are guess-estimates at best, they do indicate the severity of the situation in the Southern Philippines at the time with fighting and mass evacuation being not uncommon phenomena.

Martial law aggravated the crisis in the Southern Philippines. Political scientist Lela Noble (1976: 411-412) has noted that three characteristics of Martial Law directly assisted in broadening the base support of Muslim radicals prepared to wage armed warfare against the government:

First, the centralization of the regime left power almost exclusively in 'Christian' hands: Marcos, his family and associates; 'technocrats' in Manila; and the military. Second, by restricting the range of legitimate political activity the regime left as options only the acceptance of the regime and its promises, or anti-regime revolutionary activities. Third, the regime's immediate moves to collect guns from civilians meant that compliance removed the potential for an eventual resort to force.

The first major armed clash in the South after the imposition of Martial Law was in October 1972 when, just days before the deadline to surrender firearms, rebel Muslims calling themselves the "Mindanao Revolutionary Council for Independence" attacked Marawi City.

The aftermath of the uprising was a tragic scene of confusion and panic. Most of the Christian population evacuated to Iligan as soon as possible . . .

Who were these rebels? Reports indicate that they were composed of seven different groups of radical, fanatical elements. Their numbers were estimated to be from 500 to 1,000 mostly teen-age, uneducated Maranaos with a few educated leaders" (McAmis, 1974: 53).

These "uneducated" Muslims who McAmis describes as launching "a fanatical, suicidal attack on the (Philippine Constabulary) camp (in Marawi City) running wildly while shouting, "Allahu Akbar!" (McAmis, 1974: 52 had been inspired in the *juramentado* tradition (see Majul, 1978, Appendix B for a comprehensive discussion of the institution of *juramentado*) which

builds on Koranic injunctions promising heavenly rewards for those who engage in *jihad* (holy war in defense of Islam) to psychologically fortify combatants to ensure acts of heroism:

Let those fight in the case of Allah who sell the life of this world for the hereafter, to him who fighteth in the cause of Allah – whether he is slain or gets victory – soon shall we give him a reward of great (value). And why should ye not fight in the cause of Allah and of those who, being weak, are ill-treated (and oppressed)? – men, women, and children, whose cry is: ‘Our Lord! rescue us from this town, whose people are oppressors; and raise for us from Thee one who will protect; and raise for us from Thee one who will help! (The Holy Koran, Sura 4: 74-75).

Despite President Marcos’ assurances to Muslim leaders at Malacañang Palace on January 3, 1973 that “it is not the purpose of the military to eliminate and to kill Filipino Muslims but to protect them . . . (against) foreign-trained troops or by foreign influenced troops or armed elements motivated and directed from outside the Philippines,” the situation in Mindanao deteriorated sharply. In 1973, fighting on Jolo Island, in Zamboanga, Lanao, and carefully coordinated attacks by Muslim rebels in many municipalities in Cotabato Province which were countered by government use of jet bombers, artillery and tanks, signalled the start of a new stage in the centuries old struggle of Muslim Filipinos against what they perceive as “foreign” aggression. There now emerged to the forefront the loosely knit organization known as the Moro National Liberation Front (MNLF) under whose umbrella adherents of differing backgrounds and motivations, including personal, local and provincial loyalties gathered (Noble, 1976: 412). The MNLF Central Committee set broad policy outlines, and managed an effective international campaign to gain world-wide recognition, support and assistance. The fighting arm of the MNLF, the so-called Bangsa Moro Army was, and remains, at best a loose network of local commanders and armed groups, many only marginally connected with the MNLF’s political programme (Noble, 1976: 413).

The young Muslim leadership which comprised the MNLF Central Committee recognized the advantages of anchoring their radicalism onto a religious-based movement which used Koran-sanctioned struggle against oppression and persecution to rally local and foreign Muslim support. This move came at a time when international attention is being accorded the world-wide Islamic Revival, and the MNLF has sought to capitalize on international Muslim support.

The Philippine military authorities, however, preferred to diagnose the fighting in the South as “a clash between law-abiding Christians and Muslims on the one hand and lawless Muslims joined by Christian Maoist elements” (Romulo, 1973: 12) and to deal with the problem militarily. By



April 1973, President Marcos estimated that over 1,000,000 persons had become evacuees (George, 1980: 213). In February 1974, rebels over-ran Jolo town. In the ensuing battle the government admitted to losing two Sabre jets and four helicopters testifying to sophisticated weaponry in Muslim hands. A naval and air bombardment razed Jolo town to the ground and killed hundreds of civilians (George, 1980: 217-218). Tens of thousands of civilian evacuees fled to Zamboanga, Basilan and to Sabah, Malaysia. The continued use of massive firepower by the Philippine Armed Forces against suspected rebel hideouts throughout Jolo generated even more civilian evacuees. In mid-1974, Malaysian Prime Minister Tun Abdul Razak was to announce in the Malaysian Parliament that 22,000 refugees from the Philippines had been given shelter in Sabah on humanitarian grounds (Noble, 1975: 465).

In 1974, President Marcos prematurely announced the dismantling of the MNLF as an "effective fighting machine" when he claimed the capture of its main headquarters and the killing in combat or surrendering of its leaders (Marcos, 1975: 194). This was wishful thinking. The MNLF is alive and well and in an interview last year, MNLF Chairman Nur Misuari confidently declared:

The Mujahiddin (holy warriors) are making all round gains specially in the political and military fields. The Bangsa Moro Army has been making tremendous progress in the war; they have lately overcome several counter-attacks by the enemy and captured large quantities of various types of weapons . . . The war is spreading and escalating. At the same time our forces are getting more and more entrenched in the liberated areas (interview in *Impact International*, 23 May - 12 June 1980: 6).

The truth of the matter is, however, that any hope of a *blitzkrieg* victory by either side is virtually non-existent, and a *sitzkrieg* war of attrition with intermittent encounters and retaliatory counter-attacks is likely to be the prevailing pattern. The Muslim Filipino defence of his homeland for centuries has essentially been a guerilla war loosely coordinated for occasional large scale actions by datus, sultans, and, in the present day, by more youthful leaders schooled in the rhetoric of the radical revolutionary traditions of today.

That the present phase of the conflict in the Southern Philippines is a no-win no-lose stand-off, and that the Philippine government tacitly accepts this, is a conclusion that may be drawn from the fact that in 1975 the Philippine government agreed to meet with MNLF leaders in Jeddah, Saudi Arabia for formal negotiations. Pressure from the Islamic Conference which has annually debated the Mindanao conflict since 1974, and a threatened oil embargo by Arab Nations responding to MNLF complaints to the Islamic Conference were also important facts in bringing the Philippine

government to the conference table. The Tripoli Agreement of December 23, 1976 between the Philippine government and the MNLF was signed under the auspices of the Organization of the Islamic Conference. It provided for a ceasefire, and autonomy for thirteen southern provinces, the latter subject to popular referendum.

The ceasefire agreement came not a moment too soon. One accounting of the cost of fighting to date estimated some 40,000 Muslims, 10,000 non-combatants and about 5,000 government soldiers killed and some 1,700,000 evacuees (*Far Eastern Economic Review*, May 13, 1977). On other occasions the Philippine government has reported the loss of 10,000 soldiers (*Far Eastern Economic Review*, October 28, 1977: 5), and President Marcos himself has estimated the number of displaced persons anywhere between 500,000 and 1 million persons, and the death toll at 50-50,000 (*Far Eastern Economic Review*, November 18, 1977: 23).

The Tripoli Agreement did not, however, bring peace to Mindanao. The MNLF boycotted as "illegal" the plebiscite held in April 1977 in which the Philippine government placed before the electorate the ten main MNLF demands. The Christian population majority in the thirteen provinces assured the MNLF electoral loss.

The loose nature of the MNLF command in the field which means relatively little control over the actions of individual kumanders, the terrorist activities of "lost commands," some allegedly comprising Philippine army deserters operating with semi-official blessing, ordinary bandits, and grenade-throwing drunken on- and off-duty soldiers contributed to the continued air of tension and fear. President Marcos accused the MNLF of taking advantage of the ceasefire to recruit members and stockpile weapons, and numerous ambushes of military visits and bombing incidents involving citizens were ascribed to it. The MNLF's interpretation of these events were presented at the Ninth Islamic Foreign Ministers Conference in Dakar, Senegal in April 1978 when Nur Misauri said:

Last year, in Tripoli, I had informed you about the anxiety of our people over the exploitation of the ceasefire by the Philippine government to concentrate new forces in the south . . .

I alluded in my address to the warlike statement of Philippine Defence Minister Juan Ponce Enrile, who declared during the 4 May, 1977 celebration of the Philippine Southern Command in Zamboanga City, to quote:

'Let the blood flow if it must . . . whoever wants to test the capability of the Armed Forces, let him test it.' . . .

We knew beforehand the warlike intention of Mr. Marcos and his government even before South Philippines was actually thrown into this latest genocidal war.

The brazen manipulation carried out by President Marcos and his government that led to the tragic failure of the negotiations in Tripoli in February and March and in Manila in April last year, were indicative of the obstinacy and opposition of the Philippine government to the quest for peace in the South Philippines, and its determination to pursue its war policy (Quoted in *Impact International*, 26 May - 8 June, 1978: 11).

Nur Misuari went on to accuse the Philippine government of using the April 1977 referendum to obstruct the implementation of the Tripoli Agreement, of harassing the ceasefire commission by arresting and imprisoning MNLF ceasefire commissioners, and accused President Marcos of publicly declaring that anybody helping the MNLF ceasefire commission would be charged with subversion. The formal launching of military search-and-destroy operations in June or July, 1977 was cited, and mention of "hundreds of violations committed by the Philippine armed forces in the course of the ceasefire" was made. Misuari claimed that "the Philippine government was back to its usual tricks," accused President Marcos of trying to give "a semblance of legality to his regime, by holding a series of fake referenda," and that "The edifice of his regime has been built upon the dead bodies of our men, women and children." He claimed:

The murder of 73,000 innocent Muslim civilians since the start of the genocide in March 1968, the turning of over 200,000 houses, mosques, madrasas and vast plantations, the displacement of millions of our population, including the evacuation of over a hundred thousand to the brotherly State of Sabah, Malaysia have serious implications not only upon the physical survival of our people but their spiritual well-being as well. In fact, the genocidal campaign in South Philippines is ultimately against the very existence of 600 years of Islamic autonomy and civilization (quoted in *Impact International* 26 May - 8 June 1978: 10).

The MNLF has also complained of discrimination in Philippine government welfare work among evacuees, that "the Marcos evacuation centres are, in reality, torture and liquidation chambers" and has described government policy as "diabolical" aimed at strangulating the Bangsa Moro people (Abdurasad Asani, MNLF central committee member, in *Impact International* 27 October - 9 November 1978: 5-6).

The Philippine government has countered these charges of genocide by inviting foreign Muslim delegations on supervised tours of Mindanao, establishing the Southern Philippines Development Administration, launched a Special Programme of Assistance for the Rehabilitation of Evacuees (SPARE), begun electrification and other development projects, recognized Muslim holidays, aided pilgrimages to Mecca, held Koran reading competition etc. The fact, however, still remains that the much advertised Mindanao development strategy relies heavily on capital intensive, foreign

investment in natural resource extractive industries. Attractive low wages, and the granting of land concessions – the latter displacing subsistence farmers – assure that this “development” strategy will worsen, not relieve the crisis. Gestures with one hand towards the Muslim religion and culture are empty when with the other the land upon which the Muslim Filipino relies for his very existence is systematically re-apportioned to enterprises promising efficiency of production in return for profits.

Although the claims of the MNLF at international forums of physical and cultural genocide appear to be grossly exaggerated, economic “aggression” and “oppression” is a case much more easily argued (see Silva, 1979). Economic exploitation requires peace and order, and this will only be possible if the Muslim Filipino is finally, after centuries of often bloody self-defense, subjugated.

Any pretense of a “ceasefire” collapsed into the Patikul, Jolo, Ambush in September 1977. President Marcos branded the MNLF as “terrorists” after this incident, and the Southern Philippines has ever since been plagued by grenade attacks on civilians, ambushes, kidnappings, helicopter gunship and aircraft bombings and strafings, mortar and howitzer barrages and battalion-size military “search and destroy” operations which frequently necessitate mass civilian evacuations (a comprehensive analysis of recent militarization in Mindanao is contained in Task Force for Detainees of the Philippines (Mindanao Region) *Mindanao: The Bleeding Land* n.d. mimeo).

On January 17, 1981, President Marcos signed Proclamation No. 2045 terminating the state of martial law in the Philippines. He claimed that “the dangers of subversion, sedition, rebellion and secession” had been “significantly diffused,” and that the centuries-old hostilities between Christians and Muslims had been “effectively terminated.” (*Asiaweek*, January 30, 1981: 22-26). Significantly, however, the Mindanao region was pointedly excluded from the lifting of martial law, a public admission that the war in the Southern Philippines had not been “effectively diffused.” The Pata Island incident, coming less than a month after the January 17 announcement serves as a shock reminder that the Muslim “problem is not about to fade quietly away. On the contrary, the level of fighting maintained those past two or three years is likely to be sustained, and civilian evacuations are likely to continue as the Philippine armed forces try desperately to “effectively terminate” their elusive opponents.

### **Muslim Filipinos in Sabah: Their Arrival and Numbers**

The continuing conflict in the Southern Philippines has taken its toll in disrupting the social and economic life of the region, and resulted in

large scale loss of property and life. Beginning in the late 1960's, and especially in the early years of 1970's, mass evacuation of civilians in the war-ravaged regions took place.

Two major waves of evacuees came to Sabah. The first, which crested in 1972, coincided with the declaration of martial law; the second, which peaked in 1974, coincided with the destruction of Jolo.

There is, however, uncertainty as to the actual number of Filipinos who entered Sabah. The 1970 census recorded 20,367 Filipinos, but most of these were economic migrants whose presence in Sabah predates the current conflict in the Southern Philippines, and who do not identify their presence as due principally to the conflict. The 1980 census data is likely to present reliable data, but unfortunately at the time of the writing of this paper these are not available.

When the evacuees began to arrive in very large numbers in 1972 they were required to register on arrival. However, following the official declaration by the Sabah Government in October 1974 that the entry will be stopped, no further records of their numbers was maintained. The evacuees, nonetheless, continued to arrive.

In January 1977 the Government of Sabah attempted to rectify this situation and attempted a registration exercise of all Filipino evacuees in Sabah. The exercise, was not exhaustive and registering officers were not sent to the homes of the evacuees to record their numbers. Instead the evacuees were urged to present themselves at various central points. The accuracy of the figures is suspect and the authors of this paper have met evacuees who claimed that they had not registered for fear that they would be repatriated to the Philippines — and this especially in the case of those who did not hold valid passes. The January 1977 count indicated that there were 71,000 evacuees in Sabah. This represents the minimum number. Estimates of their actual numbers vary from 100,000 (*The Star*, March 24, 1980) to 200,000 (personal interview with Ignatius Malanjun, President Party Pasuk, Sabah). In the absence of any further survey there is no way of ascertaining which of these estimates approximates their actual numbers.

The Filipinos are to be found mainly in the coastal urban centres. More than a third of these are to be found in Semporna and here they constitute more than 50 per cent of the local population (Refer Table 1). Approximately a quarter of the Filipinos are to be found in Sandakan. The others are confined to Kota Kinabalu Lahad Datu, Tawau and Kudat. These six urban centres and their environ contain almost 99 per cent of the Filipino displaced persons.

### Distribution of Displaced Persons in Sabah, 1977

<i>Location</i>	<i>Number</i>	<i>Percent</i>
Semporna	25,800	36.4
Sandakan	17,700	25.0
Kota Kinabalu	10,000	14.2
Lahad Datu	8,500	12.0
Tawau	6,500	9.2
Kudat	2,000	2.9
Elsewhere	500	0.3
<b>Total</b>	<b>71,000</b>	<b>100.0</b>

*Source:* Sabah, Survey of Filipino Displaced Persons, 1977.

The initial arrivals were catered for by the Sabah Social Welfare Services Department. The department assisted in the distribution of food and health requirements whenever funds were available, but its services always remained essentially ad hoc. In December 1976, the Berjaya Government headed by Chief Minister Datuk Harris Saleh set up a Department of Displaced Persons. The legal status of this body is that of a department unit under the Chief Minister's supervision. Unlike other agencies in the Chief Minister's portfolio, the Department of Displaced Persons was not set up by statute or subsidiary legislation. Consequently there is no formal structure on record. At present, the Department is headed by a Director, assisted by a Deputy Director and a small clerical staff. The Director reports to the Chief Minister and receives directives from the Chief Minister's office.

#### **The Status of the Filipino Arrivals**

In referring to the Filipinos who have due to the conflict in the South migrated to Sabah it appears to have become customary to use the term "refugees." There is no definition of the term "refugee" that is applicable for all purposes. The term when considered for humanitarian aims connote quite a different meaning from that in international legal documents. In general usage it refers to all categories of persons seeking refuge from a host of conditions including political unrest, war and even natural catastrophe. Used in this sense a refugee movement is said to result "when the tensions leading to migration are so acute that what at first seemed to be a voluntary movement becomes virtually compulsory," (Gills, 1972: 362). In international legal instruments however, the term refugee

has been reserved for a more restricted and specific group. This is due principally to the interplay of two apparently conflicting concerns. Firstly, immigration control remains amongst the more jealously guarded sovereign right of individual states and efforts to legally oblige states to allow permanent, or even temporary, stay of non-citizens within their boundaries have been largely unsuccessful. Secondly, the growing world-wide problem of refugees with very pressing humanitarian demands has called for some degree of accommodation.

All early international instruments dealing with the status of refugees or statutes of international bodies created for their protection, predetermined the group of refugees with which they were to be concerned. The first international treaty containing a general definition of the term refugee is the 1951 Convention Relating to the Status of Refugees. As defined in Article 1 of this Convention the term refers to any person who

As a result of events occurring before 1 January 1951 and owing to well founded fears of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

The provisions of even this Convention contained serious shortcomings. Firstly, the status was reserved for persons seeking refuge as a result of events occurring before 1 January 1951; secondly, the contracting states could by declaration specify that they intend to apply the words "events occurring before 1 January 1951" to "events occurring in Europe" as opposed to "events occurring in Europe or elsewhere." (Article 1B) The absurdities of such limitations especially with the growing number of refugee situations outside the temporal and regional constraints of the 1951 Convention led to their eventual removal in the 1967 Protocol Relating to the Status of Refugees.

Since the creation of the United Nations High Commissioner for Refugees, and especially since the services of the agencies have been increasingly utilised by the world community, reference is often made to its statutes in defining a refugee. The statute in designating the persons to whom the UNHCR's competence will extend besides including without any geographical limitation the categories of the 1951 Convention also by Article 6B extends the competence of the office to

Any other person who is outside the country of his nationality or if he has no nationality, the country of his former habitual residence, because he has or had well-founded fear of persecution by reason of his race,

religion, nationality, or political opinion and is unable or, because of such a fear, is unwilling to avail himself of the protection of the government of the country of his nationality, or, if he has no nationality, to return to the country of his former habitual residence.

It is tempting to regard the above general definition as of universal application. However, it must be noted that no less an author than Grahl – Madsen, one of the foremost authorities on Refugee Law contends:

The elaborate definitions of the term 'refugee' which are found in certain international conventions such as the constitution of the International Refugee Organization, the statute of the office of the United Nations High Commissioner for Refugees, and the Refugee Convention, not to mention the definitions contained in certain municipal laws are of direct import only with respect to the applicability of the provisions set forth in the respective instrument. Consequently, such definitions cannot be relied upon when we are faced with rules of customary law or the application of general principles of law. (Grahl-Madsen, 1966, Vol 1: 73).

Both the Philippines and Malaysia are not signatories to any of the international conventions pertaining to refugees, nor have they any municipal laws which pertain to the definition of refugees. There have been suggestions that since both the Philippines and Malaysia have sought and obtained the assistance of the UNHCR they are obliged to accept the definitions included in the UNHCR's statute. Such a contention is erroneous. Though the statute of the UNHCR is highly restrictive in the categories of persons for whom the UNHCR's competence extends, subsequent UN resolutions have enlarged the area of this competence. Of special relevance to this discussion are UN General Assembly Resolution 2956 (XXVII) and Resolution 31/35 which endorsed the Economic and Social Council Resolution 2011 (LXI).

Resolution 2956 (XXVII) requested the UNHCR to continue to participate, at the invitation of the Secretary General of the UN, in those *humanitarian* endeavours of the United Nations for which UNHCR had particular expertise and experience, in addition to continuing to promote the solutions of repatriation, local integration and resettlement.

Resolution 31/35 which endorsed the Economic and Social Council Resolution 2011 (LXI)

- (i) recognized the importance of essential *humanitarian tasks undertaken by UNHCR in the context of man-made disasters* in addition to its original functions;
- (ii) recommended the efforts of the High Commissioner in regard to refugees and *displaced persons, the victims of man-made disasters requiring urgent humanitarian assistance*;
- (iii) requested the office to continue seeking permanent solutions



through relief assistance, voluntary repatriation, assistance with rehabilitation, integration or resettlement.

Clearly, the fact that the UNHCR is providing its assistance to both the Philippines and Malaysian Governments with regard to the Filipinos affected by the conflict in the South, is in itself not sufficient proof that the Filipinos are refugees or even that the UNHCR considers them as such.

Indeed, given the fact that none of the Filipinos who reached Sabah were wounded, and that many amongst those who reached Sabah have and do frequently return to the Philippines, it would be difficult to classify this category of persons as refugees in the strict sense of the word. Despite the problem of defining a refugee in customary law, it is generally conceded that essential quality of a refugee in customary law is that he has left his country as a result of political events in that country which render his continued residence impossible or intolerable and he is unwilling or unable to return, *without danger to life or liberty* (Simpson, 1939: 3). A more appropriate term for the Filipinos in Sabah would be "evacuees" or "displaced persons" in need of humanitarian assistance.

When the Filipinos first arrived in Malaysia, the Sabah and Malaysian Governments allowed their presence on humanitarian grounds, and it did not at that stage appear necessary to classify them as refugees. Since 1975 however the situation has changed significantly and this due to the mass exodus of Vietnamese from Vietnam consequent on the American withdrawal and the fall of Vietnam to the communist forces.

The Vietnamese arrivals were first accommodated, but by 1978 the Malaysian Government felt compelled to classify the Vietnamese as illegal immigrants (Sothi Rachagan, 1980). It was in an attempt to explain the inconsistency in dealing with the arrivals from Vietnam vis-a-vis those from Sabah that the Malaysian Government first extended the term "refugee" to the Filipinos. Home Affairs Minister Tan Sri Ghazali Shafie told Parliament:

Filipinos who come to Sabah to seek sanctuary are given refugee status because their presence will not have adverse effects on the peace and order of the country . . . illegal immigrants from Vietnam could not be given similar status . . . (and) . . . protection because the Government felt that their presence could have adverse consequences on the country." (*The Daily Express*, November 24, 1979).

Recognizing the Filipinos as refugees imposes on the Malaysian Government a number of generally accepted obligations. First amongst these is the principle of "non refoulment" which requires the Malaysian and Sabah government not to return any of the Filipinos to the Philippines so long as the conditions in the Southern Philippines remains unchanged. These obligations are further reinforced by Malaysia's membership in the

Asian-African Legal Consultative Committee (AALCC). The AALCC at its Eighth Session in Bangkok from 8-17 August 1966 adopted the "Principles Concerning Treatment of Refugees." Very importantly, this is not a convention but rather principles adopted but they would oblige the state of the AALCC to be guided by these.

The principles adopted by the AALCC amongst others also provide:

#### **Definition of the Term "Refugee"**

A refugee is a person who, owing to persecution or well-founded fear of persecution for reasons of race, colour, religion, political belief or membership of a particular social group . . . leaves the state of which he is a national . . . (Art. I)

#### **Loss of Status as Refugee**

A refugee shall lose his status as refugee if:

- (i) he voluntarily returns permanently to the state of which he was a national . . .
- (ii) . . . .
- (iii) he voluntarily acquires the nationality of another state. (Art. II, 1).

A refugee shall lose his status as a refugee if he does not return to the state of which he is a national . . . after the circumstances in which he became a refugee have ceased to exist. (Art. II, 2)

#### **Asylum to a Refugee**

A state has the sovereign right to grant or refuse asylum in its territory to a refugee (Art. III, ) The exercise of the right to grant such asylum to a refugee shall be respected by all other states and shall not be regarded as an unfriendly act. (Art. III, 2)

There shall be no refolement and in cases where for overriding reasons of national security a state is unable to admit a refugee he must at least be given provisional asylum to enable him to seek asylum in another country. (Art. III, 3 & 4).

#### **Minimum Standard of Treatment**

A state shall accord to refugees treatment in no way less favourable than that generally accorded to aliens in similar circumstances. (Art. VI, 1)

#### **Expulsion and Deportation**

Save in the national or public interest or on the ground of violation of the conditions of asylum, the state shall not expel a refugee. (Art. VIII, 1).

### **Why the Policy of Accommodation?**

Several reasons have been suggested as to why the Sabah and Malaysian Governments accomodated such large numbers of Filipinos. Clearly a host of considerations must have presented themselves to the decision makers.

It has been said that the Malaysian Government has been involved in providing assistance to the MNLF partly out of its sympathies for the Muslim cause and partly because of the Philippines claim to Sabah (Noble, 1976: 409-410). The *Straits Times* article of March 11, 1974 for instance reported that:

The Philippines has informed Malaysia it has captured in Mindanao Filipino Muslims who claimed they were trained in Malaysia to fight in the south for secession from the Manila government, . . . According to the sources, the Philippine case claimed the following:

Starting with a total of 90 men in five batches in early 1969 Malaysia provided guerilla training to Muslims from Mindanao and Sulu at Pulau Pangkor, an island off Lumut . . . Among them was Nurul Hadji Miswari . . . other training areas were Lahad Datu and Banguay Island, Sabah.

. . . During the course of at least 58 landings since December 1972, Muslim rebels in the Philippines received from Malaysian sources at least 200,000 rounds of ammunition and 5,407 weapons ranging from hand grenades to machine guns, anti-aircraft guns and a 52-inch tube-like device firing ammunition 30 inches long.

. . . The sources claimed the Malaysians were extending support to the rebels to pressure the Philippine government to drop its claim on Sabah . . .

A *Sunday Mail* article of December 23, 1979 for instance reported

The Philippines has accused Sabah of allowing Filipino Muslim rebels to acquire there about 100 motor boats for arms and ammunition smuggling since 1972 . . .

. . . Rear Admiral Romulo Espaldon, the Philippines' southern military commander, . . . said they were used to smuggle arms and ammunition to the rebels of the Moro National Liberation Front and to take wounded rebels back to Sabah for treatment . . .

. . . Sabah Chief Minister Datuk Harris Salleh has denied that his state is encouraging the rebels or is a source of arms for them.

More tenable from the point of view of the authors of this article, however, are two considerations that have hitherto not been given their due weight when assessing the motives of the Sabah and Malaysian Governments.

The first of these relates to the inclinations and role of Tun Mustapha, the Chief Minister of Sabah from 1968 to 1976, Mustapha was born in a kampong in the Kudat District of Sabah. However he claims paternal lineage from the Sultans of Sulu, from whose claims the Philippine government derived its legal claim to Sabah. During the war years he claims to have been involved in the anti-Japanese resistance movements in Sabah and the Southern Philippines and participated with eight others from Sabah in the victory parade in London (*Malaysian Business*, October 1973: 35).

Just prior to the formation of Malaysia, Mustapha formed the United Sabah National Organisation. Although USNO's constitution allows for all native peoples of Sabah, from the beginning its membership and appeal was overwhelmingly to the Muslim peoples of the state, and in fact organizationally it built upon a pre-existing chain of Islamic Associations. Although the Sulus in Sabah comprise only 5 per cent of Sabah's Muslim population, like Mustapha himself nearly half the original Executive Committee were Sulus. The leadership, with the exception of a single Dusun from Tuaran, were all Muslim (Roff, 1974: 57). From the formation of Malaysia in 1963 till 1968, Sabah politics saw the population of Sabah align itself into three groups – the Muslim indigenous population led by Tun Mustapha's USNO, the non-Muslim, largely Kadazan indigenous population led by Donald Stephen's UPKO and the Chinese led eventually by the SCA. By 1968 the USNO-SCA Alliance had with federal support effectively overwhelmed UPKO and Mustapha began his undisputed rule.

One of the dominant characteristics of Mustapha's role was his strong commitment to Islam and his firm belief in the desirability of propagating the faith among the non-Muslim peoples of Sabah. Especially since his return from his first visit to Mecca in 1968, Mustapha embarked on a flurry of religious activity. A Majlis Ugama Islam (Islamic Religious Council) modelled along lines of those existing in the Peninsular Malaysian states was up and for the first time a State *Mufti* (Muslim jurisconsult) was acquired. An active programme of mosque building was embarked upon and plans made for a state mosque of grandiose proportions for Kota Kinabalu. And then on October 16, 1969 was established the United Sabah Islamic Association (USIA).

USIA aimed at the wholesale Islamisation of the people of Sabah regardless of their ethnic origin or their professed faith. Its identification with USNO till 1976 was total, and its efforts became as much a crusade to enlarge USNO's political base. Tun Mustapha himself became President and his political lieutenant, Syed Kechik, its first Secretary General. Its operating expenses came from, besides other government grants, a 38,400 acre timber concession from the state. Its 22 divisional offices and 296 branches and almost 100 *mubalighs* (missionaries) set in motion a social revolution that saw mass conversions throughout the state. By 1972 USIA claimed to have converted 50,000 persons and by May 1974 the figure was held to be 93,000 converts. Indeed Mustapha himself claimed credit for increasing the percentage of Muslims in Sabah from 38.7 when he became Chief Minister to 53 percent at the time he stepped down in 1975.

Critics have charged that under Mustapha conversion to Islam was necessary to assure one's success in almost any venture in Sabah. USIA and USNO were accused of permitting the practice of only Islam in Sabah; of

using deceit and threats in converting animists bumiputras; utilising government officials to disseminate Islam; expelling from the State Christian priests and missionaries; discriminating against government servants who were Christians and even detaining Christians under Emergency Law (Mohd Yusof Jalil, 1979: 97). In mid-November 1970, in a long letter to Malaysian Prime Minister Tun Abdul Razak detailing a total of 32 points, Peter J. Mojuntin, USNO State Assemblyman for Moyong and former Secretary-General of UPKO, indicted USIA of charges of deceit and threats and Tun Mustapha's government of persecuting Christians. The letter made specific charges of priests being expelled and when failing to leave Sabah of being detained. Also in 1970 the out-going Bishop of Sabah, Msgr. James Buis alleged gross religious persecution. Tun Mustapha of course, denied these allegations (*New Straits Times*, December 18, 1980). Throughout the rest of Mustapha's Chief Ministership religious persecution in Sabah was a matter of extensive coverage in the International Press. With the formation of Berjaya in 1975, and a freer press in Sabah, the issue received coverage in even the local press and was a principal campaign issue in the Christian areas during the April 1976 elections which USNO lost to Berjaya.

In the book *The Politics of Federalism* by Bruce Ross-Larson written in collaboration with Syed Kechik is this extra-ordinary confession –

He [Syed Kechik] was also instrumental in getting USIA's missionary efforts under way, efforts which were to become a target for local, national and international criticism . . .

What he did not anticipate, however was that USIA field workers, anxious to please their leaders, would resort to pressure and intimidation to badger new converts and subvert the efforts of Christians . . .

Allegations were made of forced conversions and the expulsion of Christian priests and pastors . . .

The allegations had some truth, given the haste with which many of USIA's activities were undertaken, but were somewhat biased . . .

There were nevertheless instances of those who had their passes terminated. The great majority of conversions were voluntary . . .

There were nevertheless instances of those who received money, promotions, and timber areas from the Tun Mustapha as a reward for their conversion.

That the conversion and expulsion issues were to get out of hand – whatever the merits of the situation – was an error, however. The political implications of these actions were to damage the image of the Chief Minister and the Sabah Government. The difficulty was that Tun Mustapha was convinced he was right, and those who questioned his actions, whether in Kuala Lumpur or in Kota Kinabalu were chastised as being less than firm in their adherence to the faith (Ross-Larson, 1976: 107-109).

Indeed, even by 1973 Mustapha officially disregarded one of the cardinal principles of the 20 points agreement that the Sabah politicians had sought guarantees for at the time of Malaysia's formation in 1963. The first of these principles was:

While there was no objection to Islam being the national religion of Malaysia there should be no State Religion in North Borneo, and the provisions relating to Islam in the present Constitution of Malaya should not apply to North Borneo.

As a consequence of this demand it was provided in Malaysian Constitution that though Islam would be the official religion for the entire Federation, the Malayan constitutional provisions restricting the propagation of non-Muslim religious among Muslims were not to apply to Sabah and Sarawak. Furthermore, it was provided that whenever the Federal Government gave financial aid to Muslim religious or educational institutions, a proportionate sum of tax money was to be returned to the Sabah and Sarawak Governments.

In 1973, by the Pindaan Negeri No. 8, Article 5(A) Mustapha declared: —

Islam is the religion of the State, but other religions may be practiced in peace and harmony in any part of the State.

Islam imposes strict rules and regulations on the *umma* (the Muslim brotherhood) setting it apart from non-believers as the inheritors of the true faith. The Holy Koran is believed to be the word of God, and that in it "We [God] have explained in detail . . . for the benefit of mankind, every kind of similitude" (Sura 18: 54). The Koranic injunctions regarding refugees are pertinent to the Sabah-Malaysian government policy regarding Muslim refugees:

He who foresakes his home in the cause of Allah finds in the earth many a refuge, wide and spacious: should he die as a refugee from home for Allah and His Apostle, His regard becomes due and sure with Allah: and Allah is Oft-Forgiving, Most Merciful (Sura 4: 100).

Further, the migration of the Prophet Muhammed and his followers from hostile Mecca to the relative security of Medinah serves as an exemplar to all Muslims living in *daral-harb* (hostile territory). The Holy Koran also enjoins individual Muslims, and Islamic States to help Muslims suffering under oppression (Sura 4: 75) in the same way as it requires Muslims to combat aggression: "Fight against them whenever they confront you in combat and drive them out from where they drove you out. Though killing is bad, persecution is worse than killing" (Sura 2: 191-192).

The duty of a Muslim State to oppressed Muslims is clear: it must extend every assistance. By declaring Islam as the official state religion of

Sabah, Mustapha, theoretically at least, committed Sabah to practising the teaching of the Holy Koran, the holiest of books in Islam. Welcoming the Muslim Filipino evacuees from the fighting in the Southern Philippines was a tangible declaration of submission to the words of God. Sabah and the Muslim areas of the Southern Philippines now comprised part of *darul-Islam* (Islamic territory) whose defense the Holy Koran demands of all Muslims.

Religious duty aside, however, Mustapha's commitment to the Islamization of Sabah came at a time when Sabah itself was facing severe manpower and labour problems. This provided another powerful factor in determining the Sabah Governments accomodative policy towards the Filipino arrivals. In 1970, at the end of the First Malaysia Plan period, Sabah's population numbered 654,943 as compared to 454,421 in 1960. Infant mortality was down from 63 per 1000 live birth in 1960 to 31 per 1000 in 1971 and the crude death rate was down from 8.3 per 1000 to 5.4 per 1000. Consequently, the group of those below fifteen years of age increased from 43.5 per cent in 1960 to 47.2 per cent in 1970 (Refer Table). The growth in the pre-school group and school-age was occurring at a time when expansion of educational facilities and a change in attitudes resulted in more people attending and staying longer in schools. Primary school pupils in 1963 totalled 63,482 while the number for 1970 was 110,607. At the secondary level the increase was even more dramatic — from 6,575 in 1963 to 30,603 in 1970. The effect of these larger numbers in schools was the inevitable reduction of the proportion of the population that was economically active.

Larger numbers in the schools did not only mean a temporary reduction in the number of persons economically active. It represented a permanent loss to the sectors of the economy that were most in demand of labour. Sabah has a relatively small economy and most of its development has been in the directions offering mainly unskilled employment — timber production, estates, settlement schemes, construction, etc. In the colonial society, education was the channel to Government white-collar jobs and education was geared to that purpose. The post-independence expansion of educational facilities was however not matched by any change in the character of the curriculum. Consequently, the education system is turning out an ever-increasing stream of young people oriented towards and aspiring for white-collar occupations. This was amply borne out by the findings of a survey of job interests among secondary school students in 1969. One third of the respondents expected to enter clerical work if they could not proceed further with their education, and other types of white-collar occupations accounted for the great majority of the remainder of the jobs preferred.

### Age Composition, Sabah, 1970 and 1960

Age	1970		1960	
	Population	Percentage	Population	Percentage
0 - 4	117,070	17.9	61,683	17.9
5 - 9	109,771	16.8	72,340	15.9
10 - 14	81,461	12.5	44,063	9.7
0 - 14	308,302	47.2	38,692	43.5
15 - 19	81,423	9.4	38,692	8.5
20 - 24	45,878	7.0	37,842	8.3
0 - 24	415,863	63.6	274,360	60.3
25 - 29	47,100	7.2	39,127	8.6
30 - 34	44,017	6.7	31,108	6.8
35 - 39	39,137	6.0	29,420	6.5
40 - 44	29,210	4.5	22,902	5.0
45 - 49	23,864	3.7	17,884	3.9
50 - 54	18,020	2.8	13,971	3.1
55 - 59	13,910	2.1	7,971	1.8
60 - 64	9,080	1.4	7,691	1.7
15 - 64	331,899	50.8	246,608	54.2
65 and over	13,403	2.0	9,987	2.3
<b>TOTAL</b>	<b>653,604</b>	<b>100.0</b>	<b>454,421</b>	<b>100.0</b>

*Source:* Sabah Census Data

This attitude to employment further compounds what was already a distinct feature of the state's labour supply and requirement patterns. The state's potential labour reserve has been traditionally among the subsistence agriculturalists on the West Coast and Interior Residencies. All the substantial economic development of recent years - in timber, oil palm, cocoa, fisheries and their associated processing - has been on the East Coast. Due to the difficult nature of the terrain, the lack of good building materials and the high cost of labour, road building is generally very expensive in Sabah and the road and rail transport system very rudimentary. Despite the completion of



the Kota Kinabalu – Sandakan road during the Second Malaysia Plan period it is yet to be properly surfaced and the three major towns of Kota Kinabalu, Sandakan and Tawau are still isolated from each other. In the East Coast itself, the road system are confined mainly to the hinterlands of Sandakan, Tawau and Lahad Datu and the three towns have only recently been linked by poorly surfaced roads that are not passable in all weather. Till recently the only links between the East Coast and the West Coast were through infrequent coastal shipping and inadequate air services. In effect, the rudimentary land transportation system means that the economy of the state is not, and in the early 1970's certainly was not, a single economy but a collection of enclaves centered around various concentrations of population, each having minimal economic contacts with the other. Hence, despite the east being the frontier and in theory offering the people of the West Coast and Interior Residencies an outlet to jobs, in practice persuading them to move has proved difficult.

The shortage of labour was particularly acute in the estates and timber camps. In the estates the shortage had in part been met by migrant workers from the other Malaysian states who had been brought into Sabah on two-year contracts by the efforts of the Malaysian Migration Fund Board. The Board itself was launched in 1966 and had by the end of 1970 brought in excess of 5000 workers in most cases with their dependents as well. However, despite the higher wages and the chances of entering land schemes the majority of the workers went home on completion of their two year contracts. By the early years of 1970 the scheme was fading away. Nearly 2000 had been brought in 1970 alone, but in 1971 the number was 720 and in 1972 a mere 455.

Despite the efforts of the Malaysian Migration Fund Board the number of persons employed by estates with more than twenty workers fell from 13,295 at the beginning of 1966 to 11,577 at the end of 1970. In the rubber estates itself the number dropped from 7,337 to only 4,703 in the same period. Particularly hard hit were the smallholders, who unlike the larger estates had been unable to take advantage of the Malaysian Migration Fund Board's scheme because of the high standards of living accommodation and wages required by the Labour Department and the Malaysian Migration Fund Board. Data on the average acreage of rubber trees left untapped on rubber smallholdings where the problem was more severe is not available. The table below provides the case for the rubber estates in 1968 – here only 59.9 percent of the acreage was tapped yielding only 64.8 percent of the potential production.

The problem in the rubber industry was reflective of the situation in the other sectors and at all levels, and the planners of the Second Malaysia Plan for Sabah noting that the labour shortages for which Sabah has

become notorious continued to be faced at all levels concluded:

Unless employers can manage to raise wages to a more attractive level, which, unless commodity prices rise substantially seems unlikely in view of their high costs estates will find it difficult to have sufficient workers without a large immigration of foreign workers who are prepared to work for lower wages. In spite of its unceasing efforts, the Malaysian Migration Fund Board has not solved the problem though it has certainly prevented it from getting completely out of hand (Sabah, 1973: 3).

#### Average Acreage of Mature Rubber Tapped on Estates 1968

	<i>Mature Trees</i>	<i>Average Acreage Tapped</i>	<i>% Tapped</i>	<i>Production (Tons)</i>	<i>Yield Per Acre</i>	<i>Potential Production (Tons)</i>
High Yielding Material	24,744	16,946	68.5	6,456	853	9,423
Unselected Seedlings	31,887	16,258	51.0	1,563	215	3,061
Mixed Stands	5,022	3,752	74.3	569	342	761
<b>TOTAL</b>	<b>61,653</b>	<b>36,956</b>	<b>59.9</b>	<b>8,588</b>	<b>521</b>	<b>13,245</b>

Source: Sabah, Second Malaysia Plan, 1971-75, Kota Kinabalu, 1973.

Not only could Sabah accommodate immigrants, official thinking was that it could not do without. The arrival of the Filipino Muslims was seen as the long awaited solution to Sabah's labour problems. In November 1979 the Malaysian Minister of Home Affairs held that Sabah's labour force in the internal and remote areas has been considerably increased by the Filipino refugees (*New Straits Times*, November 20, 1979). Sabah continues to face an acute labour shortage. Recently, Indonesian labour in Sabah, many of whom are illegal immigrants, were described by the Malaysian Deputy Prime Minister as "much needed" (*New Straits Times*, February 18, 1981). They are estimated to number 100,000. Similarity of "language" was cited as the reason why their assistance in speeding up the State's economic development was welcomed.

#### CONCLUSION

Much has been said and written as regards the conflict in the Southern Philippines — the causes for the antipathy, the immense cost in

terms of lives, and the social and economic dislocation. Some will argue that this is not enough. Perhaps in a sense enough can never be said. However, it is the immediate problems of conflict and destruction that appears to be emphasised. Neglected areas of legitimate and crucial concern are the long term implications of the conflict for Mindanao, the Philippines, and as importantly for Malaysia and the rest of the world. Some of these implications come readily to mind.

For Sabah the existence in large numbers of Filipinos even whilst satisfying the current critical labour needs of the state, presents immense social and political implications. The Filipinos now perhaps constitute the second largest community in Sabah and their numbers tend to further inflate the percentage of Muslims in the state. The predominantly non-Muslim Kadazans who consider themselves the "definitive people" of Sabah already fear that the influx of Filipino Muslims would jeopardise their tenuous claim to supremacy in Sabah.

The 1976 and 1981 election campaigns in Sabah indicate that the presence of the Filipinos is a divisive issue. The Kadazans are not alone in their fear. The Chinese community amongst whom are the principal beneficiaries of the cheap labour of the Filipinos, have also been responsive to the alarm raised by the politicians. When, as is likely soon, the Filipinos cease being merely a source of cheap labour and by social and economic mobility pose as competitors, prejudice and unrest may likely spread amongst the local population. Even now, despite official denials, the Filipino displaced persons are held responsible for the alleged increase in crime rates (*New Straits Times*, November 20, 1979).

For Malaysians generally, the problem raises a number of issues. The constitutional arrangement arrived at in 1963 when Sabah became a part of Malaysia ensured that Sabah will exercise jurisdiction over immigration and even non-Sabahan Malaysians entering Sabah have to obtain visas. To these other Malaysians, the presence in Sabah of such large numbers of foreigners without any documents poses as an inconsistency. Given the communal nature of politics in Malaysia's plural society such inconsistencies are readily converted into communal fears. Some non-Muslim Malaysians fear that the Government's recent decisions to inhibit the entry of foreign wives, the tough stand taken against Vietnamese displaced persons, the selection and resettlement in Malaysia of Muslim displaced persons from Kampuchea, the tolerance shown to the estimated 1/4 million illegal immigrants from Indonesia and the more than 100,000 displaced persons from the Southern Philippines are all part of carefully co-ordinated population policy aimed at restructuring the communal balance in Malaysia.

Philippine-Malaysian relations have already suffered due to the conflict in the Southern Philippines. It would appear that it is with

strenuous diplomatic juggling and a careful avoidance and even neglect of conflict areas that the apparent calm in Philippine-Malaysian relations and Asean unity is sustained. Much of this has been possible because of the favourable perception that Manila and Kuala Lumpur have had as regards maintaining cordiality and even co-operation, but to expect future leaders in both states to exercise the same restraint and prudence is to be optimistic to the extreme. The twin-pillars of import in Malaysia's foreign policy initiatives have been its dedication to Asean and the consensus arrived at this regional forum, and increasingly in recent years, its commitment to the Islamic Conference and its efforts. Nowhere else than in the case of the Mindanao problem do these come into greater conflict. Whilst Asean unity would call for restraint in the internal affairs of the Philippines, the dictates of Islamic brotherhood and the Koranic obligation to relieve the persecution of the Umma suggest otherwise. The latter course of action is one that a small but increasingly vocal Islamic lobby in Malaysian advocates. Philippine-Malaysian relations will be observed with keen interest by other Southeast Asian states who are as much the victims of inappropriate boundaries which have served to separate ethnic and religious minorities from their brethren who comprise dominant groups in neighbouring states. An immediate case at hand is Thailand which retains sovereignty over the Malay state of Patani. In Patani Moslem Malay separatists have mounted a similar stance to that of the Mindanao Muslims and seek independence.

The Mindanao crisis can ultimately be traced to the colonial powers ignoring many local factors in determining frontiers and boundaries. The political evolution of potential nation groups was arrested or diverted. People who had never been combined before found themselves subjects of the same colony, and problems arose which could be solved only by a reversal of colonial policy. This today proves to be the greatest task facing these newly independent states. Unfortunately, in many instances colonial policies, attitudes and perceptions have been inherited along with colonial boundaries, by the rulers of the successor states to the colonial empires. Mindanao and the Muslim Filipinos may continue to bleed a long while yet.

#### DISPLACED FILIPINOS IN SABAH AS OF 1977

Number of Households: 20,219

Size of Household:

1	43.8%
2 - 3	19.3%
4 - 6	24.5%

7 – 9	10.3%
10 and over	2.1%

**Number of Children per Household:**

0	50.0%
1 – 2	21.1%
3 – 5	21.2%
6 and over	7.7%

**Ethnic Status of Household:**

Suluk	21.2%
Bajau	65.5%
Ubian	2.6%
Cagayan	5.4%
Others	4.1%

**Religion of Household:**

Muslim	97.77%
Christian	1.83%

**Occupation of Household Head before arriving in Sabah:**

31.30%	Farmer
22.23%	Fisherman
16.39%	Laborer
0.70%	Logging
28.29%	Others

**Occupation of Household Head in Sabah:**

17.90%
18.57%
34.53%
1.89%
26.09%

**Location of Household in Sabah:**

*West Coast*

Kota Kinabalu	11.90%
Kudat	2.50%
Penampang	0.95%

*East Coast*

Lahad Datu	12.18%
Sandakan	29.35%
Semporna	42.44%

**Age Distribution of Household**

	Head:	Spouse:
No age recorded	19.1%	36.1%
under 20	7.3%	7.9%
20 – 24	17.6%	14.8%
25 – 29	15.4%	12.8%
30 – 34	13.3%	9.6%
35 – 39	10.2%	7.0%
40 – 44	6.8%	5.0%
45 – 49	4.0%	2.8%
50 and above	5.0%	4.0%

Source: Unadjusted raw data from 1977 Census of Displaced Filipinos in Sabah.

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Note: References to particular issues of newspapers are referred to by date in the text. Similarly, references to weeklies or monthlies are made by their date of publication.