Scholar Report – Timothy Wiliams

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Beyond Development and Counter-Insurgency. Searching for a Political Solution to the Malay Secessionist Conflict in Southern Thailand.

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1 Introduction[1]

Secessionist impulses have existed since the Sultanate of Patani was formally included in the Siamese Kingdom in the early 20th century, and violence returned to the region in January 2004. Simultaneous raids on military posts by insurgents were followed by harsh government reactions to further attacks, including the events at Krue-Ze Mosque in April 2004 and the death of 78 men in police custody following a demonstration in Tak Bai, Narathiwat, in late October 2004. The violence shows no signs of abating and continues on a daily basis (Srisompob 2011) with assassinations and bombings of government employees, military personnel and civilians, and the destruction of regional infrastructure, such as public health centres, schools, buses, trains, mobile telephone networks and power supply infrastructure (HRW 2007a, 7). From 2004 to August 2011, 4,846 people died and nearly 8,000 were injured, a majority of whom were civilians (Srisompob 2011) and human rights abuses by insurgents are steadily increasing in both quantity and intensity (Zawacki interview[2]).

The research question underlying this paper could be posed as: "What should the Royal Thai Government do to avoid violence and bring peace to the South?" In order to answer this question, this paper will present the causes of the conflict, as hypothesised across the literature, evaluate these approaches and then formulate a strategy which can reduce violence in the region. This work bases on the assumption that violence is the strategic behavioural manifestation of certain actors in reaction to others' actions – only through understanding the causes of the violence will one be able to address these problems and reduce the violence itself. In evaluating different policy options, this paper draws primarily on successes and failures in the past in Thailand, as well as on experiences in the comparable case of Muslim Mindanao, Philippines.

Much work has already been done covering the history of the conflict (Chalk 2008; McCargo 2008), the extent of the violence (Askew 2010a) and its recent dynamics (Croissant 2005; McCargo 2006; Tan-Mullins 2009; Wattana 2006), analyses of actors' organisational structures and tactics (Abuza 2009; Helbardt 2010), structured comparisons to other cases (Hafez 2003; Islam 1998), as well as many other authors bridging these topics. This paper will review a few factors which are pivotal to the later policy arguments and aims to look into different possible solutions to this conflict evaluating these critically, as it is evident that Thai policy making has often centred on a few central premises

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[2] Telephone interview with Benjamin Zawacki, Thailand researcher of Amnesty International, in November 2011.

that have, however, not led to fruition and a significant reduction in violence. Ultimately, this paper presents recommendations to the Thai government on how to alleviate the conflict.

2 Background to the Conflict

The main organisation operating today is thought to be BRN-Coordinate (*Barisan Revolusi Nasional-Coordinate*), which was formed after splitting from the BRN in the 1980s (Helbardt 2010, 8). This very loosely structured and hyper-secretive group not only does not take credit for any of its attacks, but has also refrained from issuing any concrete demands and thus "lacks clear, negotiable political goals" (Liow/Pathan 2010, viii). The general aim, however, appears to be *merdeka* – the Malay word for sovereignty or independence – for the territory of the former Sultanate of Patani[3], though some factions of this newer movement may settle for autonomy within the Thai state (Albritton 2010, 62). There has been great scholarly debate on the identity of the central insurgent actors, though at the moment it is unimportant which organisations these constitute precisely because all organisations are so cellular that military success is unlikely, and equally so disparate that they render dialogue impossible. Members mostly do not even know the name of their group, and often the real name of superiors; further, membership is secret and the insurgents do not claim responsibility for attacks.

The degree of cohesion is fiercely debated, some seeing groups as "coordinated but flexible" (Askew 2010b, 129) with order of command and commander intent being present (Zawacki interview), while others doubt any coordination between groups (Gunaratna et al. 2005, 46) and find that "different groups within the separatist movement are fractured and weakly led" (Vatikiotis 2006, 36). The renowned scholar and former National Reconciliation Commission secretary, Gothom Arya, deems the current insurgency to be a hybrid of bottom-up, disparate cells and a top-down hierarchy, whereby the leadership gives flexible instructions which are adapted to local structures by individual cells; the initiative for certain attacks is at the cell level though training, ideological formation and preparation for each attack is at the organisation level. Thus, there is a certain amount of coordination between groups, though they also function independently and are deeply embedded in local village structures, a sign of organisational learning compared with the camps of past insurgent groups which could easily be militarily targeted.[4] Altogether, this affords the insurgency a degree of structure with order-and-command from which the "ability to pull off audacious and complex operations" (Chalk 2008, 12) arises.

[3] This ideal homeland comprises the provinces of Narathiwat, Yala, Pattani and four Malay-Muslim dominated districts of Songkhla province (Thepa, Channa, Sabai Yoi and Nathawi). Note that the historical sultanate is spelt with one *t*, while the province within today's kingdom is spelt *Pattani*.
[4] Interview with the author in Bangkok in October 2011.

3 Roots of the Conflict

The most cited perspective on the violence is to see it as stemming from certain **grievances**. A central theoretician on the importance of grievances generally is Ted Robert Gurr (1968) who posits that relative deprivation occurs when value expectations (what one thinks one is entitled to) diverge from value capabilities (what one expects to actually receive) and is particularly important when these expectations have a high salience. “The more severe is relative deprivation the greater are the likelihood and intensity of civil violence” (Gurr 1968, 254). Absolute and relative **economic deprivation** of the area is often hypothesised to explain the violence, with an ever widening gap compared with the rest of Thailand emerging as the rest of the country experiences sustained economic growth (Croissant 2005, 35); this has been the rationale behind the billions of Baht spent on development projects in the region over the past few years. However, while these grievances may constitute a “necessary foundation for collective action” (Moss 2009, 3), empirical evidence at the local level suggests that this is not the primary cause of the violence (Srisompob/Panyasak 2006, 109) and poverty alone cannot be the driving motivation, as the current violence began in 2004 when the Malays were relatively better off due to the rising price of rubber (Tan-Mullins 2009, 925).

At its core this conflict is about **identity**, and social and cultural grievances amplify the apparent economic deficiencies and frame them. While bureaucrats in Bangkok and many of the citizens of the Deep South see residents of the area as Thai, the insurgents and their sympathisers see themselves as Malay. Albritton (2010, 61) shows that this identity is not – contrary to much commentary – focused singularly on a Muslim-Buddhist divide, but that Southerners in general are attitudinally and behaviourally different to other Thais and that “sympathy for the insurgency lies not in religion, but in defending practices associated with loyalty to specific forms of Malay culture that characterize the region” (Albritton 2010, 61), for instance speaking the Malay language at home, sending children to Islamic schools (HRW 2010, 20), or finding offence in perceived transgressions such as drug use, alcohol consumption, prostitution, gambling or karaoke (Abuza 2009, 32). While Thai-speakers tend to be much more strongly assimilated and supportive of Thai unity,

“respondents who identify themselves as Malay, rather than as Muslim, tend to express more favorability toward organizations and people associated with radical Islam than any of the other identity categories. For these respondents, Malay culture appears to trump their identity as Muslims, even though most respondents who identify in this way probably adhere to Islam as their religion” (Albritton 2010, 79). Islam and Malay culture have further been described as “virtually indistinguishable” (Christie 1996, 173).

The insurgency can thus not be seen as a cry for development or a better standard of living, but it feeds off a sense of Malay nationalism rooted in the Patani homeland – altogether this creates a sense of being ruled by foreigners and undermining the Patani national right to self-determination.

This feeling is underlined by a lack of locals in official positions in the region. While there have been several Muslims in prominent Thai positions, and they are not underrepresented at the national level in parliament or government (Bünte 2004, 448; Wattana 2006, 123), due to rotating bureaucratic structures local governance is managed by people who do not understand the religion, language, and culture of the majority of the Deep South's citizens (Srisompob/McCargo 2008, 406; Srisompob 2010). Southerners also have significantly less trust than other Thais in most state institutions (Albritton 2010, 70). This could have developed in reaction to institutionalised racism prevalent in Thailand: Thai Buddhists are sometimes disparaging towards Muslims and many, including officials, use the term *khaek*, meaning visitor or resident alien when talking about the Malays (Abuza 2009, 34). Altogether, an identity-centric view of this conflict will necessitate an identity-centric response; that is a political response.

Such a political response stands in stark contrast to policy thus far – besides the aforementioned development programmes, there has been a focus on fighting this conflict as an internal war. This strategy has been and is doomed to be unsuccessful, simply because it does not pay enough tribute to the real situation. Though it is not a cause in the strictest sense, the **military response** in the South contributes strongly to the violence. While in past decades, when insurgents were camped in the jungle and launched coordinated attacks from there, such a military approach may have been useful, today's cellular structure is embedded in everyday village life with volunteers not fighting full-time but well integrated into their surroundings. Military intervention, thus, always effects the lives of non-participating civilians, too; rather than undermining the insurgency, this military response can even feed the grievances of the population and thus raise support for the insurgency: With an abysmal track record of human rights, the population in the Deep South may feel increasingly alienated, and look to the insurgents to relieve them of this oppressive system, hence even strengthening the cause of the insurgents (Croissant 2005, 11; Harish 2006, 18; Srisompob/McCargo 2010, 169); "it was not so much that indigenous Malays actively supported the insurgents or shared their aspiration for an independent state; it was just that they feared and resented the police and military more" (Chalk 2008, 19).

The military solution actually aggravates the political roots of the conflict, and is thus less of a solution and more a part of the problem itself (Albritton 2010, 63; Srisompob 2011; Patcharakanokkui 2010, 12). Moss (2009, 12) shows that in the past decades times of hard, military policy have been matched with a rise in violence, whereby softer approaches have been met with a lessening of insurgent violence. The hard-fisted handling of the situation has been facilitated by the joint effects of martial law and the emergency decrees, de facto allowing security personnel a free hand in their actions. Not only do the military and the security personnel commit human rights abuses, they are not even held accountable for this abusive behaviour. The emergency legislation has created a context of impunity in which they will not be prosecuted for any transgressions, such as arbitrary arrests, disappearances, torture or extrajudicial killings (Amnesty International 2009; 2011; HRW 2007a, 4; 2007b, 4; ICG

2005a, i), frustrating the Malays further and underlining their perception of a status as second-class citizens. In this context, the police are seen as particularly harassing and a large majority of malpractice complaints have named police as the abusers (Wattana 2006, 123).

The situation is compounded by an increase, supported by the Queen herself, in paramilitary organisations; though these are cheaper and more flexible, mostly they are "inadequately trained and equipped, confuse already difficult command and control arrangements and appear in some cases to make communal tensions worse" (ICG 2007, i).

Several other explanations have been tendered, though most have either been refuted or can only explain a small part of this violence. Regarding the **role of Islam**, many words have been spent on disproving any connections between the insurgent organisations and outside terrorist organisations (Chaiwat 2009, 9; Gunaratna et al. 2005, 60) and showing that they are not embedded in the global jihad movement, such as *Jemaah Islamiyah* in Indonesia (Chalk 2008, 14; Tan-Mullins 2009, 927). While Islam plays an important role in part of the identity of the Malays, it is important to emphasise that this is a political insurgency driven by local issues, and not an example of jihadi terrorism (ICG 2005b; Liow/Pathan 2010, viii); one could describe religion's role as "ethnic patriotism with Islamist connotations" (Gothom interview).

When violence re-appeared in the Deep South in 2004, Thaksin discarded it as purely criminal. This has been widely vitiated (Srisompob/Panyasak 2006, 115; Srisompob/McCargo 2010, 166), and **crime** is certainly only a periphery explanation of violence in the Deep South. However, there are "confusing overlaps between insurgents, competing local political groups and criminals" (Askew 2010b, 121) and "criminal gangs that engage in contract killings and extortion" (Albritton 2010, 62). While this does not detract from the large scale of insurgency violence, some authors agree that there are deaths and injuries in the South attributable to crime, estimates range between ten and thirty or fifty percent (Askew 2010a, 1115; Askew 2008, 187; McCargo 2008, xii), though the lower number seems more probable. While some also see the local conflict as a playing-field for **national interests** (Tan-Mullins 2009, 926), really the political elite in Bangkok seem to care very little about the situation in the South. It has not been a high priority for any government and, unfortunately, it does not look like it will become one soon (Zawacki interview).

Finally, a word should be said on the timing of the resurgence of violence: Why did violence re-flame in 2004? Here, three answers seem plausible. First, it was Thaksin's new approach in the South that ignored the local cultural and religious specificities and "upset a carefully negotiated social contract" (McCargo 2006, 39); second, this was augmented by the harsh military reaction described above, which exacerbated the tensions; finally, it appears that some insurgents are striving to follow a seven-step plan which broadly fits the frame of the violence timings: Phase 1: mobilise the (Malay) masses by constructing a political consciousness (1984-1994); Phase 2: "integration of specific institutions

into the mass subversion", e.g. schools, councils etc. (1994-2004); thereafter violent overthrow of the state (Helbardt 2010, 22ff.). From this account it would seem that the year 2004 was pre-ordained by insurgents and that this was less of a reaction to external factors.

Altogether, this report would characterise the violence as stemming from resistance by a group of people who feel that they should have political self-determination because of a different identity. This feeling of difference from the rest of Thailand has not only religious and cultural connotations, but is also exacerbated by economic grievances, lack of trust in state institutions and anger about human rights violations.

4 Strategies for Reducing Violence and Solving the Conflict

Due to the inherently political nature of this conflict drawing on a crisis of identity, the Royal Thai Government must find a political solution to the problem, rather than approaching it as a military question. Also, a reliance on development policies alone will prove to be of limited usefulness considering that economic grievances are only one facet to this problem. Thus, successive strategies of development and military prevalence had limited success, and the rest of this paper attempts to sketch additional ways in going forward, culminating in concrete policy suggestions.

Unfortunately there is very little political capital to be gained from tackling the insurgency in the South, and while Prime Minister Yingluck Shinawatra may have campaigned on a political solution for the South, the absence of electoral support here and recent heavy flooding throughout Thailand will keep this conflict at a low priority (Zawacki interview). In order to find a solution, however, it is important that Yingluck seizes the moment and prioritises this conflict. The line of command and division of responsibilities is nebulous at best (Gothom interview), and it would serve the Prime Minister well to slim-line the system, nominate a Special Advisor from the region and create a clear hierarchy of various competencies below this advisor, rather than spreading them out to various deputy Prime Ministers. It is pivotal in finding the right solution that the office of this Special Advisor be competently staffed and well-resourced, ideally with a number of locals, both Muslim and Buddhist, in senior positions.

4.1 Sphere of Violence

To combat the counterproductive military situation in the South, it is necessary to regain the trust of the population. Several strategies should be followed. First of all, the human rights issues must be addressed: It is necessary that military law and the emergency decree be either lifted or significantly revised. Together they are creating a climate of impunity for security personnel in which they can systematically disregard the fundamental human rights of the Southern civilian population. There is

evidence of arbitrary detention, “disappearances” (HRW 2007b), “systematic” use of torture (Amnesty International 2009), and extrajudicial executions. Torture, for instance, is used widely across the region and also widely across different security forces and thus cannot be seen as purely an exception (Zawacki interview). Section 17 of the emergency decree, which has been in effect since July 2005, has meant that not a single official has been convicted of the existent human rights violations, and both the Emergency Decree and martial law can be seen as the reasons for this maltreatment (Amnesty International 2009, 7).

In order to regain the trust of the population and in order to uphold Thailand’s commitment to human rights, it is pivotal that the Government repeal or revise the emergency legislation for the area to prohibit such violations. While there may be a place for extraordinary legislation, it is the effect of martial law in parallel with the Emergency Decree which creates this lethal environment (Zawacki interview); thus, they need to be revised in order to eliminate the feeling of impunity amongst security forces. Military and police education should furthermore include more training on human rights and correct conduct.

Further, it is very important that the population perceives justice as being done, and the judiciary and military should be encouraged to prosecute effectively and without exception officers of all ranks and of any religion or ethnicity who participate in, encourage, are responsible for or aware of abusive behaviour. On the other hand, it is also important that the victims of violations and their families be looked after, both through psychological support and financial compensation. The Special Advisor should set up a commission on human rights made up of respected members of the judiciary, civil society, security forces and government to investigate past infringements, publish past investigations, e.g. on the Krue-Ze Mosque and Tak Bai incidents, and work on new legislation and informal policies that can prevent further human rights violations from happening.

To solve the complex military problems in the South, the Government should also try to de-militarise the South to a certain degree; on the one hand, voluntary civilian defence groups which were encouraged by the Queen and primarily recruit Buddhist villagers should be disbanded as these paramilitary groups are causing more increased tensions in their communities than they are helping to solve the problems and are making weapons available to private persons, and so also fuelling private counterinsurgent operations (Croissant 2005, 12). On the other hand, insurgents must gradually be demobilised to reduce insurgent violence. In the past and also in Mindanao, the most successful way to reach this goal has been to offer sincere amnesties for combatants, and thus far they have always been openly received (Moss 2009, 14). It is, however, important that the amnesty offers be earnest; in the past they have sometimes not applied “to anyone who had committed a crime, ergo to no insurgents” (Abuza 2009, 202), rendering the whole scheme absurd, as these are precisely the people who one is wanting to demobilise.

Finally, local ceasefire mechanisms should be striven for. In Mindanao a ceasefire was agreed between the Moro Islamic Liberation Front (MILF) and the Armed Forces of the Philippines; in order to enforce it effectively, any violations of the terms of the ceasefire in a certain locality were then directly inspected by Local Monitoring Teams and the Coordinating Committee on Cessation of Hostilities. These were made up of members of both sides and would hold the perpetrators of ceasefire violations responsible through on-the-ground, immediate investigation of skirmishes between the two sides. From this each side could internally deal with reprimanding the respective groups. While this negative peace, the absence of violence, is not the positive peace one should strive for, it would certainly constitute a step in the right direction. Such a model would not fit exactly for Southern Thailand because the organisational strength and cohesion of the MILF is much higher than any respective organisation and such a comprehensive ceasefire agreement has some credibility. However, smaller versions of this are fathomable. In a confidence-building gesture, in mid-2010 “a one-month suspension of hostilities took place in three districts of Narathiwat [and …] organized attacks were suspended by the insurgents (one did occur), though the targeting of individuals by the insurgents […] were not covered by the suspension. Security forces reportedly limited search and arrest operations in response” (Amnesty International 2011, 52).

This demonstrates that small locally-brokered ceasefires can be possible and military command should encourage local military units to aim for such projects as they are a significant improvement for the residents of the area. Joint committees to oversee the ceasefire have worked very well in Mindanao, but their feasibility in Southern Thailand would depend strongly upon how well organised the local insurgents are in each district and whether the negotiating individuals have any credible authority over the local cells. It would also be worthwhile at least testing the effects of unilaterally declared ceasefires by which the military hold back from aggressive search and arrest operations in anticipation of an insurgent cessation of attacks in return.

4.2 Economics

As explained above, economic grievances are not pivotal to the Southern insurgency. Nonetheless, this does not mean that the current development programmes are useless or should be scrapped. Identity and justice issues feed off the economic grievances and also from a civic equality perspective it is beneficial to improve the economic situation of the Deep South. When spending money on projects, however, the government would do well to ensure that local corruption is minimised and projects are carefully selected according to their effectiveness. With several years of experience now, an independent commission could be set up for evaluating different past projects and then recommending how the funding pot should be divided between projects. An inclusion of local civilians in this process would greatly enhance the legitimacy of the projects, their effectiveness and trust of local people towards the government in Bangkok.

4.3 Identity and Culture

Given that the Malay culture is distinct to Thai culture and that this difference in identity is one of the central foundations of the conflict, it is pivotal that the new Government approaches this topic with a view to making progress. As previously suggested by the National Reconciliation Commission but ignored by successive government since, Malay should be afforded a greater significance as it is the language spoken by a majority of residents of the Deep South and made an official language alongside Thai. Educational institutions must find a good balance: Malay could be used in schools as the primary language of instruction, however all children must also learn Thai to a fluent standard in order that they will be able to be successful in their later careers within the Deep South but also further afield throughout the whole of Thailand. The balance must be struck so that local children are instructed in both the language of their culture and heritage but also in the languages which will be of greater use to them economically and at a university level.

Education in general has been one of the most contentious issues in the South and there is much improvement to be reached here. Education in general must become modernised, that is each child must receive a full education according to the Thai curriculum, however, this does not undermine the work of the *Pondoks*, the Islamic schools, at all. An education can include many elements of Islamic teaching on top of the other curriculum, or the curriculum can be built into existing Islamic teaching patterns at *Pondoks*; a modern education is fundamental, however, otherwise there is no way the region can become economically more developed and prosperous and become competitive with other areas in Thailand and the wider region. Many schools now remain unregistered because they refuse to teach government curricula, though it is important that graduates of these schools should also be eligible to take entrance exams to the civil service, military or tertiary education – otherwise the only alternatives for high-achieving graduates of *Pondoks* is to study in the Middle East, from which several scholars have returned with radicalised opinions.

In the long run, however, it is important that every child receives a modern education that can be given in parallel to its Islamic counterpart. A hybrid curriculum could be worked out by a commission with representatives of the Ministry of Education, education officials in the area, *Pondok* teachers and headmasters as well as teachers and headmasters from secular schools and possibly external education experts. This curriculum should leave enough flexibility for teachers to be able to engage with a more or less religiously interested class and must only guarantee that the children overall have competences in modern education subjects. Much of the work can be taught in a bilingual setting and schools should be able to adhere to the normal Thai curriculum or to this special “Southern bilingual curriculum”.

When such curricula are worked out, this commission should then monitor compliance with it and the standards at different schools; while there are individual teachers who teach radical Islamic thought, a better cooperation and coordination should make it easier for such a commission to be able to check

and limit such radicalism, while avoiding the military crack-downs on *Pondoks* as they are common now, thus reducing significantly the tension in many communities. A close monitoring function without overt pressure and military crackdowns is necessary to hinder further radicalisation in schools but also to ease tensions in the communities of the Deep South. It is important that the monitoring commission has representatives from the Islamic *Pondoks* and other respected members of the Muslim community serving; otherwise it could again be perceived as a form of cultural assimilation.

Further, local government and bureaucracies should also be allowed to operate in Malay so that the communication with the local population improves and the Malays feel to a stronger degree that it is also their state and their government, rather than foreign domination, which it may appear to be at the moment given that they cannot even communicate officially with local bureaucracies.

In order to avoid cultural clashes and seemingly inappropriate behaviour towards Muslim sensitivities, it would be helpful to rethink licensing rules for karaoke bars and institutions selling alcoholic beverages. While it would be unfair to the wider population to forbid such practices outright in the Deep South, a conscientious effort should be made to respect Muslim sensitivities and organise these activities and venues accordingly, e.g. no alcohol sold at or near markets.

4.4 Governance

While the insurgents' goals appear to be *merdeka* (independence), it is unclear to what extent this reflects the attitudinal orientations of the general public in the Deep South (Albritton 2010, 63; Askew 2010b, 148). Most indications point to little support for full independence (Chalk 2008, 20), though many would support arrangements for greater political participation (McCargo 2010, 268; Tan-Mullins 2009, 429). Worryingly, Srisompob and McCargo (2008, 409) find that there is an interreligious gap in support for a "special cultural zone", with Buddhists being much more supportive of the status quo. Before any governance issues are tackled it would be important to try to understand better the diverse opinions of ordinary people in the region. Focus groups of local elites and ordinary residents, as well as cultural personalities such as monks and imams, would have to accompany any serious governance reforms. Several such discussion groups have been hosted by the University of Songkhla, Pattani Campus' Department of Political Science and its head Srisompob and the results of these should be taken seriously (see below and Srisompob/McCargo 2008). The aim, however, should be to afford the region a certain amount of cultural and political autonomy to deal with their own affairs. While such an autonomous region has not been very successful in Mindanao, this is due to widespread corruption, nepotism and a lack of development and thus should not be fundamentally rejected.

Several options are possible:

- Historically, musings on autonomy go back to the work of Haji Sulong, president of the Islamic Religious Council, who in 1947 submitted a seven-point plan to the Thai government for

autonomy iin the region. Among other things already discussed, such as use of the Malay language and educational reform, significant points on governance reform include: uniting the Southern provinces to one administrational entity and the election of a locally-born person to govern it; 80% of civil servants in this region being Muslim; and utilisation of income and revenue from the area within the area (Islam 1998, 444).

- Royalist and social critic Dr. Prawase Wasi has suggested that the three provinces be combined to create Monthon Pattani which would have responsibility for its own social, economic, educational and cultural policies. This devolution of power would occur in the course of a regionalisation programme for the whole country, dividing it up into several monthons comparable in size and responsibilities to the Bangkok Metropolitan Authority (McCargo 2010, 270f.). These new administrative entities would still be embedded very much in the unitary state, thus continually adhering to King Chulalongkorn's doctrine of a united Thailand. Advantageous about this approach is that the Deep South would not be seen to be receiving special treatment; however, it would mean a significant administrative upheaval for the whole country.
- Finally, the above mentioned study by Srisompob Jitpiromsri called for the creation of a new ministry to administer Pattani, Yala and Narathiwat which "would be headed by an elected parliamentarian selected from among the region's MPs. A permanent secretary would serve as the administrative head of the ministry, while three deputy permanent secretaries would act as governors in the three provinces. Otherwise, the basic administrative structures would remain largely unchanged. […] The new ministry would have authority over budgetary and policy matters in a wide range of socio-economic and cultural areas, including education, but would not be responsible for security issues, which would remain in the hands of the army and the police. In other words, the new model remained essentially a top-down Thai bureaucratic model, albeit one in which the distinctive status and special circumstances of the region were recognized and accommodated. In order to ensure greater popular participation under the new arrangements, a number of new councils were to be established, including a regional people's assembly made up of representatives from different occupational groups, which was envisaged as a consultative forum rather than a policy-making body" (McCargo 2010, 274, see also Srisompob/McCargo 2008, 416-418). Criticism has been raised that popular participation is little more than tokenistic, and that administration and governance below the provincial level remain ultimately unchanged; while this pays respect to Thailand's unitary state, this solution does not go far enough to give the area the cultural and social autonomy necessary for reducing the violence.

It is important that the government should act cautiously on this topic. Either it should grant extra rights to the South in the context of a more general regionalisation scheme, or in dialogue with local actors, both insurgents and civil society members; unilaterally pushing for an autonomy solution does not seem to be a sensible way forward (Gothom interview). It is necessary for a regional dialogue to emerge on this issue, and to this end the Thai government must try and facilitate the openness of dialogue. "Muslims should be allowed to express the insurgency problem as they perceive it"

(Gunaratna et al. 2005, 106) and without fearing accusations of being traitors – only through creative, open and honest discourse will it be possible for a solution to emerge which a majority is happy with. Muslim politicians and other elites must have the feeling that they can talk about ideas and possibilities without constantly worrying about being put on trial for treason as was the government MP from Narathiwat Najmuddin Umar in 2004. Furthermore, those working with the government and attempting to work on solutions must be better protected from insurgent attacks.

Finally and most importantly, such talks about autonomy will only work if they receive the backing of the insurgency. Otherwise, much time and money will be spent on creating new structures that are then still the target of intense violence. At the moment, however, the insurgents are in no position to bargain as they have no coherent political arm to their operations due to their cellular and hyper-secret organisation. Insurgents must be given the space to organise themselves politically without having to constantly fear being targeted by security personnel; only then will they be able to negotiate (Gothom interview) – primarily, this can then be a negotiation of a ceasefire so that all will lay down arms; a ceasefire would then be a good basis on which to then start negotiating political settlements. When creating an autonomous region in Mindanao in 1996 as the culmination of peace talks with the Moro National Liberation Front (MNLF), many positions in the new administration were taken by central figures in the former insurgency organisation – such opt-out perspectives can be very encouraging for insurgent elites, and can be conducive to peace negotiations.

It is not uncommon across Southeast Asia to see phases of peace and violence: in both Indonesia and the Philippines, peace dialogue has continually been faced by relapses into violence, but peace agreements have only ever been possible out of a position of strength for the insurgents who can then rally their constituents into supporting the deal. At the moment, unfortunately, the Thai government appears to be doing the exact opposite through its military strategy: it is trying to divide and conquer the insurgents rather than encouraging them to cooperate and engage politically. Further, not only within the groups themselves must this organisational cohesion progress, but also dialogue between the groups should be facilitated. Violence in Mindanao did not finish in 1996 with the peace brokered with the MNLF because the negotiations had ignored the MILF.

Also, the acceptance of an important peace document in 2008 failed because of the pressures exerted by local Christian politicians who had not been part of the talks (Williams 2010). It is pivotal that all stakeholders – be they different insurgent groups, civil society and religious spokespeople, local politicians, land holders or businessmen, and also the national government – are included in peace negotiations so that there is no-one to later act as a spoiler. Further, one can learn from past mistakes in Mindanao, that negotiations behind closed doors must be treated with utmost caution (Williams 2010); regular briefings of constituents are necessary so that step-by-step one can be sure of support from the grass-roots and painful compromises do not all have to be sold at once.

Finally, let it be emphasised again how important it is that this is a problem basing on *identity* and *political* issues and thus needs a *political* solution. Such a political solution will in the long run only be feasible if its conception involves local stakeholders, including the perpetrators of violence themselves. To this end, it is absolutely pivotal that these groups be involved and encouraged to organise politically and come to the negotiation table as soon as possible in order that the violence and bloodshed that has been plaguing Southern Thailand for nearly eight years now, can be brought to an end for their own benefit.

5 Policy Recommendations for the Royal Thai Government

The following policy recommendations are being made for consideration of the Royal Thai Government based on comprehensive analysis of field research in Thailand during 2011. This important issue for Thailand will benefit from further in-depth research and greater understanding in order to develop developing policies to help alleviate this conflict.

1. Streamline responsibilities and appoint a Special Advisor on the Deep South who reports directly to the Prime Minister and Cabinet. This Advisor should advise on and supervise all policies regarding this region and coordinate military, law-enforcement, developmental, cultural, governance and all other efforts. Ideally the Special Advisor would be from Pattani, Narathiwat or Yala. The Office of the Special Advisor must receive sufficient competent staff and resources to facilitate creative and diligent progress on the topic.

5.1 Sphere of Violence

2. Repeal or significantly revise Martial Law and the Emergency Decree of 2005 in order to eradicate the culture of impunity that has arisen for security personnel in Southern Thailand. It must be clear that any violations of human rights are punishable under Thai law. Better education of military and police personnel is also necessary so that there is a higher sensitivity on what constitutes appropriate conduct and how one should treat detainees. It is of the utmost importance that the human rights situation improves.

3. Under the auspices of the Special Advisor, a commission on human rights should be created. Including local experts from civil society and local government, as well as respected members of the judiciary and military, this commission should be well-staffed and provided with enough resources to investigate past violations of human rights, publish already conducted investigations on such violations, for instance on the Krue-Ze Mosque and Tak Bai incidents, and work on new legislation and informal policies to prevent human rights violations in future. These policies can include measures such as security forces education, psychological and financial support for victims and their families, and support for local projects on human rights awareness. This body can also act as an

independent human rights watchdog.

4. The justice system must also be strengthened in order to deal with the cases of human rights violations. Enough resources for the courts and security for judges must be provided so that the judiciary can effectively speak justice on both suspected insurgents and alleged human rights violators within the ranks of the military, paramilitaries and police.

5. All non-state paramilitary groups should be dissolved and their private weapons in the whole area taken into military custody.

6. Amnesty programmes should be offered by which former insurgents can hand in their weapons and be granted amnesty for any activities they have committed. Rather than including them in re-education programmes, they should be integrated into work programmes, taught new skills and integrated into social programmes which highlight the diverse social fabric of the region. Such programmes should aim to increase the legitimacy of the Thai state through provision of an economic subsistence to former insurgents.

7. Military command should train and encourage local units to enter negotiations with local insurgents on local ceasefire arrangements and ideally joint committees should investigate violations and cooperation on upholding the agreements. Should there be no cohesive insurgent organisation to negotiate with at a local level, it is recommended that military and police units test unilateral ceasefires.

5.2 Economics

8. Funding for economic activities should continue, which will continue to help address issues of economic development. Nevertheless, this can only be seen as one part of a more comprehensive solution. The Special Advisor should set up an independent committee with members of local government, development, economic and business experts, as well as representatives of the local economy. This committee should evaluate the projects money has been spent on so far, and report regularly to the Special Advisor on which current projects should be discontinued or revised, and suggest allocations for new projects.

5.3 Identity and Culture

9. Malay and Thai should both be official languages in these three provinces; hence, local government and bureaucratic administrations should be able to work in both languages. Further, schools should be allowed to offer bilingual education.

10. The Special Advisor should set up an Education Commission with representatives from the Ministry of Education, education officials in the area, Pondok teachers and headmasters as well as teachers and headmasters from secular schools and possibly external education experts. This commission should be tasked with creating a new hybrid curriculum which enables schools to teach both the national curriculum as well as the Islamic education offered by Pondoks. All schools should then be able to choose which curriculum they prefer and register with the state accordingly.

11. The Education Commission should then be responsible for monitoring schools'

implementation of the curriculum, especially ensuring that no teachers misuse the religious elements to preach radically religious thoughts. This monitoring function can be supported by military information, but the Commission's enforcement role will lower overall tensions.

12. Current graduates from Pondoks should be able to take civil service, military and tertiary education entrance exams integrating them better into the national system. Recognition of higher education degrees from foreign Islamic institutions should also be made easier.

13. Licensing rules for practices which are locally controversial, such as bars serving alcohol or karaoke bars should be carefully considered so as to minimise their impact on local Muslims.

5.4 Governance

14. Focus groups of local elites, ordinary residents and cultural personalities such as monks and imams, as well as independent public opinion surveys should be carried out in order to gain greater knowledge on the actual attitudinal orientations of the general public in the South concerning governance issues.

15. The debate on governance options for the region should not be overshadowed by fears of being put on trial for treason. It is necessary that the government emphasises its willingness to approach the situation with an open mind and encourage open debate.

16. Local insurgency groups must be given the space to form more cohesively organised political units. These must then also be able to be in contact with each other in order to form a coherent insurgent political representation – the Thai state should see this not as a threat but as an opportunity to solve the conflict politically rather than prolong it militarily.

17. If and when peace talks commence, it is pivotal that all stakeholders are invited to the negotiating table: representatives of the King's Privy Council, national and local government, military and police, insurgent organisations, local and national religious elites, local economic elites, civil society actors and possibly local residents.

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List of Interviewees

Associate Prof Dr Gothom Arya (Director of Research Centre for Peace Building, Secretary of the National Reconciliation Commission) on 13.10.2011 in Bangkok
Benjamin Zawacki (Amnesty International's Thailand researcher) on 9.11.11 by telephone interview

Unfortunately, due to the devastating floods of October 2011 and the nation's concerted efforts to resolve this issue, no further academics, civil servants, politicians or military officials were available for interview during this period. While the timing of the visit was unfortunate, the author hopes that subsequent in-depth analysis of secondary documents allows for qualified recommendations to have been made.