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Whither the Southern Thailand Peace Process ?

Don Pathan, Director of Foreign Policy, Patani Forum, Thailand, spoke on the direction of the Southern Thailand peace process at an ISIS International Affairs Forum on 12th November 2013. Pathan is an American-Thai Muslim who lives in Yala, Southern Thailand. The discussant was **Bunn Negara**, Senior Fellow (Foreign Policy and Security Studies) at ISIS, while the Forum was moderated by **Tan Sri Dato' Seri Mohammed Jawhar Hassan**, Chairman, ISIS Malaysia. ISIS Analyst **Zarina Zainuddin** reports.

When the Thai government made an announcement on 27 February 2013, on its intention to start negotiations with the aim of finding a long-lasting solution to the strife in Southern Thailand, it was greeted with a lot of fanfare by the international community. The glow, however, did not last long. So what went wrong? Speaker **Don Pathan** and Discussant **Bunn Negara** shed some light on the issue.

Southern Thailand refers specifically to the three provinces of Pattani, Narathiwat and Yala, areas which are heavily populated by Malay Muslims (more than 90 percent) as opposed to Buddhists in the rest of the country.

In the older days, the Sultanate of Patani (spelt with one 't') an independent Malay Muslim sultanate covered approximately the area of the modern Thai provinces of Pattani, Yala, Narathiwat and much of the northern part of modern Malaysia — the historical Malay homeland. (Figure 1). The crux of the problem can be traced back to the year 1909, when the Kingdom of Thailand (then known as Siam) annexed these southern provinces. The process of nation-building however, did not go smoothly. The southern provinces were largely neglected and left out of the economic development of the nation. Pathan blamed the Thai government, more specifically, for its policy of assimilation — of 'trying to turn the Malays into something they are not.' The Malays have their own language, religion, history, culture, etc., and were not about to assume another identity.

The failure of the Thai government to incorporate the Malay narrative into the larger historical Thai narrative exacerbated the situation and further alienated the southern provinces. It did not help that, until recently, any challenge to Thai nationhood was considered taboo — any action construed as such was often met with unsympathetic and often hostile reactions.

However despite years of relative unease, insurgency did not rear up its head until the 1960s, when the Thai government, in its zeal to try and impose the Thai identity on the southern Malays, crossed the line when it dissolved the traditional Islamic schools — the 'pondoks' and the 'madrasahs.' In



From left: Don Pathan, Mohammed Jawhar Hassan and Bunn Negara

response to this action, the Barisan Revolusi Nasional (BRN) was formed, followed by other bodies such as the GMIP (Gerakan Mujahideen Islam Pattani), the Malay Pattani Islamic Independence Movement and PULO (Patani United Liberation Organization).

Thailand became a permanent observer in the OIC, and in doing so, denied the southern separatist groups a seat, and therefore a window to the international arena

The period of insurgency, fuelled by the various southern Malay groups as well as the communist movement, lasted until the late 80s and early 90s, when fighters, feeling disconnected from their leaders, laid down arms and returned to their villages. The Thai army congratulated itself, while the Thai government stepped up diplomatic efforts.

With the help of Malaysia, Brunei and Indonesia, Thailand became a permanent observer in the OIC, and in doing so, denied the southern separatist groups a seat, and therefore a window to the international arena. The Thai government managed to persuade Libya, Syria and the Gulf states to stop funding the separatist groups. Yet no concrete efforts were made to bridge the gap between Bangkok and the

southern provinces. The relative peace was short-lived.

In January 4, 2004, armed militia stormed a Thai military post and stole over 350 weapons. This time the Thai government could no longer deny the political motivation underpinning the attacks and acknowledged the existence of a separatist movement in the South.

The new generation of fighters or *juwae* (short for pejuang or fighters) operates differently from the old. While the fighters of the older generation were more conventional — they fought full time and required substantial resources to maintain their operations — the new fighters are organized into cells, where fighters only know the identity of fellow cell members and their leader. They are elusive and blend into society. As Pathan described it, the *juwae* could be tapping rubber in the morning, staging an attack in the afternoon and going back home in the evening.

The Thai military, not used to dealing with this new method of warfare, has been experiencing a lot of difficulty in containing the insurgency by military means alone. The incident of the Tai Bak massacre of October 25, 2004, in which 85 Malay Muslims died due to suffocation while being taken for questioning in overcrowded military trucks, barely registered in Bangkok but sparked massive anger in the South. It's no accident that the insurgency surged in 2004 and continued on until 2006.

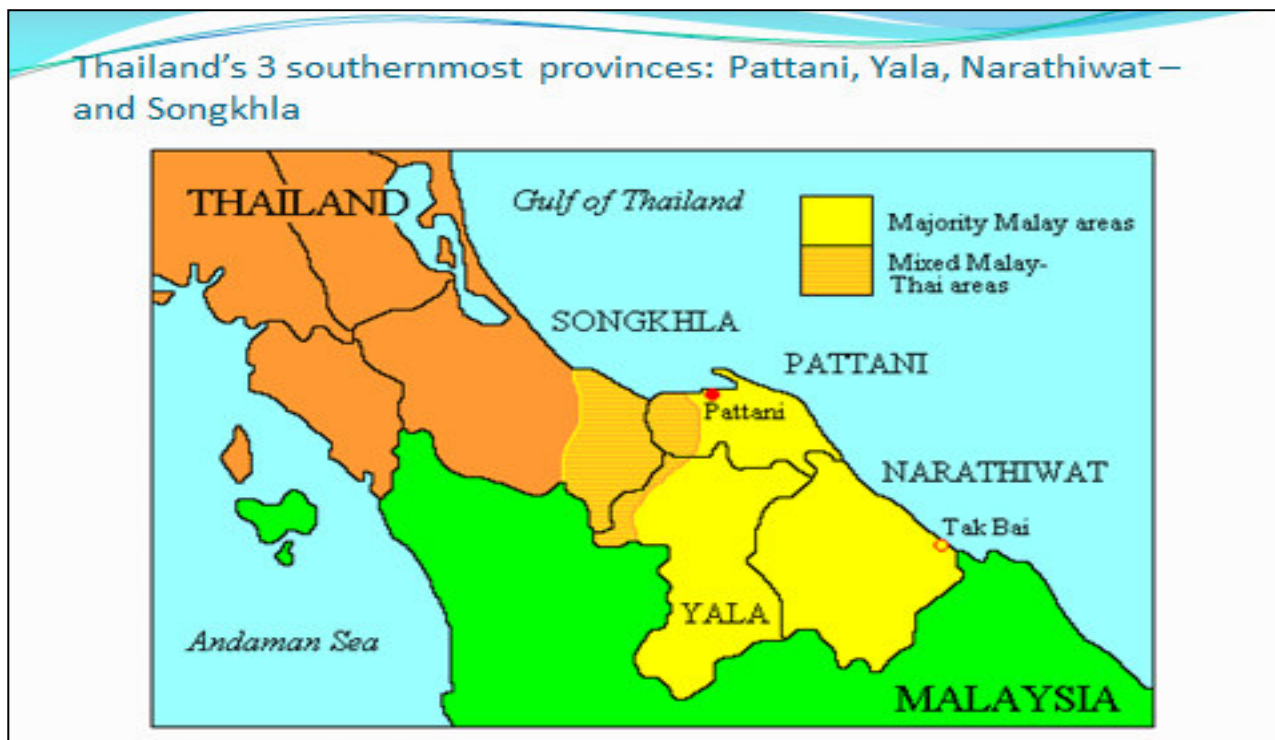


Figure 1

The *juwae* enjoy great support from the local communities in the South. While many of the people there might not agree with the *juwae*'s methods of fighting, they certainly share the same 'historical sentiments' and a general mistrust of the Thai state.

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There have been numerous efforts to organize peace talks between the insurgents and the Thai government. Most notable was the Langkawi talks of 2006, moderated by then Malaysian Prime Minister Tun Mahathir Mohamed, followed by the Bongor talks initiated by Yusuf Kalla in 2007 besides others by various NGOs and retired senior Thai officials.

The question is, who in the South can be approached as a legitimate voice of the separatists? The problem, said Pathan, is that most of the original leaders have passed on and the current leaders are former deputies. Many of these leaders are trying to reinvent themselves so

as to be recognized as 'the' one that has influence in the South and who can deliver peace.

Pathan questioned the ability of these new 'leaders' to influence and take command and control at the ground level. It is very difficult for Thai officials to verify the claims of these so-called leaders and in Pathan's opinion, real leaders with influence, as well as command and control on the ground, have yet to surface. He thinks that the February 28 Initiative was launched prematurely. There are many issues that have yet to be resolved, such as immunity for those separatists who are willing to negotiate.

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Also, the military has yet to come to terms with the 'notion of civilian supremacy.' Between the civilians and the military there is competition over who should 'own' this peace process. The Thai military thus could pose a challenge to the talks. Pathan said that the Army Chief was informed of the launching of the peace initiative only about ten days prior to its launch, and this was at about the same time as when Pathan himself was informed!



Participants at the forum

The number of people involved in the talks will be small, comprising mainly of Thaksin allies and loyalists, including those representing the South. Many observers are sceptical of the primary motive behind the launching of the peace talks, with many speculating that it was Thaksin's desire to return to the Thai political arena that was the prime motivator rather than a sincere wish for lasting peace. The haste in launching the talks gave credence to such speculation, given that Thaksin's sister Yingluck's days in office as Prime Minister may well be numbered.

Another factor that has hindered the holding of peace talks is the lack of continuity at the government level. Peace negotiations are an *ad hoc* process, driven by personalities and subject to fierce inter-agency rivalry. Unlike the situation in the Philippines, there is no Secretariat at the Ministry level in Thailand that would guarantee the continuity of the peace talk process through the frequent changes in government.

The positive outcome of the announcement of the peace talks is that it has given the green light to greater involvement by civil society in the discussion on the situation in southern Thailand as well as related issues such as liberty, liberalization, and independence. Not only are these issues being discussed, the avenues for doing so have expanded as well, ranging from talks and seminars to social media and community radio.

Pathan said civil society involvement has reached a critical mass at the ground level, and in dealing with the situation, it is better to focus on

issues such as social mobility, equality and justice. He believes the southern Malays want to be part of Thailand, but on their terms, and not Bangkok's.

Mr Bunn Nagara, as Discussant, echoed and reinforced many of the points that Pathan raised. He listed some of the reasons why the talks so far have faltered:

- As far as the Thai state is concerned, the nation state concept is Bangkok-centric rather than people-oriented, or even crisis-centric.
- Instead of integration of minorities, as in countries like Malaysia, Thailand favours assimilation as the tool for nation-building. The assimilation process requires a degree of force and this often does not work.
- It is still doubtful that the priority of the current Thai government is the conducting of successful peace talks; for Thaksin and his agents, the main priority is his political rehabilitation.
- The military has always had a sense of entitlement in the affairs of the state in political terms and they want to see this continue.
- The individuals of the BRN-Coordinate or BRN-C negotiating with the government do not have the backing of the majority of the BRN leadership, especially those involved in actions on the ground, with this non-acceptance raising the question of their credibility. The

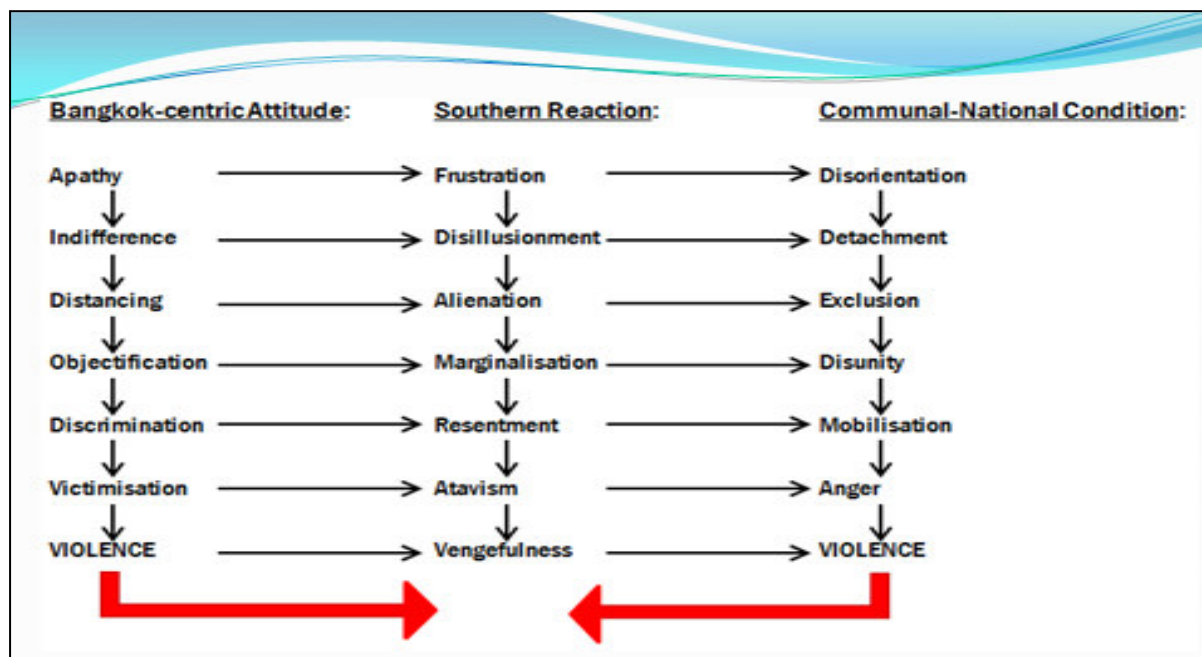


Figure 2: The Seven Stages of Deterioration

matter is further complicated by the desire of other groups such as the Wadah group, said to be affiliated to the ruling pro-Thaksin Pheu Thai party, to join in the negotiation process.

- The origins of, and motivations for the talks are seen as Bangkok-centric or rather Thaksin-centric — while Thaksin did not initiate the insurgency, his actions and policies between the years 2004-06 corresponded with the height of the period of insurgency. Insurgency activities tapered in 2007, the year after Thaksin was toppled in September 2006. By 2008, the violence had fallen sharply.
- The limited role for the international community (i.e. ASEAN, OIC) — the Thai state, and the army in particular, views the southern Thai issue as an internal matter and rejects any kind of intervention from any other player. As for Malaysia, its role as facilitator is very limited, as it really cannot do anything except perhaps provide the venues and be the time keeper for the negotiations.

Nagara is less than optimistic on a positive outcome for the peace talks. He summed up the situation as the 'Seven Stages of Deterioration.' (Figure 2). At the heart of it is the 'Bangkok-centric attitude' which he characterized as beginning with general apathy towards the situation in Southern Thailand, leading to indifference, then distancing, followed by

objectification, discrimination, victimization, and ultimately, violence.

For each stage of the Bangkok-centric attitude there is a corresponding reaction from the South, a negative progression stemming from a feeling of frustration at the Thai state's Bangkok-centric attitude and apathy, to disillusionment, which in turn caused a sense of alienation both as a reaction to the disillusionment as well as the distancing act on the part of the Thai state; the last stage is one of vengefulness.

The reactions from the Thai state and the insurgents in the South in turn feed into the 'Communal-National Condition' beginning with 'Disorientation' and ending in the final stage of 'Violence.'

It is still doubtful that the priority of the current Thai government is the conducting of successful peace talks ...

What Figure 2 illustrates is that ultimately, both the Thai state and the South will probably engage in more acts of violence in dealing with each other. Given the lack of progress since the peace initiative was announced, Nagara concluded that if one was to look at the situation realistically, then 'pessimism seems to be the order of the day.'

Re-introducing Local Elections — Conceding an Inch to Keep a Yard

Tan Siok Choo

Visiting Fellow, ISIS Malaysia

Putrajaya should seriously consider re-introducing elections for local councils. As the experience of Solo and other municipalities in Indonesia suggests, the advantages of enabling ratepayers to vote directly for local government representatives are considerable. To maximize the benefits, facilitating local council elections must be accompanied by the granting of greater autonomy for local councils. While the twin proposals could entail significant drawbacks, the political and economic benefits are likely to outweigh the financial and other costs.

Currently, voters throughout this country vote for Members of Parliament at the federal level and for state assembly persons at state level. Mayors and municipal councillors are appointed by the political party that won control of the state assembly. Prior to 1965, local councillors were elected in this country. In that year, local council elections were suspended due to Indonesia's Confrontation. However, the enactment of the Local Government Act 1976 made the deferment permanent.

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Indonesia's positive experience suggests Putrajaya should reassess its position on this issue. In the aftermath of the Asian Financial Crisis, Indonesia's President Suharto was forced to step down, in 1999, following weeks of mammoth protests against a regime widely perceived as authoritarian and corrupt. Although the Suharto era offered political stability that provided the platform for the country's economic growth, the fallout from decades of authoritarian

centralization was a strong wave of decentralization.

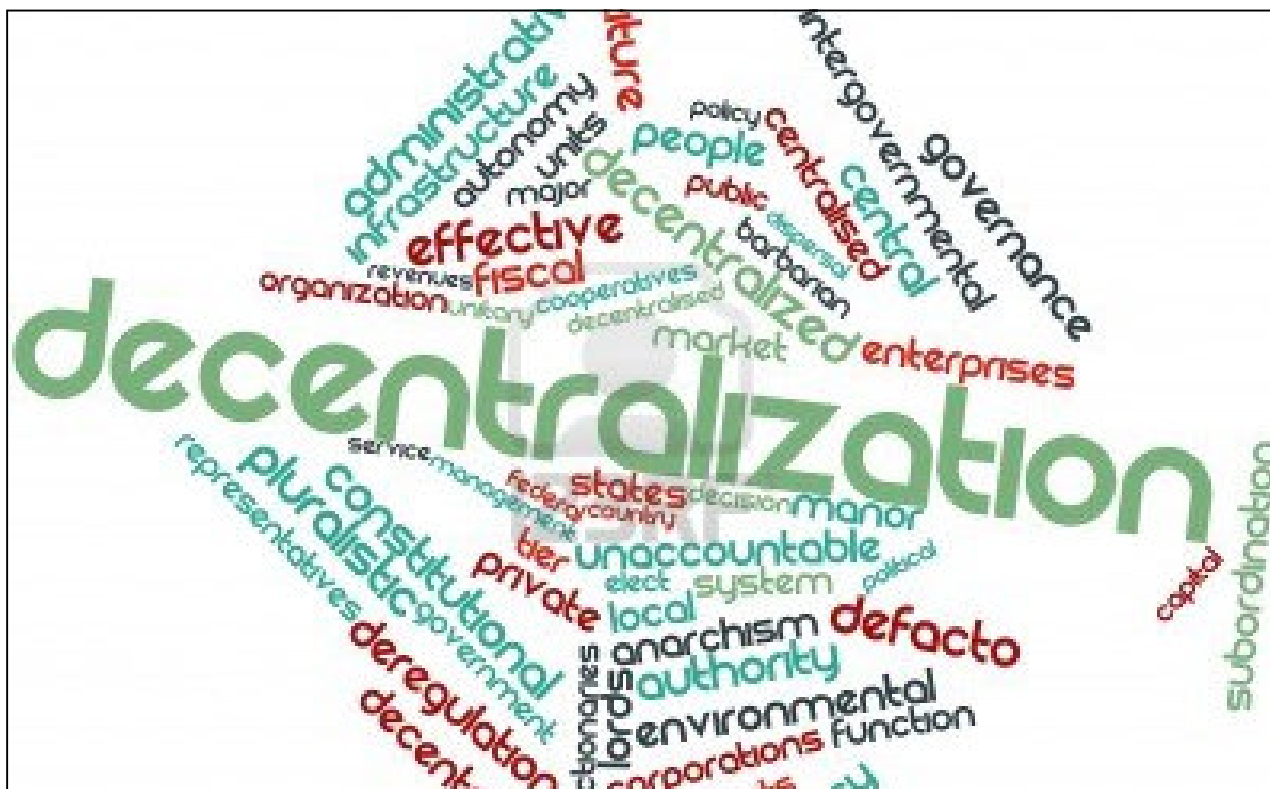
Another catalyst was simmering regional conflict in the archipelago — particularly in Aceh in Sumatra and Irian Jaya or Papua. Indonesia's decentralization was transformational in its impact, extensive in its reach and swift in its implementation. Labelled the 'Big Bang,' decentralization comprised two major elements.

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First, mayors, regents or 'bupatis' and governors were (and still are) directly elected by voters. Second, the central government's authority was scaled back and limited to security and defence, foreign affairs, fiscal and monetary policies, justice and religious affairs.

Fearing greater autonomy could prompt independent-minded governors to consider breaking away from the republic, Jakarta gave governors in all provinces far more limited jurisdiction than their nominally lower-level counterparts in regencies and municipalities. To implement this decentralization, civil servants were re-assigned from Jakarta to the regions in two tranches and at two different times — 150,000 in 2000 and another 2.1 million in 2001.

According to the World Bank report published in June 2003 titled 'Decentralizing Indonesia,' the second tranche of reassigned civil servants accounted for two-thirds of the country's civil service. Critics argue Indonesia's decentralization has resulted in more red tape and increased corruption. One oft-cited egregious example is that of conflicting land titles issued by governors and bupatis.



Decentralization, however, was not always the culprit. There have been instances where two or more Ministries issued land titles to two different investors over the same area. Overlapping land titles are a consequence of the failure to delineate clearly the jurisdictions between different Ministries as well as between the central and regional authorities. Other drawbacks of decentralization include local government authorities' lack of skilled personnel to undertake policy making and financial management.

One irrefutable indicator of decentralization's success is the continuing inflow of foreign investment to the archipelago

These problems, however, can be resolved, given additional time and resources for training and hiring more skilled managers.

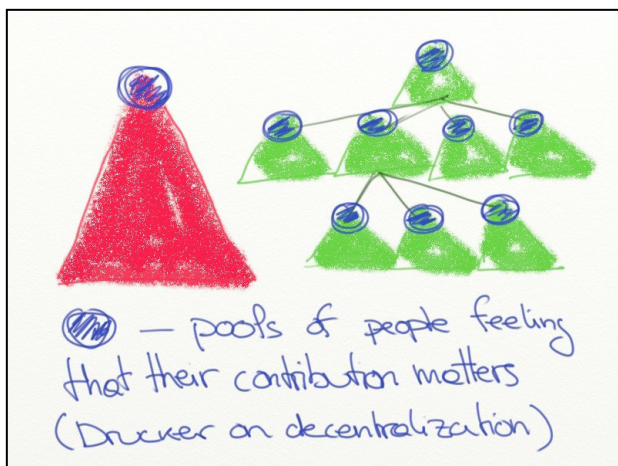
One irrefutable indicator of decentralization's success is the continuing inflow of foreign investment to the archipelago. In 2012, foreign direct investment (FDI) hit a record high of US\$23 billion, an increase of 26 per cent from the

level a year ago. Additionally, in the same year, Indonesia regained its investment grade status from two rating agencies — Fitch and Moody's — for the first time since the 1997-1998 Asian Financial Crisis. All this suggests decentralization has not perceptibly exacerbated the problem of red tape and corruption, although both remain major investor concerns.

Some may argue the rapid jump in foreign investment after 1999 was due to the end of the Asian Financial Crisis. While this was arguably a contributory factor, if red tape and corruption had worsened, this would have caused foreign investors to stay away from the archipelago.

If Malaysia adopts the twin planks of Indonesia's decentralization — local government elections and more autonomy for local governments — the benefits are likely to be both political and economic.

First, re-introducing local government elections could blunt the rising dissatisfaction against the Barisan Nasional. Running municipalities will force the opposition Pakatan Rakyat to grapple with the reality of governing a small geographical area where every single decision is likely to adversely impact voters.



For example, those protesting against the proposed Mass Rapid Transit line in Jalan Sultan or the proposed development in Bukit Gasing in Petaling Jaya may be few in number but they are likely to be extremely vocal and skilful in utilising the press.

Municipalities are also where the not-in-my backyard (NIMBY) syndrome is likely to be strongest. While all agree more landfills, incinerators, jails, low-cost housing as well as bus and rail networks are necessary, rate payers don't want them in their backyards.

Second, local elections and greater autonomy for municipalities could be an excellent incubator for political talent. In Indonesia, one politician widely admired for his people-handling skills, effectiveness in resolving seemingly intractable municipal problems, as well as a reputation for honesty, is Joko Widodo, better known as Jokowi. Spring-boarded to national prominence by two stints at the local level — first as mayor of Solo, and currently as governor of Jakarta — Jokowi is widely acknowledged by political analysts as the front runner for the Presidential elections, scheduled to be held in July this year.

In Solo, Jokowi revived the town's economy — badly damaged by the 1998 riots — by fostering growth in the traditional batik

... local elections and greater autonomy for municipalities could be an excellent incubator for political talent

industry without resorting to subsidies. In Jakarta, Jokowi's accomplishments are far more impressive. He managed to persuade seemingly immovable squatters and vendors to relocate to other, less congested areas, thus freeing up the previously occupied areas for infrastructure.

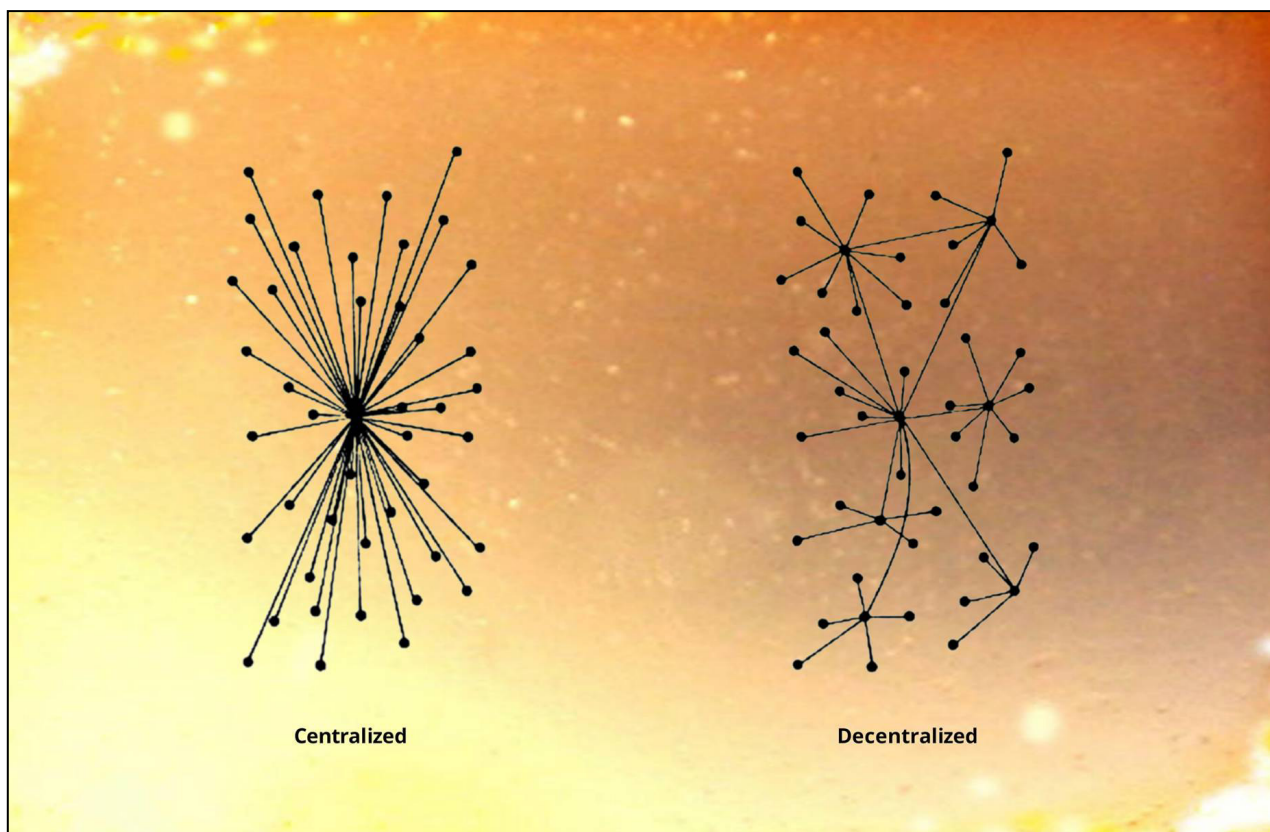
Additionally, he raised the minimum monthly wage by 46.6 per cent to 2.2 million rupiah (RM620), initiated a mass rapid transit system and announced the introduction of an e-catalogue to undertake direct procurement.

Third, local elections and more regional autonomy could dampen regionalist tendencies. Again, Indonesia's experience is illuminating. 'Separatist movements have also largely died down, with the best organized, that is Aceh, now in power in the province and running municipal services, rather than an armed conflict,' the Oxford Business Group (OBG) wrote in its 2012 report titled 'Decentralization has Presented both Challenges and Opportunities.'

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In a paper titled 'The Policy of Decentralization in Indonesia,' M Ryaas Rasyid noted that special fiscal policy arrangements enabled Aceh and Papua to be given 70 per cent of total income extracted from these two provinces. If a similar fiscal-sharing arrangement is replicated in Malaysia, it could undermine the appeal of political parties suggesting that Sabah, Sarawak, Kelantan and Terengganu should be given a higher proportion of locally-generated oil revenues.

Fourth, because governors, bupatis and mayors have to be directly elected by rate payers in their jurisdictions, they are forced to be far more pro-active in seeking private investment, implementing infrastructure projects and doing whatever it takes to accelerate economic growth in their fiefdoms.



Indeed, one of the biggest successes of Indonesia's decentralization programme is the rapid growth beyond Java. A McKinsey report titled 'The Archipelago Economy: Unleashing Indonesia's Potential,' predicts that about 90 per cent of urban areas expected to expand by more than seven per cent by 2030 — an expansion outpacing Jakarta — will be from outside Java.

Indonesia's decentralization programme suggests that it will be better for the Barisan

Nasional-led federal government to concede an inch now, than be forced to surrender a mile several years later.

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