DIMINISHING CONFLICTS IN ASIA AND THE PACIFIC

Why some subside and other's don't

Edited by Edward Aspinall, Robin Jeffrey and Anthony J. Regan

ROUTLEDGE

Diminishing Conflicts in Asia and the Pacific

Since the publication of the *Human Security Report 2005*, scholars and policy-makers have debated the causes, interpretation and implications of what the report described as a global decline in armed conflict since the end of the Cold War. Focusing on the Asia–Pacific region, this book analyses the causes and patterns of this decline.

In few regions has the apparent decline in conflict been as dramatic as in the Asia–Pacific, with annual recorded battle deaths falling in the range of 50 to 75 per cent between 1994 and 2004. Drawing on a wide range of case studies, this book looks at internal conflicts based on the mobilization of ethnic and nationalist grievances, which have been the most costly in human lives over the last decade.

The book identifies structures, norms, practices and techniques that have either fuelled or moderated conflicts. As such, it is an essential read for students and scholars of international relations, peace and conflict studies and Asian studies.

Edward Aspinall is a Professor in the Department of Political and Social Change, Australian National University. His research focuses on comparative politics of democratization, ethnic politics and nationalism, and he has published widely in these areas.

Robin Jeffrey is a Visiting Research Professor in the Institute of South Asian Studies and the Asia Research Institute at the National University of Singapore. His research interests include Punjab, Kerala and media and communications.

Anthony J. Regan is a Fellow in the State, Society and Governance in Melanesia Program, Australian National University. He is a constitutional lawyer who has advised in peace processes and post-conflict constitution-making processes in a number of countries, and written extensively on a number of those cases.

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Why some subside and others don’t
Edward Aspinall, Robin Jeffrey and Anthony J. Regan

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Notes on contributors

Matthew Allen is a Research Fellow with the Resource Management in Asia–Pacific Program, ANU College of Asia and the Pacific. His research interests include resource conflict, political ecology, political economy, rural development and interventionism, with a focus on the western Pacific. Matthew is currently completing a book for University of Hawaii Press analysing ex-militants' perspectives on the recent conflict in Solomon Islands.

Edward Aspinall is the Head of the Department of Political and Social Change, ANU College of Asia and the Pacific. He is the author of *Opposing Suharto: Compromise, Resistance and Regime Change in Indonesia* and *Islam and Nation: Separatist Rebellion in Aceh, Indonesia*. He has also co-edited several books, most recently *Problems of Democracy in Indonesia: Elections, Institutions and Society* (with Marcus Mietzner) and *The State and Illegality in Indonesia* (with Gerry van Klinken).

Desmond Ball is a Professor in the Strategic and Defence Studies Centre, ANU College of Asia and the Pacific. He is the author or editor of more than 40 books including *Militia Redux: Or Sor and the Revival of Paramilitarism in Thailand* (co-authored with David Mathieson); *The Boys in Black: The Thahan Phran (Rangers), Thailand's Para-military Border Guards; Burma's Military Secrets: Signals Intelligence (SIGINT) from 1941 to Cyber Warfare*. Since the mid 1990s he has worked in the Thai–Burma borderlands for several months every year on various aspects of the civil war in Burma.

John Braithwaite is an Australian Research Council Federation Fellow and Founder of RegNet (the Regulatory Institutions Network), ANU College of Asia and the Pacific. He is six years into a 25-year comparative project called *Peacebuilding Compared* (with Hilary Charlesworth, Valerie Braithwaite and Kate Macfarlane). He has been active in social movement politics around these and other ideas for 40 years in Australia and internationally. His most recent books include *Regulatory Capitalism: How it Works, Ideas for Making it Work Better* and *Pillars and Shadows: Statebuilding as Peacebuilding in Solomon Islands* (with Valerie Braithwaite, Matthew Allen, Sinclair Dinnen and Hilary Charlesworth).

Kabita Chakma is the Human Rights Coordinator of the CHT Indigenous Jumma Association Australia (CHTIJAA), and a founder member of the International Council for Indigenous Peoples of CHT (ICIP-CHT). She has a Masters Degree in Architecture from the University of Sydney. She is a guest lecturer and teacher at the School of Design, University of Technology, Sydney (UTS).

Paul D'Arcy is a Senior Fellow in Division of Pacific and Asian History of the ANU's College of Asia and the Pacific. He researches and lectures on conflict and conflict resolution in the Asia Pacific region with particular reference to environmental conflict, and has also written on confrontation and cooperation discourse in response to the rising influence of China in the Asia Pacific region. His next book, *Pacific–Asian Partnerships in Resource Development*, will be published in 2012.

Bina D'Costa is a Fellow and South Asia peace and conflict specialist at the Research School of Asia and Pacific Studies (RSAP), ANU. She is the author of *Nationbuilding, Gender and War Crimes in South Asia* (2011) and the co-editor of *Gender and Global Politics in the Asia–Pacific* (with Katrina Lee Koo, 2009). She is currently working on her manuscript *The Politics of Human Rights and Violence in India*.

Sinclair Dinnen is Senior Fellow in the State, Society and Governance in Melanesia Program, ANU College of Asia and the Pacific. His research focuses on law and justice, policing, conflict, and statebuilding in the Melanesian Pacific. Recent publications include *Civic Insecurity: Law, Order and HIV in Papua New Guinea* (edited with Vicki Luker); *Pillars and Shadows: Statebuilding as Peacebuilding in Solomon Islands* (with John and Valerie Braithwaite, Matthew Allen and Hilary Charlesworth).

Nicholas Farrelly is a Research Fellow in the School of International, Political and Strategic Studies, ANU College of Asia and the Pacific. He was a Rhodes Scholar at Balliol College, Oxford, where he completed Masters and Doctoral theses on regional politics. Over the past decade Nicholas has lived and researched extensively in Thailand, especially in the northern border provinces. In 2006 he co-founded the website on mainland Southeast Asia called New Mandala. It provides regular analysis of social and political issues in Thailand and Burma, and the other countries of the region.

Jon Fraenkel is a Senior Research Fellow in the State, Society and Governance in Melanesia Program, ANU College of Asia and the Pacific. He formerly worked at the University of the South Pacific in Fiji from 1995–2007. He is author of *The Manipulation of Custom: From Uprising to Intervention in the Solomon Islands*; and co-edited *The 2006 Military Takeover in Fiji: A Coup to End All Coups?* (with Stewart Firth and Brij Lal).

Tyrell Haberkorn is a research fellow in the Department of Political and Social Change, ANU College of Asia and the Pacific. She is the author of *Revolution Interrupted: Farmers, Students, Law, and Violence in Northern Thailand*.

Nicole Haley is convenor of the State, Society and Governance in Melanesia Program, ANU College of Asia and the Pacific. For the past 20 years, she has researched and published extensively on aspects of political and social conflict in Papua New Guinea, including social identity and contemporary land politics, electoral politics, conflict and armed violence, gender and HIV/AIDS, and the links between these and service-delivery failure. This has involved extensive field research in the troubled and conflict-riven Southern Highlands and Enga Provinces, Port Moresby and in the Solomon Islands.

Susan Harris Rimmer is the Manager of Advocacy and Development Practice at the Australian Council for International Development, peak body for Australian development NGOs, since May 2010. She is also a Visiting Fellow at the Freilich Foundation, and previously at the Centre for International Governance and Justice in RegNet, ANU College of Asia and the Pacific. She is the outgoing president of national voluntary NGO Australian Lawyers for Human Rights, and has been a National Board member of UN Women National Committee Australia. She has 14 years' experience as a lawyer, researcher, campaigner and policy analyst (NCCA, UNHCR and Parliamentary Library), most of which has been in the human rights, refugee and women's sectors. She is widely published and is the author of *Gender and Transitional Justice: The Women of East Timor* (2010).

Robin Jeffrey is a visiting Research Professor in the Institute of South Asian Studies and the Asia Research Institute at the National University of Singapore. He first lived in India in 1967 where he taught school in Chandigarh, the joint capital of Punjab and Haryana states. He did a DPhil at Sussex University in the UK, taught for 25 years at La Trobe University in Melbourne and worked twice at the Australian National University in Canberra. His most recent book, co-authored with Assa Doron, is *The Great Indian Phone Book*.

Ron J. May is an Emeritus Fellow of the Australian National University. He was formerly a member of the Department of Political and Social Change and an associate of the Peter Gowing Memorial Center at Dansalan College, Marawi City. He has written extensively on the conflict in the southern Philippines and was a member of the International Advisory Board of the *Journal of Muslim Minority Affairs* and a contributor to E.J. Brill's *Encyclopaedia of Islam*.

Anthony J. Regan is a Fellow in the State, Society, and Governance in Melanesia Program, ANU College of Asia and the Pacific. His recent publications include *Light Intervention: Lessons from Bougainville* and *Constitution-making and Reform: Options for the Process* (jointly with Yash Ghai, Jill Cottrell and Michele Brandt).

Christopher Snedden is an Australian politico–strategic analyst, author and academic specializing in South Asia. His consultancy, ASIA CALLING, consults for government, business and universities. He has visited both sides of Jammu and Kashmir frequently to undertake research and has interviewed many elder statesmen involved in the Kashmir dispute.

Acknowledgements

The idea for this book began when a student asked a question at a class in a course on ethnic conflict at the Australian National University (ANU). Why, she asked, had the secessionist conflict in the Punjab declined, while so many others that we had been studying in the course had remained intractable? Each of us, teaching in that course, thought the question worth exploring more. The question led to a lecture series, two workshops and, eventually, this book.

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Edward Aspinall
Robin Jeffrey
Anthony J. Regan

Abbreviations and glossary

ABG	Autonomous Bougainville Government
ABSDF	All-Burma Student Democratic Front
adat	Customs and traditions (Indonesia)
AFP	Armed Forces of the Philippines
AMM	Aceh Monitoring Mission
ANU	Australian National University
APHC	All Parties Hurriyat (Freedom) Conference (Kashmir)
ARMM	Autonomous Region of Muslim Mindanao (Philippines)
ASPI	Australian Strategic Policy Institute
ATC	Australian Tamil Congress
Azadi	Independence (Kashmir)
BCL	Bougainville Copper Limited
BIFF	Bangsamoro Islamic Freedom Fighters (Philippines)
BJE	Bangsamoro Juridical Entity (Philippines)
BJP	Bharatiya Janata Party (Punjab)
BMA	Bangsa Moro Army (Philippines)
BNPP	Barisan Nasional Pembebasan Pattani (National Front for the Liberation of Pattani) (Thailand)
BRA	Bougainville Revolutionary Army
BRF	Bougainville Resistance Forces
BRN	Barisan Revolusi Nasional (National Revolutionary Front) (Malaysia)
BTF	British Tamil Forum
CAFGU	Citizens Armed Forces Geographical Units (Philippines)
CAMV	Conservative Alliance–*Matanitu Vanua* (Fiji)
CAT	United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CAVR	Commission for Reception, Truth and Reconciliation (Timor)
CEO	Chief Executive Officer
CFA	Ceasefire Agreement
CHTDF	Chittagong Hill Tracts Development Facility
CoHA	Cessation of Hostilities Agreement (Aceh)
CPC	Criminal Procedure Code (Thailand)

CPM	Communist Party of Malaya
CPT	Communist Party of Thailand
CRC	Constitutional Review Commission (Fiji)
CTC	Canadian Tamil Congress
CTF	Commission for Truth and Friendship (Indonesia–Timor-Leste)
CWC	Ceylon Workers Congress
Darul Islam	Abode of Islam
DDR	Disarmament, demobilization and reintegration (Sri Lanka)
DFTA	Danish Federation of Tamil Associations
DKBA	Democratic Karen Buddhist Army (Burma)
DOM	Daerah Operasi Militer (Military Operations Zone) (Aceh)
FATA	Federally Administered Tribal Areas (Pakistan)
Fatwa	Religious opinion given by an Islamic scholar
FLP	Fiji Labour Party
FOKUPERS	Forum Komunikasi Untuk Perempuan Loro Sae (East Timorese Women's Communication Forum)
FRETILIN	Frente Revolucionária de Timor-Leste Independente (Revolutionary Front for an Independent East Timor)
GAM	Gerakan Aceh Merdeka (Free Aceh Movement)
GDP	Gross Domestic Product
GLF	Guadalcanal Liberation Front (Solomon Islands)
GoSL	Government of Sri Lanka
gotong royong	mutual self-help (Indonesia)
GTF	Global Tamil Forum
HDC	Centre for Humanitarian Dialogue, formerly the Henry Dunant Centre
HIV/AIDS	Aquired Immune Deficiency Syndrome
HRP	Hongsawadi Restoration Party (Burma)
HSZ	High-security Zone (Sri Lanka)
HTA	Hela Transitional Authority (Southern Highlands, PNG)
ICG	International Crisis Group
ICIET	International Commission of Inquiry on East Timor
ICRC	International Committee of the Red Cross
IDMC	Internal Displacement Monitoring Centre, Geneva
IDP	Internally displaced person
IFM	Isatabu Freedom Movement (Solomon Islands)
INTERFET	International Force East Timor
Intifada	Uprising, resistance, rebellion
IPKF	Indian Peacekeeping Forces
IPMT	International Peace Monitoring Team
ISAF	International Security Assistance Force (Pakistan)
ISI	Inter-Services Intelligence (Pakistan)
ISOC	Internal Security Operations Command (Thailand)
ISPA	India–Sri Lanka Peace Agreement
J&K	Jammu and Kashmir or 'Kashmir'

Jirga	Decision-making councils of tribal elders (Pakistan)
JKLF	Jammu Kashmir Liberation Front
JPSC	Joint Parliamentary Select Committee (Fiji)
Jummas	Indigenous peoples who engage in shifting cultivation (CHT)
JVP	Jathika Vimukthi Peramuna (Sri Lanka)
KA	Karenni Army (Burma)
Kawthoolei	Karen term for ‘homeland’ (Eastern Burma)
Khassadors	Khyber tribesmen (irregular forces) (Pakistan)
KIA	Kachin Independence Army (Burma)
KKR	Komisi Kebenaran dan Rekonsiliasi (Truth and Reconciliation Commission) (Timor-Leste)
KNLA	Karen National Liberation Army (Burma)
KNU	Karen National Union (Burma)
Komnas HAM	Komisi Nasional Hak Asasi Manusia (National Human Rights Commission) (Indonesia)
KPP HAM	Komisi Penyelidik Pelanggaran HAM di Timor Timur (National Commission of Inquiry on Human Rights Violations in East Timor)
Laskar Jihad	Holy War fighters
LLRC	Lessons Learnt and Reconciliation Commission (Sri Lanka)
LNG	Liquefied Natural Gas
LOC	Line of Control (line that divides Jammu and Kashmir)
LoGA	Law for the Governing of Aceh
LTTE	Liberation Tigers of Tamil Eelam (Sri Lanka)
Lumad	Tribal leaders (Philippines)
MAC	Muslim Attorney Center (Thailand)
Madrassa	School for religious education
MDF	Me’ekamui Defence Force (Bougainville)
MEF	Malaitan Eagle Force (Solomon Islands)
MILF	Moro Islamic Liberation Front (Philippines)
MIM	Mindanao Independence Movement (Philippines)
MNLF	Moro National Liberation Front (Philippines)
MOA–AD	Memorandum of Agreement on Ancestral Domain (Philippines)
MP	Member of Parliament (Papua New Guinea, Solomon Islands)
MTA	Mong Tai Army (Burma)
MUF	Muslim United Front (Kashmir)
MUI	Majelis Ulama Indonesia (Indonesian Council of Ulama)
Mujahideen	Holy warrior; someone who engages in *jihad*
NCBBF	National Council for Building a Better Fiji
NCET	Norwegian Council of Eelam Tamils
NDA – K	New Democratic Army – Kachin (Burma)
NFP	National Federation Party (Fiji)
NGO	non-governmental organisation
NMSP	New Mon State Party (Burma)
NWFP	North-West Frontier Province (Pakistan)

OfERR	Organization for Eelam Refugee Rehabilitation
OIC	Organization of Islamic Conference
PAD	People's Alliance for Democracy (Thailand)
Panchayats	Village governments (Kashmir)
PCJSS (or popularly JSS)	Parbattya Chattagram Jana Sanghati Samity (Chittagong Hill Tracts United Peoples Party)
PFF	Police Field Force (Solomon Islands)
PIF	Pacific Islands Forum
PJV	Porgera Joint Venture (Papua New Guinea)
PMG	Peace Monitoring Group
PNG	Papua New Guinea
PNGDF	Papua New Guinea Defence Force
PNP	Philippines National Police
PNTL	National Police of Timor-Leste
PPF	People's Progressive Front (Burma)
PPP	Pakistan People's Party
PULO	Pattani United Liberation Organization (Thailand)
RAMSI	Regional Assistance Mission to Solomon Islands
RAW	Research and Analysis Wing (India's intelligence agency)
RFMF	Republic of Fiji Military Forces
RPNGC	Royal Papua New Guinea Constabulary
RSIP	Royal Solomon Islands Police
SBY	Susilo Bambang Yudhyono (Indonesian President)
SDL	Soqosoqo Duavata ni Lewenivanua (Fiji)
SGBV	Sexual and gender-based violence
SGPC	Shiromani Gurdwara Parbandhak Committee (Punjab)
Shanti Bahini	Peace force of JSS (Chittagong Hill Tracts)
Shanty Chukti	Peace Accord (shortened form of Chittagong Hill Tracts Accord)
SHP	Southern Highlands Province (Papua New Guinea)
SIAC	Solomon Islands Alliance for Change
SICA	Solomon Islands Christian Association
SLFP	Sri Lanka Freedom Party
SOE	State of emergency (SHP, Papua New Guinea)
SPCPD	Southern Philippines Council for Peace and Development
SPO	Special Police Operations (SHP, Papua New Guinea)
SPSC	Special Panel for Serious Crimes (Timor-Leste)
SSA	Shan State Army (Burma)
STF	Swedish Tamil Forum
SVT	Soqosoqo Vakavulewa ni Taukei (Fiji)
SZOPAD	Special Zone of Peace and Development
Tatmadaw	Myanmar military
Taukei	Indigenous (Fiji)
TELO	Tamil Eelam Liberation Organization (Sri Lanka)
TMG	Truce Monitoring Group

TMVP	Tamil Makkal Viduthalai Pulighal (Sri Lanka)
TNI	Tentara Nasional Indonesia (Indonesian Military)
TNT	Tamil New Tigers (Sri Lanka)
TPA	Townsville Peace Agreement (Solomon Islands)
TRF	Tamil Relief Fund (Malaysia)
TRO	Tamil Rehabilitation Organization (Sri Lanka)
TSM	Tamil Students Movement (Sri Lanka)
TUF	Tamil United Front (Sri Lanka)
TULF	Tamil United Liberation Front (Sri Lanka)
UDD	United Democratic Front against Dictatorship (Thailand)
UDI	Unilateral Declaration of Independence (Bougainville)
Ulama	Islamic scholars
UN	United Nations
UNAMET	United Nations Mission in East Timor
UNDP	United Nations Development Programme
UNHCR	UN Refugee Agency
UNMISET	United Nations Mission of Support in East Timor
UNMIT	United Nations Integrated Mission in Timor-Leste
UNOMB	United Nations Observer Mission Bougainville
UNOTIL	United Nations Office in Timor-Leste
UNP	United National Party (Sri Lanka)
UNPol	United Nations Police
UNTAET	United Nations Transitional Administration in East Timor
UPDF	United People's Democratic Front (Chittagong Hill Tracts)
UPFA	United People's Freedom Alliance (Sri Lanka)
UWSA	United Wa State Army (Burma)
VDP	Village Defence Parties (Bangladesh)
WNA	Wa National Army (Burma)
WNO	Wa National Organization (Burma)

1 Introduction

Diminishing conflicts: Learning from the Asia–Pacific

Edward Aspinall, Robin Jeffrey and Anthony J. Regan

Diminishing conflicts?

This book begins with ambiguity. It is intentional. By calling the book 'diminishing conflicts' we mean not only to analyse conflict that has diminished in the Asia–Pacific region, but also to highlight lessons about what can be done to reduce and end conflict. In exploring these twin goals, we seek to contribute to two pressing and interrelated lines of inquiry in the study of conflict and peace. The first concerns a debate about whether long-term armed conflict in the world has in fact declined and what might drive such decline. The second line of inquiry is more practical and concerns how best to design efforts to reduce armed conflicts, especially those that take place within states.

Is the world experiencing a decline in war? Many of the institutes and scholars who map trends in conflict have concluded that since the early 1990s there has been a remarkable decline in armed conflict globally. The *Human Security Report* of 2005 crystallized debate among analysts and policy makers about the causes, interpretation and implications of what the report described as 'a dramatic and sustained decline in the number of armed conflicts', which, combined with an 'uneven but equally dramatic decline in battle-deaths [that] has been underway for more than half a century', has produced a markedly more peaceful world (Human Security Centre 2005: 17). Shortly afterwards, the Human Security Project declared that 'the world is becoming less war-prone. The number of civil wars dropped by three-quarters from 1992 to 2005' (*miniAtlas of Human Security* 2008: 9). More recently, to be sure, there seems to have been a partial reversal of this trend with the *Human Security Report* of 2009–2010 noting that 'the data show a modest but consistent increase in the number of state-based armed conflicts between 2005 and 2008' (Human Security Report Project 2011: 159). The authors of the report, however, noted that 'it is equally clear that the long-term decline in the deadliness of state-based conflicts has not been reversed' (Human Security Report Project 2011: 159). In particular, the decline in the number of major conflicts – those causing over 1,000 battle deaths per year – has continued, with a 78 per cent decrease between 1998 and 2008 (Human Security Report Project 2011: 10).

The finding that there has been a sustained decline in armed conflict has generated controversy. Some studies challenged the validity of the data on which the finding is based, notably those compiled by the International Peace Research Institute, Oslo (PRIO) and the Uppsala Conflict Data Program (UCDP).[1] One study that drew on World Health Survey sibling-history data from 13 countries argued that conventional measurements of war deaths, such as those used by PRIO, significantly underestimated fatalities and that strong claims of a consistent decline in war deaths should be re-evaluated (Obermeyer *et al*. 2008: 6); however, this analysis has in turn been criticized for making inappropriate comparisons and for alleged errors of fact (Spagat *et al*. 2009: 936). Other analysts noted that the main PRIO/Uppsala University datasets focus on 'battle deaths', excluding not only fatalities that might arise indirectly as a result of war, but also deaths that occur as a result of non-state conflicts (such as those between rival militias but not involving government security forces) and those caused in 'one-sided violence', such as pogroms and genocides (Spagat *et al*. 2009: 936). Such criticisms suggest that a focus on battle deaths alone underestimates the impacts of war and is an invalid measure of whether violent conflict is increasing or decreasing. New datasets are being constructed to record numbers of deaths beyond battle deaths, but they do not stretch sufficiently far back in time to allow confident conclusions about long-term trends. Most analysts would agree that there has been a decline in fatalities directly caused by state-based conflict; but much else remains controversial and obscure. Has there, for example, been a decline in deaths and human suffering caused by other varieties of violence?

Our second line of inquiry concerns the efficacy of efforts to resolve conflicts. What makes conflict abate, die down, end? From the end of the Cold War in the early 1990s, international peace-making efforts increased dramatically. One recent study has found, for example, that 'The number of UN peacemaking initiatives increased more than five fold between 1989 and 2003. This figure is an underestimate because it does not include the confidential peacemaking efforts of UN Secretaries-General' (Human Security Report Project 2011: 67). These efforts produced dramatic breakthroughs in resolving or ameliorating long-lasting, destructive conflicts from El Salvador to Indonesia, and from Northern Ireland to South Sudan. Yet the record has not been one of unadulterated success. Not only did many such peace deals and the associated international efforts falter (Hartzell 1999; Walter 2002), but many peace agreements left unresolved issues and dissatisfied combatants, and sometimes produced new conflicts. Such outcomes can lead to situations of 'violent peace' (e.g. Aust and Jaspers 2006), in which armed conflict between state security forces and organized adversaries may have ended, but in which chronic insecurity, low-level violence and criminality produce great suffering for civilians, impede economic development, and entrench grievances. Indeed, other scholars have noted that large parts of the developing world occupy a nether zone which may be characterized as 'no war, no peace' (Richards 2005; see also Kaldor 1999), challenging assumptions about a clear division between war and peace. There are, in other words, pressing issues at stake, not only about how to design and encourage solutions to armed conflict, but also about how to define what peace means and about how to improve its quality. 'Violent peace' should be an oxymoron.

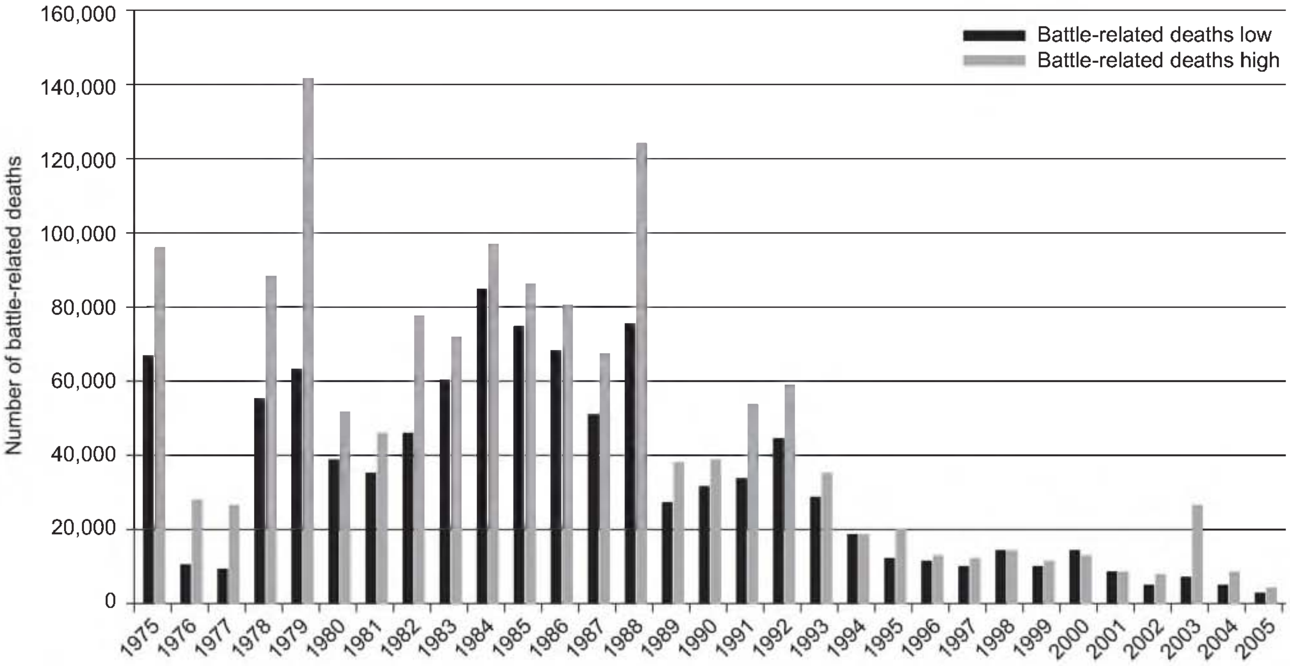

Figure 1.1 Asia–Pacific battle-related deaths, 1975–2005.

Source: UppsalaPRIO Yearly Battle Deaths Dataset, version 2.0.

Note: Figure 1.1 includes all state-based conflicts, including interstate conflicts.

particular countries, in 2005 the high estimate of battle deaths in the region was just under 6,000; by 2008 this has spiked to over 22,000, a dramatic increase in the space of three years. However, this increase was largely due to conflicts in just two countries: Afghanistan (about 6,000 deaths) and Sri Lanka (about 10,000) and if these two conflicts are removed from the count, then a much more stable picture would appear. Moreover, while violent conflict continues in Afghanistan, the unusually high death toll in Sri Lanka was a product of the Sri Lankan military's brutally effective final push against the secessionist guerrillas of the Liberation Tigers of Tamil Eelam (LTTE), a campaign that concluded with a government victory in 2009 (UCDP 2010). As we see in the discussion of Sri Lanka in this volume, since that time armed conflict has all but disappeared, even if the underlying causes of conflict have not been ameliorated.

These recent trends are clearly significant, even if it is premature to suggest that they point to a reversal of the long-term decline of conflict deaths in the region. But they do point to the fragility and ambiguity of the overall trend. They should also help remind us that war remains a feature of daily life for millions of people in the region. Burma is a striking example. The country has experienced by far the greatest number of conflict years (calculated by counting the various conflicts and then adding the years each conflict was active) in the world, with a total of 246 years between 1946 and 2008 (Human Security Report Project 2011: 46). This book reflects on the general trends towards peace, analyses places like Burma where peace has appeared remote and puzzles over anomalies and exceptions.

Diminishing Conflicts also searches for examples where peace has been given a chance and has taken hold. From the 1990s, sustained international efforts have attempted to reduce violent conflicts. These efforts sometimes produced remarkable success stories, but they have also led to failures, as well as various ambiguous outcomes in between. Learning from the successes, failures and ambiguities is another aim of this book, and we try in the Conclusion to extract principles from the case studies.

Shape and goals of the book

The book focuses on causes and patterns of the apparent decline in violent conflict in the Asia–Pacific and on the lessons that can be derived from the successes, the failures and the ambiguities. We do not attempt to analyse all varieties of armed conflict in the region or every case of armed conflict. We have excluded interstate conflict, which has not produced major violence for 30 years. To sharpen our analysis, we focus on internal conflicts driven by the mobilization of ethnic and nationalist grievances. Since the end of the ideologically driven interstate and civil wars of the Cold War era, which caused massive loss of life in Korea, Indochina and Afghanistan, ethno-nationalist strife has represented the most deadly sub-set of conflicts in the Asia–Pacific. In this respect, the Asia–Pacific region mirrors broader global trends. As has recently been observed, 'Roughly half of the conflicts fought since World War II can be linked to this dynamic of ethnopolitical struggle for state power' (Cederman *et al*. 2010: 114). Such conflicts have often been the most intractable. Asia is littered with regions of ethno-nationalist dispute, where sporadic guerrilla wars or other forms of strife persisted for decades. The global decline in armed conflict represents in part a global reduction in ethnic conflict, a trend that was visible from the mid-1990s when researchers such as those in the Minorities at Risk project began to identify a decline in the number of ethnic groups using violent tactics; more conflicts were subsiding than intensifying (Gurr 2000: 53). The ethno-nationalist conflicts explored in this book, and the themes they throw up, are important in their own right; but they also cast light on broader trends of conflict diminution.

The core of the book is a collection of 15 studies of conflict by authors with special experience of the places of which they write. To chain them to the task, the writers have accepted the discipline of an overall template requiring them to analyse the causes of, and obstacles to, conflict diminution in their particular cases. The chapters represent a wide spectrum of conflict types, trajectories and outcomes. In terms of types of conflict, they include cases where violence has so far been minimal, but where many of the ingredients for violence appear to be present (Fiji); cases of violent conflict involving two main parties (Punjab, Sri Lanka); others with several and even changing parties (Burma, Bougainville); and still others with myriad and constantly changing small groups that could not readily be called parties at all (the Southern Highlands of Papua New Guinea and perhaps the Solomon Islands). In terms of trajectories and outcomes, they include cases where armed conflict has been successfully reduced as a result of negotiations and peace deals (such as Aceh and Bougainville) and cases where conflict has gradually faded in response to government policies of repression and concession (Punjab). From here the selection ranges through a group of intermediate cases to examples of seemingly intractable conflict (Kashmir, Federally Administered Tribal Areas (FATA) of Pakistan) and military suppression (Sri Lanka).

The writers in this book have different skills from those of the comparativists, quantitative analysts and statisticians who have led discussion of the decline of armed conflict in recent times. The tools of those researchers are large surveys and datasets, and they use techniques of quantitative analysis to track global trends. Debates have focused as much on the integrity of data and how they are collected, and on the relevance of the proxies chosen, as on matters of interpretation and causation. The authors in this book, on the other hand, are specialists immersed in the cases about which they write. Many of them have spent years doing research in these regions, typically using their knowledge of local languages and cultures to become familiar with the actors in conflicts and their histories, behaviours and perspectives. Some of our authors have been involved in attempts to resolve or reduce conflict. While the broad literature has been important in compiling and interpreting quantitative data, in developing and testing hypotheses across cases, and in identifying global trends, our authors bring to bear the techniques of qualitative analysis. They interrogate these broad trends, drawing attention to the micro-processes through which they manifest themselves or are contradicted on the ground. They have an eye for detail, nuance, contradiction and exception – but with the goal of identifying themes that connect globally.

By drawing on the expertise of authors intimately familiar with the various cases, the book aspires to three goals. First, we seek to *dissect* assertions about global decline in armed conflict, especially ethno-nationalist conflict. While there has been an overall decline in armed political violence in the Asia–Pacific region as measured by battle deaths, we note that this trend disguises many exceptions and qualifications that cause us to question the efficacy of the use of battle-death data alone as the main measure of diminution of conflict. This book points out some of those exceptions. It does so not only by highlighting cases of persistent armed conflict. We also indicate some of the varieties of underlying fragility and disguised violence that broad trends may disguise. These may include cases where armed conflict has declined but root causes remain unaddressed, rendering them vulnerable to reignition. Another category of cases is those where, as suggested above, large-scale armed ethno-nationalist conflict has mutated into lower-level criminalized and predatory forms of violence. In such cases of 'violent peace', violence may continue but is defined by governments and observers as a 'criminal', rather than as a political or military, problem. Thus 'violence' is deemed to have fallen because only 'battle-deaths' are being taken as the measure.

Second, the book sets out to explain the apparent decline of armed ethno-nationalist conflict in the Asia–Pacific by identifying common causes and broad patterns of conflict diminution. With such a diverse set of cases it is not surprising that a huge array of causative factors and supporting conditions come into play. Indeed, we find that the causes of conflict *diminution* are no less complex than the causes of conflict itself. The *Human Security Report 2005* was quite definite in attributing the marked decline in armed conflict from the 1990s to what it called an UN-spearheaded and 'remarkable, if often inchoate, upsurge in conflict management, conflict prevention and post-conflict peacebuilding activities by the international community' (Human Security Centre 2005: 153). While international mediation and intervention were indeed crucial in a number of cases in this book (e.g. Aceh and Bougainville), they were by no means important in all cases where a decline in violence took place. Indeed, decline in armed conflict also occurred where governments eschewed formal peace processes and pursued military or counterinsurgency operations (e.g. the Punjab, Sri Lanka), and even (though much less clearly) in countries where highly authoritarian and militaristic regimes remain in place (e.g. Burma).

Third, by comparing both successful and unsuccessful examples of conflict diminution, we aim to highlight strategies that may contribute to conflict diminution. In our case studies, we identify ingredients that contribute time and again to the diminution of conflict. At the end, we cannot claim to have found a magic recipe for peace; but we hope to offer a clearer picture of principles that contribute to conflict resolution and the varying circumstances in which they work. The book thus hopes to provide a collection of parables for scholars, practitioners and policy makers seeking to end armed conflict. Although this collection stresses the great variety in the dynamics of conflict diminution, it also strives to shows important lessons that can be transported between cases. To that end, the volume concludes with an attempt to identify principles and lessons learned from both successful and unsuccessful cases of conflict diminution in the Asia–Pacific.

Establishing a framework: Conflict and violence

We try to distinguish between *violence* and *conflict*. We develop a two-level framework that recognizes that not all forms of conflict are violent and that a trend of declining violence can mask many sorts of conflictual situations.

Much of the discussion about the decline of armed conflict in the world draws on datasets that measure conflicts in relatively crude terms, in particular by attempting to count fatalities that arise as a direct result of armed conflict ('battle deaths'). As critics have pointed out, measuring armed conflict in this way can be problematic (for the debate, Østerud 2008; Sollenberg and Wallensteen 2008). Most obviously, there can be grave doubts about the accuracy of data. Deadly conflict leads belligerents to hide or obscure information about the extent of, and responsibility for, violence. Journalists and other investigators often face great difficulties in reaching war zones to seek a picture of what happens there. And, especially in conflicts in remote corners of developing countries, comprehensive record keeping and independent journalism are likely to be limited. In our discussions in the development of this book, many of the country specialists who wrote chapters were sceptical about the accuracy of entries in international datasets for the conflicts with which they were most familiar.

Moreover, focusing only on deaths in battle can also miss other forms of violence. Not only do some conflicts in the Asia–Pacific region which have bled for decades rarely reach the annual figure of 1,000 deaths, meaning that they are not classified as 'war' in the international counts, some may not reach the 25-death figure required to be classified as a low-intensity conflict. It can also be difficult to separate battle deaths from deaths resulting indirectly from a conflict. Indeed, much of the worst suffering may arise as a result of the indirect consequences of war. Many deaths occur as a result of one-sided violence or of violence between non-state actors, and are thus not counted in some of the most widely cited datasets. Overall, our authors insist, focusing on war deaths alone may fail to reveal much about the experience of conflict and war. Especially in cases of ethno-political conflict, such data can mask many other impacts and miss important variations in how ordinary people experience conflict. For example, conflicts with massive levels of destruction of property and forced displacement, but few deaths, can be life-changing, immensely disruptive experiences that sow seeds for future antagonisms (e.g. the Chittagong Hill Tracts, Bougainville, the Southern Highlands). Even a conflict without battle deaths may cause massive disruption and significant levels of out-migration (Fiji).

In this connection, it is worth pointing to another striking trend: although the total number of battle deaths in armed conflict in the Asia–Pacific region has declined sharply over recent decades, the overall number of conflicts has declined far less rapidly. Deaths diminish, but conflicts remain (Figure 1.3).[3] The data suggest that armed conflicts in the Asia–Pacific region are becoming less

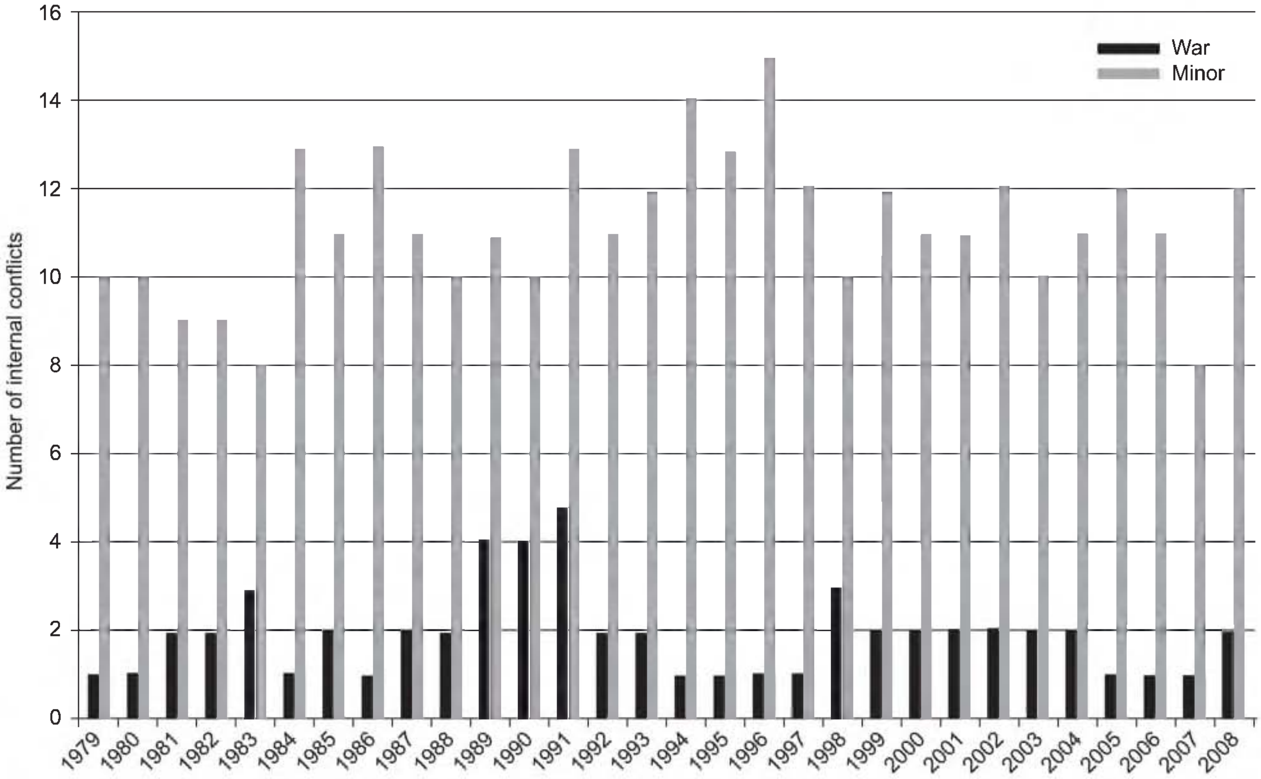

Figure 1.3 Level of intensity of internal conflicts in Asia–Pacific, 1980–2010.

Source: UCDP/PRIO Armed Conflict Database, ©PRIO 2009.

Notes
Minor: Between 25 and 999 battle-related deaths in a given year.
War: At least 1,000 battle-related deaths in a given year.

destructive of human lives, but this does not necessarily mean that other forms of destruction and disruption have declined. And latent conflicts, involving bitter displacements and grievances, may contain the seeds of future violence. Such considerations are a focus of this book.

Moreover, emphasis on conflict deaths, and hence on direct physical violence, overlooks other key questions. Is a reduction in violence matched by resolution of the underlying causes of violence? Is such a reduction accompanied by change in antagonistic forms of identity and mobilization around which conflict was expressed? Högland and Kovacs (2010) explain post-settlement 'peace' in terms of a three-fold classification encompassing issues, behaviour and attitudes. Focusing on issues entails examining the 'relative presence or absence of remaining conflict issues in society' (p. 376); conflict behaviour concerns the 'relative presence or absence of violence and insecurity' (p. 379); and conflict attitudes concern whether there are 'improved social relations between the former warring parties and reduced conflict attitudes in society at large', or whether the 'society remains highly polarized along former conflict lines' (p. 382). To take one example from their resulting 'peace triangle', inquiring into conflict issues can lead to a diagnosis of 'unresolved peace' if 'the peace process has failed to resolve or manage certain issues, although the conflict behaviour has been regulated' (p. 377), of 'restored peace' if the underlying causes and grievances lurk unresolved beneath the surface or of 'contested peace' if the peace agreement 'gives rise to new conflict issues' (p. 378). Focusing on behaviours or attitudes can yield different forms of incomplete peace.

We find many such ambiguous and halfway cases in the Asia–Pacific region. In some of the cases in this book, armed violence declined hand-in-hand with the construction of new institutions and policies designed to overcome root causes and deep dynamics of conflict (Bougainville, Aceh). In others cases, diminution of violence was accompanied by a fading of ethno-nationalist concerns in political life and the strengthening of new, cross-cutting axes of political conflict and cooperation (Punjab). In such cases, we may say that *both* violence and conflict declined. In other cases, however, violence may decline, while the basic causes of conflict remain virtually untouched (Burma, Chittagong Hill Tracts). In such circumstances, the disruptions associated with conflict may continue and the dangers of future violent conflict are likely to remain strong.

It is possible to envisage what we mean by conflict diminution in terms of two axes. On one axis we might measure the intensity of a conflict, as reflected in war deaths or other data (e.g. displacement). On the other, we might measure the extent to which factors contributing to intense conflict have been addressed: have underlying sources of grievance been resolved? Have the political identities and organizations that fuelled the conflict have been modified?

To illustrate, let us look at one of our cases – Burma. Since independence from British rule in 1948, Burma has been wracked by civil wars between the central state and its army and a range of ethnic armies and insurgent groups. Observers agree that the last two decades have seen a significant decline in armed conflict between the Burmese army and the remaining ethnic armies. But this decline has not been caused or accompanied by permanent resolution of these conflicts or meaningful demilitarization. Instead, in many regions of the country, the army has made ceasefire agreements with ethnic armies, often leaving those armies in control of their territories or even cooperating with them to share the spoils of territorial control. Such ceasefires leave armed groups in control of civilian populations; such groups are often ready for war and still engaging in predatory behaviour. Such ceasefires have also left the Burmese army as the dominant political actor throughout Burma. Moreover, the ceasefires have produced splintering of some armed groups, internecine strife between them and new alliances between the Burmese army and some of the splinter groups. In some ceasefire regions, the lives of the civilian populations have improved, but in others the suffering of civilians has not abated or has worsened.

Burma is thus an example in which a significant, but far from absolute, reduction of war deaths has taken place, but without mitigating the root causes of violence and without significantly reordering the conflict dynamics. A nascent process of political change leaves open the prospect that conflict dynamics, which have been frozen in many cases for decades, may be due for significant reconfiguration. Indeed, as Desmond Ball and Nicholas Farrelly outline in their contribution to this volume, a major ceasefire collapsed in 2011 during the early phases of the democratization process. The resulting violence presented a contradiction for any analysis of political reform. They suggest that a reversion to much more widespread and intense fighting is possible if the government ultimately fails to develop new mechanisms for reconciliation in eastern Burma.

Other examples might include East Timor, where one major armed conflict – that between the Indonesian state and much of the East Timorese population, but especially the independence movement – ended with the 1999 referendum and transition to independence. Yet the resolution of this conflict opened a host of fissures and conflicts between regional identities, political groups and others. Old wounds accentuated these divisions, and this in turn provoked new forms of violence, albeit far less intense than in the previous period.

Another example is at the other end of the Indonesian archipelago, in Aceh, one of the most successful conflict resolution cases in our sample. Here political violence had virtually disappeared by 2010 (though it rose slightly again in 2011–12 in association with an election). And, as part of the peace settlement reached in 2005 by leaders of the separatist organization Gerakan Aceh Merdeka (GAM) and the Indonesian government, serious attempts were made to address some of the root causes of the conflict by way of autonomy arrangements that responded to deep-seated Acehnese grievances. Yet even here, the underlying conflict dynamics were in some ways unresolved. The former separatists reorganized themselves into a political party. This party, though it abandoned the goal of independence, still espoused an ethnic vision of politics that differentiated sharply between the Acehnese and a hostile Indonesian Other. And in the villages of rural Aceh, former combatants remained a dominant force and used low-level violence and intimidation to enforce their political will and secure economic resources. Violence remains common, though relabelled ‘criminal’ rather than political – and the modus operandi and the perpetrators often remain the same.

In many ways, what we therefore identify in this book is not only a trend toward successful conflict *resolution*, but also a trend toward lower intensity but still endemic conflict: the 'violent peace' mentioned earlier. Overall, conflicts in the Asia–Pacific do seem to be diminishing, but many are far from being fully resolved or entirely dissipating. The region therefore provides a wealth of experiences – both failures and successes – for the endeavour to bring about reduction in violent conflict.

Notes

1 These datasets can be found at www.prio.no/CSCW/Datasets/Armed-Conflict/Battle-Deaths and www.prio.no/CSCW/Datasets/Armed-Conflict/UCDP-PRIO.

2 'Wars' are defined as conflicts with over 1,000 battle deaths per year. In the Asia–Pacific region, the deaths in war dropped from an upper-end estimate of 71,477 deaths annually between 1976 and 1985 (the lower end estimate was 47,511 deaths annually), to 53,811 annually during 1986–1995 (lower end: 37,105) and then to 12,156 annually (lower end: 7,319) between 1996 and 2005.

3 Thus, in 1980 there were 11 conflicts recorded in the dataset, 10 of which were classified as minor (between 25 and 999 battle deaths in a given year) and only one of which was classified as a war (over 1,000 battle deaths). This number climbed gradually, peaking at 18 in 1992 (when the number of conflicts classified as wars also peaked at five) and then gradually declined to a total of nine by 2008. Comparing these figures to the trends in war deaths (Table 1.1) suggests that the decline in deaths is only partly attributable to a reduction in the overall number of conflicts or, put differently, by successful conflict resolution.

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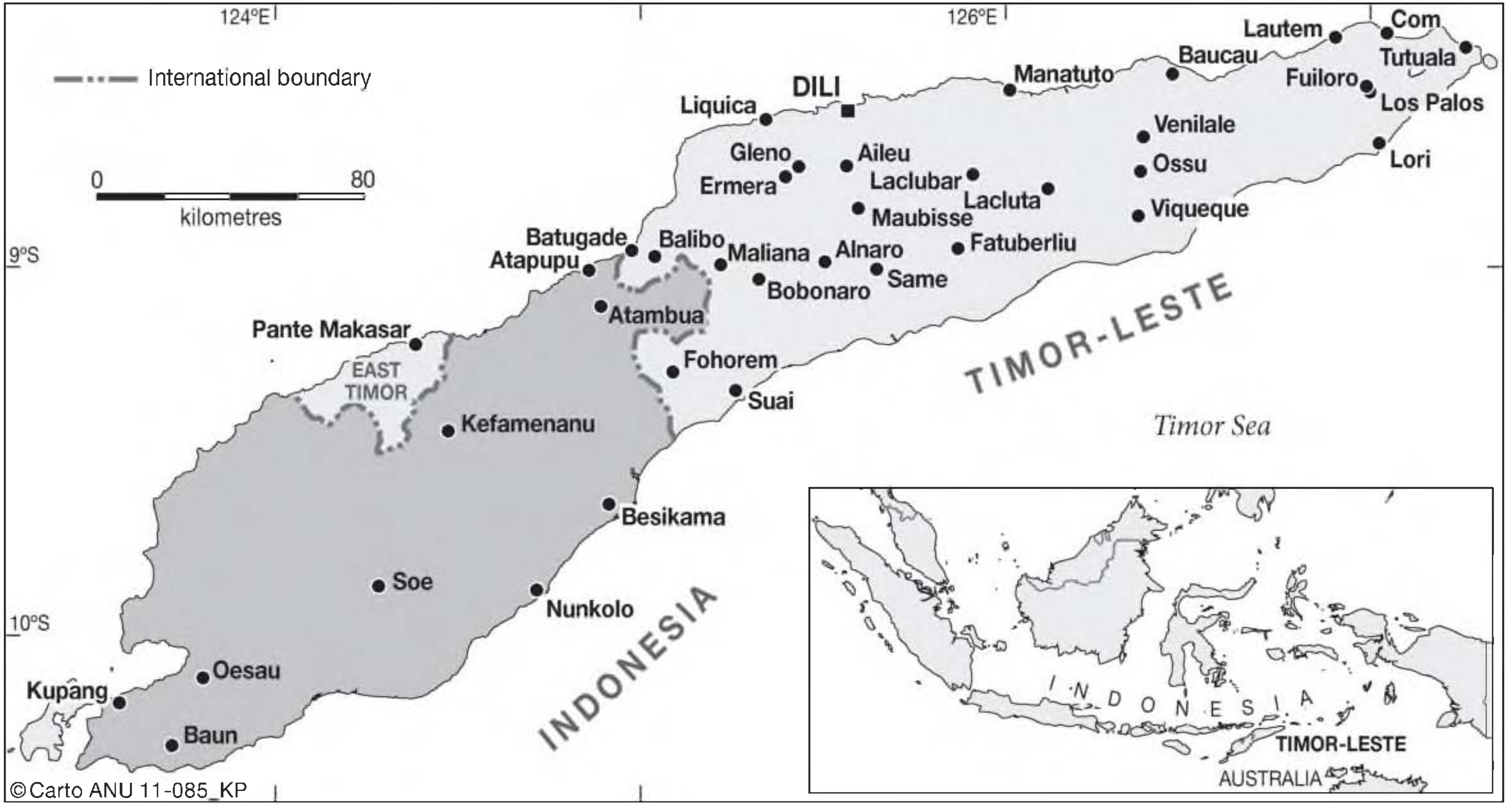
Part I

Conflicts diminished?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Map 2 Timor-Leste

Major events: Timor-Leste

1975	Revolutionary Front for an Independent East Timor (FRETILIN) declares East Timor independent (November); Indonesia occupies East Timor (December)
1975–99	Indonesian occupation: repression and armed resistance
1999	Indonesian-run referendum supports independence for Timor-Leste (January); anti-independence violence; UN Security Council deploys international force (September); Indonesian parliament recognises referendum; UN Transitional Administration in East Timor (UNTAET) established (October)
2000	UNTAET establishes serious crimes process (June)
2002	Commission on Reception, Truth and Reconciliation (CAVR); UNTAET withdraws; Timor-Leste independent; UN Mission of Support in East Timor (UNMISET) established (May)
2004	Serious Crimes Unit ceases investigations (November); Timor-Leste and Indonesia establish joint Indonesian–Timorese Commission for Truth and Friendship (CTF) (December)
2005	United Nations Office in Timor-Leste (UNOTIL) established
2006	President Gusmão presents CAVR report to UN Secretary General Annan; 590 soldiers dismissed by armed forces commander; riots in Dili: displacement of thousands of civilians; Annan appoints commission to investigate May and June violence (28 June); Ramos-Horta sworn in as new prime minister (10 July); Independent Special Commission of Inquiry issues report on April–May violence; recommends prosecutions
2007	CTF begins hearings on 1999 violence (February); Ramos-Horta defeats Guterres to win presidency; parliamentary elections; FRETILIN wins: President Ramos-Horta announces Gusmão as prime minister
2008	Attacks on Ramos-Horta and Gusmão (February); CTF completes final report (15 July)

2 Timor-Leste

International intervention, gender and the dangers of negative peace

Susan Harris Rimmer

Timor-Leste is a compelling example for analysis of ‘diminishing conflicts’. Most of the research on the conflict there during the 1975–1999 period treats it as an international armed conflict involving Indonesia, one seen as resolved through the humanitarian intervention by UN peacekeeping forces in late 1999. Analysis from 1999 to the present day often presents Timor-Leste as a rare example of a ‘successful’ UN transitional administration and peace-keeping operation, albeit with unexpected domestic flare-ups.

The primary question about diminishing conflict in Timor-Leste is therefore usually framed as ‘when can the UN safely and politely withdraw?’ In fact, traditional security analysis and transitional justice processes have not been sophisticated enough to grapple with the complexity of what has occurred in post-occupation Timor-Leste, and have consistently failed to predict or prevent simmering internal conflict from escalating. There is a real threat of such an escalation happening again. On the other hand, although the question whether Timor-Leste might ever again face the threat of Indonesian invasion may be less fraught, it is still uncertain, and Timor-Leste’s leaders often act upon the assumption that the threat remains real.

Three main arguments underpin the assertion that Timor-Leste is a precarious ‘diminished conflict’. First, although conflict there in relation to Indonesia has diminished in some important ways according to traditional security analysis, at the same time historic and contemporary elements of civil conflict within Timor-Leste may have merely morphed into a less visible type of social aggression. Second, the transitional justice mechanisms employed in Timor-Leste have done little to address the causes of the 1975–1999 conflict, especially in relation to the civil war there in 1975. The Indonesian military has only reluctantly and partially addressed its culpability for invading and occupying Timor-Leste. The mechanisms have largely failed to provide the foundations of a rule-of-law culture there.

Finally, there is a real question mark over whether conflict has diminished at all for Timor-Leste’s women and children, or just continued in the form of private violence and deprivation. Scholars should address the question directly – for whom has the conflict diminished?

This analysis approaches the topic from the perspective of feminist transitional justice scholarship. Transitional justice scholars focus on what it means for a nation to come to terms with a violent past and what to do with the perpetrators of the violence. Theoretical debates in the field often focus on the balance to be achieved in transitional societies between 'truth' and 'reconciliation' (e.g. Mendeloff 2004); 'peace' and 'justice'; 'amnesty' and 'punishment'; and the contested nature of these terms (Ignatieff 1996: 11; see also Fletcher and Weinstein 2002). In some senses, the theoretical task of such scholars is quite easy, because the title of the discipline itself poses inescapable questions. Transition to what? For whom? What sort of justice (retributive, restorative, redistributive)? How do we know when a transition is achieved? When will a conflict be seen as diminished or over?

Charles T. Call (2008) has pointed out that there are no settled standards for what should be considered success in peacebuilding. Most security scholars may assume the standard is no war reoccurrence. Social scientists may think root causes of the conflict must be addressed. Political scientists may argue the development of a legitimate democratic regime through free and fair elections is the hallmark. International economists often argue that economic recovery is the foundation of all other development possibilities. My definition of a truly 'diminished' conflict borrows from Martin Luther King Junior. In his celebrated letter from Birmingham Jail on 16 April 1963 he differentiated between those who prefer 'a negative peace which is the absence of tension' to 'a positive peace which is the presence of justice' (King Jnr 1963). Timor-Leste has not yet achieved even the absence of tension. However, there have been strides towards peace coupled with justice, which deserve consideration. The aim here is to advise humility for international interventions, to urge greater contextual analysis for security sector and justice reforms, and to take questions of gender equality seriously in the quest to diminish conflict.

Background: The Indonesian occupation

From the sixteenth century the island of Timor was divided into a Portuguese colony in the east and a Dutch colony in the west, the west being part of Indonesia from the date of Indonesian independence in 1947. In 1960 the UN General Assembly deemed East Timor[1] a 'non-self governing territory'. In 1974 Portugal withdrew from East Timor and a brief civil war followed. After nine days of independence, declared by the Revolutionary Front for an Independent East Timor (Frente Revolucionária de Timor-Leste Independente or FRETILIN) on 28 November 1975, Indonesian forces occupied and annexed East Timor (see International Commission of Inquiry on East Timor [ICIET] 2000, paragraphs 18–36).

An estimated 20,000 Indonesian troops were deployed to the region by the end of 1975. While casualty estimates vary, out of a population of less than 800,000 anywhere from 60,000–100,000 East Timorese were probably killed in the first year after the violence began in 1975. East Timor was declared the twenty-seventh province of Indonesia on 31 May 1976, Indonesia presenting the annexation of this province as another step in the unification of the Indonesian archipelago that had begun in the 1940s as an anti-colonial exercise. Indonesia's claim was never accepted by the UN, however, and was only unambiguously unilaterally accepted by one nation, Australia.[2]

The occupation came at a high cost to both sides. In 1979 the US Agency for International Development estimated that 300,000 East Timorese (nearly half the population) had been uprooted and moved into camps controlled by Indonesian armed forces (Burr and Evans 2001). During Indonesia's 25-year occupation, the UN documented a series of massacres including those at Kraras (August 1983), Santa Cruz (2 November 1991), Maubara and Liquiça (4–6 April 1999) and Dili (17 April 1999).

The 2006 Final Report by Timor's Commission for Reception, Truth and Reconciliation (CAVR) entitled Chega! ('Enough' in Portuguese) says that an upper estimate of 183,000 died during the occupation as a result of both killings and deaths due to privation. CAVR's estimate of the minimum total number of conflict-related deaths is 102,800 (plus or minus 12,000). The report finds that 18,600 non-combatant East Timorese were killed or disappeared and at least 84,000 more died as a direct result of displacement policies during Indonesia's occupation (CAVR 2005: section 8.4.6.1).

Ongoing and systematic human rights violations were prevalent in all areas of East Timorese life, specifically targeting the civilian population, and included loss of employment and livelihood; repression of cultural traditions, including language and religion; lack of access to basic needs, including health care; loss of home and property, and forced displacement (CAVR 2005). The UN Commission on Human Rights condemned the imprisonment of thousands of activists (most notably Xanana Gusmão in 1992), the exile of thousands more and incidences of torture, assault and inhumane treatment against Timorese resistance and civilians; including systematic gender persecution outlined below (Steiner and Alston 2000).

Within Indonesia, a political transition began in 1998 after 33 years of widespread human rights abuses committed by the armed forces and other groups under the 'New Order' regime led by General Suharto. In January 1999, against a backdrop of economic crisis, Indonesian President Habibie unexpectedly announced that the East Timorese would be allowed a referendum to decide between greater autonomy within Indonesia or a transition to independence. A formal agreement between Indonesia, Portugal and the UN was reached on 5 May 1999, which established the United Nations Mission in East Timor (UNAMET) to organize a referendum. According to the agreement, Indonesia was to provide the security for the ballot. Voter registration began on 16 July 1999, with teams of independent observers reporting serious accounts of political violence by the Indonesian military (Tentara Nasional Indonesia, or TNI) and paramilitary groups, designed to intimidate voters (see McDonald *et al.* 2002).

The referendum (sometimes called a popular consultation) was held on 30 August 1999. On 4 September 1999, it was announced that 78.5 per cent of the population had voted against East Timor remaining part of Indonesia, and therefore independence would be granted to the territory. The announcement of the ballot result on 4 September 1999 resulted in immediate acts of violence, a scorched earth policy, looting, massive evacuations and forced deportation of the population. In the months surrounding the 1999 vote, pro-Jakarta militias killed an estimated 1,400 people, burned towns to the ground, destroyed 80 per cent of the territory's infrastructure and forced or led more than a quarter of a million villagers into Indonesian-ruled West Timor (KPP-HAM 2002: 17). The situation was so grave that there were concerns about the possibility that members of the international community who witnessed the referendum violence might raise claims of genocide.

Conflict diminution

The history of the diminution of international conflict between Indonesia and Timor-Leste began in 1999, and serves as an example of the sudden transformation that can be wrought by changes in political leadership, combined with pressure from international opinion. The key factor for change was the democratic reform process within Indonesia coupled with economic crisis. Indonesian consent to the UN presence in Timor-Leste in late 1999 was crucial, as the Security Council would probably not have passed a resolution using Chapter VII powers in the absence of this consent without the veto being exercised by China or Russia. The willingness of key members of the international community, especially the US, to allow a UN intervention headed by Australia following the 1999 ballot was also crucial.

Some key causes of conflict diminution for Timor-Leste therefore include exhaustion and democratic change on the Indonesian side and in particular, an international intervention that ensured that the sudden change of heart in Jakarta held. Despite a strong intervention, there has been serious domestic instability in Timor-Leste since independence. But the presence of international armed forces created space for independence to take hold and Timor-Leste to develop some fledgling state capacity, and for Indonesian elites to adjust to the separation.

International intervention

In late 1999, Security Council Resolution 1264 approved the immediate dispatch of the Australian-led, International Force for East Timor (INTERFET), and expressed concern at reports of systematic, widespread and flagrant violations of international humanitarian and human rights law committed in East Timor and stressed individual responsibility for these acts.

The United Nations Transition Administration in East Timor (UNTAET) was established under UN Security Council Resolution 1272 of 25 October 1999. It was the executive and legislative authority from 25 October 1999 until Timor-Leste became independent on 20 May 2002. The UN Special Representative to East Timor, Sergio de Mello (the then transitional administrator) became the executive and law making authority for East Timor on 25 October 1999.

From the beginning, the UN intervention had a strong emphasis on justice, not just on traditional security sector reforms. Resolution 1264 also condemned all acts of violence in the Indonesian-claimed province of East Timor, demanded that those responsible be brought to justice and called for all parties to cooperate with investigations into reports of systematic, widespread and flagrant violations of international humanitarian and human rights law.

Investigations into the post-referendum violence were carried out by special UN teams, in particular the ICIET, and by the National Human Rights Commission (Komisi Nasional Hak Asasi Manusia, or Komnas HAM) in late 1999. Komnas HAM used its powers under a government regulation expressly issued for the purpose to set up a special team, the National Commission of Inquiry on Human Rights Violations in East Timor (Komisi Penyelidik Pelanggaran HAM di Timor Timur, or KPP HAM), to investigate human rights abuses in East Timor during the period 1 January to 25 October 1999.

As a result of the recommendations of these investigations, several main transitional justice mechanisms were established to address the crimes committed in 1999. First, in East Timor the UN set up the Serious Crimes Unit, which prosecuted criminal cases through Special Panels of the Dili District Court. The Timorese leadership established the Commission for Reception, Truth and Reconciliation (CAVR).

Second, in Indonesia the chosen transitional justice mechanism was the East Timor trials at the Indonesian ad hoc Human Rights Court in Jakarta. Legislation for a proposed truth commission (Komisi Kebenaran dan Rekonsiliasi, KKR) was enacted in 2004, but struck down on constitutional grounds in 2007. Third, in 2005, Timor-Leste and Indonesia agreed to set up a joint Commission for Truth and Friendship (CTF), empowered to offer a full amnesty to all who participated in violations in return for their cooperation.

At the same time, developments in governance and moves to independence were as follows: The post-UNTAET UN Mission of Support in East Timor (UNMISET) had been intended to withdraw from Timor-Leste in May 2004, but the UN Secretary-General announced that the Mission would stay for another year while at the same time being dramatically reduced from almost 3,000 civilian and military personnel to 700 while the country became self-sufficient. In May 2004, roughly 1,650 peace-keeping troops, 300 civilian police and 1,000 civilian personnel were deployed in East Timor.

In 2005, another extension was granted. The United Nations Office in Timor-Leste (UNOTIL) was established by Resolution 1599 (2005) adopted by the Security Council on 28 April 2005, with effect from 21 May 2005. UNOTIL was a political rather than a peace-keeping mission, which was mandated to support the development of critical state institutions. Then on 25 August 2006, following internal conflict in Timor-Leste (below) Security Council Resolution 1704 established the United Nations Integrated Mission in Timor-Leste (UNMIT) to replace UNOTIL, another political mission required to give priority to restoring public security.

Domestic instability

Post-independence, there have been episodes of serious internal conflict in Timor-Leste. Violence in the Timorese capital Dili in April and May 2006 between police, the military and youths resulted in at least 37 persons killed, more than 150 injured and some 150,000 persons displaced, as well as arbitrary arrests and detention by the armed forces. There was significant damage to property, particularly looting and burning of houses in Dili.

In mid-July 2006, 72,000 internally displaced persons were receiving food aid in 62 makeshift camps scattered throughout Dili, while up to 80,000 people had fled to the countryside where they were sheltered by host families and in a very small number of camps.

There was considerable unrest across East Timor in relation to the Presidential and Parliamentary elections in mid-2007. UNMIT records indicate that over 100 people died violent deaths (UNMIT 2007). Pro-FRETILIN supporters allegedly burnt an estimated 600 houses (at least 142 were confirmed) in villages between Viqueque and Baucau (UNMIT 2007). In August, violence occurred in several places, including Dili and Metinaro, with two people reported killed in Ermera. On 10 August 2007, a convent in Baucau was attacked and damaged, and a number of female students at the convent were said to have been raped (Jolliffe 2007).

In February 2008, rebel East Timorese soldiers invaded the homes of the President and Prime Minister of East Timor, leading to the shooting and serious wounding of President José Ramos-Horta, the shooting up of the car of Prime Minister Xanana Gusmão, and the fatal shooting of rebel leader Alfredo Reinado. The attacks were variously interpreted as attempted assassinations, attempted kidnappings and an attempted coup d'état. The rebels' intentions remain unknown. Angelita Pires and 27 men, mostly ex-soldiers, stood on trial over the attacks. Pires and three of the men were acquitted, and 24 were sentenced to prison terms of up to 16 years each in March 2010. Ramos-Horta issued pardons for the convicted men.

The UN response

In late June 2006 the United Nations High Commissioner for Human Rights, on the request of the UN Secretary-General established a Special Independent Commission of Inquiry for Timor-Leste to report on the events of April–May 2006. The Commission reported on 17 October 2006 and found that 'failures of the rule of law and accountability were at the heart of the events in April and May' (see ISCITL 2006, paragraph 136).

It was after the Dili riots of April/May 2006 that UNMIT was established. At full strength it included some 1,608 UN Police (UNPol) as well as 34 military liaison and staff officers. UNPol continued to provide support to the Timorese police force (PNTL). First established under UNTAET in 2000, the PNTL had been under UNPol control until PNTL took over responsibility for day-to-day policing in the Dili District in December 2003 and then full control for the whole of Timor-Leste early in 2006. As a result of the riots, UNPol was reconstituted, again in order to provide interim law enforcement. In February 2008 the Security Council passed resolution 1802 authorizing UNMIT to extend its mission and assist with the 2008 assassination attempt investigation. UNMIT's initial six-month mandate was extended by the Security Council, with Resolution 1969, passed in 2011, taking the mandate to 26 February 2012 at then current personnel levels.

Re-igniting violence, 2006–2008

The causes and course of the violence are generally agreed by analysts. There was a level of political violence that provided the trigger, but there were also social forces, which escalated the conflict across the country. The trigger was the mismanagement of UN efforts in security sector reform, and the UN withdrawal, leaving a domestic police force (PNTL) in rivalry with the new Timor-Leste army. When Timor-Leste took control over PNTL, the Minister of the Interior, Rogeiro Lobato, was in charge. According to detailed research by Bu Wilson, he exploited to his own ends 'a fragile and divided organization', which had just received a shipment of high-powered military-style weapons. Lobato 'proceeded to mould an over-armed, undertrained, personalized and factionalized police force' (Wilson 2010: 224). It might be argued in retrospect that it was a mistake for Timor-Leste to develop a military so quickly post-conflict; regardless, it was a bigger mistake to have a more heavily armed police force after the conflict than before it.[3]

At the same time, it emerged that recruitment and veterans' schemes had created a perceived 'east–west' schism (McWilliam and Bexley 2008). Agence France Press reported in 2008 that an unsigned pamphlet had been circulated in Dili complaining of official discrimination against the Timorese from the impoverished country's western region in favour of those from the east (Agence France Press 2008). It is notable that the alleged 'east–west' divide does not feature in the 2006 Chega! report at all. It is therefore difficult to say whether these tensions are a purely post-conflict problem, relating to perceived injustice in dividing the spoils of independence, or whether they have a longer history.

Other commentators make it clear that there was significant social unrest due to economic benefits not flowing from Dili to the regions, prompting the movement of young men to the capital, often joining martial arts groups or other gangs (Scambury 2009). There was also serious identity politics, particularly over land reforms and language. The 2007 elections highlighted for many that Timor-Leste had inherited the Melanesian political culture of the 'big man'.

It was also clear the UN had not sufficiently understood the 'post-conflict' context, and essentially gave up on security sector reform. The lessons for conflict diminution more broadly stem from lack of contextual analysis by the UN operation of inequity, meaning that insufficient attention was given to who was benefiting from the 'peace', and who was not.

The economic and social context for internal conflict is clear. As of August 2007, Timor-Leste was the poorest country in Asia. According to a United Nations Development Programme report on East Timor released in January 2006, 90 out of 1,000 children die before their first birthday, half the population is illiterate, 64 per cent suffer from food insecurity, half lack access to safe drinking water, and 40 per cent live below the official poverty line, defined by an income of 55 cents a day (UNDP 2006).

Undiminished violence against women and children

Women in Timor-Leste make the link between violence against women and children during the conflict on the one hand, and violence in the post-conflict period on the other hand. One of the bravest but least known acts during the East Timorese resistance to Indonesian occupation occurred in November 1998 when over 20 Timorese women told their stories of surviving sexual violence to crowds of hundreds at a public meeting in Dili. The stories were collated into an English language book called *Buibere* (Winters 1999), which means ‘woman’ in Mumbai, the second most common Timorese language after Tetum. It was written only in English, published in Australia, and intended as an advocacy document for the international community. Between 1975 and 1999, there had only been four short but searing reports from international non-governmental organizations (NGOs) about gender-based persecution of women in East Timor, and no official UN comment (Amnesty International 1995; Sissons 1997; Aditjondro 1997). But the persecution, as described first-hand in these collected testimonies, was intense, and included rape, torture and other inhumane acts.

In November 2001, in post-referendum East Timor, the local women’s rights NGO FOKUPERS – an acronym for Forum Komunikasi Untuk Perempuan Loro Sae (East Timorese Women’s Communication Forum) – released a second version of *Buibere* in Tetum at a public event. Many of the women who contributed stories to the original book were present. This Tetum version is intended to formally respect and honour the contribution of East Timorese women to independence and the high price that they paid during the Indonesian occupation.

Some of the problems that continue to face the women of Timor-Leste were graphically outlined by the well-known human rights advocate Sister Maria de Lourdes Martins Cruz at the 2001 launch:

> ‘A luta continua!’ she said, and described how the women of East Timor were still second-class citizens in their own land. ‘A luta continua!’ and she described how girls still don’t receive the same educational or employment opportunities as men. ‘A luta continua!’ and she told of domestic violence still rampant, women still serving as slaves in their own homes, women bought and sold like commodities under the tradition of bride price, and men leaders still unwilling to accept East Timorese women as equals. Ovation after ovation shook the hall.
>
> (Gabrielson 2002)

Given the serious nature of the crimes outlined in *Buibere*, Sister Maria’s speech is striking in that in the eyes of those survivors present that day, independence did not necessarily mark the end of violence against women, just a new manifestation of violence and subordination. There appeared to be a clear linkage between the gender-based political persecution and violence by invading forces, understood as the burden of the feminine face of resistance, and endemic sexual and gender-based violence (SGBV) and inequality experienced by women as citizens in the transitional Timorese society. Women and girls continued to face a high incidence of SGBV in the post-independence period, as well as prevailing cultural norms that act as an impediment to their full partnership in society and government (Harris Rimmer 2010a). Later research showed that SGBV was the most reported crime in Timor-Leste, but the legislation making it a criminal offence was passed only in 2010 (Rees *et al*. 2010).

Sister Maria was correct in stating that the problems facing Timorese women in the independence period were linked to the problems women faced during the occupation. It is not just in Timor-Leste that issues about recognition and redress under the law for gender-based violence in war are linked to recognition and redress for domestic violence and socio-economic rights in the 'peace'.[4] Amongst the claims made for the transitional justice mechanisms chosen for Timor-Leste was that it would contribute to building the rule of law both there and in Indonesia. Women in Timor-Leste generally lack political power and representation in comparison to men. For instance, although women make up 49.4 per cent of the population (see ADB and UNIFEM 2005) they also possess the worst socio-economic indicators of the Timorese population (UNDP 2006). One can assume that the strength or weakness of the rule of law in a new state will have a gendered impact (UNPF 2005).

The evidence is that the cultural and political realities of women in East Timor were and remain extremely complex and fluid. Timorese women play multiple roles, including in government, politics and transitional justice systems. Women played an active role in the liberation movement (the *Buibere* portrait of women as victims is but one of many possible portraits of of Timorese women) (Winters 1999), and at times were armed fighters in the guerrilla movement. The equality of women occupied a central place in the liberation ideology of FRETILIN, and continued to be one of the party's key platforms when it gained a majority in the 2001 elections for the Constituent Assembly, which became the Timor-Leste parliament under the independence Constitution.[5] The principle of gender equality is reflected in the Constitution.

Despite this complexity, women's groups in Timor-Leste have identified some general problems for women in the post-conflict period, which include: the failure of domestic and international law to adequately address gender-based persecution experienced from the Indonesian occupation from 1975 onwards; the impact of poor economic and social conditions, including bars to property ownership; the failure of policy or law to provide acknowledgment or compensation for survivors of gender-based persecution or the children born of rape; the failure of domestic law to protect women from the escalation of domestic violence after independence; obstacles to participation in decision making, including representation in formal elections; and obstacles to participation in key decisions about transitional justice mechanisms, such as amnesties (Harris Rimmer 2004).

The danger for the women of Timor-Leste now is the 'changing the curtains' (to use a metaphor) phenomena – the risk that despite the fundamental change in the sovereignty of the state in the form of independence, the basic conditions of women's lives, or their potential to claim their legal rights, do not change in any meaningful sense.

Prospects: Negative peace?

Remembering that positive peace requires justice, it is sobering to reflect that whether justice will be done for Timor-Leste in the future is unclear. It is also unclear whether current tensions in the country will abate if prosperity begins to flow more evenly through the society. The outcome of political reform in Indonesia will be very important. In many ways, Indonesian attempts both to deal with its past and to assert civilian control over the military and police may be the site of justice for Timor-Leste in the future. However, the short-term prospects for justice are slim. The prospects for overt political violence are correspondingly high. The risk of re-ignition of armed conflict, or certainly criminal violence is high, especially at transition points when key political figures like Gusmão retire from public life, or the oil revenue starts to flow and social inequities are highlighted by changes in lifestyles. As James Scambury (2009) notes:

> We now know that East Timor is not the unified, homogenous society forged in the firmament of the resistance, as previously thought. We now know that the national police force is highly factionalised and manifestly unprepared to resume active duty. It is also recognised that if attempts are not made to sort out the mess of property law, stimulate the economy, and create some jobs, there will be a similar conflagration in the near future.

This situation has occurred partly because the UN intervention squandered opportunities to engage in meaningful security sector, land title, gender equity and justice reform, and the various transitional justice mechanisms (above) achieved little.

For example, in more than four years of trials arising from crimes committed during the 1999 violence, 55 trials were completed. In the course of these trials (most involving relatively low-level defendants) 84 individuals were convicted and three acquitted. Only a handful related to crimes against female victims. The general view of commentators and human rights groups has been that the trials were well intentioned but massively under-resourced, hamstrung by jurisdiction problems and lack of access to indictees, and that they ran out of time (Harris Rimmer 2010b).

As for the Indonesian ad hoc Human Rights Court in Jakarta, it held Timor-Leste trials that concluded in 2004. They were widely denounced by NGO observers as a ‘sham’, and seen as part of a deliberate design by a politicised Attorney General’s office to avoid successful prosecutions of military commanders (Jolliffe 2005, see further Harris Rimmer 2009). All 16 Indonesian military and police defendants were acquitted. However, the civilian Timorese Governor of Dili served three weeks in jail before he was released on appeal, and Timorese militia leader Eurico Guterres was convicted, his five-year sentence being increased to ten years on appeal. He was acquitted and released in 2008.

The 2,500-page final report of the CAVR, the result of five years of research and hearings by the CAVR, was handed to the Timor-Leste President on

31 October 2005, tabled in the Parliament for consideration on 28 November 2005, and presented to UN Secretary-General Kofi Annan on 20 January 2006. Although the Timor-Leste government remains under pressure from the CAVR report and its own citizens to pursue justice, parliament has so far failed to discuss the report despite efforts in November 2008, and again during the independence celebrations in 2010. President Jose Ramos-Horta responded to a CAVR recommendation to pursue indictments of Indonesian military in the following manner:

> Well, these are very high-sounding statements, but the United Nations were here, from [19]99 to 2003, with the massive peacekeeping force. They didn't do that. So why should the East Timorese, with our own priorities and concerns, to continue to consolidate peace, reconciliation, creating jobs for our people, reducing poverty – should pretend to be a sort of Don Quixote de la Mancha of justice, in fighting the mighty Indonesian army?
>
> (Lam 2005)

The Timor-Leste government ostensibly placed its faith in the bilateral Truth and Friendship Commission (CTF) established in Bali in 2005 jointly with the Indonesian Government. It had five commissioners each from Timor and Indonesia (only one female commissioner), located in Denpassar. The CTF did not enjoy the same kind of acceptance by civil society as the CAVR, either in Indonesia or Timor. At its inception, Indonesian NGOs feared it would be a 'whitewash machine', because it could recommend amnesty for those involved, and its findings would not lead to prosecution (Saraswati 2004). It was designed to emphasise institutional responsibilities rather than identifying and assigning blame. It had the power to recommend rehabilitation for those wrongly accused (but did not in the final report) but had no power to propose rehabilitation or reparations for victims. The final CTF report was delayed several years until 2008 but turned out to slightly exceed expectations by admitting that the Indonesian military was indeed at fault in the 1999 violence (CTF 2008).

But as early as July 2004 the then Special Representative of the Secretary-General in East Timor, Dr Hasegawa, stated that one option in relation to processes for dealing with past justice and reconciliation issues would be to 'call it a partial victory and close the curtain' when the UN mission finally departs. He thought the only other option was a full international tribunal costing much more than had previously been invested in the process (Boyd 2004). Timor-Leste's Ambassador to the UN, Jose Luis Guterres outlined:

> I don't believe that the Government of East Timor will again try to prosecute any of the military figures in Indonesia because of the past human rights violation in East Timor.
>
> The reasons are, as you know, there is the Government has the present determination to first, consolidate the process of democracy, freedom and

> justice in East Timor. Second, to maintain the good relations with Indonesia. At the same time, also giving the opportunity to the Indonesian system of democracy and freedom to be consolidated in that region.
>
> (Iggulden 2006)

In 2011, the outcomes of the transitional justice processes set in place by the UN and Indonesia are cause for deep concern in terms of their inadequacy. Not one Indonesian perpetrator has been punished. As one observer stated: ‘Justice for the thousands of East Timorese who were murdered, raped, assaulted and forcibly exiled in 1999 has been slowly but surely buried in an avalanche of paperwork churned out by tribunals, commissions, panels and committees’ (Powell 2005). There is no doubt that justice for the victims of the crimes committed in Timor-Leste still has to be done. A full analysis of the reasons for the failure of transitional justice mechanisms is necessary, if a more effective formula is to be found.

As for the concerns of Timorese women to see justice for SGBV suffered both before and since 1999, they continue to lack access to the services they need to heal as survivors of gender-based violence in armed conflict. Responses to victims such as rape survivors and their children has ranged from denial and silence to efforts to respond to their acute survival needs on the basis of a welfare paradigm that reinforces existing conservative cultural conceptions. New leadership approaches are needed to ensure that the recommendations on SGBV in the Chega! Report are implemented and the links between SGBV before and after 1999 are addressed.

The prospect of justice for women for crimes committed during the occupation is remote despite the robust women’s rights groups within the country. However, while in many ways Timor-Leste remains a patriarchal and traditional society, the post-independence period has allowed public space for the suggestion that women could start to play a greater role in post-conflict reconstruction and governance. As one survivor told the CAVR:

> I will not . . . hold office like these important men who once fought together with us. All I ask for is my right to a decent life as the family member of a fighter. I got this way because my husband and children disappeared. The important men are not permitted to forget us [just because they] now have a strong chair stuck on the ground. In the past, when their positions were not yet certain, we fought together.
>
> (Rubio-Marín 2006: 319)

Lessons: Undiminished uncertainty

The useful lessons that can be taken from the Timor-Leste case by scholars and practitioners interested in how to reduce violent conflict elsewhere is to focus on the ‘who’ question. In other words, who has experienced the diminution of conflict? Too many East Timorese women who were herded as refugees into West

Timor in 1999 are living as internally displaced persons in their own country; they and other women are experiencing domestic violence.

A key question is whether society in Timor-Leste can shed the euphemistic veil that lies over the substantial social and moral issues – concerning both the reintegration and acceptance of women who suffered human rights violations, and the right of their children to a future free from violence.

The then President (now Prime Minister) Xanana Gusmão stated in 2002 that '[w]e must do our best to eradicate all sentiments of hatred, of revenge. If you still feel like this, then you are living with the ghosts of the past' (Associated Press 2002). Bishop Belo countered: 'I hear the voices of widows, the complaints of raped women, of orphans. They don't like to live together and meet in the street their perpetrators' (Associated Press 2002). The 'ghosts of the past', for many women, are living threats. These contrasting attitudes, State versus Church, male versus female, capture neatly one of the key dilemmas of transitional justice – who is to bear the cost of the compromises made for peace?

It is easy to empathise with Gusmão in his publicly articulated dilemmas over pursuing the best future for his country. Timor-Leste is poor, with a giant, potentially hostile neighbour and vulnerable borders. Peace is fragile, as shown by the April–May 2006 Dili riots and 2007 election violence.

However, the question of compromise for peace cannot be answered by a democratic society, or a society that hopes to become democratic, without properly considering the perspective of women. The situation for the women of Timor-Leste reflects the 'changing the curtains' phenomena – that transformation at the state level does not improve the basic conditions of women's lives, or their potential to claim their rights. Recognition of their needs is flawed and partial and there has been no redistribution of the benefits of peace, not even redistribution of shame (Franke 2006).

Lessons from Timor-Leste that might apply to the international community in other 'post-conflict' settings include making the most of opportunities to open space for difficult reforms. Bearing witness itself is not enough. During the 2006–2007 conflict, 1,300 international security forces and an army of international aid workers did little more than stem the level of violence, but could not stop it (Scambury 2009). Additional lessons concern: the need to engage anthropologists and sociologists and for interventions to be immersed in local context so as to better understand the dynamics of a 'post-conflict' state, especially in the crucial areas of security sector, justice and land ownership reforms; and the need to beware of liminal moments in a new nation – for transitions, withdrawals and leadership changes can be dangerous times. More generally, we should aim for more than an end to overt armed violence on the streets, and instead also address the brutalizing impact of armed conflict in the home and relationships.

Notes

1 Before its independence in 2002, what was from then the country of Timor-Leste was generally known as East Timor.

2 There was arguably de facto acceptance by other nations. See *Case Concerning East Timor (Portugal v. Australia)* International Court of Justice General List No. 84, 1995 ICJ 90 (1995), online at www.un.org/law/icjsum/timor.htm.

3 Lobato was convicted of arming civilians during the 2006 unrest, but has since been pardoned and is running in the 2012 Presidential elections.

4 The World Health Organization supports the hypothesis that where there is war, post-war or other social upheaval there is an increased incidence of domestic violence. See Krug *et al.* (2002); Colson (1995), pp. 35–38.

5 For a fascinating narrative-based description of the situation of post-independence women, see Cristalis and Scott (2005).

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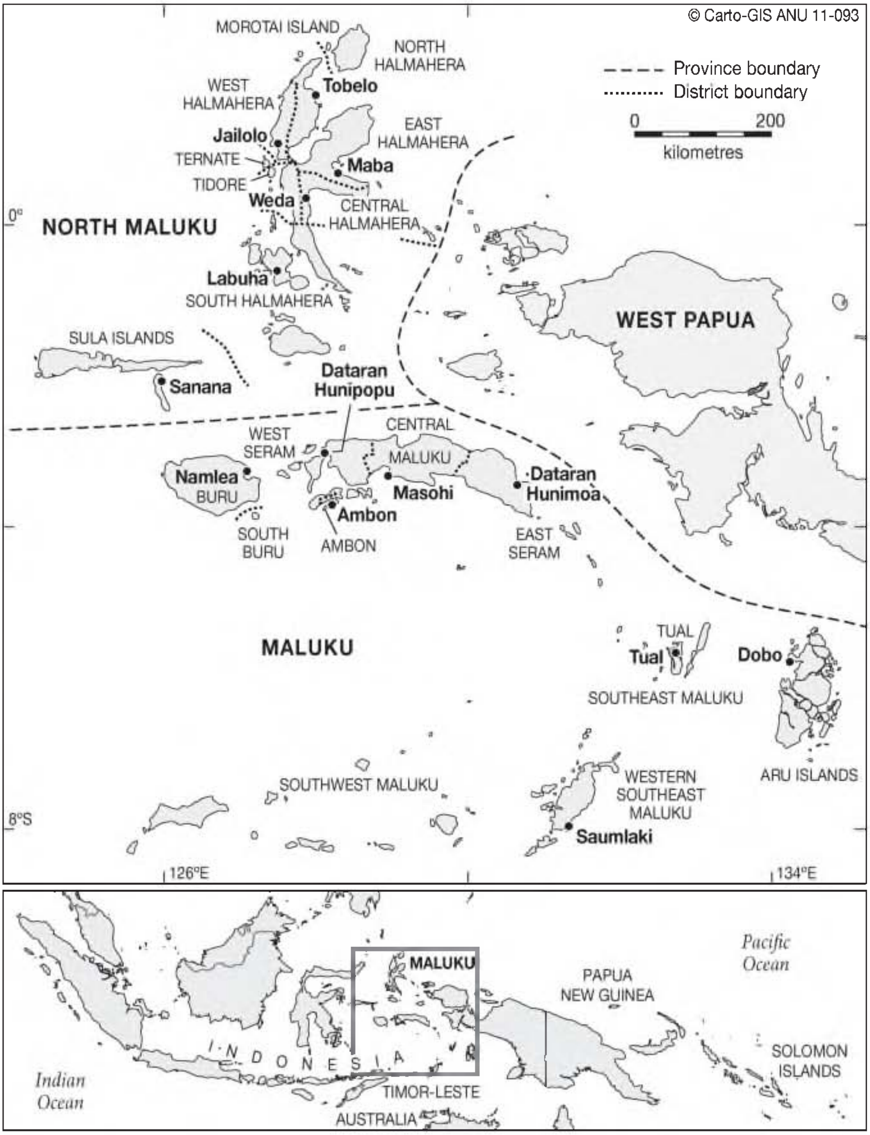
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INDONESIA
SOLOMON ISLANDS
Indian Ocean
TIMOR-LESTE
AUSTRALIA

Map 3 Maluku

Major events: Maluku

1605	First Dutch East Indies Company conquest of Ambon creates educated Christian elite
1949	Ambonese Christian leaders declare South Moluccan Republic independent of Indonesia and are crushed
1996	Muslim Governor has made all regents Muslim
1997–98	Asian financial crisis; Suharto deposed
1998	Violence between Muslim and Christian Ambonese gangs in Ketapang, Jakarta (December)
1999	Maluku killing starts (January); second, intensified wave of religious cleansing begins (July)
2000	Third wave as Laskar Jihad lands (May)
2002	Malino peace accord (February); most remaining Laskar Jihad leave Maluku (October)
2004	Fourth wave of conflict triggered by spoilers (April)
2005–10	Peace and gradual dissolution of no-go zones
2011	Some violence in Ambon (September)

3 Maluku

Anomie to reconciliation

John Braithwaite

The first wave of Muslim–Christian violence in the province of Maluku in Eastern Indonesia broke out in 1999. Most of the 5,000-plus deaths occurred in and around the city of Ambon. In the analysis presented here, the conflict will be interpreted in anomie theory terms (Durkheim 1897; Merton 1949). Anomie is defined here as instability resulting from a breakdown of the regulatory order that secures norms.

The source of anomie in Maluku in 1998 was the 1998 collapse of Suharto's New Order in conditions of uncertainty created by the Asian financial crisis. Jacques Bertrand's (2004: 5) analysis is that 'when institutions are weakened during transition periods, allocations of power and resources become open for competition'. In some contexts of anomie, violence becomes an effective form of competition. Maluku was one of those contexts. Institutions are a society's most embedded rules of the game. The situation in Indonesia in 1998 was that the old rules were swept away for a period. What the new rules of the game would be was up for grabs. This was also the context for a post-1998 upsurge in separatist violence in Aceh (Aspinall, this volume), East Timor (Harris Rimmer, this volume) and West Papua and in interethnic or interreligious violence in other parts of Indonesia such as North Maluku, Central Sulawesi, Kalimantan and Jakarta. All of these conflicts have diminished, greatly, and in most cases, perhaps even permanently.

Merton (1949) gave anomie a meaning in terms of the structure of institutions. The unfettering of individuals and organizations from settled norms arises in conditions where there is a discrepancy between widely shared societal goals and legitimate means to obtain them. Structural shifts in the society prevent actors from achieving valued goals legitimately. So they experience pressure to resort to illegitimate means of attaining those goals, such as violence. For many villages in Maluku, this pressure was mediated by a security dilemma. The valued goal at issue for village leaders was security for the village. The legitimate means to that goal was calling in protection from the security forces. Unfortunately, it was often the security forces who were doing most of the killing, with local police killing many Muslims and (mostly non-Malukan) military accounting for much of the slaughter of Christians. The security dilemma was that both Muslim and Christian villages wanted peace; yet Christians came to believe that unless they drove out

Muslims first, Muslims would attack them, and vice versa. The blockage of access to legitimate means to achieve security resulted in resort to illegitimate means – forming militias, making home-made weapons to attack neighbours and burn their homes to the ground.

The security dilemma was in turn driven by security sector anomie. The New Order had been forged by the military following the 1967 coup that made General Suharto president. When the New Order collapsed, there were various factions within the military. Some generals wanted the military to step back from its political role and submit to democratically elected leaders. Others wanted to destabilize the emerging Indonesian democracy and reassert political control by the military elite. Others simply wanted to exploit the climate of instability to enrich theirselves by demanding protection money from frightened people, or from selling weapons or ammunition. In Maluku there were even military snipers who sold their assassination skills to both sides. In short, when legitimate paths to power were blocked for the military, many seized illegitimate opportunities to recoup wealth and power.

While the security dilemma was not a central part of the post-1998 conflicts in other parts of Indonesia, security sector anomie played a role in all of them, as did attempts by political opportunists of various kinds to impose new rules of the game in conditions where the old rules had collapsed. In this period, eight of Indonesia's provinces experienced conflicts that resulted in the slaughter of a thousand or more people. Yet Indonesia is the fourth largest nation in the world, and most of its regions survived this period without any escalation of political violence. Three factors distinguish the regions where national anomie played out as regional conflict:

1 regional grievances that were structurally deep;
2 leaders with an entrepreneurial determination to connect those grievances to an identity politics that could mobilize people;
3 security sector anomie sufficiently deep (in that locality) to accelerate the insecurity.

Maluku illustrates these three factors.

Background: Discrimination and grievance

Dutch colonialism in Ambon provided mission education that equipped Christian but not Muslim Ambonese to become favoured in the colonial civil service and army. Consequently, Christian South Maluku had by far the highest literacy of the colony in the 1930 census – 50 per cent compared to a national rate of 7 per cent (Ricklefs 1993: 160). Dutch colonial policy segregated and divided Christian and Muslim Moluccans (with Muslims afforded lesser opportunities in the colonial army and civil service all over Indonesia).

Van Klinken (2007: 90) points out that from colonial times to 1990 Maluku enjoyed extraordinarily high levels of public sector employment. This declined by a third between 1990 and 1998, promoting insecurity among disproportionately Christian beneficiaries of the previous public sector largesse. Budgets from 1998 were sharply reduced in response to the Asian financial crisis, further retrenching public employment. The decentralization policies of the Habibie government in 1999 increased financial incentives for corrupt local elites to grab key positions. So public sector jobs simultaneously became scarcer, more lucrative for those who won them, and more contested through democratic mobilization.

Politicization of religion

Local politicians were learning to be democratic. They were used to securing office by currying favour with Jakarta elites. What were they to do now to mobilize popular support in the new democratic Indonesia? In circumstances of Christian anxiety that the 1990s had seen some Islamization of the New Order state, a decline in Christians' considerable relative advantage in public sector employment compared to Muslims', and immigration eating away their small majority of the population of Maluku (50.2 per cent at the 2000 Census), Ambon Christian politicians saw potential in mobilizing support by appeals to a Christian identity under threat.

On the Muslim side, there was resentment in what became the ignition point of the conflict of predominantly Muslim Batumerah on the fringe of Ambon. In Batumerah only 8 per cent of employment was in the public sector, while in nearby Christian areas as many as 70 per cent of jobs were in the public sector. Local Muslim strength and national support was on the rise, so community leaders also saw prospects for mobilizing democratic support along religious lines. In the mid-1990s, Maluku's Governor Latuconsina, was aggressively pro-Muslim in appointments, such that all district regents in the province were Muslim by 1996. Both Latuconsina and his Christian rival for the governorship in 1992 and 1997 mobilized criminal gangs to coerce support and threaten opponents. They poisoned the minds of both ordinary people and sermon-givers in churches and mosques that immigrant takeovers of public offices or markets were part of a conspiracy of Islamization or Christianization that threatened their very existence as a religious community. Van Klinken (1999: 16) concluded that each contender was supported by 'increasingly anxious communication networks . . . Each had prepared contingency plans for an attack from the other. When a trivial incident occurred at the city's bus terminal, the word flew around each side that "it had started"'.

Provocation narratives

In Ketapang (Jakarta) on 22 November 1998 Christian and Muslim Ambonese gangs seem to have been used on different sides of a dispute about control of a gambling monopoly in which 13 were killed. Police then shipped back to Ambon over 100 gang members who had been arrested in the riots. Some of these seemed to be trained and paid, probably by elements in the military, to provoke conflict in Ambon. It is possible that only a small proportion of the triggering events of the Maluku violence were the work of 'provocateurs', most of it just contagion that plugged into longstanding local resentments. I conceive the provocateur script as part of a widespread Indonesian pattern of non-truth and reconciliation. The one thing both sides comfortably agreed on as they sought to reconcile after this conflict was that all this destruction was ultimately the work of outside provocateurs.

There was some self-fulfilling prophecy during January 1999 in the belief across Ambon that boatloads of thugs were arriving to cause trouble. This put both the Muslim and the Christian communities in a security dilemma. The security dilemma thesis is that war can occur when neither side intends to harm the other but both feel they must defend aggressively against their worst suspicions of what the other might do.

Escalation of violence

On 19 January 1999 a fight broke out in Maluku between an Ambonese Christian bus driver and a migrant Bugis Muslim passenger, sparking communal conflict. It was initially conceived more in terms of a migrant-versus-Ambonese conflict rather than one involving religious identities. While youths from the initial combatant communities – predominantly Muslim Batumerah and Christian Mardika – had shared a common rivalry over many years, this time their fighting was more violent and deadly than ever before and was distinguished by repeated attacks on religious symbols. And it spread relatively quickly beyond these traditional rivals across the whole of Ambon island and to at least 14 other islands in Maluku.

Ambon split into exclusively Christian (60 per cent) and Muslim (40 per cent) zones. The central mosque and the central protestant church in Ambon became command centres for a religious war, despatching reinforcements to villages that reported they were at risk of being overrun. Fighting waxed and waned in waves of violence between 1999 and 2004, resuming and intensifying in the second major wave in July 1999, remaining at its peak until January 2000. Christian forces may have had the better of the fighting by January 2000. But at least 2,000 armed Laskar Jihad fighters departed from Java and Sulawesi for Ambon in April–May 2000. These young fighters were mobilized through mass demonstrations organized by religious leaders on the streets of cities, particularly Jakarta, protesting Christian atrocities in Maluku. Then they were armed and provided basic training with assistance from elements of the Indonesian military. Laskar Jihad and other Islamist militias eventually tipped the balance to Muslim fighters. Smaller numbers of other outside jihad groups were also involved. Some Laskar Jihad had automatic weapons. By the end of 2000 approximately one-third of the population of Maluku had been chased from their homes, a large proportion of which were burnt to the ground.

The security forces

The rule of law was an early casualty of the conflict. By July 2000 the police had arrested 855 suspects for various acts of interreligious violence. But trials could not be held because prosecutors, judges and court clerks had fled and prisons had also broken down. When police tried to arrest Laskar Jihad members, they were surrounded by hundreds of protestors who forced their release. By May 2001, some symbolic arrests became possible against some prominent Christian and Muslim leaders to signify that the rule of law was returning.

Maluku was run by active or retired military officers until late in Suharto's New Order. After the fall of the New Order, political leaders in Maluku continued to see themselves, and to be seen, as clients of particular members of the military class. Opportunistic factions of this military class, van Klinken (2007: 93) argues, were in the background providing resources to different sides of the conflict depending on their loyalties and their business and political agendas. The most devastatingly negative contribution of the military was as sponsors of Laskar Jihad. These imported fighters were trained near Jakarta by current and former members of the military, allowed to travel to Maluku despite orders from President Wahid to the military to prevent them from boarding ships to Ambon. Worst of all, the military sometimes fought alongside Laskar Jihad in large numbers.

Conflict diminution: The road to reconciliation

By late 2000 a new military commander was transferring partisan military units out of Maluku and by early 2001 the new police commander was able to report that 600 police officers had been transferred, 16 dishonourably discharged and 87 sanctioned (ICG 2002). Police and military units began to desist firing upon each other! While the security sector performance in 1999–2000 was more part of the problem than part of the solution, ultimately it became a large part of the solution, though some rogue elements may have been involved in a renewed bout of serious violence that occurred in 2004, but ended quickly.

Early peace-making efforts

The first effort at peacemaking by the Habibie government in March 1999 was to send a delegation of prominent military officers to talk to both sides and reconcile differences. Violence escalated in response: the military was seen by Malukans at that stage as the problem and not the solution. Religious leaders on both sides were secretly reaching out to each other. On 4 September 1999 Christians of the Concerned Women's Movement held a peace demonstration in front of the Governor's Office, drawing out the Governor, the police, judiciary and military leadership to listen to a Women's Voice Declaration. Not long after, a similar demonstration was held by the Muslim Concerned Women's Movement. The two Concerned Women's Movements were afraid to demonstrate openly together, but they were secretly meeting to share peace-building intelligence. On 7 December 1999 the Governor followed the women by reading aloud his 'Declaration of Refraining from Violence and Ending the Conflict', which was signed by senior leaders of all faiths. Muslim leaders, including the Ulamas Council (MUI) pleaded with all outside fighters to return to their home villages. By mid-2001 approximately half the Laskar Jihad fighters responded to these appeals voluntarily.

A bottom-up movement

A peace movement and process called Baku Bae (reconciliation) was established by Christian and Muslim non-government organizations (NGOs). Three reconciliation meetings of progressively larger groups of Malukan Muslim and Christian leaders were held. It was agreed to expand the interfaith dialogue from these beginnings and two neutral zones were established in Ambon for trade and education patrolled by a peace-keeping force of local residents of both faiths. Though bombs were detonated to destabilize them, these peace zones succeeded and spread.

On 17 January 2001 a prayer meeting of 1,000 school children (500 Muslim/500 Christian) projected the message that ‘their parents should be ashamed. Why cannot they make peace where the children have already?’ (Ambon interview 2007).[1] Mosques and churches, often with support from donors, then organized a great variety of activities that brought Muslims and Christians together in interfaith dialogue and reconciliation. During many of my 2007 and 2008 interviews, it was said that the shock of the violence had led to a renaissance of *adat* (customary) traditions for diminishing violence. The most important of these were *pela* relationships of mutual help between villages, usually of different faiths.

Interfaith reconciliation

The community of Batumerah that launched the first major attacks of the battle of Ambon in January 1999 enjoyed a ceremony during my 2007 fieldwork where its Christian partner village, Paso, built and erected the Arif pole at the centre of its new mosque to replace the one burnt down by Christians. Following such assistance of *pela* partners with building a mosque or church, devotees of the two faiths enter the building for a shared service. This affirms the Ambonese belief that Islam and Christianity are basically ‘only variations of the same faith’ (Bartels 2003: 135):

> What we must do is take the values of *pela* into the public arena, beyond pela villages. Some migrants have learnt to understand and value *pela* and participate in *pela* activities in their areas. So we can revitalize a multicultural pela that was always multi-religious.
>
> (Protestant minister)

One of the projects of the Inter-faith Dialogue was to give *pela* more shared Muslim-Christian spiritual content. One way they settled upon was to connect *pela* traditions to stories from both Muslim and Christian holy texts. In several villages I visited, Muslims had helped Christians rebuild churches or Christians had helped Muslims rebuild mosques. In Indonesia such reconciliation through working together on shared projects is important and is called *gotong royong*.

Post-conflict, there is a tendency to romanticize *pela*, when, as Brown *et al*. (2005: 22) point out: ‘Even at its height, *pela-gandong* did not, and was never meant to, ensure cohesion between broad social groups across the region’. On the other hand, recovery from the worst conflict a society has experienced is a time when romantic reconfiguring of traditions to make them more ambitious traditions of peacebuilding do occur.

Top-level intervention

All this reconciliation groundwork finally bore fruit with an agreement signed at Malino on 12 February 2002. When informants were asked what the turning point in the conflict was, Malino was the near-universal nominee. Jakarta ministers Jusuf Kalla and Susilo Bambang Yudhoyono (SBY), rode into this Malino II reconciliation meeting with the momentum of a peace for Poso recently negotiated at Malino I. Malino I did not deal with the conflict in Maluku, but it did negotiate withdrawal from Poso of some of the Muslim militias that were fighting in Maluku, including Laskar Jihad. While Malino II was a turning point, it was a process that did only a small part of the sustained, detailed work of peacebuilding. It was a very short process, with poor follow-through. While Malino I and Malino II were both important contributions that stamped Kalla and SBY who later (2004–2009) became Vice President and President, respectively, as men capable of restoring peace to Indonesia, we must be careful not to fall prey to a front-stage account of politics. A number of the Christian and Muslim leaders who became Malino delegates had been meeting in secret ‘3 or 4 times a week’ for a couple of months before they started working with Kalla’s office. Yet, the special contribution of Malino was that it was more front-stage, involving more high-profile leaders, than in the past. The entire two days of the meeting was televized, causing everyone in Maluku to be glued to their television sets, thereby also causing a total pause in fighting! As one of the delegation leaders said in an interview, Malino put central government leaders on television being a party to the peace process: ‘Up till then they did not take responsibility as a state’.

Disbanding the militias

The confidence that a turning point to peace had been reached at Malino allowed other positive things to occur, including a moderately successful amnesty for surrender of weapons. The Malino Reconciliation team visited every mosque and church in Maluku socializing the agreement. A critical factor in the return of Laskar Jihad fighters to Java and Sulawesi during 2002 was that their financial backers stopped paying them. International diplomacy led to meetings between Saudi Arabian ulamas with the Laskar Jihad leadership and an authoritative fatwa issued from Saudi Arabia stating that the jihad in Maluku was now over. Ambon ulamas we interviewed who were supporters of the most radical spoilers of Laskar Jihad viewed this fatwa as authoritative. For them the fatwa was the important reason that it was right for all Laskar Jihad fighters to return to their homes.

One leading ulama said Laskar Jihad were actually ‘easy to persuade. They were not stubborn. So long as you appealed to them in religious terms . . . We went house to house, talking to them’ (Ambon interview 2007). The slow conversion of almost all of Laskar Jihad to return to peaceful lives on their home islands was impressive in the way it used a combination of:

1. persuasive overtures from religious leaders they respected in Ambon, Java and Saudi Arabia;
2. elders in the Muslim villages they were protecting thanking them, but saying now it was time for locals to build their own peace;
3. diplomacy that led to an authoritative fatwa to withdraw;
4. withdrawing the financial carrots and political and military support that were inducing them to fight;
5. shutting down the organization that supported them;
6. shutting down the website that attracted and indoctrinated many of them;
7. cutting off much of the plentiful supply of ammunition they had enjoyed in previous years;
8. surprise night-time arrests of sleeping hold-outs and death in fire-fights for others.

Their leader, who was so vitriolic in his advocacy of holy war and ethnic cleansing, and supported the 9/11 attack on New York, is no longer an outspoken advocate of violence against Christians. He was always critical of Osama bin Laden as someone from a different Salafi stream. But he became increasingly vitriolic in regular denunciations of Al Qaeda and Osama bin Laden.

Prospects

Wilkinson (2004: 43–47) concluded from his regressions on 138 Muslim–Hindu riots in 167 Indian towns that:

> [T]own-level electoral incentives account for where Hindu–Muslim violence breaks out and state-level electoral incentives account for where and when state governments use their police forces to prevent riots . . . In virtually all the empirical cases I have examined, whether violence is bloody or ends quickly depends not on the local factors that caused violence to break out but primarily on the will and capacity of the government that controls the forces of law and order.
>
> (Wilkinson 2004: 4–5)

Fighting between Ambon Christian and Muslim youth gangs had been common in the 1990s but rarely killed anyone. The Ambon fighting never escalated into wars that embraced all Ambon island and beyond until the disintegration of the New Order left Maluku unprotected by a police and a military who were often more interested in adding fuel to the fire than putting it out. The interesting question then becomes why the security forces choose to allow or fuel disorder. In Wilkinson’s data, the answer was that Indian police were under the political control of elected state governments and in cases where that state government did not depend on minority votes, they could find it politically expedient to allow minorities to be attacked and to attack (rallying disengaged members of their majority ethnic group back to commitment to ethnic voting). Conversely, when state governments did rely on minority votes, they insisted that their police use all means necessary to protect them. Political and military elites in Jakarta in 1999–2000 were concerned about losing Muslim support but not greatly concerned about Christian support. Worse, military leaders up to General Wiranto saw the military as having a political interest in instability, indeed in 'renegotiating the concept of the nation' (Bertrand 2004: 10). So Laskar Jihad was allowed to escalate the war, and the military experienced impunity despite taking sides.

The military and the police began to be committed to doing their job in Maluku. Indeed they did it with some finesse, for most of the 2000s, relying heavily on *adat* (indigenous) justice where they could, firmly enforcing the criminal law against violence in other cases, even prosecuting some significant numbers of ringleaders of the violence of a decade ago as evidence became available. Laskar Jihad was persuaded to return through a sophisticated multi-dimensional public–private mix of religious authority and education, carrots and sticks that helped widen internal divisions and disenchantment with their leadership (Hasan 2006).

There is no inevitability that 50/50 demographic splits lead to conflict even when compounded with structural injustice. Women rarely go to war against men. What we have seen since 2000 is a redefining of an interreligious identity of Moluccan brother- and sisterhood as syncretically Christian–Muslim. It is a case that reveals a drawback of consociational political resolutions to conflicts that would guarantee both groups a minimum level of political representation or veto. The trouble with consociational politics is that it freezes identities, missing the constructivist insight that identities can be deconstructed and reconstructed, as has happened in a determinedly wilful feat of Moluccan civil society. It was not a matter of retrieving a traditional identity that gathered dust during the conflict; a new post-conflict synthesis of identity is still under construction from new and old spiritualities, rituals and peace pacts. So prospects for peace in Maluku are good for three reasons. First, national and regional anomie has declined as new rules of the game have stabilized in a progressively more democratic Indonesia. Second, interfaith dialogue and reconciliation has reached a point where aspirants for Malukan political leadership would be certain to lose power if they appealed openly to ethnic violence. Third, security sector anomie has subsided as both military and police have submitted to elected politicians who demand that they guarantee security.

Lessons

Maluku is one of a number of Indonesian cases that are challenging my starting theory that reconciliation without truth is not possible. These cases show that meaningful and practical levels of reconciliation can be grounded in a formidably dishonest analysis of the drivers of the conflict, at least initially. Few of the countless crimes against persons and property committed under cover of the conflict have led to an apology for that specific crime. It is more comfortable to blame it all on outside provocateurs.

We are in the era of Security Sector Reform in UN and international engagement with armed conflict. Wilkinson (2004: 5) may be right that: ‘Abundant comparative evidence shows that large-scale ethnic rioting does not take place where a state’s army or police force is ordered to stop it using all means necessary.’ Does this mean that our friends in the police and military are justified in concluding that if only reform and resources were focused on the security sector, effectiveness in preventing conflict might be maximized? A second strand of this argument is that there are always ethnic and religious conflicts; there is always racism, prejudice and hatred under the surface in every society. Ethnic fractionalization is not even a strong predictor of conflict in quantitative studies (Fearon and Laitin 2003). You cannot stop war by eliminating ethnic/religious divides, but you can prevent ethnic/religious riots from ever escalating into wars by making your security sector work.

One problem with this prescription is that there are many ways a security sector can fail to do its job. Sometimes in the post-1998 Indonesian conflicts, the security forces failed to stop violence because they wanted to support the winner and really did not know which side was going to win. Sometimes they moved aside to allow atrocities because their commander had taken a bribe to look away. Sometimes they did so because the attacking forces were huge and they feared for their safety. Sometimes soldiers joined one side because of their own faith at what they saw as a moment of millennial showdown between good and evil. Sometimes they failed to do their job because they were annoyed at being hungry and not getting paid. Sometimes conflict between different factions within the security sector paralysed it. Sometimes they failed to protect civilians on one side because the political elite gave them clear signals that they wanted this to end by the other side prevailing. Sometimes they failed to do their job because they wanted chaos to destabilize a government they viewed as hostile to the military. Sometimes they managed these tensions by delegating security to a militia, and then the militia got out of hand. Elements of every one of these things happened in the Moluccas.

Because empirically there are many reasons why security forces fail under pressure, it is best we limit the frequency with which they have to face down mobs throwing bombs. Western security forces look good in terms of their capacity to maintain domestic order only because they have never tried to stop a phlanx of hundreds of angry people carrying machetes and hurling the odd bomb. They look good because they are rarely put under serious pressure domestically, but when they are put under serious pressure by armed civilians in places like Iraq, Afghanistan and Vietnam, we see them differently.

The argument is, why rely on a fallible last line of defence when earlier lines of social defence are available? So if there are grievances fuelling an identity politics that drives violence, work at preventive diplomacy to address those grievances before the event and reconciliation that heals them after the last conflict. Redundant defence will not work if it has just any old strings to its bow. Very different kinds of strings are needed to cover the weak spots of one intervention with the strengths of another. It is good to tackle root causes where we can (and some such as security sector anomie were tackled in this case – nationally through security sector reform, provincially through replacement of units entangled in the conflict). When some of the root causes remain, it is also good to tackle proximate causes (such as a Saudi Arabian fatwa for Laskar Jihad to fight). When some of the root and proximate causes remain, it is good for the security sector to be effective in smothering sparks of religious violence before they inflame larger gangs of fighters. Maluku was a case where not all the root causes and not all the proximate factors were eliminated. But enough of them were addressed that village elders no longer felt they were in a security dilemma. Reconciliation between Christian and Muslim women's leaders helped here as well. So when spoilers spread false rumours that the religious other was about to attack, women of the religious other were able to pass on assurances to women from the spoilers' village that no attack was planned.

So societies should invest in resolving root causes of conflict like anomie and discrimination against an ethnic group, as well as proximate causes, and in addition they need effective community policing that smothers sparks that could ignite conflicts. As a last resort they need the capability to halt riots and out-gun rampaging militias. The theory is that societies that are strong at all these capabilities are unlikely to experience ethnic/religious war. Because all of these capabilities have been strengthened in Maluku, and because new institutions of reconciliation and interfaith dialogue have been created to counter the rumour-mongering of spoilers, prospects for preventing a new religious war seem good.

Nevertheless, while so many root causes persist in Maluku, risk remains. In September 2011 Ambon had its biggest test since 2004 when the body of a young Muslim man was found in a Christian area with wounds that looked very much like stab wounds. The police (of whom Muslims remain suspicious because of their past fighting alongside Christians) insisted it was a motorcycle accident, but resisted family demands for an autopsy. This was plain bad policing. Islamist websites then ran hot urging Muslim youth to arm and rally for a rumble after the funeral. Christian youth mobilized in response: seven were killed and over 150 homes burned in the conflict (ICG 2011: 1, 4).

Not all about the policing response was negative, however. Many armed young Muslims from Java who responded to the calls for a new jihad in Ambon were intercepted, turned back or arrested while trying to travel to Ambon. This was precisely what the security sector failed to do in 1999. Second, the organization of forces of peacemaking and reconciliation in Ambon was immediate and formidable rather than delayed and timid as it was in 1999. A group called 'peace provocateurs', drawing on veterans of the interfaith dialogues of the 2000s, worked with local government officials to restore calm much more quickly than in 1999 and 2004. At least, so it seems at the time of writing. Not all lessons had been learned, but it seems enough so far to contain violence to low levels in comparison to the devastation and carnage we saw in 1999, 2000, 2001 and 2004.

Note

[1] In accordance with my ANU Human Research Ethics approval for *Peacebuilding Compared*, interview informants are quoted here anonymously.

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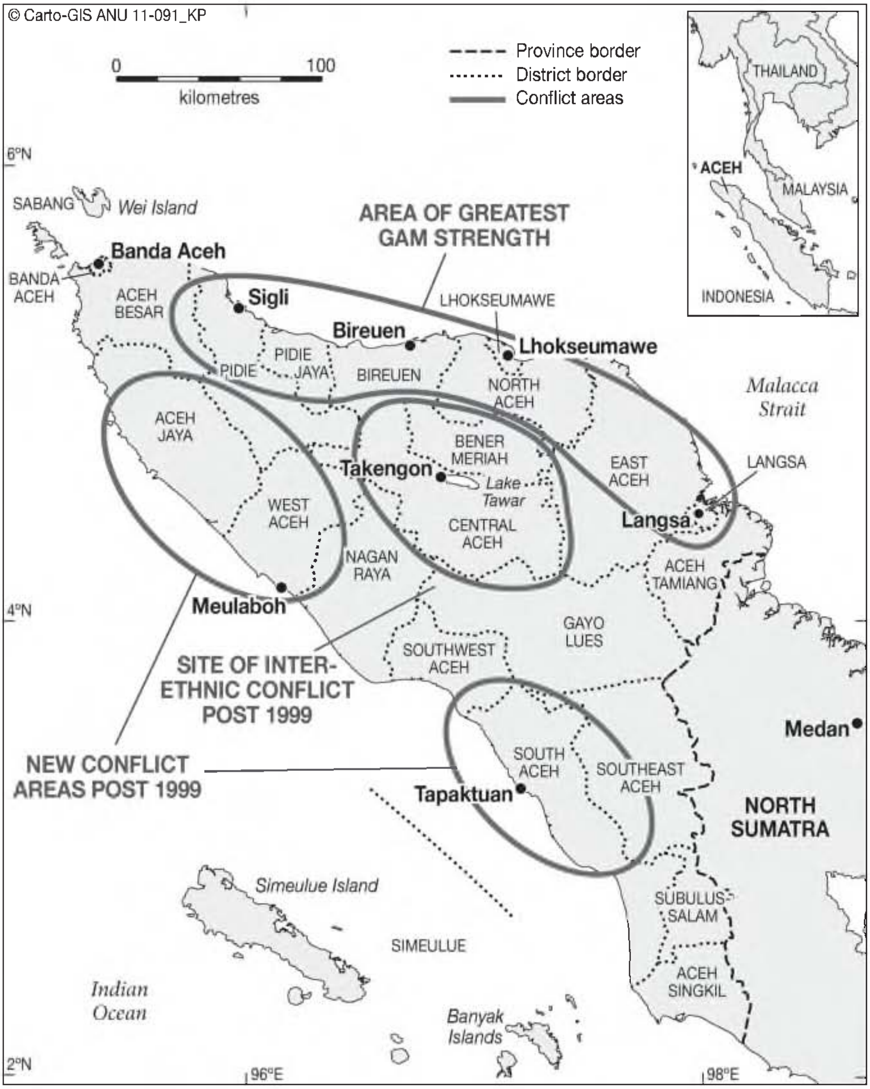
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Province border
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Conflict areas
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ACEH
MALAYSIA
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ACEH BESAR
AREA OF GREATEST GAM STRENGTH
Sigli
LHOKSEUMAWE
Bireuen
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PIDIE
PIDIE JAYA
BIREUEN
NORTH ACEH
Malacca Strait
ACEH JAYA
BENER MERIAH
EAST ACEH
LANGSA
Takengon
Lake Tawar
WEST ACEH
CENTRAL ACEH
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ACEH TAMIANG
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Meulaboh
GAYO LUES
SITE OF INTER-ETHNIC CONFLICT POST 1999
SOUTHWEST ACEH
Medan
NEW CONFLICT AREAS POST 1999
SOUTH ACEH
SOUTHEAST ACEH
Tapaktuan
NORTH SUMATRA
Simeulue Island
SUBULUSSALAM
SIMEULUE
ACEH SINGKIL
Indian Ocean
Banyak Islands
2°N
96°E
98°E

Map 4 Aceh

Major events: Aceh

1873	Dutch invade Aceh
1945–49	Indonesian independence struggle: Aceh supports Republic
1953–62	Darul Islam rebellion; rebel leaders seek to establish an Indonesian Islamic state
1959	Aceh declared ‘Special Territory’
1965–66	Suharto regime established
1976	Hasan di Tiro ‘redeclares’ Aceh’s independence and founds Aceh Freedom Movement (GAM) (4 December)
1977	Arun gas fields begin production
1978	GAM in disarray, Hasan di Tiro flees Aceh
1988–90	GAM fighters return from training in Libya
1990–98	Daerah Operasi Militer (Military Operations Zone) period
1998	Suharto regime collapses; troop numbers reduced
1999	East Timor referendum, massive pro-referendum rallies in Aceh
2000	Negotiations begin between GAM and central government ‘Humanitarian Pause’ is achieved
2002	‘Cessation of Hostilities Agreement’ is negotiated and ceasefire commences
2003	Peace talks break down; government declares military emergency
2004	Indian Ocean tsunami (26 December)
2005	Talks resume; Helsinki MoU signed (15 August); GAM disarmament commences
2006	Law for Governing of Aceh (LoGA) passed; former GAM candidates win in local executive government elections
2012	Zaini Abdullah, nominated by Aceh Party (successor to GAM) wins governorship in an election

4 Aceh

Democratization and the politics of co-option

Edward Aspinall

For many years, the conflict in Aceh was seen as one of the bitterest and most intractable in Asia. The death toll was low compared to that in some other conflicts in the region (nobody knows for sure, but around 15,000 to 30,000 died between 1976 and 2005); but for many years there was little sign that a compromise solution would be possible. The two sides seemed equally intransigent: on one side, a small but determined ethno-nationalist insurgent group called Gerakan Aceh Merdeka (GAM, Free Aceh Movement) declared that Indonesia was an alien and neo-colonial imposition; on the other was an authoritarian and centralizing regime, President Suharto's New Order (1966–1998) that gave little space for expression of regional interests and was inclined to use military force to respond to challenges.

The fall of Suharto's regime in 1998 provided initial hope that the conflict could be resolved by negotiation, but it soon led to renewed violence. GAM took advantage of the collapse of state authority to expand its insurgency, and government forces returned to the dirty-war tactics of the past. The return to violence peaked in 2003 when the central government declared a 'military emergency' in the province and vowed to destroy the insurgency once and for all.

This escalation proved, however, to be the final storm before the calm. In early 2005, after the Indian Ocean tsunami of December 2004 devastated Aceh, the two sides returned to the negotiating table and struck a deal. Embodied in the Helsinki Memorandum of Understanding, this deal had at its core two things: first, expanded autonomy that granted Aceh's provincial government greater revenues and authority and, second, new political arrangements allowing GAM to transform itself into a political movement and compete for power in Aceh through elections. Although there has been much low-level violence since the deal was signed, very little has been between government forces and former GAM combatants. Most provisions of the MoU have been implemented smoothly. Within the space of a few years, Aceh went from being seen as a case of chronic violence, to being held up as one of the most successful instances of conflict resolution in the post-Cold War world.

This resolution must be understood as the product of an interaction of contextual factors that provided the two sides with a new willingness to compromise and a set of political resources to put their compromises into effect. Three factors were especially important. The first factor was *exhaustion* or, more precisely, realization by the conflict actors that their violent strategies had reached the end of the road and were causing great suffering for the civilian population. As in other cases of successful conflict resolution, there was a sense of stalemate in Aceh. The second factor was *democratization*: Indonesia's political transformation was essential for the deal because it provided the actors with a set of tools (autonomy, elections, and so on) and ways of thinking that were alternatives to the zero-sum demands, strategies and mindsets of the authoritarian period. Democracy also provided legitimacy to Indonesian leaders who wanted to compromise, helping them fend off challenges from hardliners. Democracy also helped convince GAM leaders that their demands could be met within an Indonesian framework. A third factor was *internationalization*. Indonesian officials initially feared that involving international players in conflict resolution efforts would strengthen GAM and speed Aceh's exit from Indonesia. In the end, such involvement proved crucial to compromise. International actors played a central brokerage role in the negotiations and subsequent implementation. They also helped persuade GAM rebels that in order to gain international recognition the movement had to acknowledge Indonesian sovereignty and agree to peace.

Attention must also be paid to the post-agreement dynamics that cemented the peace. The reintegration of former GAM combatants into the political and economic structures that govern Aceh, as part of Indonesia-wide architecture, has been crucial. On the political side are arrangements that were at the heart of the peace deal: provisions allowing independent candidates and local political parties to run in elections. In a series of elections since 2006, former GAM leaders have won key local government posts in Aceh, including the governorship. On the economic side are less formal arrangements that have allowed former GAM leaders to prosper, often by gaining access to government-sponsored projects, positions or contracts. The result is that many former rebel leaders have become wealthy very quickly. Both political and economic transformations involve an element of co-optation: former GAM rebels are being accommodated into Indonesia's existing governing structures, undergoing significant transformation as a result, while those structures are adapting only minimally.

Background: Origins and prolongation of conflict

The Helsinki MoU ended a 30-year period of armed conflict which is in turn conventionally divided into three sub-periods. The first began when GAM was formed in 1976 by Hasan di Tiro, a long-time exile, and lasted until about 1980. At this time, the insurgency was very weak and attracted at most a few hundred followers. Government forces easily defeated it. A second, renewed outburst of rebellion began at the end of the 1980s, prompting the Indonesian army to launch harsh counterinsurgency operations that cost many civilian lives. This period, which is often known in Aceh as the DOM (Daerah Operasi Militer, Military Operations Zone) period, lasted until 1998 when Suharto's government collapsed. The year 1998 marked the beginning of a third stage that lasted until the Helsinki MoU of 2005. In the post-Suharto years GAM recruited rapidly, launched more audacious attacks on government forces, and briefly controlled much of the countryside. The intensity of the conflict peaked. In 2003, however, GAM was again forced on the defensive by renewed army offensives when the government declared a ‘military emergency’.

How did this conflict originate and what drivers ensured that it gained such strength?

Historical background

The GAM rebellion was not the first violent conflict in Aceh. On the contrary, over preceding centuries Acehnese identity had to a large degree been defined in the context of conflicts with outside powers. The sultanate of Aceh had become an important state in the early sixteenth century, when several ‘sharply divided states were [. . .] united as part of the reaction to the Portuguese intrusion’ (Reid 1969: 2). It soon became a major power in the region, fighting off the Portuguese and dominating trade in the Straits of Malacca and minor states in Sumatra and Malaya. Although the sultanate declined over subsequent centuries, it remained independent until 1873 when the Dutch invaded. This invasion prompted one of the bitterest wars of colonial expansion in Asia, with thousands of Acehnese rallying to the call for holy war to resist the invaders. Even after the Dutch mopped up the last concerted armed resistance at the start of the twentieth century, incorporating Aceh into the Netherlands East Indies, there was sporadic resistance in subsequent decades. After the Japanese occupied Aceh and the rest of the Indonesian archipelago (1942–1945) during World War II, the Acehnese became a strong supporter of Indonesia during the country’s independence struggle (1945–1949), so much so that the Dutch did not even attempt to re-conquer Acehnese territory, uniquely among their former colonial possessions. Yet once Indonesian independence was achieved, the Acehnese lost much of the control they had gained over their own affairs to the new national government in Jakarta. As a result, they again took up arms, this time by supporting the Darul Islam (Abode of Islam) rebellion (1956–1961) that called for greater Acehnese autonomy within a wider Islamic State of Indonesia (Sjamsuddin 1985).

This history did not automatically set Aceh on the path of renewed violence in the Suharto period, but it did provide conflict actors with a set of historical claims and resources with which to legitimate their goals and persuade their followers. For Hasan di Tiro and other GAM leaders, Aceh had been an independent nation-state since time immemorial. They created an ethno-history that contrasted the glories of Aceh’s sultanate with the novelty of Indonesia, and its alleged artificiality and superficiality. They also pointed to Aceh’s history of violent resistance to outside powers to motivate their followers to take up arms and as evidence of the Acehnese ‘instinct for the survival of the herd, the group, the race, the nation, and the state. . .’ (Hasan di Tiro 1984: 11) (In fact there is little evidence that there was anything approximating a modern Acehnese ethnic or nationalist identity at the time of the Dutch War in the late nineteenth century, with resistance instead at that time being expressed largely in an Islamic idiom: Aspinall 2009b.) On the

Indonesian side, Aceh's history also provided ammunition for those who *rejected* Acehnese independence: Indonesian nationalists could claim that Aceh had been a crucial participant in the Indonesian national project right from the start and that Indonesia without Aceh would be unimaginable.

The politics of Islam

Helping set Aceh on a course of conflict with the central authorities in the post-independence period was the region's support for Islamic political goals. Aceh was the site of the earliest known Islamic kingdoms in southeast Asia, and since the sultanate and the Dutch war its identity has largely been defined in Islamic terms. During the Indonesian independence struggle, Acehnese leaders saw their nationalist and Islamic goals as inseparable, but the latter goals were largely frustrated after independence by the secular-nationalist government in Jakarta. The Darul Islam revolt thus aimed to establish an Islamic state and uphold Islamic law. Frustration that the central government had not made good its post-Darul Islam promises to allow implementation of Islamic law in Aceh was part of the renewed atmosphere of disillusionment that set the scene for the formation of GAM in the 1970s. Early on, GAM leaders said that an independent Aceh would be an Islamic state. Until the end of their revolt, they still viewed Islam as central to Acehnese identity. However, over the years, the Islamic element gradually became less central to GAM's platform, giving way slowly to a secular–nationalist discourse stressing Aceh's past glories and Indonesian abuses. In the early post-Suharto period, the Indonesian government finally allowed limited implementation of Islamic law in Aceh, as part of a suite of concessions it hoped would undercut support for the insurgency. At this point, GAM rejected Islamic law implementation, saying this was not a central demand of the Acehnese people.

Political centralization

One way the central government resolved the Darul Islam conflict was by making Aceh a 'Special Territory' rather than an ordinary province, and by promising it special rights to control its affairs in the areas of custom, religion and education. However, over subsequent years Indonesia's polity became more authoritarian and centralized. During the Suharto period, Aceh was run much like any Indonesian province. The officials who ran local government celebrated Aceh's 'special' status, but they were always appointees of the central government, and they stressed national priorities and programs rather than local ones (Kell 1995). These circumstances gave rise to a widely held view that Aceh was subjugated by the central government, and that Jakarta had broken its promises to give Aceh special treatment. In the years that followed the fall of Suharto, the central government realized that it had to devolve power to the periphery if it wanted Indonesia to survive. It passed a general autonomy law for the country as a whole (in 1999), and two that focused on Aceh (in 1999 and 2001), giving the province special privileges in areas such as official nomenclature, natural resource revenues and Islamic law.

These autonomy laws, however, were offered by the government as a means to undermine the insurgency, rather than arising from negotiations between the government and rebels. At this stage, GAM was confident that it could win Aceh's independence and the movement rejected autonomy as being too little, too late.

Natural resources

Huge natural gas fields were opened on Aceh's north coast in the 1970s, and the region soon become one of the world's leading producers of the commodity, and a disproportionate contributor to Indonesian national revenues. The government returned only a tiny proportion of the revenues from the industry to Aceh, generating a local perception that the territory was not only dominated and deceived by the centre, but also exploited by it. To make matters worse, the industry was an enclave development, forming a pocket of capital-intensive industry, employing highly skilled migrant workers, with few linkages to Aceh's largely backward rural economy and generating few spin-off benefits for its population. Surrounding villages also had to suffer the adverse effects of the industry, in the form of land appropriation and pollution (Kell 1995; Schulze 2006). Exploitation of Aceh's natural resources by 'Java' thus became a central theme in GAM's ethno-nationalist critique of the central government.

Human rights

By the final decade of the conflict (1995–2005), all these issues were overshadowed by the outrage felt in Aceh at human rights abuses perpetrated by the army. Abuses were particularly severe during the DOM period (1990–1998), when troops abducted and murdered many civilians and routinely used torture and rape as weapons of war. After the fall of Suharto, public exposure of the abuses fuelled popular revulsion with the state, accelerated recruitment into GAM and motivated a new generation of anti-government activists who campaigned for an independence referendum. Government promises to prosecute rights violators were not acted upon seriously; on the contrary, troops soon began to use brutal techniques again, with greater media coverage now amplifying their effects on public opinion. A series of well-publicized massacres by troops of large groups of civilians in 1999 especially prompted popular anger. The day-to-day and more petty abuses (beatings, intrusive searches, extortion, theft of possessions at check points, and so on) over subsequent years, as well as more serious abuses such as murder and rape, helped anti-government sentiment to permeate village society. As a result, many Acehnese nationalists depicted independence as first and foremost a means to protect Acehnese civilians from the depredations of the military.

Identity and ideology

If grievances fuelled rebellion in Aceh, no less important was the nationalist ideology that justified it. After all, grievances did not make Aceh unique: during the Suharto years political centralization, natural resource exploitation, marginalization of Islam and human rights abuses occurred, in varying degrees, in all Indonesian provinces. But most provinces did not experience armed conflict. GAM's separatist ideology provided an ideational framework that transformed grievances elsewhere considered mundane and unremarkable into grounds for armed resistance. At the heart of this ideology was a hardened sense of Acehnese identity that nationalists said was entirely incompatible with Indonesia identity by reasons of history, ethnicity and culture. This identity was portrayed as being founded in traditions of remorseless struggle against outside invaders. GAM leaders regularly stated that their chief aim was to 're-awaken' Acehnese pride in their own identity and traditions (although their ethno-history was, as in many similar contexts, a largely modern invention). By the early post-Suharto period, they had largely succeeded. At this time, the notion that Indonesia was a Javanese 'neo-colonial' fabrication imposed on Aceh gained wide purchase in Aceh, opening an ideological gulf between Aceh's population and the Indonesian mainstream.

A war economy

Many recent analysts of the political economy of civil war suggest that internal conflicts require more than grievances and ideology to sustain them: they also occur because they provide opportunities for predatory extraction of funds from natural resource industries and other sources that may sustain and even motivate rebels, government troops and other conflict actors. The Aceh conflict was no exception. On the government side, conflict conditions created opportunities for Indonesian security forces, especially the army, to extract resources in the form of protection payments from large and small businesses in the region, and to engage in legal and illegal business. Such income was important both for the enrichment of individual officers, and for the army's functioning given that the state budget covered only a minority of its operating costs. On the rebel side, though few individuals accumulated substantial private wealth, the rebel movement was no less dependent upon predatory fund-raising mechanisms, levying fees from ordinary citizens, government officials and businesspeople. Effectively, GAM operated as a protection racket, and it used intermediaries to extract resources not only from the private economy, but also from the state budget. The conflict was thus sustained by a black economy (see Aspinall 2009b, Chapter 6).

Between the mid-1970s and the early 2000s, conflict dynamics in Aceh had changed substantially. One of the main conflict actors had been transformed: the authoritarian Suharto government had given way to a ramshackle yet democratic government that offered concessions on the issues that had initially prompted conflict (the secondary status of Islam, natural resource exploitation and centralization), while still trying to defeat the insurgents militarily. But these initial drivers of conflict had also become overshadowed by other factors that had arisen after the conflict became entrenched. The conflict had become self-sustaining, spurred by army abuses, fuelled by a predatory political economy, and entrenched by an ethno-nationalist mindset that saw Aceh and Indonesia as incompatible entities.

Conflict diminution: Democratization and the politics of compromise

From the year 2000, representatives of the Indonesian government and GAM held intermittent talks aimed at resolving the conflict. During the early negotiations, in which the Geneva-based Centre for Humanitarian Dialogue (HDC) was the facilitator, the parties saw their primary goal as achieving a cessation of hostilities. The facilitator hoped that stopping the violence would build trust between the two sides and open possibilities for a comprehensive settlement. However, despite the achievement of a ‘Humanitarian Pause’ in 2000 and a ‘Cessation of Hostilities Agreement’ (CoHA) in late 2002, these talks and the ceasefires they produced were always overshadowed by the continuing gulf that separated the two sides on the fundamental question of the final political status of Aceh. In particular, Indonesian officials accused GAM of using ceasefires to rebuild its strength for a renewed struggle for independence. Both ceasefires quickly gave way to renewed violence, most definitively in the case of the CoHA which was superseded, in May 2003, by the government’s declaration of a state of ‘military emergency’ in the province (Aspinall and Crouch 2003; Huber 2004).

The talks leading to the Helsinki MoU in early 2005 initially looked as if they would also fail, and for similar reasons. However, this time the mediator, former Finnish president Martti Ahtisaari adopted the formula of ‘nothing is agreed until everything is agreed’, insisting on a definitive, broad outline agreement on all substantive issues (Aspinall 2005). A key shift happened during the talks when GAM leaders announced their willingness to take independence off the table and explore options based on Aceh remaining part of Indonesia. This dramatic change allowed the Helsinki talks to succeed where previous ones had failed. Eventually, the two sides approved a succinct but comprehensive peace agreement. The Helsinki MoU included arrangements for disarmament of GAM members and their reintegration into society, international monitoring of implementation of the agreement, economic support for former combatants and conflict victims, extensive political and financial autonomy for the territory of Aceh, a reduction in troop numbers in the province and limits to their role, and new political arrangements.

Subsequent implementation proceeded smoothly, with few instances of renewed violence between GAM and government forces. An Aceh Monitoring Mission (AMM) oversaw the disarming of GAM members and the destruction of their weapons, as well as the relocation of government troops outside the province. In July 2006 the Indonesian national parliament passed a Law for the Governing of Aceh (LoGA) that confirmed many of the key provisions of the MoU (though not all of them to the satisfaction of GAM). In December 2006 local government elections were held in Aceh, with former GAM members winning the governorship and almost half of the district and municipality positions. In 2009, an Aceh Party

(Partai Aceh) formed by GAM supporters won just under an absolute majority of seats in the provincial legislature, and large majorities in several districts (Palmer 2010). Its candidate, Zaini Abdullah, was elected governor in direct elections in April 2012. Despite occasional renewed political tensions and violent incidents (most of them of a criminal nature), the peace process has generally been judged a great success.

Analyses of successful conflict resolution need to distinguish between *underlying conditions* that make peace efforts possible, *processual factors* that help them succeed and *components of solutions* that make them stick. The following analysis singles out two underlying factors (democratization and exhaustion), a special trigger factor (the tsunami), one feature of the peace process (internationalization) and three features of the resolution (autonomy, political participation and economic co-option) that have helped persuade former conflict actors to abide by the agreement. It should be acknowledged, however, that the interplay of factors that contributed to Aceh's peace process was just as complex as the combination that gave rise to the conflict.

Democratization

An underlying condition for the successful resolution of the Aceh conflict was the dramatic political democratization that Indonesia experienced after the 1998 fall of Suharto. During the Suharto years, Indonesia's authoritarian and highly centralized political structures left no room for compromises of the sort needed to win over regional rebels like GAM. Government leaders believed that challenges to their authority should be met with force. After democratization, as part of a new political atmosphere, it was widely accepted that the 'security approach' had exacerbated rather than resolved many of Indonesia's problems, and that new solutions based on principles of compromise and respect for human rights should be explored (Schulze 2007). Democratization thus provided Indonesia's leaders with a new toolkit of possible solutions to the Aceh conflict (autonomy, democratic elections and so on).

This is not to say that support for military solutions in Aceh dissipated. A combative mindset persisted in the military and in sections of Indonesia's governing elite. However, there were also important voices raised in favour of compromise, and Indonesia's leaders had a solid democratic legitimacy with which to fend off challenges from potential spoilers. On the GAM side, democratization was also consequential. The spread of support for human rights and democratic principles in Aceh in the post-1998 period helped to blunt the movement's ethno-nationalist outlook. In particular, a new generation of civilian Acehnese activists helped to promote the idea that independence fundamentally concerned the democratic choices of Aceh's population, rather than being a sacred inheritance from the past. This helped to set the scene for an eventual solution that emphasized democratic mechanisms. By placing 'democracy' and consultation with the population at the centre of the Helsinki MoU, GAM leaders could argue that they had remained true to their guiding principles, even while abandoning the independence goal.

Exhaustion

As in many similar cases, a sense on both sides that a ‘mutually hurting stalemate’ (Zartman 2001) had been reached was a crucial condition for peace. Many government leaders realized after 1998 that Suharto’s security-focused approach had failed. To be sure, strong hardline elements in the military still rejected compromise with ‘separatists’, and all groups in the national elite agreed that there would be no alternative to war if GAM insisted on independence. Crucially, however, among those favouring compromise were some at the very top. President Abdurrahman Wahid (1999–2001) and President Susilo Bambang Yudhoyono (SBY) (2004–) and his deputy Jusuf Kalla (2004–2009) strongly believed that political compromise was preferable to war. SBY and Kalla were crucial because they enjoyed a degree of authority, especially over the military, that was not achieved during President Wahid’s fragile administration. They could also plausibly claim they were negotiating with GAM from a position of strength. After 2003, the government’s battlefield gains made some military officers feel they should press their advantage and continue the war. The same outcome apparently gave SBY and Kalla renewed confidence that GAM would be persuaded to compromise on independence. And indeed, the post-2003 military offensive had important effects on GAM. In the immediate post-Suharto period, GAM leaders believed they would soon win Aceh’s independence, whether by military struggle, international intervention or a combination. When the army pushed them on the defensive after 2003, killing and harming a large number of civilians in the process, GAM leaders realized that they faced a grinding military conflict they might never win, setting the scene for their historic backdown on independence in 2005.

Tsunami

The Indian Ocean tsunami of 26 December 2004 was such a dramatic factor in the peace process that it deserves separate consideration, although its impact has at times been exaggerated. Aceh was by far the most seriously affected of all regions hit by this devastating natural disaster, with large swathes of territory flattened (including much of the capital, Banda Aceh) and approximately 165,000 people killed, several times the death toll caused by decades of conflict. The disaster also prompted an outpouring of international assistance, with a massive influx of foreign humanitarian workers into the province and billions of dollars pledged for emergency assistance. Peace talks resumed weeks after the disaster, with leaders on both sides saying they were motivated to achieve peace in order to facilitate rebuilding, and out of respect for the victims. In fact, much of the dynamic leading to a successful peace effort was already visible before the tsunami (both sides had *already* agreed to renewed talks). However, the tsunami did push the process forward. By greatly increasing international interest in Aceh it helped to cement international support for the peace process. Indonesian government leaders had an interest in ensuring that the international relief and reconstruction effort was not jeopardized by renewed conflict. The tsunami also helped GAM leaders sell what would have otherwise been politically unpalatable compromises to their followers. In particular, they could say they needed to sacrifice the independence goal in order to ensure that assistance reached tsunami victims.

Internationalization

As in many peace processes, the role of international actors – both as facilitators of talks and as peace monitors – was crucial to success in Aceh. However, the two principals had very different attitudes in this regard: Indonesian government officials were initially suspicious that internationalization would lead to Aceh's independence (they saw the 1999 UN-supervised referendum in East Timor as a precedent); GAM leaders were adamant that international actors *should* be involved, initially at least, for the very same reason. In fact, internationalization became important in winning GAM over to the path of compromise. From the start, GAM leaders had known that international recognition of Aceh's independence struggle would dictate their success. They tried hard to attain the support of foreign countries and other international actors, but had little success (the only exception was when Libya provided training for GAM fighters in the mid-1980s). After 2000, GAM leaders took comfort from growing international participation in resolving the Aceh conflict, and their strategy focused on how to increase it. However, they eventually learned that the price of international involvement was giving up the independence goal: representatives of foreign governments and international agencies repeatedly stressed that they could not support an outcome that violated Indonesia's territorial sovereignty. Ultimately, international actors, including Martti Ahtisaari, succeeded in persuading GAM to compromise. Internationalization of the Aceh conflict, despite government fears, did not end up empowering GAM. Instead, it helped to tame the movement.

Autonomy

Turning to the components of the Helsinki MoU itself, the most important of these was political and financial autonomy. As in many separatist conflicts, autonomy was virtually the only possible meeting point between the positions of the two sides. For the Indonesian government, autonomy was not difficult to concede in principle, because since 1999 it had already decentralized political and financial authority to districts throughout Indonesia. GAM found it harder to accept autonomy. Its raison d'être was achieving total independence, and its leaders did not trust the Indonesian government to make good on its promises (given widespread belief in Aceh that the Indonesian government had previously broken its promises of special treatment).

Only the broad outlines of autonomy were embodied in the Helsinki MoU; it was set out in greater detail in the LoGA. Autonomy covers not only various symbolic issues (such as allowing Aceh to have its own symbols, and establishing the office of *wali nanggroe*, or 'guardian of the state' – the same term that GAM used for Hasan di Tiro), but it also grants greater authority to Aceh in diverse areas, allows the province to retain a greater share of natural resource revenues than other provinces and even allows implementation of Islamic law (an item that was included in the pre-LoGA Aceh autonomy laws, but not in the Helsinki MoU). Not all contentious issues concerning autonomy have been resolved to the satisfaction of former separatists: for example, a provision in the Helsinki MoU requiring the national parliament to gain 'agreement' of Aceh's parliament when passing any law concerning Aceh was replaced in the LoGA with a requirement only to attain its 'considerations'. In this and other areas, GAM supporters say that the LoGA waters down elements of the MoU. Moreover, Acehnese autonomy occurs not in a federal system where it is constitutionally guaranteed, but in a political system that in some respects remains highly centralized. The national parliament retains the ability to override elements of the LoGA in the future. It is likely therefore, that as the years pass there will be many points of friction between the central government and Aceh's government over the precise delineation of authority between the two.

Political participation

The Helsinki MoU and its implementing regulations (especially the LoGA) also contain several provisions intended to open up political participation in Aceh, especially in order to allow former members of GAM to contest elections. These provisions were necessary because elements of the post-Suharto Indonesian political system had been designed to preserve national cohesion by preventing representation of regional and separatist interests in representative bodies. In particular, the only political parties that could compete in elections in Indonesia prior to 2005 were national parties that could show that they had branches in most of the country's provinces and districts. The only persons who could stand for election to executive government positions, including in the regions, were those who had been nominated by these national parties. Had these rules continued to apply to Aceh after the Helsinki MoU, they would effectively have required GAM to dissolve itself and give up its political aspirations. One provision of the MoU was thus interpreted in a way that allowed independent candidates to stand for executive government elections in Aceh, paving the way for the victories of former GAM members in December 2006. The LoGA also allows for local political parties to be established in Aceh and for their members to compete for seats in provincial and district legislatures (but not in the national legislature). As noted above, former GAM supporters used these provisions to attain victory for their Partai Aceh in 2009. It should be noted, however, that these changes have occurred in an environment where advocating separatism remains a crime, and where GAM members have been expected to disavow even implied support for independence. Thus, the government refused to register the Partai GAM, or 'GAM Party', because its name included the problematic word '*merdeka*', meaning free or independent, requiring the name change to Partai Aceh. Even so, these political arrangements have been crucial because they allowed GAM to transform itself from an armed separatist movement into a political movement that seeks to achieve its goals by competing for power peacefully.

Economic integration

A final important part of reintegration concerns the economic activities of former GAM combatants. As part of the peace process, the government provided reintegration payments to most former combatants. However, the disbursing of the payments was controversial and most recipients were unhappy with the amounts they received (an excellent overview of reintegration programmes and their effects is found in MSR 2009). Equally important have been informal economic arrangements, with many former guerrilla commanders gaining favoured access to employment (for example, in the government's tsunami reconstruction agency) and government-sponsored projects, especially construction contracts. As a result, many former fighters have transformed themselves into successful businesspeople, especially as construction contractors or suppliers of building materials; others extort payments from established contractors and other businesspeople. Some former guerrilla commanders are thus rapidly accumulating wealth, although much of the money and economic opportunities they acquire are distributed downward through GAM networks for the benefit of former fighters. As a result, former combatants have rapidly integrated themselves into the predatory and neo-patrimonial structures that dominate the economy of Aceh along with other Indonesian provinces (Aspinall 2009a). Although not all former combatants are benefiting (some of those responsible for crime in post-peace Aceh are individuals who have missed out on such opportunities), overall these economic arrangements mean that most former combatants have strong material interests in maintaining the peace.

Conclusion

The Helsinki MoU and its subsequent implementation *did* address many of the underlying issues that began the conflict in Aceh. The historical sources of the conflict were well understood in Jakarta, and addressing these issues was not especially costly for the central government in the post-Suharto context of democratization and decentralization. Aceh's new autonomy arrangements thus explicitly addressed historical grievances about political centralization and resource revenues. They even addressed the role of Islam, through provisions in the LoGA allowing Islamic law implementation, despite the fact that GAM did not campaign in favour of it and resisted special mention of it in the Helsinki MoU.

The peace deal was *less* successful in dealing with issues that arose during the conflict itself and helped to sustain it. The most obvious example is human rights. As noted above, human rights abuses became the defining issue of the conflict after 1998, motivating much opposition to the government. The Helsinki MoU does include provisions for a human rights court and a truth and reconciliation commission. However, there has been almost no progress on these critical issues.

A consensus has emerged that the human rights courts will deal only with future cases, and there have been delays in establishing the truth and reconciliation commission and setting out its terms of reference (Aspinall 2008). As a result, there is little prospect that perpetrators of past human rights abuses will be prosecuted, despite the former centrality of this issue. This outcome follows broader Indonesian patterns, with the political authority of the army being such that it has successfully resisted prosecutions for human rights abuses; arguably this is a price civilians have paid for the army's withdrawal from the commanding heights of the political system. It is widely feared in Aceh that investigations of past abuses would prompt army elements to undermine the peace. GAM leaders also have good reasons to wish to avoid investigations of past abuses, with the movement itself far from innocent in this regard.

Other factors that sustained violence have also not been fully addressed. Aceh's war economy has arguably not been fundamentally transformed. Rather, the predatory and corrupt fund-raising methods conflict actors used during the war have been adapted to peacetime. The highly aroused sense of Acehnese identity that motivated armed resistance has also been little affected by the peace deal. Many former fighters say that they have 'put aside' the independence goal because it is unrealistic. But they still believe that Indonesia and Aceh are fundamentally incompatible. Many former combatants and other Acehnese are thus learning to live with Indonesia, but not warmly embracing it.

Prospects

At present, there are good reasons to believe that the peace in Aceh will last, at least in the short to medium term. The current central government has invested considerable prestige in the process, and the former rebels have received strong incentives to support peace, in the form of new political power and economic opportunities. Unlike many former guerrilla movements in similar situations, GAM has remained relatively disciplined and unified, at least with regard to the peace deal itself, and there have been no major breakaway groups rejecting compromise or advocating a return to armed struggle. The central government has also been able to keep the armed forces under control and prevent attempts to foment violence. The new democratic political context in Aceh and Indonesia is also very different from the authoritarian setting that gave rise to the conflict, with many new avenues for peaceful expression of dissent and release of social frustrations.

On the other hand, as with most such peace processes, there are many sources of fragility. At the macro level, many issues in the relationship between Jakarta and Aceh remain unresolved, and it seems likely that nationalists in the bureaucracy, government and legislature in Jakarta may try to roll back, bit by bit, elements of the autonomy granted to Aceh. Dramatic conflicts between future governments of Jakarta and Aceh cannot be ruled out. Such developments could deepen alienation in Aceh, reviving widespread beliefs that Indonesia consistently 'deceives' or 'betrays' Aceh. At the same time, elements in Indonesia's political establishment, especially the security forces, remain suspicious of Aceh's former separatists and will likely be hostile to future attempts by them to assert Acehnese prerogatives. Such actors could be strengthened by a future change of government in Jakarta, if individuals personally invested in the peace process lost power. Even without such a change, it is possible to imagine a scenario of escalating tensions between an assertive government in Aceh, dominated by Partai Aceh figures, and an increasingly suspicious and nationalist one in Jakarta.

Even more important is the micro level within Aceh, where some former combatants are dissatisfied with how the peace process has turned out, especially regarding their own material circumstances. While they have thus far turned mostly to criminality (robbery, extortion, kidnapping) rather than political violence, anecdotal evidence suggest that some of them believe that mainstream GAM leaders have betrayed their commitment to Acehnese nationalist principles (see Grayman *et al*. 2009).

While a resumption of major armed hostilities between GAM and the central government is unlikely, it is easier to imagine a scenario in which intermittently high political tensions between Aceh and Jakarta combine with constant criminal violence in Aceh, as well as behind-the-scenes intervention by the security services and sporadic outbursts of organized violence by disgruntled former separatists led by local figures. Such a scenario might not amount to a resumption of full-scale civil war, but nor would it approximate to complete peace. Indeed, surveys in the lead-up to the 2009 elections already indicated that violent incidents had exceeded the levels experienced in the final months of armed conflict in mid-2005 (World Bank 2009: 6). Another serious outbreak of low-level violence preceded the 2012 local government elections.

Lessons

One chief lesson that may be derived from Aceh's experience concerns the unpredictability of peace processes. In 2003–2004, prospects for peace in Aceh seemed close to hopeless. On the Indonesian side, an aggressive and hardline mood was ascendant, with the government apparently having lost patience with negotiations and putting its faith in military solutions. GAM leaders were unwavering on their independence goal; indeed, they said that Indonesia's offensive had only reinforced their commitment to it. Yet within a few months of negotiations reopening in early 2005, the two sides had agreed to a comprehensive settlement. Most remarkably, GAM had abandoned its cherished goal of independence. The Aceh case shows that unpredicted events, shifts in the balance of power between the warring parties and the dynamics around the negotiating table can lead to dramatic and lasting breakthroughs.

A second lesson follows directly from this, and concerns the importance of perseverance and the significance of what at the time may appear to be fruitless peace efforts. Between 2000 and 2003, some analysts criticized the HDC for pursuing an approach based on achieving an initial ceasefire when it seemed obvious that the gap on the underlying political issues was so wide that such ceasefires would not hold. Some even said that the peace efforts were harmful because they helped to strengthen GAM. In retrospect, however, these early talks appear more like important learning experiences. Through them, the two sides gained experiences in the techniques of negotiation and compromise, and in the possibilities and limits of negotiations. Having learned what might happen when negotiations break down, both sides realized that they would have to make more serious compromises than in the past if they wanted peace to hold.

A third lesson concerns the importance of international involvement. This was not always easy, given strong resistance by Indonesian officials to 'internationalization' and the reluctance of many international actors to become bogged down in a conflict that was not relevant to their core interests. But without international involvement, it would have been impossible to persuade GAM leaders to even come to the negotiating table, let alone to make the dramatic compromises they eventually offered. In particular, international actors had much more success than did the Indonesian government in persuading GAM of the necessity of giving up on independence and considering autonomy instead. In an age when one tendency on the part of international actors is to isolate and punish armed groups as 'terrorists' (with the LTTE in Sri Lanka being the obvious example), the Aceh experience provides a salutary lesson about how persuasion and the promise of respectability can help to pacify a rebel movement and bring about lasting peace. Had the international community united behind the Indonesian government's attempts in 2003–2004 to characterize GAM as a terrorist group and prosecute its exiled leaders, it is very likely that the civil war in Aceh would still be underway.

A fourth lesson concerns the importance of democracy. While scholars have written much about the ways by which democratic transitions and democratic mechanisms can encourage ethnic war and other forms of sub-state violence (for example, Snyder 2000), Aceh demonstrates also how authoritarian political regimes can give rise to such conflicts and, by being unable to provide mechanisms for their resolution, prolong them. To a large extent, the Aceh conflict was a legacy of the authoritarian period in Indonesia's political history. The collapse of authoritarianism initially provided a climate in which the conflict could escalate. The subsequent democratization, however, provided tools that could resolve it.

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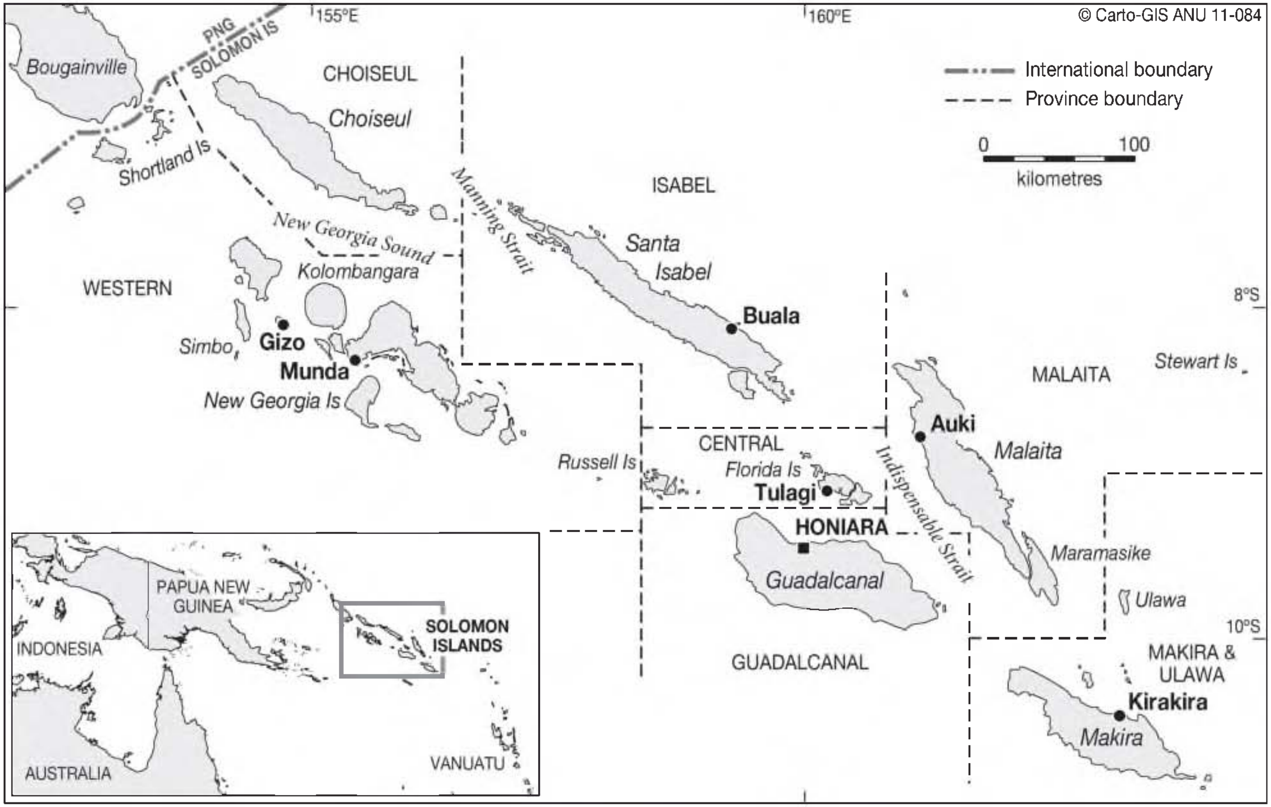

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155°E
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International boundary
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Shortland Is
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New Georgia Sound
Manning Strait
ISABEL
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Isabel
Buala
WESTERN
Kolombangara
Simbo
Gizo
Munda
New Georgia Is
Russell Is
CENTRAL
Florida Is
Tulagi
HONIARA
Guadalcanal
GUADALCANAL
Indispensable Strait
MALAITA
Stewart Is
Auki
Malaita
Maramasike
Ulawa
MAKIRA &
ULAWA
Kirakira
Makira
PAPUA NEW
GUINEA
INDONESIA
SOLOMON
ISLANDS
AUSTRALIA
VANUATU

Map 5 Solomon Islands

Major events: Solomon Islands

1893	British formally annex Solomon Islands
1945	Capital is moved from Tulagi to Honiara which attracts people seeking employment, most of whom are Malaitan
1945–53	Maasina Rule Movement unites Malaitans in anti-colonialism
1957	Moro Movement emerges on Weather Coast of Guadalcanal
1977	Western Breakaway Movement emerges demanding autonomy for western region
1978	Solomon Islands gains independence
1988	Guadalcanal people petition government demanding federal system of government and restrictions on internal migration
1989, 1996	Twice Malaitans demand, and are paid, compensation following swearing incidents and subsequent unrest in Honiara
1998	Guadalcanal militants commence campaign of violence and intimidation resulting in displacement of 35,000 settlers, mostly Malaitans
1999	First concerted attempt at peace negotiations culminates in signing of Honiara Accord in June; fighting continues between police and Guale militants
2000	Malaita Eagle Force forms ‘Joint Operation’ with some police and stages coup d’étât on 5 June; peace talks culminate in Townsville Peace Agreement (October)
2000–03	Lawlessness continues in Honiara, Malaita, Western Province, Weather Coast of Guadalcanal; ex-militant demobilization and rehabilitation schemes are corrupted; state becomes increasingly dysfunctional
2001	Elections (December); Sir Allan Kemakeza becomes prime minister
2003	Regional Assistance Mission to Solomon Islands deployed in July 2003; law and order is quickly restored
2007	Sogavare government is defeated in no-confidence motion (December); Derek Sikua becomes prime minister
2010	Elections take place (August); Danny Philip emerges as prime minister

5 Solomon Islands

From uprising to intervention

Matthew Allen and Sinclair Dinnen

There is nothing new about organized political violence in Solomon Islands, an independent archipelagic nation of around half a million people in the South West Pacific. There, and elsewhere in the geographical and cultural area known as Island Melanesia, violent conflict formed an intrinsic part of the pre-colonial social and spiritual milieu, and the boundaries between ‘war’ and ‘peace’ have continued to be blurry. In a story replicated across the region, endemic patterns of traditional warfare faded in the face of colonial pacification, which was itself a frequently violent encounter. The hegemony of the British was resisted to varying extents in different parts of the islands, most famously on the densely populated island of Malaita, where the post-World War II Maasina Rule Movement united the island’s hitherto fragmented population under the banner of anti-colonialism. The post-colonial period has also seen periods of collective violence, most notably in the episodes of rioting, looting and ‘ethnic tensions’ that took place in the nation’s capital, Honiara, in 1989 and again in 1996.

The violence that characterized parts of Solomon Islands between late 1998 and July 2003 – especially in the capital city, Honiara, and other areas of the island of Guadalcanal – exhibited elements of continuity with these previous patterns of violence. However, there were also important qualitative and quantitative differences that justify the conditional delineation of this period of ‘conflict’ from earlier and subsequent ones. It was the first time that large numbers of young men had organized themselves into well-armed militia-style groups that claimed to represent two of the nation’s largest island-wide ethnicities, Malaita and Guadalcanal. The use of modern small armaments following the fracturing of the Royal Solomon Islands Police (RSIP) and the subsequent raiding of the nation’s police armouries, was also unprecedented. Notwithstanding World War II, when the archipelago played host to a number of major land and sea battles between Japanese and American forces, the scale of the recent period of violence and its social, economic and human impacts were previously unknown in the history of Solomon Islands.[1]

Further precedents were established by the Australian-led regional response to the conflict, the Regional Assistance Mission to Solomon Islands (RAMSI), which succeeded in rapidly restoring law and order after its initial deployment in July 2003. It was the first time that member states of the Pacific Islands Forum had invoked the Biketawa Declaration to intervene in the affairs of another member state.[2] The initial military deployment was of a size that had not been seen in the region since World War II. The mission was also unprecedented in terms of Australian policy in relation to the South Pacific, marking a 'paradigm shift' in Australia's policy toward the region (Kampmark 2003) described by one observer as Australia's 'new interventionism' (Fry 2004).

While indigenous peoples mostly led the peace process that culminated in the Townsville Peace Agreement (TPA) of October 2000 and addressed some of the fundamental causes of the conflict, that process had a number of salient deficiencies. Despite these problems, the TPA did contribute to a diminution of the violence, bringing an end to the open fighting between rival militant groups. However, it also actively contributed to a transformation in the nature of the conflict – a transformation that was already in train before Townsville – which saw it become increasingly characterized by criminality and opportunism. The externally led peace initiative, RAMSI, was then overlain on this problematic and incomplete indigenous peace process and, to a significant extent, displaced it.

By arresting large numbers of ex-militants and recovering most of the guns, RAMSI was quickly able to restore law and order. However, we argue that RAMSI has been much less successful at addressing the underlying causes of the conflict that the indigenous peace process had been attempting to resolve, albeit in an imperfect way, before it was 'crowded out' by the intervention. We conclude by reflecting upon some of the lessons learned from the conflict in Solomon Islands and its diminution, including the ways in which the RAMSI intervention has slowly learned to become more responsive to local voices and agendas for peace building.

Background: From 'ethnic tension' to 'state failure'

The Guadalcanal rebellion[3]

What became known locally as 'the Tension' commenced in late 1998, when armed militias from Guadalcanal Island, who became known as the Isatabu Freedom Movement (IFM), set about a violent campaign of harassment which saw the eviction of around 35,000 migrant settlers from their homes in the rural and peri-urban areas east and west of the Solomon Islands' capital, Honiara, most of whom originated from the densely populated island of Malaita. The uprising commenced shortly after a speech made by the then Premier of Guadalcanal, Ezekiel Alebua, in which he put a number of demands to the national government. These demands were later reiterated in January 1999, in a submission signed by the members of the Guadalcanal Provincial Assembly (titled *Demands by the Bone Fide and Indigenous People of Guadalcanal*). The keynote demand was for state government for Guadalcanal under a federal system of government, a demand that had previously been put to the national government in 1988 following demonstrations in Honiara.

Early efforts at conflict resolution by the government led by Prime Minister Bartholomew Ulufa'alu were largely ineffectual and became an important part of the rationale for growing Malaitan militancy and subsequent emergence of a Malaitan ethnic militia, called the Malaitan Eagle Force (MEF), discussed later in the chapter. Prime Minister Ulufa'alu vacillated between attempts to mollify Guadalcanal grievances and outright dismissal of 'the Tension' as an Opposition conspiracy aimed at destabilizing his government (Fraenkel 2004). 'Law and order' responses proved counter-productive. As well as failing to halt the activities of the Guadalcanal militants, the over-representation of Malaitans in the Police force rendered police actions open to charges of ethnic bias.

While more conciliatory interventions conducted under the mantle of 'traditional' peacemaking acknowledged the broader grievances articulated by the Guadalcanal rebels, they ultimately fared little better. Detached from its traditional social moorings and increasingly monetized, the use of compensation as an instrument of peacekeeping became rapidly corrupted. Government responses were piecemeal and reactive, in part a response to unfolding events whose momentum was still building, but also a reflection of the diffuse character of the rebel movement. Agreements with one set of leaders appeared to have little effect on others, while the terms of such agreements were not widely disseminated.

In the face of these faltering efforts, the Commonwealth Secretariat dispatched former Fijian Prime Minister Sitiveni Rabuka in 1999 as special peace envoy. He held several meetings with Guadalcanal militants but was viewed with growing suspicion by Malaitans, not least after comparing the Guadalcanal grievances with the struggle for indigenous rights in Fiji (see Fraenkel, this volume). In contrast to the government, however, he successfully initiated dialogue with the militants and brokered several agreements, including the Honiara Peace Accord and the Panatina Agreement. However, these were not signed by all parties and failed to stem rebel activities and growing Malaitan frustration.

The resignation of two successive expatriate Police Commissioners left the increasingly divided police force without effective leadership. Australia and New Zealand, along with the UK, agreed to fund a small, unarmed Multinational Police Peace Monitoring Group to work alongside local police in monitoring peace agreements and collecting weapons. This modest intervention was constrained by its size, limited mandate, as well as by the deteriorating security situation and difficulties of accessing rural areas.

The emergence of the MEF, the coup, and the ceasefire

The MEF, which emerged in mid-1999, comprised Malaitan men who had been living on Guadalcanal before the start of the Tension or had travelled to Guadalcanal at the time from villages on Malaita. The MEF claimed to represent the interests of displaced Malaitans, and demanded substantial compensation for Malaitans killed by the IFM and for damage to their properties. With close links to the paramilitary Police Field Force (PFF), the MEF had access to high-powered weapons and started attacking and intimidating suspected IFM members and sympathizers. Clashes between the two militias increased with casualties on both sides. Ulufa'alu appealed in vain to Australia and New Zealand for armed assistance. In the absence of any real powers of enforcement, the government resorted to further attempts at conciliation through payment of compensation to aggrieved parties.

On 5 June 2000, the MEF and elements of the PFF seized control of key installations in Honiara, including the well-stocked national armoury, justifying their actions on the grounds of the government's failure to resolve the conflict, loss of police control over security, and the need for a new prime minister. Ulufa'alu resigned and was replaced by the former opposition leader, Manasseh Sogavare. Following this *de facto* coup, acts of intimidation and reprisals against civilians in the national capital increased. Honiara was now under the control of a 'joint operation' between the MEF and what remained of the police. Fighting between the joint operation and the IFM intensified in the areas east and west of the capital and, in Honiara itself, government property was looted, vehicles were stolen and business houses intimidated.

Like Ulufa'alu, Sogavare attempted to conciliate by dispensing compensation for a range of grievances on both sides. The sheer number of potential claimants magnified the potential for abuse, as did the ability of armed thugs to intimidate government officials and others with impunity. Compensation payments were demanded routinely for participation in peace talks, leading one local commentator to speak of the 'chequebook' approach to peace negotiations (Wale 2001).

Australia and New Zealand renewed efforts to bring the rival militias to the negotiating table. This contributed to the signing of a Ceasefire Agreement in August 2000. The IFM and MEF were expected to lay down their arms and refrain from 'hostile, offensive, insulting or provocative behaviour' and both groups were to be restricted to different 'areas of influence' (Cease-fire Agreement 2000: 2). Despite its ethnic fracturing, the police force was to resume responsibility for law and order in the capital, while a Cease-fire Monitoring Council was established to monitor and enforce the terms of the Agreement. While bringing some short-term relief, serious breaches of the Agreement were soon being reported on both sides.

Various non-combatant groups stepped up their peace-making efforts. Women and church-based groups were prominent. The Honiara-based Peace Office of the Solomon Islands Christian Association (SICA) provided strategic leadership and with donor assistance organized a National Peace Conference on board a New Zealand frigate. Participants came from throughout the Solomon Islands, representing churches, youth and women, traditional leaders, provincial officials, and the private sector. The ensuing communiqué demanded a greater role for civil society in peace negotiations and proposed that any amnesty provisions be linked to a truth and reconciliation process (Report of the National Peace Conference 2000: 7–8). MEF leaders summarily rejected these challenges to their control of the peace agenda. Further meetings between militia leaders in September resulted in agreement to hold substantive peace negotiations in Australia the following month.

The Townsville Peace Agreement and the instrumentalization of disorder

Australian and New Zealand governments facilitated a meeting of around 130 representatives of the militia groups, and provincial and national governments at an Australian military base in Townsville, North Queensland, in October 2000. Maverick Guadalcanal leader Harold Keke was absent; as were militia members from the Marau area of east Guadalcanal, who were scheduled to hold separate peace talks at a later date. Civil society organizations were deliberately excluded. Unlike the incrementally phased Bougainville peace process, involving a series of agreements negotiated over time (Regan 2010), the Townsville Peace Agreement (TPA) sought to achieve a comprehensive settlement over five days of intense negotiations facilitated by Australian and New Zealand officials.

Under the TPA's provisions, police personnel who had deserted or abused their positions to engage in militant activities could return to the force without fear of sanctions. A general amnesty was provided to ex-militants for criminal acts committed during the 'ethnic crisis', as well as for any civil liability arising from such acts. In return, they were to surrender all weapons and ammunition under the supervision of a small and unarmed International Peace Monitoring Team (IPMT). An indigenous Peace Monitoring Council was established 'to monitor, report on and enforce the terms of the agreement' (Townsville Peace Agreement 2000: 9–10). Former combatants were to be repatriated to their home villages and provided with counselling and rehabilitation services. The government was to seek international assistance to help recompense those who had suffered material loss as a result of the conflict.

While the TPA was a success in peace-making terms, helping to end fighting between the militias and averting the spectre of an all-out ethnic war, it also contributed to the instrumentalization of disorder and progressive paralysis of government that eventually led to the regional intervention. The institutionalization of compensation and other forms of monetary dispensation as redress for outstanding grievances raised unrealistic expectations on the part of thousands of people who had suffered loss as a result of the conflict, generated further divisions between claimants, and provided ample opportunity for corruption and abuse. Paying for the implementation of the TPA placed the government under enormous pressure to acquire funds from whatever sources it could access.

By the expiry of the 30-day deadline for surrendering weapons few of the estimated 500 high-powered weapons stolen from police armouries had been surrendered. The scheme to repatriate former militants was quickly corrupted, with many repatriated individuals returning to the capital to collect further payments. Schemes to absorb ex-militants often had counter-productive outcomes. Many were sworn in as special constables to assist in restoring order. Not only were special constables an additional drain on government resources, they also became a major source of crime and intimidation. Ministers, public servants, business people, and ordinary citizens complained of daily acts of harassment in the capital and the business of demanding compensation descended rapidly into criminal extortion. A violent feud between former Weather Coast militants led to a so-called joint operation comprising ex-IFM, ex-MEF and police in operations directed against the increasingly unpredictable Harold Keke, leader of the Guadalcanal Liberation Front (GLF) and his followers.

The Sogavare government negotiated a large commercial loan from a Taiwanese bank to fund the compensation payments.[4] Deputy Prime Minister Sir Allan

Kemakeza and his permanent secretary were sacked following revelations that they had allocated large payments to themselves for properties allegedly destroyed during the conflict. At the same time, the government was granting generous duty remissions and tax exemptions to selected individuals and businesses.

Widespread dismay greeted the announcement that Sir Allan Kemakeza had been elected by parliamentary ballot as Prime Minister following the national elections of December 2001. His administration included a number of MEF leaders, raising the spectre of deepening collusion between the new government and former militia elements. The new government failed badly in its pledge to restore law and order and revive the economy. The ill-fated operation of Solomon Islands police with former MEF and IFM militants and other armed elements to kill Harold Keke in mid-2002 led to the deaths of ten Malaitan gunmen. Keke's Weather Coast base became a no-go zone for people from other areas, and the activities of the joint operation fed a cycle of retributive violence with atrocities committed on both sides. A government minister was assassinated by Keke's followers in August, followed in April 2003 by the murders of six members of the Melanesian Brothers (a religious order of the Anglican Church). Kemakeza pleaded with Australia and New Zealand for armed intervention but this request was also declined.

Public debt had reached critical levels by the beginning of 2002, with rapidly diminishing foreign reserves (Dinnen 2002: 297). International financial institutions were unwilling to provide further funds until the government settled outstanding arrears. A variety of ill-conceived fundraising schemes were considered before being abandoned in the face of widespread opposition. By early 2003, it was clear that the Kemakeza government was simply incapable on its own of halting the deteriorating situation and that an external circuit breaker was necessary.

International intervention

Undertaken at the request of the Solomon Islands government and under the auspices of the Pacific Islands Forum (PIF), the Australian-organized and -led RAMSI was deployed in July 2003. The mission initially assumed a traditional peace-keeping role, with around 1,800 military personnel providing security and logistical support to 330 police officers from PIF member states, and a smaller number of civilian advisers. Security was restored quickly and without bloodshed, a police presence was extended to other parts of the country, key militia leaders were arrested and many weapons were removed from the community.

The early successes of the intervention exceeded all expectations. Around 3,600 guns had been surrendered by the end of 2003, representing 90–95 per cent of the total estimated number of firearms in the community. By the beginning of 2005, more than 5,000 arrests had been made and approximately 7,300 charges laid. While most of those charged were ex-militants and former police officers, a number of ex-politicians, so-called 'big fish', were also prosecuted for Tension-related crimes. Around 25 per cent of the RSIP Force was removed.

The success also extended into the sphere of economic management, with the rapid stabilization of government finances and the balancing of the national budget. Structural reforms implemented under RAMSI's economic governance and growth pillar have been credited with contributing to positive trends in foreign investment, export earnings, employment growth and overall GDP growth which has averaged around 7 per cent a year since 2004.

The causes and drivers of the conflict

As has been seen from the foregoing discussion, some of the violence, even prior to the TPA, was clearly motivated by greed and criminality. This is particularly true in the case of acts of theft and extortion, and was also seen in the corruption and abuse of the demobilization and rehabilitation schemes that took place after the TPA. Furthermore, as argued by Fraenkel (2004), the 'traditional' Melanesian practice of compensation was manipulated by political elites and militants, such that the process became increasingly fraudulent and corrupted (also see Dinnen 2002). The criminality framing of the conflict, which sees ex-militants and 'gangster' politicians perpetrating violence and disorder for their own pecuniary gain, resonates with the 'greed-not-grievance' thesis of developing-country conflict (for example, Collier and Hoeffler 1998, 2004). However, this perspective is more successful at explaining the changing dynamics and longevity of the conflict, as opposed to its underlying causes. While the conflict became increasingly criminalized over time, criminal or greed motives alone cannot account for its durability and certainly not its origins.

An important structural cause of the conflict was the spatial inequality in socioeconomic opportunities brought about by longstanding patterns of uneven development and, related to this, the migration of people from the densely populated and historically undeveloped island of Malaita to Honiara and the adjacent areas of rural Guadalcanal. Thrown together in increasing numbers, social and cultural differences between settlers and indigenous landowners were brought into stark relief. Guales (people from Guadalcanal) began to resent Malaitans' perceived domination of land and employment opportunities. Disputes also emerged within landowning groups themselves about the land transactions that had enabled Malaitans to settle on Guadalcanal in increasing numbers (Kabutaulaka 2001). These internecine disputes had a salient intergenerational dimension, reminiscent of the origins of the Bougainville conflict (Regan 2010: 19).

Relative deprivation was also an important grievance for many of the Guale militant leaders, most of whom originated from the remote and undeveloped Weather Coast of Guadalcanal. Many of these men were inspired by the conservationist ethos of the Moro Movement that has been active in the area since the late 1950s and is opposed to large-scale resource development projects such as gold mining. A number of scholars have pointed to the socially disruptive and disintegrative impacts of resource development projects on Guadalcanal as important causes of the Guale uprising (Kabutaulaka 2001; Naitoro 2000). An important dimension of Guale grievances concerning development on Guadalcanal is the belief that 'other' people, including the central government, have been reaping the benefits of development, while Guales, particularly those on the Weather Coast, have been left to languish in relative disadvantage (see Allen 2007).

Other structural factors contributing to the conflict included the weakness and widely perceived illegitimacy of the post-colonial state; the ongoing strength of localism and regionalism, and corollary calls for greater devolution and provincial autonomy; the presence of relatively large numbers of poorly educated and underemployed young men in the population; and the chronic instability, and close ties with the notoriously corrupt logging industry, that have characterized national-level politics since Independence.

Proximate or triggering causes of the conflict included the role of unscrupulous political elites in exploiting grievances to manufacture ethnic conflict in pursuit of their own political and economic agendas (Fraenkel 2004); the disruption to political patronage networks engendered by the combined impact, in the late 1990s, of declining demand for Solomons log exports due to the Asian financial crisis and the subsequent donor-inspired, structural adjustment-style reform agenda of the Solomon Islands Alliance for Change (SIAC) government, which came to power in 1997 (Bennett 2000; Hameiri 2007); and the demonstration effects of the conflict in neighbouring Bougainville, particularly on the thinking of young Guale men (Kabutaulaka 2001).

Conflict diminution

The diminution of conflict in the case of Solomon Islands was brought about by a combination of an indigenous peace-making process that attempted to address some of the root causes of the conflict together with a subsequent regional intervention mission which internationalized the coercive functions of the state to dramatic effect. Full-scale military and police intervention was required because of the limitations and weaknesses of the indigenous peace-making process, especially the unrealistic expectations placed on the capacity of the Solomon Islands state to enforce the provisions of the TPA. The remarkable success of the initial phase of the mission can be attributed in large part to the strength of its enforcement capacity and the powerful deterrence provided by its military back-up.

Conversely, however, RAMSI has been criticized for minimizing – or crowding out – space for important indigenous peace-making agendas (Allen and Dinnen 2010; Mac Ginty 2008). There has been a tension between an approach to peacemaking that has been attempting to address some of the underlying structural causes of the conflict on the one hand, and one which has given primacy to policing and state building on the other. In light of the salience of external intervention in the Solomon Islands case, it is also important to consider the factors that informed Australia's decision to intervene, particularly as it represented a significant departure from previous policy toward the region.

As mentioned previously, the TPA brought an end to the open fighting between rival militias, averting the spectre of an all-out ethnic war. This was, in large part, owing to its comprehensive scope and attempt to tackle the full array of grievances identified by parties to the conflict. Its provisions included a proposed constitutional reform process to allow for greater provincial autonomy; economic and other measures aimed at developing Malaita; investigation of land acquisition and property claims on Guadalcanal; compensation for lost and damaged property; and acceptance of the 1999 Bona-Fide Demands of the People of Guadalcanal.

However, the breadth and ambition of the TPA was simultaneously the source of its weakness as a viable framework for peacebuilding. It included quite unrealistic assumptions about the capacity of the weak, compromised and bankrupt Solomon Islands government to implement its terms. We have also seen that the TPA contributed to the subsequent instrumentalization of disorder and progressive collapse of governance that ultimately resulted in the intervention.

As late as January 2003, the Australian Foreign Minister dismissed the option of armed intervention in Solomon Islands as ‘folly in the extreme’ (Downer 2003). Less than six months later, RAMSI was deployed. Official explanations for this dramatic reversal in Australian policy were couched in the language of state failure that had become a central tenet in the security and foreign policy discourses emanating from Washington and its allies following the attacks of 9/11 in 2001 and the subsequent US-led ‘War on Terror’. The prospect of state failure in the Solomon Islands – manifested in endemic lawlessness and the government’s loss of control – was increasingly viewed as a direct threat to Australian and regional security. Consistent with this new security paradigm, international intervention to restore order and, thereafter, rebuild the state and economy was now viewed as the necessary and appropriate antidote.

On the eve of the deployment of RAMSI, an Australian Strategic Policy Institute (ASPI) publication titled ‘Our failing neighbour’ appealed to this new strategic thinking by evoking the metaphor of Solomon Islands becoming a ‘petri dish’ for the incubation of ‘transnational and non-state security threats’ (Wainwright 2003: 13). The paper advocated for a police-led peace-keeping effort to be followed by a long-term state-building exercise. Situating the intervention within a larger strategic frame arguably made it more palatable to an Australian constituency with very limited interest in the affairs of Pacific island micro-states. In any event, the intervention heralded a shift away ‘from a particularist and developmental lens to a global and security lens in Pacific developments’ (Fry and Kabutaulaka 2008: 16). It marked an explicit securitization of Australia’s development assistance agenda in relation to Solomon Islands.

From RAMSI’s perspective, restoring the rule of law through the pursuit of a rigorous law enforcement approach towards those involved in conflict-related crimes and the rebuilding of the state’s law and order apparatus would address the pervasive criminality and impunity that was seen as a major source of the Solomon Islands’ recent troubles. Police building was always intended as a gateway to a larger and long term state-building exercise. Consistent with prevailing conceptions of the ‘liberal peace’ (Duffield 2001), a functioning democratic state and open economy are viewed as the essential conditions for sustainable peace. This ambitious and longer term exercise is currently organized around three pillars: law and justice, economic governance, and the machinery of government.

RAMSI has attracted criticism from both local and regional quarters (Allen and Dinnen 2010; Braithwaite *et al*. 2010). Some of this reflects the inherent dilemmas of large external interventions. RAMSI's substantial presence in such a small country and the obvious asymmetry in resources between the mission and Solomon Islands government have aroused sensitivities about the former's dominance of critical decision making and the marginalization of indigenous actors. The fragility of the post-intervention peace was demonstrated most dramatically in the social unrest that erupted in Honiara following national elections in April 2006. Two days of rioting and arson caused extensive damage to the capital's Chinatown district and caught mission police completely off guard. These riots indicated the persistence of deeper frustrations and divisions lurking beneath the surface, and the failure to anticipate them hinted at the considerable distance separating the interveners and indigenous population.

Another important question is the extent to which RAMSI's peace-building efforts have paid sufficient attention to indigenous, or 'traditional', forms of peacemaking, which have a much greater emphasis on reconciliation and restorative justice as opposed to punishment and retribution (Mac Ginty 2008). A Truth and Reconciliation Commission has only recently been established, despite longstanding and widespread calls for reconciliation processes to occur at multiple levels. This raises the issue of RAMSI setting a peace agenda that has minimized or marginalized space for indigenous approaches to peacemaking.

A further example of this dynamic is the divergence between local and external views on reform of the Solomon Islands government system, particularly in the early days of the mission. While there may be good reasons to be wary of federalism as a 'quick-fix' to longstanding problems of governance and service delivery, the lukewarm reception by donors suggested a preference for rebuilding according to a standard formula and reluctance to support a bolder and, moreover, locally initiated reform proposal. For most Solomon Islanders, constitutional reform was viewed as a critical component of peace building – one which had been formalized in the TPA – rather than a discrete agenda in itself. In this vein, a 2005 government White Paper on constitutional reform proposals intended to introduce a federal system of government pointed out:

> the peace issues involved here are not the sort of issues capable of suppression or which the rule of law and the justice system including traditional methods alone can fix. They involve issues that are substantively political and extra constitutional in nature.
>
> (Solomon Islands Government 2005: 11–12)

Solomon Islanders' expectations of the RAMSI intervention remain high and extend well beyond the restoration of the rule of law and technicalities of capacity development and state building. A recurring local criticism of the mission is its apparent disinterest in addressing the 'root causes' of the conflict. In addition to the range of grievances identified in the TPA and earlier indigenous peace-making efforts, these ‘root causes’ cover a myriad of other issues, including the poor policies of successive governments, corruption, regional disparities in resources and income, land disputes, and longstanding disenchantment with the centralization of political power in Honiara and neglect of the rural areas where most people live.

Managing such high expectations is a continuing challenge for the mission. Recent surveys commissioned by RAMSI indicate that a very high proportion of the local population believe that conflict and lawlessness would return quickly if the mission were to depart anytime soon. Such views indicate the limited faith of many Solomon Islanders in the sustainability of the reconstruction and rebuilding work that has preoccupied RAMSI over the past seven years. They also reflect a widely shared sentiment that RAMSI has had more success in dealing with the symptoms of the country’s recent crisis rather than its underlying causes.

Prospects

The best explanation for the *timing* of the violent conflict that erupted in Solomon Islands in late 1998 lies in the relationship between conflict and boom-and-bust economic cycles. The structural causes of the conflict, such as uneven development, competing forms of political authority and the ‘youth bulge’, have been present in Solomon Islands for decades. It makes sense, then, that it was the twin impact of the logging bust of 1997 and the structural adjustment reform program that followed it which provided the immediate impetus for the outbreak of conflict. This is consistent with research demonstrating that a boom-and-bust cycle is a threat to peace anywhere in the world, as well as with a recent detailed analysis of the causes of the conflict in Solomon Islands (Ferguson 2006; Braithwaite *et al*. 2010).

With the predicted exhaustion of the natural forest resource by 2015 and the anticipated economic crisis that this will engender, the next 10 to 15 years will be an extremely challenging period for the Solomon Islands. It is also the case that most of the underlying structural causes of the conflict remain, with much work yet to be done to address them. One of the most salient of these structural factors, the historical pattern of uneven development, is likely to be amplified over the coming decades as the economic base shifts toward mining. Increased urbanization will also further entrench real and perceived inequalities in the distribution of income and government services.

As recently argued by the World Bank (2010), it will be critical that an international security guarantee remains in place as the Solomon Islands tackles these enormous challenges of development and change. By keeping the peace, and gradually learning from its critics and partners, RAMSI has finally begun to create space for local agendas for peace building, such as the Truth and Reconciliation Commission established in early 2009. These home-grown processes have the best potential to address some of the underlying causes of the conflict. It is therefore important that space continue to be provided for them to flourish.

Lessons

Following the recent analysis by Braithwaite *et al*. (2010: 151–166), we suggest two key lessons from the story of conflict and conflict diminution in Solomon Islands. The first lesson is drawn from two weaknesses in the way in which the RAMSI intervention was framed. First, it was blind to the many civil society and non-state actors who were providing security and engaging in peacemaking even at the height of the conflict. Second, it was not informed by a rigorous diagnosis of the causes of the conflict. These weaknesses invite three questions that might have formed a more appropriate framing for a collaborative peace process in the case of Solomon Islands; and are of wider, generalizable relevance to international peace-building interventions. These are:

1 What local capacities are currently providing community safety and human security and how might they be strengthened?
2 What were the structural and proximate factors that contributed to the conflict and how might they be addressed?
3 What are the new and emerging risks to the peace and how might they be hedged?

The second lesson relates to institutional learning and responsiveness. While the initial focus of the RAMSI intervention was firmly upon restoring and strengthening the security and financial management functions of the state – embedded in a broader state-building agenda – the mission has slowly and gradually evolved into a more responsive form of peace building. An important driver of this evolution has been the evaluation and review modalities that were built into the design of the mission. These have enabled regular internal and external critique, giving rise to 'a culture of grudging, if sometimes slow, responsiveness to critique' (Braithwaite *et al*. 2010: 158). The evolution of this responsiveness has created space for the expansion of important local agendas for peace building, which had previously been marginalized. We agree with the conclusion reached by Braithwaite *et al*. (2010) that the institutional learning could have been achieved more rapidly if the initial framing of the mission had been more attendant to the three questions asked above.

Notes

1 Estimates of the numbers of deaths and casualties vary widely. Between 100 and 200 people were killed as direct result of the fighting between late 1998 and late 2000. Around 35,000 people were displaced during this period. It is likely that a further 50 people were killed between late 2000 and the deployment of RAMSI in July 2003. Fighting on the Weather Coast of Guadalcanal during this period saw the displacement of a further 1,500 to 2,000 people. According to Amnesty International, the disruption to the provision of health services meant that many 'civilians' died from normally non-fatal illnesses such as malaria (2004). Amnesty has also documented numerous instances of rape, torture and abduction perpetrated during the conflict (2004).

2 The Forum's Biketawa Declaration on Mutual Assistance of 2000 allowed for collective action in response to a security crisis in a member state. See www forumsec.org/pages.cfm/political-governance-security/biketawa-declaration.

[3] The following description of the main events of the conflict is largely based on the accounts of Fraenkel (2004) and Moore (2004).

[4] The Solomon Islands has diplomatic relations with Taiwan.

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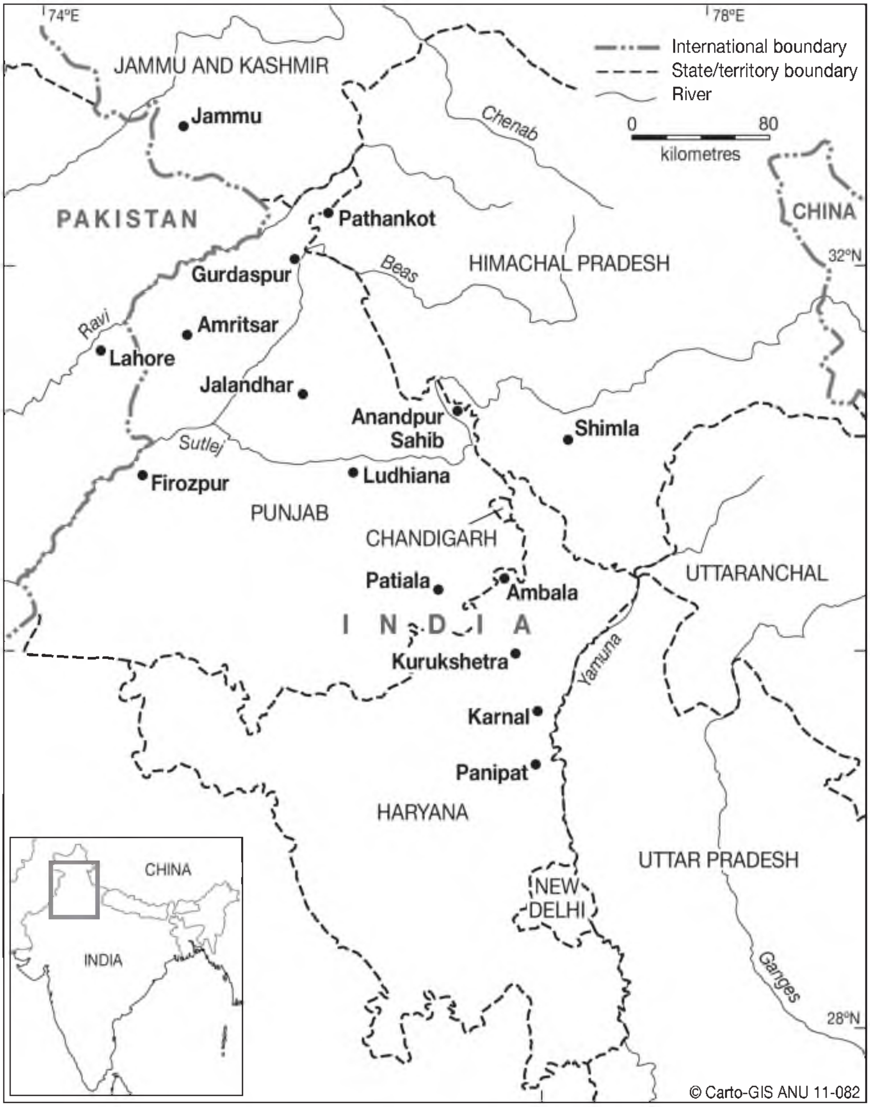
74°E
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JAMMU AND KASHMIR
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Ravi
Amritsar
Lahore
Jalandhar
Anandpur Sahib
Shimla
Sutlej
Firozpur
Ludhiana
PUNJAB
CHANDIGARH
UTTARANCHAL
Patiala
Ambala
INDIA
Kurukshetra
Yamuna
Karnal
Panipat
HARYANA
CHINA
INDIA
UTTAR PRADESH
NEW DELHI
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Map 6 Punjab

Major events: Punjab

1947	Partition of India; Province of Punjab divided between India and Pakistan. Transfer of populations
1956	Indian federation redrawn on the basis of language
1966	Division of Indian Punjab into a Punjabi-speaking state (Punjab) in which Sikhs are a majority and a Hindi-speaking state (Haryana) with a Hindu majority
1967	Green Revolution starts to take hold in Punjab
1975	Mrs Gandhi declares an ‘emergency’ and runs a dictatorship; Akali Dal confronts her regime and its members are imprisoned
1977	‘Emergency’ ends; Congress Party loses national elections; Akali Dal leads coalition government after state elections in Punjab
1978	Killings in Amritsar during clashes between Sikh groups; Jarnail Singh Bhindranwale comes to prominence
1980	Mrs Gandhi returns to power nationally
1981	Hindu newspaper owner murdered; Khalistan’s violent phase begins
1983	Centre declares President’s Rule in Punjab
1984	Bhindranwale and hundreds of followers killed in Golden Temple siege by Indian army; Mrs Gandhi murdered by her bodyguards
1985	‘Punjab accord’ between PM Rajiv Gandhi and Harchand Singh Longowal; Longowal murdered; Akali Dal wins Punjab elections; Air India plane explodes off Ireland – 329 die; Accord collapses
1987	Central government dismisses Akali Dal government President’s Rule
1989	‘Khalistanis’ win most Punjab seats in general elections to national parliament
1992	Congress Party wins low-turnout state elections
1993	Khalistan movement in Punjab begins to peter out
1995	Chief Minister Beant Singh murdered
1997	Akali Dal BJP alliance wins state elections
2002	Congress win state elections
2007	Akali Dal–BJP alliance wins state elections
2012	Akali Dal–BJP alliance retains power in state elections

6 Punjab

Federalism, elections, suppression

Robin Jeffrey

Between 1981 and 1993, a movement for an independent, Sikh-majority state, dubbed Khalistan, resulted in more than 20,000 deaths in north India and elsewhere. Those who died as a consequence of this insurgency included the Prime Minister of India, Indira Gandhi, murdered in October 1984, and 329 people on an Air India plane destroyed by a bomb off the coast of Ireland in June 1985. By 2012, however, the 'Punjab insurgency' (or 'Khalistan movement') had vanished from the world's news reports, and even a website devoted to the cause – www.khalistan net – carefully noted that its supporters fought 'the tyranny and terrorism of the Indian state' using 'peaceful, democratic and political means'. The Khalistan insurgency had subsided bewilderingly quickly in 1993 and nearly 20 years later shows few signs of revival.

Why had a movement, once deadly and strong, abated? That question, asked in a seminar and answered unsatisfactorily at the time, played a part in prompting this book. Attempts to produce a more satisfactory answer identified causal links between items that began as a brainstorming 'list of factors'. What this exercise underlined was the importance of local structures and practices, and the need to respond to them, if peacebuilding is to have a chance. At the same time, changing international conditions also proved crucial in Punjab: a sealed border and dissipation of Pakistani support. Few insurgencies can survive against a modern state, even a feeble one, without support from sympathizers safe in another sovereign state. In Punjab, the ability to win over large sections of the population through genuine elections, combined with ruthless policing by Punjabis and the cutting off of support from Pakistan, were key ingredients in ending the insurgency. Each of these items – participation, policing and sealed borders – engendered its own 'guidebook' of practices that succeeded. But the Punjab experience makes clear that there is no simple manual of best practices that can be taken off the shelf and used everywhere. Understanding, working with and winning over local people were keys in Punjab.

Background

The religion of Sikhs dates from the fifteenth century and its founder–teacher, Guru Nanak (1459–1539). It is sometimes asserted that Nanak sought a fusion of

Muslim and Hindu practices and beliefs. But from early days, followers of Nanak and the nine Gurus who succeeded him saw themselves and their faith as unique: 'conventional Hindu belief and Islam were not regarded as fundamentally right but as fundamentally wrong . . . The two were to be rejected, not harmonised' (McLeod 1968: 161; Jeffrey 1994: 51–56). By the seventeenth century, the religion of Sikhs was becoming a magnet for those groups on the fertile plains of the Punjab who resisted an increasingly assertive Mughal empire. Sikh gurus were murdered by the soldiers of Mughal emperors, and by the time the tenth and last Guru, Gobind Singh (1666–1708), was assassinated, a powerful military tradition had grown up among Sikhs alongside the more pacific philosophy of Guru Nanak. Gobind Singh gave Sikhs their distinctive code of dress when he decreed that Khalsa or 'pure' Sikhs must maintain five symbols on their persons, including uncut hair and beard.[1]

The Mughal Empire dissolved in the eighteenth century. The ensuing contests among Indian rulers and European, Afghan and Persian invaders resulted in the establishment in 1801 of a Sikh-ruled state with its capital in Lahore (today, in Pakistan). For nearly 50 years, Sikh rulers, notably Maharaja Ranjit Singh (1780–1839), governed territory that stretched from the Sutlej River in today's India, to Jammu and Kashmir and the Khyber Pass. Though Sikhs ruled, they were never a majority in Ranjit Singh's kingdom, and in pre-print empires, demonstrable majorities were less important than they were to colonial states. The British annexed Sikh-ruled Punjab in 1849 after two wars. They took Sikhs into the British Indian army, encouraged them to retain the uncut hair and other symbols of the Khalsa and enlisted Sikh soldiers to help suppress the great revolt of 1857. A special relationship between the British Empire and Sikh soldiery brought advantages for Sikhs in the new canal colonies established in Punjab from the 1880s.

After World War I, a contest to control Sikh places of worship (*gurdwaras*) led to the creation of a new entity, legislated into existence by the colonial state – the Shiromani Gurdwara Parbandhak Committee (SGPC), which was vested with control of the *gurdwaras* and their properties and assets (Jeffrey 1994: 66). This body became a focus for Sikh politics and arbiter of Khalsa orthodoxy. Yet Sikhs were ill prepared – perhaps because of their preoccupation with SGPC politics – for the political wrangling that preceded the Partition of India in 1947. Demands for a sovereign Sikh state, to mimic Pakistan, the sovereign state for Muslims, were not taken seriously because Sikhs were not a majority in any administrative district of the old British province of Punjab, which in 1941 was 53 per cent Muslim, 31 per cent Hindu and 15 per cent Sikh (Jeffrey 1986: 42). The international border drawn in August 1947 left close to half the Sikh population of the subcontinent on the Pakistan side of the line. Terrorized, they fled to India, where Sikhs on the Indian side helped drive Muslims into Pakistan. Millions of people moved; hundreds of thousands were murdered.

The reconstruction of eastern Punjab after 1947 stands as one of the Indian state's notable achievements. Within a few years, refugees were resettled, and agriculture and light industry revived. Indian Punjab after the Partition had a Hindu majority, virtually no Muslims, and Sikhs concentrated in the northwest.

From the late 1960s, Punjab pioneered India's 'Green Revolution' in agriculture and became its most prosperous state. At the same time, demands from some Sikh politicians for a 'Sikh homeland' produced difficulties for governments. Scarred by the creation of Pakistan, most Indian leaders vowed that religious majoritarianism was no reason for the creation of a state within the Indian federation. Language, however, was: India's federal system was reorganized on the basis of language in 1956, but the boundaries of Punjab were not touched. In 1966, in response to Sikh pressure, India divided the Punjab state to create a Punjabi-speaking Punjab state and a Hindi-speaking state called Haryana. In this new, small Punjab, Sikhs were a majority, and the Sikh confessional party, the Akali Dal, was able to win elections. It led its first state government after the elections of 1967 in alliance with the Jana Sangh, a party largely representing urban upper-caste Hindus, and various smaller parties. Alliances between the Akali Dal and the Jana Sangh and its successor, the Bharatiya Janata Party (BJP), have been common ever since.

Punjab in the 1970s looked an unlikely site for a bloody insurgency against the Indian nation state. Punjab was India's most prosperous state, with booming Green Revolution agriculture leading to improved schools, roads and health centres and greater material comfort for many of its people. It was a political unit in which most people belonged to the same religion and spoke and wrote the same mother tongue. Punjab's politicians controlled Punjab's schools and police forces. On the surface, this might seem a recipe for contentment.

Conflict

Four factors contributed to the violent movement for a Sikh state or 'Khalistan'. The beginning of sustained violence might be dated from September 1981 and the murder of a Hindu newspaper proprietor with a reputation for ridiculing Sikh political aspirations.

History

First, the movement drew on history and practice. Advocates of a Sikh state invoked the glories of the Sikh kingdom of Ranjit Singh. There had been a Sikh state; there ought to be again. They tapped into the martial tradition implanted by Guru Gobind Singh, reinforced through 100 years of service in British colonial armies and continued in the army of independent India. The high proportion of ex-servicemen in Punjab ensured a familiarity with weapons and military tactics. Materially and emotionally, Punjab had what it takes to support an insurgency: means of fighting and traditions to support the fight. But even if history and capability existed, why should an insurgency have begun at the height of a region's prosperity?

'Development'

Punjab's rapid but uneven development from the beginning of the Green Revolution in the mid-1960s is the second element in an explanation of the insurgency. By 1980, virtually all of Punjab's villages were connected by sealed roads, suitable for wheeled vehicles all year round. Fifteen years before, only about half were so linked. Schools, health centres, colleges, newspapers, radios and televisions followed. Prospering families could afford to send their children to school and even to college. By the mid-1970s, Punjab had India's second highest proportion of primary-school-aged children actually attending school. As prosperity increased, paid labourers were imported from elsewhere in India; young Punjabis went to school instead of to work in their fathers' fields. Literacy improved from 24 per cent of the population in 1961 to 36 per cent in 1981. Circulation of daily newspapers in the Gurmukhi script, in which Sikh sacred literature and the Punjabi language in the new Punjab state were written, rose by nearly seven times between 1967 and 1979 – from 34,000 to 220,000 copies a day (Jeffrey 1994: 79–85). Thus when a gun-battle between religious factions resulted in 18 deaths in the Sikh holy city of Amritsar in 1978, there were plenty of readers eager to follow the newspaper wars that ensued. 'Deadly venom and unabashed hatred' was said to have tumbled from the Hindi and Gurmukhi press. The dispute became one of 'Hindus vs. Sikhs'; the editor murdered in 1981 had been one of the protagonists on 'the Hindu side' (*Tribune*, Chandigarh, 24 April 1978, p. 4).

Punjab was a society increasingly in touch with itself and with a wider world. Disputes that in the past would have been confined to a village could now become statewide 'issues' overnight. Events elsewhere in India and the world could inspire action in the Punjab countryside. More and more Sikh youths had aspirations that exceeded the number of respectable opportunities in a heavily agricultural economy.

Politics and choices

Domestic politics – decisions aiming for political advantage – provided one of the two sparks that ignited Punjab in the 1980s. One of the few organizations to challenge Mrs Gandhi's authoritarian 'emergency' rule from 1975 to 1977 was the Akali Dal, the Sikh religious party. Akalis and their supporters, who were out of power in Punjab when the 'emergency' was proclaimed, staged demonstrations and hundreds of them were imprisoned. After the Emergency, the Akali Dal benefited from its reputation for sacrifice, won state elections in 1977 and formed a government. Indira Gandhi and her Congress Party, now out of power nationally and pursued by commissions of inquiry, countered their opponents with every stratagem available. In Punjab, it was tempting to divide and overcome the Akali Dal, a party espousing the interests of Sikhs, with a Sikh movement that depicted the Akali Dal as insufficiently attentive to true Sikhism. A former Director General of the Punjab police later wrote of 'the fatal competitive extremism created by the Congress Chief Ministers [of Punjab] in their zeal to keep [the] Akali Dal off balance' (Nath 2008: 115).

Rural society in Punjab had a tradition of faction and feud, which readily adapted to electoral politics. It was possible too to portray the new Sikh-majority

Punjab as a victim of an uncaring, discriminatory Indian state. The capital city, Chandigarh, newly built after independence, became a Union Territory in 1966, the joint capital of Punjab and Haryana. Punjab zealots argued that it belonged to Punjab alone. Similarly, they argued that river water, essential for Punjab's booming agricultural economy, was unfairly divided between Punjab and other claimants. And Sikhs, they contended, were discriminated against in national government agencies and the military, where they comprised at least 10 per cent of the Indian Army in the 1980s (Jeffrey 1994: 148). In the communicating, connected place that Punjab became from the 1960s, rivals could attach local contests to larger issues and organizations to gain leverage over opponents. Such divisions and potential grievances were both strength and weakness for the disparate 'Khalistan movement' of the 1980s. They provided recruits for armed resistance; but they meant that rivals were amenable to standing with elected governments, if the rewards looked plausible.

From 1978, Mrs Gandhi's allies – like her, out of power after the 'emergency' of 1975–1977 – helped to project and protect a young preacher, Jarnail Singh Bhindranwale, as a champion of purist Sikhism and of Punjab. By 1981, he had become the leading figure of an aggressive movement for a Sikh state. Bhindranwale quickly threw off any harness in which Congress or other politicians might have thought they held him. A romantic figure, he attracted hundreds of young men whose labour in Punjab's rural economy was less necessary and less desirable than in the past and who were ready to hear a call to live up to the glories of Sikh history. In 1984, Bhindranwale's heavily armed followers took control of Amritsar's Golden Temple, the holiest of Sikh shrines, and defied the Indian government. Mrs Gandhi, again Prime Minister, ordered the army to capture the Golden Temple. At the end of a three-day battle, hundreds, including Bhindranwale, were dead. Four months later Mrs Gandhi was murdered by her Sikh bodyguards in the garden of her own residence. Rioting followed in Delhi in which thousands of Sikhs were murdered. The organizers and perpetrators of these killings have never been brought to book. Plenty of martyrs' blood was available to irrigate the struggle between a Khalistan movement and the Indian state.

Advocates of Khalistan were divided among various groups and were never able to claim convincingly that they had overwhelming support among Sikhs. To be sure, after the terrifying, bloody riots against Sikhs in New Delhi following Mrs Gandhi's murder in 1984, most Sikhs were appalled at the Indian government. Nevertheless, the Akali Dal contested and won Punjab state elections in 1985 (see below).

These events highlight aspects of the Khalistan story that mark it off from many other internal conflicts. Those working for the established government were more often than not from the same identity (or ethnic or religious) background as those trying to displace the government. Sikhs very often confronted Sikhs. And federation – autonomy of a kind for Punjab – and elections did not have to be argued or fought for: they were part of the Indian Constitution and a fairly elected government in Punjab was seen as a step towards ending the insurgency.

International dimensions

The other spark – indeed, fuel supply – for the Khalistan struggle was provided by the international environment. Mrs Gandhi's desperation to return to power, and Bhindranwale's rise, coincided with the Soviet invasion of Afghanistan in 1979 and the arming by the United States of the military dictatorship in Pakistan. Smarting from the defeat by India of 1971, the Pakistan army was happy to provide support for Khalistan supporters who slipped back and forth across a porous border long exploited by smugglers.

Rapid changes in global communication had two consequences. A Sikh diaspora had spread to Africa, North America, southeast Asia and the United Kingdom from the end of the nineteenth century. Migration had increased from the 1960s as countries like Canada eased racist immigration laws. Some Sikhs in the diaspora supported the Khalistan movement with funds, weapons, publicity and sanctuary. And examples, such as the Iranian revolution of 1979, where a religious movement had prevailed over a ruthless state, became widely known and seemingly inspirational.

Official figures indicate that the insurgency was most intense between 1986 and 1992 when close to 20,000 people were killed, an average of nearly 3,000 a year. In 1993, the figure fell to 900 and by 1998 there were none (*Frontline*, 28 September 2001).

Diminution

Why did the insurgency abate? One can identify four broad areas in which change occurred, either as a result of policies or of external forces over which the principal adversaries had little control.

Democracy and federalism

However flawed and class-controlled Indian democracy may appear, it never completely vanished from the options available in Punjab. Indeed, after Mrs Gandhi's assassination, the new Prime Minister (her son, Rajiv Gandhi) concluded a peace agreement with a Sikh religious leader and state elections were held in 1985.

Though the religious leader was soon murdered for his alleged sell-out, the Akali Dal won the elections and formed a government. It attempted to meet the demands of its own supporters, the government in New Delhi and armed Khalistanis calling for an independent Sikh state. The Akali Dal – the 'party of Sikhs' – had, however, been outflanked. The state government was portrayed as a tool of a devious central government, which failed to honour the terms of the agreement the two parties had concluded. Distrust, stasis and the most deadly phase of the insurgency resulted. The juggling act ended with the imposition of rule by the central government – President's Rule – in 1987, which remained in force for nearly five years until new state elections in 1992 (Sidhu *et al*. 2009: 228–31). Although only about 24 per cent of the electorate voted, those elections produced a Congress Party government that served a full five-year term and presided over a return to relative peace. Nor were these the only elections. In September 1992, municipal elections evoked a voter turnout of 75 per cent, and in January 1993, elections to village governments (*panchayats*) got turnouts of 80 per cent. Police leaders asserted that once security had been achieved through ruthless policing, exhausted citizens welcomed a fair democratic process (Gill 1999: 67–68).

State elections in 1997, held according to schedule, brought voter turnouts of 69 per cent and a change in government – an Akali Dal-led government, which served a full five-year term. Punjab again held scheduled elections in 2002 (turnout: 65 per cent) and 2007 (turnout: 76 per cent) and 2012 (turnout 79 per cent). The government changed on each occasion. Although fair state elections had not been enough by themselves to end the insurgency, they were an essential element.

Suppression

For three years, from 1988 to 1991, India's national governments were either in electioneering mode or provided by shaky coalitions. Only after the elections of June 1991 did the country get a relatively stable central government that looked like serving its full term of office. Such a government was able to develop a clearer Punjab policy and adhere to it. The border with Pakistan was increasingly fenced and sealed so that support and sanctuary became harder to gain. To hold the 1992 state elections thousands of polling booths and their officials in 117 constituencies had to be protected convincingly.

Ruthless policing, backed by the deployment of the Indian army, helped to make this possible. The army – regarded as better-disciplined and less prone to corruption than the police – provided an overwhelming presence that enabled the police to work on intelligence and target insurgent groups. Police and intelligence agencies murdered Khalistani suspects (*India Today*, 15 October 1992, pp. 28–33). A former Director General of the Punjab police wrote:

> Throughout my career I have been opposed to fake encounters [i.e. killing suspects on the pretext of there having been an exchange of fire or attempt to escape]. . . . However, those in authority above me had different notions. They were of the view that unless terrorists were liquidated, the Government would continue to be accused of lack of firmness. Thus, those authorities started asking Superintendents of Police, bypassing me, to stage fake encounters.
>
> (Nath 2008: 176)

A long-time Punjab journalist writes similarly:

> The police . . . was equally threatening and in many cases they beat up journalists . . . A few were bumped off or what is called disappeared in the police parlance . . . Tortures, fake encounters, drowning and all other means

> were so common to eliminate the alleged terrorists that the police and the people routinely accepted these as a fate [sic] accompli.
>
> (Thukral 2009: 13, 121)

Some of these cases were later brought before the courts. In one example, six former police were convicted and given sentences from seven years to life imprisonment for the murder of a human rights activist who was exposing other murders by the police (*Indian Express*, 9 October 2007).

The police chief who led the suppression of the early 1990s argued that 'the defeat of terrorism in Punjab . . . was unambiguously the result of counter-terrorist measures implemented in the state by the security forces' (Gill 1999: 2). What was necessary, he contended, was a well-led local police force, well armed and trained, creating effective intelligence and supported in the background by paramilitary forces or the army (Gill 1999: 3–10). What often came in the way were 'singularly incompetent governments' bent on '"winning the hearts and minds of the people" – usually a euphemism for a policy of appeasement'. However, a key aspect of the suppression of the Khalistan movement lay in the fact that the police chief and most of the Punjab police were Sikhs who had grown up with the religion and spoke the Punjabi language (Gill 1999: 2–3, 51, 54). Gill stressed that it was a police action, not a military action, though the military were used to secure bases and give the police the appearance of having overwhelming force in reserve.

The police exploited three things: lack of unity within the Khalistan movement; the drift from ideological insurgency to criminality that often attends revolts; and the weariness of much of the population with violence. Divisions among the insurgents meant that sometimes one faction would betray another. Criminality – particularly extortion and sexual exploitation – began to alienate larger numbers of people and contributed to the widespread ennui that afflicted Punjab by the early 1990s.

International dimensions

The Government of India vigorously resisted any attempt to involve international organizations in the Khalistan question, which it treated as a strictly internal affair. However, just as international factors had contributed to the flourishing of the movement, so they influenced its decline. Other countries – notably the UK, Canada and the US – became convinced of the movement's dark side, particularly after the destruction of the Air India flight from Canada in June 1985 that killed 329 people.

Pakistan support for the Khalistan movement had been equivocal from the start. Sikhs and Muslims have angry antagonistic memories of the killings at the time of Partition. And for Pakistan, the outstanding issue with India remains the status of Kashmir. Thus when the Soviet Union withdrew from Afghanistan in 1989, arms and zealous Muslim fighters, no longer needed for the war in Afghanistan, could be deployed in Kashmir. A self-propelled insurgency had already begun there as a result of outrage over rigged state elections in 1988. The Line of Control (the boundary between Indian and Pakistani-controlled territory) in Kashmir, running through rough, mountainous terrain, was easier to penetrate than the increasingly fenced and patrolled border on the plains of Punjab. Pakistan intelligence reduced support for Khalistan and increased it for Kashmir.

Amelioration

Three other factors played a part in the diminution of the Khalistan movement. Central governments recognized that Punjab's heavily agricultural economy did not provide sufficient employment for young men educated to the point where field labour held no appeal, and, in any case, their families could afford to hire agricultural labourers (Sidhu *et al*. 2009: 325). Factories to build railway coaches and to carry out railway repairs were opened in Punjab in the late 1980s as part of central government efforts to turn more young people into wage earners (Kerr 2007: 160). Both Indian and Punjab governments also aimed to employ young Sikhs in the police, army and other services. In 1988, Punjab had 135,000 small industrial units; 20 years later it had 200,000 (*India* 1989: 725; *India* 2009: 1,104). By 2009, the share of the primary sector in the state's Gross State Domestic Product had fallen to 33 per cent, down from 47 per cent in 1980 (Adiseshiah 1989: 59–60).[2] Some diversifying of the Punjab economy and improvement in job opportunities for young men occurred, and Punjab governments proudly claimed that by 2001 the percentage of the population employed in agriculture had fallen below 40 per cent, a notable trend for a state regarded as the granary of India (Government of India 2010).

At the political level, Punjab's notoriously factionalized politics offered opportunities and temptations. Leaders could be co-opted and groups split. A prominent example was Amarindar Singh (b. 1942), who would have been Maharaja of Patiala, the largest Sikh princely state, if the princely states had survived.[3] Amarindar was a member of the Congress Party in the early 1980s, then joined the Akali Dal and eventually came back to the Congress to lead a Congress government as Chief Minister of Punjab from 2002 to 2007. The ease with which one of the most aristocratic Sikh leaders moved between political parties illustrated the longstanding factional tendencies of Punjab society. Such tendencies helped both to foster insurgency ('if my rival stands for something, I will stand for something else'), yet hobble appeals for 'Sikh unity' – whether unity in supporting allegiance to India or to a Khalistan state. As late as 1997, when the movement was dissolving, 'at least nine groups [calling for Khalistan] were known to exist', according to one scholar (Telford 2001: 13).

Symbolic recognition for Sikhs increased from 1991 when Manmohan Singh, a respected economist and technocrat, became Finance Minister of India. In Punjab itself, the policeman who led the suppression of the insurgency after 1991 was a Sikh, K. P. S. Gill, whose reputation for ruthlessness and colourful living remained long after his retirement in 1995 (*Frontline*, 26 January 1996, p. 26; *India Today*, 31 August 1996, p. 100). The police he used were also overwhelmingly Sikh. 'We made it a Punjab Police fight,' Gill told a journalist. 'No force from outside could have done it.'[4] In 2004, Manmohan Singh became Prime Minister of India, and from 2005–2007 General Jagjit Singh was chief of the Indian army. With such powerful symbols, assertions that Sikhs were discriminated against lost credibility.

Aftermath and prospects

Ideas about a Sikh state and actions to achieve it did not disappear in 1993. The Chief Minister of Punjab, a Sikh member of the Congress Party, was assassinated by a suicide car bomber in 1995, and court cases arising from the insurgency and its suppression have dragged through courts in India and Canada. Websites advocate Sikh-state causes.[5] In British Columbia, Khalistani symbols and pictures of 'martyrs' embarrass politicians at the time of Sikh community events (Canadian Broadcasting Corporation 2008).[6] But in Punjab, rival parties have contested elections and alternately governed – in 1992, 1997, 2002 and 2007. In 2011, the Chief Minister was an 83-year-old Akali Dal leader, a veteran of 60 years of Punjab politics. For now, Punjab and movements for a Sikh state are not a major preoccupation for Indian governments.

Lessons

What are the lessons of Punjab and the movement for a Sikh sovereign state?

At the most general level, we might identify the importance of democratic processes and decentralized government – federalism, in the Indian example – and honest elections. Even in the most violent stages of the 1981–1993 struggle, Indian governments constantly stated that fair and free Punjab elections were the goal to be worked for. Between 1977 and 1992, Punjab had four state elections. Even if its realization often seemed distant, local democracy was always a stated goal. This recognition that local people, bonded to the Indian state, had to run local government was reinforced by the fact that Punjab's government services were largely provided by Punjabi-speaking Sikhs. Officers of the Indian state – such as the feared policeman K. P. S. Gill – could be portrayed as 'traitors,' but never as 'foreigners'.

Decentralization, however, brings challenges for sovereign states that practise it. The paradox is so clearly seen in the contrast between India and Indonesia, both of which are vast multi-lingual, multi-religious states. In India, 'federalism' is matter of pride, a mark of the way in which the Indian state can bend and flex to accommodate the people who live within its borders. In Indonesia, on the other hand, the F-word, when it is used at all, is used to describe a dangerous doctrine of an earlier time. One can see why. In the 1950s, scholars and leaders predicted that Indian federalism, particularly once it came to mean language-based states, would lead to balkanization. In Indonesia in the 1950s, the federal tendency, tainted with the suspicion that it was inspired by imperialist interests, appeared to result in open secessionism.

Decentralization must be perceived to be genuine. If local people are seen as cat's paws of central governments, the attractions of decentralized government fade. This has been a sporadic story in India from the 1960s as Mrs Gandhi and her Congress Party strove to impose their clients as state governments around the country. These efforts had particularly adverse and unexpected consequences for the Congress Party in Andhra Pradesh, Kashmir and, of course, Punjab. The refusal of the central government to let Punjab politics play out in their own way helped to promote Jarnail Singh Bhindranwale and set off the insurgency that began in 1981. Political choice – bad decisions that offended local pride and interests – played a part in triggering the insurgency.

So, too, did international conditions. The young men who fought for a Sikh state needed arms and sanctuary. They got them from a military government in Pakistan hostile to India and financed as a base for the US-supported war against the Soviets in Afghanistan. Pakistan's military government and its intelligence services were willing and able to support an insurgency in Indian Punjab.

International conditions similarly played a part in the diminution of the insurgency. Pakistan's military dictator, General Zia-ul Haq, died in a mysterious plane crash in 1988; ten years of unstable civilian governments followed in Pakistan. Almost simultaneously, the war in Afghanistan ended, the Soviets withdrew and US aid to Pakistan dried up. Preoccupied civilian governments in Pakistan were less keen to help insurgents in Punjab, while Pakistan intelligence services saw advantage in redirecting young Muslim enthusiasts, trained in Afghanistan, towards support for insurgency in Indian Kashmir.

A basket of measures undertaken by the Indian state provides the final ingredient in the diminution of the Sikh-state movement. Ruthless policing and targeted suppression – extra-judicial murders – were among the items in the basket. Younger, poorer men were co-opted into state services; older politicians took office in Punjab and Indian governments and bureaucracies. Efforts were made to diversify the Punjab economy and provide more attractive prospects for a population less willing and less needed to work on the land. At the highest level, Sikhs came to occupy some of India's highest offices – Prime Minister and commander of the army.

The Punjab recipe for diminution of conflict might be said to be:

- ruthless, targeted, well-funded suppression;
- a reduction of external support;
- decentralized government;
- honest elections offering real power to the winners;
- jobs – political and career opportunities, resulting in part from economic diversification;
- exhaustion – the weariness of a population that never totally supported the insurgency.

To what extent can such nostrums be applied in other places and circumstances? 'Ruthless suppression' is, in terrible ways, perhaps the easiest, but to use a rapier, not a meat axe, is much harder. Too many modern states have resorted fruitlessly to bludgeon-like suppression. Reducing 'external support' for an insurgency can be achieved only through the winning over of foreign powers through diplomacy and good fortune. Decentralization and honest elections are, however, two elements that lie within the power of sovereign states. But they entail risks and the potential loss of power by people who control the nation-state's existing apparatus. Fairly distributed opportunities, resulting from an expanding economy, are similar: to some extent, they lie within the power of a government. Exhaustion and war-weariness are difficult to measure. When has the moment come when most parties to a conflict see peace with compromise as acceptable? In Punjab, because of the fissures even among Khalistanis and between them and much of the population, that moment came sooner than it might in places where solidarities are stronger.

Consider this list against, for example, the story of Sri Lanka. Such an exercise may help us to gauge the extent to which particular devices or stratagems may be effective and, on the other hand, the extent to which there must be wise choice and lucky circumstances for conflict mitigation to occur. In Sri Lanka, what was missing from the beginning – and still not effectively achieved – was decentralized government. The unitary state inherited from the British was captured by religious and linguistic majoritarianism. The Sri Lankan state is capable of deploying ruthless suppression, and in 2009, with international support crushed the Lanka Tigers of Tamil Eelam (LTTE). But the conflict bled for more than 25 years. And it will be many years before Tamils are likely to assume key positions within a Sri Lankan state. A federal option in the 1950s might have headed off the conflict, as, for the time being at least, such conflict has been overcome in Punjab.

Notes

1 *Kesh*, *kangha*, *kach*, *kara* and *kirpan*. Four can be construed as having military significance: *kesh*, uncut hair and beard meant that no Khalsa Sikh could run away anonymously in battle; *kach*, shorts, tied at the waist with a drawstring, gave ease of movement more effective than an untailored lower cloth; *kara*, a steel quoit, could be wrapped into the turban to ward off sword cuts or sharpened and thrown as a weapon like a frisbee; the *kirpan* is a dagger or sword. The *kangha* is a comb, essential to keep long hair tidy and clean.

2 See also Statistical Abstract of Punjab (2009) Table 4.3, pp. 120–121, Online at www.punjab.gov.in/General/Abstract/abstract09/11-144, (accessed 12 March 2011); Singh and Singh, (2002), p. 582; *Frontline*, 29 November (1996), p. 45, 27 June (1997), p. 113; *India Today*, 15 December (1996), p. 50. *Outlook*, 15 August (2005), p. 16.

3 The Government of India abolished the princely states and their remaining entitlements in 1970.

4 'So Gill opted for the tactic of pitting Jat Sikh versus Jat Sikh, replacing the paramilitary forces in the frontline with local Jat boys.' Punjab police numbers increased from 35,000 to 60,000 in the five years to 1993. *India Today*, 15 April (1993), pp. 63, 69.

5 For example, www khalistan net (accessed 10 March 2011).

6 For an Indian account of Sikh-state activity in 2008, see www.satp.org/satporgtp/countries/india/states/punjab/timelines/index html (accessed 10 March 2011).

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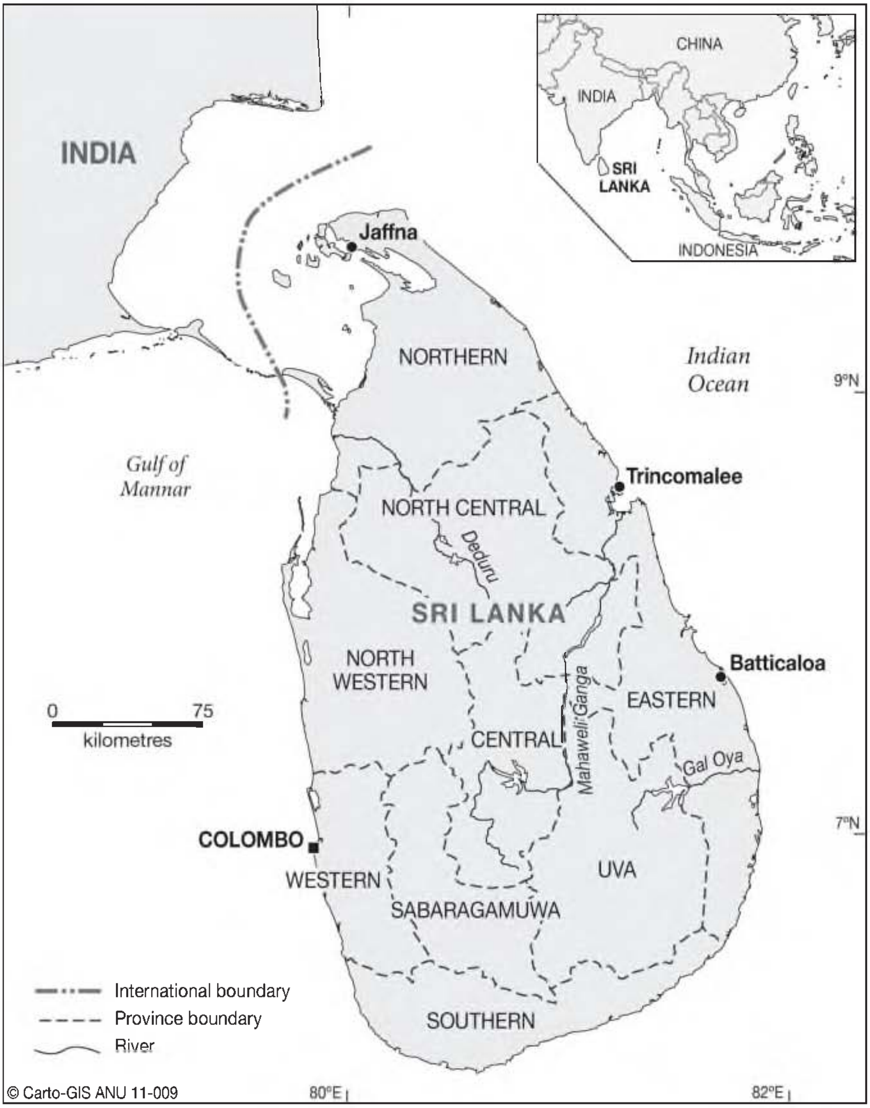
CHINA
INDIA
SRI LANKA
INDONESIA
INDIA
Jaffna
NORTHERN
Indian Ocean
9°N
Gulf of Mannar
Trincomalee
NORTH CENTRAL
Deduru
SRI LANKA
Batticaloa
NORTH WESTERN
0
75
kilometres
EASTERN
Mahaweli Ganga
CENTRAL
Gal Oya
7°N
COLOMBO
WESTERN
UVA
SABARAGAMUWA
International boundary
Province boundary
River
SOUTHERN
© Carto-GIS ANU 11-009
80°E
82°E

Map 7 Sri Lanka

Major events: Sri Lanka

1796–1833	Ceylon colonized by British; 1815 onwards: Tamil labourers brought from India's south
1948	Ceylon gains independence; renamed Sri Lanka in 1972
1949	Indian Tamil plantation workers disenfranchized, many deprived of citizenship
1958–59	Anti-Tamil riots cause 200 deaths and displace thousands
1972	Republican Constitution; Buddhism given state patronage
1976	Liberation Tigers of Tamil Eelam (LTTE) formed
1983	13 soldiers killed in LTTE ambush; anti-Tamil riots lead to hundreds of Tamil deaths, marking 'First Eelam War'
1987	Indian Peacekeeping Force (IPKF) deployed
1990	IPKF leaves; thousands of Muslims expelled from northern areas by LTTE, which announces 'Second Eelam War'
1991	Former Indian Prime Minister Rajiv Gandhi assassinated in southern India, by LTTE
1993	President Ranasinghe Premadasa killed by LTTE bomb
1995	President Chandrika Kumaratunga agrees to peace talks but they stall; beginning of 'Third Eelam War'
2002	GoSL and the LTTE sign a Norway-mediated ceasefire
2004	Eastern Tiger commander Karuna splits rebel movement, goes underground with supporters; Tiger offensive regains control of the East
2004	More than 30,000 people killed in Indian Ocean tsunami
2005	Court blocks post-tsunami $3 billion aid deal with Tigers; Foreign Minister assassinated allegedly by LTTE
2008	GoSL pulls out of 2002 ceasefire, launches offensive
2009	LTTE leader Velupillai Prabhakaran killed (19 May)
2009	Opposition parties form alliance that includes Muslim and Tamil parties; led by former PM Ranil Wickremesinghe
2010	General Fonseka, who helped defeat LTTE, contests presidential election; Rajapaksa wins, Fonseka imprisoned 3 years for conspiring against the President (released early, May 2012)
2011	UN releases Panel of Experts war crimes report, which GoSL rejects

7 Sri Lanka

The end of war and the continuation of struggle[1]

Bina D’Costa

One of the world’s longest running civil wars ‘officially’ ended on 18 May 2009 when the Sri Lankan army captured the town of Kilinochchi. ‘Peace’, the Sri Lankan government triumphantly claimed, had been achieved through a crushing military victory. Previous efforts to end the civil war had been frustrated by the fractured politics of Sri Lankan governments (Biswas 2009), the interplay of interstate and intrastate politics (Biswas 2006), global fear and insecurity fuelled by the ‘War on Terror’ discourse and the growing extremism of the Liberation Tigers of Tamil Eelam (LTTE) that also alienated a conflict-weary Tamil population. However, the concluding counterinsurgency campaign of the Rajapaksa regime undermined the rule of law and political pluralism (Lewis 2010) and its alternative narrative of the violence planted the seeds of a national trauma that will take years to heal.

Background: Ideological battles

Sri Lanka is an island country off the south coast of India inhabited by 20 million people. Before colonial rule, the island was ruled as three kingdoms, a Tamil kingdom in the north, and two Sinhalese kingdoms in the south.

The last comprehensive census in 1981 suggested that 74 per cent of Sri Lankans were Sinhalese and 12.6 per cent Sri Lankan Tamils. Indian Tamils were recorded as 5.5 per cent, ‘Moors’ or Muslims 7.1 per cent and ‘others’ at less than 1 per cent. By religion there were 69.3 per cent Buddhists, 15.5 per cent Hindus, 7.5 per cent Muslims, 7.6 per cent Christians and 0.1 per cent ‘others’. The population was 72.2 per cent rural, 21.5 per cent urban and 6.3 per cent lived and worked on estates (cash-crop plantations).

Scholars have highlighted various causes of the conflict (see ICG n.d.). Some argue, the politicization of differences, both religious and ethnic, to maintain power sowed the seeds of conflict. De Silva (2005) provides a historical analysis of the Portuguese, Dutch and the British colonial times between 1505 and 1948 when Sinhalese and Tamil populations co-existed. The communities had different religious, linguistic, social and economic structures and practices. The centralized colonial administration controlled and maintained these differences in ways that suited the colonial rulers, and these practices and institutions contributed to deep ideological and institutional transformations of society. While DeVotta (2004) suggests that communities existed amicably during colonial times, Taras and Ganguly (2002) argue that the relationships were those of traditional rivalry, which British rulers managed and manipulated. In the twentieth century, the communities also had a common adversary or 'Other' – the colonial administration. The national movement was consolidated against the British Raj.

Europeans from the time of the Portuguese introduced Christianity, and those who followed the new religion acquired a privileged relationship with the colonial regimes. This restricted some of the traditional patronage systems that religious elites – Buddhist, Hindu and Muslim – had forged with the old kingdoms. This newly imposed structure generated grievances for the Sinhalese Buddhists as the split between the kingdom in Kandy and Buddhist values affected them the most. Until independence, colonial administrations contained a majority of English-educated Hindu Tamils, compounding the sense of injustice.[2]

When Ceylon won independence in 1948, the Sinhalese-based political parties developed divisive ethnocentric practices and based political mobilization on these historical claims and grievances. Neil DeVotta and Bidhisha Biswas suggest that ethnic outbidding following independence generated and intensified the conflict in Sri Lanka. Ethnic outbidding is understood to be 'competition to attract popular support [which] leads political actors to try appear the most supportive of ethnic claims, which causes an almost inevitable spiral toward conflict with other ethnic groups' (Gagnon 1994/95: 131). Researchers identify divisive and weak political structures, bad leaders,[3] various kinds of socioeconomic grievances and territorial anxieties as the primary drivers of ethnic outbidding. These lead to state weakness or failure, which have become key notions in most civil wars, including the Sri Lankan war.

Rajasingham-Senanayake provides a different analysis of Sri Lanka's identity politics and suggests that it is a bi-polar ethnic construction that imagines Sinhalas and Tamils as 'mutually exclusive and collectively exhaustive of the island's diverse and hybrid communities' (Rajasingham-Senanayake 1999: 101). She argues that this imagination disintegrates the fluid, overlapping identity formations into a monolithic and race-based collective identity. Different regimes used ethnic outbidding and bi-polar imaginings to mobilize both the Tamil and the Sinhalese communities. In the modern history of Sri Lanka, both communities claim themselves as the 'chief sufferers'. In its combination of myth and history, the claims for legitimacy and ownership of Sri Lanka have proved to be dangerous for the nation-state.

Sri Lanka's nation-building and the ethnic-identity politics of difference are deeply intertwined through a Sinhalese–Buddhist state elite initiated process. After independence, governments of Sri Lanka aimed to integrate the Sinhalese and the Buddhist identities simultaneously and make them the dominant presence in the state apparatus. Post-colonial state-building strategies started gradually restricting Tamil access to education and public services. Sinhalese political parties also aimed to reduce the influence of Tamils in the parliament and in the financial sector.

Sri Lanka's first Constitution drafted in 1948 denied citizenship to Tamils of Indian origin.[4] This decreased the number of Tamils in the parliament. DeVotta (2004) argues that the Sinhalese majority government's discriminatory language policies and the institutional decay mobilized disaffected Tamils and helped to provoke civil war. Bandaranaike's Sri Lanka Freedom Party (SLFP), which had the strong support of the Buddhist clergy, manipulated the language issue to defeat Kotelawala's United National Party (UNP) and come to power in the elections of 1956. The Official Language Act of 1956 that declared Sinhala the sole official language, replacing English, and the 1972 Act making Buddhism the official religion of the state were two significant examples of ethnic outbidding in the interests of the Sinhalese.

In the early 1940s, the Tamil Congress represented mainly Sri Lankan Tamils, whereas the Ceylon Workers Congress (CWC) represented the Tamil plantations workers or the 'Indian Tamils'. Sri Lankan Tamils traced their origins back 1,000 years and formed a large proportion of Ceylon's elite in British times. Indian Tamils were generally poor, lower-status people who had come as labourers to work on cash-crop estates. Due to factional politics, the Tamil Congress was split in 1949 and the Federal Party (or the Ceylon Tamil State Party) was formed under the leadership of Chelvanayakam. This new party demanded some autonomy for Tamil areas under a federal system within the state of Sri Lanka and constitutional recognition of Tamil as an official language along with Sinhala. The Ceylon Tamil State Party's agreements, with both the Bandaranaike and Senanayake governments, failed to address Tamil grievances adequately; especially those of younger generations. Within two decades of independence, various radical Tamil political parties and their armed wings started to fight for justice.

Increasingly seeing themselves as marginalized in the parliamentary process, several Tamil political groups, including the All Ceylon Tamil Congress, formed the Tamil United Front (TUF) on 4 May 1972. Following the Federal Party's merger with the TUF in 1976, the name was changed to the Tamil United Liberation Front (TULF). This party, which assumed a more conservative and in later years moderate approach, advocated an independent state to be known as the 'secular, socialist state of Tamil Eelam' and denounced the new Constitution as anti-Tamil. In October 1983, all 16 TULF legislators forfeited their seats in parliament by refusing to swear an oath, under the Sixth Amendment to the Constitution, renouncing support for a separate state.

Conflict build-up: Tamil radicalization

The gradual militarization of the northern and eastern provinces and an increasingly repressive army presence in Tamil areas produced a radicalized and militant movement in Sri Lanka in the mid-1970s. Frustrated by the lack of success of the dominant Tamil parties including the TULF, which the younger generations of Tamils perceived as ineffective in establishing a satisfactory measure of devolution for the Tamils, many started to lean towards the Tamil Students Movement (TSM). The TSM emerged in 1970 to protest against government restrictions against Tamils in higher education. The TSM splintered into two factions in 1972, and the Tamil New Tigers (TNT) and Tamil Eelam Liberation Organization (TELO) were formed.

The LTTE was formed on 5 May 1976 under the leadership of Velupillai Prabhakaran. It created its own military wing with the Tigers (infantry division), Sea Tigers, Air Tigers, Black Tigers and a political wing. During the 1980s, the LTTE began to see the TULF as rival to the sole Tamil representative body of the north and east. Over the next two decades, the LTTE assassinated TULF leaders, including Appapillai Amirthalingam and Neelan Thiruchelvam.

While in 1956, 1958, 1977, 1979, and 1981 there were deadly ethnic riots alleged to have been orchestrated by state-sponsored thugs, a turning point in Sri Lanka's history came with the anti-Tamil pogrom, commonly known as Black July, that started on 23 July 1983 (Tambiah 1986). An estimated 3,000 Tamils were killed and more than 150,000 became homeless in mob violence that continued in Colombo for three days. Many understood an LTTE attack that killed 13 soldiers in Jaffna in the northern province to have triggered the riots. A large number of Tamils were displaced and many who were able to leave the country moved to other parts of the globe with concentrations in the United Kingdom, USA, Canada, South Africa, Mauritius, Malaysia, Singapore and Australia. The LTTE declared its first 'Eelam war' marking the beginning of Sri Lanka's civil war. The economic costs of the riots amounted to around $300 million (Holt 2011: 61).

Conflict diminution

Phase I 1948–2008: Use of violence

As early as 1948, there had been several unsuccessful efforts to resolve the conflict. There were plans to introduce some devolution through the Bandaranaike–Chelvanayakam Pact in 1957 and the Dudley Senanayake and Chelvanayakam Pact in 1965 (Holt 2011: 61). Following the 1983 riots, India brokered the Thimpu Peace Talks in 1986–1987 following which the India–Sri Lanka Peace Agreement (ISPA) was signed. After the Indo–Sri Lankan Accord on 29 July 1987, the Indian Peacekeeping Forces (IPKF) moved in (Krishna 1999, Ch. 6). The last IPKF contingents withdrew in March 1990, following which the second phase of 'Eelam war' was declared, which further displaced nearly 75,000 Muslims from the north. India's part in Sri Lanka's conflict highlights the critical role of proximate neighbours in either diminishing or intensifying conflicts. In this case, India's intelligence agency RAW (Research and Analysis Wing) helped begin LTTE military operations. Through the arming and training of Tamil militant groups, India had intensified the conflict. However, nearly 1,200 Indian soldiers were killed during the IPKF operation in Sri Lanka and approximately 8,000–11,000 LTTE operatives were killed. Ryan observes that states, which have close affective links with ethnic groups in other states, will often maintain a strong interest in the fate of those groups (1995: 63). This phase of the conflict demonstrates that neighbours of bordering states and external forces that have a strong interest in a conflict zone must be in alignment for the conflicts to diminish.

Between 1994 and 2006 there were other formal peace talks which discussed various plans of devolution. After the unsuccessful peace agreement with the Chandrika Kumaratunga-led government in 1994, the LTTE declared the third ‘Eelam war’ causing mass displacement and a humanitarian crisis, especially in the Jaffna Peninsula and the Vanni region in the north. After a four-year ceasefire, the fourth ‘Eelam war’ was declared following the collapse of the peace process in July 2006.

In earlier decades, the population supported LTTE’s recruitment strategies but gradually came to dread them. Conscription increased the vulnerabilities of the Tamil population in the northern and eastern provinces. Its impact was far reaching, especially through the LTTE policies of forced recruitment of adults and, in particular, children.

By the mid-1990s Sri Lanka’s conflict was an intractable and violent one, which had separate roles for men, women and children. It recruited women, and by the late 1980s after the Indo–Sri Lanka Accord, it began recruiting children. This became an enormous challenge for the IPKF because a conventional army was ill-prepared to deal with child soldiers. Various reports suggest that the fighting cadre of the LTTE was 30 per cent women. Between 1987 and 2002, it is estimated that 4,000 women were killed in combat. This included over 100 suicide bombers who belonged to the Black Tiger squad. Women in the LTTE were responsible for the deaths of prominent people including Rajiv Gandhi, former prime minister of India, who was assassinated on 21 May 1991 by Dhanu (a female LTTE member) during an election campaign in the Indian state of Tamil Nadu. Following the IPKF withdrawal and Rajiv Gandhi’s assassination, India pulled out of the peace talks with Sri Lanka and significantly reduced its active role in the conflict.

Most LTTE child recruitment occurred in the Vanni region. The UN estimated it to be 64 per cent boys and 36 per cent girls (UN 2009). Following the LTTE’s collapse in 2009, there was no new evidence of children being recruited. Both Human Rights Watch and Amnesty suggest that the Tamil Makkal Viduthalai Pulighal (TMVP), formerly led by Vinayagamoorthy Muralitharan (also known as Karuna), had been reconstituted and come under the control of former LTTE cadre Sivanesathurai Chandrakanthan (also known as Pillayan). At least 60 persons who were recruited as children but by then were over 18 years of age were still associated with the group (UN 2011). The forced recruitment of children and in many cases adults created enormous complexities for the disarmament, demobilization and reintegration (DDR) processes in Sri Lanka. Despite the Rajapaksa government’s post-war transition policies that focused on vocational training and other income generation activities, the government and its security establishments remained deeply suspicious of the Tamil community. As such, instead of generating trust, these programs were understood as pacification mechanisms. For a conflict to diminish, a war-torn Sri Lanka’s healing, recovery and collaboration are vital. The Sri Lankan state consistently denied meaningful recovery for the war-affected regions.

Economic interests played a major role in Sri Lankan ethnic conflict. Class theory models of ethnic conflict (Horowitz 1985, Chapter 3) suggest that there may be a diversity of conflict motives among different classes of the society. Economic rivalries between rival traders, clients vs traders/merchants, landowners vs labourers, labourers vs labourers, may each accentuate differences marked by ethnic lines. In the mid-1980s, financial support for the left-leaning Jathika Vimukthi Peramuna (JVP, National Liberation Front) came from small entrepreneurs based in Colombo, who either had rival Tamil businesses or had difficulty in obtaining credit from banks that, according them, were under strong Tamil influence (Horowitz 1985: 115, fn 17).

While Sarvananthan does not claim that economic inequalities have caused the conflict, he suggests that the GoSL imposition of the economic embargo on the conflict zone between 1990 and early 2002 has been the most important cause of severe economic and social decline in the northern and eastern provinces (2007: 44–48). The embargo was in force when the LTTE gained control of Jaffna Peninsula and almost the entire northern province. The heavy military presence in the high-security zone (HSZ) destroyed people’s livelihoods. Restrictions on fishing and subsistence farming, landmines in agricultural areas, collapse of infrastructure, especially major roads, were all results of the area being declared an HSZ. This in turn intensified ethnic grievances and generated deep divisions between the northeast with the other parts of Sri Lanka.

While economic factors could mitigate interstate conflict, governments have overlooked the Tamil majority areas in Sri Lanka’s development. Extreme poverty in the northern and eastern provinces contributed to huge regional economic disparities with other regions of Sri Lanka. These two provinces comprise 28 per cent of Sri Lanka’s total area and 14 per cent of the population. At one stage, the LTTE controlled 44 per cent of the area and 20 per cent of the population (Sarvananthan 2007: 48–54).

Two parallel economic authorities had existed in the provinces – the government and the LTTE – exacerbating the inequality and the economic vulnerability of the population. LTTE’s illegal taxation and the formation of administrative units, such as the Tamil Eelam Police and the Tamil Eelam Judicial Service, squeezed resources out of vulnerable and impoverished communities. The LTTE was also involved in transnational crime; it took relief goods from donors and sold them to the black market, and it seized lands from minority communities. When the LTTE was crushed in 2009, Vanni district emerged as perhaps the worst affected by the protracted conflict.

Phase II 2009–2011: Coercing peace

Decades of political violence and civil war have polarized Sri Lanka’s various communities. The biggest challenge of post-war recovery and conflict diminution came from the Rajapaksa regime itself. Mahinda Rajapaksa, the leader of the SLFP, became the prime minister in 2004 and president in 2005. While his ruthless strategies defeated the LTTE, the country remained divided over the question of democratic rule. In April 2010, his ruling coalition, the United Peoples’ Freedom Alliance (UPFA), won a general election, and Rajapaksa retained his presidency, although participation was between 50–55 per cent, an all-time low. In September 2010, Rajapaksa secured the two-thirds parliamentary majority required to pass the controversial eighteenth amendment, removing the two-term presidential limit and authorizing the president the power to appoint judges, police and election commissioners, and central bank officials. Rajapaksa argued that he needed more time to secure Sri Lanka's economic development following the protracted civil war.

Further, the dictatorial and militaristic nature of the LTTE that centred on a megalomaniacal leader, Prabhakaran, undermined the Tamil cause. While the ruthlessness of the leader and the organization appealed to some factions of the Tamil national movement, it also suppressed Tamil rights. By forcibly recruiting minors in armed conflict, using civilian areas to shell government targets and thereby making the civilian population a target of counter measures, eradicating moderate Tamil voices, the LTTE had also built a vicious 'war machine'. However, the LTTE had miscalculated the capability of the GoSL. External support to militant organizations increased the dangers of militarization of the whole society. Prabhakaran's strategies turned the LTTE into a fearsome organization among the people in whose name it fought.

After the total defeat of May 2009, the LTTE splintered into many different factions. It could be argued that the conflict had simply reached a pause, and Sri Lanka was some distance from a post-conflict stage. The Sri Lankan government attempted to eliminate surviving LTTE leaders. One of the senior surviving leaders, Kumaran Pathmanathan, popularly known as KP, was captured and detained in Sri Lanka. However, the emergence of the LTTE was a manifestation of a much deeper problem. Some of the strategies to reduce the chances of a future conflict involve five interconnected processes: the socioeconomic recovery of the war-ravaged areas; creating political space for Tamil, Muslim and other voices to be integrated in policy; resolving differences linking the wellbeing of vulnerable groups to the Sinhala population at large; reducing militarization and thereby diminishing threats and fear; and finally opening up genuine dialogue on accountability by acknowledging the violence committed during the conflict, by both the GoSL and the LTTE.

Prospects

While the war officially ended for the government, had it ended for its Tamil people and war-ravaged regions? For whom has conflict diminished? And for whom has it continued? While Tamil loss of life over the last three decades has been disproportionately high, the conflict has claimed the lives of 100,000 civilians. An estimated 20,000 women are war widows, and a large number of women were subject to torture and sexual violence. Also, 11 journalists, seven of whom were Tamils, and five Parliamentarians were killed between 2007 and 2011. The Tigers also admitted a loss of over 22,000 cadres from the time of the first guerrilla death in November 1982. On the other hand, Sri Lankan Defence Secretary Gothabhaya Rajapaksa stated that a total of 23,790 military men and women had been killed since 1981. The final offensive against the Tigers claimed the lives of 6,261 personnel and another 29,551 had been wounded since August 2006.[5]

There have been a number of initiatives attempting to diminish the conflict, some noted earlier in the chapter. Regional and international interventions, domestic political moves and the peace processes contributed at different times to ceasefires. Biswas argues that India's intervention had a detrimental effect on Sri Lankan politics and created mistrust for future interventions, such as those of Norway (Biswas 2006: 59). The fractured politics of the government in Sri Lanka and the interplay of both interstate and intrastate politics have been major obstacles in facilitating the peace process in Sri Lanka. Following the failed attempt by India, the GoSL, however, rejected external mediation or offers of support from other states.[6]

The UNP signed a ceasefire agreement (CFA) with the LTTE in 2002. The CFA (22 February 2002) was originally perceived as a watershed for the peace process in Sri Lanka. While it lasted for nearly two years, and the first round of negotiations from September 2002 to March 2003 created opportunities to identify common ground, the last round of peace talks (October 2006) ended in failure. The government announced its withdrawal from the agreement on 2 January 2008.

The tsunami of 26 December 2004 provided a good example of how the conflicting interests impacted on reconstruction processes (de Alwis and Hedman 2009; Goodhand *et al*. 2005). The tsunami affected two-thirds of Sri Lanka's coastline, from Jaffna in the north to the entire eastern and southern coast. It claimed the lives of 35,322 people including 10,000 of the minority Muslim population and displaced a further 516,150 people, most of whom were in Ampara, Jaffna and Trincomalee. The tsunami provided GoSL and the LTTE an opportunity to suspend the conflict that both appeared to embrace, at least initially. The GoSL had a highly centralized approach to aid delivery that affected the distribution of aid and effective relief and rehabilitation services. But there were at least 180 organizations involved in relief operations, and constant tensions emerged. Some organizations tried to use the LTTE-affiliated Tamil Rehabilitation Organization (TRO) for on-the-ground access in the north and the east. The ceasefire soon fell apart with the government and the LTTE each accusing the other of misusing overseas tsunami-related aid to finance the conflict. Linking peace and reconstruction efforts with aid assistance proved to be precarious for both the local and the international NGOs. The security of their staff was put in jeopardy, and there were fears of a backlash against the whole NGO sector in Sri Lanka.

An uneasy and fragile stability followed the Sri Lankan state's victory in 2009. Conflict may be latent. While the war may have ended, different forms of conflict, such as control over land, lack of protection of property and life and neglect of health and education remain key concerns. It is evident that the conflict diminished due to, first, the collapse of the LTTE 'war machine'; second, the general unwillingness and inability of other Tamil interest groups and the community to continue the conflict; and third, the disempowerment and displacement of the Tamil population. On the other hand, if grievances are not resolved, the conflict may reignite from the ashes of this 'final war'. For a durable political solution in Sri Lanka, three diverse yet interdependent groups are critical – the political, religious and military elite, the Sri Lankan diaspora, which is still deeply divided along ethnic lines, and other civil society actors. An umbrella organization called Global Tamil Forum (GTF) advocated reconciliation and justice.[7] It is important to have multiple dialogues at local, regional and global levels to promote an inclusive peace-building platform for Sri Lanka. Currently, GoSL's reconciliation efforts seem to contain various measures of reconstruction and state building but exclude justice. Also, while the GoSL repeatedly asked the Tamil diaspora to participate in Sri Lanka's state building and not to fuel future conflicts (Wijesinha 2011), many in the diaspora were nervous about returning or speaking out.[8]

If the primary stakeholders – the GoSL and the ethnic and religious leaders – were able to identify issues over which reconciliation and compromise were possible, initiate a genuine dialogue and figure out strategies, Sri Lanka might move toward a meaningful diminution of conflict. For this to happen, the GoSL would have to make the first move and respond to the grievances of war-affected communities.

Lessons

One of the shortcomings of the peace process in Sri Lanka was neglecting reconciliation as an integral part of peace building (D'Costa 2010). President Mahinda Rajapaksa established the Lessons Learnt and Reconciliation Commission (LLRC) on 15 May 2010 to support 'national unity and reconciliation in the aftermath of civil war'. This commission was constituted to investigate incidents from the time of the ceasefire between the government and the LTTE in 2002 until the end of war in May 2009. Defence Secretary Rajapaksa asserted to the committee that at the beginning of the war the LTTE had more than 30,000 regular cadres including child soldiers, and of the 11,000 surviving, 30 per cent had surrendered. They had, he said, received vocational training and rehabilitation. He added that 500 Tamil police officers were being trained to be deployed in the northern provinces. He did not make any comments about women and how (or if) the LLRC would respond to gender-sensitive justice mechanisms and integrating women's voices and interests in the LLRC. This Commission was not accepted by the international community as an appropriate body to resolve the crisis of justice in Sri Lanka.[9] It was formed by an authoritarian and militarized state, and there was no mechanism to protect witnesses. The Commission did not, for example, ask the GoSL to explain the use of heavy weaponry in civilian areas, especially in Vanni region, in the final stages of the war. Despite massive diplomatic efforts carried out by the government, the UN Human Rights Council passed a US-led Resolution No 19/2 on 22 March, 2012 urging Sri Lanka to 'credibly investigate' the allegations of war crimes committed during the 2009 offensive. It called on the government to carry out the recommendations of the LLRC.

International understanding of reconciliation measures is often based on specific perceptions of just and moral behaviour by states. The demand that states act morally and acknowledge their own responsibilities for injustices committed during violent conflicts is a relatively new development in global politics (Barkan 2000). However, who has the responsibility to unearth and redress injustices? In Sri Lanka it appeared that first, the political, religious and military elites of the state, and second, civil society groups and networks, could serve as primary actors in a constructive peace-building process. Before 2009, NGOs and human rights activists pointed to the absence of strong political direction from the government and the defiance of the Tamil Tigers (LTTE) as major obstacles to any reconciliation efforts. After the war ended in 2009, there was a lack of political will to allow NGOs, their international counterparts and various neutral actors to work with war-affected communities. Civil society inputs, specifically of NGOs, scholars, activists and religious leaders, are critical to design effective reconciliation measures. They can often serve as bridges of communication between people who are at the periphery of power and elites who are at the centre. Either in collaborative or adversarial relation to national governments, civil society groups play a vital role in propagating norms relevant to reconciliation and justice, and possibly a meaningful diminution of conflict.

The other pressing concern in the quest for peace and justice relates to massive humanitarian crises caused by the protracted war. A key question that must be resolved is, to what extent do the legacies of war stand in the way of diminution?

It is evident that women, especially displaced women, were disproportionately affected in the Sri Lankan conflict. According to an Amnesty Report published in 2002, among the victims of rape by the security forces were many internally displaced women, women who admitted being or having been members of the LTTE and female relatives of members or suspected male members of the LTTE. Some reports of rape in custody concerned children as young as 14 years old. Feminist scholars have established that women's bodies during conflicts are charged with metaphorical meanings profoundly rooted in a social and cultural structure that is beyond the physical control of individual women. In times of violence, women's bodies often become the carriers of violent messages between different ethnic groups. The symbolism of female bodies being used to signal disorder in social and civil life was evident in the Sri Lankan conflict. Sri Lanka's war-torn society after 2009 consisted of these deeper gendered traumas that will take decades to heal.

Also, following 2009, there were those who remained displaced and dislocated within and beyond the conflict-affected zones. There were 220,000 internally displaced people in Sri Lanka (IDMC n.d.). In addition there were also both documented and undocumented 'war widows', displaced. Furthermore, there were Sri Lankan refugees in India and other parts of the world.[10] According to Indian government figures some 73,000 Sri Lankan refugees were living in 112 camps in the southern Indian state of Tamil Nadu with a further 34,000 outside the camps. In total, there were 146,098 Sri Lankan refugees in 64 countries with the majority in India. Sri Lankan refugees in other countries began to express interest to UNHCR offices about returning home voluntarily. While the internally displaced might not be able to mobilize so quickly to become a threat, some members of the Tamil diaspora will no doubt continue to harbour a goal of autonomy.

Protracted conflicts also create grievances for future generations. Children who fought in the war carry trauma as adults. Therefore, an effective diminution strategy must ensure children's protection and human security. Between 1999 and 2005, the UNSC adopted six resolutions, each one containing provisions to protect children. The ground-breaking Resolution 1612 of July 2005, sanctioned the establishment of a monitoring and reporting mechanism to focus on six grave violations against children: recruiting and use of child soldiers; killing and maiming of children; rape and other grave sexual violence against children; attacks on schools and hospitals; abduction of children; and denial of humanitarian access to children. It also created the Security Council Working Group on Children and Armed Conflict. The most recent UNSC Resolution 1882 was adopted in 2009. In various stages of the conflict, both the LTTE and the GoSL violated resolution 1612. For a real conflict diminution, Sri Lanka must take seriously the child-sensitive DDR processes.

The Sri Lankan state was largely ineffective in integrating nonpartisan nonstate actors in its peace-building and reconstruction efforts. These processes must be designed in such a way that they promote entry points for the direct participation of war-affected communities and other key stakeholders in both rebuilding the state and healing the nation.

Notes

1 The chapter title comes from one of my Tamil survey respondents who commented that the war may have ended but the struggle continues for Sri Lanka.

2 In 1946, the representation of Tamils was 33 per cent in the Civil Service and 40 per cent in the judicial service.

3 For more on bad leaders, see Feldman and Valenty (2001), pp. 79–164; Arendt (1951) and Linz (2000).

4 Under the Act passed by government, citizenship was granted to those who were born in Ceylon and had been residents since 1936.

5 This figure includes the army, the navy, the air force, police and the civil defence force.

6 However the GoSL did agree to ICRC and UNHCR working with displaced people in Sri Lanka with a limited mandate.

7 GTF members are: the British Tamil Forum (BTF), the Canadian Tamil Congress (CTC), the Australian Tamil Congress (ATC), the House of Eelam Tamils (France), the European Tamil Union, the Norwegian Council of Eelam Tamils (NCET), the Swedish Tamil Forum (STF), the Danish Federation of Tamil Associations (DFTA), Tamil Relief Fund (TRF-Malaysia), New Zealand Tamil Society, Wellington Tamil Society, and the United States Tamil Political Action Council.

8 Interviews with Tamil community members conducted between 2009 and 2011 in Australia and the US.

9 In a letter published on 14 October 2010, the International Crisis Group, Human Rights Watch and Amnesty International questioned whether the committee was independent and declined the invitation to appear before it (ICG 2010).

10 The Organization for Eelam Refugee Rehabilitation (OfERR), an NGO that has been working for 25 years in the 117 Government-run refugee camps in Tamil Nadu, stated

that during the latest intensification of the conflict between 12 January 2006 and 30 September 2010, a total of 24,987 people had become refugees in Tamil Nadu.

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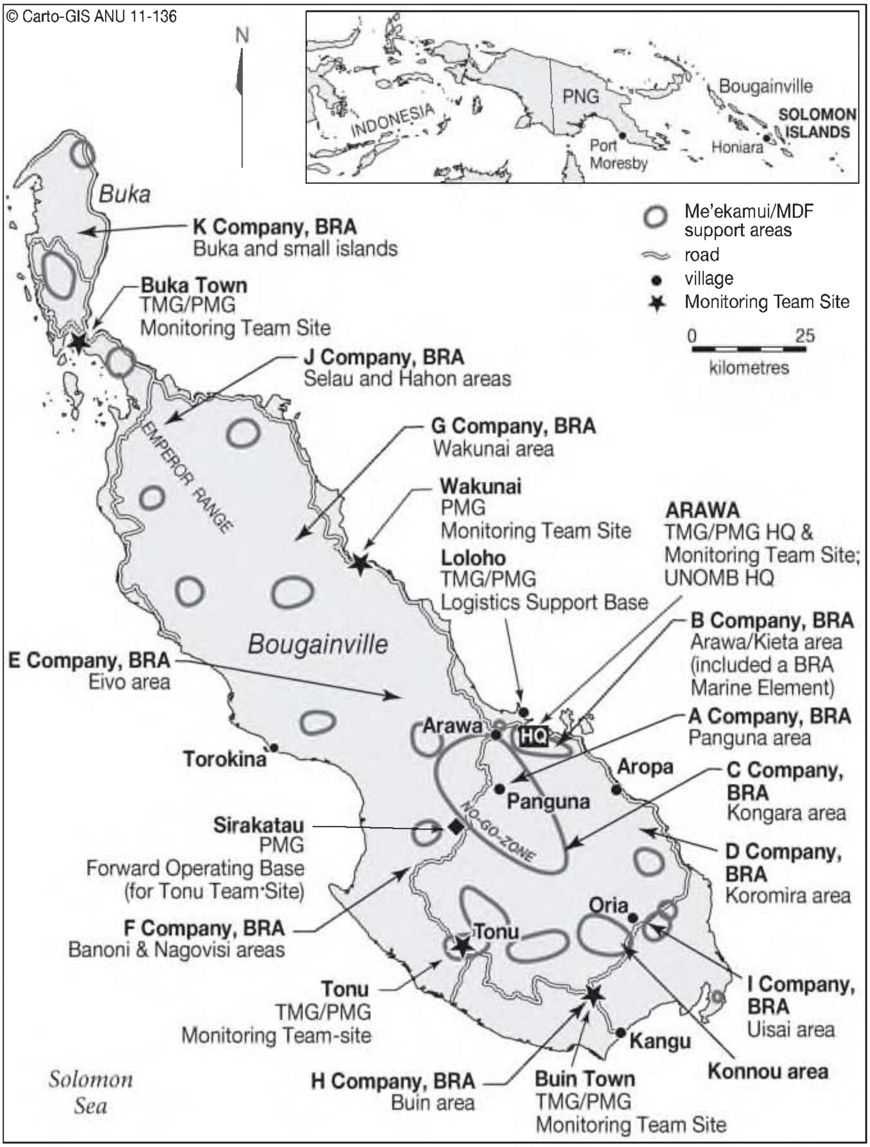
Part II

Conflicts deferred?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N
INDONESIA
PNG
Port Moresby
Bougainville
SOLOMON ISLANDS
Honiara
Me'ekamui/MDF support areas
road
village
Monitoring Team Site
0
25
kilometres
Buka
K Company, BRA
Buka and small islands
Buka Town
TMG/PMG
Monitoring Team Site
J Company, BRA
Selau and Hahon areas
EMPEROR RANGE
G Company, BRA
Wakunai area
Wakunai
PMG
Monitoring Team Site
Loloho
TMG/PMG
Logistics Support Base
ARAWA
TMG/PMG HQ &
Monitoring Team Site;
UNOMB HQ
Bougainville
E Company, BRA
Eivo area
B Company, BRA
Arawa/Kieta area
(included a BRA
Marine Element)
Arawa
HQ
A Company, BRA
Panguna area
Torokina
Aropa
Panguna
C Company, BRA
Kongara area
Sirakatau
PMG
Forward Operating Base
(for Tonu Team Site)
NO-GO-ZONE
D Company, BRA
Koromira area
F Company, BRA
Banoni & Nagovisi areas
Oria
Tonu
I Company, BRA
Uisai area
Tonu
TMG/PMG
Monitoring Team-site
Kangu
Konnou area
Solomon Sea
H Company, BRA
Buin area
Buin Town
TMG/PMG
Monitoring Team Site

Map 8 Bougainville

Major events: Bougainville

1972	Commercial production begins at Panguna copper and gold mine, Bougainville, Papua New Guinea (PNG)
1975	Bougainville’s Unilateral Declaration of Independence from PNG
1976	Bougainville Agreement ends secession bid (August)
1988	Power line pylons supplying power to Panguna mine destroyed; PNG police mobile squads deployed to Bougainville
1989	Sabotage of Bougainville Copper Ltd (BCL) property and attacks on buses carrying BCL personnel: closure of Panguna mine
1990	Ceasefire; PNG forces withdraw from Bougainville (March); Buka leaders request return of PNG forces (September)
1992	PNG forces continue to return to various parts of Bougainville
1997	PNG signs contract with Sandline International (mercenaries) (January); PNG Defence Force elements expel Sandline personnel (March); talks between Bougainville factions in New Zealand (July); Bougainville and PNG talks begin (October); New Zealand-led Truce Monitoring Group (TMG) deployed
1998	Agreement on implementation of ceasefire (April); Australian-led Peace Monitoring Group (PMG) replaces TMG (May); United Nations Observer Mission Bougainville (UNOMB) deployed
1999	Negotiations on future political status of Bougainville begin
2001	Bougainville Peace Agreement signed (August)
2002	PNG Parliament votes in favour of constitutional amendments giving effect to Peace Agreement (January and March)
2003	PMG ceases to operate from 30 June
2004	Bougainville Constituent Assembly adopts the Bougainville Constitution, endorsed by PNG Cabinet in December
2005	First general election and inauguration of Autonomous Bougainville Government (ABG); UNOMB ends
2010	Second general election for the ABG

8 Bougainville

Conflict deferred?

Anthony J. Regan[1]

Violent separatist conflict in Bougainville between 1988 and 1997 was the most damaging conflict ever to occur amongst Pacific islanders, causing thousands of deaths.[2] Until the early 1960s Bougainville was a remote and relatively neglected part of what is now the Independent State of Papua New Guinea (PNG). Then discovery of a huge copper deposit led to the opening in 1972 of one of the world's largest copper mines, making Bougainville vital to PNG's economic viability as it prepared for its independence from Australia in 1975. Closure of the mine in 1989 by the conflict sent PNG into fiscal crisis.

Like many post Cold-War conflicts, the Bougainville violence has involved not just two parties, but rather several complex and changing groupings, as well as multiple localized conflicts. The central conflict began in disputes over distribution of mine revenues and economic opportunities that led to destruction of mine property. At that point ethnicity became a significant factor, for violent responses by PNG security forces were the catalyst for a wider separatist rebellion. However, localized armed conflicts also divided Bougainville.

Despite previously seeming intractable, the conflict diminished dramatically after a peace process that began in mid-1997. The process has not been without difficulties, with continuing tensions and divisions on the Bougainville side, and the re-emergence of localized violent conflict in parts of south Bougainville from late 2005. However, separatist violence has not resumed, and the worst of the internal conflict has ended. Major factors involved in conflict diminution include: stalemate and exhaustion; divisions amongst Bougainvilleans; aspects of Melanesian culture; international community intervention; economic development; and a complex constitutional settlement reached in 2001 involving autonomy for Bougainville and a constitutionally guaranteed right to a referendum on independence, deferred to between 2015 and 2020, with the two sides to negotiate on the steps to be followed if Bougainville votes in favour of independence.

Uncertainty remains as to whether the separatist conflict has diminished for the long term or has merely been deferred. There are continuing divisions amongst Bougainvilleans, with some elements of the secessionist leadership still opposing the 2001 constitutional settlement. Further, that Agreement involves deferral for some years, rather than finality, of decisions about the two most deeply divisive issues between Bougainville and PNG – the distribution of mining revenues and independence for Bougainville. With the Autonomous Bougainville Government (ABG) considering permitting resumption of mining by Bougainville Copper Ltd (BCL), distribution of mining revenues could quickly become a source of dispute, as could the question of Bougainville's independence after the referendum.

Background: The conflict – resources, state violence, and ethnicity[3]

PNG is by far the largest of the 22 Pacific island countries and territories (its population is about 7 million in 2011 and its land area 462,840 sq km) and the richest in natural resources. It is also perhaps the world's most linguistically and culturally diverse country, with over 800 distinct languages.

Remote (600 km east) from mainland PNG, Bougainville – comprising the two large islands of Bougainville and Buka and hundreds of very small islands – contributes a small percentage of PNG's population and land area (its 250,000 people being under 4 per cent of PNG's population, and 9,438 sq km about 2 per cent of its land area). Geographically, linguistically and culturally Bougainville is the northern-most part of the main island chain of neighbouring Solomon Islands (a British colony until 1978). Bougainville's basic social groups are small hamlets and villages. None of its 25 language groups is a political unit, considerable cultural diversity existing even within the larger language groups. Although officially part of German New Guinea from 1884, Bougainville's first colonial station was not established until 1905. Australia took control of German New Guinea in 1914. Despite significant social, political and economic change resulting from colonial rule, Christian missions (from 1901), and new economic activity associated with colonialism (especially plantations), Bougainvilleans' pre-colonial social structures and practices proved resilient.

Despite many linguistic, cultural, and other differences amongst Bougainvilleans, during the twentieth century a distinct pan-Bougainville ethnic identity developed amongst them, the dark skin colour of most of them (considerably darker than most people elsewhere in PNG) being the principal marker. This identity emerged in the process of their engaging with people from other parts of PNG – Bougainvilleans worked elsewhere and people from other parts worked in Bougainville. At the same time, political demands became associated with identity, for Bougainvilleans developed a sense of grievance against the colonial regime, largely related to perceptions of lack of development (though in fact their situation was little different to much of the rest of PNG).

Resource revenue disputes

Prior to copper mining beginning in 1972, most economic activity in Bougainville involved agriculture. The mine, at Panguna in central Bougainville, was operated by BCL, owned 53 per cent by Rio Tinto, 19.06 per cent by PNG, and the balance by thousands of smaller investors. Imposition of the mine by the colonial regime was opposed by Bougainvillean landowners in areas under mining exploration and development licences, as well as many from other parts of Bougainville. Several years of tensions and conflict as the mine was developed (including clashes between villagers and colonial police) intensified grievances against the colonial government. The mine (a workforce of 10,000 developed it, dropping to about 3,500 to operate it) and the many businesses associated with mining had huge social, environmental, and economic impacts. The small proportion of economic opportunities and mine revenue going to owners of land leased for mining purposes, other Bougainvilleans, and Bougainville's provincial government, was resented (though these arrangements were largely determined by the PNG government rather than BCL, which was in general reasonable when dealing with Bougainvillean demands).

Such grievances were significant factors in Bougainville's attempted secession in September 1975, just days before PNG's Independence Day, the Unilateral Declaration of Independence (UDI) receiving no recognition. PNG acted with restraint, and the dispute was resolved in 1976 by constitutionally guaranteed decentralization arrangements for all of PNG's 19 provinces, though with special financial arrangements for Bougainville as the only province then receiving mineral royalties.

Initially the new constitutional arrangements appeared to have resolved the secession issue. But from the mid-1980s serious disputes emerged over the distribution of mine revenues, inclusive of intergenerational disputes amongst some mine-lease landowners, and broader objections by various Bougainvillean interests over distribution issues. In 1988 leaders of mine-lease landowner groups unhappy with how their grievances were being dealt with demanded huge amounts of compensation for mine impacts. Young Bougainvillean employees of BCL had their own grievances about employment and promotion opportunities. Mine power lines were destroyed as a gesture of frustration intended to bring BCL and PNG to the negotiating table.

State violence and ethnicity

Largely indiscriminate violence by police mobile squads brought from mainland PNG resulted in rapidly escalating conflict, with the PNG Defence Force (PNGDF) called in to support the police by April 1989.[4] People from many parts of Bougainville joined the young landowners and mine workers on condition that secession became the principal goal. The rebels – from mid-1989 known as the Bougainville Revolutionary Army (BRA) – operated in small groups in difficult mountainous terrain that they knew well and where they had strong community support. They used guerrilla tactics against PNG forces facing hostile local communities with little knowledge of the terrain, no prior experience of such conflict, and limited capacity and resources. The mine closed in May 1989, and most non-Bougainvilleans had left Bougainville by early 1990. A ceasefire was signed in March 1990, and PNG forces withdrew from Bougainville. In May 1990

BRA leader Francis Ona made Bougainville's second UDI. It too received no international community recognition, and PNG imposed an air and sea blockade on Bougainville.

Bougainville was never fully united in support of secession, however, with BRA adherence quite weak in some areas, especially Buka, and the northern and east coast areas of Bougainville. These were the areas with the longest history of colonial contact, resulting in educational and economic advantages that saw many being open to Bougainville's integration into PNG.

With the departure of PNG forces from Bougainville, the loosely organized BRA was unable to establish an effective government.[5] In the early stages of the conflict the threat of the PNG forces had enabled the BRA to mobilize support centred on Bougainville identity. In the absence of the PNG threat, localized identity groups became more important, and small-scale conflict – over personal differences and issues such as land, renewal of past feuds, resentment of communities regarded as opposing secession, and so on – developed between local groups (for detail of identities amongst Bougainvilleans, see Regan 2005). From September 1990 PNG forces began returning to Buka, and from 1991 to parts of Bougainville, usually at the request of communities suffering in local conflict, BRA elements in such communities generally supporting the PNG forces.

Complexity of the conflict, the parties, and the impacts

From 1990 the conflict developed two main dimensions, one being BRA against PNG, the other involving armed Bougainvillean elements resisting the BRA – hence, Bougainville Resistance Forces (BRF). Total numbers of BRA and BRF personnel are not known, mainly because units were not highly structured, were based in local communities, and tended to have changing membership. There were only a few hundred on both sides who actively engaged in armed conflict, with many more acting as 'home-guards' in their local areas.

The PNG forces were quick to recognize the opportunities presented by intra-Bougainville conflict, and supported the BRF (providing weapons and financial allowances). Although the PNGDF returned to, and with BRF support gained a reasonable degree of control over perhaps 40 per cent of Bougainville, they were always vulnerable to BRA guerrilla attacks. By 1996, although BRA military ascendancy was established, it was also evident that gaining a total military victory would be a long and costly process.

While there was undoubtedly an ideological aspect to the BRA versus BRF conflict, the BRF generally supported Bougainville integration into PNG largely from fear of independence under a BRA-controlled Bougainville government rather than due to opposition to Bougainville independence per se. The linking under the BRF 'banner' of groups opposing the BRA tended to mask the fact that localized BRA versus BRF conflict had little to do with ideology, and much more with localized factors. BRA and BRF units sometimes changed allegiances, or a BRF unit involved in intense conflict with a nearby BRA unit might work at the same time in cooperation with other BRA units.

The conflict continued until mid-1997, resulting in or contributing to many deaths. Though there were a few massed attacks by large BRA groups against established PNGDF positions soon after the PNGDF returned to Buka (late 1990 and early 1991) in which scores were killed, most armed clashes were small-scale (ambushes of patrols and individual fighters). PNG lost about 300 killed in combat. Bougainvilleans probably suffered between 1,000 and 2,000 combat deaths (Braithwaite *et al*. 2010: 88), with more being victims of extra-judicial executions. PNG forces were responsible for beginning these in 1989, but it is likely a majority were at the hands of other Bougainvilleans, again most often as a result of local disputes and jealousies. An unknown number died as a result of the PNG blockade of Bougainville from mid-1990, which severely restricted but never entirely shut down medical services and supplies, and which was gradually lifted as PNG forces returned to Buka from late 1990 and thereafter to other parts of Bougainville. Common claims of 20,000 deaths are undoubtedly inflated, and though actual numbers will probably never been known, probably numbered closer to 5,000.[6] However, that number of deaths over nine years from a population of less than 200,000 in 1997 indicates the terrible impact of this conflict.

Of course, impacts went beyond battle deaths. For Bougainville they included physical and psychological trauma for a large proportion of the population, displacement of over one-third of Bougainvilleans into internally displaced people (IDP) camps, severe damage to capacity of the previously impressive administrative arm of Bougainville's provincial government, and destruction of most infrastructure and modern economic production capacity. For PNG generally, the impacts were also extensive, including severe damage to morale and capacity in the security forces. Closure of the Panguna mine had major fiscal impacts, BCL having contributed 17 per cent of national budget revenue, over 36 per cent of gross export earnings, and 11 per cent of GDP (Griffin and Togolo 1997: 357). The conflict left deep distrust and divisions between pro-secessionist Bougainvilleans and the PNG government, and between opposing Bougainvilleans.

Conflict diminution

Overview of the peace process, 1997–2011[7]

From the earliest stages of the conflict there were peace efforts of many kinds – initiatives by PNG and Bougainville's provincial government, NGOs, and governments in the region. While generally regarded as unsuccessful at the time, they served many important purposes (providing invaluable experience to some participants that was put to good use in later processes, identifying what did and did not work, and so on). In 1997 a number of factors combined to enable moderate leadership to head both sides of the BRA/BRF conflict as well as the PNG government. War weariness and stalemate were of central importance, highlighted by PNG's failed attempt in 1996–1997 to use foreign mercenaries (Sandline International) to end the conflict. This attempt was blocked by elements of the PNGDF in deeply disruptive actions that came close to being PNG's first coup (details, see Regan 2010: 32–35; Braithwaite *et al*. 2010: 40–45). These events underlined for PNG its lack of further military options. It also highlighted for the BRA the likelihood that full military victory might not only take many years to achieve, but could also be pyrrhic if gained at a cost of deepening internal conflicts. On the BRA side, this provided the basis for challenging the irrational aspect of Ona's leadership that had become increasingly evident through the mid-1990s.

While moderate leadership gained ascendancy in 1997 in the BRA, BRF and PNG government, some remained committed to armed struggle, a fact that added to the complexity of the peace process that now ensued.[8] The greatest difficulties involved the decision of the BRA's original leader, Francis Ona, to oppose the process. Supported by some elements of the BRA, in early 1998 he announced that Bougainville was already independent as the republic of Me'ekamui. Based in a 'no-go-zone' centred on the Panguna mine area (see Map 8), he retained support of the 10 to 15 per cent of BRA members (now designated the Me'ekamui Defence Force – MDF) based in communities with high levels of loyalty to Ona (see Map 8). However, the vast majority of the BRA supported the peace process, preventing Ona and the MDF from directly challenging the process.

The peace process was initiated by moderate leaders in the opposing groups, with support from the international community, and especially the New Zealand government with Australian backing. The PNG and Bougainville parties always remained in control of the process, in conjunction with elements of what I have described elsewhere (Regan 2010) as a 'light intervention' by the international community. First, opposing Bougainville factions met in mid-1997 in New Zealand, where they later (October 1997) engaged jointly with the PNG government. A truce was agreed, monitored by an unarmed regional Truce Monitoring Group (TMG) led by New Zealand with contributions from Fiji, Vanuatu and Australia. An 'irrevocable' ceasefire operated from May 1998, monitored by an Australian-led regional Peace Monitoring Group (PMG) until it left in mid-2003. The TMG and PMG provided a sense of security for armed groups hitherto deeply suspicious of their opponents, provided mediation, facilitated the process in many ways, and supported a weapons disposal process. From mid-1998 to 2005 a small United Nations mission (generally known as the United Nations Observer Mission Bougainville – UNOMB) also monitored the peace process, provided mediation and facilitation, and oversaw a weapons disposal process (discussion of the international intervention, see Regan 2010: 63–84).

It was June 1999, two years into the peace process, before the previously opposed Bougainvillean factions agreed to a common negotiating position for a political settlement, and negotiations with PNG began. A detailed political settlement was signed in August 2001. Key elements involved:

- autonomy for Bougainville within PNG;
- a referendum on independence for Bougainville deferred for ten to fifteen years after the autonomy began to operate;
- withdrawal of PNG forces from Bougainville and disposal of weapons held by Bougainville factions;

- constitutional entrenchment of the arrangements;
- sequencing of implementation steps to provide incentives to parties to implement what they might otherwise have seen as against their interests.

Financial aspects of autonomy were weak (in terms of protecting Bougainville interests), mainly because PNG was facing a fiscal crisis at the time of the negotiations. The BRA accepted incorporation of most of the Peace Agreement into the PNG Constitution as the main basis for protection of the settlement largely because although PNG is in some respects a democracy with a poor record with some aspects of governance, other aspects had to then been impressive, including a judicial system with a strong record of independence and effectiveness in enforcement of the Constitution.

While implementation of the arrangements proceeded more slowly than many Bougainvilleans had expected, for the most part the record was reasonable, especially in the early stages. For example:

- Complex amendments to the PNG Constitution were passed unanimously by the PNG Parliament early in 2002.
- A Constitution for an ABG was made by late 2004; elections for the first ABG were completed in June 2005.
- The UNOMB-supervised disposal of weapons by Bougainville factions eliminated almost 1,900 weapons by mid-2005.[9]
- PNG continued to support the ABG with funding for subsequent elections (a presidential by-election in 2008 occasioned by the death of the first President of the ABG, and the second general election in 2010).

On the other hand, implementation became less impressive once the ABG began to operate. Transfer to the ABG of powers made available to it under the Agreement was frustratingly (for the ABG) slow. Despite clear constitutional authority for the ABG to appoint its senior public servants, PNG disputed the power for most of the period from mid-2007 to late 2010. Beyond the basic funding guaranteed by the Peace Agreement, the Bougainville leaders had understood that when PNG's economic circumstances improved, as occurred from about 2005, additional financial support would be provided to the ABG. It was expected that this would assist the ABG's efforts to make autonomy attractive enough for Bougainville secessionists to think twice about voting for independence when the referendum was held (sometime between 2015 and 2020). No such funding was forthcoming, and from 2010 even the constitutional minimum funding was contested. A major grant payable to the ABG in 2010 was not paid until 2011, and then only after much acrimony, and the equivalent 2011 grant was not paid until late 2011. That same grant was then supposed to be subsumed with a larger agreed payment in 2012, but arguments with PNG over control of expenditure of those funds were unresolved by mid-2012. Further, the weak capacity of the ABG's administrative arm and police resources could not be improved without additional financial resources, and the lack of any sign of interest from PNG in providing such support has contributed to gradually increasing Bougainvilleans' frustration with the operation of autonomy.

Despite many frustrations, the overall impression in Bougainville in 2011–12 was of reasonably effective implementation of the Peace Agreement. That was undoubtedly a significant factor in a gradual process of consolidating support for the ongoing peace process. Elements of the M'ekamui Government and MDF increasingly cooperated with the ABG from about 2007. The death in July 2005 of Francis Ona was undoubtedly an additional factor. On the other hand, since late 2005, localized armed conflict emerged in the Konnou area of south Bougainville, causing well over 100 deaths by mid-2011. Beginning with resumption of unresolved conflict between opposing BRA and BRF elements that had begun in the early 1990s but had remained dormant while the PMG and the UNOMB were present in Bougainville, it has gradually expanded to involve a number of other small armed groups. A significant underlying factor involves the lack of economic development in south Bougainville, which leaves young males susceptible to the attractions of involvement in armed groups. Perhaps as many as 150 people died in this localized conflict. While such localized conflict did not involve resumption of secessionist conflict or of the main BRA/BRF conflict of the 1990s, it undermined prospects for further progress with weapons disposal, and had the potential to expand and cause wider problems. While it was apparenty ended by peace ceremonies in late 2011, the situation remained fragile. Without significant improvement of capacity in the ABG administrative arm and police resources, the ABG had difficulty developing realistic policy responses to the problems underlying the localized conflict (for detail on conflict in south Bougainville, see Regan 2010: 121–126).

Failed strategies for ending the conflict

Early strategies to end the conflict did not take sufficient account of deep Bougainvillean resentment at the violence of the PNG forces that had consolidated support for secession. Efforts from the mid-1990 onwards (many initiated or supported by New Zealand, Australia, Solomon Islands and other parts of the international community, including the United Nations and the Commonwealth Secretariat) failed to take sufficient account of the extent of the divisions amongst Bougainvilleans.

In terms of PNG government strategies to end the conflict, there was difficulty in achieving policy coherence, partly because of limited capacity in key agencies and also because at all stages there were significant divisions within the government and the bureaucracy, some supporting negotiation and others very much opposed. Until 1997, opponents of negotiation tended to dominate. As a result there was a tendency to rely heavily on suppression. This continued despite ample evidence, in the early stages in particular, of not just failure, but of the major contribution violence made to consolidation of Bougainville support for secession. With the return of PNG forces to Bougainville from late 1990 – invited by Bougainvillean leaders of communities suffering as a result of localized conflict – it appeared to many in PNG that the best available strategy was one of dividing Bougainvilleans, and supporting the BRF. For a time this strategy appeared to be succeeding. But it gradually became evident not only that divisions amongst Bougainvilleans were not as immutable as had at first been assumed, but also that ongoing conflict was hardening BRA attitudes. By 1996–1997 the possibility of a military victory was clearly receding even in the view of most senior PNGDF personnel. Although suppression failed to end the conflict, it did, however, play perhaps unexpected roles in diminution of the conflict.

Conflict diminution

The key factors contributing to diminution were:

- exhaustion and stalemate, and divisions amongst Bougainvilleans;
- cultural factors;
- international community involvement;
- the 2001 political settlement;
- economic development.

Exhaustion, stalemate, and divisions

The initial view of PNG that the destruction of pylons critical to the supply of electric power to the mine could be dealt with by violent repression failed spectacularly. Repression consolidated what had previously been diverse Bougainvillean agendas around secession as a primary goal. The PNG strategy of exploiting the armed conflict amongst Bougainvilleans that emerged from mid-1990 never came close to delivering victory to PNG. However, localized conflict amongst Bougainvilleans, and the support PNG provided to the BRF, ultimately contributed to conflict diminution in at least three ways. First, PNG support for the BRF greatly enhanced the capacity of the PNG forces (the BRF's local knowledge alone was invaluable), and over time helped to convince moderate BRA leaders of both the difficulties of achieving a military victory and the need to seek a political settlement. Second, the intra-Bougainville conflict contributed to war weariness in Bougainville that put increasing pressure on the BRA leadership to seek a political settlement (Regan 2010: 34). Third, the concerns of both BRA and BRF leaders about the divisive impacts of intra-Bougainville conflict helped them to agree on the dangers for Bougainville of ongoing conflict.

Cultural factors

In the small, autonomous and stateless societies of Melanesia, complex processes for maintaining social order developed over millennia. They include a focus on maintaining balance within and between social groups through cycles of reciprocal exchange. Where balance is damaged, there can be strong pressures to restore it, often through ritual processes of reconciliation. Intergroup conflict, sometimes involving extreme violence, was common in pre-colonial times. It could involve serious danger for the viability of small social groups. Senior leaders (both male and female) often played important roles in building consensus about the need to end conflict and restore balance through reconciliation.

There was little room for such efforts in the early stages of the Bougainville conflict, but as war weariness and concerns about divisiveness grew, and as the awful impacts of some of the localized conflicts in various parts of Bougainville became evident, there was increasing scope for efforts towards reconciliation. These efforts, especially at the local level, helped to create a constituency for peace that moderate leaders on all sides were able to draw upon. When the opposing Bougainville factions met in New Zealand in mid-1997, they were quite clearly drawing upon well established reconciliatory processes. When Bougainvillean leaders engaged with PNG, similar understandings of the need to restore balance in relationships were part of the impetus for the process (for detail on the cultural aspects of reconciliation, see Regan 2010: 36–41; Braithwaite *et al*. 2010: 67–76).

The international community

International intervention and mediation have been of critical importance to the diminution of conflict. First, encouragement, support and pressure from parts of the international community in ‘unsuccessful’ peace efforts from 1990 were a factor in the emergence of the moderate Bougainvillean and PNG leadership that established the peace process in 1997. Second, the ‘light intervention’ (through the TMG, PMG, UNOMB, donor assistance and mediation on critical issues) from 1997 to 2005 was essential to the success of a peace process initiated and largely controlled by Bougainville and PNG. Third, the continuing interest of the international community in Bougainville has been a factor in the generally positive record of implementation of the Bougainville Peace Agreement.

It is also worth noting that competition in the international community was a factor in the process, particularly in relation to New Zealand’s active role in the early stages of the peace process. A small state whose prior role in international relations in the Pacific was largely limited to the Polynesian cultural area, New Zealand had long aspired to a greater role in the southwest Pacific area where Australia tended to dominate. Key figures in New Zealand also aspired to doing better in the region than what they saw as their more obtuse, culturally insensitive but wealthier neighbour, Australia.

The political settlement

The political settlement contained in the Bougainville Peace Agreement addressed key drivers of the conflict, in particular ethno-nationalism and disputes over revenue distribution from mining. Ethno-nationalism was addressed through the high level of autonomy potentially available to Bougainville, much greater than that available to the provincial governments in the rest of PNG. Further, provision for a deferred referendum on independence addressed the intensified support for

Bougainville independence generated by the experience of the conflict. The revenue distribution issue was in part dealt with by agreement that powers over mining, oil and gas are available to the Bougainville government (the ABG).

However, the 2001 Agreement also deferred decisions on crucial aspects of both of these highly sensitive issues. The provisions of the referendum left open the possible outcome should Bougainville vote in favour of independence. This formulation resulted from a compromise proposed late in 2000 by then Australian Minister for Foreign Affairs, Alexander Downer. He persuaded the Bougainville leaders to agree that the referendum outcome need not be binding. He cited East Timor as a precedent, for the international community had supported giving effect to a majority East Timorese vote for independence even though the referendum law in that case had not made the outcome binding. At the same time to persuade PNG to accept such a referendum, he argued that PNG's sovereignty was preserved by the fact that Bougainville agreed that the PNG Parliament had authority to reject a vote in favour of independence. The main reasons for the deferral of the issue in this way were that Downer's compromise offered both PNG and Bougainville a way out of stalemate and potential breakdown, and perhaps because of that the two sides never openly addressed that fact that they had quite different interpretations of what Downer's compromise would mean for international community action in case of a vote for independence (for details of compromise on Bougainville referendum, see Regan 2010: 88–90).

In relation to mining revenues, the Agreement provided that the ABG reach 'fiscal self reliance' when revenues collected in Bougainville from PNG company tax and customs duties were sustainably greater than the amount of the main PNG grant payable to the ABG. At that point, an amount equivalent to the grant would become payable from those same tax sources, while the distribution between PNG and the ABG of any remaining balance from those sources would be negotiated between the parties. At the time the Agreement was negotiated it was recognized that fiscal self-reliance would be reached only if a large resource project began in Bougainville, such as the re-opening of the Panguna mine. In effect fiscal self-reliance deferred the difficult question of distribution of mining revenues, mainly because in 2001 it seemed most unlikely to most Bougainville leaders that mining would ever resume again. But as the realities of the limited revenues available to the ABG later became evident, consensus began to emerge about re-opening the Panguna mine or establishing an alternative mining project. As a result, the need to negotiate the deferred issue of division of mining revenues could arise much sooner than was expected in 2001.

Economic development

From the late 1990s, extensive expansion of economic development (from a very low post-conflict base) occurred, providing business and employment opportunities to many former combatants and younger males who might have otherwise been attracted to armed groups. Donor support helped re-establish a significant smallholder cocoa production industry, with copra production also significant when prices were high. Australian funding supported reconstruction of the main trunk road and wharves in Bougainville (critical to getting agricultural produce to market). In addition, there was significant small-scale gold production, beginning with extraction of alluvial gold from the tailings from the Panguna mine, later expanding to many other areas of Bougainville, and extending to small-scale hard-rock mining. Donor funding was provided in ways intended to assist involvement of former combatants. Unfortunately, economic development did not spread evenly, cocoa being particularly concentrated in the north and gold production in the centre, with limited economic activity in the south.

Prospects

Diminution of conflict in Bougainville has been remarkable. There has been no return to the conflict of the 1988 to 1997 period (between either PNG and Bougainville, or BRA and BRF). This is not to say that all conflict has ended. Some groups remain outside the peace process (though not actively opposing it) and localized armed conflict has re-emerged in parts of south Bougainville. Nevertheless, the progress towards consolidation of Bougainvillean groups supporting the peace process has been encouraging, in large part because of the generally positive record with implementation of the 2001 Peace Agreement.

In terms of whether this progress can be maintained, there are five significant caveats. First, Me’ekamui, MDF and other elements oppose the 2001 Agreement. Further, some of them (as well as other leaders) also oppose resumption of the Panguna mine, some mainly because they have high hopes of a compensation claim against Rio Tinto in the United States, and others because they support other mining interests that might be threatened by the return of BCL. The complexity of competing claims about and interests in mining could contribute to tensions in unpredictable ways.

Second, the localized conflict in the south has the potential to expand in unanticipated and unmanageable ways.

Third, many weapons remain in the hands of former combatants, new armed groups (especially in the south) criminal elements, and business people. There has been virtually no further progress in weapons disposal after the UNOMB left in mid-2005. The significant number of weapons still available and the readiness of individuals and groups to use them for criminal purposes, and to threaten their use in pursuit of political goals, are matters of concern, especially in circumstances where resumption of some localized armed conflict has already occurred.

Fourth, PNG has not yet understood the peace-building opportunity inherent in the combination of autonomy and the deferred referendum on independence. That combination offers PNG the incentive to assist in making autonomy work so well that many Bougainvilleans might find it difficult to choose independence. Instead, PNG has not been grasping the opportunity – the transfer of powers moved slowly, there were arguments over ABG powers of appointment and payment to the ABG of a constitutionally guaranteed grant, and so on. There has been increasing frustration in the ABG about what is seen as limited PNG commitment to the Peace Agreement.

Fifth, the deferral under the Peace Agreement of decisions on the two crucial issues of Bougainville independence and the division of mining revenues offers the possibility that major points of tension between PNG and Bougainville have not been resolved. Rather, they remain potential sources of conflict that could readily emerge either when a major mining project is negotiated, or if the referendum results in a Bougainville vote in favour of independence. Both issues could be all the more difficult to manage if internal problems in Bougainville continue to increase, or if tensions between PNG and Bougainville over implementation of other aspects of the Agreement continue to rise.

Lessons

There are several possible lessons from diminution of the conflict in Bougainville. However, the extent to which such lessons might be applicable elsewhere depends on the extent to which any success in diminution in Bougainville is related mainly to factors specific to the particular context there.

First, the Bougainville experience illuminates both the difficulties of repression as a response to ethno-nationalist conflict and some possible indirect 'benefits' of repression efforts for a central government opposed to secessionist rebels. Not only is effective repression difficult to achieve, especially when the state is weak and when topography and other local circumstances favour dissident groups, but also ineffective repressive efforts can consolidate support for dissidents. Further, PNG's attempt to undermine the rebellion by encouraging divisions amongst Bougainvilleans was a difficult strategy to execute effectively. Nevertheless it contributed both to exhaustion and stalemate, and also to the emergence of moderate leadership willing to explore a political solution.

Second, aspects of culture can contribute to the diminution of conflict. The significance of the role of reconciliation processes in restoring balance in relations within and between Melanesian social groups that have been damaged by conflict cannot be underestimated. This experience highlights the need for international mediators and potential interveners to have a deep understanding of the context in which they propose to become involved.

Third, Bougainville sheds light on approaches to diminishing conflict and building peace in situations involving multiple and changing parties, rather than the two parties around which so much of the literature on conflict resolution and peacebuilding tends to be based. Among the 25 lessons for international interventions that I discussed in Regan (2010: 133–160) were several related to dealing with conflicts involving loose coalitions rather than defined parties. They included:

- the need for patience, allowing time for workable coalitions to emerge;
- the need to recognize that peace initiatives that do not succeed in ending violent conflict may not be failures (they may contribute to progress towards a successful process);

- the need for mediators to engage with all groups;
- the need to seek opportunities to support moderate leaders and moderate coalitions;
- the possible advantages of large and inclusive negotiating teams, and extensive consultation systems that enable negotiators to maintain their coalitions.

Fourth, Bougainville demonstrates that interventions by the international community in support of conflict resolution and peace building can be quite ‘light’ in circumstances where there are strong groups of local leaders committed to peace, meaning that much of the decision making about and management of the process can be left in the hands of the local actors.

Fifth, constitutional arrangements can address drivers of conflict, such as disputes involving resource-revenue distribution or ethnicity. While there may be immediate advantages in such arrangements that defer decisions on key divisive issues, there may also be dangers, with conflict simply being deferred, particularly in circumstances where there are other sources of tensions between potential protagonists.

Notes

1 I am grateful to Hank Nelson for insightful comments on an earlier draft of this chapter.

2 Arguably there have been even more deaths in the Highlands of Papua New Guinea since ‘tribal fighting’ resumed on a widespread basis from the late 1960s, but this violence has occurred in the context of hundreds of localized conflicts. For more on such conflicts in one of the five Highlands provinces, see Haley’s chapter in this book.

3 In relation to the origins and unfolding of the conflict, see Regan (2010), Chapters 1 and 2; and Braithwaite *et al*. (2010), pp. 9–34.

4 In June 2011 an Australian television current affairs programme aired allegations that the police and the PNGDF were deployed at the direction of BCL: www.sbs.com.au/dateline/story/about/id/601246/n/Blood-and-Treasure (accessed 29 July 2011). The claims are of dubious veracity.

5 The BRA was divided into 11 main companies (‘A’ to ‘K’) located in particular regions of Bougainville (see Map 8) and further divided into sub-units based in the communities from which they originated.

6 Issues about the complexities involved in determining numbers of deaths, including those caused or contributed to by the blockade, are discussed in Regan (1999), pp. 557–559. Roles of Australian and New Zealand politicians in possibly exaggerating the numbers of deaths are touched upon there, and discussed further in Braithwaite *et al*. (2010), p. 86.

7 For more detailed discussion of the peace process in Bougainville, see Regan (2010), especially Chapters 2 and 3, and Braithwaite *et al*. (2010), pp. 35–82.

8 For more on the internal divisions amongst the various groups involved in the conflict and the peace process, see Regan (2010), pp. 45–62.

9 However, many weapons remained in the hands of Bougainville factions for reasons discussed in Regan (2010), pp. 95–99, 107–108, 121–123.

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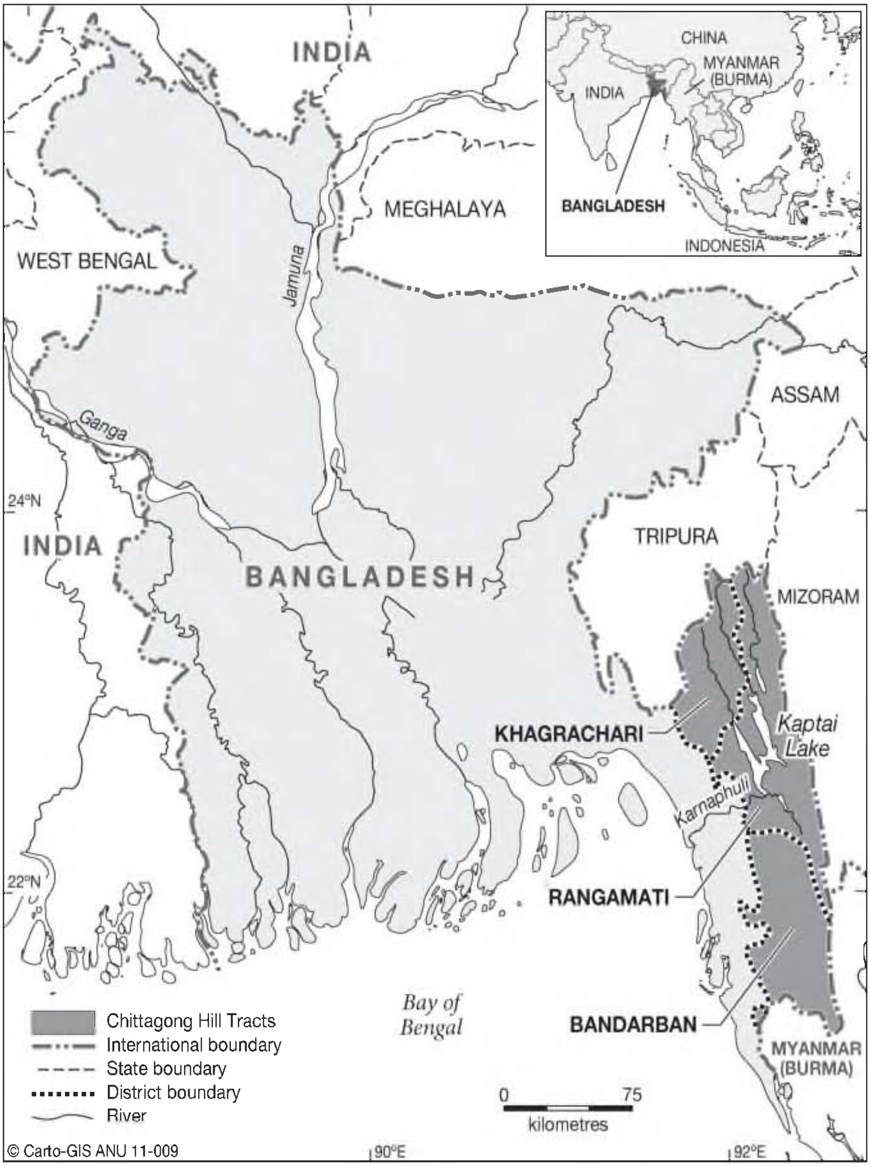
INDIA
CHINA
INDIA
MYANMAR (BURMA)
BANGLADESH
INDONESIA
MEGHALAYA
WEST BENGAL
Jamuna
ASSAM
Ganga
24°N
INDIA
TRIPURA
BANGLADESH
MIZORAM
KHAGRACHARI
Kaptai Lake
Karnaphuli
22°N
RANGAMATI
Bay of Bengal
BANDARBAN
MYANMAR (BURMA)
Chittagong Hill Tracts
International boundary
State boundary
District boundary
River
0
75
kilometres
© Carto-GIS ANU 11-009
90°E
92°E

Map 9 Chittagong Hill Tracts, Bangladesh

Major events: Chittagong Hill Tracts

1666	Chittagong region conquered from Arakanese by Shaista Khan, Mughal governor of Bengal
1787	King Khan pledges allegiance to East India Company
1860	British formally annex Chittagong Hill Tracts (CHT)
1900	The Chittagong Hill Tracts Regulation
1947	Partition of India and creation of Pakistan; CHT part of East Pakistan
1950	Pakistan government settles hundreds of Muslims in CHT
1957–64	Kaptai Hydro Electric Project displaces thousands of indigenous people
1971	Liberation war: East Pakistan becomes Bangladesh
1972	Constitution rejects inclusion of non-Bengali identity; Jana Samhati Samiti formed to demand indigenous rights
1975	Prime Minister Sheikh Mujibur Rahman family assassinated; JSS goes underground and armed wing Shanti Bahini formed
1979	Inflow of 400,000 Bengali settlers under state patronage begins
1989	Longudu massacre: 40 indigenous people killed; 13,000 flee to India
1990–91	International Commission on CHT established
1992–93	Logang and Rangamati massacres kill 500 Jummas
1997	Awami League government and JSS sign Chittagong Hill Tracts Accord
1998	Hill Students Council, Hill Peoples Council and Hill Women's Federation form United Peoples Democratic Front (UPDF) denouncing Accord; CHT Regional Council Act and Hill Districts Council Act
2007	Caretaker government (quasi-military) (January); militarization of CHT continues
2009	Awami League returns to power; human rights violations continue in CHT
2010	High Court declares CHT Regional Council Act illegal
2011	Parliamentary special committee acknowledges ethnic minority groups in Constitution, but rejects recognition of them as indigenous (Adivasi) people

9 The Chittagong Hill Tracts

Diminishing violence or violent peace?

Kabita Chakma and Bina D'Costa

The Chittagong Hill Tracts (CHT) Accord 1997, popularly known as the Peace Accord (*shanti chukti*), signed on 2 December 1997, formally marked an end to more than two decades of armed struggle for autonomy by the indigenous or Adivasi Jummas of the CHT in Bangladesh. The Accord was signed between the Awami League government and the Parbattya Chattagram Jana Sanghati Samity (PCJSS, popularly known only as JSS),[1] an indigenous regional political party and the only such party at that time. While the JSS demobilized its military wing, the Shanti Bahini (Peace Force), as part of the signing of the Accord, the Bangladesh government continued to maintain high military presence and military rule in post-Accord CHT.

In the absence of armed conflict between the Bangladesh military and the Shanti Bahini over the last decade, the CHT has witnessed less vicious strife. But 13 years later, governments showed little interest in, or efforts towards, implementing the Accord in full, and no meaningful progress had been made on the most contentious provision of the Accord: 'settlement of land disputes including proper rehabilitation of displaced people'. Also, soon after the signing of the Accord, there were intra-Jumma conflicts. These, however, were limited to conflict between the Jumma political parties, the JSS (mentioned above) and the United People's Democratic Front (UPDF),[2] and more recently between the JSS and a JSS-reformist faction[3]. These disputes represent a fragmenting of the pro-autonomy movement.

Charles Webel writes that 'peace in its progressive or dialectical mode denotes active individual and collective self-determination and emancipatory empowerment' (2007: 8). The Accord has not succeeded in bringing peace in this sense to the CHT. A UNDP–CHTDF report (2009: 164–165, 180) states that about 81 per cent of respondents to a survey have identified 'communal threat' as the major obstructing factor out of eleven factors preventing the achievement of peace in the CHT.[4] Our own fieldwork suggests that post-Accord CHT with its massive military presence preserved a situation that could be described as 'violent peace'.

David Mares' conceptualization of 'violent peace' underpins this analysis. In his examination of militarization in Latin America, he suggests that violent peace is:

> the use of officially sanctioned military violence across national boundaries when war is not the intended result. War might occur, but as a result of

> escalation dynamics unknowable, unforeseen, or miscalculated by those who made the initial decision to use military force. . . . the decision to use military force should be thought of as a bargaining tactic rather than a decision to settle an interstate dispute through war.
>
> (Mares 2001: 7)

Political transition, healing and reconciliation and economic recovery are all closely interlinked with other security dynamics such as defusing spoilers of the peace process, integrating various factions, demobilizing former combatants appropriately and resettling displaced people.[5] We argue that intense militarization, the perpetual fear and insecurity of people and displacement in the CHT make it a case study not of diminishing conflict but rather one of violent peace and latent conflict. This chapter explores militarization and displacement, the two major factors contributing to 'violent peace' in post-Accord CHT, and in doing so, highlights the 'missing elements' that would be necessary to diminish conflict in enduring ways.

Background: The intractability of violent peace

The Chittagong Hill Tracts (CHT) in southeast Bangladesh, consisting of Rangamati, Khagrachari and Bandarban, are the home of 11 diverse groups (Roy 2007; Panday and Jamil 2009). Known as Adivasis, and regarded as indigenous peoples from the hills, they are easily distinguishable from the people of the plains because of their physical features, sociocultural practices and economic activities (Adnan 2008). Because of their traditional practice of shifting cultivation they are also collectively referred to as 'Jumma' people (IDMC 2006). This self-identification is also used by various CHT political communities to frame their own Adivasi/Jumma nation-building strategies. The CHT have geo-political and strategic significance for Bangladesh and South Asian security for various reasons: their proximity to India and Burma; the porosity of their borders; their rich natural resources; and the historical, political and social contexts that constitute CHT communities as 'other' (in times of conflict, also as an internal enemy) within a Bangladeshi state.

The British annexed the region in 1860 and created an autonomous administrative zone 'the Chittagong Hill Tracts' within undivided British Bengal. In 1900, the Raj enacted Regulation 1 in order to 'protect' the indigenous communities from economic exploitation by others and to safeguard traditional sociocultural and political institutions based on chiefly hierarchies, customary laws and common ownership of land. The CHT district was awarded to East Pakistan at Partition as part of the hinterland of the port city of Chittagong and to compensate Pakistan for its losses in the partition of Punjab in the west of the subcontinent (Mohsin 2003: 19). This was the beginning of the 'resource war' that led to the present-day violent peace in the CHT.

The Government of Pakistan amended the 1900 Act several times against the wishes of indigenous communities. The amendments allowed the migration of non-indigenous peoples from the plains into the hills to take advantage of the

CHT's natural resources. In 1962, the Ayub Khan regime decided to construct the Kaptai Dam to generate hydro-electricity for East Pakistan. This decision caused widespread dislocation of peoples and sowed the seeds of conflict. While colonization during the British period severely affected people's livelihoods in the hills, the decision to the build the dam, the militarization of the region and the economic and social costs of community grievances intensified the conflict. The dam flooded 54,000 acres and displaced 100,000 people, most of whom were Chakmas, the largest of the Jumma groups of the CHT. According to human rights organizations, more than 40,000 Chakmas left for Arunachal Pradesh in India, where a majority remained as stateless persons.[6] The construction of the dam, loss of control over natural resources, threats of forced assimilation; construction of non-permanent army camps and oppression by the state led to the initial crisis of internal displacement.

The exploitation of indigenous communities continued even after Bangladesh's independence in 1971 following the war of secession from Pakistan. Citizens of the newly liberated Bangladesh celebrated Bengali ethnic and linguistic identities as the drivers of independence. However, the commemoration of Bengali identity isolated the minority population of East Pakistan who spoke other languages and were not ethnic Bengalis. The Constitution of 1972 called for a homogeneous nation-state, one language and one nation. An unsuccessful attempt by a delegation headed by Charu Bikash Chakma (Rangamati-based Awami League leader) endeavoured to ensure separate constitutional safeguards for indigenous populations. In February 1972, Manabendra Narayan Larma[7] met Sheikh Mujibur Rahman, the first Prime Minister of Bangladesh, with a charter of four demands.[8] Mujib, it is said, advised that 'you all should become Bengalis (*tora shob bangalee hoiya ja*)', following which Larma refused to endorse the Constitution. He said:

> Under no definition or logic can a Chakma be a Bengali or a Bengali be a Chakma. A Bengali living in Pakistan cannot become or be called a Punjabi, Pathan or Sindhi and any of them living in Bangladesh cannot be called a Bengali. As citizens of Bangladesh we are all Bangladeshis but we also have a separate ethnic identity, which unfortunately the Awami League leaders do not want to understand.
>
> (Singh 2003: 223)

In 1972 Larma and other senior CHT political activists established PCJSS and in subsequent years, the Shanti Bahini, its armed wing. Various regimes neglected CHT's economic and social development. Although Bangladesh experienced steady economic growth from 1990, it remained one of the poorest countries of the world, with about 41 per cent of the population living on less than US$1 a day (DFAT 2010). Scholars identify the CHT region in Bangladesh as the most economically marginalized, with an average income 15 per cent lower than the rest of the country; its indigenous inhabitants fare even worse.

These colonial and post-colonial grievances resulted in an armed insurgency in the CHT in 1976. As a counterinsurgency strategy the government relocated over

400,000 poor and landless Bengalis to the region between 1979 and 1983. Many of the Chakmas crossed the border to Mizoram and Tripura in India. By 1983, nearly 40,000 Chakmas had arrived in Mizoram, and by May 1986 another 50,000 Chakmas had taken shelter in five refugee camps in Tripura (D'Costa 2011).

State violence against indigenous peoples in the CHT can be termed 'politics of demography',[9] in which the Bangladeshi state envisaged making the indigenous peoples a minority in their own land. The Bangladeshi state planned large-scale migration of Bengalis into the CHT, in conjunction with systematic measures to evict and force out the indigenous peoples from their homes and settlements. It has been described as:

> the manifestation of a deliberate, ruthless and cynical strategy of deploying state power to change the ethnic composition of the CHT and the distribution of its lands in favour of Bengali settlers with total disregard for the rights and interest of the Hill peoples.
>
> (Adnan 2004: 53)

Such migration was the second biggest cause of internal displacement in the CHT after the massive dislocation of the 1960s with the creation of the Kaptai lake.[10] To carry out the transmigration program, the CHT Deputy Commissioner sent secret memorandums to commissioners in the plains with instructions to select poor landless Bengali families from their respective areas. Before settling in the CHT, each migrant family was promised 5 acres of hilly land, 4 acres of 'mixed' land, 2.5 acres of paddy land and bank loans. The government provided the logistics for their transportation to the CHT and reception at different points along the way. The state also provided incentives like cash allowances, military protection in their new locations and food rations. Transmigrants' food rations and military protection continued in 2012.

The state adopted the transmigration program in 1977–1978, and its civil and military machinery implemented it between 1979 and 1985, bringing in about 400,000 Bengalis.[11] But Adnan (2004) reports 15 per cent of the migrants left the CHT of their own accord because of insecure and inhospitable living conditions (Adnan 2004: 49–50; UNDP–CHTDF 2009: 42). The transmigration program stopped in 1985 but research shows that settlement continued, 'albeit in disguise', into the second decade of the twenty-first century (Chakma 2010: 42).

Successive governments used the transmigration program as a strategy to combat insurgency and change the demographic composition of the CHT. The state achieved its aim of making Bengalis the largest single ethnic group. The Bengali proportion of the CHT population reached 39 per cent in 1981; it had been 9 per cent in 1951 and 13 per cent in 1961 (Adnan 2004: 12, 57). In 1991, it reached nearly 50 per cent (48.57 per cent) (Adnan 2004: 57). In 2011, two-thirds of the Bengali population of CHT were migrants, and 62 per cent of Bengalis living in rural CHT had been there for less than 30 years (UNDP–CHTDF 2009: 46).

As there was no vacant land in the CHT to accommodate more people,[12] the transmigration was made possible by employing two violent measures against the indigenous peoples: eviction and extermination, that is: the army and new settlers massacred and abused indigenous people, particularly women (Chakma 2010: 291). Sexual and gender-based violence against indigenous women and children, and conversions to Islam through forced marriage to Bengali men, also posed serious threats to the indigenous communities. There had been more than a dozen publicized massacres in the CHT before the Accord (from 1979 to 1997).[13]

The CHT Accord signed between the Awami League government and the PCJSS on 2 December 1997 was expected to empower people, withdraw non-permanent army camps from the region and deal with the repatriation of Adivasis who had fled to India or displaced within the CHT. While at the time the international community considered this a successful case of conflict resolution, it involved no third-party mediation or direct intervention by international actors, nor was civil society involved in the peace process. These factors contributed to the failures of the Accord.

Conflict diminution? Post-Accord dynamics

While armed conflict in the CHT officially ended following the signing of the Accord, what remains in the region is a situation of violent peace. Several factors contribute to this. First, various Bangladeshi regimes have continued authoritarian control over the CHT. The army, the police, border security forces and intelligence officers all constitute a heavy presence, which contributes to a securitized environment. Instead of demilitarization there has been massive remilitarization following the Accord in the name of maintaining peace.

Soon after the assassination of Sheikh Mujibur Rahman, the military administration took over the entire country in August 1975. Although the state went through many democratic and military governments, there has been little change in conditions in the CHT. The state also retained ‘Operation Uttaran’ (meaning Operation Elevation/Uplifting), de facto military rule, to allow the military and para-military to intervene in civil or political matters in the CHT when confronted by protests from indigenous political groups and local and national civil society and human rights groups. It also retained the ‘*shantakaran*’, or ‘pacification’, program. Under this scheme, the military undertook some economic measures to pacify the indigenous people’s dissatisfaction with the obstacles to social, cultural, economic and political rights. In 1991, the CHT Commission estimated that there was one member of the security forces for every ten indigenous persons in the CHT (Chittagong Hill Tracts Commission 1991: 42) making it one of the most militarized zones on earth. The scenario of military presence in post-war CHT was unchanged in 2011. In a report of April 2011, UN Special Rapporteur Lars-Anders Baer pointed out that one-third of the Bangladesh army was stationed in the CHT, an area that accounts for only one-tenth of the entire country (IRIN Asia 2011). The UN Special Rapporteur’s report also mentioned continuation of ‘gross human rights violations’, including ‘arbitrary arrests, torture, extra-judicial killings, harassment of rights activists and sexual harassment’ (IRIN Asia 2011).

The Accord stipulates the gradual dismantling and removal of all temporary military and para-military camps from the CHT and retention of six military cantonments. The result of 13 years of sustained campaigning for demilitarization after 1997 can be summarized: 42 per cent of the makeshift security camps (235 out of 556 camps) of the military, the Bangladesh Defense Rifles and the Armed Police Battalion have been withdrawn (*Daily Star* 2010). Less than 7 per cent of the temporary military camps (35 out of 550 camps) have been dismantled, and a brigade of troops out of five brigades was withdrawn in 2009. Six cantonments in three districts of the CHT, however, were excessive when compared to only 14 cantonments in the other 61 districts of Bangladesh. The disproportion was clear: there were six military cantonments in the CHT (which represents 10 per cent of the land of the country and less than 1 per cent of the population) in comparison to 14 cantonments for the rest of the country.

The Awami League government regime of Hasina Wajed, Sheikh Mujib's daughter, came to power on 6 January 2009 following its victory in the elections held on 29 December 2008. The election manifesto of the Awami League stated that it would implement the 1997 Accord. But national and international groups, and many individuals monitoring the situation, reported that the government did very little in its first two years in office except talk a great deal about implementation of the Accord. A confidential document, marked no 2016/joint ops(a)/787, of 30 June 2010 (Defense Department 2010), appeared to outline the strategic planning of the Hasina government regarding the CHT. This involved further strengthening of strategic and economic interests, rather than demobilization of military operations in the CHT.[14] It also stated the government's plan to acquire more land for the army and some strategies to combine intelligence operations (Defense Department 2010). This document underlined the Bangladeshi state's failure to bring peace to the CHT.

The document revealed the government's strategy to gradually demobilize regional indigenous political parties and encourage mainstream national political parties in the region. While regional political parties and civil-society and human-rights groups in Bangladesh demanded demilitarization of the CHT to achieve peace, the government repeatedly delayed the process of demilitarization and planned to strengthen the military presence in all spheres, including development. Strengthening military power and further imposition of military rule either through development work or in intelligence gathering terrorized the CHT but did not bring peace.

Second, forced displacement of indigenous communities, land grabbing and systematic settlement of Bengalis aggravated a process that contributed to violent peace in the CHT. Levene suggests that the development interests of a state are key motives of perpetuating a genocidal process. He called the CHT conflict 'creeping genocide' (Levene 1999: 346; Arens 2011), and pointed to protracted and deliberate government policies to wipe out indigenous people. Drawing from Levene, we observe that transmigration and massacres were concurrent in the CHT. The massacre in Mubachari (a remote village in the region) signalled the beginning of violent transmigration.[15] While the Mubachari incident was barely noticed, the massacre at Kaukhali-Kalampati, close to Rangamati, the largest town of the CHT, received national and international attention. It was reported that:

> [t]he military had asked the local people to gather in the area for the purpose of reconstructing a Buddhist temple. Following the gathering the military surrounded the area and opened fire on the people. Those who tried to break through the encirclement were axed down by Bengali settlers, whom the military had called to its *aid*.
>
> [emphasis added by Chakma and D'Costa]. (Mohsin 1997: 182)

In his analysis of various massacres in the CHT, Bhumitra Chakma states these are cases of 'ethnocide' where minority ethnic communities are exterminated in a calculated manner (Chakma 2010). He also suggests that the Accord has not stopped the slow process of ethnocide because it failed to address the key cause – the settlement of Bengalis (Chakma 2010: 295). The Bengali settlers became more militant as the adult males were recruited into Village Defence Parties (VDP, a para-militia force). There was a parliamentary enquiry into the Kaukhali-Kalampati massacre but no one was charged or brought to justice. This was also the outcome of all subsequent cases in the CHT.

Violent land grabbing and general intimidation continued in the region. Loss of land and fear of attacks were the major sources of displacement of indigenous peoples in post-Accord CHT. In the first six years of the post-Accord period, settlers, supported by security forces or civil administrators, attacked the Jummas on at least six occasions. These included, for example, attacks on 14 indigenous villages in Mahalchari on 26 August 2003 (Amnesty International 2004).[16] Another incident in post-Accord CHT, the Baghaihat (Sajek) and Khagrachari Violence in February 2010, revealed endemic and widespread conflict throughout the region. It resulted in the burning of 500 buildings, most belonging to indigenous peoples, and at least three deaths. The conflict broke out as a result of Bengali settlers' ambitions to take over lands on which were the villages and homes of the indigenous Jummas in Baghaihat. Many national and international organizations, including the Amnesty International, the European Union, and the CHT Commission, called on the Bangladesh government for an independent and impartial inquiry into the incidents. No measures were taken.

Third, the tensions between the indigenous communities, many of whom remained internally displaced persons (IDPs), and Bengali transmigrants of 1979–1985 and post-1985 settlers increased. The military and civil administrations supported Bengali transmigrants. There were also allegations of land grabbing by different armed forces for their camps and garrisons or cantonments, either displacing more indigenous peoples or displacing some repeatedly. The continuing pattern of land grabbing by the transmigrants continued from the pre-Accord to the post-Accord period. The transmigrants enjoyed impunity and protection from the government from 1979, the year the state first implemented its transmigration program. Raising concerns over the continuation of the pre-Accord situation in the post-Accord period, a speaker in the British House of Lords drew attention to the

CHT in 2005 and warned that '[t]he very demography of the CHT is being changed under military occupation'.[17]

One point of contention is the labelling of transmigrants as IDPs. One of the most controversial factors in connection with rehabilitation of IDPs emerged in July 2000 when a government Task Force for Rehabilitation of India Returned Refugees and Internally Displaced Persons, submitted a report to the Awami League government identifying 128,364 families, comprising of 90,208 indigenous and 38,156 Bengali families, internally displaced in the CHT. The argument was based on giving the same status to transmigrants as that given indigenous peoples uprooted in their traditional homeland.

The contention provoked a serious question: were transmigrants, who were forced to move from their first place of occupation in the CHT, entitled to be called IDPs? This was a key identity crisis and demonstrated the nature of violent peace in the CHT.

From 1986, however, the state relocated transmigrants within the CHT because Shanti Bahini guerrillas were reportedly attacking them. There were reports of transmigrants choosing to leave the CHT and of civil and military personnel preventing their departure. To make the politics of demography succeed, the government protected and relocated the transmigrants. It introduced '*gucchagram*' (cluster villages), located close to security-force bases to provide security and shelter, and to consolidate rather than disperse transmigrants. Each family was provided with a plot of land, and given support like cash allowances per month, a house-building grant and weekly food rations. The state provided infrastructure and other basic facilities, such as connections to major highways and roads, culverts, water supplies, sanitation, electricity, primary schools, madrassas (Islamic schools) to these villages, through various development projects under strict military control. There are also allegations the state used international organizations' funds to serve these cluster villages in the name of 'developing' the CHT.[18] Thus, for many transmigrants or settlers there had been relocation (within CHT) and dislocation (outside the CHT).

Finally, while more complex, it could also be argued that another manifestation of violent peace was seen in terms of the split within the Adivasi community and the radicalization of some factions. The UPDF rejection of the Peace Accord and its demand for the full autonomy of the CHT is well documented. In December 2009, UDPF claimed that supporters of PCJSS from Manikchhari kidnapped seven of its activists 20 kilometres from Rangamati. Media reported other clashes, for example the death of UPDF activist Kalapa Chakma in July and revenge killing of two PCJSS members, the village chief Karbari Anil Bikash Chakma and an activist, Kaya Prue Marma in the same month. PCJSS claimed that the UPDF intimidated its members and their families. Intra-community clashes caused temporary and permanent displacement of people from their homes.

Prospects

Fundamental to diminishing the conflict in the CHT, the Bangladesh state would have to respond to the grievances of the indigenous communities. Researchers

Adnan (2004) and Guhathakurta and Chakma (2006) maintain that the indigenous IDPs should be rehabilitated, and the transmigrants or settlers be helped and assisted, but not as displaced persons as suggested by the Task Force. The studies called upon the government, enlightened politicians and international bodies to encourage voluntary withdrawal of the Bengali settlers outside the CHT.

In 2011, there was no exact figure for indigenous IDPs in Bangladesh. The government Task Force reported 90,208 indigenous families or 360,000[19] to 460,000[20] individuals. An UNDP survey mapped the size and frequency of movement of the indigenous IDPs in the CHT. It reported that about 38 per cent of indigenous peoples had to shift from their places of usual residence. An IDP household had to change its permanent address about twice on average (UNDP–CHTDF 2009: 46).

The JSS opposed the inclusion of Bengali transmigrants as Internally Displaced Persons on the grounds that this could lead to legal recognition of the transmigrants as permanent residents of the CHT and thus recognize them as legal owners of their occupied lands (Chittagong Hills Tracts Commission 2000: 48). The inclusion also generated widespread resentment among the indigenous communities, who regarded it as unjust and unacceptable. Indigenous communities perceived Bengali inclusion as the Awami League's election-winning strategy to attract transmigrants' votes. Transmigrants constituted a significant percentage of the population (UNDP–CHTDF 2009: 46) and were added to the voter list for the first time under the Awami League government. This violated the terms of the Accord. As a protest the JSS refrained from participating in the election in 2001.

The Task Force of 2000 conflated two incongruent groups – the indigenous evicted population and the Bengali transmigrants – as one category. It treated them all as Internally Displaced Persons. In the interest of electoral political advantage, the Task Force failed to respect the opinions of its members and provoked many questions, such as: should not a line be drawn between the evicted and the occupier? The Task Force of 2010 had not taken any significant steps in its first year. There was no indication whether it would review the category or the number of IDPs, as there were by then at least 9,780 more indigenous families (out of 12,222 families or 64,609 individuals)[21] who joined the tally of the existing IDPs. These 12,000 families were listed earlier as India-returned international refugees but they could not get back their homes promised by the government, as transmigrants, security forces, local administration or others occupied their lands (*Daily Star* 2010).

To have enduring peace in the region some primary questions need to be answered through dialogue between the state and the CHT communities. Is there a difference between displacement and relocation? Does the relocation of Bengali settlers in the CHT constitute displacement? Can the settlers in the CHT be considered IDPs? Can a forceful occupier (instigated by the state) when relocated from the place it occupied also be recognized as displaced?

Second, the Bangladeshi state has been relatively uncompromising in recognizing the rights and diversity of its population, and consistently failed to integrate the Adivasi voices into its national security policies. To achieve meaningful peace for the CHT, the state would have to initiate a comprehensive, all-inclusive and sincere dialogue between various interest groups. A heavily militarized environment such as this generates fear and reproduces violence. To change this atmosphere, Bangladesh governments would have to consider demilitarizing the CHT (D'Costa 2009).

Third, ambiguous and inconsistent management of CHT's development policies failed to take account of displaced Adivasi communities' anxieties. While during different political regimes, the state's engagement with the Adivasi community in terms of confidence-building measures and integration in the broader Bangladeshi society were somewhat arbitrary, it was the INGOS and NGOs that provided key development assistance in the CHT through community development activities. However, many of their projects in the areas of health, education and micro-credit were framed as 'development' projects and deliberately left out human rights in deference to government sensitivity. Human rights were perceived as a desired outcome that would automatically be realized if development projects succeeded. As such, development projects carried out with the communities did not succeed in responding to the concerns of displacement and dislocation (D'Costa 2009).

Finally, the disunited political parties from the CHT, especially JSS, JSS-reformist faction and the UPDF would need to recognize that a deeply divided CHT actually makes it much easier for the ruling regimes in Dhaka to maintain the state's authoritarian control over the region (D'Costa 2009). Intra-community confidence-building measures would be necessary, and these would need to promote dialogue and activities for youth groups as ways to address radicalization.

Lessons

Internal displacement of the Adivasi people in Bangladesh was the result of post-colonial nation-building (D'Costa and Ford 2009) and identity conflict (Mohsin 1997). A low-intensity conflict deeply embedded in the struggle over land and existence in the CHT contributed to massive internal displacement (UCDP–PRIO 2006). Since 1979, the CHT has remained the prime site of internal displacement in Bangladesh. While internal displacement in most parts of the country is connected with natural disasters like river erosion, floods, cyclones and so on, in the CHT state violence has induced dislocation. Threats, force and violence during the pre-Accord period created the conditions that prevailed after the Accord and that the Accord was intended to resolve.

Demilitarization of the CHT, a complete stop to Bengali in-migration to the CHT, proper rehabilitation of the India-returned refugees and IDPs, proper rehabilitation of the Bengali settlers outside the CHT, and good governance would be preconditions for diminishing conflict and achieving peace in the CHT. However, the militarized post-Accord CHT, with an acute absence of justice and broken promises regarding the Accord, remained a landscape of displacement and dislocation for a large number of marginalized indigenous people, for whom violent peace is the everyday reality.

Notes

1 The meaning of the term ‘Parbattya Chattagram Jana Sanghati Samity’ is the Chittagong Hill Tracts United Peoples Party, while JSS (Jana Sanghati Samity) is its short name.

2 UPDF stands for the United Peoples Democratic Front. It was formed by a section of JSS and JSS students’ group out of dissatisfaction with the limited autonomy contained in the Accord, and its aim was full autonomy for the CHT.

3 The JSS-reformist faction was formed in 2009–2010.

4 Respondents were from both indigenous and non-indigenous Bengali communities in the region. The 2009 UNDP–CHTDF report states, ‘A total of eleven factors act as constraints to peace in the CHT. About 81% have reported communal threat, followed by 80% reporting extortion, 78% both reporting abduction and armed conflict, 77% ransom, 75% restricted movement, 74% lack of trust among communities, 73% both reporting insecurity of women and fear of eviction from own land, and 67% reporting fear of insecurity of children’, p. 164.

5 In ‘Spoiler problems in peace processes’, Stedman (1997) defines spoiler management as ‘leaders and parties who believe the emerging peace threatens their power, world view, and interests and who use violence to undermine attempts to achieve it’, pp. 7–8.

6 Following an agreement between the Governor of Assam, Vishnu Sahay and the then Chief Minister, B. P. Chaliha, 57 Chakma families were moved from Assam to Tirap District, Arunachal Pradesh in 1964. Due to Mizo–Chakma and Naga–Chakma internal conflicts, a larger number of Chakma refugees moved to Arunachal Pradesh from other parts of the northeast in later years.

7 In the 1970 elections, Larma was elected member of the East Pakistan Provincial Assembly as an independent candidate and was the only representative of the CHT indigenous community in the first government of Bangladesh.

8 These were (1) autonomy for the CHT and the establishment of a special legislative body; (2) retention of the Regulation of 1900 in the new constitution; (3) continuation of the offices of the tribal chiefs; and (4) a constitutional provision restricting the amendment of the Regulation of 1900 and imposing a ban on Bengali settlement in CHT.

9 Bhumitra Chakma, Director, South Asia Project, University of Hull, coined the term ‘politics of demography’.

10 Of the electricity produced by the Kaptai dam, 95 per cent is used for the development of the plains, not in the CHT. The dam displaced about 60 per cent of the indigenous population, of these most displaced were Chakmas, about 50 per cent of its population. This chapter, however, focuses on the displacement in the CHT during the Bangladesh period from the 1970s.

11 Although the government has never publicly disclosed the total number of transmigrated Bengalis, researchers estimate numbers between 350,000 and 450,000; conservatively at about 400,000: Adnan (2004), p. 49; Chakma (2010), p. 292.

12 From the British period when the CHT population was less then 200,000 various surveys concluded that the state should restrict the movement of people to the CHT. In the 1960s soil scientists report that only 3.1 per cent of land in the CHT is suitable for agriculture, 18.7 per cent for horticulture and the remaining 72 per cent for forestry. In the 1950s when the CHT population was less than 200,000 various surveys concluded that the state should restrict the movement of people to the CHT. As a result a large number of indigenous peoples, evicted by the Kaptai dam construction, were forced to move out of the country, as there was no adequate land available for cultivation.

13 They are compiled from different sources, including the CHT Commission Report (1991) and updates, Amnesty International Reports: Levene (1999); Chakma (2010).

14 Parbattya Chattagrame sahingsata bandha O Unniyane Byapak Parikalpana, *Jugantar*, 5 July 2010.

15 Mubachari massacre was reported by Samad (1980).

16 See also the film entitled 'Terrifying Voices: A documentary based on interviews of the victims of attack in Mahalchari, Chittagong Hill Tracts, Bangladesh on 26 August 2003', Hill Watch Human Rights Front (HWHRF).

17 Lord Avebury entered the House of Lords 1971; elected hereditary peer 1999; Liberal Democrat Spokesperson for Race Relations and Immigration 1971–1983, Foreign and Commonwealth Affairs 1998–2010. He is co-chair of the Chittagong Hill Tract Commission (CHTC).

18 They were largely funded by the Asian Development Bank. UNICEF and UNDP also funded some 'development' programs in the CHT. See Arens and Chakma (2002).

19 Assuming four persons in a family.

20 An average indigenous household comprises of 5.1 members, UNDP–CHTDF (2009), p. 32.

21 Following the Accord, the Indian government forcibly repatriated some 65,000 refugees from Tripura. They are invariably referred to as Chakma refugees by media as most of them were Chakmas, including a good number of Tripura and some Marma families.

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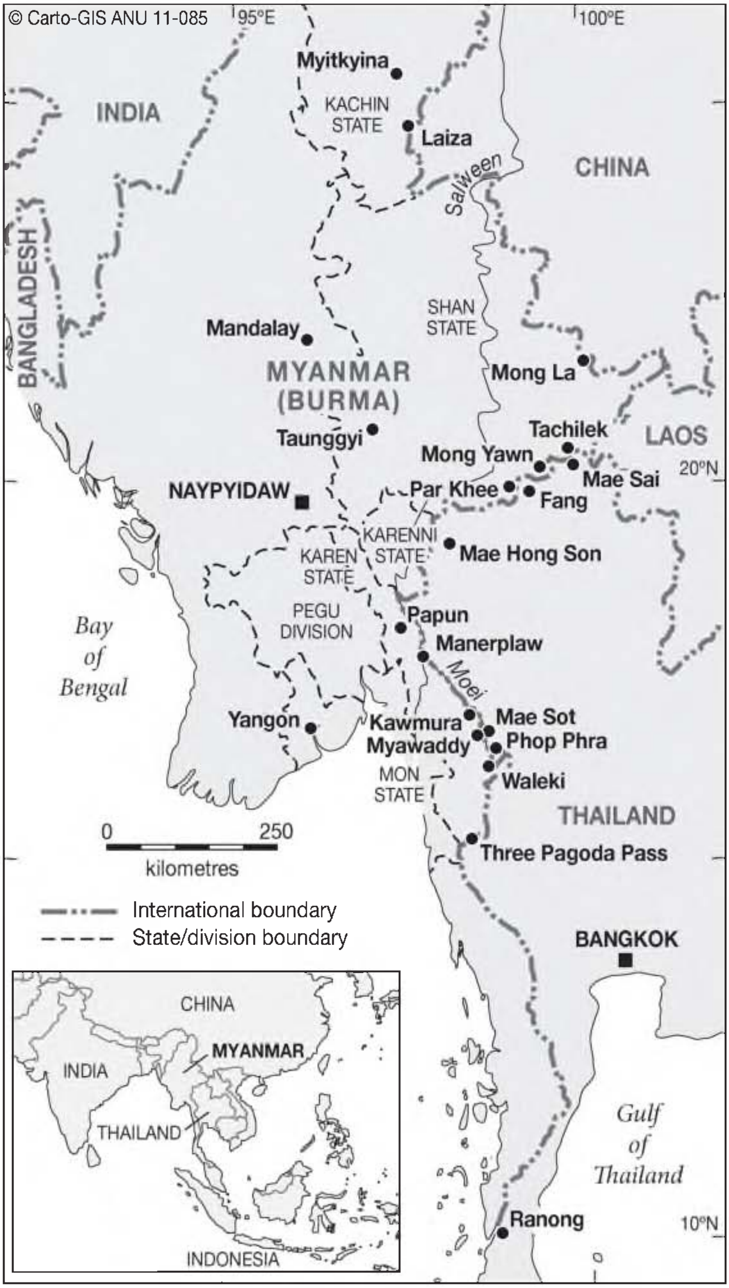
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95°E
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Myitkyina
INDIA
KACHIN STATE
Laiza
CHINA
Salween
BANGLADESH
SHAN STATE
Mandalay
MYANMAR (BURMA)
Mong La
Tachilek
LAOS
Taunggyi
Mong Yawn
Mae Sai
20°N
NAYPYIDAW
Par Khee
Fang
KARENNI STATE
Mae Hong Son
KAREN STATE
PEGU DIVISION
Papun
Bay of Bengal
Manerplaw
Moei
Yangon
Kawmura
Mae Sot
Myawaddy
Phop Phra
MON STATE
Waleki
THAILAND
0
250
kilometres
Three Pagoda Pass
International boundary
State/division boundary
BANGKOK
CHINA
MYANMAR
INDIA
THAILAND
INDONESIA
Gulf of Thailand
Ranong
10°N

Map 10 Myanmar (Burma)

Major events: Eastern Burma

1940–45	China–Burma–India theatre: fighting between Japanese (and local allies) and the Western powers
1947	Burmese leader, General Aung San, assassinated
1948	Union of Burma becomes independent from Britain
1949	Karen National Union begins its war
1962	General Ne Win stages coup against Burmese government; Kachin Independence Army begins full armed confrontation
1960s	Karen National Liberation Army forced into Eastern Burma
1975	National Democratic Front formed by some ethnic armies
1985	Khun Sa’s forces join Tai Revolutionary Council (Moh Heng)
1988	August uprising against Myanmar government in Yangon
1989	State Law and Order Restoration Council/State Peace and Development Council begin; Communist Party of Burma crumbles; ceasefires signed: include United Wa State Army
1992	General Than Shwe becomes head of Myanmar government
1993	Kachin Independence Army agrees with Myanmar military government
1994	Democratic Karen Buddhist Army formed; agrees to ceasefire with Myanmar military
1995	Attack against KNLA’s Manerplaw headquarters
1996	Surrender of Khun Sa’s Mong Tai Army to Myanmar military government
2001	Major clashes between Shan State Army (South) and Myanmar army, and its ethnic allies
2004	Purge of Myanmar military intelligence supremo and ceasefire negotiator, General Khin Nyunt
2008	Pado Mahn Shar, secretary-general of Karen National Union, assassinated
2009	Myanmar military offensives against the Kokang ceasefire group in northeastern Shan State
2010	Elections 7 November under Myanmar government’s 2008 Constitution; renewed fighting in parts of eastern Burma
2011	Burma’s new parliaments convene; tensions remain high; conflict again in Kachin and Shan states and Karen areas
2012	Conflict continues in Kachin State; some diminution in Shan and Karen areas with incomplete ceasefire agreements

10 Eastern Burma

Long wars without exhaustion

Desmond Ball and Nicholas Farrelly

The persistence of civil war in a country such as Burma[1] has two logical explanations. The first is that the reasons for commencing armed conflict remain, largely, the same as when the conflict began. In Burma, those who took up arms against the government because of its ethnic chauvinism, religious intolerance, harassment or brutality have proven that they can remain motivated through long years of war. Some of the specific reasons for fighting may change, but the initial justifications can, in a process that is intuitively unremarkable, become even more entrenched. The second explanation flows from the first. After decades of fighting it might be that there is so much invested in the conflict, and so much effort put into justifying the righteousness of struggle, that it is impossible to accept an outcome except complete victory. Conflict generates its own self-reinforcing entrenchment. In Burma, those who were willing to negotiate and accept terms of ceasefire from the Myanmar military (usually referred to by its Burmese name, *tatmadaw*) have, by-and-large, already stopped fighting (Kramer 2009a). At the same time, some of those groups are now preparing for hostilities to resume. Ceasefire stalemates almost inevitably contain key ingredients for future flare-ups. The recent evidence from this part of the Asia–Pacific region is that with these explanations in mind the possibility of future conflict can never be completely discounted.

Eastern Burma is one part of mainland southeast Asia where a confluence of factors has led to persistent social and political conflict. Ethnic and linguistic distinctions, religious differences, historical disagreements, geographical demarcations created by mountains and rivers, and the existence of long national borders with Thailand, Laos and China, have all played some role in generating and then reinforcing the conditions for conflict. Ethnic minorities such as the Mon, Karen, Karenni, Shan, Wa and Kachin have, since World War II, been involved in long civil conflicts with the governments of Burma. These groups all live in parts of the country where non-Burman[2] ethnic minorities form local majorities.

The key period for the most ferocious fighting was from 1962, when a military coup toppled the country's civilian government, until the late 1980s, when a series of ceasefire agreements was finalized. Even though much of the fighting has since diminished there are still consistent reports of violence and abuses by government forces. More significantly, since 2009 when the government increased its pressure on its erstwhile ceasefire partners there has been an emerging appreciation that a return to full-blown civil wars across eastern Burma is possible, but not inevitable. This has left eastern Burma in an awkward posture: some of its wars appear to be over, some are not fully diminished, several have recently reignited, and others may not yet have really begun.

Such a posture sets eastern Burma apart from many of the other cases discussed in this volume. Two decades since the end of the Cold War – when most other conflicts from the twentieth century have already been brought to a close – eastern Burma continues to host the world's most enduring civil conflicts. The large number of groups involved, and their tragically overlapping histories, adds to the complexity and makes analysis of conflict in this region even more difficult.

There has been a diminution of these conflicts but not, as yet, any conclusion. From 1989 to 1996 the Myanmar government manoeuvred large parts of the ethnic Mon, Karen, Shan, Kachin and Wa armed forces away from open confrontation.[3] These forces that reached agreements with the government are widely known as 'ceasefire groups' (see Table 10.1, p. 162). Others, particularly among the Karen, Karenni and Shan, have continued to fight. But since 1996 there has been no further diminution; regular waves of violence have continued and since 2009 the trend is towards increasing bloodshed. Indeed, as this chapter is finalized escalations of violence have occurred. The most significant battles in recent years have occurred in eastern Burma, along the borders with Thailand and China. Part of the anticipated value of this chapter comes from its effort to reconcile recent conflict in parts of eastern Burma (namely the Karen, Karenni and southern Shan States) with the recent resumption of hostilities in other parts of this region (the Shan and Kachin States).

Our analysis builds on an awareness that Burma's long wars have, in most cases, only halted temporarily and factions within many of the 'ceasefire' groups remain committed, under the right circumstances, to renewed conflict. Resentment against the Myanmar government for its unwillingness to grant further political space to the ethnic groups, combined with the unequal distribution of economic opportunities following the ceasefires, ensure that there may be no shortage of fighters prepared to challenge Myanmar government control.[4] To help explain why conflict, of an escalating and perhaps unforeseen type, remains an undeniable possibility, this chapter describes the pattern of partial conflict diminution in eastern Burma. This pattern suggests caution about the prospects for any *further* diminution while the political situation remains uncertain and while the Myanmar government is prepared to precipitate conflict with its former ceasefire partners.

Background: Partial diminution of the longest wars

Large sections of Burma have been at war with each other, and with themselves, since the guns of World War II fell silent elsewhere in southeast Asia. As Japanese troops sailed home in defeat, and the decolonizing nation-states of the region asserted their independence, a new generation of conflict was just beginning (for the best account see Smith 1991). Today the world's longest-running war, between the Karen National Liberation Army (KNLA)/Karen National Union (KNU) and the Myanmar government, is not, even after unprecedented truce regotiations, completely finished.[5] As part of this war there has been almost continuous fighting in Karen State, and elsewhere in Burma, since 1949.

During the 1950s and 1960s there were periods when Burma's anti-government forces proved very capable of challenging the government on the battlefield. Combat successes led, in many cases, to large areas of the country being denied to the government for their operations. However, as government authorities became habituated to these long wars, and as political and logistical transformations occurred, most areas of conflict developed prolonged stalemates. During the 1970s and 1980s, for instance, there were notable stalemates in the Mon, Karen, Shan and Kachin States. By the late 1980s a mood for change swept across Burma in the form of widespread pro-democracy protests. These protests led to the downfall of the government of Ne Win and saw the current crop of military leaders, such as Senior General Than Shwe, move into more senior positions. It was also at this time that ceasefires became part of the machinery for seeking to diminish conflict in eastern Burma.

Ceasefire politics

Beginning in 1989 the Myanmar military leadership brokered ceasefires with major armed opponents, including the United Wa State Army (UWSA), the New Mon State Party (NMSP), and the Kachin Independence Army (KIA). These agreements have allowed various types of local political authority to emerge, particularly in eastern Burma along the Burma–China and Burma–Thailand borders. The major ceasefire armies have controlled what are known as 'Special Regions' since the ceasefire agreements. In the Kachin State, as an example, there were two Special Regions, one controlled by the former New Democratic Army – Kachin (NDA – K) and one under the authority of the KIA.[6] In these Special Regions most government functions (police, telecommunications, economic affairs and so on) have been the responsibility of the ceasefire group, and they operated as semi-autonomous entities under the broad oversight of the Myanmar authorities.

In August and September 2009 the Myanmar military launched an offensive against the Kokang ceasefire group, an ethnic Chinese militia notorious for alleged complicity in the heroin and amphetamines trade (SHAN 2005: 20). They were attacked in what the Myanmar government described as a counter-narcotics operation. There was little international reaction, although the Chinese government is understandably cautious about any fighting that occurs so close to the long Burma–China frontier. These battles, which led to the flight of the Kokang forces and large refugee flows to China, motivated some commentators to reflect on the possibility of further conflict between the Myanmar government and the ceasefire armies.

The KIA broke their longstanding ceasefire in June 2011. The immediate cause was a contest over security at a hydro-electricity project near the China–Burma border. From the KIA perspective, this provocation could not go unchallenged. The KIA also have grievances about the handling of negotiations over transformation to a government-commanded Border Guard Force. Since this war re-ignited the KIA have achieved significant success on the battlefield but, in early 2012, suffered losses due to heavy artillery and helicopter gunship attacks. With negotiatons continuing, there is a chance that a new ceasefire will emerge.

There are other ethnic armies that have not accepted ceasefires. There is the KNLA, which has seven brigades plus its General Headquarters Battalions, with a total strength of approximately 5,000. The KNLA and other ethnic groups were involved in discussions with the Myanmar government in late 2011 and into 2012 but it is still too early to judge the final outcome of these efforts to generate final peace agreements. One group that has been in discussions is the Shan State Army (SSA), and particularly SSA-South, under the command of Colonel Yod Serk, which also has around 5,000 personnel.[7] Then there is the Karenni Army (KA), under General Bee Htoo, which has around 1,000 troops organized into two regular battalions and three guerrilla companies. Each of these armies has faced regular Myanmar government challenges in the areas that they seek to control along the Burma–Thailand border. The other major Burma–Thailand border-based group is the All-Burma Student Democratic Front (ABSDF), which was formed in the wake of the crackdown on Yangon protests in 1988. It once had 20 battalions spread along the Burma–China and Burma–Thailand borders, but may only be able to muster hundreds of fighters under current conditions. Other splinter groups from some of the ceasefire organizations include those active in Mon areas, like the Hongsawadi Restoration Party (HRP) and the People's Progressive Front (PPF) in Mon State and Tennasserim Division.

War in the ceasefire period

As the premier non-ceasefire army, the KNLA's efforts to continue its armed opposition to Myanmar government rule came at a price. In 1995, for a start, the KNLA suffered major losses. Its headquarters at Manerplaw and Kawmura were destroyed by the overwhelming *tatmadaw* superiority in firepower, training and intelligence that had been consolidated in the years since Ne Win's fall in 1988. It did not help the KNLA cause that the Democratic Karen Buddhist Army (DKBA), a Karen splinter group, joined the Myanmar army to attack its positions. This coalition of disparate forces has ensured that the KNLA is now a shadow of its former self (Ball and Lang 2001).

In many areas along the Burma–Thailand border the KNLA struggles to control territory and has lost most of its 7th Brigade area opposite the Moei River, which proved vulnerable to Myanmar army offensives. There have also been major offensives in the KNLA's 3rd and 5th Brigade areas since March 2005. In 2008 there were 92 *tatmadaw* battalions involved in this fighting in northern Karen State. In other areas, such as the 201st Battalion Headquarters at Waleki, opposite Phop Phra, there has been a series of battles resulting in the Myanmar military capture and the KNLA re-capture of a major base in July 2008. In that area the offensives were led by the Myanmar army's 409th Infantry Battalion and the DKBA's 907th Battalion. The difficulties for the KNLA have been compounded by the defection of 7th Brigade commander, Brigadier General Htain Maung, and the formation of the KNU/KNLA Peace Group in February 2007. That Peace Group initially had about 320 troops, but most have since returned to the KNLA.

With this recent history, the KNLA/KNU leadership is acutely aware of its vulnerability. Since 2008, there have been a number of high-profile assassinations, arrests and defections. The safe haven provided by Thailand is no longer guaranteed and in the major Thai border town of Mae Sot, where many of the senior Karen figures make their homes, there is persistent tension. The most significant setback came in Mae Sot on 14 February 2008 when a senior KNU leader, Padoh Mahn Sha, was assassinated (this has been described as 'Black Thursday for Kawthoolei').[8] As the General Secretary of the KNU, he was arguably the most skilled of the current generation of the KNU leadership. He also offered the possibility of reconciliation with a ceasefire splinter group, the KNU/KNLA Peace Council. Such potential reconciliation was probably the proximate reason for his assassination. The long-term support that the KNLA has received from Thai security forces also appears to have waned in recent years, although this could merely be a product of fatigue, rather than deliberate policy on the part of the Thai authorities. But it could also point towards terminal decline for what was once the most important armed group.[9] Notwithstanding this pattern of decline, in late 2010 the KNLA received a boost from the cooperation of former DKBA fighters who have grown weary with their treatment by Myanmar authorities. This re-consolidation of ethnic Karen forces remains incomplete but it signals how further diminution of conflict in eastern Burma cannot be guaranteed even long after ceasefires have been implemented.

Conflict diminution: So much unresolved

In this context, conflict in eastern Burma has partially diminished over the past two decades but the configuration of social, political and economic factors guarantee that these wars are far from finally exhausted.

Grievances of the ethnic groups

The non-Burman ethnic minorities, such as the Karen, Shan and Kachin, consider themselves to have been cheated by the Myanmar government. This awareness flows from the immediate pre-independence period and, in particular, the widely invoked Panglong agreement of 1947 (see Silverstein 1959). That agreement provided Burma's ethnic groups with opportunities to consider secession. In almost all political statements from ceasefire and non-ceasefire groups it remains a key plank of ethnic policies for Burma's future. In concert with the historical claims made about Panglong, the armed opposition claims that the military government is illegal and undemocratic. On these grounds some of the ethnic armies, such as the KNLA, have cooperated with ethnic Burman fighters. Groups such as the ABSDF and the Vigorous Burmese Student Warriors have also sought sanctuary among non-Burman groups along the Burma–Thailand border.[10] Together their grievances range from the ideological to the deeply personal. There is ample fuel, it would seem, for them to motivate each other for many more years of combat and hardship.

Resilience of the military regime

On the other side, the Myanmar government, joined in many operations by sympathetic ethnic forces such as the DKBA, has demonstrated considerable resilience in the ceasefire period. It has not wilted in the face of international opprobrium and a steady stream of critical human rights reports. These stern judgements have failed to change the government's behaviour, particularly in ethnic minority areas. The United States and its allies have implemented haphazard sanctions policies that have similarly failed to threaten the core interests of the Myanmar government.

Contributing to its success and security, the senior Myanmar leadership has, over the past two decades, refined an approach to containing armed opponents in border enclaves. Threats from the KNLA, and similar non-ceasefire forces, are often used to justify the dominance of the military, and its leadership. Such threats also allow the government to continue to devote much of its attention, and a large proportion of its budget, to military matters. According to Andrew Selth (2009: 13), 'the actual figure for annual defence expenditure is always going to be open to debate but, by any estimation, it is a staggering sum for a country suffering from so many dire economic and social problems'. Selth identifies a spending pattern where 'a good proportion of this expenditure' goes to weapons and equipment purchases. Nonetheless, it is likely that only a fraction of the military budget ever finds its way to frontline units in eastern Burma. The best estimates suggest that the Myanmar armed forces have grown from 80,000 before the ceasefires to around 350,000 (Selth 2009: 11–12). The engineering of this institutional configuration is justified by the Myanmar military's ongoing sense of existential threat, usually emanating from its border areas.[11]

Their resilience means that there is widespread belief that the Myanmar authorities will succeed in current efforts to transform their military dictatorship in to what they call a 'discipline-flourishing democracy'. This awkward phrase is the foundation for the military-drafted 2008 Constitution and is premised on a substantial role for the *tatmadaw* in future governments. In this proposed system the military retains its supreme role in political affairs and there will be few, if any, immediate opportunities for nonmilitary figures to assume key political positions. Under the new Constitution, 25 per cent of seats in the parliament are reserved for members of the armed forces and in 2011 it became clear that important leadership roles, such as the presidency, remain military prerogatives.

Strategic and tactical decisions

With its ceasefire agreements, the Myanmar army has actually succeeded in consolidating its control throughout almost every part of Burma. There are now

250 Infantry Battalions and Light Infantry Battalions in eastern Burma alone. This is more than double the number in 1995 and these units now make up almost 50 per cent of the *tatmadaw*'s front-line troops. To combat this surge, joint operations between the non-ceasefire armies have become more common. In the past it was more usual for conflicts to break out between various anti-government groups. There was, for instance, regular fighting between the Karen and Mon at Three Pagodas Pass. From 1999 onwards this began to change. In May–June of that year a joint force of 1,500 SSA and 300 KA soldiers defeated a large unit of *tatmadaw* forces near Ho Mong. In December 2004, the Myanmar government launched Operation *Naryou*, which involved ten battalions from Military Operations Command 1; in February 2005, this became Operation *Aung Kyaw Min*, involving ten battalions from Light Infantry Division 55, based in Taungyyi in the Eastern Command. At that time, two SSA-S battalions, two ABSDF battalions and KNLA units assisted the KA. In 2006, the KA provided a company to the KNLA's 5th Brigade Command in northern Papun District.

Such operations have led the non-ceasefire armies to change strategy and tactics. They rely on their mobility and knowledge of the mountainous terrain of eastern Burma for ambushes that take *tatmadaw* patrols by surprise. While many of the resulting engagements are relatively minor there have been some major ones. In May 2009 the KNLA killed Brigadier Kaung Myat, the Commander of Military Operations Command 5 based at Thandaung Township in Pegu Division. Avoiding the deaths of such senior Myanmar army officers is one of the reasons the *tatmadaw* has often used proxy forces in its battles.

Until 2008, the UWSA was used in frontline combat by Myanmar army commanders. It is unclear whether the UWSA leadership will indulge such collaboration in the future. In all cases where proxy armies are employed in eastern Burma it is difficult to disentangle incursions due to ethnic conflict from those involving drug trafficking. It is drug trafficking that largely funds the activities of the ethnic armies that provide combat support to Myanmar commanders.

Drug money

Drug trafficking remains a significant component of the wider economy in eastern Burma. It is one of the regional issues of ongoing concern for security agencies in mainland southeast Asia, and elsewhere in the world (Kramer 2009b). Those ceasefire groups that have enjoyed closest relations with the Myanmar government have been implicated in this trade. The UWSA and DKBA have both, for instance, been targeted by international counter-narcotics agencies. While Burma is now behind Afghanistan in terms of opium production it remains a key producer. It produced two-thirds of the world's heroin until 1997, and then slipped to second behind Afghanistan (with 87 per cent in 2005) except for 2002. There was a 20 per cent increase in 2007. However, the major contributor of the borderlands economy from narcotics production comes from methamphetamines (what the Thais call *ya ba*).

Beginning in 1996, there has been a significant consolidation of the necessary infrastructure and technology for *ya ba* production. Six to eight hundred million tablets a year were flooding into Thailand by 1999. The groups involved include the UWSA, Kokang and the Muser (Lahu) militia groups. The drugs are brought down along the Burma–Thailand border and are dispersed from a hub around the Mong Yawn region in the Shan State. There are mobile labs for their production. Some drugs are brought across in the areas near Myawaddy, Three Pagodas Pass and Ranong. In 2003 the Thai government's 'war on drugs' disrupted parts of this traffic but in the years since then there has been a steady increase of regional narcotics trafficking. In fact, since the attack on the Kokang there have been reports that a 'fire-sale' of stockpiled amphetamines and opium has replenished the UWSA's financial reserves (McCartan 2009). Those reserves will be crucial for buying arms and paying salaries in the lead-up to any future war with the *tatmadaw*.

Prospects

Future conflict between the Myanmar government and a configuration of ceasefire and non-ceasefire armies could reverse all of the efforts to diminish Burma's long wars. For example, in early 2011 the UWSA had an estimated armed strength of more than 20,000 and had benefited from two decades of relative peace by prioritizing wealth creation, mainly from drug trafficking, and arms purchases. It had also devoted resources to preparing for both offensive and defensive operations, and was not nearly as vulnerable as the Kokang. Will its strength guarantee that a wider conflict is off the agenda? At the time of writing, it is very difficult to judge how the conflicts in eastern Burma might finally end. Nonetheless, scenarios that see the UWSA, or other major ceasefire armies, resume hostilities with the Myanmar government are now the subject of regular speculation.

With the Kokang routed and the Wa and Kachin preparing for major battles there is a consensus that all of the non-ceasefire armies are now readying themselves for the possibility of further conflict. This is, no doubt, a troubling prospect for *tatmadaw* commanders, who will be wary about launching any offensives that force disparate ceasefire and non-ceasefire armies into fighting a common Burman enemy. That would undo much of their work to neutralize their major armed opponents, such as the UWSA and the SSA. The Myanmar army leadership will also be aware that the ethnic armies remain formidable. Combined with UWSA or other forces, a hypothetical coalition of former ceasefire armies would require a major commitment of Myanmar government resources.

One of the challenges for the government is that the non-ceasefire groups are now more practised in guerrilla rather than positional warfare, and since 1999 they have scored some important successes. The SSA victory at Par Khee (opposite Fang district in northwestern Chiang Mai province) in April–May 2001, saw at least 210 *tatmadaw* soldiers killed and more than 100 others wounded. In the case of the KNLA, ambushes in which 10–30 *tatmadaw* soldiers are killed are frequent occurrences. These small victories for the non-ceasefire, anti-government forces show that they are still prepared to fight, and while the wars of eastern Burma have diminished there is no sense in which they have been extinguished. While there are ongoing tensions, the KNLA, in particular, retains offensive capabilities that will continue to threaten the Myanmar army. On the other hand, the KNLA are vulnerable in ways that hamper their efforts to provide a credible armed opposition to Myanmar military control. They have lost most of their key strategic advantages in terms of territory. But they remain a potent force when they are in a position to launch offensive actions, particularly ambushes.

The question is: what are the prospects for a renewed, nation-wide conflagration? Even after two decades of almost constant setbacks there remains unwillingness on the part of these ethnic armies, even those with ceasefire agreements, to fully bend to the Myanmar military government's will. Government efforts to force these armies to accept a diminished status as Border Guard Forces has greatly increased tensions in both the Karen, Shan and Kachin States (Wechsler 2009). The ambition of the generals to remove other armies from the country requires a careful balance between conciliation and escalation. Their hope, no doubt, is that recent flare-ups send a strong signal about the consequences for intransigent ceasefire armies that fail to play by the Myanmar government's rules.

Nonetheless, the major armies, like the UWSA, remain unwilling to concede to terms where Myanmar officers would have direct control over their troops. This ambivalence has led some commentators to speculate on a tense future. The stalemates described in this chapter could be ultimately undone by miscalculations on the part of the ceasefire armies, or the Myanmar government. In any case, a renewed guerrilla war would test the resolve, and preparations, of the Myanmar authorities. They have become comfortable with a state of affairs where they are not subjected to serious military threats. The UWSA, or any number of other ceasefire armies, could bring the fight to the Myanmar army in a way that the relatively small Kokang could not.

And the possibility of escalating conflict may motivate fighting elsewhere in the country, means that all sides are currently preparing for an uncertain future. Indeed, the ceasefires have provided opportunities for military build-up in Burma that drastically raises the stakes. All sides have made efforts to acquire more sophisticated weaponry to discourage ill-considered assaults. So any future combat could see well-armed and trained forces on all sides. This is one explanation for the Myanmar authorities appearing unwilling to engage their potential opponents in open confrontation. Instead, they have pursued a campaign of persuasion, backed by targeted assassinations, in ceasefire areas around the country. Notional allies who are not perceived as sufficiently supportive of Myanmar government plans are finding themselves vulnerable.

Lessons

The potential for the re-ignition of conflicts that appear to have diminished is the starkest lesson from eastern Burma's recent history. By the end of 1990s there was a widespread presumption that Burma's long wars were exhausted and that the ceasefire agreements would herald a more peaceful future. Yet the leadership of the Myanmar armed forces has remained committed to eliminating those ethnic armies that have yet to agree to ceasefire terms. More importantly, it has sought to

Table 10.1 List of groups that have agreed ceasefires, Myanmar (Burma)

Group name	*Main ethnicity*	*Date of ceasefire*	*State*	*Estimated personnel*	*Special region*
Myanmar National Democratic Alliance	Kokang (Chinese)	21 March 1989	Shan (North)	2,700	Yes
Myanmar National Solidarity Party (United Wa State Party)	Wa	9 May 1989	Shan (North)	20,000	Yes
New Democratic Alliance Army	Shan and Akha	30 June 1989	Shan (East)	3,300	Yes
Shan State Army	Shan	2 September 1989	Shan	2,130	Yes
New Democratic Army – Kachin	Jinghpaw	15 December 1989	Kachin (East)	1,300	Yes
Kachin Defence/Development Army	Jinghpaw	11 January 1991	Shan (North)	~2,000	Yes
Pa-O National Organization	Pa-O	18 February 1991	Shan (South)	~1,400	Yes
Palaung State Liberation Party	Palaung	21 April 1991	Shan (South)	1,400	Yes
Kayan National Defence Guards	Karenni	27 February 1992	Karenni	80	Yes
Kachin Independence Organization/Army	Jinghpaw	24 February 1994	Kachin	6,000	Yes
Kayinni National People’s Liberation Front	Karenni	9 May 1994	Karenni	1,600	Yes
Kayan New Land Party	Karenni	26 July 1994	Karenni	1,500	Yes
Shan S. Nationalities People’s Liberation Organization	Shan, Akha and others	9 October 1994	Shan	3,000	No
Democratic Karen Buddhist Army	Karen	21 December 1994	Karen	1,500	No
Kayinni National Progressive Party	Karenni	21 March 1995	Karenni	7,700	No
New Mon State Party	Mon	29 June 1995	Mon	7,800	No
Mong Tai Army	Shan	5 January 1996	Shan	14,000	No
Rakhine State All National Races Solidarity Party	Burmese and others	6 April 1997	Rakhine	300	No
Mon Mergui Army	Mon	1997	Mon	Unknown	No
Karen National Union Special Region Group	Karen	8 November 1997	Karen	Unknown	No

Note: This list does not reflect the changes to ceasefire status that have come with the implementation of Border Guard Forces. The lack of complete information on these changes has made it difficult to fully reconcile which ceasefire groups still exist. Nonetheless as an historical summary this array of deals and contexts should prove useful. The resumption of conflict in some areas also complicates the picture as some of these ceasefires, most notably with the MNDA and KIO/KIA, have broken since 2009.

pressure ceasefire armies into disavowing their existing political demands and accepting their co-optation into the Border Guard Force. In the Kachin State, the KIA has resisted these efforts while the other major ceasefire army, the NDA – K, was co-opted as a formal part of the government's security apparatus. The impacts of this uncompromising government stance have flowed throughout eastern Burma. A revival of far-reaching and open resistance to the undiminished government domination is still a possibility.

Since the major Myanmar army offensives of 1995–1996 there have clearly been ongoing challenges for the non-ceasefire opposition, and for ceasefire groups. But there is no sense in which the Myanmar government can claim immediate victory or success out of these stalemates. As the government continues implementing its civilian–military hybrid of authoritarian control, the various stalemates appear to have come to an end. This also marks the end of some of the last certainties about Burma's long wars. Across eastern Burma, among both ceasefire and non-ceasefire armies, contingency planning is well underway. The Myanmar military leadership hope, no doubt, that they can outlast their potential adversaries, de-activate the ceasefire armies, and dismiss their calls for ethnic political control, once and for all.

But what the KNLA has demonstrated is that it is possible to continue fighting for decades, long after earlier combat effectiveness has been depleted. The resulting stalemate in the Karen State leaves some difficult decisions for the Myanmar government that point to their future problems. Continuing its war with the KNLA justifies the Myanmar Army's budgets and status, but is there a lingering risk that its inability to defeat the Karen could motivate other groups to reactivate their armed opposition more confidently? That the Myanmar government has struggled to fully co-opt the major ceasefire armies to its agenda means that miscalculations on its part could generate a conflict with intensity not seen since the first ceasefires were signed in 1989. For a military government transitioning to a partly civilian and quasi-democratic political system the risks of renewed fighting are many.

Deeply entrenched resentments, such as those felt by ethnic groups in eastern Burma, can motivate long periods of conflict. Under conditions where linguistic, cultural and geographical differences mark certain populations out from the national mainstream the potential for conflict remains high. And in situations where particular strategic or economic logics also support the continuation of conflict then final diminution may remain unaccomplished. The ceasefires between ethnic armies and Myanmar forces are, for all sides, merely temporary points along the journey to their respective final goals. The incommensurability of those goals is what makes the entire system so unstable. While so many armed groups maintain their military strength the Myanmar authorities will probably struggle to consolidate any kind of unified national political structure. The partial diminution of Burma's conflicts merely hides a portfolio of resentments against the Myanmar government and the injustices committed in its name. These resentments were, after all, the reason that eastern Burma's long wars started so many years ago.

Notes

1 We have elected to retain 'Burma' as the name of the country under discussion in this chapter. Readers will, however, note that we have used the terms 'Myanmar government' and 'Myanmar military', when referring to central government forces. This somewhat awkward distinction helps to clarify the competing claims made for both territory and governance in Burma's fractious eastern borderlands.

2 The somewhat antiquated term 'Burman' refers to the majority population of 'lowland' Burma, the *Bama*. It is from this ethnic group that the majority of Myanmar government officials, commanders and supporters are drawn. The ethnic dimension to conflict in Burma is, however, rarely as clear-cut as such labels imply. Many Burmans oppose the central government while there are some 'Karen', 'Kachin', 'Shan' and so on who support the Myanmar government. Politics and ethnicity should not be simplistically conflated.

3 Intriguingly, in the case of Burma there are certain sub-national ethnic groups that are particularly associated with warfare and martial prowess. At the top of this list are the Wa, Kachin and Karen, all of whom developed combat reputations during the colonial period that have been maintained to this day.

4 In November 2010 the Myanmar government organized the country's first elections in two decades. The result, which saw candidates from the government-aligned Union Solidarity and Development Party win a majority of seats, caused significant resentment in ethnic minority areas. The consolidation of a hybrid civilian–military authoritarian political infrastructure over the next few years will likely prove a new fault line for the country's ethnic politics.

5 Most of the armies and political groups in Burma are known, at least in shorthand, by their acronyms. In this chapter we have introduced the relevant shorthand for most groups. This should also help to clarify the complexity of affiliations and nomenclature in Burma's long wars.

6 Technically, the NDA – K no longer exists. The 2009 transformation of this militia into three battalions of Border Guard Force brings it, more formally, under the control of Myanmar military commanders. In 2010, the former Chairman of the NDA – K was elected to the National Assembly through the Kachin State's constituency 4.

7 The Shan State Army also benefited from some amalgamations. In 2008 the Wa National Organization (WNO)/Wa National Army (WNA) opposite Mae Hong Son effectively joined the SSA-S.

8 '*Kawthoolei*' in eastern Burma is the Karen term for 'homeland'.

9 A similar reluctance to intervene on the part of the Thai authorities left Khun Sa, a former rebel leader and notorious narcotics trafficker, to surrender to the Myanmar authorities. Under that deal, his Mong Tai Army (MTA) was disbanded in January 1996. Khun Sa lived out his remaining years in Yangon and died in 2007. His death signalled the end of an era for the Shan state.

10 In this chapter we have inverted the common usage of 'Thailand–Burma border' for two reasons. The first is that the conflicts we are describing occur, almost entirely, inside Burma and so it seems appropriate to examine them based on that geographical reality. Second, we are concerned that too much commentary about Burma's wars, including some that we have authored, is dominated by a Thailand-centric perspective.

11 It is also motivated, perhaps to a lesser extent, by the perceived threats of hostile foreign powers. Andrew Selth outlines the resulting 'strategic calculations' (2008: 27) about the possibility of American invasion.

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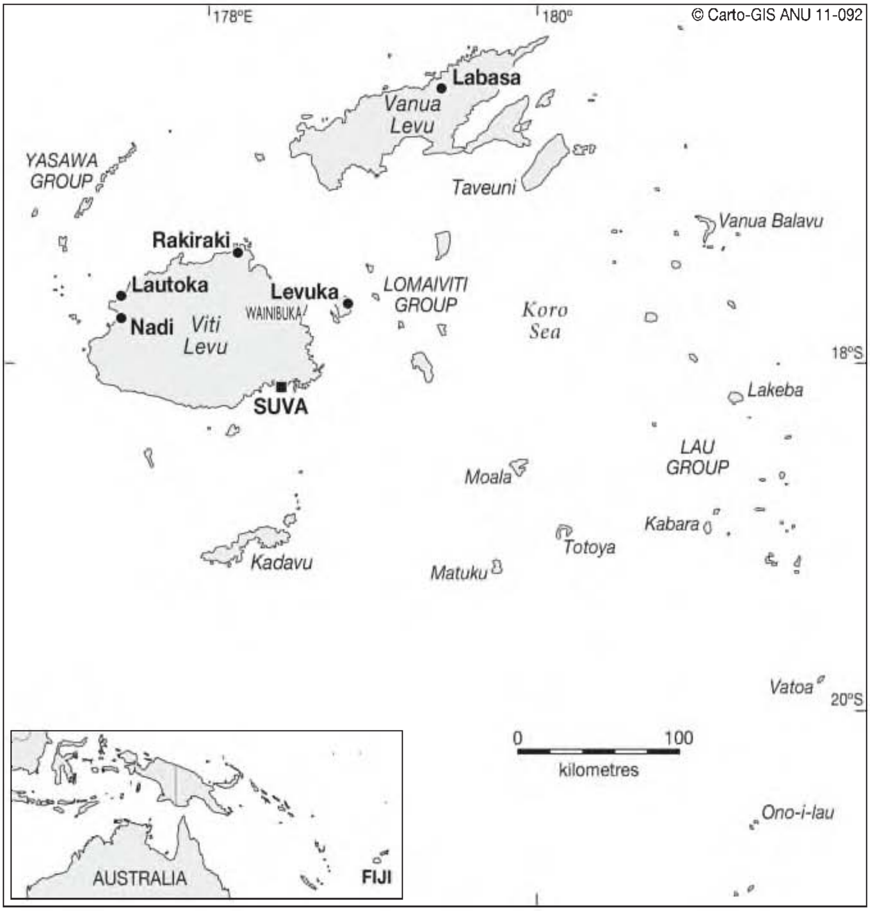
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Map 11 Fiji

Major events: Fiji

1871	European settlers install Bau chief as ‘King’ of Fiji
1874	Fiji becomes British colony
1879	The Leonidas arrives with 60,553 Indian indentured labourers
1916	End of indentures – final contracts cancelled, 1920
1929	Fiji Indians secure elected representation but on communal rolls; ethnic Fijians nominated by Great Council of Chiefs
1941–45	Pacific War: Fijian troops fight in Solomons and Bougainville
1963	Indigenous Fijians acquire the vote for first time
1970	Independence
1977	Elections: Ratu Mara’s Alliance Party loses; Governor-General reappoints Mara head of caretaker government
1987	Elections – Coalition between Fiji Labour Party and National Federation Party wins (April); Lieutenant Colonel Rabuka overthrows government of Bavadra (May)
1997	New Constitution adopted by Fiji’s parliament
1999	Elections: majority for Chaudhry’s Fiji Labour Party
2000	Speight and supporters seize control of parliament, taking Chaudhry and most of his cabinet hostage (19 May)
2000	Military Commander Bainimarama abrogates Constitution, and deposes President Ratu Sir Kamisese Mara
2001	Fiji Court of Appeal rules 1997 Constitution still intact, and government of Laisenia Qarase has no legal standing
2001	Elections: Qarase’s Soqosoqo Duavata ni Lewenivanua wins
2003	Supreme Court rules Prime Minister Qarase required to include members of Fiji Labour Party in cabinet
2006	Election – Qarase’s SDL wins absolute majority: power-sharing cabinet includes 9 members of Fiji Labour Party
2006	Military commander Bainimarama overthrows Qarase’s government (6 December)
2007	Interim cabinet appointed, including Fiji Labour Party leader as finance minister (January)
2009	Court of Appeal rules interim government illegal, orders appointment of caretaker prime minister and new elections; President Iloilo abrogates 1997 Constitution, announces no election will be held before 2014

11 Fiji

The politics of conflict reduction

Jon Fraenkel

Fiji's 5 December 2006 military takeover entailed the collapse of an ambitious experiment in constitutional design aimed at mitigating conflict and encouraging the formation of a multi-ethnic government. In 1997, a new constitution was introduced that was influenced by the two best-known schools of thought as regards how to defuse conflict in deeply divided societies; those associated with Duke University Professor Donald Horowitz and University of California political scientist Professor Arend Lijphart. Inspired by the theories of Horowitz, the 1997 Constitution provided for the alternative vote system, but this did not work as expected at the elections of 1999, 2001 and 2006, which instead saw a polarization of the political scene (see Fraenkel 2001; Fraenkel and Grofman 2006). At the same time, inspired by the theories of Lijphart, the Constitution included a mandatory power-sharing provision, entitling all parties with over 10 per cent of seats to participate together in cabinet. This also did not work as expected, at least in 1999 and 2001, although a promising experiment commencing in May 2006 was cut short by a military coup in December 2006 (for further detail, see Fraenkel 2006). The programme of the post-coup military government included the abolition of both the Horowitzian alternative vote system and the Lijphartian multi-party cabinet rules.

Background

Fiji thus features an interesting tale about the politics of conflict reduction, but not a significant story about the actual reduction of conflict. This is a country that is highly ethnically polarized in many respects, but nonetheless lacks a history of bitter ethnic civil warfare, or even widespread intercommunal violence. Ethnicity is largely coterminous with language and religion, and political allegiances have tracked ethnic parties fairly closely. Fiji Indians are largely Hindu or Muslim, whereas indigenous Fijians are almost exclusively Christian, mostly Methodist.[1] Indians in Fiji have adapted a local version of the Hindustani language, while ethnic Fijians speak several indigenous dialects, although Bau Fijian – the dialect spoken by those from Tailevu Province in eastern Viti Levu – has become ascendant. Some Fijians speak Hindi, and some Indians speak Fijian, but no homegrown *lingua franca* has emerged that bridges the racial divide. English is widely used in the school system. Differentiation is also apparent in the patterns of rural settlement: Fijians usually live in close-knit villages, whereas the homesteads of Indian families tend to be scattered across the countryside. In both town and country, intermingling occurs, but there is negligible intermarriage. Fiji thus resembles the classic plural society; in the words of Arthur Lewis, ‘one that is integrated by day, but separated by night’ (Lewis 1969: 8).

Conflict in Fiji has centred on control over the state, not citizenship or even ethnic income inequality. Fiji Indians – particularly some of the richer Gujaratis – control much of the business sector, while indigenous Fijians have figured more prominently in the top echelons of the public service. Indian citizenship has, at times, been fiercely contested by Fijians – for example by nationalist firebrand Sakeasi Butadroka in the 1970s. However, expelling Fiji Indians has never been mainstream indigenous Fijian policy. At its April 1977 heyday, Butadroka’s Fijian Nationalist Party obtained 25 per cent of the indigenous vote, but it never subsequently repeated that performance.[2] The majority Fijian position has been to insist on indigenous retention of political power (‘political paramountcy’), but not on exclusivist citizenship or commercial policy (although affirmative action policies have been pursued for Fijians in business and education). Nevertheless, the claim to indigenous political ascendancy has inevitably sat uneasily alongside the ostensibly democratic ideals of the post-colonial state, an issue only imperfectly addressed by the 1997 Constitution’s awkward insistence that indigenous paramountcy was only a ‘protective principle’ (Fiji Constitution 1997: 62).

Emergence of a bi-polar state

In international comparative perspective, Fiji belongs among the world’s bi-polar societies where conflict has been between two large groups – such as Northern Ireland, Cyprus, Guyana or some of the new states of the former USSR, like Kazakhstan, Estonia or Latvia. By 1987, ethnic Fijians formed 46 per cent of the population, while Fiji Indians comprised 48.7 per cent, and a pattern of ethnic electoral competition had developed that tended to pit one Fijian party against a single Indian party or coalition. The origins of this population mix, and the way the colonial division of labour initially kept the two communities apart, are significant.

From 1879 onwards, over 60,000 indentured labourers were transported from the Indian subcontinent to Fiji. Most were eventually pressed into sugar cane cultivation or milling, which by the 1930s had become dominated by a single company, the Colonial Sugar Refining Company. Before British colonial rule had been established in 1874, large swathes of coastal or riverine indigenous land had been obtained by white planters, by fair means or foul (Ward 1969). Many of the white planters and merchants had gone bankrupt due to the end of the American civil war-sparked cotton boom, and the small settler society that had emerged on the island of Levuka became increasingly unruly in the late 1860s and early 1870s. The British government arranged for a Deed of Cession signed by leading indigenous chiefs in 1874, paving the way for what then Secretary of State for the Colonies Lord Carnarvon called ‘a crown colony of a rather severe type’ (cited in

Davidson 1966: 165). The first substantive British Governor Sir Arthur Gordon outlawed further land alienation, and sought to discipline and control the settlers. He embraced a protectionist policy designed to shield indigenous Fijians from outside pressures. Direct relations between white merchants and Fijians were restricted (a policy encouraged by the fact that some of the leading 1870s merchants were German).

British policy was not to create a further settler colony, like those in Australia and New Zealand. Through the nineteenth century, indigenous Fijians had succumbed in large numbers to hitherto unknown infectious diseases – including a measles epidemic in 1875 that carried away over a quarter of the population. A protectionist system, it was hoped, would allow the population time to recover and adjust to market forces. The indigenous chiefly system was to be incorporated under the wing of the colonial state, and its rules and customs codified in formal law as regulations to be enforced by a Native Administration, a state within a state. The costs of running the colony were not met exclusively by indentured Indians working on sugar plantations and in the mills. At least for the first 25 years or so, Fijians in their villages were pressed into the supply of tax produce-in-kind to the colonial state, which was then marketed in bulk to merchants.

Gordon's protectionist order survived until the beginning of the twentieth century, but became increasingly fragile. As the sugar industry began a major expansion and as numbers of indentured Indians rose, it looked as if Fiji's future would be founded upon Indian labour, European capital and the expropriation of native Fijian land. That prospect was, at first, delayed by the protests of Sir Arthur Gordon now in the British House of Lords and then destroyed by three events: the end of indenture in 1916, the Great Depression and the Pacific War. With the ending of indenture, the sugar industry was reorganized – with plantation cultivation giving way to Indian smallholdings, often on land leased from natives. In town and countryside, the now largely Fiji-born Indians became more assertive, both industrially and politically. Indian strikes in 1920 and 1921 encouraged local Europeans to seek Fijian assistance in their suppression, helping to cement a lasting link between indigenous Fijians and the security services. Indian demands for 'common roll' elections from 1929[3] were met by a colonial emphasis on 'native paramountcy', echoing the colonial handling of East African indigene–migrant tensions. By the mid-twentieth century, the 1874 Deed of Cession had been reinvented as a solemn charter of British commitment to the Fijian chiefs. When Fijians enlisted to fight in the Pacific War, the colonial order found new incentives to reward its loyalists. The most able Fijian on the Legislative Council, Ratu Sukuna, was brought into the Executive Council and placed in charge of indigenous affairs. The Native Land Trust Board and the Ministry of Fijian Affairs were created, and Sukuna embarked on an effort to 'reinvent' Sir Arthur Gordon's Native Administration (see Gillion 1977).

The rehabilitation of the Native (now 'Fijian') Administration, however, ended in failure. During the 1920s and 1930s, increasing numbers of ethnic Fijians had left their villages, often having to commute social obligations by cash payments. The Pacific War had further eroded the earlier village-based order, and Ratu

Sukuna's efforts were able only to delay, not to stem, the tide. In 1959, the Spate report and in 1960 the Burns Report highlighted relative deprivation in the indigenous community, and recommended a programme of modernization (Spate 1959; Burns *et al*. 1960). During the 1960s, many of the Fijian regulations were abolished, easing the restraints on movement away from the villages. In 1956, only 11 per cent of Fijians resided in the urban areas. Two decades later, in 1976, the figure had reached 31 per cent. Until this point, interaction between the two communities had been limited, except amongst the few government workers or dockworkers in Suva or for those Fijians who lived in the sugar-cane growing regions of western Viti Levu or northern Vanua Levu. Arriving in the towns, first-generation urbanized Fijians found themselves at a disadvantage as compared to their Indian counterparts, who were often better educated and already well-established in employment in light manufacturing, building, transport and retail sectors. Indian poverty also existed, but alongside considerable prosperity, particularly amongst the Gujarati elite.

Electoral politics at Independence and beyond

In the 1960s, newly emergent Fijian and Indian parties regularly took starkly opposed positions on the Legislative Council. In the constitutional debates in the run up to independence, Indian politicians argued for the abolition of communal rolls, while Fijian politicians sought their continuation. The British-brokered compromise was a partial shift to common roll, but on the basis of a still predominantly communal system and continued usage of a first-past-the-post electoral system. Fijians, Indians and 'general' voters[4] were each granted communal seats, but the 1970 Constitution also provided for 25 'cross voting' or 'national' seats – ten each reserved for the Fijians and Indians, and five for the country's general voters. Each voter had four votes; one in their own communal seat, and one for an Indian national MP, another for a Fijian national MP and a final vote for a general voter national MP. In these contests, it was the ethnicity of the candidate that was restricted not the electoral rolls, whereas in the communal contests it was the electoral rolls that were restricted to members of a single ethnic group (excepting the 'general' rolls which were filled by non-Fijian and non-Indian citizens).[5] In practice, in the 'national' constituencies where Indian citizens predominated, parties identified with the Indian community tended to win, whereas wherever ethnic Fijians were the majority parties identified with the Fijian community took the seats. If the cross voting system achieved anything, it was to make ethnic parties more adept at cultivating 'Uncle Tom' type politicians from the other community. It ensured that henceforth ethnic politics in Fiji entailed voting for ethnically identified parties, rather than voting for individuals on account of their ethnicity.

Given the majoritarian electoral system, contests from independence in 1970 up until the first coup, in 1987, tended to generate incentives to ethnic homogeneity. Fiji became independent under the leadership of Ratu Mara, a Fijian traditional chief from the Lau Islands. Ratu Mara's Alliance Party remained in office throughout 1970–1987, drawing on strong ethnic Fijian support and minority backing from the general voters. Only on two occasions was that ascendancy shown to be precarious. In April 1977, Butadroka's Nationalist Party split the Fijian vote, enabling the Indian-supported National Federation Party (NFP) to obtain a narrow majority. However, Governor General Ratu Sir George Cakobau avoided appointing Muslim NFP leader Siddiq Koya as Prime Minister by controversially reappointing Ratu Mara as a caretaker Prime Minister pending fresh elections in September, which Mara was able to win. A decade later, in 1987, Mara's Alliance again lost an election, this time to a coalition between the NFP and the newly formed Fiji Labour Party (FLP), a party ostensibly based on class- rather than ethnic-community loyalties, but in fact dependent on 82.6 per cent Indian support and only 9.6 per cent Fijian backing.[6] The FLP–NFP coalition formed a government headed by Timoci Bavadra, but this was overthrown by Fiji's first military coup in May 1987. Led by Lieutenant-Colonel Sitiveni Rabuka, the coup was ostensibly an effort to forestall a *Taukei* (indigenous) uprising, but it has widely been viewed as aimed at restoring Fijian political dominance. A new constitution, adopted in 1990, abolished the common roll seats and stacked the communal seat distribution in favour of ethnic Fijians (37, as against 27 for the Fiji Indians, in a 70-member parliament), and reserved the positions of Prime Minister and President for indigenous Fijians.

The 1987 coup cast a long shadow over Fiji's subsequent history, and encouraged a large-scale outwards migration, particularly of Fiji Indians. The initial experiment in electoral engineering had failed; the first-past-the-post system had encouraged the emergence of a bi-polar contest between homogeneous ethnic Fijian and Fiji Indian parties or coalitions, and put a premium on the tactic of trying to split the other side. The largely Indian-backed NFP, for example, paid the deposits of candidates running for Butadroka's Fijian Nationalist Party in 1977 despite the latter's call for Indian expulsion. The NFP hoped thereby to split the Alliance vote. Throughout 1970–1987, overall electoral outcomes were decided in the very small number of national constituencies where Fijians and Indians approached parity in numbers, which were mostly in or around the capital, Suva. Ethnic appeals at elections were also encouraged by controversies over land leasing legislation (in particular, the 1976 Agricultural Landlord and Tenant Act), and over the Alliance's affirmative action policies. The FLP, although programmatically class- rather than ethnicity-based, had immediately allied itself with the solidly Indian-identified NFP, undermining its own multi-ethnic claims. The 'winner takes all' characteristic of the first-past-the-post system meant that either Ratu Mara's Alliance retained control or that the largely Indian-backed parties overturned that order, generating deep-seated Fijian fears and the likelihood of coups or constitutional crises.

Constitution engineering in 1997

After the 1987 coup, it was five years before fresh elections were held, and then only under the lop-sided provisions of the 1990 Constitution. Coup leader Sitiveni

Rabuka was able to transform himself into a civilian politician, and to win the elections in 1992 and 1994. However, the 1990 Constitution had been officially designated 'interim' rather than permanent and, when the time for review arrived, Rabuka – together with NFP leader Jai Ram Reddy – brokered a compromise. The new Constitution removed the ethnic qualification for Fiji's heads of government and state, and brought the share of seats allocated to the Fiji Indians closer to their share in the population. The Constitutional Review Commission (CRC) that sat during 1995–1996 sought to establish institutions capable of encouraging multi-ethnic government. It met both Donald Horowitz and Arend Lijphart, but settled in favour of the former's recipes for vote pooling using the alternative vote system.[7] This, it was hoped, would encourage voters to give second or third preferences to moderates from other ethnic communities, and provide incentives for political parties to moderate their platforms in order to appeal for second or third preferences. Preference-swapping arrangements, it was believed, would lead to the formation of pre-election 'coalitions of conviction', which would be more robust and durable than the 'coalitions of convenience' often formed after elections by parties under proportional representation systems. To maximize the role of preferences a compulsory ranking system was adopted (ensuring that fewer seats were decided at the first count).[8] To promote party preference-swapping, a split format ballot paper was suggested, with the ticket option designed to give the political parties greater control over the redistribution of preference votes so as to enhance their bargaining power. In practice, 92–95 per cent of voters used the ticket option in 1999, 2001 and 2006.

The CRC recommended the usage of this system in 45 common roll or 'open' seats, alongside 25 communal seats (12 each for Fijians and Indians, two for the general voters and one for the Rotumans).[9] However, the Joint Parliamentary Select Committee (JPSC) that met to deliberate on these proposals reversed this allocation, opted instead for only 25 open seats and 46 communal seats (23 for the Fijians, 19 for Indians, three for general voters and one for Rotumans). Although in this respect the JPSC proved more conservative than the CRC, in another respect it went further than the CRC in recommending constitutional mechanisms to encourage formation of multi-ethnic governments. All parties with over 10 per cent of seats were to be entitled to participate in cabinet, a provision modelled on the arrangements used in South Africa during the 1994–1996 transition from Apartheid. The power-sharing provision was intended to cement the continuing collaboration between Rabuka's Soqosoqo Vakavulewa ni Taukei (SVT) and Reddy's NFP, both of which were expected to easily cross the 10 per cent seat threshold based on their performances in 1992 and 1994. The 1997 Constitution was unanimously backed by Fiji's parliament on 3 July 1997, and subsequently endorsed by the Great Council of Chiefs.

Elections in 1999, 2001 and 2006

In May 1999, the first elections were held under the new system. Rabuka's governing SVT was opposed both by old and new enemies, some of whom vigorously rejected the accord brokered with Jai Ram Reddy as a 'sell out' of Fijian interests. The SVT obtained 38 per cent of ethnic Fijian votes,[10] but most other parties agreed to list it as last preference (on the party controlled preference rankings) with the objective of ousting the incumbent government. As a result, the SVT obtained only eight seats (despite having been ahead in 18 constituencies at the first count). Jai Ram Reddy's NFP also fared poorly as a result of having done a deal with Rabuka, whose role as 1987 coup leader was not forgotten by Fiji's Indian voters. It secured a fairly evenly spread 32 per cent of the Indian vote across the country, and thus did not obtain a single seat. It was the FLP – which in 1992 and 1994 had been the second largest predominantly Indian-backed party[11] – that was able to engineer a landslide victory. With 65.5 per cent of the Indian vote, the FLP took the 19 Indian communal seats and won in another five open constituencies at the first count in the densely Indian-populated sugar cane belts. The FLP also won another 13 open seats on preferences, contests where the impact of the new electoral laws were clearly apparent. In these, it was party-official-controlled preferences stacked against Rabuka's SVT that decided outcomes. In the most marginal contests, where other candidates had been eliminated before the contest was decided, what counted was that the FLP had been ranked by officials representing the Fijian parties in penultimate position, with the SVT last. This was how the FLP was unexpectedly able to acquire 37 seats in the 71-member parliament, despite having only 1.9 per cent of the ethnic Fijian first preference vote.[12]

As a result of finding itself with an absolute majority, pre-election plans for a coalition government headed by an indigenous Fijian were jettisoned, and FLP leader Mahendra Chaudhry instead became Fiji's first ever Prime Minister of Indian descent. An immediate post-election crisis, triggered by disquiet in the coalition of small Fijian parties allied to the FLP, was stilled by intervention from Fiji's President Ratu Sir Kamisese Mara. As required by the Constitution, Chaudhry wrote to the SVT inviting them to participate in cabinet (with eight seats, the SVT only just passed the 10 per cent threshold), but in response the SVT demanded concessions that Chaudhry refused, a refusal later found to be legal by the law courts. There followed a troubled year under the Chaudhry-led government, during which all three of the FLP's small initially Fijian-backed coalition allies split, with leaders remaining in cabinet while backbenchers participated in a growing opposition movement. In May 2000, on the anniversary of the formation of the FLP-led government, it was overthrown by a small group of Fijian extremists, led by part-European businessman George Speight, with some backing from the elite Meridian Squadron of the army. Chaudhry and his cabinet were held hostage inside parliament for 56 days, while Speight and his followers struggled to acquire executive authority. Unlike 1987, the Republic of Fiji Military Forces (RFMF) held out against the coup instigators, and surrounded parliament, while President Ratu Mara declared a state of emergency. On 29 May, the RFMF abrogated the Constitution and deposed the President, claiming thereby to be appeasing Speight and his rebel backers. In July, an interim government was appointed headed by banker, Laisenia Qarase, which promised to accelerate indigenous advancement through affirmative action (thus offering a more moderate version of Speight's pro-indigenous goals). A deal was eventually reached between Speight and the military that led to the release of the hostages and the ending of the siege of parliament. The rebels, however, refused to disperse or to surrender all weapons. As a result, Speight and over 400 of his supporters were arrested in late July. An attempt to reverse that defeat, through a mutiny orchestrated by the Meridian Squadron at the army's Queen Elizabeth Barracks in Suva in November 2000, was also defeated. In total (including eight killed during the November mutiny), there were 16 coup-related deaths in 2000, as compared to zero in the bloodless coup of 1987.

The other key step in defeating the Speight coup took place through Fiji's courts. In November 2000, Justice Anthony Gates ruled against the government in a case brought with the assistance of Fiji's Human Rights Commission by Fiji Indian farmer Chandrika Prasad, who claimed that his human rights had been violated as a result of the abrogation of the Constitution. The government appealed, and the case was heard by Fiji's Court of Appeal. In its judgment of 1 March, the Court upheld the earlier decision (albeit on somewhat different grounds), finding the 1997 Constitution to be still in force and declaring that the Qarase government had no legal standing (Fiji Court of Appeal 2001). In an intriguing twist to that judgment, deposed President Ratu Mara was found to have resigned not on 29 May 2000 (as everyone thought he had), but rather on 15 December 2000 when he had written to the government inquiring about his pension entitlements. In accordance with the Constitution, that meant a new President had to be selected within 3 months, and thus on 1 March there were 15 days left for Ratu Mara's former deputy, Ratu Josefa Iloilo to repeat the process of his own selection by the Great Council of Chiefs. With executive authority now restored to constitutionality, Ratu Josefa faced three choices; to restore Chaudhry as Prime Minister, to recall parliament (which might select a new compromise Prime Minister) or to opt for fresh elections. He chose the latter, and as a result, Fiji witnessed another election under the alternative vote in August 2001.

The 2001 election campaign saw a dramatic reshaping of Fiji politics, largely in response to the experience of the 1999–2000 Chaudhry government, the Speight coup and the subsequent RFMF repression of rebel groups. Qarase's interim cabinet had been initially appointed by the RFMF as a group of apolitical technocrats, who were supposed eventually to depart the political stage. With a new election on the horizon, however, the political ambitions of Qarase and several of his ministers led them to forge a new party, the Soqosoqo Duavata ni Lewenivanua (SDL), with the blessing of the Methodist Church and the backing of powerful chiefs from the provinces of Rewa, Lau and Naitasiri. The other major new party was the Conservative Alliance–Matanitu Vanua (CAMV), which had Cakaudrove chief Ratu Naiqama Lalabalavu as President, and was backed mainly by ethnic Fijians from the island of Vanua Levu (Fiji's second largest island) and from Speight's home village of Naloto in Wainibuka on the eastern side of Viti Levu. These were areas where the military had pursued the Speight rebels during the second half of 2000, and the CAMV was born out of hostility to RFMF repression. The SDL proved able to obtain 50 per cent of the Fijian vote, and the

CAMV another 20 per cent. Rabuka's SVT had only 8.6 per cent, and no other party obtained more than 5 per cent of the Fijian vote. In the Fiji Indian constituencies, the FLP increased its vote share to 75 per cent. It again won all 19 of the Indian communal seats, and five open seats all at the first count. Unlike 1999, the smaller parties – including a grouping of centrists who had clubbed together to form a 'Moderates Forum' – lodged preferences that ranked the FLP last. In two-party races in the most marginal constituencies, the SDL thus tended to defeat the FLP. Qarase was able to forge a government bringing together the SDL, with 32 seats, and the CAMV, with six seats (including George Speight who was elected from his prison cell), as well as several independents.

The mechanics of forging the post-2001 government made obedience to the country's multi-party cabinet rules difficult. While Qarase needed the coalition with the CAMV to secure a majority in parliament, he needed a second broader coalition with the FLP to obey the power-sharing rules. Initially, he sought to follow the precedent set by the Chaudhry government in 1999: sending the required letter of offer and then refusing to accept the conditions attached to participation in cabinet. However, the courts did not accept this, upholding instead the FLP's right to inclusion in cabinet. After extensive litigation lasting three years (see Fraenkel 2006), Qarase eventually offered the FLP a series of minor token portfolios in an expanded cabinet, which Chaudhry refused. By late 2002, high profile friction between Qarase and Chaudhry was complemented also by the growing squabble between the Prime Minister and RFMF commander Frank Bainimarama. Differences surrounded the renewal of the commander's contract, the release from prison of prominent chiefs known to have backed the 2000 coup (including CAMV President Ratu Naiqama Lalabalavu) and various bills before parliament. In particular, the Promotion of Reconciliation, Tolerance and Unity Bill – which potentially offered an amnesty for those convicted of coup-related offences – was vigorously opposed by the RFMF. As Fiji approached the end of Qarase's five-year term in office, military assertiveness became ever more marked, and the RFMF became extensively involved in the election campaign opposing the re-election of the Qarase government.

The May 2006 polls proved even more polarized than those of 2001, although fears that Chaudhry's FLP would be re-elected were much less marked than previously (see Fraenkel and Firth 2007). Qarase's SDL obtained 80 per cent of the Fijian vote, assisted by the liquidation of the CAMV shortly before the polls. The FLP yet again lifted its share of the Indian vote, from 66 per cent in 1999 to 75 per cent in 2001 to 81 per cent in 2006, and again took all of the 19 Indian communal seats. The smaller, mostly centrist, parties obtained a negligible share of the vote as compared with 1999 or 2001, but this time the two large ethnic parties had shares of the first preference vote that were so close that preferences nevertheless decided outcomes in nine open seats. The 25 open seats were divided down the middle, with the FLP obtaining 12 and the SDL 13 – with the most marginal seat, Laucala open, being decided by 11 votes at the recount. This gave the SDL 36 seats, just scraping across the overall majority threshold, much to the dismay of military commander Frank Bainimarama.

Unlike the experience after the 2001 election, Qarase formed a multi-party cabinet after the 2006 polls in accordance with the Constitution's power-sharing rules and with the 2002–2004 rulings of Fiji's higher courts. Nine members of the FLP joined the government, taking substantial portfolios like labour, health and agriculture. FLP leader Mahendra Chaudhry, however, chose to remain on the backbenches, and soon a split emerged in the party. As the storm clouds of military intervention hovered, the FLP sought a showdown with Qarase over the 2007 budget and expelled two of its own ministers in cabinet. The military commander seized executive authority on 5 December, seven months after the election, claiming to be acting in the interests of 'good governance', anti-corruption and multi-racialism (see Fraenkel *et al.* 2009). When an interim cabinet was forged a month later, with the RFMF commander figuring as Prime Minister, FLP leader Mahendra Chaudhry took the finance portfolio, as well as assuming responsibility for public sector reform and sugar. Prominent 'moderate' politicians, and civil society activists rallied to the coup, frustrated at the fraught electoral experience of 1999, 2001 and 2006, and in the hope of impressing upon the military commander the need for radical electoral reform.

Throughout 2008, a regime-backed National Council for Building a Better Fiji (NCBBF) put forward the case for electoral reform, urging abolition of the communal seats, a reduction in the voting age from 21 to 18 and replacement of the alternative vote by a list-based proportional representation system. The NCBBF urged, however, that the 1997 Constitution would remain. This was not to be. In April 2009, Fiji's Court of Appeal overturned an earlier High Court judgment that had favoured the interim regime. Ostensibly it was the President, Ratu Josefa Iloilo, who responded by abrogating the Constitution the next day. Behind the scenes, Bainimarama was pulling the strings, and later that year President Iloilo stood down. With the legal order now destroyed, Bainimarama announced that there would be no election until 2014, and – to emphatically demolish the moderating influence of the civil society reformists who had rallied to his regime – that there would be no dialogue on a new constitution until 2012.

Conflict diminution and prospects

With regard to the five themes emphasized in the introduction to this volume as critical to the analysis of conflict diminution in the Asia–Pacific, it is the precariousness of democracy and the role of coercion that most resonate in Fiji. Outside intervention was minimal, even if – despite its isolation in the midst of the Pacific Ocean – Fiji is heavily exposed to external influences. Economic development after independence was sluggish, although Fiji became more diversified and wealthier than most Melanesian neighbours. It was the coups that drove downwards the country's GDP growth-rate, although the sense of indigenous economic disadvantage was an important contributing ingredient in rebellion against Ratu Mara's governments in the 1970s and 1980s. Fortuitous events, including natural disasters, played their part in Fiji's conflicts: for example, the two years of drought following the Rabuka–Reddy settlement of 1997 helped to deliver those politicians a severe defeat at the 1999 polls, which in turn severely damaged the prospect that their constitutional deal might hold. Unpredictable events also spawned more favourable outcomes, if one includes the outcome of the Chandrika Prasad case in 2001 and the preparedness of the then government to obey the court's decision that it had no legal standing. That preparedness, however, was not echoed when the Court of Appeal ruled similarly that Bainimarama's government was in violation of the Constitution in April 2009 (Fiji Court of Appeal 2009).

Fiji's democracy has since independence been conditional, initially upon its delivering ethnic Fijian ascendancy and subsequently on its obedience to military dictates. Whenever electoral outcomes threatened or enabled the emergence of a largely Indian-backed government, as in 1977, 1987 or 1999, constitutional crises or coups ensued. And even when that threat seemed to have faded, democratic rule remained conditional, although after 2000 the condition imposed by Bainimarama was that the elected government remained obedient to the 'mandate' set by the military upon the appointment of Qarase and his interim cabinet in July 2000, irrespective of the outcome of elections in 2001 and 2006 (which Bainimarama called a 'numbers game'). As democracy became ever more transparently conditional, as vividly shown by the crises of 1977 and even more so 1987, government rule by consent became ever more difficult to obtain. Fiji Indians never accepted the legitimacy of the governments of Rabuka (1992–1999) or Qarase (2000–2006), which helps to explain why a community formerly so firmly identified with the demand for equal democratic rights rallied to the Bainimarama coup in 2006. The form of elective democracy promised for 2014 is again conditional on military favour, and Bainimarama's interim government has made clear that it will not stomach any revival of the political parties that dominated parliament before the 2006 coup.

If Fiji fits the pattern, identified in the introduction to this volume, of semi-democracies being particularly prone to conflict, it is an outlier as regards the role played by coercion, at least since December 2006. The military in December 2006 was not an agent of the state clamping down on minority-armed separatists, as in Sri Lanka or Punjab. It saw itself as playing a 'guardian' role, in Huntington's sense (Huntington 1957; see also Fraenkel and Firth 2009): the 2006 coup was justified by a promise to squash communal politics, corruption and weak governance. Initially, the targets of suppression were Qarase's SDL, the Great Council of Chiefs and the Methodist Church – the critical institutions of ethnic Fijian power. By contrast, Mahendra Chaudhry – whose FLP had such overwhelming Indian support at the polls of May 2006 – assumed the key role in cabinet. The military-backed regime's defeat of public sector strikes by Fijian teachers and nurses in mid-2007 owed much to splits in the union movement encouraged by Chaudhry in cabinet. Eventually, the military turned also on the Labour leader, who was pushed out of cabinet in August 2008. The municipal councils were abolished in January 2009, and representative bodies in the sugar industry were steadily dismantled from August 2009, undermining the critical bases of the Fiji Indian political parties. In February 2010, Bainimarama's government cancelled the automatic deduction of union dues by the Fiji Sugar Corporation, hitting in particular

Chaudhry's National Farmers Union (the core base of the FLP). Chaudhry himself was arrested in Rakiraki for allegedly holding a public meeting in defiance of the Public Emergency Regulations in September 2010.

In the short run, repression proved a tool of social peace, but only by exacerbating tensions beneath the surface. In the aftermath of the 2006 coup and even more so after the abrogation of the Constitution in April 2009, it was a firm military hand, press censorship and the refusal to hold elections until 2014 that subdued, or concealed, conflict. But Bainimarama's coup no longer had any social base beyond the military itself, and here too long-anticipated divisions became increasingly apparent. The 'coup to end all coups', as Bainimarama called his insurrection before the United Nations General Assembly in late 2007, thus at best was responsible for a more brittle political set-up, one vulnerable to counter-coups (albeit possibly of the 'palace coup' type) because everything depended on the authority of a very few key players. At worst, it generated the possibility that, in reaction to counter-coups, a far more authoritarian set-up would prove the only viable means of retaining regime authority.

Lessons

Fiji's 2006 coup was a response to the perceived failure of usage of constitutional devices to reduce conflict. The system bequeathed by the British had failed to generate politicians of national standing, able to straddle the ethnic divide. The 1997 Constitution's alternative vote system had not, as intended, encouraged moderation or compromise. Like other majoritarian systems, it assisted the bigger parties and punished the splinter groups, and encouraged politicians to emerge as representatives of homogeneous ethnic blocs. The 1997 Constitution's power-sharing provisions had an inauspicious start; Chaudhry proved able to avoid their central objective by excluding the SVT, while Qarase at first simply refused to follow the rules (fearing being outflanked by the extremists, as Rabuka had been). Yet for seven months after May 2006, Fiji witnessed its first ever post-colonial experiment in power sharing, involving the elected leaders of both communities, before this was destroyed by Bainimarama's coup of December 2006 (Green 2009). The Fiji story thus suggests a negative verdict for the claims for the alternative vote, as acknowledged for example by some of the leading specialists on the Northern Ireland conflict (McGarry and O'Leary 2009: 62, 66). The verdict as regards Lijphart's consociational recipes is more ambiguous, for Lijphart does not see power sharing as a panacea for deeply divided societies. His rejoinder is simply 'what else can be done?' Perhaps the Fiji case also provides evidence of the dangers of highly politicizing constitutional rules, which render more likely military intervention of the kind that occurred in Fiji – an issue rarely given the attention it merits in the literature on institutional design in deeply divided societies.

Under the surface, Fiji has been changing in ways that may – for reasons quite unrelated to the 2006 coup or the electoral system – ultimately serve to diminish conflict. For most of the period since independence, the ratio between Fiji's two communities has been close to 50/50, a balance that always made electoral competition highly likely to revolve around communal rivalries. Small splits in the vote, or variations in turnout, could for the first 30 years or so after independence swing overall election outcomes this way or that, and the adoption of the alternative vote system in fact encouraged deliberate usage of divisive electoral tactics. The Census of Population in 2007, however, showed that the indigenous Fijians now account for 57 per cent (up from 51 per cent in 1996), while the Fiji Indians account for 37 per cent (down from 44 per cent in 1996), continuing a trend already evident in 1986–1996. It is thus highly unlikely that a party appealing narrowly to the Indian community will ever again be able to win office, or repeat the FLP's 1999 triumph. The fears that so haunted the election campaign in 2001 are unlikely in future to mould the Fijian party scene. Without military intervention in 2006, it was probable that new schisms and issues would soon come to dominate Fiji's politics, and indeed the 2006 power-sharing experiment might have been a sign of emergence of such new alignments. Ironically, by removing a government backed by over 80 per cent of ethnic Fijians, and challenging the Great Council of Chiefs and the Methodist Church, Bainimarama and his government may have delayed that shift away from bi-communal politics.

Notes

1 There exists a small Fiji Indian Christian population, around 5 per cent of the Fiji Indians.

2 Another extremist party, the Conservative Alliance–Matanitu Vanua (CAMV) contested the 2001 elections, obtaining 20.2 per cent of the ethnic Fijian vote.

3 Until 1929, Indian members of the legislative Council were nominated by the Governor, not elected. As of 1929, Indians elected three members from communal rolls while three indigenous Fijian members were selected by the Governor from amongst those nominated by the Great Council of Chiefs.

4 'General' voters were those not categorized as Fijian or Indian, that is, Europeans, part-Europeans, Chinese and others.

5 Until the 1990 Constitution, 'other Pacific Islanders' were, however, included on the Fijian rolls.

6 These figures are calculated from the share of votes secured in the communal seats. It is impossible to disaggregate data by ethnic origin for the 'national' constituencies, but shares in the 'national' constituencies are broadly consistent with sizes of the respective communities.

7 Under the alternative vote, voters complete an ordinal ballot, in Fiji's case ranking 75 per cent or more of candidates in order of preference. If no candidate gets 50 per cent of the vote at the first count, the lowest polling candidate is eliminated, and his or her votes are redistributed amongst those remaining in the contest in accordance with second preferences. This process of elimination of lowest polling candidates and redistribution of votes continues until one candidate gets above the 50 per cent plus 1 threshold.

8 In optional preferential voting systems, as in the Republic of Ireland, Malta and some of the post-war Canadian provinces, voters often do not lodge preferences and as a result these systems tend to witness outcomes that are similar to those under first-past-the-post systems (that is, few first count leaders are dislodged).

9 Rotuma is a Polynesian outlier to the northwest of the Fiji group.

10 This calculation is based on outcomes in the Fijian communal constituencies, but the results in the open constituencies (which cannot be disaggregated) were broadly consistent with the ethnic profile of electoral districts. There was, however, a potential confusion in interpreting data arising from the coalition arrangements between Rabuka and Reddy, whose parties listed the allied party as first preference in some constituencies: for details, see Fraenkel (2000), pp. 97–102.

11 In the wake of the 1987 coup, and particularly under Mahendra Chaudhry's leadership, the FLP had lost much of its indigenous Fijian support.

12 The FLP would have probably been the largest party after the 1999 election under a first-past-the-post or proportional system, but it would not have had an absolute majority. Without an absolute majority, Chaudhry's government would have been reliant on its coalition partners. Would a coup have occurred in 2000 had there been a constitutional vent for Fijian grievances? During 1999–2000, schisms occurred not only in all three of the small Fijian parties allied to the FLP, but also within the FLP itself. Deputy Prime Minister Dr Tupeni Baba, a Fijian member of the FLP, quarrelled with Chaudhry. The 1997 Constitution, however, enforced loyalty within political parties, thus preventing Fijian FLP members from joining with the opposition to oust the Chaudhry government.

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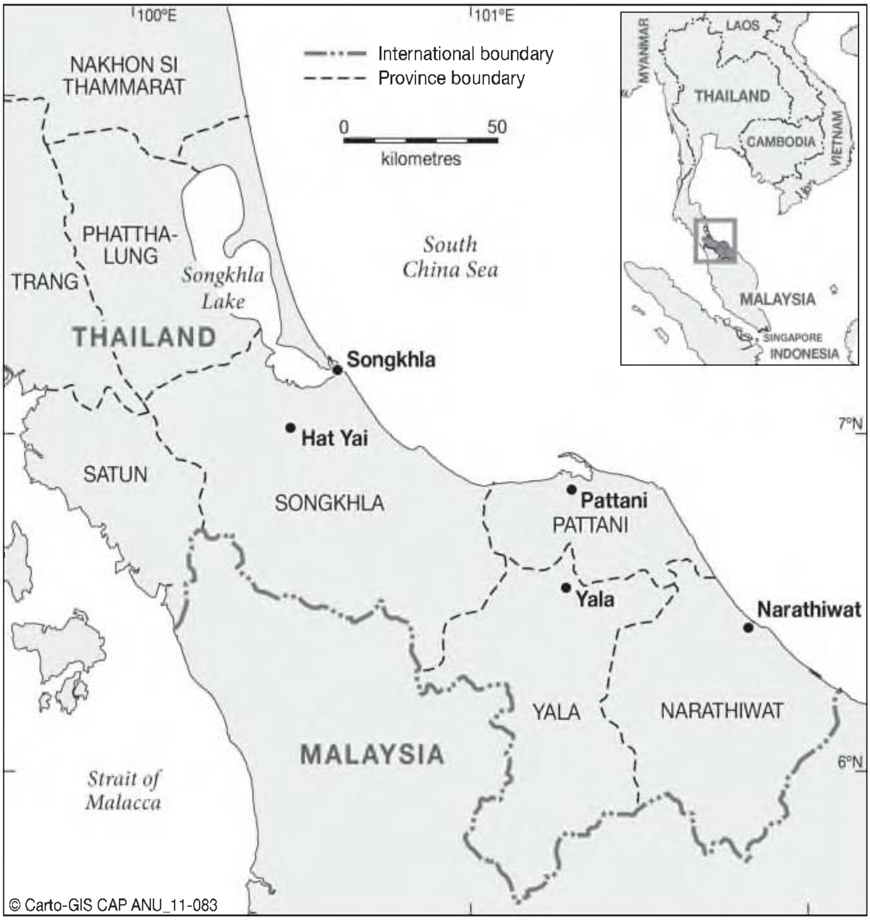
Part III

Conflicts undiminished?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VIETNAM
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SINGAPORE
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Map 12 Southern Thailand

Major events: Southern Thailand

1902	Annexation and incorporation of the Pattani sultanate into Siam
1903	Rebellion against the Siamese state led by Abdul Kadir
1922	Namsai rebellion
1932	Transformation of Siam from an absolute to a constitutional monarchy (24 June)
1948	Dusun-nyor riot in Narathiwat (late April)
1958	National Front for the Liberation of Pattani (Barisan Nasional Pembebasan Parani, BNPP) is founded
1960	National Revolutionary Front (Barisan Revolusi Nasional, BRN) is founded
1968	Pattani United Liberation Organization (PULO) is founded
1980	General Prem Tinsulanond issues Order 66/23 offering amnesty to communists (April)
2001	Five police officers and one Village Defense Volunteer killed (24 December)
2004	New stage of the conflict in Southern Thailand begins (4 January); martial Law declared in Pattani, Narathiwat, and Yala provinces (5 January)
2004	Somchai Neelaphaijit is ‘disappeared’ (12 March)
2004	Krue-Se massacre (28 April)
2004	Tak Bai massacre (25 October)
2005	Emergency Decree is declared in Pattani, Narathiwat, and Yala provinces (19 July)
2006	Military coup ousts elected Prime Minister Thaksin Shinawatra (19 September)
2008	Imam Yapa is arrested (19 March); Imam Yapa dies (21 March)

12 Southern Thailand

Marginalization, injustice and the failure to govern

Tyrell Haberkorn

The region of southern Thailand, comprised of the three provinces of Pattani, Yala and Narathiwat, has been troubled by a persistently contentious relationship between its ethnically Malay Muslim residents and the central state, which governs in practice, if not in name, as an ethnically Thai Buddhist state. Despite the long history of contention, the existence of open violent conflict between state and nonstate actors seemed to have firmly diminished by the mid-1980s with the decline of the Communist Party of Thailand (CPT), the Communist Party of Malaya (CPM) and various insurgent Islamic groups that had previously operated in the South. Yet the region remained relatively peaceful for only approximately 20 years. On 4 January 2004, open conflict began again and by late 2011, there were few signs of possible resolution. The resurgence of violent conflict illustrates the limits of strategies of incorporation of ethnic difference by the state and the importance of securing justice for all citizens as part of fostering peace.

This analysis of the resurgence of violence in southern Thailand is guided by a twin argument about legitimacy and the importance of history, or how the past reverberates in the present. In his recent book on the conflict, *Tearing Apart the Land*, Duncan McCargo identifies the failure of analysts to understand the conflict, and in particular cites the misunderstanding of those who see the conflict in southern Thailand as part of the US-led so-called ‘War on Terror’. McCargo argues that rather than jihad, the conflict in southern Thailand is a struggle over legitimacy, broadly conceived as the state’s right to rule morally, and the citizen’s willingness to accept that rule (McCargo 2008). Intervening in another arena of analysis, Thanet Aphornsuvan has argued that if we want properly to understand the present conflict and grasp the opportunities for peace, we need to examine how ‘the weight of history/memory’ of past violence by Siam/Thailand against the citizens of the southern provinces has produced divergent histories of ethnicity, religion, nation, and domination for different actors (Thanet 2007: 5). This analysis will engage the history of illegitimate rule, and in doing so, it is hoped that what might be needed for a future of legitimacy and justice will be illuminated.

Background: A troubled history

The three provinces – Yala, Pattani, and Narathiwat – in which the conflict in southern Thailand has been centred, border the northern states of Malaysia. While the vast majority of residents of the upper 74 provinces of Thailand are Buddhist, most of the residents of the three southern-most provinces are Malay Muslim, comprising 77 per cent of the population in the region, while they are 4.6 per cent of the total population (Funston 2008: 7). In order to foreground the present cycle of conflict, as well as consider how the violence of the present may resonate in the future, a brief sketch of the troubled history between the Siamese/Thai state and the Malay Muslim South is offered.

The relationship between Siam (which was renamed Thailand in 1939) and the Pattani sultanate (which covered much of the area of the present-day three provinces as well as parts of neighbouring provinces) began as one of tributary during the Ayutthaya period in the fourteenth century. Within the course of the last 100 years, the relationship has developed into a strained one. Between 1808 and 1902 the fluid relationship between Bangkok and Pattani as its vassal increasingly solidified as all traces of Pattani’s autonomy were removed and the former sultanate came under the direct control of Bangkok. Through a series of policies resonant with those in Lao and Khmer areas in the Northeast, between 1902 and 1944, ‘Malay Muslims were coerced into becoming Thai citizens . . . in a series of Thai-ification policies,’ which included changes to the education, financial and legal systems, as well as the assertion that all people within the nation were now ‘Thai’ (Thanet 2007: 23). The year 1902 marked the final and complete loss of autonomy; the continuing significance of this date is indicated by Malay Muslim militants picking it up as a rallying call in the mid-1970s (Thomas 1975: 18; Thanet 2007: 29).

Origins of conflict

Speaking about the conflict, Surin Pitsuwan argues that conflict is a longstanding one over cosmology, by which he means ‘the religious worldviews that prescribe human beings’ place and their roles in the society, in relation to other social orders, political institutions, cultural values, social norms and practices’ (Surin 1985: 284). Beginning in 1903, a series of rebellions and other actions attempted to resist the imposition of a Thai Buddhist cosmology. In 1903, Abdul Kadir, the former Raja of Pattani, called for resistance against the central Thai regime, and even attempted to enlist the British colonizers in Malaya to help him. Abdul Kadir was ultimately imprisoned for his actions, and sent far from the region to prison in Phitsanulok, in what was then the lower part of northern Siam. After his release, Abdul Kadir went into exile in Kelantan in northern Malaya. He continued to support resistance on the other side of the border, particularly the events of the 1922 Namsai Rebellion, when residents refused to pay taxes in opposition to changes in the education system. As part of this refusal, fighting broke out between religious leaders and Buddhist state officials in Pattani, and the central Siamese state sent forces to quell the rebellion and imprison the leaders (Surin 1985).

Cultural conflict

While the transformation from absolute to constitutional monarchy on 24 June 1932 created an opening for greater democratization in other parts of Siam, the event did not bring liberation to the Malay Muslim inhabitants of southern Thailand. Instead, the 1930s and 1940s were filled with constant negotiation around Islamic traditions and institutions, and resistance to attempts to secularize education and law, or more accurately make these institutions into Thai Buddhist ones. Few Malay Muslim representatives were elected to Parliament in the elections of 1933, 1937, 1938, 1943, 1946, or 1948 (Surin 1985). In late April 1948, confrontation between Malay Muslim villagers and state officials in Dusun-nyor in Narathiwat province turned into what has been variously called a 'rebellion' and a 'riot'. Villagers were engaged in what Chaiwat Satha-anand has identified as a 'socio-religious gathering'; in contrast, state officials told their supervisors it was a planned rebellion and in response, hundreds of police were sent to quell it (Chaiwat 2006: 18). Approximately 400 Malay Muslims and 30 police officers died and the event remains historiographically contentious, with agreement lacking on basic details about who, what, and when (even the precise dates are in question) (Chaiwat 2006). The events at Dusun-nyor have remained politically resonant up to the present moment, and invoke the history of violence and repression experienced by the citizens of the South at the hands of the central Thai state.

Entrenchment of violence

In the aftermath of earlier domination and unrest, during the repressive regimes of Field Marshal Sarit Thanarat (1958–1963) and Field Marshal Thanom Kittikachorn (1963–1973), three underground groups formed: National Front for the Liberation of Pattani (Barisan Nasional Pembebasan Pattani, BNPP; founded 1959), National Revolutionary Front (Barisan Revolusi Nasional, BRN; founded 1960), and the Pattani United Liberation Organization (PULO; founded 1968) (Funston 2008). Throughout the 1960s and 1970s, Malay Muslim insurgency grew in southern Thailand, both as part of separatist autonomy movements and as part of the insurgencies of the CPT and the CPM. While the insurgency was not supported by all Malay Muslim citizens in the region, open violence was framed by a widespread disenfranchisement from the economy, a sense of alienation, and the experience of ineffective governance by ethnically Thai Buddhist bureaucrats unfamiliar with the dominant language and religion in the region (Thomas 1975: 10). By the late 1980s, with the dissolution of the CPT and CPM and divisions within the underground groups, open violence in the region diminished.

Conflict revival and the dynamics of diminution

In contrast to some of the other cases discussed in this book, and against an apparent world-wide trend of conflict reduction, over the last decade violent conflict has revived in the South of Thailand. The return to significant open violence was foreshadowed by a series of attacks on police in Yala, Pattani, and Narathiwat on 24 December 2001 in which five police officers and one Village Defense Volunteer were killed (Funston 2008). Following these attacks, open conflict remained sporadic until the current cycle of violence began with a sequence of two events in early January 2004. First, in a series of coordinated actions that began in the early morning hours of 4 January 2004, armed persons raided army camps, killed soldiers, stole weapons, burned schools and placed explosives in various locations across the three southern-most provinces. In the largest single attack, a group of 60 insurgents attacked the Rajanakarin army camp in Narathiwat province, killed four soldiers and stole over 400 weapons and ammunition (Thanet 2007; Funston 2008). Second, and in response, on 5 January 2004, then-Prime Minister Thaksin Shinawatra declared martial law across the three provinces.

According to Deep South Watch, a think-tank based at Prince of Songkhla University in Pattani province, between January 2004 and January 2010, there were 9,446 incidents of unrest in southern Thailand in which a total of approximately 4,100 people were killed and 6,509 people injured. While the conflict is broadly understood as being between the central Thai state and Malay Muslim insurgents, the range of victims and perpetrators is far more heterogeneous. In particular, civilians – both Muslims and Buddhists – have been the largest single group affected, comprising 4,403 of the total number of 10,609 who have been either killed or injured by insurgents, state security forces, criminals or others. In addition, during the period January 2004 to June 2009, the army or police officially detained 3,159 people and likely many more have been unofficially detained (Deep South Watch 2010). At least 24 persons are known to have disappeared since the start of the conflict; fear may stop families from reporting a disappearance and the number may be much higher (Asian Federation Against Involuntary Disappearance 2008). In all of these cases – death, injury, detention, and disappearance – the families and communities of those directly affected also suffer. While this latest cycle of violence appeared to peak in late 2006 and early 2007 and begin to diminish in 2008, by 2009 and in 2010 and 2011 open violence was again on the rise.

Past diminution

In order to think about how the present cycle of violence might be diminished, it is worthwhile to first consider how the most recent prior cycle of violence was reduced. The violence in southern Thailand (1960s–1980s) ended partially due to fortuitousness and partially due to factors related to democratization, inclusion, and the waning of the Cold War in southeast Asia. The marginalization of the Malay Muslim citizens vis-à-vis the central Thai state did not significantly improve by the 1980s, but the state did make concessions to Malay Muslim culture in education, language and other areas of daily life. In addition, the government of General Prem Tinsulanond (1980–1988) issued an amnesty, known widely simply as ‘66/23’ (in which 66 refers to the number assigned to it as an executive order, and 23 to 2523, or 1980 in the Buddhist calendar, which is the official calendar in

Thailand) which offered a return to ordinary life for Communist insurgents who surrendered to Thai state authorities. In addition, amnesties were also offered to BRN, PULO, and other insurgents by General Prem's government and the army created new security and development initiatives that benefited a range of Malay Muslim elites and citizens (Askew 2007: 93). These domestic factors, combined with the drying up of international support from the broader Islamic world and the disintegration of the CPM and the CPT, led to a diminution of open violence.

The primary context in both the earlier and current periods of violence – the long history and continuing present of oppression – has remained the same. Yet there are three factors which make this present cycle of violence different than the earlier moment: (1) a greater degree of fragmentation within the groups acting against the Thai state; (2) chaos within the state apparatus; (3) the growth of legal repression and impunity. Combined, these factors both produce the continued illegitimacy of the Thai state and threaten to foreclose the possibility of a just future.

Fragmentation

While accounts of the prior cycle of violence note that at times, state officials and the media conflated non-political violence with either Islamic or Communist insurgency, the present cycle of violence has been marked by confusion about the identities and motivations behind the non-state actors involved, with some analysts placing weight on the range of longstanding groups (that is, PULO, BRN and so on) and recently established Malay Muslim insurgent groups, others on the involvement of criminal networks, and others on the disarray within the Thai state itself (Funston 2008; Deep South Watch 2010). In practical terms, this means that state actors have not acted to broker peace, not least because it is unclear with whom they would negotiate. This also means that the origins – and failure of the conflict to diminish – are obscured.

A disorderly state

It is not only, however, that state actors do not know with which violent actors they might meet in order to broker peace, but that state actors are themselves part of the violence. Mark Askew has argued that the southern-most provinces constitute a 'disorderly borderland,' which is 'a product of predatory officialdom, corruption, and crime' (Askew 2007: x). He argues that the police and military are themselves involved in criminal organizations that are behind much of the arson and other attacks which dot the region. This then creates a *raison d'être* for their continued involvement in the region, which is lucrative in terms of both salary and advancement to higher positions within the security forces. In addition, the range of different state and security agencies involved in addressing violence in the southern-most provinces is staggering – the Minister of Interior, Internal Security Operations Command (ISOC), army, police, and Ministry of Justice, to name only a partial list – and presents its own set of difficulties on how to avoid duplication of efforts, inaccurate intelligence gathering, and working at possible cross-purposes. While this disorder and lack of coordination, or perhaps coordinated disorder, within the Thai state cannot solely account for the failure to diminish the current cycle of violence, it presents a significant obstacle to doing so.

Impunity

Yet more significant than either of the previously discussed factors with respect to diminishing the current cycle of violence in southern Thailand is one that has not yet been given enough attention by analysts: impunity for state violence against the Malay Muslim civilians in the region. In addition to facing the perils of living in a region where conflict makes injury or death an unexpected risk of everyday life, many civilians, particularly those who are seen to be challenging the state, face the possibility of violence of a different order. They face potential harassment, torture, detention, and death at the hands of state security forces. Further, in the three cases I briefly examine below – the disappearance of Somchai Neelaphaijit, the Tak Bai massacre, and the torture and state murder of Imam Yapa Kaseng – accountability for those responsible for the violence has proved elusive. Yet, at the same time, there remains the possibility of movement towards accountability by the central state. While ending what has until now been impunity would not lead to an overnight end to the conflict in southern Thailand, it would be a significant step towards doing so.

A 'disappeared' lawyer

Somchai Neelaphaijit was 'disappeared' on the evening of 12 March 2004. Under circumstances that remain murky, five policemen pulled Somchai from his white Honda Civic near a busy intersection on Ramkhamhaeng Road in Bangkok. Six years after his disappearance, no one has been charged with murder because his body has not been recovered. While his case is the first in which compensation was paid by the state for the disappearance of someone by state actors, the handling, or mishandling, of the case by different agencies has indicated the presence of collusion and impunity among state actors.

At the time of his disappearance, Somchai was working on behalf of five men who had alleged that they were tortured by state security officials while they were in state custody. The five men – Makata Harong, Abdulah Arbukaree, Manaseh Mamah, Sudeerueman Maleh and Sukri Maming – had been accused of being involved in the theft of over 300 guns and burning of schools that had taken place in Narathiwat Province on 4 January 2004. The five men confessed to the police during the initial period of their detention, after being suspended from the ceiling with ropes, having urine put into their mouths, and being electrically shocked on their genitals. On 11 March 2004, the day before his disappearance, Somchai submitted a complaint to the court that detailed the forms of torture experienced by the five men. He argued that this was a violation both of their rights and of the Thai Criminal Code, which prohibits torture.

Following concerted action by Somchai's family and human rights activists, five police officers from the Crime Suppression Division were arrested in April 2004 in connection to his disappearance. In the absence of Somchai's body, they were charged with robbery and coercion with the use of violence. Of the five police officers, only one, Police Major Ngern Thongsuk, was convicted and he remained out on appeal. The other four police officers returned to work. In September 2008, while out on appeal, Police Major Ngern never returned from his work at a dam following a mudslide. Although his family began the process of having him declared legally missing in late 2010, there are concerns that he may have fled in order to evade accountability in the case. In early 2011, the Appeal Court dismissed the case against Police Major Ngern Thongsuk and the other four police officers in the case of Somchai Neelaphaijit, citing insufficient evidence. Despite this ruling, the family of Somchai Neelaphaijit continues to push for justice in his case and in the cases of other disappeared people.

A massacre and the abuse of power

On 25 October 2004, approximately 1,500 citizens were protesting what they believed was the unjust arrest of six Village Defense Volunteers on charges of allegedly stealing guns from the local armoury in Tak Bai district of Narathiwat province. Martial law prohibits protests and demonstrations, and state security forces acted to break up the gathering. As widely circulated video footage demonstrated, state security forces hit, kicked, and shot at protestors. Seven civilians were shot and killed during the fighting in front of the Tak Bai police station. At the conclusion of fighting, all remaining protestors were arrested and security forces prepared to transport them to Ingkayuthboriharn Army Camp in neighbouring Pattani province. There were only 28 trucks available, and so the arrested protestors were handcuffed and then stacked, in four or five horizontal layers, in the backs of the trucks. An additional 78 people died on the way or shortly after arrival at Ingkayuthboriharn, as a result of asphyxiation, pressure on their chests, blunt object injuries, and seizures from being piled on top of one another.

There was an inquest into the deaths, and the verdict read, in part: 'The causes and circumstances related to the deaths were that they died of suffocation while in custody of officials who were deemed to have performed their duties according to their assigned responsibilities.'[1] In other words, the court admitted that the 78 people died while under the supervision of state officials, but that the state officials were either not responsible and/or state murder was not criminal. No one has been charged in connection to the deaths at Tak Bai. The acknowledgment of the murder but the casual dismissal of its criminality under the banner of 'duty' indicates the deep presence of impunity for violence against citizens cast as suspected insurgents in southern Thailand. When the army was taken to court, the court acted to add a thin veneer of legitimacy, and legality, to its actions. If the conflict is going to diminish, this veneer will have to be stripped away through accountability.

Torture and efforts at regulation

As evidenced by the experience of Somchai Neelaphaijit's clients, torture of suspected insurgents while in detention by state actors has been a part of the conflict in southern Thailand since the beginning. Of primary concern with regards to the conditions facilitating torture, martial law permits detention for seven days before charges need to be brought against someone being detained, and the Emergency Decree (in force since July 2005) adds another 30 days before charges need to be brought against a suspected individual. During the first seven days, detainees are often held in temporary sites of detention and may not see family members or receive other visitors, which means that the risk of torture is greatest during this period. Torture has long been a strategy of Thai security forces during both formal conflict, such as counterinsurgency against the CPT in the 1960s–80s, and as part of routine law enforcement.

Yet despite this regularity in the recent past, as also illustrated by Somchai's case, torture sits uneasily as a strategy within the Thai polity. On 2 October 2007, Thailand became a state party to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). The signing of the convention did not halt the use of torture, with the Yala-based Muslim Attorney Center (MAC) documenting over 50 cases of torture of national security detainees between January and September 2008 (Cross Cultural Foundation 2008). In a January 2009 report, Amnesty International noted that despite Thailand's accession to the CAT, state forces in southern Thailand systematically used torture against civilians (Amnesty International 2009). One of the cases of torture documented by the MAC, that of Imam Yapa Kaseng, resulted in death.

Imam Yapa Kaseng was arrested as a suspected insurgent by Special Task Force 39 in Narathiwat province on 19 March 2008, and died two days after his arrest on 21 March 2008. The Criminal Procedure Code (CPC) mandates that individuals who die in state custody must have a post-mortem inquest, and in accordance with these regulations, the Public Prosecutor asked the court to do so on 15 May 2008. What emerged during the inquest is that Imam Yapa died from 'blunt force trauma', which included rib fractures from the front, side, and back that punctured his lungs. Bruises and wounds were found all over his body, including his eyes, forehead, and lips. Imam Yapa also had long abrasion marks on his back, indicating he may have been dragged on his ankles across a hard and rough surface (Human Rights Watch 2009).

On 25 December 2008, the Narathiwat Provincial court concluded the post-mortem inquest and ruled that military officers carried out the torture that killed Imam Yapa.

This ruling was significant because it named Thai state officials responsible for the death of someone while in custody. Yet in the years since this ruling, the case has been stalled. Like the case against those responsible for the disappearance of Somchai Neelaphaijit, until the military officers who killed Imam Yapa are brought to justice, impunity will remain.

What makes these three cases – the disappearance of Somchai Neelaphaijit, the Tak Bai massacre, and the torture and murder of Imam Yapa Kaseng – significant for both the diminution of the conflict in southern Thailand and our understanding of its failure is that they reflect the broad patterns of impunity that structure relations between the state and citizens in the region. These are not instances of extrajudicial killing in which there have been no attempts to hold responsible state actors to account. Instead, these are cases in which such attempts have worked only partially. In all three cases, there has been recognition within the judicial process that state actors have been responsible for the murder of citizens, and yet a simultaneous failure to significantly sanction, let alone punish, them for these murders. The lack of resolution in these cases has indicated the existence of impunity within the very legal structures created to secure accountability. Whatever the possible reasons for this impunity – collusion between state security forces and the judicial system, lack of will or sheer malfunction on the part of the judicial system, or another reason – the result is the same. Citizens learn that if they are harassed, tortured, murdered, or disappeared by state security forces, they have no means of redress. This then fosters both a view of the illegitimacy of the rule by the central Thai state and a persistent sense of fear in the daily life of citizens in southern Thailand.

Prospects

After eight years, the conflict in southern Thailand shows few signs of ending and instead appears to again be intensifying. The levels of violence used by insurgent and/or criminal non-state actors have increased, decreased, and then increased again, and the forms of violence used by different state actors against citizens have developed, morphed, and multiplied in official as well as increasingly hidden, unofficial forms. While ending impunity in the cases of Somchai Neelaphaijit, the Tak Bai massacre, and the torture and murder of Imam Yapa are unlikely to lead to an immediate diminution of conflict, moving towards accountability in these and similar cases would be an important first step to restoring the legitimacy of the central Thai state for the Malay Muslim residents of Yala, Pattani, and Narathiwat. In addition, ending impunity in these cases would aid in fostering a less, to again use Marc Askew's characterization, 'disorderly borderland' marked by a state in disarray and wide-ranging criminal elements.

Simultaneous to the conflict in the southern-most provinces, the entire country has been in varying stages of political crisis since the 19 September 2006 coup, which ousted former Prime Minister Thaksin Shinawatra. The prime minister's office has had a revolving door, with current Prime Minister Yingluck Shinawatra (the sister of Thaksin) being the fifth person to hold the office in as many years. After the coup, the entire nation became divided into opposing groups of yellow-shirt supporters of Prime Minister Abhisit Vejjajiva, the Peoples' Alliance for Democracy (PAD), and the ancien regime, and the red-shirt supporters of the United Democratic Front against Dictatorship (UDD) and a more people-oriented politics. As the tension between these groups grew, it exploded into open fighting in April 2009 and April–May 2010, with the violence in 2010 leading to 91 deaths. The vast majority of those killed were civilians. In the absence, to date, of an independent report, questions remain about how and why state security forces were using weapons of war against unarmed civilians. The Emergency Decree was used in various central, northern and northeastern provinces from April 2010, and reports indicate that like the situation in southern Thailand, many people were detained without charge and accused of crimes without the presentation of evidence, and fear of possible extra-judicial violence at the hands of state actors was circulating among UDD activists.

While the conflict between the red-shirts and the yellow-shirts is not directly connected to the conflict in southern Thailand, the use of similar strategies by state security actors is raised here in order to highlight the spread and normalization of repressive legal instruments and extra-judicial violence. One potential reason why there have been so many obstacles in resolving the cases of the disappearance of Somchai Neelaphaijit, the Tak Bai massacre, and the torture and murder of Imam Yapa is a fear on the part of state security actors of what might be revealed in the process. Perhaps these are not aberrational instances, but routine parts of Thai police and military operations. Yet without ending impunity and fostering accountability in these cases, what can the future in southern Thailand, and in the entire nation, look like?

Lessons

The conflict in southern Thailand is not vastly different from others in the Asia–Pacific region in which a long history of marginalization based on ethnic or other differences combines with a repressive state and a combination of insurgency and criminality in order to create violent conflict. Indeed, one salutary lesson from the southern Thailand case is that conflicts that have appeared to subside can readily revive. For the space of almost a generation between the mid-1980s and mid-2000s many people in Thailand had assumed that the conflict in the South had virtually ended. Yet the resurgence of a disorderly state, fragmented insurgent groups, and the weight of historic and present-day cultural and religious marginalization of Muslims in southern Thailand revealed their peace was an uneasy one. After a century of off-and-on direct conflict between the central Thai state and the citizens of southern Thailand, the lesson for the broader context of the Asia–Pacific region is that when the underlying conditions of conflict remain, the diminution of conflict and the fostering of peace must be a continual process.

The conflict in southern Thailand also draws our attention to the culpability of state actors in deepening and entrenching conflict. Too often analysts look for the sources of conflict within society, in the ideology or grievances of this or that minority group, for instance, when our analytical lens needs to be turned on the state. In almost all the apparently intractable conflicts of the Asia–Pacific region we see similar trends of systematic abuses by state officials and their immunity from sanction and punishment. We need to place such phenomena at the centre of our analysis of violence, integrate our analyses of conflict and of human rights protection, and in so doing reconsider what efforts are most needed in attempts to reduce violence.

In that light, arguably the most significant lesson that the conflict in southern Thailand offers for activists and scholars engaged in monitoring and working against state violence is to pay attention to how the laws and the courts are used vis-à-vis conflict. The courts and their actions, or failures to act, may be a barometer of the depth of the conflict and the obstacles to its resolution. Although the cases brought in relation to Somchai Neelaphaijit's disappearance, the Tak Bai massacre, and the torture and murder of Imam Yapa powerfully identified and named Thai state actors as careless officials who murder on occasion, they did not ultimately result in bringing those responsible fully to account. What is clear is that certain kinds of legal instruments – martial law in the case of southern Thailand – work alongside the material force of state actors to repress civilians living through a conflict. Similarly, the courts, which might be imagined to be a site where citizens can seek redress for state violence, can also aid in foreclosing accountability through their actions or inactions. The next challenge, after activists and scholars track the ways in which courts may contribute to conflict, is to develop strategies for how the courts might effectively be part of diminishing conflict and creating lasting peace. As the case of southern Thailand indicates, such a role for the courts is not self-evident.

Note

1 A PDF of the English translation can be found here: http://thailand.ahrchk net/takbai/Tak_Bai_Post_Mortem_Verdict.pdf (accessed 1 December 2011).

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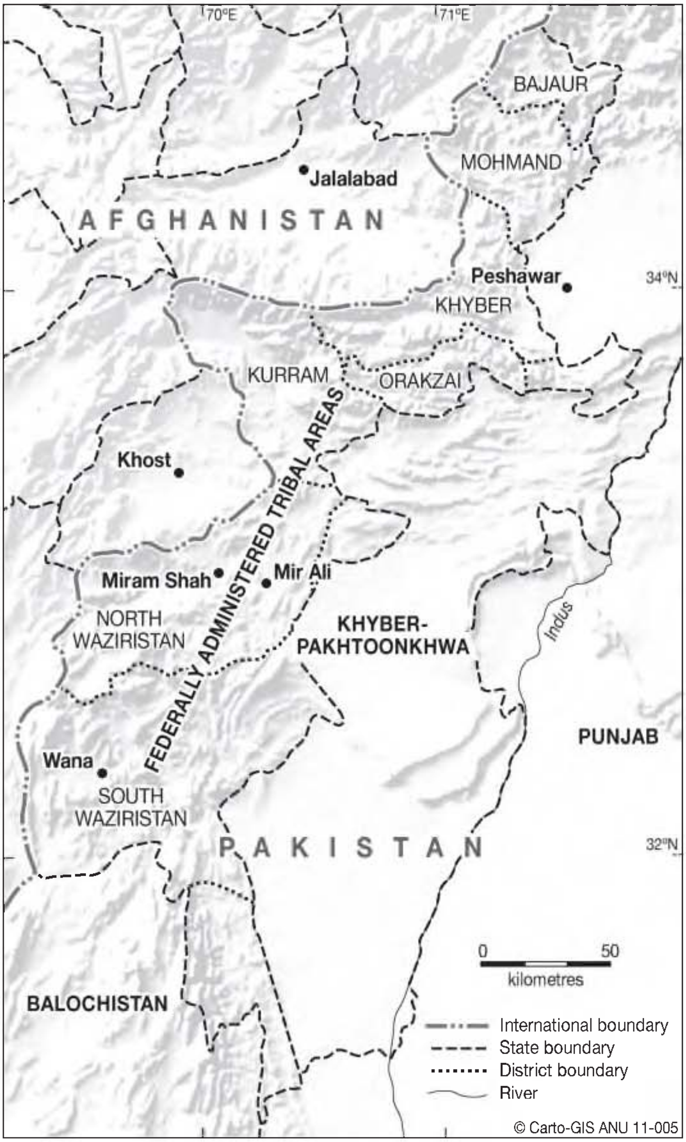
70°E
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34°N
32°N
BAJAUR
MOHMAND
Jalalabad
AFGHANISTAN
Peshawar
KHYBER
KURRAM
ORAKZAI
FEDERALLY ADMINISTERED TRIBAL AREAS
Khost
Miram Shah
Mir Ali
NORTH WAZIRISTAN
KHYBER-PAKHTOONKHWA
Indus
PUNJAB
Wana
SOUTH WAZIRISTAN
PAKISTAN
0
50
kilometres
BALOCHISTAN
International boundary
State boundary
District boundary
River
© Carto-GIS ANU 11-005

Map 13.1 Federally Administered Tribal Areas, Pakistan

Major events: FATA (Pakistan)

1893	Durand Line forms informal border between Afghanistan and British India
1919–20	Waziristan uprising against British India
1947	Pakistan established at midnight 14 August 1947
1947–58	Civilian rule as Dominion until 1956; becomes Republic
1948	First Kashmir War triggered by invasion of disputed Kashmir by Pakhtun warriors
1958–69	Coup and military rule under General Ayub Khan
1965	War with India
1969–71	Military rule under General Yahya Khan
1971	Civil war with East Pakistan separating as Bangladesh
1972–77	Restoration of civilian rule under Zulfikar Ali Bhutto
1977	Overthrow of Bhutto by General Zia-ul-Haq
1979	Death sentence and execution of Bhutto
1979–88	Zia's rule sees rise of religious influence in legal code, civil service and military
1977–88	North-West Frontier Province (NWFP) as state-supported base for mujahedeen war against Russians in Afghanistan
1988	Death of Zia in mysterious plane crash
1988–99	Unstable civilian rule by political rivals Benazir Bhutto and Nawaz Sharif
1999	Conflict between India and Pakistan in Kargil
1999–2008	Coup and military rule under General Pervez Musharraf
2001	United States-led invasion and overthrow of Taliban Government of Afghanistan
2003–06	Inconclusive Pakistan military action in FATA with Taliban and uneasy peace deals
2007	Assassination of Benazir Bhutto in Rawalpindi
2008	Election and return to civilian rule under President Asif Ali Zardari
2008–09	Pakistan military assault on Taliban in Swat, South Waziristan, Bajaur, Mohmand
2008–10	Taliban retaliatory suicide bombings in NWFP and elsewhere in Pakistan

13 Pakistan’s Federally Administered Tribal Areas

Cause or symptom of national insecurity?

Paul D’Arcy

No outsiders have ever effectively controlled the tribal areas along Pakistan’s mountainous western border with Afghanistan for any sustained period of time. The Federally Administered Tribal Areas (FATA) of Pakistan’s Khyber Pakhtunkhwa province (known as North-West Frontier Province (NWFP) until 2010) are constitutionally not subject to the laws of Pakistan. Until the rise of militant, religious fundamentalist Taliban control over much of FATA after 2000, government consisted of political agents overseeing seven autonomous tribal agencies using customary law. The fighting qualities of these areas’ independent-minded tribesmen and their cultural links across the border into Afghanistan have been actively promoted by elements of Pakistan’s government to further foreign policy objectives. However, in the last decade, radicalized religious elements within FATA have pursued increasingly independent policies that threaten the national interests of Pakistan, and have increasingly directed their coercive capacity at targets elsewhere in Pakistan as well as across the border against international forces in Afghanistan. The limited capacity, flaws, and divisions within Pakistan’s nation-state apparatus have been exposed as never before against this internal onslaught, and accentuated by national and global economic woes.

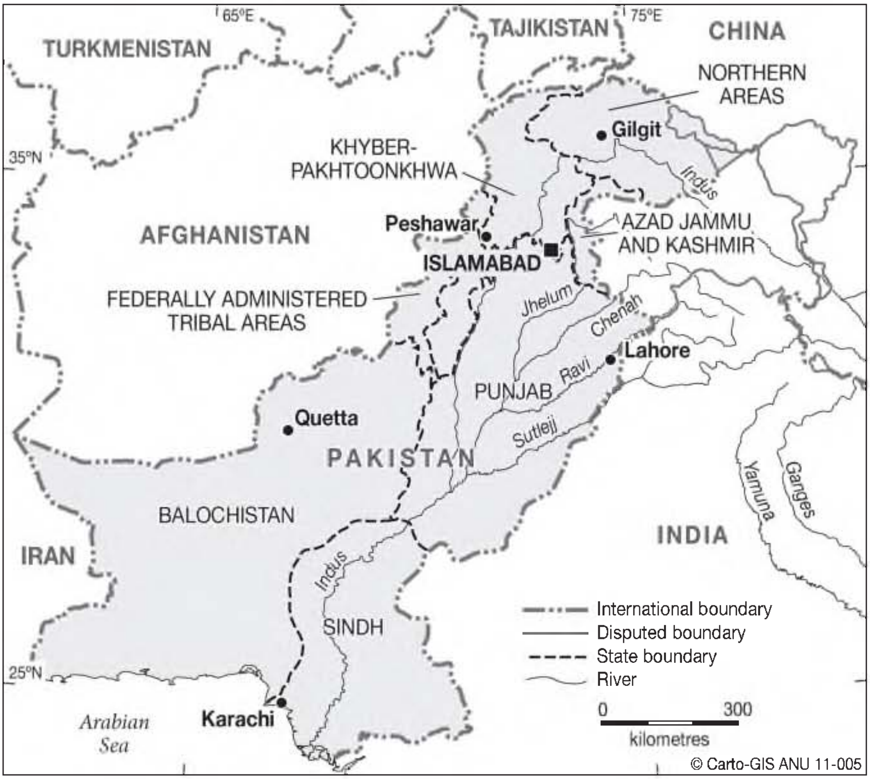
While government policy changes within FATA such as greater attention to economic development and more consistent support of local anti-Taliban forces could improve state effectiveness against hostile elements in FATA, they will not be sufficient to break the effective military stalemate that has characterized recent government military campaigns within FATA. More importantly, many of FATA’s problems are symptomatic of nationwide issues that are far larger and much more destabilizing than terrorism. These problems relate to education, representation and environmental governance, which the national government has shown little sign of acknowledging, let alone planning to alleviate. Poor performance in education and economic development have stifled democratic government and reduced the chance of strong government with majority support being in touch with, and defending, the popular will against forces using non-democratic and extra-judicial means to force their objectives on the majority. While most Pakistanis might abhor the violent tactics of the Taliban, there are broad indications that a sizable percentage of the population is not unsympathetic to the publically stated objectives of religious fundamentalists. The rise of religious fundamentalism in Pakistan began in the 1970s with state support, while the education system has been neglected for decades. Both phenomena will most likely also take decades to counteract, even if sufficient sustained political will and resources are directed into these areas.

Perhaps the greatest danger, however, is the one over which Pakistan has least control – a climate change-induced decrease in water resources. Much of Pakistan is arid so that crop production for its burgeoning population is dependent on seasonal monsoon rains and especially glacier-fed rivers whose headwaters lie in neighbouring countries. Pakistan's environmental survival may depend in future on regional cooperation in the midst of longstanding regional animosities fuelled by the same political and religious tensions that have led to so much instability within Pakistan.

Background: FATA as the turbulent frontier of a fragmented state

FATA consists of a narrow strip of generally rugged terrain on what was the frontier of British India with Afghanistan. It covers only 27,220 sq km of Pakistan's total land area of 796,095 sq km, and contains an estimated 3.5 million of Pakistan's 184 million people in July 2010.[1] There are seven tribal agencies in FATA (from south to north): South Waziristan, North Waziristan, Kurram, Orakzai, Khyber, Mohmand, and Bajaur (see Map 13.2). All bar one (Orakzai) border Afghanistan. A meeting in 1893 between Mortimer Durand, the official in charge of foreign affairs for the British Government of India, and the ruler of Afghanistan, Emir Abdul Rahman, designated a borderline between the two. In reality, this so-called Durand Line was more of a fluid buffer zone controlled by neither Afghanistan nor India that divided related Pashtun/Pakhtun[2] peoples for whom it had little legitimacy or effect. The border agreement suited British interests more than the Pashtun-centred Afghan state, and Afghan recognition of the Durand Line only came reluctantly at the August 1919 Peace Treaty ending the Third Anglo–Afghan War in which Afghanistan had attacked India (Qassem 2007). Britain was never able to conquer Waziristan and was forced to launch frequent military expeditions there until well into the 1930s in reaction to Waziristan tribal incursions into India and other acts of defiance (Aziz 2007: 26; Roe 2010). The British finally contented themselves with loose indirect rule through resident agents rather than a more costly policy of attempting to impose their rule, the outcome of which was by no means certain. These political agents had assistants to run agency subdivisions, and were able to call on irregular forces (khassadors) and tribal levies (ICG 2006: 4–24; Roe 2010). Later, order was maintained by the Frontier Corps, a regular force raised from within FATA and NWFP led by Pakistan Army officers (Khan 2008: 1–20).

The British policy of indirect rule of this frontier zone was continued by the newly created state of Pakistan that arose from the decolonization and division of British India in 1947 into Muslim Pakistan and India. Pakistan was geographically


65°E
75°E
TURKMENISTAN
TAJIKISTAN
CHINA
NORTHERN AREAS
Gilgit
35°N
KHYBER-PAKHTOONKHWA
Indus
AFGHANISTAN
Peshawar
AZAD JAMMU AND KASHMIR
ISLAMABAD
FEDERALLY ADMINISTERED TRIBAL AREAS
Jhelum
Chenab
Lahore
Ravi
PUNJAB
Quetta
Sutlej
PAKISTAN
Yamuna
Ganges
BALOCHISTAN
INDIA
IRAN
Indus
SINDH
International boundary
Disputed boundary
State boundary
River
25°N
0
300
kilometres
Arabian Sea
Karachi
© Carto-GIS ANU 11-005

Map 13.2 Pakistan and regional neighbours

divided between East Pakistan at the mouth of the Ganges and West Pakistan centred on the Indus River Valley. These geographical units provided no cultural or religious unity to build the new state upon, and instead brought together disparate cultures. This mix of peoples was given more religious unity but made all the more culturally diverse by the mass exodus of many displaced Muslims from India to Pakistan. Divergent interests between East and West Pakistan eventually led to civil war in 1971 and the separation of East Pakistan as Bangladesh.

Pakistan's governments have alternated between civilian coalitions and military dictatorships throughout its existence. The army considers itself better equipped to govern than self-serving, inefficient and corrupt politicians. Pakistan's central location in a region of strategic significance to global powers combined with ongoing tensions with India and instability in Afghanistan attracted great-power lobbying and support, and served as a justification for maintaining a large, powerful army despite being at peace for most of its national existence. A new factor emerged in governance from the late 1970s when military dictator Zia ul-Haq used his rule to advance religious fundamentalism from 1978–1988, enshrining Sharia law principles in the national constitution and permeating the army and government with fundamentalist Muslim sentiment. Madrassas (schools for religious education) flourished in this era as secular education withered through neglect.

The death of Zia in a plane crash in 1988 ushered in a decade of unstable civilian government under political rivals Benazir Bhutto and Nawaz Sharif. The Bhutto–Sharif era ended with another coup that installed General Pervez Musharraf as ruler in 1999. While his presidency was marked by impressive economic growth in Pakistan, it was also notable for hostile military intervention by the Pakistan Army in FATA, especially from 2003 as it became increasingly apparent that the Frontier Corps was unable or unwilling to defeat the rising power of militant, religious fundamentalists known as the Taliban. The USA, now heavily involved in fighting the Afghanistan Taliban, increasingly pressured Pakistan to counter the Taliban in FATA. However, Taliban power consolidated in FATA and expanded into other parts of NWFP during Musharraf's rule, prompting an escalation of hostilities as first the army launched major offensives into FATA in 2008–2009, followed by a wave of suicide bombings across Pakistan to intimidate the Taliban's opponents, assassinate leaders with alternative visions for Pakistan's future other than religious fundamentalism, and to demonstrate the Taliban's reach and power. This escalation of violence resulted in a military stalemate, and the virtual silencing of public debate on the future direction for Pakistan's democracy.

Pakistan is culturally, linguistically and politically fragmented in ways that have endured until the present day. Seventy-five per cent of the current population of Pakistan are Sunni, 20 per cent Shi'a, and the remaining 5 per cent largely Hindu or Christian. Religious tensions exist between Sunni and Shi'a that occasionally lead to intercommunal violence, and Hindu, Christian and Sufi[3] minorities also suffer occasional persecution and attacks. Punjab is the most fertile and populous province in Pakistan, with Punjabis making up 44.1 per cent of the national population. The next largest cultural-linguistic group is Pakhtun who are concentrated in Khyber Pakhtunkhwa and make up 15.4 per cent of the national population. The poverty of Khyber Pakhtunkhwa means that Pakhtun also move elsewhere in search of work, especially to the industrial and commercial hub of Karachi in Sindh where their numbers are estimated at over 3 million out of 12.5 million. Sindh is the most culturally diverse province of Pakistan, with Sindhis forming 14.1 per cent of the national population and Muhajirs (refugees from India and their descendants) 7.57 per cent. The other two significant cultural–linguistic groups in Pakistan are Seraikis concentrated in southern Punjab with 10.5 per cent of the national population, and Baloch with 3.6 per cent of the national total largely concentrated in the resource-rich, but arid and sparsely populated, province of Balochistan in southwest Pakistan. The demographic predominance of Punjabis means that they are also numerically dominant in federal government and the military, which leads many other domestic groups to view government as an exercise in Punjabi domestic imperialism (Rizvi 2004: 93–94).

Conflict

Conflicts in and emanating from FATA result from a series of interrelated conflicts spurred by local, regional and global influences. Solutions are complicated by the presence of multiple players with divergent interests and deep-seated divisions within most parties involved. Many current antagonisms took generations to evolve and will most likely take generations to resolve.

End of the cold war

The Soviet invasion of Afghanistan from 1978 until 1989 turned Pakistan into a centre for jihadist activities against the Soviets across the border funded by the USA and supported by the Pakistan state. As a result, large numbers of madrassas appeared in Afghan refugee camps in NWFP, from which the Afghan Taliban emerged, and Pakistan control and influence over them. The Soviet withdrawal from Afghanistan in 1988–1989 and subsequent withdrawal of US aid to Pakistan and mujahedeen (anti-Soviet, religiously inspired Islamic fighters) changed the regional circumstances of Pakistan. A civil war in Afghanistan following the Russian withdrawal ended in a Taliban government committed to a fundamentalist interpretation of the Koran and friendly to Pakistan's interests in 1992, and freed up many battle-hardened jihadists for elements within the Pakistan Inter-Services Intelligence (ISI) to redirect towards insurgency in Indian Kashmir (Aziz 2007: 12).

The porous border with a neighbour that has been a war zone for 30 years means that FATA has been awash with military hardware since the West and Pakistan began supplying the mujahedeen with weapons to use against the Russian occupation force in Afghanistan. From 1978–1992, US $66 billion worth of weaponry came into the region (Aziz 2007: 13 fn 32, citing Coll 2004: 238). There are extensive markets for cheap and high-quality weapons across FATA and NWFP, especially Darra Adam Khel near Peshawar. Cold war international politics over Afghanistan also created a well funded, bloated and powerful army in Pakistan, closely aligned to the USA, with a role in regional politics that increased its influence in Pakistan's domestic politics.

International intervention

Pakistan shares a 2,430 km land border with Afghanistan. Local people in FATA and neighbouring provinces in Afghanistan are the same ethnic stock and ignore the border. For over 30 years significant numbers of Pakhtun fighters have crossed into Afghanistan. State-funded and -backed Pakhtun nationalists and Muslim jihadist insurgents crossed into Afghanistan, first to fight Russian occupation until the Russian withdrawal in 1989. They then crossed to support the Taliban seizure of power in the ensuing vacuum in the early 1990s and most recently to battle American-led coalition forces that overthrew the Taliban Government of Afghanistan in 2001. Non-Pakistani Taliban and Al Qaeda combatants from Afghanistan took refuge in FATA after the American-led invasion in 2001. Their numbers are limited, with estimates varying between 500 and 2,000. The FATA-based Taliban has been largely Pakistani-led since 2002 (Aziz 2007: 24).

Three separate Taliban groups were distinguishable after 2001 in Pakistan. All three had links and connections, but remained distinct, with varying agendas, sponsors and opponents. They were: the Afghanistan Taliban who use FATA as a refuge but remain oriented towards attacking International Security Assistance Force (ISAF) forces in Afghanistan, and receive tacit support from elements within the Pakistani security forces; the FATA-based Pakistan Taliban whose orientation is split between Afghanistan and Pakistan, but who increasingly seek a more religious fundamentalist state within Pakistan, and whose objectives and violent tactics to achieve this have pitted them primarily against the Pakistan Army and the subordinate Frontier Corps; and the Punjab Taliban who appear to have ISI support for use against India in Jammu and Kashmir, but who have increasingly adopted a more independent and fundamentalist stance that has led them to target state institutions in India and Pakistan.

American strategy towards FATA after the invasion of Afghanistan in 2001 was to target Afghan and Pakistan Taliban leaders and non-Pakistani fighters sheltering there via unmanned drones, which killed many civilians as well as combatants, thereby inflaming nationalist sentiment about lack of respect for Pakistani sovereignty. This placed Pakistan's armed forces in a difficult situation as they attacked the Pakistan Taliban to protect national sovereignty while at the same time facing criticism for killing fellow Pakistanis instead of protecting national territory from American incursions. At the same time, the USA accused elements of the ISI of supporting Afghan Taliban activity in Afghanistan against ISAF to promote Pakistan's national interests beyond its borders (Syed 2011).

Suppression

Suppression executed by the state in Pakistan against militant fundamentalists and tribal forces in FATA has always been ambivalent and largely ineffective, even when its political and military leaders felt directly threatened by actions emanating from the region. There are several reasons for this ambivalence and ineffectiveness. India remains the prime concern of the Pakistan military. Security officials view FATA as an extraordinarily difficult place to control. Many post-Zia military officers are also more religiously radicalized than the previous generation, with many now moving into relatively senior army posts (Gregory 2007; Haqqani 2005).

Preoccupation with the Indian border threat meant that the vast majority of Pakistan's armed forces remained stationed along the Indian border, with the task of maintaining order in FATA largely left to the Frontier Corps. Too few troops were deployed in the initial campaigns in 2003–2006 to control the rugged terrain of FATA and this resulted in limited success, especially due to the employment of tactics more suited to combat against another conventional army than against fighters intimately familiar with the landscape. The largely Urdu- or Punjabi-speaking military forces lacked empathy for, and knowledge of, local communities. Faced with stalemate despite intensified fighting, the army signed peace deals in

2005 and 2006 in South and North Waziristan respectively whereby they agreed to leave the tribal authorities to police their own areas in return for the tribes agreeing to stop attacking the army and to expel non-Pakhtun militants (Fayyaz 2007: 6–9).

The rising influence of the Pakistan Taliban in FATA undermined the peace deals' chances of success. The non-Pakhtun militants were not expelled and the Taliban used this breathing space to expand and consolidate their hold in FATA and advocate fundamentalist interpretations of Islamic codes of behaviour, while their local opponents were denied military assistance because of government adherence to the terms of the agreement. Military intervention in FATA saw the erosion of political agents' powers as military officials took over their roles. The latter lacked the former's longstanding local knowledge and local networks and were further alienated by mounting resentment at civilian casualties resulting from military actions (Aziz 2007: 32–3). This vacuum enhanced Taliban influence in FATA.

Taliban expanded outside FATA into other parts of NWFP, taking over Swat Valley, and heavily influencing parts of Peshawar. Bombings and attacks on police and military targets expanded, as did attacks against civilian targets. When the military finally deployed more forces and moved to roll back Taliban influence in Swat, Bajaur, Mohmand and South Waziristan in 2008–2009, the army generally inflicted heavy but not decisive casualties before the enemy melted away to regroup.

Exhaustion and stalemate

The British colonial experience and Pakistan Army experiences since 2003 suggest forces hostile to Pakistan government control in FATA will outlast the resolve of their adversaries. The escalation of suicide bombings launched beyond FATA by the Pakistan Taliban and by the Punjab Taliban to intimidate opponents and demonstrate their reach and power has demoralized liberal elements of the population and silenced political criticism and debate. Lahore, perhaps Pakistan's most liberal city and located on the other side of the country from FATA, has been a particularly symbolic target. Prominent targets in Lahore included the Sri Lankan cricket team in March 2009, the esteemed anti-Taliban cleric Dr Sarfaraz Naeemi, and an Intelligence building and a police training centre (Hasan 2009). Politicians perceived to be too liberal or secular have also been targeted, including the head of the Pakistan People's Party, Benazir Bhutto in Rawalpindi in December 2007, and prominent national advocate for secular viewpoints, politician Salman Taseer, in January 2011.

With neither side able to gain a decisive military victory, the only chance of resolution would appear to be some form of political compromise. The degree to which government will move towards a religious fundamentalist state to reach such an agreement with Taliban leaders remains uncertain, as does the willingness of the Taliban leadership to abandon their tactics of intimidation and enter the political arena given their relatively poor showing in most previous elections. The USA and India also have strong interests in ensuring Pakistan does not move too far towards religious fundamentalism as a government-sanctioned policy.

Economic development

Poverty and relative deprivation are usually assumed to fuel conflict. FATA's socioeconomic indicators lag far behind most of Pakistan. Two-thirds of the population of FATA live below the poverty line, and two-thirds of adult males lack paid employment so that the average annual income is less than half the national average. Literacy is officially only 17 per cent in FATA compared to 49.9 per cent nationally (Fayyaz 2007: fn 11; Aziz 2007: 17, 31; Khan 2008: 287–290). Generally poor agriculturally, FATA is potentially rich in minerals with copper deposits in North Waziristan, coal in Orakzai, soapstone in Kurram, marble in various locations across Waziristan and Orakzai, and potential hydrocarbon sources, especially in Khyber (Khan 2008: 130–150). All of these resources will probably require foreign investment to develop because of the poor state of government finances. Private sector development will most likely require greater stability to commit to investing in FATA with the possible exception of hydrocarbons. The USA has however announced its aid plans to support economic development zones along the under-developed western-border regions of Pakistan in an effort to pre-empt the diversion of young men into jihadist activities.

Economic development beyond FATA has also been troubled. Sustained economic growth in Pakistan has been unusual apart from during the dictatorships of Ayub Khan in the 1960s and Pervez Musharraf from 1999 to 2008. The lack of any meaningful land reform in rural areas has been of particular concern as it has left most of the rural population poverty stricken and in subservient feudal relationships with powerful landlords, who use this power to control local politics and national representation. Government's consistent failure to deliver economic benefits to citizens has stifled widespread support for civilian governments (Burki 2011). Regardless of military or civilian rule, the armed forces elite are deeply involved in non-military economic activity so that they have a vested interest both in controlling government and in working against fully representative and accountable government. These political connections combined with their stakes in the economy work against effective development through competition (Siddiqa 2007).

Pakistan also faces a Malthusian dilemma of epic proportions over the next few decades. It is already the sixth most populous nation on earth and has one of the highest birth rates in the world. Pakistan is an arid country whose monsoonal rainfall pattern makes it heavily dependent on glacier-fed rivers for its water, the headwaters of all of which emanate in neighbouring countries. Forty-two per cent of its 184 million people are involved in agriculture. While 28 per cent of Pakistan's land is able to support agriculture, 70 per cent of this area depends on irrigation drawn from its rivers and groundwater. Climate change is already reducing and altering the seasonal flow of these rivers, and the most pessimistic modelling suggests there could be up to a 40 per cent reduction in the glacial melt that feeds these rivers in the next few decades. The implications for food production are alarming given that inflation and food shortages have led to massive price rises for food staples and petrol in recent years, compounding the problems of the already marginalized poor (Hill 2009; Archer *et al*. 2010).

Democratization

A lack of meaningful land reform and a poor education system have led to the majority of the population being unrepresented and alienated. Narrow, self-centred interest groups dominate Pakistani politics at the expense of nation building. As commentator Iftikhar Malik notes:

> A powerful executive, habitually dismissive of judiciary and other civilian echelons including the political processes, seeking its own perpetuation through a politics of patronage where land-owning elite, religio-political elements, and even an emerging middle class stay state dependent while the masses stay largely adrift if not totally disempowered.
>
> (Malik 2007: 5)

Within this elite, the educated middle class in the bureaucracy and military officer class and business elite are ascendant, while the older landed elite and tribal elders suffer declining influence at the national level, but remain important and influential in the tribal areas of FATA and Balochistan (Waseem 2009). The counterproductive and ineffective nature of Pakistani national politics shows no sign of changing.

Separatist movements among Baloch, and Seraiki-dominated southern Punjab are symptomatic of this perception of government's favouring of class and Punjabi interests over local community interests. Baloch socioeconomic indicators are close to those found in FATA despite the immense wealth of the province, and a longstanding brutal counterinsurgency endures despite a package of political and economic incentives from the national government implemented by Prime Minister Gilani. Much Seraiki land is in the hands of absentee landlords from Punjab, awarded through government connections (Siddiqa 2009, Baloch 2007). Neglect of the poor by politicians, and feudal relations in the countryside, also provide a pool of unemployed, under-employed, and exploited men who are susceptible to Taliban offers of employment within their organization and rapid justice against oppressive landlords and their allies in government.

Political debate and the development of broadly constituted parties based on economic and political principles rather than narrow sectoral, geographical and class interests have been stifled as the education system has been eroded. Pakistan has one of the lowest proportions of national budgets devoted to education in Asia. Literacy rates and rates for the number of years of schooling are very poor (Pakistan Education Task Force 2011). This vacuum created by the decline of the state education system has fostered religious radicalism as madrassas have mushroomed. In 1971 there were only 900 madrassas in Pakistan. They increased by nearly ten times during Zia's rule. Between 2000 and 2006 the number of officially registered madrassas doubled from 7,000 to 14,000, while estimates suggest there were almost 25,000 additional madrassas unregistered in 2006. Saudi-funded, fundamentalist Wahhabist madrassas particularly flourished after 2000 as Saudi wealth permitted these schools to offer free education, food and board (Aziz 2007: 18). Not all madrassas teach anti-Western and pro-Jihadist doctrine, but estimates for 2000–2006 suggest that the 15–20 per cent did; this would equate to 80,000 students as potential recruits for the Taliban out of the two million attending madrassas (Aziz 2007: 18; Rashid 2000: 89; Grare 2007).

Autonomy extended to affected areas

Indirect rule by Pakistan, including the use of tribal rather than national laws, has led to effective autonomy for FATA beyond, rather than within, the nation-state. This has resulted in a lack of economic integration and of federal and international development funding, which has combined with instability in neighbouring Afghanistan and generations of martial tradition to produce another generation of under-employed young men eager and willing to go to war. Law and order within FATA is maintained by the Frontier Corps, which consists of Pakhtun recruited from within FATA. Their effectiveness against the Pakistan Taliban soon foundered on the image that they were Pakhtun attacking fellow Pakhtun at the behest of the central government. Reorganization and reinforcement with regular army forces improved their capabilities, but a decisive military victory in FATA remained beyond the reach of both the Taliban and government forces. FATA remained deeply divided by tribal loyalties so that leaders rarely exercised sustained influence beyond their own immediate areas (Khan 2008: 18–19; BBC Online 2009, 2010).

From around 2000 the Taliban increasingly sought to impose strict Sharia law in FATA, and to deal with assertions of local autonomy by tribal elders through intimidation, assassination and suicide bombings. Taliban 'government' functions in FATA were funded by taxes on locals (Fayyaz 2007: 5). While the national government considered local tribal militias as a possible counter to Taliban power in FATA, the virtual impossibility of defending tribal leaders and communities against suicide bombers, and limited government and military support and protection for anti-Taliban tribes, weakened this potential counterweight to fundamentalists (BBC Online 2009, 2010).

Autonomy with greater and gradual integration into the nation-state and access to its superior resources would appear to be the only viable option for breaking the cycle of indecisive violence in FATA. Under Articles 246 and 247 of the Pakistan Constitution the President has the right to amend laws and foster ordinances for FATA (Fayyaz 2007: 3). In 2009, President Zadari announced his intention of integrating FATA into the conventional Pakistani parliamentary system. FATA currently has 12 representatives in the National Assembly (National Government of Pakistan n.d.).[4] Integration, modernization, and adaptation will be inconsistent and uneven. Most Pakhtun live beyond FATA and interact with other Pakistanis and outsiders with varying intensity, resulting in diverse political alignments. Analyst Ijaz Khan categorizes five Pakhtun political allegiances: Pakistani Pakhtun who align with national political parties and political issues; Islamicized Pakhtun who belong to pan-Islamic organizations; Pakhtunisized Islamicists trained in and remaining attached to local madrassas; Pakhtun nationalists who seek ethnic unity or closer affiliation between Pakhtun/Pashtun on either side of the Durand Line; and lastly, traditional Pakhtun whose primary affiliation remains to their local Jirga (Khan 2007: 10–15).[5] Pakhtun tribesmen in FATA remain culturally closer to Afghan Pashtun and contemptuous of their Pakhtun brethren on the Pakistan plains.

However, political integration alone will not resolve problems in FATA because of administrative capture by elites at the national level alluded to earlier, weak government and alternative power structures such as the Taliban. Pakistan's national laws are hard to apply even in some parts of Pakistan which have full parliamentary representation but where there are also powerful alternative power structures. For example, large parts of western Karachi are virtual no-go zones for government and police because of well-armed groups hostile to the government and rule of law (Hasan 2010; Rehman 2009).

Prospects

With no military solution in sight, political engagement and economic development offer the best prospects for managing conflict in FATA and its offshoots elsewhere in Pakistan. Politics remains locked in the old ways with no signs of the reforms needed to bring about the more representative and effective government so desperately needed. Such reforms require pressure and support from an educated population. A report in 2011 painted a grim picture of the backward state of the Pakistan education system (Pakistan Education Task Force 2011). It is, however, now no longer certain that effective, functioning state alternatives to madrassa education will rapidly turn back the tide of fundamentalism in Pakistan. Commenting on the death of Salman Taseer in January 2011, political and defence analyst Hassan Askari Rizvi notes that while those pursuing fundamentalist political objectives through violence are limited in number, 'the mindset that sustains militancy, that dilutes or prevents action against it . . . has become fairly widespread', and has even seeped into the educated classes, bureaucracy and armed forces (Khan 2011, interview with Rizvi). A World Public Opinion Organization Survey in April 2007 of Morocco, Egypt, Indonesia and Pakistan found the strongest support for Sharia law in Pakistan, with 54 per cent of those surveyed wanting strict application of Sharia law and 25 per cent a more diluted application (Hoodbhoy 2007: 14 citing World Public Opinion Organization 2007).[6] Rizvi concludes that the intimidation and assassination of voices of moderation meant that the return to open debate in Pakistan would take at least a generation of promoting dialogue and toleration in educational institutions and the media.

The nature of conflicts plaguing FATA and Pakistan and their external influences and implications are fluid and changing. In particular, the eventual withdrawal of the vast majority of international forces from Afghanistan will have major implications for Pakistan's relations with both the USA and the various Taliban groups, as well as for military–government relations domestically. The eventual withdrawal of USA and Allied forces from Afghanistan will diminish the current domestic perception that the Pakistan military and government are fighting their own population for the USA. The withdrawal of foreign troops may remove the rationale for jihadist activity based in FATA, although Pakistan may see merit in using these to extend its influence once more in Afghanistan as it did in the early 1990s. Alternatively, the Pakistan Taliban may continue to target secular and moderate groups in Pakistan. On the other hand, poor, unemployed and disgruntled Pakistanis may seek to support anyone offering genuine political reform, economic improvement, peace and stability. It is worth noting that much of the impressive economic growth during relatively stable years of Musharraf's rule was fuelled by skilled Pakistanis returning home from overseas to invest and develop businesses. The Pakistan Peoples Party (PPP) has been able to extend its support nationwide beyond its Sindh heartland with its message of greater social equity, despite limited tangible achievements on the ground. Egypt came second behind Pakistan in its support for more religious influence in society in the World Public Opinion Organization Survey and yet led the Middle East in 2011 in a popular uprising that ousted an unrepresentative dictatorship in pursuit of more representative and just government.

Lessons

Pakistan's recent and deeper history offers a number of cautionary tales on how conflict can endure and become intergenerational. In terms of counter-insurgency tactics, limited coordination between the armed forces, police and government authorities and local leaders in FATA created power vacuums and countervailing processes. Military occupation effectively sidelined the political agents who had formed the one effective but flawed link between government and the tribes. The military's vacillation between appeasement and coercion, and under-resourced and non-sustained efforts at the latter, sent mixed messages to allies and enemies alike, strengthened the hand of religious fundamentalists at the expense of tribal elders and the state, and broke down trust in the armed forces as reliable allies.

Waging war and foreign policy through third parties who initially need assistance and do not share common objectives is risky and open to diminishing influence as their power develops. Forging common interests in diverse communities artificially united by colonial legacies is difficult and will not occur without compromise and concessions. In particular, post-colonial states must play a delicate balancing act between proportional representation and the protection of minorities' rights and interests. Decentralization might work well for Pakistan, as it has already returned some dividends at the local government level. There is a case for forming a separate South Punjab province to end the perception and reality of Punjab's disproportionate share of votes and influence.

However, political autonomy within the nation-state without meaningful economic development sets the scene for troubled relations. The exercise of nation building in post-colonial fragmented states is not just about tangible economic returns, but also about perceptions of economic equity and political and cultural respect for all to create a sense of belonging for all constituent parts (see for example, Baloch 2007). FATA's inhabitants must be made economically better off as a more integrated part of Pakistan for their sense of connection with the larger nation-state to become stronger. Balancing the protection of a meaningful degree of political and cultural autonomy with the use of national legislation and services to improve the situation of residents poorly served by existing institutions, especially women and the rural poor, is more problematic and can lead to conflict with existing power structures.

The immediacy and drama of terror and coercion tend to skew national priorities towards combating these threats. However, by any objective measure what Norwegian scholar Johan Galtung terms structural violence – the unnecessary denial of goods and services to citizens by those in power – takes far more lives and threatens the day-to-day security of many more people than recent acts of coercive violence have done in Pakistan (Galtung 1969). One service of increasing and perhaps crucial importance will be the provision of environmental security in the wake of rapid population growth and diminishing water access. Pakistan's recent history is also a fundamental lesson in the vital importance of open and quality education for the development and sustainability of tolerant and vibrant societies.

Pakistan is also an example of the length of time it usually takes for problems to develop. The rise of fundamentalism started under, and was fostered by, the dictatorship of General Zia from the 1970s. Early action may have stifled this rise, but delays have made a generational problem that will take another generation to resolve, assuming sufficient will and resources are mustered and sustained.

Notes

1 The last national census was in 1998, and so all subsequent figures cited here are estimates based on the most common figure cited between sources.
2 Generally these peoples are referred to as Pashtuns in Afghanistan and Pakhtuns in Pakistan. This convention will be used in this chapter.
3 Sufism is a more mystical form of Islam often considered somewhat heretical and debased by more fundamentalist Sunni and Shi'a Muslims.
4 One of the 12 allocated seats was vacant when the website was last accessed on 23 April 2011.
5 Jirga are decision-making councils of tribal elders.
6 Egypt followed close behind with 50 per cent strongly agreeing and 24 per cent agreeing somewhat for a total of 74 per cent, followed by Morocco with 35, 41, 76, and Indonesia 17, 36, 53 respectively. Sample sizes of 1,000–1,141 have confidence intervals of +/–3 percentage points; a sample size of 611 has a confidence interval of +/–4 percentage points.

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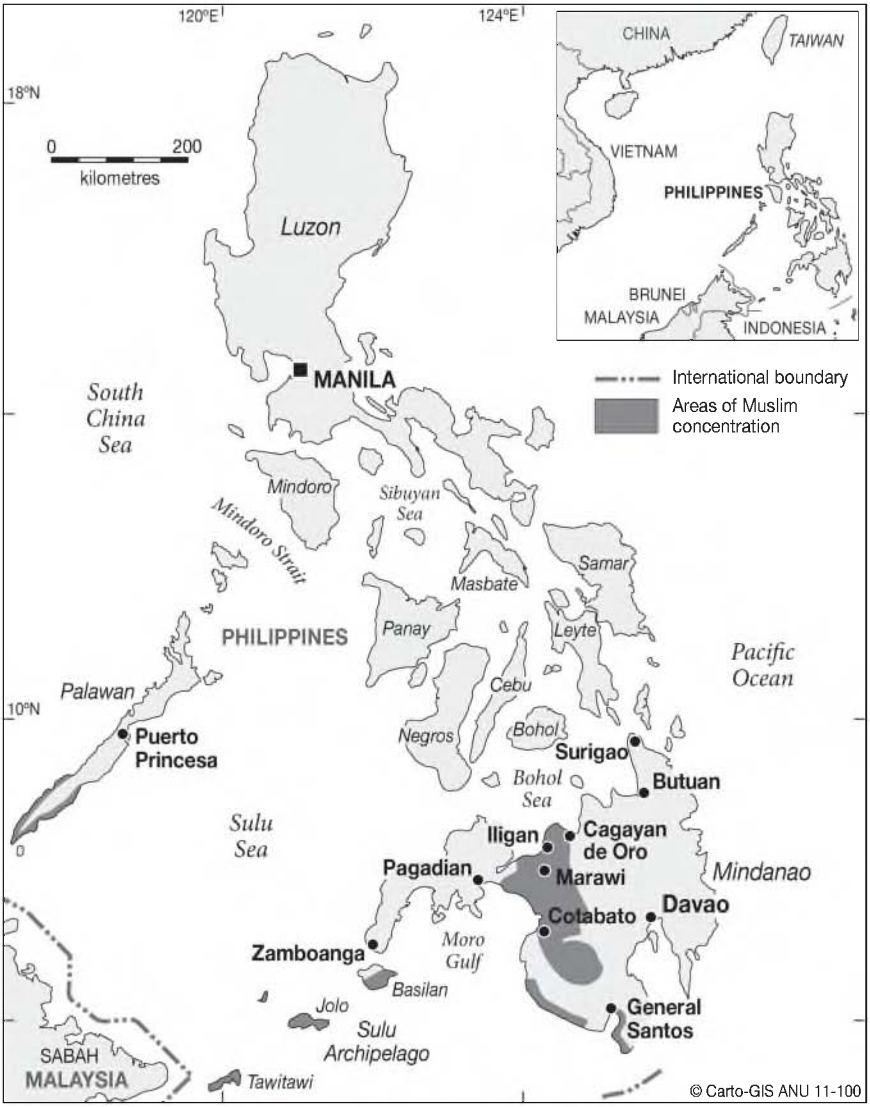
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INDONESIA
International boundary
Areas of Muslim concentration
Luzon
MANILA
South China Sea
Mindoro
Sibuyan Sea
Mindoro Strait
Samar
Masbate
Panay
Leyte
PHILIPPINES
Pacific Ocean
Palawan
Cebu
Puerto Princesa
Negros
Bohol
Surigao
Butuan
Bohol Sea
Sulu Sea
Iligan
Cagayan de Oro
Pagadian
Marawi
Mindanao
Cotabato
Davao
Zamboanga
Moro Gulf
Basilan
Jolo
Sulu Archipelago
General Santos
SABAH
MALAYSIA
Tawitawi
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Map 14 Mindanao, The Philippines

Major events: The Philippines

1565	Spanish settlement begins; Spaniards encounter ‘The Moors’ and initiate long-running conflict, but do not establish effective sovereignty over Mindanao-Sulu.
1898	Philippine Islands ceded to USA after the Spanish-American war. US ‘pacifies’ Moros and adopts policy of ‘attraction’, but with special arrangements for Muslim and tribal peoples
1935	Philippines Commonwealth established
1946	Philippine Independence
1969	Muslim (later Mindanao) Independence Movement established
1969	90 young Moros training in Malaysia; Moro National Liberation Front (MNLF) emerges c. 1972
1972	Martial law under President Marcos
1976	Tripoli Agreement with MNLF (covers 13 provinces and 9 cities)
1977	Split between Misuari and Salamat leads to formation of Moro Islamic Liberation Front (MILF)
1986–87	‘People Power Revolution’: new Constitution with provision for Autonomous Region of Muslim Mindanao (ARMM)
1992	Negotiations reopened with MNLF, culminating in 1996 Peace Agreement (‘The Final Agreement on the Implementation of the 1976 Tripoli Agreement’)
1997	Agreement for General Cessation of Hostilities with MILF
2000	President Estrada launches ‘all-out war’ against MILF
2001	Plebiscite on expanded ARMM. Misuari resumes insurgency
2001	Talks with MILF resume under President Macapagal-Arroyo, chaired by Malaysia; ‘new Tripoli Agreement’ signed
2003	Ceasefire agreed
2007	OIC–GoP–MNLF talks revived in Jeddah
2008	GoP–MILF talks break down following Supreme Court ruling against Memorandum of Agreement on Ancestral Domain (MOA–AD); armed conflict resumes
2009	GoP–MILF talks resume

14 The Philippines

The ongoing saga of Moro separatism

Ron J. May

Several years ago, at a conference at the Australian National University, prominent Filipino scholar and peace activist Fr Eliseo Mercado commented on the long-running peace process in the southern Philippines, 'We keep thinking we see light at the end of the tunnel. But as we approach the end of the tunnel all we see is another tunnel'. The scale of the separatist conflict between Philippine Muslims and the government of the Republic of the Philippines – in terms of lives lost and people displaced by the fighting – has diminished since the late 1970s, but fighting continues and attempts to achieve a settlement have failed to bring lasting peace. As often happens in such situations, the conflict has become more diffuse and new obstacles to peace negotiations keep emerging. However, negotiations between the Philippine government and the Moro National Liberation Front have continued since 1986 and negotiations with the Moro Islamic Liberation Front have been ongoing since 1996. These negotiations have been facilitated by external third parties, notably the Organization of Islamic Conference (OIC) and the governments of Indonesia and Malaysia, and successive Philippine governments have willingly accepted such outside mediation. Arguably, although the peace process since 1986 has not delivered a lasting peace, the persistent efforts of those involved have helped to prevent a resurgence of the violence that characterized the conflict in the early to mid-1970s.

This chapter briefly reviews the history of the conflict and the attempts, in recent times, to end it, and suggests several reasons why an effective peace settlement has proved elusive. These include: a long history of antipathy and distrust between Christian Filipinos and Philippine Muslims, which pre-dates European colonization of the Philippine islands but was seriously exacerbated by Spanish hostility towards Islam in the Philippines; the changing demography of the southern Philippines due to years of inmigration, which has created a situation in which Muslims have become a minority in most of the area they claim as ancestral domain; and the factionalization of the Muslim separatist movement – particularly between the Moro National Liberation Front and the Moro Islamic Liberation Front, both of which now face internal divisions – which has made negotiation difficult. The chapter argues that while the willingness of successive Philippine governments to negotiate with the separatists, and to accept the intermediation of external actors sympathetic to the separatist cause, has helped to reduce the level of violent conflict, it is hard to see how a lasting settlement can be reached unless some creative solution can be found to the issue of territoriality – the problem posed by the fact that the area claimed as BangsaMoro homeland now contains a majority Christian population.

Background

The Muslim minority population of the Philippines is variously estimated at around 4 per cent of the national population and is concentrated in the southern islands of Mindanao and the Sulu Archipelago. It includes 13 ethno-linguistic groups, of which four – the Maranao-Ilanun of central Mindanao, the Maguindanao of western Mindanao, and the Tausug and Samal of Sulu – account for around 90 per cent of the Muslim population.

The ongoing conflict between Muslim separatist groups and the Philippine government with its predominantly Christian constituency has deep historical roots. Between the thirteenth and sixteen centuries Islam had spread to the Philippine islands and Muslim sultanates had been established in western and central Mindanao, Sulu and Luzon. Coastal communities in southern and central Philippines lived in fear of the seafaring Muslim people from Mindanao and Sulu, who conducted periodic raids to take slaves to exchange with trading partners to the west and north (see Warren 1998, 2002).

When the Spaniards arrived in the Philippines, they identified the Philippine Muslims with their age-old Muslim protagonists from North Africa, the Moors (whence the term ‘Moro’), and in effect resumed the crusades. The Muslim Kingdom of Maynila in the north was vanquished and there followed some 330 years of fighting between the Spanish colonial regime with its Christianized indios and the Muslim sultanates in the south. The Spanish never did achieve sovereignty over the Moro but after the Philippine islands were transferred to the United States after the Spanish American War the Moro were ‘pacified’ by technologically superior military forces and, notwithstanding continuing outbreaks of resistance, were subjected to a policy of ‘attraction’ or ‘benevolent assimilation’.[1]

During the twentieth century, and especially after World War II, a steady flow of Christian Filipino in-migrants from the more populous islands of Luzon and the Visayas brought about a fundamental change in the demography of Mindanao and Sulu, giving rise to growing tensions between traditional landowners and in-migrants and between traditional Muslim (and tribal [*lumad*]) leaders and new political forces among the in-migrant settler community (see May 1992a). By the 1960s there was escalating communal violence between Muslim, *lumad* and Christian Filipino communities and growing demands for a separate Moro nation (BangsaMoro) in Mindanao, Sulu and southern Palawan.

A Muslim (later Mindanao) Independence Movement (MIM) was established in 1969, and around 1972 the Moro National Liberation Front (MNLF) came together under the leadership of Nur Misuari, one of several radicalized young men who had undertaken guerrilla training in neighbouring Sabah, to fight for BangsaMoro independence and the return of lands now occupied by Christian

Filipinos. The international Islamic community became involved in the conflict, supplying arms and finance to the MNLF, whose central committee was based in Libya, sending two fact-finding missions to Mindanao and accusing the Philippine president, Ferdinand Marcos, of genocide. Misuari and the MNLF were given observer status at the OIC. The declaration of martial law by Marcos in 1972 exacerbated the situation. By the early 1970s several thousand people had been killed in clashes between Muslim and Christian groups and the military, and many more had been displaced by the fighting, thousands taking refuge in Sabah.[2]

In 1976 peace negotiations initiated by Imelda Marcos and Libya's President Muammar Gaddafi resulted in the signing of the Tripoli Agreement, which promised Muslim autonomy in the 13 provinces of historical Muslim influence (a scaling down, under pressure from the OIC, of the initial claim to the 25 provinces of Mindanao, Sulu and Palawan). Discussions about implementation broke down, however. A particular sticking point was President Marcos's insistence on making Muslim autonomy subject to a referendum in the 13 provinces – only five of which, by 1976, had a Muslim majority. The MNLF and its supporters boycotted the referendum. In the event, two autonomous regional governments were established in those parts of western and central Mindanao and Sulu that voted for autonomy, but they lacked popular legitimacy and achieved little.

In the second half of the 1970s tensions within the MNLF – over personality, ethnicity, ideology and strategy – began to surface and eventually the movement splintered. In 1977 the Cairo-based chairman of the foreign affairs bureau, Hasham Salamat, challenged Misuari's leadership and sought to persuade the OIC to recognize him (Salamat) as the new chairman of the MNLF; unsuccessful in this, he created a rival organization, the Moro Islamic Liberation Front (MILF), which drew its initial support mainly from the Maguindanao-speaking areas of western Mindanao. Subsequently, another group, mostly from the Maranao elite, left to form a MNLF–Reformist Group based in Jeddah. Attempts to reconcile the factions proved elusive.

On the eve of the 'People Power Revolution' of 1986, supporters of Corazon Aquino made approaches to Misuari to gain MNLF support for the mainstream opposition to Marcos, and when Aquino became president Misuari was invited back to the Philippines, and the new Constitution of 1987 made provision for an Autonomous Region of Muslim Mindanao (ARMM).

After some initial tensions within the Regional Consultative Commission set up to prepare an organic act for the ARMM (see Basman *et al*. 1989), legislation was drafted and submitted for approval by the people of the 13 provinces listed in the Tripoli Agreement, on the basis that only those provinces and cities voting to do so would become part of the ARMM. In the event, only four provinces and no cities voted to be included, and, as had happened in 1977, the main Moro factions rejected the ARMM, which they saw as falling well short of their demands for BangsaMoro autonomy. Misuari returned into voluntary exile.

In 1992 President Aquino was succeeded as president by former Philippines Constabulary commander, General Fidel Ramos. Ramos reopened negotiations with Misuari – to the dismay of many, who saw the MNLF as a waning force. The new round of negotiations, carried out mostly through a ministerial committee of the OIC chaired by Indonesia, culminated in 1996 in a new agreement, described, somewhat optimistically, as ‘The Final Agreement on the Implementation of the 1976 Tripoli Agreement’.[3]

The 1996 Agreement provided for the creation of a Special Zone of Peace and Development (SZOPAD) corresponding to the provinces and cities covered by the Tripoli Agreement, which was to be ‘the focus of intense peace and development efforts over the next three years’, and of a Southern Philippines Council for Peace and Development (SPCPD), which was to have powers to ‘control and/or supervise . . . appropriate agencies of the government that are engaged in peace and development activities in the area [of the SZOPAD]’. Provision was also made for a Consultative Assembly of 81 members (44 of them from the MNLF), headed by the chair of the SPCPD, to serve as a forum for consultation and advice to the president. Under the 1996 Agreement, the military wing of the MNLF, the Bangsa Moro Army (BMA), was to be disbanded and 7,500 BMA fighters were to be recruited into the Armed Forces of the Philippines (AFP) and the Philippines National Police (PNP). Additionally, a special socioeconomic, cultural and educational program was to be developed for members of the MNLF not absorbed into the AFP/PNP, to help them and their families acquire education, technical skills and livelihood training.

Misuari was appointed to head the SPCPD, and later in 1996 he was elected governor of the ARMM – thus reducing the potential for disputes of jurisdiction between the ARMM and the SPCPD.

The 1996 Agreement was enthusiastically hailed in many quarters as a resolution of the long-running conflict in the Philippines south. Anyone who had followed the history of the dispute, however, would have realized that such euphoria was premature (see May 2001).

For one thing, the agreement between Ramos and Misuari had to be passed into law, and faced strong opposition, particularly from non-Muslim groups in Mindanao. Among non-Muslim communities in Mindanao the agreement generated considerable anxiety. Christian community leaders, led by Congresswoman Maria Clara Lobregat, organized demonstrations against the agreement and there were threats that the Christian vigilante groups that had been active in the 1970s would be revived. In Congress, there was opposition to the granting of autonomy and accusations that President Ramos had ‘sold out’ to the militant Muslims. Six of the 24 members of the Senate voted against a resolution supporting the agreement and there were demands for the withdrawal of powers from the SPCPD and Consultative Assembly and for the exclusion of local government units from SPCPD control. In the House of Representatives, the House Appropriations Committee threatened to block funding for the SPCPD and Consultative Assembly. Prior to the signing of the final agreement a group of congressional representatives and a provincial governor filed a Supreme Court petition seeking invalidation of the agreement (see Stankavitch 1999). Consequently, the implementing executive order, which emerged in October 1996, was a significantly watered-down version of the agreement signed by Ramos and Misuari. As one commentator wrote:

> . . . the transitional structures [the SPCPD and Consultative Assembly] . . . were too powerless to make an impact. They had very limited funding, no police powers, no control over national projects and programmes that were supposed to be within their remit, and no jurisdiction over significant sections of the bureaucracy in the region.
>
> (Gutierrez, in Stankavitch 1999: 66–67)

Second, the 1996 agreement was specifically an agreement between the MNLF and the government of the Philippines. Not only was Misuari the widely recognized leader of the Moro movement, he also had the support of the OIC, which in effect meant that the Philippine government was bound to negotiate through him. But by 1996 the MILF was almost certainly the stronger of the two Moro factions (the MNLF–RG having faded out in the early 1980s). The MILF had a network of ‘camps’ in western and central Mindanao, which had become in effect small municipalities under MILF administration, and there were reports that the MILF’s military wing was undergoing transition from a guerrilla force to a ‘semi-conventional army’. It was later revealed that since 1994 the MILF, through contacts established in Afghanistan in the late 1980s, had been hosting a training camp run by Jemaah Islamiyah (see ICG 2003, 2008a) and had links to international terrorists. The MILF was not a party to the 1996 agreement – indeed in 1993 MILF chairman Salamat distanced the MILF from the Ramos–Misuari discussions and vowed to continue the armed struggle – which meant that, even if the 1996 agreement succeeded, the Philippine government would have to conduct separate negotiations with the MILF (see later in chapter).

Third, and perhaps most critically, as with earlier moves towards Moro autonomy the 1996 agreement mandated a plebiscite, to be held within two years of the establishment of the SPCPD, to determine whether the parts of the SZOPAD not included in the ARMM would join in an expanded autonomous region. The previous history of Muslim autonomy arrangements, however, strongly suggested that when the vote was taken, the predominantly non-Muslin provinces and cities would opt to stay out – as they had done in 1977 and 1989.

By 2001, there was a further threat to the viability of the 1996 agreement. The performance of the SPCPD and ARMM under Misuari had fallen well short of people’s expectations and there was growing opposition to Misuari’s leadership. There were complaints that jobs within the ARMM administration went exclusively to Misuari’s supporters and that the administration was rife with corruption (see, for example, Bacani 2004). Promises of financial assistance and investment from Muslim countries had for the most part not materialized and Misuari accused the national government of failing to provide adequate funding and support for the ARMM. The predominantly Muslim provinces remain amongst the nation’s poorest. The ARMM is the poorest of the country’s 17 regions, with per capita relative GDP in 2007 of 23, compared with a national figure of 100 and the next poorest region on 45, and a poverty incidence in 2006 of 62 per cent, compared with the next poorest region on 53 per cent (Briones 2009). In 1999 Misuari told the author that if conditions did not improve he 'would return to the hills' (interview with Misuari, Makati, 1999). There were reports of some former MNLF fighters joining the MILF or operating as independent units in Sulu, and of rival leadership bids within the MNLF from a 'National Islamic Command Council'.

The plebiscite on the enlargement of the ARMM was put off for as long as possible, but in 2001 the vote was eventually taken. Predictably, of the now 15 provinces and 13 cities of the area covered by the Tripoli Agreement and identified in the 1996 Agreement as the SZOPAD, only the five provinces and one city with Muslim-majority populations voted to be part of the expanded ARMM and in the predominantly Christian provinces and cities the vote went against incorporation. Within months of this, a group led by MNLF Vice Chairman Parouk Hussin and calling itself 'the [Executive] Council of the 15', claiming support from Indonesia, Malaysia and Libya as well as from the presidential adviser on Muslim Mindanao, announced that it had 'retired' Misuari, giving him the title 'chairman emeritus'. Misuari denounced the group as 'traitors', but shortly after this abandoned his post as ARMM governor and briefly returned to the armed struggle. He was arrested in Malaysia, repatriated to the Philippines and was in gaol or under house arrest until released in 2008.

Diminution (and persistence)

The armed conflict between the MNLF and the Philippine government was at its peak in the 1970s. By the end of 1977 it was estimated that some 50,000 people (predominantly Muslims) had died in the conflict and around 200,000 had been displaced by the fighting (Ocampo 1980), many of them taking refuge in Sabah. By the late 1970s the level of violence had diminished, though fighting and 'incidents' (an ambush or kidnapping, a grenade lobbed into a church or mosque, or a clash between 'rebels' and the AFP) continued, notwithstanding the ceasefire that had been negotiated in association with the Tripoli Agreement in 1976. The diminution of the armed conflict from the early 1970s to the mid-1980s might be ascribed to several factors.

First, the surrender of MNLF fighters under government amnesty programs (claimed to have attracted over 17,000 MNLF supporters) weakened the movement. One of the first to surrender was MNLF vice chairman Abdul Khayr Alonto, a member of the Maranao elite. A number of local commanders who surrendered were rewarded with government positions (several became local mayors) or livelihood projects – though some later returned to the insurgency.

Second, the splits that occurred within the movement not only detracted from the coherence of the campaign for a separate BangsaMoro and the conduct of the insurgency; they also impacted on the Moros' ability to secure effective support from the international Muslim community.

Third, on the Philippine government side, the AFP and PNP, aided up till 1986 (and even thereafter) by ill-disciplined local Civil Home Defence Forces (reorganized after 1986 as Citizens Armed Forces Geographical Units [CAFGUs]), army 'lost commands'[4] and fanatical vigilante groups (see May 1992b), waged a relentless campaign against the MNLF (and against the Communist New People's Army, which was also active in Mindanao and occasionally cooperated with MNLF units in the field). This campaign ultimately weakened Moro resistance and produced a general 'war weariness' amongst all but the most committed.

In contrast to some cases dealt with in this book, most concessions to Philippine Muslims – such as the creation of a Philippine Amanah Bank, the reopening of traditional (duty-free) barter trade between Mindanao and Malaysia, and moves to codify Sharia law – and measures to promote economic development in the south had little apparent impact on the situation. The cornerstone of the government's efforts in the 1970s to promote economic development, the Southern Philippines Development Authority, was largely captured by non-Muslims and in fact became something of a grievance to the Moros. And, as noted, the creation of two regional assemblies in western and central Mindanao in 1977 did nothing to satisfy the separatist demands of the MNLF. After 1986, the Aquino government's commitment to an ARMM, together with limited efforts to foster economic development and address poverty in the Muslim provinces, may have done something to slow the drift of disaffected young Muslims into the armed conflict, but neither the MNLF nor the MILF supported the ARMM, and the fighting went on, although more sporadically than in the 1970s.

However, the 1980s also saw the growth of MNLF 'lost commands' and the emergence of Abu Sayyaf. Abu Sayyaf was established around 1991 by a former MNLF member and charismatic preacher who had trained in Libya. It supported the general demand for a separate BangsaMoro and other political objectives, but was primarily involved in extortion and kidnapping for ransom (in one well-publicized incident in 2000, kidnapping 21 foreign and Filipino tourists from a resort in Malaysia) (see Vitug and Gloria 2000). There has been interaction between Abu Sayyaf and hardline MNLF and MILF supporters, but at an official level both the MNLF and the MILF have denounced the group and the Philippine government has refused to negotiate with it. Another group, alleged to have links with MILF members, is the Pentagon Gang, which has been involved in kidnap for ransom in Minadanao.

When President Ramos reopened negotiations with Nur Misuari many believed that the president had given Misuari a new lease of life. With the 1996 Agreement, however, Ramos succeeded in bringing Misuari 'back into the fold' and for a while at least achieved a cessation of hostilities with the MNLF. In the same period, the MILF continued to consolidate and develop links with Islamic organizations outside the Philippines.

The Ramos government apparently tacitly accepted the MILF presence in western and central Mindanao, provided that it maintained the peace, and in 1996 Ramos initiated separate peace talks with the MILF, which produced an Agreement for General Cessation of Hostilities the following year. President Estrada, who succeeded Ramos in 1998, attempted to continue the negotiations but quickly became frustrated by the lack of progress and violations of the General Cessation of Hostilities. In 2000, after MILF attacks on non-Muslim communities in western Mindanao, the Estrada government launched an 'all-out war' against the MILF. AFP forces overran MILF headquarters at Camp Abubakr and over 40 other MILF strongholds, but the offensive was largely ineffective as the MILF simply retreated, regrouped and eventually returned to their bases when the AFP had withdrawn.

In 2001, facing impeachment, President Estrada stepped down. His successor, Gloria Macapagal-Arroyo, sought to reverse the new militarization of the Moro conflict and revived negotiations with the MILF, facilitated by the Malaysian government. An Agreement on the Framework of the Peace Talks was signed in March 2001, a new Tripoli Agreement on Peace in June, and an Agreement on the General Cessation of Hostilities in August, and in 2003 an International Monitoring Team, with personnel from Malaysia, Brunei, Libya and later Japan, was created to oversee the ceasefire. A Bangsamoro Development Agency was also created to channel funds, coming mostly from the World Bank and Japan, to development projects. But progress in peace negotiations between the Philippine government and the MILF has been tortuous, with talks stalling on several occasions and the Malaysian government threatening to withdraw from the process.

In 2006 a number of 'consensus points' on ancestral domain and the Bangsamoro Juridical Entity were agreed between the MILF and Philippine government negotiators, and a form of 'Moro self-determination' was proposed to address the controversial issue of sovereignty.[5] In 2008 a Memorandum of Agreement on Ancestral Domain (MOA–AD) was signed by the Philippine government and the MILF to provide a framework for a peace agreement on the basis of the Bangsamoro Juridical Entity (BJE). The BJE was to comprise the present ARMM as core territory, together with 735 municipalities outside the ARMM that were said to have a Muslim majority population; provision was also to be made for 'special socio-economic and cultural affirmative action' in 1459 conflict-affected areas (or 'special intervention areas') outside the BJE (see Mastura 2006). This was promptly challenged by prominent Christian politicians from Mindanao and in October 2008 the Supreme Court ruled that the MOA–AD was unconstitutional.[6] In the wake of this, armed conflict resumed, with reports of 'hundreds of thousands' being displaced, the government dissolved the peace panel, and the International Monitoring Team withdrew.

In mid-2009 a suspension of hostilities was negotiated and an International Contact Group was created to assist the peace process; it included government and civil society organization representatives from Malaysia, Brunei, Japan, Libya, Indonesia, Britain, Turkey, Saudi Arabia, the EU and Norway. Talks were revived in December 2009, with the MILF presenting a 'Comprehensive Compact on Interim Governance', which included demand for a Moro 'sub-state in association with' the Philippines with powers in all areas except defence, foreign affairs, currency and postal services, but broke down once again the following month. Attempts were made throughout 2010 to revive talks, but were delayed by a number of factors, including the Philippine government's objections to the

Malaysian facilitator, and the election of a new Philippines president, Benigno Aquino III. Finally, the two sides met in Kuala Lumpur in February 2011 and were scheduled to meet again in April. The April meeting was rescheduled for June, but the June meeting was terminated early after the Philippine government deferred submission of its 'counterpart proposal' to the MILF's Comprehensive Compact. The meeting reconvened in August but was adjourned; the MILF's chief negotiator, Mohagher Iqbal, later stated that the two peace panels had 'immovable positions' which could not be reconciled.[7]

Persistent efforts by a new Malaysian facilitator to keep the peace process alive were not helped when MILF guerrillas and Philippine Army Special Forces clashed on Basilan in October, killing 19 soldiers and five MILF fighters, and displacing 8,000 villagers. However, talks resumed in Kuala Lumpur in December 2011. The outcome of this meeting was a one-page statement broadly reaffirming the two parties' commitment to move the peace process forward.

Meanwhile, in late 2010 a split occurred within the MILF, with a breakaway group, the Bangsamoro Islamic Freedom Fighters (BIFF) led by a prominent hardline military commander in the MILF's Bangsamoro Islamic Armed Forces, Ustadz Ameril Umbra Kato, rejecting further peace talks and threatening to resume fighting for Bangsamoro independence. (In 2008, following the Supreme Court's decision against the BJE, Kato had led a series of raids against non-Muslim communities in central Mindanao.) Umbra Kato was subsequently expelled from the MILF, but the split has been seen as a significant threat to the peace process.[8]

Following a visit to the Philippines in 2006 by a delegation from the OIC, a tripartite review of the 1996 agreement with the MNLF commenced in Jeddah in 2007 (although Misuari, who was then still under house arrest, was unable to attend). With the leadership of the MNLF under dispute – but the OIC recognizing Misuari – these talks have been continuing, with a meeting hosted by Libya, and in December 2011 representatives from both the MNLF and the MILF attended a meeting in Jeddah, initiated by the OIC, which urged the leadership of the two groups to continue efforts at joint coordination and collaboration to achieve peace and development.

External support, through training, funding and diplomatic initiatives, much of it on the basis of personal contacts between MNLF leaders and sympathetic associates in the Middle East, Pakistan and Malaysia, undoubtedly encouraged the Moro separatists in the 1970s and put pressure on the Philippine government to seek a non-military solution to the conflict. The OIC's recognition of Misuari has also locked successive Philippine governments into continuing negotiations with the MNLF, even though, as suggested above, the MILF is now the major player on the Moro side.

Despite the many vicissitudes of the peace-making story in the southern Philippines, international mediation – and the Philippine government's willingness to accept such mediation – has also been critical in keeping the peace process alive and limiting recourse to armed conflict. Thus, while the peace process in the southern Philippines has not delivered a lasting settlement, it has seen a reduction of the conflict from the levels of the early 1970s and, apart from the brief 'all-out war' waged by President Estrada, no sustained resurgence of the conflict.

Prospects

After some 40 years, the conflict which began with the formation of the MIM and the armed insurgency of the MNLF – a conflict that might be regarded as the most recent phase of a struggle which has been going on for more than four centuries – has not been resolved. According to a Reuters report (1 April 2011) since the early 1970s some 120,000 have been killed and 2 million displaced by the conflict. Violent conflict has been largely replaced by negotiation, assisted by international mediation, but intermittent fighting still occurs, and negotiations have failed to produce a lasting settlement.

As I have argued elsewhere (for example, see May 2011) three major elements of the situation make resolution difficult. First, the changing demography of Mindanao and Sulu, beginning during the American colonial period but accelerating after World War II, has meant that areas formerly under Muslim influence have become dominated by Christian in-migrants and their descendents, and in many parts of Mindanao traditional Muslim leaders have been displaced by new political dynasties (for example, see McKenna 1998). The OIC persuaded the MNLF to modify its claim for a BangsaMoro from the 25 provinces of Mindanao, Sulu and Palawan to what are now 14 provinces of central and western Mindanao and Sulu; but of these only five retain a Muslim majority. This has repeatedly, and predictably, frustrated attempts to create an ARMM that satisfies the territorial demands of the Moro. The MILF's proposed Bangsamoro Juridical Entity attempted to overcome this problem but with Supreme Court's rejection of the MOA–AD that no longer seems to be a potential option and the territorial issue remains unresolved.

Second, while many Christians and Muslims live peacefully together, and interfaith dialogue flourishes, there is a long history of mutual distrust between the two communities, which pre-dates the colonial period. This has been reflected in several surveys which have revealed negative stereotypes of Christians held by Muslims and, more strongly, of Muslims held by Christians (see, for example, Lacar and Hunt 1972; Bulatao 1974; Filipinas Foundation 1975; Tolibas-Nuñez 1997). When, after the People Power Revolution of 1986, Misuari returned to the Philippines and toured parts of Mindanao-Sulu accompanied by a large, liberally armed, entourage, many Christian Filipinos were apprehensive and criticized President Aquino for recognizing the MNLF leader. Ten years later, there was paranoia among some Christian communities and political leaders at the prospect of their being incorporated into an enlarged SZOPAD/ARMM – especially after photographs had appeared in the national press of wrongdoers being crucified in MILF-controlled areas of Mindanao. This has made it difficult for Philippine government leaders to gain congressional, let alone poplar, acceptance of proposals to meet the demands of the Moro population.

Third, the divisions within the Moro population compound the Philippine government's problems in negotiating a settlement. The MNLF, with the backing of the OIC, argues that the task of the Philippine government is to negotiate a final agreement on the implementation of the 1976 Tripoli Agreement with the MNLF, which the 1996 agreement attempted, but failed, to do. At the same time, the Philippine government is attempting, through the mediation of the Malaysian government, to separately negotiate a settlement with the MILF, which has become the more significant actor on the Moro side. Both these tasks have been exacerbated by splits, first within the MNLF and more recently within the MILF. Moreover, since the MNLF lost control of the ARMM regional assembly in 2005, the Philippine government also faces demands from the so-called 'traditional politicians' who now control the ARMM and insist that the national government should be negotiating with the autonomous regional government.

So long as negotiations continue, a resumption of fighting on the scale seen in the 1970s is unlikely, even though localized 'incidents' may continue to occur. But as the recent history of southern Thailand suggests, if the demands of the Moro separatists cannot be accommodated, then the prospect of a resurgence of conflict, under the leadership of a new generation of frustrated Moro nationalists, cannot be ruled out.

Lessons

Given the persistent nature of the Moro conflict in the face of repeated attempts at resolution, it is difficult to see what lessons might be learned from the Philippines, at least regarding resolution of conflict.

However, if we focus on conflict reduction rather than on conflict resolution, then the southern Philippines may offer some useful lessons. The willingness of successive Philippine governments to negotiate with the separatists, and to accept the intermediation of external actors sympathetic to the separatist cause (the OIC, Libya, Indonesia and Malaysia), has helped to reduce the level of violent conflict.[9] At least since the presidency of Corazon Aquino, national governments (perhaps with the exception of the brief Estrada administration) have been willing to make concessions to Moro demands, though not to the extent of bypassing the constitutional provisions, which have been seen as limiting the national government's powers to extend Muslim autonomy beyond the ARMM without a plebiscite. Unless some creative solution can be found to the issue of territoriality – that is, the fact that the Moro demand control over an area whose population is now in large part non-Muslim – it is hard to see how the impasse can be broken. Nevertheless, the extensive violence that characterized the early conflict seems to have passed, in no small part due to the persistent efforts of those who have been attempting to pursue a negotiated settlement.

On the more negative side of the ledger, one thing that the southern Philippines case does demonstrate (along with the case of West Papua in Indonesia), however, is the problems that can arise when internal migration has the effect of marginalizing an ethnically or religiously defined cultural community within its own traditional homeland. In the twentieth century, internal migration to Mindanao was pursued at least in part as a deliberate policy to integrate Philippine Muslims into mainstream Christian-dominated Filipino society and to provide a counterweight against the spread of Islam. Philippine Muslim leaders, in consequence, saw their political authority being challenged and their culture threatened, and this was a major contributor to the tensions that built up in the 1960s and exploded in the early 1970s. The situation was substantially exacerbated by cultural insensitivities – if not downright antipathy – on the part of in-migrant settlers and successive national administrations.

During the 1970s, amnesty programs coupled with livelihood projects may have induced some Moro fighters to forsake the armed struggle, but generally measures to promote economic development as a means of winning over disaffected Muslims had limited impact, in many cases, as suggested above, being captured by non-Muslims and adding to Moro grievances. The Philippine case arguably supports the view that when combatants are divided by historically based 'primordial' antipathies attempts to resolve differences through economic development have limited positive impact, and may even prove counter-productive.

Notes

1. For a review of government policies towards Philippine Muslims see May (1997), and Gowing (1977) who documents comprehensively American colonial policies. Tan (1977) records the Philippine Muslim armed struggle from 1900 to 1972.
2. For contemporary accounts of the conflict in the 1970s see Gowing (1979); May (1981) and Che Man (1987).
3. Ramos's account of the peace process is contained in Ramos (1996).
4. 'Lost commands' is a term used to describe rogue military elements operating independently (or at least overtly independently) of the formal chain of command.
5. For an account of the negotiations between the Government and the MILF to 2007 see Jubair (2007).
6. For a discussion of the Supreme Court decision see Mastura (2008).
7. www mindanews.com/peace-process/2011/11/03/gph-milf-peace-panels-agree-to-%E2%80%9Cmove-forward-on-substantive-agenda%E2%80%9D/ (accessed 13 December 2011).
8. For accounts of recent developments see ICG (2008b, 2011).
9. For a recent comment on the role of external intervention in the Mindanao peace process see Lingga (2006).

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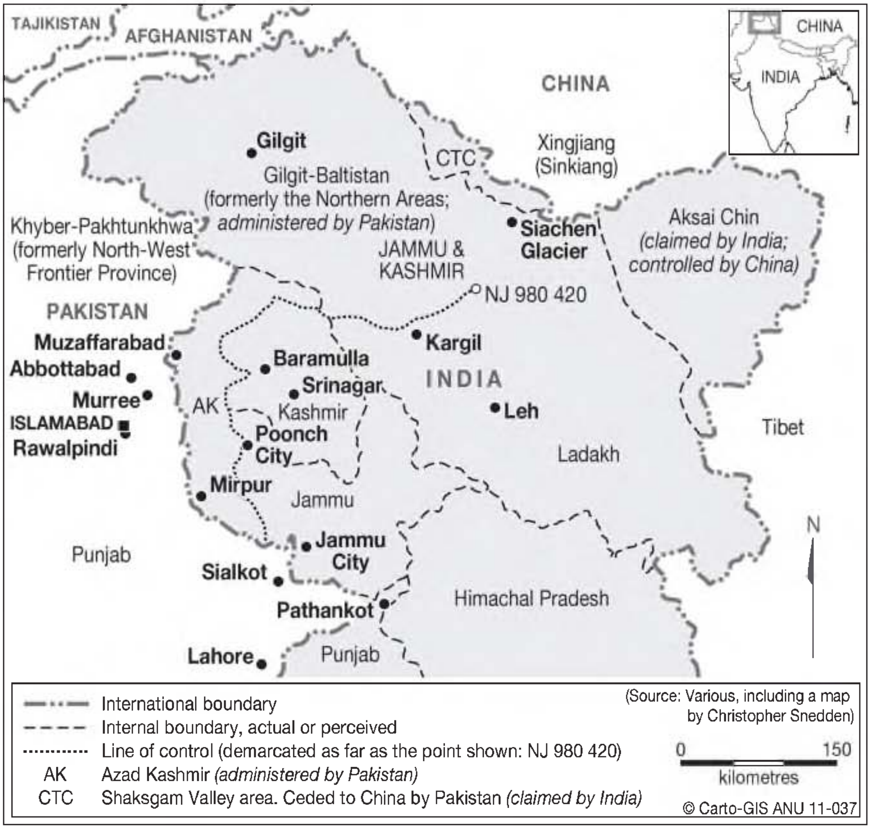
TAJIKISTAN
AFGHANISTAN
CHINA
CHINA
INDIA
Gilgit
Gilgit-Baltistan
(formerly the Northern Areas;
administered by Pakistan)
CTC
Xingjiang
(Sinkiang)
Aksai Chin
(claimed by India;
controlled by China)
Siachen
Glacier
Khyber-Pakhtunkhwa
(formerly North-West
Frontier Province)
JAMMU &
KASHMIR
NJ 980 420
PAKISTAN
Muzaffarabad
Abbottabad
Murree
ISLAMABAD
Rawalpindi
Kargil
Baramulla
Srinagar
INDIA
Leh
AK
Kashmir
Poonch
City
Ladakh
Tibet
Mirpur
Jammu
N
Punjab
Jammu
City
Sialkot
Pathankot
Himachal Pradesh
Lahore
Punjab
International boundary
Internal boundary, actual or perceived
Line of control (demarcated as far as the point shown: NJ 980 420)
AK Azad Kashmir *(administered by Pakistan)*
CTC Shaksgam Valley area. Ceded to China by Pakistan *(claimed by India)*
0
150
kilometres

(Source: Various, including a map by Christopher Snedden)

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Map 15 Kashmir

Major events: Kashmir

1947	Ruler of J&K, Maharaja Hari Singh, accedes to India
1953	Sheikh Abdullah sacked as prime minister; end of autonomy in Indian J&K
1987	Rigged elections and violence: severe Kashmiri disaffection
1988	Anti-Indian protests in Kashmir Valley; curfews imposed
1989	First violence in anti-Indian insurgency: bomb blast at Srinagar Telegraph Office (July)
1990	Violence entrenched as Muslim cleric, Mirwaiz Maulvi Farooq, assassinated; many Hindu Pandits, feeling threatened by Muslim militants, leave Kashmir Valley
1993	Pakistan starts supporting pro-Pakistan militants; All Parties Hurriyat (Freedom) Conference formed; Yasin Malik renounces violence
1999	Indian Army defeats Pakistan-sponsored ‘militants’ in Kargil area of J&K
2000	War weariness: unilateral ceasefire by Hizbul Mujahideen, then by Indian forces
2001	October attack on J&K State Assembly first major terrorist incident since ‘9/11’; December terrorist attack on Indian Parliament almost provokes India–Pakistan war
2002	(Kashmiri) People’s Democratic Party and Congress Party form coalition government
2003	India–Pakistan forces begin ceasefire on border, Line of Control and Siachen Glacier
2004	India and Pakistan begin talks on eight major items
2006	Decreasing violence: Kashmir insurgency now ‘low intensity’
2007	First firing over LOC since November 2003 ceasefire
2008	Large Kashmiri protests over attempt in May to transfer land to Hindu religious trust; December: (Kashmiri) National Conference and Congress form government coalition
2010	Stone-throwing protests in Kashmir; over 100 killed (June); New Delhi appointees hold ‘sustained uninterrupted dialogue’ in Kashmir (October)

15 Kashmir

Placating frustrated people

Christopher Snedden

India and Pakistan have long dominated the dispute over the international status of the former princely state of Jammu and Kashmir (J&K, or ‘Kashmir’).[1] However, not all of the people of this Muslim-majority entity have accepted their subservient position, nor the international status foisted on them. In particular, highly disenchanted Muslims in the Kashmir Valley region of Indian-controlled J&K have been staging an anti-Indian uprising since July 1988. This uprising arose – and continues – due to Kashmiris’ severe disenchantment with how India has treated them and their region since 1947. Kashmiris comprise J&K’s most homogeneous ethnic group. They consider that they have a distinctive Kashmiri identity, which includes religious tolerance and a strong sense of being mistreated Muslims. Politically and numerically, Kashmiris dominate Indian J&K (comprising Jammu, Ladakh and the Kashmir Valley). With significant Muslim minorities also in Jammu and Ladakh, Indian J&K is India’s only Muslim-majority state. Much to the chagrin of non-Kashmiris, New Delhi has focused its attention on the Kashmir Valley, chiefly to appease Kashmiri Muslims. New Delhi has done so because having a Muslim-majority state in the Indian Union confirms India’s pluralism and secularism and rebuts the Partition ‘fallacy’ that saw British India divided on the basis of religion into Islamic Pakistan and secular India. (Conversely, because Muslim-majority J&K did not join Pakistan in 1947, as Pakistanis expected would happen, Islamabad feels free to meddle in Indian J&K.) Partly to mollify Kashmiri Muslims, New Delhi promised significant autonomy to J&K when accepting Maharaja Hari Singh’s accession in October 1947. Certainly some Kashmiris – particularly their popular, influential and secular Muslim leader, Sheikh Abdullah, who, without the option of independence, favoured J&K joining India not Pakistan – believed that the maharaja’s accession only entitled India to control J&K’s foreign affairs, defence and communications. Otherwise, J&K was autonomous. In 1949, Article 370 was added to the Indian Constitution supposedly to confirm J&K’s ‘special status’. India has ignored this status. Indeed, it has never allowed Indian J&K to have real autonomy.

New Delhi had – and still has – a poor understanding of, and little genuine empathy with, the isolated (literally and figuratively) and different Kashmir Valley. Furthermore, many Indians have long-held and deep suspicions about Indian Muslims’ loyalties, including the loyalty of Kashmiri Muslims. Such distrust has meant that all leaders of Indian J&K, who, because of Kashmiris' numerical superiority, have always been Muslims, must be excessively pro-India to survive politically. Equally, after the independently minded Abdullah was sacked in 1953, India fully integrated Indian J&K into the Union. This has been a difficult task. Apart from Indian insensitivity and ineptitude, Muslim Kashmiris have been reticent Indians because hardline Hindu forces have become increasingly powerful in this supposedly secular nation. Increasingly, Kashmiris' disenchantment with India has been couched in Islamic terms, with Muslim Kashmiris claiming that they are irreconcilably different from most Indians. Indeed, some Kashmiris claim to have never been Indians, nor do they want to be Indians. This does not necessarily mean that they want to join Pakistan, which they consider is helping anti-Indian militants because it wants to obtain the Kashmir Valley or to cause India problems – not because of any great Islamic or humanitarian concerns. Consequently, many Kashmiris now want independence from both nations. Ironically, however, the only point in the entire Kashmir dispute about which India and Pakistan agree is that neither J&K, nor any part of it, can become independent.

In 1988, disenchanted Kashmiris began their ethno-nationalist, anti-Indian insurgency. It has gone through five reasonably distinct phases. In a euphoric first phase (1988–1993), Kashmiri-led militants were in control, Indian forces were rattled and Kashmiris believed they would soon obtain either *azadi* (independence) or union with Islamic Pakistan. During phase 2 (1993–1999), the Kashmiris recognized India's enormous resolve to defeat the militancy and that Pakistan's assistance was not totally altruistic. Phase 3 (1999–2003) involved the commencement of dialogue, partly due to the onset of war weariness and exhaustion among Kashmiris. Phase 4 (2004 to mid-2007) saw further talks and signs that the anti-Indian uprising in the Kashmir Valley was weakening. Since phase 5 began around mid-2007, significant uncertainty has arisen about whether this insurgency is diminishing. Despite elections in 2008 that resulted in the election of a pro-Indian government, disenchanted Kashmiris have engaged in significant protests, with these most recently involving numerous stone throwing incidents, possibly inspired by the Palestinian *intifada*. The (hated) Indian security forces responded with curfews and by killing over 100 Kashmiris. Equally, India seemed to have little idea how to placate the disenchanted stone throwers – or Kashmiris in general. Kashmiris' vehemence shows that they are severely alienated. They harbour deep, ongoing and unresolved disenchantment with India. The Kashmiris' anti-Indian insurgency is not a diminishing conflict; rather it has entered a different, difficult and uncertain phase.

Background: A conflict provoked by major frustrations

On 1 January 1949, a United Nations-brokered ceasefire ended fighting between Indian and Pakistan forces in, and over, J&K. Since then, the people of J&K have effectively been separated into Indian-controlled J&K and Pakistan-administered J&K. Although the maharaja of J&K acceded to India on 26 October 1947, New

Delhi controls only three of J&K's five regions: Jammu, the Kashmir Valley, and Ladakh. Pakistan 'administers' the other two areas – Azad (Free) Jammu and Kashmir (popularly known as Azad Kashmir) and Gilgit-Baltistan (formerly the Northern Areas) – until a United Nations-supervised plebiscite is held to enable the people of J&K to determine whether 'their' state, in its entirety, should join India or Pakistan.[2] Today, the people of J&K only have three factors in common: a shared, but distant, history of subservience to former autocratic J&K maharajas; the ongoing division of J&K; and subservient relations to their respective – and invariably paternal – metropolitan powers. Each region is well integrated into, and dependent upon, its dominant state. Jammu and Ladakh are happy being with India; Azad Kashmir and Gilgit-Baltistan generally appear satisfied with Pakistan. Since 1987, the Kashmir Valley has been the one region obviously disenchanted with its place within a larger state.

Homogeneity, tolerance, prestige

Around 140 km long and 35 km wide, the geographical entity known as the Kashmir Valley is located roughly at the centre of J&K. Unlike other areas of J&K, which are more ethnically and religiously diverse, ethnic Kashmiris comprise the vast majority of the Valley's residents.[3] Over 95 per cent of Kashmiris are Muslims with significant ethnic and religious homogeneity, including generally practising broad religious tolerance (which, since the uprising, has been called Kashmiriyat, or Kashmiriness). A small, but influential, Hindu Pandit community from which some past Indian prime ministers claim descent (Jawaharlal Nehru, Indira Gandhi, Rajiv Gandhi)[4] comprised a 5 per cent minority until about 1990, when militants and/or the Indian governor, Jagmohan Malhotra, 'encouraged' most Pandits to flee.[5] (They have not yet returned and are a forgotten element of this uprising. Equally, many Muslim Kashmiris feel that Kashmir is incomplete without Hindu Pandits.) The Kashmir Valley has always been the 'prize' for India and Pakistan in their dispute over J&K. Its prestige has arisen partly because Mughal emperors, particularly Jehangir, considered Kashmir to be 'paradise on earth', thus instigating a lucrative, and ongoing, tourist trade. Such prestige also resulted in the former princely state simply being called 'Kashmir'. The Kashmir Valley is the most populous of J&K's five regions. Its politicians dominated J&K politics in 1947, and they have continued to do so ever since in Indian J&K, with the less populous Jammuites and Ladakhis unable to obtain legislative power singly or in combination.

Administrative and economic issues

Disenchanted Muslim Kashmiris have mounted an anti-Indian uprising since 1988. Their desire has been to rid their region of Indian control. Some want Kashmir to join Islamic Pakistan; many (probably most) want independence from both India and Pakistan. Kashmiris are disenchanted for many reasons, including increasingly oppressive administrative and economic control forced on them by

India, with the help of pliant local politicians. Since Sheikh Abdullah's political demise in 1953 (with his fall being a result of his advocacy of greater autonomy, even independence, for J&K), New Delhi has increasingly imposed its bureaucratic and legal offices, and officers, on the state, to the local Muslims' detriment. This process has involved sending Indian Administrative Service officers to populate, and dominate, the Indian J&K cadre, making the Indian Supreme Court the highest court of appeal, and eroding Indian J&K's special status supposedly guaranteed by the Indian Constitution. Now, Indian J&K is 'just another Indian state'. Economically, the Kashmir Valley is relatively under-developed, with a major industry, tourism, dependant on tourist access via India, while a major asset, water for hydroelectricity, is exploited largely for India's benefit. A further issue is access to markets. The Kashmir Valley's major imports (food staples) and exports (handicrafts, fruit) accrue additional costs by traversing longer, more difficult, weather-prone roads southwards through Jammu to Indian markets. Before 1947, such goods went via the shorter, easier, all-weather route from Srinagar, via Murree, to the Rawalpindi railhead; Karachi was the traditional port for J&K. Finally, the Kashmir Valley is isolated from metropolitan India, particularly in winter when severe cold weather and snows regularly block air and/or road access to Jammu. Most Indians have little understanding of this isolation – or the difficulties and frustration that result from it.

Political disenchantment

Kashmiris' greatest disenchantment with India has been political. Electorally, Indian J&K has fared poorly. Of the eight elections held in the state between 1951 and 1987, all except one (1977) was 'manipulated', that is, rigged, by the entrenched ruling party, the National Conference, or variations thereof. Invariably, New Delhi encouraged or condoned these manipulations. Methods used to rig elections included: intimidating and/or disenfranchising candidates before nominating and/or during campaigning; intimidating or enticing voters not to vote, or to vote a certain way; capturing polling stations to prevent voting; stuffing completed voting slips in ballot boxes; manipulating counting; falsifying results. Some Kashmiris also are disenchanted because democratic India has never allowed the proposed United Nations' plebiscite to be conducted. (Ironically, Pakistan has often been keen to have this poll held, even during periods of non-democratic military rule.) They also dislike Indian J&K chief ministers having to be obsequiously pro-Indian in order to survive politically.

The rigged March 1987 elections were the final indignity for Kashmiris. India's prime minister, Rajiv Gandhi, and his local ally, Farooq Abdullah,[6] agreed on an electoral 'deal' in which Abdullah's National Conference 'won' 40 of the 76 contestable seats, while Gandhi's Congress (I) 'won' 26 seats. This minimized the electoral success of the (Kashmiri) Muslim United Front (MUF), a coalition of Islamic organizations that had expected to win some ten seats contesting as independents. Despite receiving 35 per cent of the vote, independents won only eight seats, of which the MUF received five. This 'denial of democracy' (T. Singh

1995: 99), plus repression during the election campaign, especially of MUF candidates, induced a cataclysmic change in people's attitudes in relation to how to deal with India. Believing they were disenfranchised, bitter Kashmiri youth – many of whom were educated, unemployed and available – took up arms to try and liberate their region from Indian control. They crossed the porous Line of Control (LOC) that divides J&K and went to Azad Kashmir,[7] where the Pakistan Army's Directorate of Inter-Services Intelligence (ISI) provided sanctuary, support, training, arms and ammunition. The ISI's policy furthered General Zia's invocation of Islam to cause 'Hindu' India problems wherever possible, including via proxy war, in which Sikhs in (Indian) Punjab were then engaged. Pakistani support also added an important international dimension that helped sustain, and prolong, the insurgency. After February 1989, Pakistan also 'encouraged' battle-hardened *mujahideen* empowered from successfully defeating the USSR in Afghanistan to join Kashmiris in their fight against 'Hindu' India. Due to their virulent Islam and strong pro-Pakistan stances, these foreign militants challenged many of Kashmiris' values.

The conflict: Five stages

The beginning of the conflict: Surprise

From 1988, disenchanted Kashmiri youth returned to the Kashmir Valley. Initially led by Kashmiri members of the Jammu Kashmir Liberation Front (JKLF), they instigated a campaign to force India to leave. Unrest began with anti-Indian protests and subsequent curfews. In July 1989, the campaign became violent when a bomb was detonated at the Srinagar Telegraph Office. This 'sudden eruption of violence' was surprising (Abbas 1990: 64), because many considered Kashmiris to be non-martial pacifists resigned to being with India and ambivalent about joining Pakistan. Equally, the youthful Kashmiris' use of violence suggested a generational change in attitudes and actions. In January 1990, direct rule by the state's governor replaced democratic rule in Indian J&K. (Participatory democracy returned in 2002.) In May 1990, unknown assailants assassinated Kashmir's leading Muslim cleric, Mirwaiz Maulvi Farooq. At his funeral, nervous Indian security forces fired on 200,000 mourners and killed over 20 of them. The use of violence by both sides had become entrenched.

Phase 1 (1988–1993): Euphoria

The anti-Indian uprising in the Kashmir Valley has gone through five phases during which Kashmiris have had different experiences and aspirations. Initially, from 1988–1993, many Kashmiris had great hope and optimism – indeed, a euphoric expectation – that their popular and initially successful antiIndian struggle would quickly succeed. The militants' cause received popular and financial support from eager Kashmiris who could taste their freedom from unpopular India. The Indians seemed rattled by the scale and intensity of their enemy, who operated with considerable local support and impunity. Equally, insufficient Indian forces were trained for major counterinsurgency operations. Few spoke Kashmiri, or could relate to Kashmiris. They were enforcers in a foreign place.

Phase 2 (1993–1999): Realization of India's power and resilience and of Pakistan's motives

Reality for Kashmiris came during 1993–1999. India had regrouped and inserted massive paramilitary forces into the Kashmir Valley suggesting it would neither leave quickly, nor be easily defeated. Pakistan claims India deployed some 300,000 forces to suppress and repress the already-oppressed Kashmiris.[8] Under legislation such as 'The Armed Forces (J&K) Special Powers Act, 1990', India's forces utilized draconian search-and-arrest powers to re-establish law and order – and to coerce, repress and sometimes torture people. Significant numbers of young men simply disappeared; perhaps as many as 10 per cent of Kashmiris experienced torture. Equally, from about 1993, many Kashmiris realized that Pakistan, which increasingly was arming and supporting only pro-Pakistan militant groups, was more interested in Kashmiris' land than their welfare. Concurrently, Yasin Malik, popular leader of the independence-seeking JKLF, renounced the use of violence. Thereafter, peaceful protest was increasingly used in Indian J&K. Some 26 Kashmiri groups formed the All Parties Hurriyat (Freedom) Conference (APHC), in an attempt to present a unified front. Many APHC members favoured *azadi*; some favoured joining Pakistan.

Overall, the Kashmiris' post-1993 actions confirmed a realization of their military, diplomatic and political inferiority to India and its coercive power. Kashmiris understood India's determination not to allow a religious struggle to win in a secular state, nor to lose any territory, partly because of a fear (unfounded) that this might cause India to unravel. Kashmiris also realized their isolation, geographically and politically. Their struggle drew little direct support from any nation apart from Pakistan. Increasingly, support was on Islamabad's terms.

Phase 3 (1999–2003): Exhaustion sets in; dialogue commences

This phase involved the commencement of dialogue, partly due to the onset of war weariness and exhaustion among Kashmiris in what was increasingly becoming a stalemate. By 1999, the uprising partly was being sustained by people's often corrupt ability to make money from it: militants, from fighting for the Pakistan military and/or from extorting Kashmiris; Indian forces, possibly from payments to allow insurgents to cross the LOC or to release captured militants; Kashmiri traders, from the large Indian forces' presence. More importantly, war weariness and the unlikelihood of victory increasingly induced hankerings for peace and normalcy among Kashmiris. Consequently, some non-Kashmiri militants tried (unsuccessfully) to communalize the insurgency by provocatively attacking some rural Pandits, Kashmiri Sikhs and Hindus in remote parts of Jammu.

However, many Kashmiris also were exhausted: from the ongoing violence caused by militants and India's paramilitary; by over 30,000 militancy-related deaths; by economic dislocation and social hardship. Psychological disease resulting from violence had increased exponentially, with Kashmiri women particularly often-silent sufferers trying to cope with family trauma. The Indian military's resolve in 1999 to defeat pro-Pakistan 'militants' on the LOC in the Kargil area of J&K further reinforced perceptions of India's will to win and Pakistani opportunism. Equally, by 1999, Kashmiris had lost control of 'their' uprising to foreign militants, mainly Pakistanis. Importantly, after the September 11 attacks in the United States and the instigation of the United States-led 'War on Terror' in 2001, India's situation in J&K was boosted when militant/insurgent 'freedom fighters' were re-branded as internationally unacceptable 'terrorists' – as was Pakistan's support for them. In 2000, in a sign that the militancy was not achieving its aims, a leading Kashmiri militant group, Hizbul Mujahideen, declared a unilateral ceasefire. Indian forces soon followed. In 2001, the APHC called for a 'comprehensive ceasefire by all parties'. Possibly motivated by the positive anti-terrorism mood internationally, India attempted to start a separate dialogue with the APHC. Soon after, India and Pakistan (again) engaged in discussions about resolving J&K's international status.

A turning point: Talks

A major turning point occurred in late 2003 when dialogue for peace replaced talk of war. In 2002, India and Pakistan had almost gone to war over a terrorist attack in December 2001 on the Indian Parliament, for which New Delhi believed Islamabad was responsible.[9] Cooler heads prevailed and, in November 2003, Indian and Pakistani forces importantly implemented a formal ceasefire along the India–Pakistan border, the LOC and on Siachen Glacier (in northeast J&K where there was no LOC and on which India and Pakistan had stationed troops since the early 1980s in order to seek strategic advantage). This was extended in August 2005. In this better diplomatic–military climate, infiltration of militants into Indian J&K from Pakistan-administered J&K decreased. In January 2004, India and Pakistan began their groundbreaking Composite Dialogue on eight issues, most of which related to J&K.[10]

Meanwhile, in October 2002, a new government had been elected in Indian J&K in reasonably free and fair democratic elections. For the first time, a coalition comprising the (Kashmiri) People's Democratic Party and the (Indian) Congress sidelined the National Conference. This coalition ruled effectively and, for a change, with little interference from New Delhi. It was helped because Congress was involved in power nationally; equally, the two chief ministers for three years each, Mufti Mohammad Sayeed and Ghulam Nabi Azad, had considerable local and national standing. Due to the new Indian J&K government's more conciliatory approach, the insurgency lost further impetus, with some militants surrendering to Indian forces. New Delhi's talks from early 2003 with APHC members who were not pro-Pakistan also helped.

Phase 4 (2004 to mid-2007): Further talks; suggestions of a diminishing conflict

This phase involved talks, and more talks. These and some other activities suggested the Kashmir insurgency was a diminishing conflict. By 2004, India–Pakistan relations had improved significantly. Thereafter, both nations completed three rounds of their Composite Dialogue, during which Pakistan's position on Kashmir softened. Indeed, in December 2006, General Pervez Musharraf proposed an extraordinary 'out of the box' four-point solution to resolving the Kashmir dispute which, if agreed to by India, Pakistan would have renounced its claim to Kashmir. Rightfully, India needed clarification about Musharraf's offer, including what he specifically meant by 'Kashmir'.[11] Nevertheless, India and Pakistan agreed that cross-LOC bus services and trade should begin, with the first of a regular (and ongoing) Srinagar-Muzaffarabad bus service commencing in April 2005. In May 2006, New Delhi engaged Kashmiri leaders in a conference in Srinagar. Five working groups were established to report on confidence-building measures, strengthening cross-LOC relations, economic development, good governance, and the state's special status in the Indian Union. The last working group did not report on this contentious issue, the resolution of which might have placated frustrated Kashmiris. This inability suggests that senior Indians either did not know or did not agree on how to resolve this contentious issue.

By late 2007, the insurgency in the Kashmir Valley was becoming a 'low-intensity conflict' or 'violent peace'. Total deaths per annum had decreased from 4,500 in 2001 (the peak year) to 777 in 2007.[12] Cases of cross-LOC infiltration were down from 2,400 in 2001 (peak year) to 499 in 2007. Militant incidents involving violence (explosions, arsons, abductions, robberies/extortion, intergroup violence, other activities) against Indian security forces or 'others' were down from 2,900 in 2000 to 1,050 in 2007. Tourism had increased, with 550,000 visitors in 2005, up from 300,000 in 2004. The situation had improved so much that India made a symbolic gesture in February 2006: it withdrew 5,000 soldiers. A further factor that encouraged normalcy, and decency, was the November 2005 earthquake in the region – although unlike the 2004 Aceh tsunami that sobered adversaries, this chance event did not help to resolve troubles in Kashmir. This was because its impact was more devastating in insurgency-free Azad Kashmir (75,000 deaths) than in the Kashmir Valley (1,500 deaths). Well-organized militants in Azad Kashmir operating from, as India saw it, 22 training camps undertook excellent rescue work. Another 30 militant camps apparently existed in Gilgit-Baltistan and Pakistan. Militants receiving sanctuary in Pakistan-administered J&K therefore were available to re-activate this diminishing conflict, if and when required.

Phase 5 (from mid-2007 to date): A new, different and difficult phase

From late 2007, some matters impacted negatively on attempts to end the insurgency. India–Pakistan relations worsened as a politically weakened Musharraf and an inflexible India stalled the fourth round of their Composite Dialogue.

Concurrently, levels of violence in the Kashmir Valley and cross-LOC infiltration started to increase, while the 2003 ceasefire between Indian and Pakistani forces faltered. A frustrated Pakistan may have been responding to perceived Indian involvement fomenting unrest in Baluchistan and/or Taliban elements in Khyber Pakhtunkhwa.[13] Nevertheless, India's counterinsurgency campaign continued to be successful, with a 40 per cent decline in militancy-related violence in 2008, although 700–800 militants were still active in the Kashmir Valley.

Early in this phase, two events suggested that the Kashmiri uprising was a diminishing conflict. In late 2008, elections were held to the 87-seat Indian J&K Legislative Assembly. The APHC boycotted these, which may have weakened its support. Nevertheless, despite severe cold weather, voter turnout was 60.5 per cent, suggesting the elections were genuine. The National Conference (28 seats) and the Congress Party (17 seats), which led India's coalition government, formed a coalition government, thus re-creating their 1987 pact. However, in a generational change, the new chief minister, Omar Abdullah, is the youngest person ever to hold this position in Indian J&K. While Kashmiris elected pro-Indian parties, the election was more about wanting better services and development, which the growing Indian economy might provide, than about J&K's international status. Nevertheless, apart from facing a strong opposition, the government confronted a major economic issue: to reduce unemployment – the state has a significant oversupply of labour – by creating meaningful, ongoing, non governmental jobs. Per capita incomes had also fallen behind those of Indians in the last ten years.

The second event was that Lashkar-e-Taiba, a major anti-Indian militant group, stated in January 2009 that it would end activities in Kashmir in return for international intervention on the Kashmir dispute – an unlikely prospect given India's stance of no third-party involvement. Lashkar's statement suggested that Pakistani authorities, reacting to continued international pressure and United Nations' sanctions, were attempting to control this group. Following the extended downturn in India–Pakistan relations after the '26/11' event (when, on 26 November 2008 terrorists – almost certainly Lashkar-e-Taiba operatives from Pakistan – engaged in a series of attacks across Mumbai that killed over 170 people and wounded over 300) Lashkar-e-Taiba and other militant groups have again been active in Azad Kashmir and Indian J&K.

Conversely, two events show that Kashmiris harbour deep – and abiding – dislike for India. In May 2008, the Indian J&K Government attempted to transfer 99 acres of land located close to the Kashmir Valley to the (Hindu) Shri Amarnath Shrine Board. Muslim Kashmiris, incensed by this perceived threat to Islam, engaged in massive popular protests and again called for *azadi*. Nervous authorities used excessive force, detentions and curfews to subdue Kashmiris' outrage. Soon after, Hindus in Jammu, equally upset by the transfer's failure and government pandering to Muslim sentiments, imposed a difficult economic blockade on the Valley. This exacerbated the situation and added a nasty communal aspect. The government's attempt to transfer this land was inept, as were its attempts to deal with Kashmiris' nonviolent protests. However, the size and intensity of these protests in 2008 showed that Kashmiris disliked being manipulated by pro-Indians and/or non-Muslims.

The second, and more serious, event was the widespread stone throwing directed against Indian security forces in the Kashmir Valley from mid-2010. (The warmer summer months are popular with protesters.) Under government orders, security forces (over)reacted with unpopular curfews, tear gas and heavy force, killing over 100 Kashmiris, all of which exacerbated the situation – and Kashmiris' frustrations. Their protests were significant. First, they were largely spontaneous and uncoordinated, although popular leaders, such as the pro-Pakistani, Syed Ali Shah Geelani, regularly called for action to which some Kashmiris responded. Second, stone throwers represented a cross-section of Kashmiri society, mainly male – not just unemployed, Pakistan-sponsored youth. They often organized electronically via Facebook, Twitter and YouTube, although not SMS, which authorities suppressed. Third, the protests confirmed the Kashmiris' 'anger with New Delhi's political dillydallying and iron fist policy in tackling the "Kashmir issue"'(Cochrane 2010). 'Go India Go' was a common (albeit ambiguous) protest. Many queried the continuing Indian presence – 30,000 paramilitary in Srinagar alone, plus barbed wire, bunkers, armed patrols, and so on – in a region supposedly returning to normal (Thottam 2010).

Devoid of a stone-throwing leader with whom to negotiate and with economic development no longer a panacea, India's seemingly helpless prime minister, Dr Manmohan Singh, offered nothing new, appealing, or incisive: 'I cannot say that a complex problem that has defied resolution for 63 years can be solved easily or quickly' (M. Singh 2010). He confirmed his indecisiveness by establishing a three-member group of low-level interlocutors 'to hold a "sustained uninterrupted dialogue" with all shades of opinion in J&K including the separatists' (*Hindustan Times* 2010).[14] This suggested that New Delhi realized that it knew little about Kashmiris and their frustrations and/or that it was stalling for time because it had little idea how to alleviate Kashmiris' grievances.

Significantly, the Kashmiris' protests showed that younger Kashmiris, many of whom have known nothing but militancy, now share their elders' levels of disenchantment, cynicism and experience – and desire for *azadi*. While they probably won't instigate another armed anti-Indian uprising, their disenchantment will likely resurface when warmer, stone-throwing weather returns, unless New Delhi does something radical to resolve their grievances. The Kashmiris' anti-Indian insurgency has entered a new, different and difficult phase.

Prospects

Until 2010, the Kashmiris' anti-Indian insurgency appeared to be a diminishing conflict. Levels of violence, deaths and cross-LOC infiltration of militants had decreased significantly, with the insurgents' traditional supporter, Pakistan, under strong international pressure to not support terrorists and heavily distracted dealing with its own internal problems, especially rampant Taliban. The conclusive 2008 elections in Indian J&K suggested that many war-weary Kashmiris wanted peace, stability and normalcy, and to get on with their lives. However, neither a new government nor the promise of better economic conditions appeased them. The Amarnath incident in 2008, while a one-off response to government ineptness, showed that Kashmiris were still volatile. Their vehement protests in 2010 confirmed that they have deep and simmering disenchantment with India and a strong desire for *azadi*.

On balance, therefore, the Kashmir situation is not a diminishing conflict. Even though direct support for it has waned, the anti-Indian insurgency still has significant ‘sting’. A severe downturn in India–Pakistan relations could see Islamabad try to re-instigate unrest in Indian J&K in order to distract Indian forces. Equally, further maladministration by the Indian J&K Government and/or Indian meddling would provoke more anti-Indian protests and agitations among clearly – and deeply – disenchanted Kashmiris. Their alienation is the root cause of the problem. With a life expectancy of about 70 years, most Kashmiris know nothing but the Kashmir dispute, now 63 years old. Significantly, many young Kashmiris know nothing but the anti-Indian insurgency. The great challenge for India is to successfully satisfy Kashmiris’ aspirations and keep them engaged with the Indian Union.

Lessons

A major reason for the Kashmir insurgency occurring is because J&K’s international status has never been finally resolved. In 1947, as a result of the maharaja’s accession to India and without any consultation, Kashmiris became Indians. Pakistan disputed this accession, with the result that J&K’s international status has been unresolved ever since. Consequently, India has felt the need to use coercion to ensure the Kashmiris’ loyalty and Indian status. Kashmiris – and the rest of the people of J&K – would benefit by being consulted on what international status they actually desire for their lands. Kashmiris may then obtain some sense of ownership of the process of determining J&K’s – and their own – international status, some sense of satisfaction with whatever status eventuates, and a diminished need to protest. Indeed, the Kashmir Valley could then become a bridge between India and Pakistan, rather than a diabolical obstacle.

Related to the previous point, India and Pakistan need to resolve their various differences effectively and permanently because, as things currently stand, Kashmiris are both a pawn and a player in this dark, unresolved ‘space’. Both nations have an entrenched practice of trying to diminish the other. For Pakistan, India is interfering in Baluchistan and Khyber Pakhtunkhwa. For India, Pakistan continues to fuel the Kashmir insurgency (New Delhi (falsely) accused Islamabad of inciting the 2010 protests), as well as meddling in India’s northeastern states and being responsible for terrible terrorist incidents, such as in Mumbai. Cross-LOC support has certainly enabled Kashmiris to sustain their anti-Indian uprising. (Without a contiguous neighbour prepared to provide sanctuary and armed support, it is difficult to sustain any insurgency.) However, if India–Pakistan relations were normal, both nations would have nothing to fear in J&K and nothing to gain by destabilizing the other there, or elsewhere. Equally, Kashmiris would be less disgruntled, while they could not try to play one nation off against the other.

With India–Pakistan relations unlikely to improve any time soon, India's situation in J&K would benefit by devolving real autonomy to Kashmiris. The former princely state of Jammu and Kashmir is exceptional: it is the only area of pre-Partition India whose international status is still in dispute between India and Pakistan.[15] Even though people in Indian J&K supposedly are legally Indian because the maharaja acceded to India in 1947 – plus by inclination in Jammu and Ladakh – the Kashmir insurgency has been about Kashmiris disputing their status as Indians.[16] Since 1947, India has acted in a paternal, manipulative and often unhelpful way towards 'its' Kashmiri citizens. One simple way to partially, but fairly substantially, satisfy the Kashmiris' desire would be to grant genuine autonomy to Indian J&K. This could easily be done by fully reinstituting Article 370 of the Indian Constitution. New Delhi then would only control foreign affairs, defence, communications and currency for Indian J&K. (Conversely, this may displease Jammuites and Ladakhis who want full integration into the Indian Union. This difficult political situation could be resolved by the political break up of Indian J&K into its three component regions. Few politicians, either in Indian J&K or India, seem ready to attempt such a fractious trifurcation.) Similarly, Kashmiris may be more responsive to India if New Delhi stopped meddling in Indian J&K, if it stopped alienating Kashmiris by the heavy-handed use of force, and if it applied the rule of law equally to all parties present in Indian J&K, including paramilitary forces. Kashmiris' human rights deserve to be fully respected.

Notes

1. Because of the Kashmir Valley's fame, the entire princely state of Jammu and Kashmir was popularly called 'Kashmir', and its people 'Kashmiris'. As used in this chapter, 'Kashmir' refers to the Kashmir Valley, while 'Kashmiris' are its ethnic residents. Even so, when talking about India and Pakistan's dispute over J&K, most people, and this chapter, call this 'the Kashmir dispute'. This dispute is outside the scope of this chapter.
2. In August 2009, Pakistan renamed the Northern Areas 'Gilgit-Baltistan'.
3. Some Azad Kashmiris also call themselves 'Kashmiris' due to their association with the former princely state of 'Kashmir' or due to their region's name. Most are not ethnic Kashmiris.
4. Nehru's Pandit ancestry caused him to have an extraordinary emotional attachment to Kashmir that resulted in some irrationality about his decisions concerning J&K.
5. Most now live as internally displaced persons in Jammu and around Delhi. Equally, since 1988, many Muslim Kashmiris, particularly traders, have sent offspring to India or overseas.
6. Farooq Abdullah is the son of Sheikh Abdullah and the father of the latest Chief Minister of Indian J&K, Omar Abdullah.
7. The Line of Control has since become far more heavily fortified, fenced and patrolled than it was in 1987.
8. While the number of Indian forces was substantial, a figure of 300,000 would include some regular Indian Army personnel in Indian J&K not directly involved in counter-insurgency operations.

9 Previously, on 1 October 2001, suicide bombers had attacked the J&K State Assembly in Srinagar and killed 40 people. This was the first major ‘terrorist’ incident after the ‘9/11’ attacks in the United States in 2001.

10 Seven items in the India–Pakistan Composite Dialogue directly or indirectly relate to J&K: peace and security, including confidence building measures; the Kashmir dispute; Siachen Glacier; Wullar Barrage/Tulbul Navigation project (in the Kashmir Valley); terrorism and drug-trafficking; economic and commercial cooperation; and promotion of friendly exchanges. The other issue is Sir Creek, on the India–Pakistan coastline.

11 General Musharraf’s four points were: no change to the current boundaries; to make the borders and the LOC irrelevant; a staggered demilitarization; and, autonomy or self-governance with a joint supervision mechanism. It was not clear, however, if this autonomy and supervision related to all of J&K, or to the Kashmir Valley, or to some other unspecified area. But, if India had been prepared to accept Musharraf’s solution, then Pakistan was apparently prepared to renounce its claim to Kashmir.

12 All figures in this paragraph from various areas within the South Asia Terrorism Portal, available at: http://satp.org (accessed 27 November 2011).

13 Formerly North-West Frontier Province.

14 The three appointees were Dileep Padgaonkar, a journalist; Professor M.M. Ansari, Central Information Commissioner; and Professor Radha Kumar, Delhi Policy Group.

15 India is also in dispute with China over other areas that India claims were part of the former princely state of Jammu and Kashmir: Aksai Chin; the Shaksgam Valley, which Pakistan ceded to China in 1963.

16 People in Azad Kashmir and the Northern Areas also are not yet officially Pakistanis, although many are by inclination.

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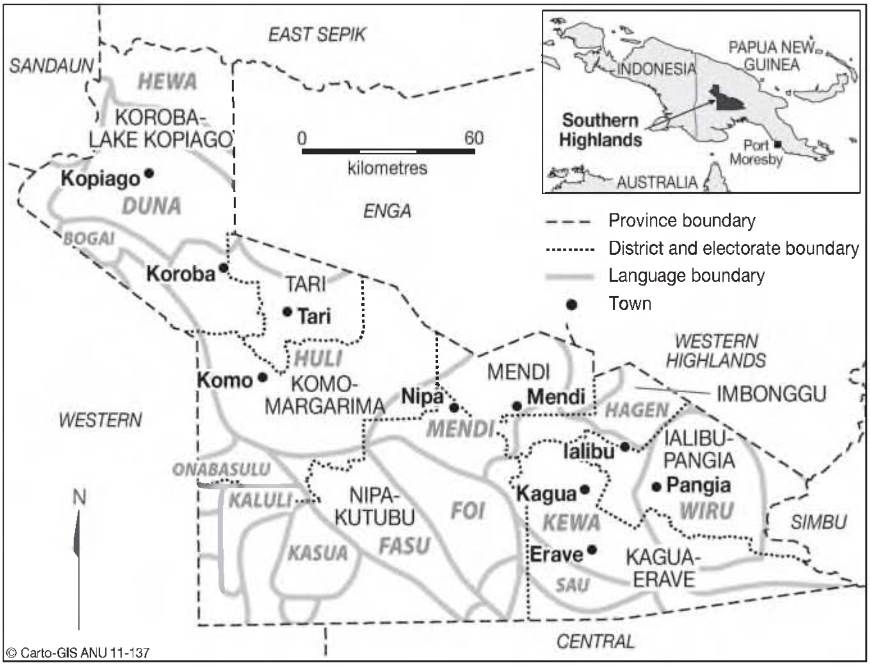
EAST SEPIK
SANDAUN
HEWA
KOROBA-LAKE KOPIAGO
0
60
kilometres
PAPUA NEW GUINEA
INDONESIA
Southern Highlands
Port Moresby
AUSTRALIA
Kopiago
DUNA
BOGAI
ENGA
Province boundary
District and electorate boundary
Language boundary
Town
Koroba
TARI
Tari
HULI
Komo
KOMO-MARGARIMA
Nipa
MENDI
Mendi
MENDI
WESTERN HIGHLANDS
IMBONGGU
HAGEN
IALIBU-PANGIA
Ialibu
Pangia
WIRU
SIMBU
WESTERN
ONABASULU
KALULI
NIPA-KUTUBU
FOI
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Map 16 Southern Highlands, Papua New Guinea

Major events: Southern Highlands

1930s	First European patrols into Southern Highlands Province (SHP), Papua New Guinea (PNG)
1950s	PNG government patrols into SHP; province brought under government control; most indigenous ritual activity ceases
1960–70s	Significant male out-migration through Highlands Labour Scheme
1974	Notice of motion filed by Wabiria (23 September), in House of Assembly, calling for separate district for Huli, Duna and Hewa
1975	PNG gains Independence (16 September)
1987–89	Mt Kare gold rush
1997	National elections mid-year; SHP governor Mune loses to Agiru; Mune challenges result through Court of Disputed Returns
1999	Mune killed in car accident; conflict between Nipa and Huli (Hela) deepens
2000	Hela leaders' petition for Hela province presented to PM Morauta; national government withdraws provincial government's powers
1999–2001	Unjamap–Wogia fight in Mendi; more than 200 deaths
2002	National general elections fail in 6 of 9 SHP electorates due to widespread violence and malpractice; government offices destroyed in Mendi, during civil unrest in December
2003	Supplementary elections held (April–May)
2006	Imposition of State of Emergency (SOE) (31 August); ad hoc Parliamentary Committee set up to investigate Hela province issue
2007	Hela province consultative committee tours region (February); Bill for Hela Province falls short by 8 votes (February); SoE declared unconstitutional (March); continued in guise of Special Police Operations; National Elections conducted (June–July)
2009	PNG LNG Project enters construction phase (December)
2010	Hela Transitional Authority Act certified (3 March); Marabe installed as chairman of Hela Transitional Authority (HTA) (12 July); Baundo appointed as CEO of HTA

16 The Southern Highlands of Papua New Guinea

Conflicts ignored

Nicole Haley

This chapter focuses on a little known but increasingly important conflict in the Asia–Pacific region: the endemic conflict in the Southern Highlands Province (SHP) of Papua New Guinea (PNG). The province is set to be home to Exxon Mobil's multi-billion dollar PNG Liquefied Natural Gas (LNG) project, the sheer scale of which dwarfs every other resource project in PNG and which is predicted to more than double PNG's GDP. Commentators have regularly noted that resource-related conflicts are common in parts of the Western Pacific, and in particular PNG's highland provinces. Many observers have suggested that conflict in the region is and has always been about 'pigs, land and women' (Banks 2008; Goldman 2003) and the relative scarcity of such supplies. Such conflict is often referred to as 'tribal'. In the contemporary context, there is indeed considerable intergroup conflict over different materials, particularly minerals, oil and gas, and the revenues these generate. Certainly resource conflict is part of the Southern Highlands story, as there are several large-scale resource-extraction projects in the province. But it is only part of the story. The recent history of violence in the province is so complex it defies simple categorization and explanation.

The Southern Highlands is an important but somewhat unusual case study that differs from the others in this collection in that it is not a diminishing conflict but a hidden, intractable and particularly multi-faceted one that has failed to receive the attention it warrants. At various times in the past decade the Southern Highlands has intermittently captured national and international attention. For example, in 2002 the PNG general elections were deemed to have failed in six of the SHP's nine electorates, due to widespread violence and electoral malpractice on a scale never before seen in PNG elections. Then in August 2006 a Declaration of National Emergency was made, leading to a 12-month national government intervention in the province. Such attention invariably fades, however, perhaps giving the impression that the situation has improved. Yet the Southern Highlands remains a province riven by conflict and armed violence, albeit one in which the causes and patterns of conflict are multiple and cross-cutting, and in which conflict continually ebbs and flows.

As this chapter explains, violence extends from domestic violence in the household to clashes between neighbouring societies. In recent times larger 'ethnic' aggregations have been mobilized to confront similar formations or the state. Much of the worst violence concerns competition for elected positions in the government, and the patronage that goes with them, or competition over sought-after natural resources. Indeed, as the state impinges through the conduct of elections or the initiation of projects to develop natural resources, the prospect grows of more extensive, long-running conflict between wider aggregations of people. As Moynihan and Glazer (1975) suggest 'ethnic conflict' often grows with the expansion of the activities of the state. The prevalence of arms, an accustomedness to violence and the ruggedness of the terrain make such expanded conflicts realistic and unpalatable possibilities. Indeed, in reading accounts of Afghanistan and the frontier areas of Pakistan (see D'Arcy, Chapter 13 in this volume), one detects surprising parallels with the Southern Highlands: extremely rugged terrain, difficult communications, small communities relatively isolated from each other but sometimes colliding violently, a prevalence of weapons and a harsh patriarchal culture. On the Afghan–Pakistan frontier, local resistance to outsiders has been waged as guerrilla warfare for hundreds of years. In the Southern Highlands, where there has been much less external intrusion, violent conflict has occurred at various close-to-home levels.

Most if not all of the factors that have been shown to contribute to a diminution of conflict in the other case studies presented in this book have limited applicability or resonance in the SHP case. The Southern Highlands story is not one of exhaustion or of ruthless suppression of conflict. Nor is it a story about a successful peace process or one about democratic gains. Despite the high levels of ongoing conflict and violence, the Southern Highlands narrative is, if anything, about conflict ignored. Outside authorities seem to hope that the violence will go away, in part because it is difficult to understand, in part because the state has contributed to the conflict but has limited capacity to resolve it. In part, state neglect has occurred because the main protagonists are so disenfranchised that their grievances, legitimate or otherwise, can easily be ignored.

Background: History of disadvantage, depth of conflict

PNG is a country characterized by remarkable cultural and linguistic diversity. It is home to close to seven million people and over 800 languages – some 12 per cent of the world's languages. Cultural traditions, land tenure systems and social organization vary greatly and political units tend to be small and highly fragmented.

PNG's governmental structure includes three levels of government – national, provincial and local. The national parliament comprises a 109-member unicameral legislature, made up of 89 members who represent single-member open electorates and 20 members representing regional electorates, the boundaries of which coincide with PNG's 19 provinces and the National Capital District. Members of Parliament are elected for five-year terms, with the most recent elections being held in June–July 2007. Reforms introduced in June 1995 saw the 20 regional members installed as provincial governors, whilst retaining their seats in the national parliament and the reform of the system of local level governments. The same reforms saw increasing concentration of political power and resources at the district level, in particular with the vesting of new powers and roles in open electorate MPs (Allen 2009), including considerable discretion over development funding.

The fiscal capacity of provinces varies greatly, with the largest budgets found in provinces that have large resource extraction projects. SHP is one such province. One of PNG's five Highlands provinces, SHP is officially PNG's most populous province, home to over half a million people or about 11 per cent of PNG's total population (NSO 2002). This makes it about as populous as the Solomon Islands, and two-and-a-half times larger than Bougainville. It presently commands the largest provincial budget, due in part to the large oil and gas revenues, and has done so for many years. Indeed, the Southern Highlands is, many would argue, the economic engine of PNG, being home to the highly successful Kutubu, Gobe and Moran oil projects and the Hides Gas-to-Electricity project, as well as the much anticipated Exxon Mobil LNG project.[1]

Yet the SHP remains in many respects PNG's worst performing one. Human development indicators are among the lowest in PNG and service delivery has ground to a halt due to widespread corruption, poor public sector capacity, and difficult topography among other things. It also suffers a myriad of other woes including: a rapidly growing youthful population, a breakdown of law and order, poor governance, money politics, entrenched corruption, small arms proliferation, and a burgeoning HIV/AIDS epidemic (see Haley and May 2007). The study by Hanson *et al*. (2001), which calculated an index of disadvantage for each district of PNG, based on five parameters, found that Southern Highlanders are among the most disadvantaged in PNG – something of which Southern Highlanders are acutely aware.

Patterns of violence

In this context, what sorts of violence are prevalent in SHP? Conflict in SHP does not generally involve large-scale ethnic conflict, although at times it has taken on this appearance. Generally it does not involve organized militias although in the 2007 general elections several key candidates armed and provided police uniforms to their own local militia, and are again doing so in the lead up to the 2012 elections. Rather, what is involved is a great deal of organized political violence primarily related to elections, and more generally a significant degree of general lawlessness and criminality that the state has very little capacity to police.

Since the general elections of 1997, election-related violence has been a key feature in the province. Much of this violence has been overt, with key candidates arming their supporters, so as to restrict the campaign activities of other candidates, impede the movement of polling teams, intimidate and influence voters at polling stations, and steal and or interfere with ballot boxes. Increasingly weapons are also used in post-election conflict where communities who have promised votes but not supplied them are subject to violent retribution by losing candidates and their supporters. Such election-related violence occurs at many levels, sometimes within communities, sometimes between communities, sometimes it overlaps with ethnic categories, sometimes it cuts across them. Rival candidates, their supporters and polling officials are the targets of this violence.

Increasingly conflict in SHP also involves a high degree of resource-related conflict, driven by a tangible lack of services, inequality and relative deprivation and to a lesser extent, ethnicity. For the most part it is a conflict without clearly defined parties, in that the disputes occur within and between communities, often simultaneously. Many conflicts concern distribution of oil and gas royalties and access to project-related benefits, including education scholarships and infrastructural development funded through the tax credit scheme.

In terms of scale, although the Southern Highlands never makes it into international studies of internal conflict, the region has nevertheless witnessed some thousands of deaths in the past decade, although precise numbers are not known. For example, the Unjamap–Wogia fight that raged in and around Mendi in 1999–2001, and which initially stemmed from an election dispute, claimed approximately 300 lives, while Moya (Western Regional Coordinator) recorded 164 conflict-related deaths, stemming for the most part from local social conflicts, in Tari alone in 2003 and a further 40 between January and August 2004 (Lewis 2007). By way of comparison the crisis in the Solomon Islands (1998–mid-2003), which resulted in a major international intervention, claimed an estimated 200–300 lives (Allen and Dinnen, this volume, p. 80, note 1.)

The Southern Highlands is also chronically affected by small-scale armed violence and general criminality. For example, an armed violence assessment undertaken by the Small Arms Survey in 2005, found that 13 per cent of respondent households in the province reported an attempted murder and 7 per cent an actual murder in the six months to May 2005 (Haley and Muggah 2006: 174). The survey also found that 13 per cent of respondent households in the region had experienced an armed assault, and that 8 per cent of households had experienced an armed robbery in the six months to May 2005.

Apart from large-scale clashes and high levels of general criminality, much of the everyday violence and conflict with which Southern Highlanders have to contend is in fact domestic and family violence. Indeed the armed violence assessment undertaken by the Small Arms Survey in 2005 found that domestic and family violence is the chief contributor to insecurity in SHP. Eight per cent of households reported that a family member had been the victim of a sexual assault or rape involving the use of a weapon in the six months prior to the survey (Haley and Muggah 2006). Specifically the survey found that a quarter of the province's households surveyed reported domestic violence involving a serious blood-letting injury or trauma in the six months to May 2005, and that domestic violence is most likely to involve the use of a weapon. Of the households reporting domestic violence, approximately three-quarters reported the use of a weapon such as a firearm, bush knife, blunt instrument, fire or red-hot metal. In the Southern Highlands, as in much of PNG, domestic violence tends to be viewed as a private family matter and is often culturally sanctioned. As such it also remains largely hidden.

Finally, another important source of conflict in the province is the prevalence and availability of weapons. Research undertaken in 2005 (see Alpers 2005; Haley and

Muggah 2006) documented in considerable detail the extent and impact of small arms proliferation in the Southern Highlands. It found victimization rates amongst the highest reported anywhere in the world, a high demand for firearms and a province awash with weapons (Haley and Muggah 2006). Currently there are thousands of unlicensed and illegal firearms in civilian hands in SHP. Philip Alpers (2005), for instance, estimated that there were some 2,500 factory-made weapons in the province, and many times that number of homemade weapons. In some parts of the province – specifically the Hela region – most adult men own weapons.

Relative deprivation

This endemic violence arises, it has already been suggested, in a context of serious deprivation. Narratives of grievance in SHP are very much focused on the failure of the state and the relative deprivation of SHP with respect to the rest of PNG. Specifically, Southern Highlanders believe that they contribute disproportionately to PNG's wealth but are denied their fair share (in this respect we can identify a conflict driver similar to several other cases discussed in this book, including Bougainville and Aceh). They feel the national government has repeatedly let them down through its failure to provide services and develop infrastructure. Within the province, many westerners also contrast the relative deprivation of their end of the province with the better-developed and better-serviced eastern and central parts of the province. As James Marabe, current MP for Tari-Por puts it, 'Something has to be done because we are contributing so much to this country's economy and there is no justification in the distribution of government services into our part [i.e. the western end] of the province' (*Independent* 28 August 2002).

The various resource projects have done little to alleviate rural poverty or reduce overall disadvantage in districts in which they are situated, either through the revenues they generate for the national and provincial governments or through a tax credit scheme, which allows resource companies to claim credits for approved infrastructural developments they undertake within their area of operations. The projects also have not translated into broad improvements in social and economic indicators. For example after 20 years of oil and gas production in SHP, childhood mortality in the project areas is not only worsening, but now sits at 30 per cent, which is four times the national average. A recent survey reveals childhood mortality rates of 246/1000, 384/1000 and 426/1000 at the Hides, Moran and Kutubu oil and gas production sites respectively (Oil Search Limited 2010: 24).

To further complicate the picture, there is considerable cultural and ethnic diversity within the Southern Highlands, with at least 16 languages spoken. Of these the big three – Huli, Inj and Imbongu/Kewapi – in the west, centre and east of the province respectively, all have 100,000-plus speakers and account for more than 70 per cent of the province's population. This pattern has given rise to much political tension over the years as elected representatives from the three big groups have jostled to establish themselves at the top of the province's pecking order, with the province dividing politically on the basis of ethnicity as a result. This jockeying for political control has led to the formation of competing administrations, appointments based on ethnicity as well as tit-for-tat sackings and reappointments over many years and to the politicization of provincial and district administrative structures.

The Southern Highlands has not always been a problem province. Through the 1970s and 1980s it was relatively quiet, and when ‘tribal’ fighting occurred it was usually contained. This was due in part to the fact that many young men were employed outside the province, initially through the Highlands Labour Scheme, which was a government-run temporary labour migration project whereby men from the Highland’s provinces were recruited to work as labourers on coastal plantations. Throughout the 1990s, however, fighting in SHP became increasingly violent. The upsurge in fighting coincided with the advent of large-scale resource development projects, even if the connection was not always direct.

Today, one often hears Southern Highlanders, particularly those living in the western end of the province, complaining that they have not benefited from the oil and gas production in their province, despite the huge revenue streams generated. Royalties, too, are consistently alleged to have been misused and squandered. Far from improving the wellbeing of local communities, these new sources of revenue have created new sources of friction within and between communities, such that Southern Highlanders now fight for access to the limited state-delivered services and to the benefits and services resource developers can provide.

Because of the almost complete absence of functioning state services, resource developers within the Southern Highlands, through their community development programs, have assumed the important role of providing basic services in many areas. As a result frustrated and disgruntled landowners often take out their dissatisfaction at the government on the resource developers. There are cultural antecedents to such action, in that those wishing to broaden a ‘tribal’ fight or send a particularly strong message to their enemies might target the traditional allies of their enemies, knowing that the fight leaders on the other side will be responsible for the deaths and injuries that ensue as part of the local rules of engagement. In the period leading up to and following the failed 2002 national elections, Southern Highlanders in the western end of the province repeatedly felled power lines running between the Hides Gas-to-Electricity project and the Porgera gold mine in the neighbouring Enga province in order to shut down mining operations and hold the government to ransom. In this case, they used violence against the company in order to gain the national government’s attention and air their grievances. They no doubt expected that the company would exercise whatever influence it might have on its ally (the state), in order to draw the state into dialogue. In recent times (2010–2011), many in the province have been using threats and violence against the LNG project to draw the state into dialogue and action. In this way, criminality becomes a means of expressing discontent about historical inequities and lack of development.

Conflict diminution: Not yet

Unlike some of the other conflicts detailed in this volume, there has been no history of diminution in the SHP case. This is not altogether surprising given that the conflict and discontent, as explained previously, is driven not only by historical inequities but also by more recent failures in service delivery. State weakness therefore fuels the discord, and contributes to a situation in which the possibilities for diminution are limited. Indeed it is unlikely that a state that lacks the capacity to deliver basic services can command the capacity to intervene to resolve or suppress conflict in the longer term.

The state's failure to provide essential services and to maximize and equitably distribute the benefits of resource development is not only a source of major discontent in the province but has fuelled calls for the establishment of a separate Hela province (see Map 16). Many in SHP, including the sitting member for the Tari-Pori electorate, James Marabe, have suggested that if the Hela people (who occupy the western end of the province) continue to be denied essential services and a more equitable share of the benefits then the Southern Highlands will go the way of Bougainville, alluding to the former independence struggle there.

The calls for a Hela province are not new. They have been voiced for the best part of four decades, and are based upon a sense of shared cultural identity. The peoples occupying the western end of the province share the belief they are descended from a common ancestor known as Hela. Historically these groups (which include Huli, Duna and Bogai speakers) and their lowland neighbours as well as Ipili of Enga Province collaboratively participated in fertility-inducing rituals on a regional scale. These rituals were performed at key sites that typically featured natural oil and gas seeps, and were geared towards the preservation of the earth's fertile substance. Current support for the Hela province derives directly from discontent over the lack of services in the western end of the province and the lack of benefits accruing from the province's various resource projects, which have focused predominantly on the development of oil and gas reserves.

Concessions

In relation to discontent in Hela, the national government has made some concessions and certainly many promises (see Haley 2007). On 11 May 2003, for instance, one of the PNG's two daily newspapers, *The National*, reported that the Somare-led national government had promised the people of Hela a separate province by 2007. Further commitments were made in the lead-up to the 2007 general elections. In late 2006, a bill was put to parliament to bring a province of Hela into effect. The government failed to get the required numbers to pass the bill, and went to the elections promising to make the new province a priority if re-elected. Despite the years of promises it took until May 2009 to finally get that initial piece of legislation passed. Further enabling legislation is still required in order to guarantee the creation of a new regional electorate. Unless this is done the new province will remain without a regional member or governor. Time is running out, and if Hela province is not brought into being before the 2012 elections there are likely to be violent repercussions.

The push for a separate Hela province is not a secessionist struggle, nor even a struggle for asymmetrical autonomy, but merely a call for a separate province within the PNG state. Even so, it presents a huge source of potential conflict, as people in the Hela region are arming themselves with the purpose of causing widespread civil unrest should the national government continue to fail to respond. The Bougainville separatist conflict and the local violence in SHP during the 2002 elections provide precedents for this proposed action. Certainly it is not uncommon to hear Hela people assert, ‘we cut the power lines in 2002 and the PJV (Porgera Joint Venture)[2] came, if we bring the country to its knees maybe the government will finally take notice and provide us with basic services’ (field notes, May 2005). The current catch cry of those pushing for a separate Hela province is, ‘No Hela Province! No Gas’, the implication being that if they are not granted a separate province they will block development of the LNG project. Threats against the LNG project should not be seen as idle. Indeed key Huli (Hela) leaders have asserted that ‘Hela province is the Security of the LNG project’ (Arabagali 2008: v).

Internal intervention

One of the ways the PNG state has responded to the various crises that have beset the Southern Highlands over the past decade or so has been to assume direct control of the province. For instance Mekere Morauta withdrew the provincial government’s powers soon after he was sworn in as Prime Minister in 2000, in response to the deteriorating law and order situation in the province. At that time, Mendi (the provincial headquarters) was subject to protracted and ongoing tribal fighting. Near constant roadblocks on the highway around Nipa meant that those living in the western end of the province could not travel safely. The roadblocks at Nipa were related to the 1997 elections, and in particular the death in 1999 of the former governor, Dick Mune.[3]

The failure of the 2002 elections in SHP again saw the national government assume authority and meant the greater part of the province’s population was without political representation for ten months, until supplementary elections were held in April–May 2003. During this time there were few service delivery and security gains, but the national government made many promises to improve support. The 2003 supplementary elections were held under a national call-out of security personnel involving 2,000 police, defence force and correctional services personnel. Despite the huge security presence there were still reports of violence, widespread fraud, malpractice and intimidation.

In August 2006, the national government declared a National Emergency in the Southern Highlands and again assumed control of the province. The same day PNG’s Prime Minister, Sir Michael Somare, addressed parliament advising that the executive government had taken this step as part of its ongoing efforts ‘to restore governance, security and public administration in the province’ and in an effort to ‘avoid at all costs a repetition of the events of 2002’. The state of emergency (SOE) was publicly presented as a means of addressing localized fighting involving the use of firearms. Unfortunately the intervention was ill conceived and did little to contribute to a diminution of conflict in the province. The initial SOE was extended several times, but was later found, in March 2007, to be unconstitutional and invalid. Regardless, it continued under the guise of Special Police Operations (SPO), which remained in force until 14 August 2007, by which time the 2007 General Elections had been completed.

Overall, these attempts by the central government to assume direct control and to enforce law and order through security interventions have had limited effect. Although the SOE and SPO were depicted as being reactions to fighting with firearms, security officers recovered only a handful of the estimated 2,500 factory-made weapons in the province. Their efforts yielded mainly homemade weapons and of them only a fraction of those believed to be in circulation. In all some 287 weapons were recovered, 161 of them homemade (Siale Diro, personal communication, February 2008). In addition no attempt was made to address the underlying causes of conflict and discontent in the province and there was no real attempt to rebuild or reinvigorate state institutions. As a consequence, much of the province still remains without basic government services. The 2007 elections were, however, conducted relatively peacefully and for the most part successfully, to the credit of the Papua New Guinea Defence Forces (PNGDF). But since their withdrawal in August 2007 there has been considerable post-election violence.

Prospects

In 2011 the future of Southern Highlands looks bleak. Firearms continue to flow into the province, and this will continue until there is long-term commitment to improve services. Members of Parliament and intending candidates have armed reserve police and their key supporters ahead of the 2012 elections; guns and ammunition have become more readily available in SHP. The new access to arms is an ironic by-product of the success of the peace processes in Bougainville and the Solomon Islands: many of the weapons in SHP have come from these areas.

For Southern Highlanders the Hela province issue continues to be a key source of potential conflict. The Hela peoples might well seek to secede. Several intending candidates and political figures in 2011 have threatened to break away. The creation of a separate Hela province would not be a panacea for the Southern Highlands' woes, however. Elections will still be fiercely contested, and corruption will remain, as will the destructive aspects of local political culture, which increasingly involves money politics. Unless the underlying grievances concerning services and inequality are addressed, conflict in SHP is likely to continue and intensify. Governments and donors' awareness of and response to the legacies of uneven regional development and historical inequities underline the promise of diminishing conflict.

The most immediate security challenge lies in elections scheduled for mid-2012. The existence of the LNG project raises the stakes – especially in those electorates that form part of the LNG project area. Specifically four of the five open electorates in SHP in which the 2002 elections failed form part of the LNG project area (Koroba-Lake Kopiago, Tari-Pori, Komo-Magarima and Kagua-Erave electorates). The combination of electoral competition and competition for the fruits of economic development fuels potential conflict.

The honest conduct of elections, which in studies elsewhere in this book is seen as a vital ingredient for diminished conflict, has become deeply compromised in PNG. The resolve of the PNG national government and electoral commission to accept results at any cost to avoid a repetition of the events of 2002 send a worrying message to voters and candidates – that fraud and malpractice are tolerated. The 2007 elections were the worst in PNG history in terms of fraud and malpractice and yet results were declared in all electorates.

Another pressing security challenge concerns the much-anticipated LNG project. At the local level the LNG project is already contributing to increased social conflict and disputes over access to resources and the 'benefits' of development. This occurs at many levels – over access to relocation and resettlement packages, building contracts, contracts to provide services and so on. It contributes to inflation, and brings about a flow of skilled public sector employees, including police, military, and public servants, to the private sector. It contributes to further privatization of the security industry, as well as a reconfiguration of gender relations (for example, a diminution of women's claims and entitlements) and ethnic relations, not to mention culture clashes stemming from the different land tenure systems. Land use is a major source of discontent. For instance, groups that were peripheral in the past have become prominent in the negotiations, while groups that were involved in key ritual collaborations of the past have fallen outside the benefit area. The LNG project also contributes to increased political contestation and a proliferation of money politics in electorates affected by the project.

The LNG project further weakens the capacity of the state to respond to problems in SHP, due to the fact that hundreds if not thousands of serving police and defence force personnel are engaged, often in private security roles, with the LNG and other extractive resource projects. In such roles, they focus on protecting company assets and infrastructure and not on support of general policing. From this, a critical question emerges: how would elections be held fairly and securely in 2012? In 2011 PNG lacks the capacity for a national call-out of security personnel on the scale of 2003 and 2007. Both the Royal Papua New Guinea Constabulary (RPNGC) and PNGDF are at reduced strength due to serving personnel moon-lighting as private security, mainly for resource projects in many parts of PNG. In addition the RPNGC has several mobile squads permanently deployed to protect key project infrastructure, and they have entered into a written undertaking with Exxon Mobil that these mobile squads would not be redeployed during the elections. This is of particular concern given that in the past it was the mobile squads and defence force that secured the elections in the most high-risk provinces (SHP and Enga) and specifically in the most high-risk electorates.

Lessons

Instead of presenting useful lessons that may help reduce violent conflict elsewhere, the Southern Highlands case study offers a cautionary tale about the perils of ignoring conflict and the factors that cause it. Such factors seldom go away. When the state is weak or non-functioning, then the potential for conflict increases and the possibilities for a diminution of conflict are extremely limited. The Southern Highlands also demonstrates that treating battle deaths as the measure of intensity or significance of conflict means that domestic and family violence, which are chief contributors to insecurity, in SHP are easily ignored. The complexity and intertwined nature of conflict in SHP needs to be both acknowledged and understood.

Ill-conceived, ill-timed and under-resourced interventions are, as demonstrated by the SHP case, more likely to exacerbate or extend a conflict, rather than diminish it. Furthermore, the SHP experience suggests that concessions on the part of the state in relation to autonomy and self-government will not necessarily result in a diminution of conflict unless coupled with initiatives that address the drivers of conflict – in this case, uneven development and longstanding historical inequities over the provision of services and infrastructure. Indeed until the underlying grievances that have fuelled the calls for a separate Hela province are addressed the potential for conflict in SHP will continue to intensify.

Notes

1 The PNG LNG Project will add to existing oil and gas production fields and facilities developed in SHP in the 1990s. Specifically the project proposes to develop and commercialize undeveloped natural gas resources in the Hides, Angore and Juha fields and the associated gas resources in the currently operating oil fields of Kutubu, Agogo, Gobe and Moran in the Southern Highlands and Western Provinces of PNG. The project is currently in the construction phase. The first LNG exports are not expected till 2014. Once fully constructed the project lifetime or production phase is expected to be around 30 years.

2 The PJV operates the Porgera Gold Mine in Enga Province. The Mine is powered via an overhead powerline running from the Hides gas-to-electricity project in SHP to the mine site in Enga. Following the unrest of 2002, which saw production suspended for three months, the PJV significantly up-scaled it community affairs presence in the area.

3 Dick Mune, a regional MP and governor of SHP in 1992–1997 was killed in a car accident, whilst travelling to the Court of Disputed Returns to challenge the 1997 election result in which he lost to Agiru, a Huli speaker from the western Hela region. Suspicion surrounded the accident. Mune supporters near Nipa showed their discontent by blocking roads and harassing commuters.

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17 Conclusion

Lessons

Edward Aspinall, Robin Jeffrey
and Anthony J. Regan

What causes conflicts to diminish?

Reviewing the diverse cases in this book led us to devise a list of five broad ‘ingredients’, which are part of most ‘recipes’ for diminution of conflict. These ingredients were far from being evenly distributed across our cases. The intensity of each ingredient varies; so too does the ‘method’ – the manner in which they blend. No single ingredient contains a key to peace, and some that seemed decisive in ending one conflict were entirely absent in others. Some ingredients – the use of force by governments, for example – that played a role in diminishing conflict in one place had the opposite effect in another. Yet where conflicts subsided and underlying dynamics of conflict were addressed, the same characteristics tended to recur – and their absence or weakness were common in those conflicts that seemed so intractable.

We categorize these ingredients under five headings:

- The democratic;
- The international;
- The coercive;
- The economic;
- The fortuitous.

In the following discussion, we draw on the preceding chapters to explain – and qualify – each ingredient.

The democratic

Among the most important factors our authors have identified, two elements seem entwined: meaningful democratic processes and local autonomy. One appears meaningless without the other. Local autonomy in the hands of regional satraps does not ameliorate the grievances of those they exploit; even fair elections, if they mean electing representatives to distant central parliaments with little interest in the region in question, may similarly provoke disaffection. Combined, however, democratization and autonomy had important conflict-ameliorating effects in several of our cases.[1]

Democratization

The decline in armed conflict has coincided with a global trend toward greater democracy. In both popular discourse and the language of international development agencies, there is an optimistic assumption that democracy and peace are natural bedfellows. In fact, the findings of empirical research are not quite so optimistic. To be sure, the comparative literature finds that established democracies are less likely to experience internal conflict – but so too are highly authoritarian states (de Nardo 1985; Francisco 1995; Muller and Weede 1990; Hegre *et al*. 2001; Cederman *et al*. 2010). Countries that are semi-democratic and retain some authoritarian features (sometimes called ‘anocracies’) are in fact *more* likely to experience internal conflict than either established democracies or authoritarian countries. These democratic half-way houses are often the products of democratic transitions that are part-way completed, so it is not surprising that, according to one recent study, ‘Countries undergoing incomplete democratic transitions are more than twice as likely to experience civil war as those with stable or autocratizing regimes’ (Mansfield and Snyder 2008: 29). The effects on internal conflict of the global ‘third wave of democratization’ are therefore likely to be ambiguous. According to the *Human Security Report* 2005, it is likely that ‘the positive impact on global security of more democracies was offset by the negative impact of the increase in risk-prone anocracies’ (p. 153).

Overall, the Asia–Pacific region experienced a trend toward democratization from the mid-1980s, although this has affected relatively few of the countries studied in this book. The Philippines experienced a democratic transition that began in 1986; Indonesia has democratized since 1998; Fiji, Bangladesh and Pakistan have experienced alternations of democratic and authoritarian government; Sri Lanka has experienced a steady decline in democratic freedoms while retaining the form of parliamentary government. All other countries have experienced uninterrupted formally democratic or authoritarian systems in that period. Most of the democracies in our study, however, have been relatively brittle and their governments have struggled to deliver services to their populations.

The ambiguous impact of democratization is evident in several of the cases we observe. Our prime examples are in Indonesia. The collapse of the Suharto regime in 1998, and Indonesia’s subsequent transition from a tightly governed authoritarian regime to a rather chaotic democratic system with authoritarian features contributed to a rise in internal conflict. Thus democratization initially *increased* internal conflict in Maluku, Aceh and East Timor, as our chapters show, as well as in other areas such as Papua. For groups that had previously challenged an authoritarian government but been repressed, it provided political space to press their campaigns for self-determination. In Maluku in Eastern Indonesia, as John Braithwaite argues in this book, democratization simultaneously removed the fear of coercion and provided important new prizes for rival groups to fight over in local elections. In a state of anomie, which Braithwaite defines as ‘instability resulting from a breakdown of the regulatory order that secures norms’, violent conflict erupted.

Other cases also show that established democracies are far from immune to violent ethnic conflict. A number of our examples – Punjab, Bougainville and Southern Highlands (both in Papua New Guinea), Fiji, Southern Thailand – are from places where internal conflict began, and was or is sustained, in formally democratic political systems but where such 'democracy' was or is either manipulated or perceived as remote. In spite of these cases, however, our evidence suggests that democracy is an essential ingredient in the conflict–resolution recipe. But to have conflict-ameliorating effects, democracy needs to be close to citizens who vote in fair, free elections; it must be meaningful.

The example of the Indian state of Kashmir is apposite, as Christopher Snedden's chapter makes clear. Though Kashmir had its own elected state government from the 1950s, elections were rigged through coercion and corruption. Its fair election of 1977 was followed by blatantly rigged elections in 1983 and 1987. The latter provoked outrage, and Pakistan, freed in 1989 from its role of providing a base for the fight against the Soviets in Afghanistan, welcomed the chance to support violent opposition to the Indian government in Kashmir. On such fuel, the insurgency in Kashmir that has continued into the second decade of the twenty-first century smouldered and flared. The resistance, however, was fuelled not only by support from Pakistani agencies but also by inept, heavy-handed Indian suppression, often imposed by Indian or state security forces ill-trained for the quasi-police work that goes with counterinsurgency. Whenever the Kashmir conflict abated after 1989, it was during periods of elected state governments chosen in relatively honest elections and led by Kashmiri Muslim politicians.

A similar example is drawn from another Indian case, Punjab. Robin Jeffrey's chapter shows how central-government manipulation of democratic processes in India's states was a pronounced defect of Indira Gandhi's regimes in the 1970s and 1980s. In Punjab state, attempts to install political allies inflamed local sensitivities and contributed to the rise of religious zealotry and the movement for Khalistan, a Sikh sovereign state. After 1992, however, Punjab experienced four honest elections out of which state governments were formed which served their full term. This reduction of central meddling and acceptance of local authority appear to be key ingredients contributing to the virtual end of violent conflict in Punjab.

Such examples show that it is often the defects in democratic systems that give rise to ethnic conflict. The mere trappings of elections and the institutions of democracy are insufficient either to prevent conflict or to diminish it once it has begun. This does not mean, however, that we draw pessimistic conclusions about the significance of democracy for conflict reduction. Democratic mechanisms based on genuine participation and close-to-the-people, honest elections provide means for populations to express their grievances peacefully and enable governments to acquire legitimacy.

Democracy also provides tools for conflict resolution that are not available to authoritarian governments. In particular in the cases of East Timor and Aceh, democratization made it possible for national governments to consider, design and implement political concessions to local populations (a referendum on independence in the first case, expanded autonomy in the second) that would have been unthinkable during the earlier rule by President Suharto. Ron J. May's discussion of the Philippines provides more ambiguous evidence of the same tendency: after the downfall of the Marcos regime in 1986, newly democratic national governments designed the Autonomous Region for Muslim Mindanao (ARMM), the closest the Philippines has come to resolving the Moro conflict. Autonomy without democracy is meaningless, and as our discussion below shows, autonomy is often crucial to the resolution of ethno-political conflict.

Our studies suggest that in almost all cases democracy *is* crucial for building sustainable peace. In some of our cases, armed violence declined where an authoritarian regime remained in power (Burma) or where democratic practices deteriorated (Sri Lanka). But our authors were reluctant to concede that peace was sustainable or that the underlying grievances had been addressed in either place. We do not find *any* cases where violence has diminished significantly, *and* root causes of conflict have been substantially addressed, without democracy. We reach this conclusion not only if we consider the case of Indonesia, and the dramatic conflict diminution in East Timor and Aceh. It also applies to cases such as Bougainville and Punjab. Effective democratic mechanisms at the local level provide a framework for increasing popular identification with government and designing effective local solutions. Our studies, therefore, provide more optimistic conclusions about the significance of democracy and democratization than many of the cross-country comparative analyses would suggest.

Autonomy and power sharing

In explaining the beginning of a decline in global ethnic conflict a decade ago, Ted Robert Gurr pointed to the emergence on the international level of ‘a new regime governing minority–majority relations’, founded on recognition of minority rights and recognition of ‘the right of national peoples to exercise some autonomy within existing states’ (Gurr 2000: 55). The use of autonomy arrangements and other forms of power-sharing as a strategy for ending conflict is far from new, but has undoubtedly increased since the end of the Cold War (Ghai 2000), in part because of the changed international discourse on human rights.

Agreement by a national government to autonomy or to other significant concessions (recognition of minority rights in other ways, such as power-sharing in the central government, recognition of cultural rights and so on) were highly significant factors in diminution of conflict in a small number of the cases we have looked at in this book (Aceh, Bougainville, Maluku and Punjab). Further, autonomy contributed to diminution of both violence and conflict dynamics. Our authors also point to a close correlation between the cases where root causes of conflict have been addressed and those where autonomy/concessions have been significant factors in conflict diminution. In other cases (such as the Southern Philippines), autonomy has been recognized by adversaries as being a crucial ingredient for peace, even if other factors have prevented that promise from being fully realized. In yet others (such as Sri Lanka in 2002–2004 and in Southern Thailand), observers have seen autonomy as a potential way out of a deadlocked conflict, even if national governments were reluctant to grant it (McCargo 2010).

Autonomy is central to most of the cases where conflicts have been mitigated. But this leads to a puzzling question: why have power-sharing and autonomy mechanisms not been used more widely? Are there particular conditions where the devolution of powers plainly promises to diminish conflict? Our analyses suggest that when autonomy is important in reducing conflict, it appears in conjunction with other factors pushing in the same direction. The ingredients in different situations may be similar. But the way in which they combine, and the intensity and pervasiveness of each ingredient, determine whether governments are likely to engage in the genuine devolution of powers – and whether such measures are likely to be effective. In the five cases in this book (Aceh, Bougainville, Maluku, Punjab and East Timor) where recognition of local power appears crucial to the diminution of conflict (East Timor was a special case that went beyond autonomy to full national independence), three other ingredients were usually present:

- Democratization (highly significant in the cases of Aceh and East Timor and moderately high in Punjab).
- International mediation and intervention and the impact of broader international trends including the end of the Cold War (highly significant in Aceh, Bougainville and East Timor).
- Exhaustion and stalemate (highly significant in the cases of Aceh and Bougainville and moderately high in East Timor and Punjab).

Most of these ingredients are absent in places where conflicts appear so intractable. In the FATA of Pakistan, international conditions fuel, rather than dampen, conflict. In Burma, democratic reform is unlikely under the present regime, and the international community has no shared interests that would foster sustained attempts to resolve conflict.

Democracy, international conditions and human exhaustion may combine to produce circumstances in which autonomy arrangements become attractive to the warring parties. If a state becomes more genuinely democratic, it might be expected to become more ready to share power, as has happened in Indonesia. Similarly, international intervention usually brings mediation, and exposure to precedents and practices from elsewhere, including power sharing. Finally, autonomy and concessions connect with weariness and stalemate because exhausted parties are ready for settlements that differ from the manifestos and calls-to-arms of earlier years.

The international

In all our examples where conflict diminution occurred, international factors played a part. But it is necessary to distinguish between intercessions of foreign agency and broad changes in global politics. The insurgency in Punjab, which

Indian governments declared a purely internal matter, began to abate only after the Soviets left Afghanistan and Pakistani sponsors of insurgencies in India turned their attention to more promising locations, notably Kashmir. We therefore assess international intervention and mediation separately from global political change.

Intervention and mediation

The *Human Security Report* of 2005 unequivocally attributed the decline in armed conflict to 'the far-reaching political changes wrought by the end of the Cold War', especially a 'wave of post-Cold War activism on the global security front' (*Human Security Report* 2005: 153). According to the authors, the UN led this activism. In fact many other players were involved. Together, they attempted to manage or prevent conflict, or, in its aftermath, intervened to prevent recurrence. The Asia–Pacific cases in this book point to the ubiquity of international efforts to achieve peace over the last decade and a half. In most of these cases, foreign governments, multi-national organizations or international NGOs have attempted to mediate between conflicting parties, assist in post-conflict reconstruction or support other peace-building efforts. A few cases have involved significant interventions including military force and large state-building efforts. Even in some of the apparently most unpropitious cases for an international role (such as Burma), behind-the-scenes efforts have probed opportunities for peace-building interventions. A vast interconnected 'peace-building industry' has grown to cover the globe in the last two decades.

In four of our 15 cases we believe international intervention helped to diminish violence: Aceh, Bougainville, Timor-Leste and the Solomon Islands. Bougainville and the Solomons rarely figure in conventional studies of international peace-building interventions because the conflicts were too small to reach the figure of 1,000 war deaths annually. Aceh and East Timor were also low-intensity conflicts. Yet each of these cases (the Solomons is a partial exception) represents remarkable progress toward a sustainable peace, in which not only the level of violence was reduced, but so too were underlying conflict dynamics. Progress was made in addressing root causes. The *only* case where we see a combination of diminished violence, a reduction in underlying conflict dynamics *and* significant attention to root causes of violence without a significant international intervention is the Punjab (the conflicts in Eastern Indonesia are a partial case). Even where efforts to reduce armed violence have been halting and largely ineffective, and where root causes remain poorly addressed, such as in the Southern Philippines, the international role has had a significant positive effect. The Asia–Pacific region provides evidence to support the optimistic conclusions of the *Human Security Report*.

Yet our cases also flash with caveats and exceptions. The region is littered with failed interventions. And there are several cases where conflict diminution has occurred in the absence of international interventions, suggesting that other factors must come into play to explain the region-wide decline in armed conflict. Perhaps the most dramatic failure of intervention in recent times is the role played by the Norwegian government in Sri Lanka from 2000 to 2008. An increasingly bellicose

Sri Lankan government built its forces and prepared for a military solution at the same time that the Liberation Tigers of Tamil Eelam (LTTE) were increasingly isolated internationally. The Norwegian failure pointed to the absence of an enforceable framework to manage and contain conflict; but this would have required ways of deterring both belligerents from renewing the war.

Many factors have to align for an international role to be significant in reducing violence and conflict. Thus in the 1990–1996 period, a series of international mediation efforts in the Bougainville conflict were widely judged as failures, as was the international mediation in the Aceh conflict in 2003–2004. Yet in Bougainville, the situation transformed in 1997 when war weariness was underlined by a spectacular failed attempt by PNG to use international mercenaries to end the conflict. This enabled moderate leadership to emerge among all three of the adversaries. Similarly, in Aceh in the space of a year, military stalemate, a change of government in Jakarta and the disaster of the tsunami in the Indian Ocean created new conditions. In the changed environment, former Finnish president, Martti Ahtisaari, the European Union and other international actors brought the warring parties to a peace agreement that proved remarkably successful. In the case of East Timor the crucial factor was the collapse of the Suharto regime in 1998 and President Habibie's unexpected openness to a UN role.

Exceptional moments must be seized. Keen understanding of local conditions and sensitivities helps in identifying such moments. One reason for this book is to enhance such understanding. Without a subtle understanding of local history and society, well-intended efforts to foster peace will fail to identify key moments, overlook significant protagonists or misjudge social conditions. And every so-called 'success story' may only be transitory; different fissures and disparities of power may emerge, or old ones may resurface. An obvious case is the rise of internal conflict within Timor-Leste following the successful resolution of the conflict between the East Timorese and Indonesia. International interventions contribute to peacebuilding, but they come with no long-term guarantees.

Geo-political change

The growing propensity of international actors to engage in mediation and peace-keeping activities was itself part of a broader change in the international political climate. The end of the Cold War and the advent of the 'War on Terror' affected local conflicts. The studies in this volume indicate that the end of the Cold War was a factor in diminution of conflict in five of the 15 cases, while the advent of the 'War on Terror' played a part in first increasing but then reducing conflict in one (Sri Lanka).

The end of the Cold War reduced internal conflicts in various ways. First, with the dissolution of a Soviet-supported power bloc, the bi-polar alliance system collapsed. Neighbouring countries, previously parts of opposing alliances, found fewer incentives to confront each other. In a few cases, they stopped supporting dissident groups in neighbouring countries. India and Sri Lanka improved relations, a factor which sharply limited the LTTE's ability to find safe haven and funding in India, not insignificant given that this was a movement initially supported, some would say created, by India.

Second, countries previously part of the same power bloc had rarely felt able to take an interest in internal conflicts in neighbouring countries that were part of their own bloc. One does not meddle in a friend’s affairs. Once the Cold War ended, however, this constraint dissolved. Australia, for example, was ready to challenge the Indonesian role in East Timor in the late 1990s. This would not have been possible in the late 1970s when an authoritarian Indonesian government was nevertheless part of the anti-communist bloc led by the US and tightly embraced by Australia. Similarly, the European Union, the US and Japan were prepared in the early 2000s to press Indonesia over the Aceh conflict as they would never have done during the Cold War.

Third, the end of the Cold War changed international discourse on human rights. The rights of minorities gained the potential for recognition and protection that they had not previously enjoyed. During the Cold War minority claims in the United Nations were vulnerable to veto by the great power from the opposing bloc, but in the 1990s, this changed dramatically. The international community became more open to action to protect minority rights through devices such as autonomy and other forms of power sharing – a factor in Aceh, East Timor, and even Bougainville.

On the other hand, the shift back to a more security-oriented global political discourse and practice associated with the ‘War on Terror’ from the early 2000s seemed to have a conflict-reducing impact in only one of our cases: Sri Lanka. The LTTE’s sharp decline began in 2005, when many countries deemed it a terrorist group and intensified controls on fund-raising and arms shipments by LTTE agents in the extensive Tamil diaspora. Growing international isolation of the rebel movement strengthened the warlike inclinations of the Sri Lankan government and encouraged it to abandon talks and press home its military advantage.

The lessons are that in the post-Cold War world, external interventions to promote settlements are more feasible than ever before. But they require sensitive timing (for example, moments of weariness or a fortuitous event) – and careful preparation (for example, lining up an array of international supporters). They also require the ability of international actors to put well-informed (and sometimes well-armed) people on the ground in areas of conflict.

The coercive

Somewhat contrary to our expectations, coercion played a part in virtually all our examples. It is such an intrinsic element of the conflict dynamic that it is hard to isolate its role when we analyse conflict diminution. But there were certain cases where repression had the effect of leading to weary stalemates that drove combatants to negotiate. There is nothing pretty or desirable about such circumstances, but modern states do not willingly give up pieces of themselves, and ethno-nationalist movements, once they take up arms, do not surrender them readily. For those concerned with diminishing conflict, the challenge is to minimize and mitigate repression and to identify moments when settlements may be made that make repression unnecessary.

Repression

Internal conflict is less likely in *both* established democracies and authoritarian states. Scrutiny of the cases in this book suggests that suppression and democracy were each important contributors to decline in violent conflict, though they do not always go together. In Punjab, Sri Lanka, Aceh, Bougainville, the Solomon Islands and Maluku – all areas where violent conflict has either virtually disappeared or diminished – suppression has been part of the recipe in each case; in Sri Lanka, democratic practice withered at the same time. Many would prefer to believe that conflicts always end through justice, good will, greater equality and improved wellbeing. However, given that most violent conflicts brutalize and criminalize a section of people involved in the fighting, no amount of justice and humanity will bring all of them into peaceful, constructive settlements. When the literature on peace and conflict resolution refers to improvement in 'state capacity', one must include the capacity to do what states by definition do: use coercion.

The picture, however, is far from straightforward. Only in two cases in our sample did states succeed in eliminating armed insurgent groups primarily by reliance on force of arms. The armed Khalistani groups were all but destroyed in the Punjab by the mid-1990s, and the LTTE was obliterated in a spectacular and bloody military defeat in Sri Lanka in 2009. Much more commonly, however, our authors discovered that states found it remarkably difficult to eliminate even tiny insurgent groups. Such a finding points to two things: the limits of state capacity in penetrating the social networks and inaccessible regions where ethno-nationalist rebellions are often based; and the hydra-like capacity of such rebellions to regenerate themselves when conditions of social grievance are widespread.[2] Moreover, our cases show that repression can be counter-productive: clumsy repression tended to fuel and entrench violence rather than end it. Again, this is not surprising: scholars who look at the effect of repression on social movements have long noted the 'repression–dissent paradox: the finding that in some cases, repression has a radicalizing or mobilizing effect on the populace, whereas in others, repression extinguishes popular dissent' (Wright 2008: 30).

In what circumstances did suppression play a role in diminishing conflict? This seems to have happened in two ways. In one set of cases, the use of force ameliorated conflict because it was relatively disciplined, targeted and subject to a rule of law. Constructive suppression requires rigorous training of police forces; police forces, not armies, need to be deployed; and those police forces need to be led by well-trained and motivated officers from the region in which they are working – they are not 'foreigners.' This was part of the recipe that developed in Punjab in the early 1990s. Similarly, the restoration of security-enforcing functions by state agencies played a role in overcoming the anomie that underpinned violence in Maluku. The story of the end of the LTTE rebellion in Sri Lanka, in contrast, was one in which memories of death and terror are legacies likely to be passed on, on both sides, for generations.

A second category of cases did not involve especially targeted or precise use of repression. In these examples, repression interacted with other factors to produce conflict fatigue and a search for exit strategies on the part of rebels, government forces or both. Thus renewed military action in Aceh was a precursor to the Free Aceh Movement giving up its independence goal and agreeing to peace. Conversely, the failure of the PNG Defence Force to defeat rebel forces on the island of Bougainville made the government much more ready to negotiate terms. State violence that grinds down rebel forces but fails to land a knockout blow is such an important factor that we consider it separately in the next section. It is ugly and undesirable, and it happens continually.

Finally, since this book is partly concerned with finding explanations for a decline in the intensity of armed ethno-nationalist conflicts, it is important to ask whether ‘improved’ and more rapier-like repression was a key contributing factor. Did conflict decline because states became better at putting down revolts? We could hypothesize, for example, that increased levels of economic development across the region allowed better funded, equipped and trained security forces that became more effective at combating insurgencies (*Human Security Report* 2009/2010: 54). We suspect that this was *not* a significant factor. Certainly our case studies provide little evidence of such a trend. With the possible exception of Punjab, our authors identified a tendency of security agencies to adhere to policies and tactics that had proven counter-productive in the past; there was little evidence that they learned over time and came to adopt more effective techniques of repression.

Exhaustion and stalemate

The notion of a ‘mutually hurting stalemate’ as a significant factor in ending or reducing violent conflict has been widely accepted as a result of the work of William Zartman and others (see Zartman 1985 and 2001; Mitchell 1996). Such a phenomenon has been a factor in the diminution of conflicts examined in this book, particularly in Aceh, Bougainville, Burma, East Timor, Maluku, and Punjab.

From our studies, however, no single set of circumstances emerges as producing the sort of stalemate in which adversaries sigh wearily and come to an understanding at a conference table. Though it is undeniable that exhaustion often plays a part in the decline of conflict, the durations of conflict required for exhaustion to be reached vary enormously. In Punjab, the majority of people, including many erstwhile participants, were exasperated and hungry for peace within 14 years. In northeastern India, on the other hand, where an insurgency in Nagaland has gone on sporadically since the 1950s (Guha 2007: 270–275) there is a sense that the Government of India takes a very long view: local leaders grow old and die; the government can wait; it has been around for 200 years. In Eastern

Indonesia, stalemate became a factor within a year or two of violent conflict erupting, but in northeastern India, even after 60 years, many Nagas still had the stomach for the fight. In Kashmir, though weariness undoubtedly afflicts the inhabitants, the international confrontation between Pakistan and India means that resolution of the conflict can only come after international conditions change. Similarly, geo-political circumstances, more than local conditions, provide essential oxygen to the conflicts in the FATA of Pakistan and the southern borders of Afghanistan.

We know that weariness is a factor in the abatement of most conflicts. But to predict the circumstances in which adversaries yearn for peace and abandon winner-take-all goals is immensely difficult. What those who seek to diminish conflict can do is to understand local conditions carefully and probe for moments when interventions seem fruitful. So far as we can see, there are no strategies that can be expected to make adversaries recognize that they are locked in stalemate. Stalemates have little in common. They occur in different ways and time frames. And adversaries' assessments of the advisability of prolonged fighting can change rapidly. In Aceh intransigent separatists were transformed almost overnight into ardent peacemakers, although it was perhaps the 'enticing opportunity' (Mitchell 1996: 3) presented by the Indian Ocean tsunami and resulting international attention that transformed stalemate into real progress in peace talks.

What we do learn is that there are moments when weariness is apparent and when such an 'enticing opportunity' can be turned towards peacebuilding. What measures lead protagonists to conclude that half loaves consumed in peace are better than the possibility of a whole loaf in an uncertain and bloody future? Such calculations can only be attempted by people who understand the subtleties of particular conflicts. And this underlines an argument of this book: an understanding of the peculiar conditions of particular conflicts needs to be married to general principles and global experience.

The economic

One of the most convincing findings of the quantitative literature on civil war is that such wars are overwhelmingly a syndrome of poorer countries. According to one of the seminal texts:

> Per capita income (measured as thousands of 1985 U.S. dollars and lagged one year) is strongly significant in both a statistical and a substantive sense: $1,000 less in per capita income is associated with 41% greater annual odds of civil war onset, on average. Holding other variables at their median values, a country in the tenth percentile on income has an 18% chance of a civil war outbreak over a decade, compared to an 11% chance for a country at the median income and a 1% chance for a country at the ninetieth percentile ($573, $1,995, and $9,505, respectively).
>
> (Fearon and Laitin 2003: 83)

Yet this widely accepted analysis does not take us far in understanding processes of conflict reduction in the Asia–Pacific region. Most of the countries in our study are poor, and most have recorded steady though widely varying rates of economic growth over the period in which we have seen a general reduction in armed conflict. However, when we conduct a fine-grained study of conflicts it is difficult to identify causal links between economic growth and conflict diminution. On the contrary, an extensive and distinguished literature points out that societies undergoing economic development and the attendant social mobilization are particularly vulnerable to ethnic conflict (for example, Connor 1994). Our studies provide more evidence to support these views. In the studies in our volume, economic development appears more often as a factor provoking conflict than one that contains it. Often in our studies, economic development has meant exploitation of natural resources or uneven economic growth that allows a few to fatten and many to waste, or at least it creates perceptions among marginalized ethnic groups that this is happening. Envy and indignation, not prosperity and harmony, are the results. We see this particularly in Bougainville, Southern Highlands and the Solomon Islands, but also in Aceh and to a lesser degree in almost all the cases we study.

Only in a few examples can we see the conflict-ameliorating effects of economic growth and modernization, but even here the evidence is not straightforward. Thus in Punjab the transformation generated by the Green Revolution between the mid-1960s and mid-1980s led to wealth and leisure but less meaningful work for the sons of families that benefited. No longer needed on the land because of mechanization and the availability of cheap seasonal labour, such men found no work suitable to their perceived station. A portion of this cohort was attracted to the movement for Khalistan. By the mid-1990s, however, Indian governments had attempted to correct this economic imbalance by directing food processing and other industry into Punjab, where an increase in employment opportunities may have helped slightly in reducing violent conflict.

Development-assistance programmes, introduced after conflict has subsided, have played a part in some of the cases (notably in Aceh, Bougainville and the Solomon Islands). Our findings confirm the observation that post-conflict economic development is crucial for stabilizing peace processes and for forestalling reversion to conflict. As Paul Collier puts it, ‘the exit strategy [for peacekeeping] is economic recovery’ (2010: 95). Especially important are attempts to provide employment for former fighters. We see in Aceh and in Bougainville examples of former fighters being taken into the construction industry where opportunities range from labouring to contracting. One of the lessons from our studies may lie in the need to identify constructive ways to engage ex-fighters, whether they fought on the side of the state or the state’s adversaries. Economic development, carefully targeted, can turn soldiers into taxpayers and guerrillas into voters (for example, Weinstein and Humphreys 2007). But our cases also provide ample evidence of the potentially destabilizing influence of former combatants in conditions of economic stagnation: witness the violence that arose from tensions within the security forces of the newly independent Timor-Leste.

The fortuitous

Finally, in our search to locate and interrogate factors that account for an overall decline of armed ethno-nationalist conflict, we encountered the importance of chance and the unpredictable. Their significance is worth highlighting, because the fortuitous sometimes creates opportunities for peacebuilding. In most of the cases we studied there were unpredictable moments when diminution of conflict became more possible and when resources became available to aid the process. The outstanding example is the tsunami in Aceh in 2004. The disaster focused world attention, sobered adversaries, injected funds for reconstruction and increased the pressures for the state and the insurgents to work together. Unpredicted events facilitated a political settlement. However, in Sri Lanka, the same tsunami, which severely affected the east coast of the island with a substantial Tamil population, brought no mitigation of the conflict. The Sri Lankan government and the LTTE struggled to control relief funds and material. The conflict continued (for one explanation of the different outcomes, see Le Billon and Waizenegger 2007).

Other elements of chance may include the discovery of natural resources, an assassination or a suicide, or the appearance of a charismatic leader offering new programmes or solutions. In all such examples, however, chance has to be followed by choice. If unexpected possibilities arise, governments, their adversaries and international actors must perceive the opportunity and seize it. There is a lesson for those seeking to diminish conflict. Fine-grained local knowledge is essential both to identify moments of opportunity and make the most of them; and such knowledge is most effective when accompanied by awareness of international examples and access to global resources.

Conclusion

The stories in this book confirm the broad-brush analysis that the world has become a less deadly place in the twenty-first century. By focusing on a limited set of ethno-nationalist conflicts in Asia and the Pacific, we have attempted to identify factors that contribute to the diminution of conflict and that are relevant throughout the world. We do not claim to have approached this question systematically or to have come up with definitive answers. Instead, these studies attempt to get to the heart of specific conflicts to understand why some diminish and others appear so intractable.

Nevertheless, this book is also intended as a tool. At one level, it provides a reference for understanding oft-conflicted countries in the Asia–Pacific region. All its chapters have been written by authors with extensive experience of the landscapes and cultures of particular places. The book thus emphasizes the local, as any compendium on intrastate conflict must do. But its contributors have also striven to extract from their local knowledge general principles that have wider applicability. In this way, the book aims to provide analysts, policy makers and peace builders with a list of ingredients and a set of sample recipes – examples of where and how conflicts have been mitigated. Mechanical lessons are few. But to observe the cases, and see similar principles emerge regularly, has been instructive for us and, we hope, fruitful for readers.

Notes

1 We acknowledge that because most of our cases involve regional and ethno-nationalist conflicts (Fiji being a significant exception), local autonomy may not be so important in reducing other sorts of internal conflict, for example the Maoist-inspired insurgencies of recent times in eastern India.

2 For consideration of the influence of state capacity as a factor in the outbreak of civil wars, in the context of the wider debate on the effect of natural resource industries on conflict, see Thies (2010).

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