



Complex Emergencies and Humanitarian Response

Edited by
Mitsuru Yamada
&
Miki Honda

Union Press

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and
Humanitarian Response**

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Preface

We would like to thank the contributors to this book. Especially, we are deeply grateful to Dr. Rudi Sukandar and Mr. Asrul Daniel Ahmed for participating although they are very busy with their active research.

The planning of this book took advantage of joint research supported by Grant-in-Aid for Scientific Research (B), JSPS *KAKENHI*, Grant Number 15KT0049. Making use of this grant, we held several international workshops that included, “Elections and civil society in Asia: The role of free and fair elections toward peacebuilding” in 2017; and, “Complex emergencies and humanitarian response” in 2018. We decided on the title of this book based on the latter one.¹

Most contributors to this book are members of the Waseda University Institute for Asia Human Community (AHC) and since 2014 we have developed academic networks and joint research with Asian research institutions and NGOs. There are two major networks: (1) the Asian Network for Free Elections (ANFREL) in Bangkok which is composed of 26 Asian NGOs from 13 countries that promote Asian democracy by election monitoring, voter education and capacity building; and, (2) the Centre for Non-Traditional Security Studies (NTS Centre), the S. Rajaratnam School of International Studies, and Nanyang Technological University in Singapore. The NTS Centre is a partner to 32 institutions worldwide, one of which is the AHC. The Habibie Center, the affiliation of Dr. Sukandar, and the Southeast Asia Regional Centre for Counter-Terrorism, the affiliation of Mr. Ahmed, are also members of the NTS Centre.

Most presenters and discussants regarding the above-mentioned international workshops specialize in human security or non-traditional security

from a broad point of view. According to the NTS Centre, there are nine non-traditional security issues that differ from military ones: climate change; resource scarcity; infectious diseases; natural disasters; irregular migration; food shortages; people smuggling; drug trafficking; and, transnational crime.² The joint research members are interested in peacebuilding which includes the humanitarian use of military force because our research theme is, “The establishment of conflict prevention and peacebuilding in Southeast Asia and its border areas.” In other words, how we can contribute to peacebuilding in conflicts in Southeast Asia.

Finally, we consider the title of this book, “Complex emergencies and humanitarian response.” We already understand the common crises facing our daily lives beyond borders as confirmed by the definitions of the NTS Centre. One important concept is human security when we cooperate for the relief of affected people. Asian authoritarian regimes are afraid of infringing the principle of non-interference. However, humanitarian responses are very important activities regardless of the type of regime. That is the most important assertion through each chapter.

This book is composed of two parts. Part I takes a theoretical approach and Part II takes a practical one. Part I opens with an analysis by Mitsuru Yamada who focuses on peacebuilding approaches in Southeast Asia. He pays attention to civil society and NGOs because such peacebuilding actors diversified drastically after the Cold War ended. Furthermore, he emphasizes the importance of socio-economic improvement for conflict resolution and peacebuilding using evidence from the Human Development Report published by the UN Development Programme. Differences in ethnicity are also serious conflict factors. Conflict in Southeast Asia was originally a negative legacy of the colonial age. There were powerful Islamic kingdoms but colonial suzerainty forcibly separated them. Therefore, Islamic identity is a key factor for conflict mediation. In conclusion, Yamada points out the importance of ethnic networks and socio-economic improvement for conflict resolution and peacebuilding.

Rudi Sukandar debates the resolution mechanism of the Association of Southeast Asian Nations (ASEAN). ASEAN has consistently played a key role in maintaining stability in the region; however, factors such as domestic and inter-state disputes require more measures by ASEAN to maximize its role as a dispute resolution mechanism. This extends to both existing and recommended institutions to establish an early warning system to help with conflict prevention. In order to face the challenges ahead, Sukandar pro-

poses that ASEAN countries should focus more on efforts to maximize their role in resolving disputes using current mechanisms with help from both existing institutions and proposed dispute resolution institutions.

Miki Honda addresses the issue of coordination challenges for UN-initiated peacebuilding architecture and makes a modest attempt to seek possible ways for sharing values and norms among different “peacebuilders” in conflict-prone or post-conflict local societies after complex emergencies. The idea of peacebuilding architecture, which is often criticized as insensitive towards the local, emerged as the basis of a universal vision of peace and development. Some tensions within the peacebuilding project and between international peacebuilding actors and local stakeholders go far deeper than mere problems of coordination, and point to differences in ideological approach and to serious internal inconsistencies in the peacebuilding consensus. Honda discusses the relevance of imposing “universal values and norms” on the local and sharing the same values among peacebuilders.

The chapters of Part II link the theoretical debates to practical cases in conflict-prone and post-conflict nations. Yuji Uesugi examines the conflict in Bangsamoro in the Southern Philippines, using an analytical framework that focuses on three social cleavages: horizontal, vertical and diagonal gaps. By introducing a key concept, “Platforms for Dialogue,” as a means to negotiate, mediate, and facilitate a peace agreement, the chapter sheds light on the functions of “hybrid facilitators” such as the Organization of Islamic Cooperation, Malaysia, and the International Contact Group that have endeavored to bridge across social cleavages. Uesugi demonstrates how hybrid facilitators have contributed to the Bangsamoro Peace Process and presents a new outlook of hybrid peacebuilding by extending the scope of the analysis beyond the binary frameworks of non-West/West and local/international.

Asrul Daniel Ahmed analyzes the current trend as “a new phase” of terrorism in Indonesia, focusing on the Islamic State of Iraq and Syria (ISIS) and the messages it propagates, as well as efforts by civil society actors in preventing and countering them. ISIS has spread its narratives through computer mediated communications to great effect. It uses non-traditional weapons on unsuspecting populations far from centres of conflict through individuals or groups with no formal relationship or prior experience of terrorism. Ahmed describes efforts by civil society actors to counter the messaging of ISIS. These efforts attempt to stymie, degrade and mitigate the

influence of violent extremist messaging in a number of ways, most prominently by tackling the drivers of extremism such as poverty, inequality, and a lack of meaningful opportunities.

Hiromu Miyashita analyses the Rohingya issue and responses by related nations from the perspective of “Responsibility to Protect” (R2P). The Rohingya issue has raised concerns globally about ethnic cleansing and genocide. Miyashita argues that Indonesia’s active diplomatic approach which started in 2016 represents an ASEAN-style practice of R2P, which covers endeavors to address mass atrocities based on the principle of non-interference in the internal affairs of states. Today, the Rohingya issue has been discussed as a regional issue but the fact that ASEAN has just started engaging with the issue represents a step forward. Miyashita debates that state sovereignty is entrenched in Southeast Asia; thus, helping the Myanmar government through constructive engagement that respects the principle of non-interference could be considered as an ASEAN-style practice of R2P.

Yukako Sakabe Tanaka aims to provide theoretical and practical implications of including local people in peacebuilding by identifying who “locals” are in order to create hybrid forms of peace, and by analyzing the efforts of community residents in a newly democratic country, Timor-Leste. Tanaka analyses cases of community policing, early warning systems, and social audit initiatives to specify community residents’ roles and the supporting roles of civil society. The cases are presented as revitalizing the state-society relationship in a country in the developmental stage of building institutions. The scrutiny of externals’ roles in supporting security in weak states in mentoring, intervening in, or facilitating local-local relationships is suggested.

Luis A. Marques argues for the necessity and importance of technical education for Timor-Leste from a state-building perspective. The theoretical foundations of vocational and technical education are traced in various well-known studies to gain a better understanding of what factors are contributing to the development of technical education and the process of state building in Timor-Leste. In describing the efforts of international and local organizations, Marques stresses the necessity of attention to technical education in Timor-Leste due to both its impact on society as a whole and its influence on the process of state building.

Kazumi Abe examines the influence and result of rapid development in Papua from the perspective of community security. Since 1998, Papua has

experienced rapid economic development and acquired political stability after democratization. Abe outlines cases of the biggest national development projects in Papua in order to analyze the suffering of people as a result of this rapid government-led development. Abe focuses on the collision between the Indonesian government's policy of development and Papuan people's land rights based on customary *adat* laws. Abe concludes that the government's current approach to development in Papua has marginalized the people, put them at risk of losing their traditional relationships and values, and has exacerbated the tangled problems that society faces in Papua.

Shiro Mineta discusses armed conflicts in Myanmar and how local actors support Internally Displaced People (IDPs) in the peacebuilding process, focusing on the case of the Kachin conflict. The Kachin have fought against the Myanmar military since 1961, making the duration of this armed conflict one of the longest in the world. The headquarters of the Kachin Independence Organization/Kachin Independence Army (KIO/KIA) is located near the border with China and is surrounded by the Myanmar military. Therefore, humanitarian assistance for IDPs faces geographical constraints and other difficulties that limit assisting them fully. Mineta analyzes current efforts and strategies of local supporters of IDPs and suggests solutions for better assistance from a humanitarian perspective.

In the book's one case study that is outside of the Southeast Asia region, Yoshiko Tonegawa investigates the roles, functions, efforts and challenges of NGOs in Ethiopia, focusing on restrictive laws directed at NGOs. The Civil Society Organization (CSO) Law was enacted in 2009, affecting both Ethiopia and other neighboring countries in sub-Saharan Africa. Tonegawa examines the restrictiveness of the law, the effects of the law on NGO sectors, and responses to it by NGOs. The analysis found that regulations set by the CSO law have affected not only advocacy and human rights activities but also service delivery conducted by NGOs. The result is that many NGOs are minimizing their spheres of activity and losing legitimacy.

Through discussions from both theoretical and practical approaches, this book presents the reality of the unstable situations and difficulties that conflict-prone and post-conflict nations face. The chapters analyze complex emergencies and humanitarian efforts by diversified actors—nations, international and regional organizations, and civil society. We hope this volume can contribute to better understanding that it is very challenging for the international community to stabilize and root real peace in conflict-affected societies. Peace is not an event that happens immediately but efforts by

many diversified actors offer us a glimmer of hope for the future.

Lastly, and particularly, we would like to thank Hiroshi Ikeda, Union Press, for his efforts in editing and publishing this book.

Mitsuru Yamada and Miki Honda,
Editors

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Notes

- 1 We published IASS (Institute for Advanced Social Sciences, Waseda University) Working Papers in March 2017 and February 2018.
- 2 See the RSIS-Centre for Non-Traditional Security Studies website.

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In order of appearance

PART I Theoretical Approach

CHAPTER ONE

Peacebuilding approaches in Southeast Asia
Paying attention to civil society, NGOs and human security

Mitsuru Yamada

Abstract

This chapter focuses on peacebuilding approaches in Southeast Asia, paying particular attention to civil society and non-governmental organizations (NGOs) because such peacebuilding actors have diversified drastically after the Cold War. One of reasons is the enlargement of peace activities by the United Nations (UN) which considers civil society and NGOs as important collaborators. Furthermore, the UN Development Programme (UNDP) promotes human development and has published its *Human Development Report* annually since 1990. The UNDP focuses on the relation between human development and human security. Human security is mainly composed of “Freedom from Wants” and “Freedom from Fear.” A great number of people in developing countries suffer from poverty and conflicts at present.

This chapter also pays attention to differences in socio-economic conditions between conflict areas and other centers. As an example, I will take the cases of Southern Thailand and Mindanao conflict areas. We can understand the situation of undeveloped socio-economic indices according to the *Human Development Report*. It is said that ethnic identity crises bring out conflict as a rule. As a matter of course, I can accept it but, on the other hand, socio-economic development is also important for conflict resolution and peacebuilding. Moreover, ethnic networks, such as the Organization of Islamic Cooperation (OIC) and the Islamic state of Malaysia in Southeast Asia, are also important mediation actors. In addition to the mediation actors of civil society and NGOs, I also focus on the activity of OIC and Malaysia in this chapter.¹

Introduction

States have decreasing powers of problem-solving but, on the other hand, non-state powers such as civil society and non-governmental organizations (NGOs) across or beyond borders are increasing their influence on human crises in the world. In other words, there is an increasing focus on “Human Security” instead of “National Security.” NGOs are composed of global governance with state actors in the international arena.

Asia has many kinds of political regimes ranging from military dictatorships to authoritarian administrations to democratic governments. On the one hand, the activities of civil society and NGOs are prohibited or limited by governments and, on the other hand, they have a large influence on policy-making. As a rule, Asian countries are based on state-centered administration rather than a civil society that influences the country.

This chapter focuses on peacebuilding. We know the term peacebuilding as “the building of a peaceful society” as a rule. However, peacebuilding includes three terms altogether: preventive diplomacy; peacemaking; and, peacekeeping. To be exact, “peacebuilding” was introduced as “Post-conflict peacebuilding.” Mr. Boutros Boutros-Ghali who was the former Secretary-General of the United Nations (UN) submitted the document, “An Agenda for Peace”² to the Security Council and General Assembly in 1992 in the aftermath of domestic and regional conflicts during the Cold War.

Why did the UN try to promote peaceful activities after the Cold War? The Cold War impoverished the financial resources of both superpowers, the United States of America (US) and the Soviet Union. The US changed its diplomatic policy from positive to negative security assurance named “aid fatigue.” On the other hand, the Soviet Union itself broke up at the end of 1991 whilst introducing the new reform policy of “*Perestroika*.” In place of the two superpowers the UN had to manage a post-Cold War world for refugees and people affected by conflicts resulting in “Human Security” becoming an important new concept in the 1990s.

1. The position and situation of Asian civil society

We know civil society has a long history and many definitions. In this chapter, we use the following definition: civil society consists of public areas that are independent of the state and market, observing the state from a sovereign and spontaneous point of view, and participating in policy-making (Ue-

mura, 2010). According to Habermas, the system of civil society is based on a voluntary combination between non-state and non-market actors. He takes several examples such as churches, cultural circles, academic circles, independent media, sports circles, recreational groups, debating clubs, citizen forums, citizen campaigns, trade associations, political parties, trade unions, and alternative facilities (Habermas' Japanese translated version, 1994: xxxviii).

Habermas emphasizes the appearance of a new civil society instead of the old civil society that was based on the capitalistic markets of Marxism. In other words, his new social movement concept appears to be influenced by feminism, mass movements for cultural mobilization, or people's movements against governments that were behind the East European Revolution of 1989 (Shinohara, 2004: 104–105).

Kaldor claims that global civil society includes non-state actors based on global politics such as global social movements, international NGOs, transnational advocacy networks, civil society organizations, and global public policy networks (Kaldor's Japanese translated version, 2007: 115).

What is the difference between these western concepts and an Asian style? According to Tasaka (2009), the role of civil society cannot be considered without the presence of governments in Southeast Asia. There are many kinds of community-based organizations such as residents' associations, neighborhood associations, agricultural cooperatives and other organizations connected by blood relations and regional society. Tasaka emphasizes a clear difference between an Asian style dependent on government and a western style contingent on non-government agents (2009: 8–9).

Although Asian governments have mainly taken charge of development, issues of democratization and human rights have not replaced the concepts of "Asian democracy" or "Asian values." In other words, Asian authoritarian political leaders have stressed the importance of the right to a certain standard of living and the middle classes have generally accepted the role of authoritarian governments in order to maintain living standards. They have been willing to tolerate developmental dictatorships for economic growth, taking a conservative position and maintaining political indifference instead of democratization (Robinson and Goodman, 1996).

As a rule, strong sovereign states in Asian countries have used three options against civil society: suppressing people's freedom by the way of internal security acts; strengthening the political regime by absorbing anti-governmental groups in a form of state corporatism; or, accepting their

presence. However, on the one hand, there are many NGOs and traditional social organizations, but on the other hand, Iwasaki points out the necessity of state engagement to encourage positive activities by civil society. If not, civil society might turn itself into a mini-power in place of the enormous power of governments (1998: 29–31).

Eleven Southeast Asian countries are focused on in this chapter. The Association of Southeast Asian Nations (ASEAN) is composed of ten countries but will have 11 members in the near future when it is joined by Timor-Leste. ASEAN reached the 50th anniversary of its establishment in 2017 and it is said that ASEAN is known for its diversity regarding race, religion, language, and culture. Each member country besides Thailand has been ruled by different western colonizers, with the exception of Japanese military rule during World War II. The history of each country's independence movement after the Japanese military defeat were different and influenced the later regimes in different ways.

Table 1 describes the position of civil society in these 11 countries according to the *Democracy Index 2017*.

The Democracy Index 2017 shows four regime types: full democracy; flawed democracy; hybrid; and, authoritarian. It excludes the regime of an absolute monarch such as Brunei Darussalam which does not have democratic data. Considering the other ten countries, five countries have flawed democracy, Thailand has a hybrid regime, and four countries are authoritarian.

The role of civil society is to promote political participation and civil liberties. Take Cambodia for instance, whose indices showed 2.22 and 3.24 respectively in 2017. However, it is clear that those indices decreased after the 2018 general election. The Hun Sen government won an absolute victory in this election because of its suppression of the media and the main opposition party and the passing of unfair bills. The activities of civil society for a “Free and Fair Election” were overpowered by the strongman tactics of Hun Sen.

2. The civil society network for democratization in Southeast Asia

Democracy is a common goal for people in Southeast Asia as well as in the world. However, the data in Table 1.1 confirms that the level of democratic factors are different in each country. Is it possible to spread the strategy for

Table 1.1 Southeast Asia Democracy Index 2017

Country	Overall score	Global rank	I	II	III	IV	V	Regime type
Timor-Leste	7.19	43	9.08	6.79	5.56	6.88	7.65	Flawed
Philippines	6.71	51	9.17	5.71	7.22	4.38	7.06	Flawed
Malaysia	6.54	59	6.92	6.92	7.86	6.11	6.25	Flawed
Indonesia	6.39	68	6.92	7.14	6.67	5.63	5.59	Flawed
Singapore	6.32	69	4.33	7.86	6.11	6.25	7.06	Flawed
Thailand	4.63	107	3.00	4.29	5.00	5.00	5.88	Hybrid
Myanmar	3.83	120	3.67	3.93	3.89	5.63	2.06	Authoritarian
Cambodia	3.63	124	1.33	5.71	2.22	5.63	3.24	Authoritarian
Vietnam	3.08	140	0.00	3.21	3.89	5.63	2.65	Authoritarian
Laos	2.37	151	0.83	2.86	1.67	5.00	1.47	Authoritarian

Notes: No democratic data regarding Brunei Darussalam because it is an absolute monarchy. The highest score is 10.00. "World" population refers to the total population of the 167 countries covered by the Index. The Roman figures mean: I: Electoral process and pluralism; II: Functioning of government; III: Political participation; IV: Political culture; V: Civil liberties.

Source: The Economist Intelligence Unit, 2017.

democracy beyond a border? How does civil society promote democracy in this region? On the one hand, we know the special terms of “Asian Values,” or “Asian Democracy” that have been used during developmental dictatorships since 1970 differ from western terms. Both terms guaranteed economic development and promised people that their living standards would rise. And although each country achieved economic development, authoritarian leaders grew corrupt and through collusion and nepotism they concentrated specific powers.

2.1 The movement for civil society solidarity in Southeast Asia

ASEAN has an important way of decision-making based on principles of non-interference, a consensus system, and ambiguous agreements. It is said to be “the ASEAN way” (Kuroyanagi, 2005). The decision-making process of ASEAN is generally a combination of the above three ways and is called Track 1. Track 2 took an increasing role for the ASEAN agenda in the 1980s. Track 2 is composed of a think-tank called the ASEAN-Institutes of Strategic and International Studies (ISIS) that promotes regional cooperation mainly regarding economic affairs and security issues. It has the role of promoting informal diplomatic relations among member states.

Civil society began to be in an influential position regarding ASEAN policy-making in 2002. ASEAN held a member states summit in Bali and the second Bali declaration referred to regional cooperation such as political-security, and economic and social-cultural cooperation. Social-cultural cooperation in particular promotes the positive activities of civil society (Bali Concord II/BC II in 2003). ASEAN decided the establishment of the ASEAN Community in 2015 after the introduction of the ASEAN Charter at the summit meeting of 2007.

In addition, society as Track 3 has organized the ASEAN Civil Society Conference (ACSC) since 2005. This meeting was first held in Kuala Lumpur in 2005, on Cebu Island in 2006, and in Singapore in 2007. The ACSC was very interested in the formulation of the ASEAN Charter. Civil society, including trade unions, especially Solidarity for Asian People’s Advocacy (SAPA), had a meeting in Singapore for about 200 people who were asked their opinions and ideas for the ASEAN Charter before the 13th ASEAN summit started.

The proposal from ACSC regarding the summit declared nine items: human rights; social economic fairness; participatory democracy; the rule of law; the right of development; sustainable development considering the en-

vironment; cultural diversity; equality of gender; security of people; and, the transformation of a peaceful society free from conflicts. These were based on universal values, principles, and norms. There was also another proposal for an environmental community in order to promote environmental integrity in Southeast Asia.

2.2 The activity of civil society toward Myanmar democratization

This section considers the engagement of civil society in order to achieve the democratization of Myanmar. It is said that Myanmar is the final frontier with many multi-national enterprises seeking business opportunities there. However, economic sanctions have been imposed on Myanmar's military regime regardless of a democratic election in 1990. Myanmar eventually turned to democratization at the time of the general election in 2015 when the National League for Democracy (NLD) led by Aung San Suu Kyi won a majority.

What was the position of the Myanmar government during military rule? Violations of human rights by the military were often criticized by ASEAN as well as western countries but ASEAN adopted moderate engagement with Myanmar based on the "ASEAN way." On the other hand, civil society, especially western NGOs, severely criticized the military regime and, for example, continued to call the country Burma instead of Myanmar.

At the Singapore meeting the ACSC denounced the Myanmar government because the military had oppressed monks and citizens at an anti-government protest demonstration in 2007. The NGO network declared that the ASEAN Charter should not include any signature from the military regime: a view epitomized by the following statement, "No Bloody Hand on an ASEAN Charter."³

Furthermore, civil society NGOs requested a strong denunciation and severe sanctions against Myanmar from Singapore, Thailand, and Malaysia that were the main members of ASEAN, Indonesia that was a nonpermanent member of the UN Security Council, and China and India that were regional powers. Next, because the ASEAN Charter was a "People's Charter," civil society NGOs requested a referendum to each country to decide if their state should allow a signature or not.

The civil society NGOs solidarity against the Myanmar military regime involved the UN as well as civil society NGOs in the ASEAN region as a whole. In fact, the UN Commission on Human Rights and Mr. Ibrahim Gambari, who was the special envoy of the UN General-Secretary, were dispatched to investigate incidents in Myanmar. Civil society NGOs also asked

the military regime for a shift to democratization that involved the European Union, western democratic nations, and other international NGO networks.

Such a push to democratization supported political prisoners including Aung San Suu Kyi, who was confined in her own house, and helped bring about political change. The NLD won a majority in district by-elections in 2012 and, as mentioned already, went on to win the 2015 general election.

The civil society strategy with regards to democratization from the 2010 general election will next be considered. The Asian Network for Free Elections (ANFREL) is a powerful NGO network that promotes Asian democratization by “Free and Fair Elections.” ANFREL is composed of 21 NGOs from 21 countries and deploys election observers to post-conflict states or authoritarian regimes for monitoring elections. In addition to election monitoring it supports the assistance of capacity building for election procedures, voter education, and confirmation of election laws.

During the 2010 general election in Myanmar, ANFREL supported general election management for future democratic elections. At that time, the Myanmar government did not yet accept election observers from foreign countries, therefore, ANFREL invited its member NGO from Myanmar to the Thai-Myanmar border to provide capacity building for election management. Although foreign observers did not participate in the 2010 general election, one of the ANFREL network NGOs, the Thai Action Committee for Democracy in Burma (TACDB), secretly undertook election monitoring and published its results (TACDB, 2011). The TACDB was established in 1989 and cooperated with diaspora Burmese.

The TACDB requested various reforms of the Myanmar election system: revision of the 2008 constitution regarding 25 % allocation of assembly seats to the military; voter registration law; relations between a party and candidates; election campaigns; independence of election committees; neutrality of the media, the voting and counting system, and others (ibid). These actions, if taken, were believed to lead to a “Free and Fair Election.” In fact, ANFREL gave a certain positive evaluation to the 2012 by-election although the Myanmar government had refused to allow monitoring activity by ANFREL.⁴ We know the following 2015 general election finished safely and gained a partial achievement.⁵ This meant that the steady ANFREL support helped work towards Myanmar democratization.

2.3 NGO networks for peacebuilding

According to Alger (2005: 5–14), NGOs for peacebuilding have to make ef-

forts in four ways. Firstly, NGOs need to mobilize through global networks. Secondly, NGOs have to develop strategies for public support and involvement. Thirdly, NGOs for peacebuilding have to be involved in the activities of inter-governmental organizations (INGOs) and increase their influence on INGOs. Finally, NGOs have to deeply participate in various practical peacebuilding activities.

In the world arena, we can see the general role of political, military, religious, and charismatic leaders in the mediation of conflict resolutions. It has been said that civil society has no power in the area of conflict resolution for the most part. However, various civil society actors have recently performed brilliantly in the field of conflict mediation and have even received the Nobel Peace Prize. These include the International Campaign to Ban Landmines (ICBL) in 1997; Crisis Management Initiative (CMI) led by former Finland president Martti O. K. Ahtisaari in 2008; Women of Liberia Mass Action led by Ms. Leymah R. Gbowee and President Ellen J. Sirleaf who realized Liberian peace; Women Journalists without Chains led by Ms. Tawakel Karman in 2011; the International Campaign to Abolish Nuclear Weapons (ICAN) led by Ms. Beatrice Fihn and *Hibakusha* in 2017. Civil society has certainly played a key role in conflict resolution and peacebuilding.

Martti Ahtisaari mediated between the Indonesian government and *Gerakan Aceh Merdeka* (GAM: Free Aceh Movement) that had fought against the central government since 1975. However, I heard civil society NGOs, such as women activity networks that had complained of illegal violence from the military and police, realized a peace agreement in the Aceh conflict.⁶ As in the case of the Aceh conflict, civil society NGOs played an important role to promote peace in the Mindanao conflict (Abbakar, 2007: Chapt.13; Askandar, 2007: Chapt. 12; Yamada, 2011: 211–212).

In the case of East Timor/Timor-Leste, it is said that more than 200,000 people died in the Indonesian invasion in 1975 and in the subsequent 24 years of Indonesian control. As a result of the referendum in 1999, the East Timorese chose an independence process instead of special autonomy as suggested by Indonesia. During the 24 years before independence, human rights NGOs, including FOKUPERS and ETAWAVE, that consisted of active women groups were courageous enough to accuse the Indonesian military and police of various violations (Yamada, 2008: 342–347).

Although such activities encouraged peace movements they also triggered violent illegal attacks. But, as Alger (2005) said, the most important

movement for peacebuilding will involve the international community. Interior movements from civil society NGOs for peacebuilding are propagated to exterior movements; that is civil society NGOs network through the global society. In other words, civil society NGOs realize human rights, human solidarity, humanitarian interests, and a peaceful world as a global public good. Take the Aceh conflict for instance; the Henry Dunant Center played the first role of mediator as an exterior actor, and then mediation from CMI achieved a peace agreement. In the case of the Mindanao conflict, three members of the Organization of the Islamic Conference (OIC, Organization of Islamic Cooperation since 2011), Malaysia, Brunei, and Indonesia, played an important mediating role as exterior actors. At the same time, Japan provided support for a development project to start after the peace agreement was concluded. Peacebuilding support from concerned conflict parties, governments, the UN, regional organizations, and a global network of civil society NGOs can promote and realize a peaceful environment.

3. Conflict resolution and peacebuilding in Southeast Asia

There are several conflicts in Southeast Asia, most of which came from the negative legacy of colonial-made borders. Southeast Asia had the *mandala* system where several kingdoms retained power in each area. The central city of each kingdom was prosperous but the periphery was different from the center and each kingdom's hegemony was weak in such areas.

However, European imperialists such as Britain, France, Spain, Portugal, and Holland divided Southeast Asian areas according to colonial consensus regardless of local people. As a result, several kingdoms were divided into different nation-states based on new borders. For example, the Southern Thai conflict resulted from the division of the Patani kingdom that extended over Malaysia and whose people believed in Islam. Several provinces came to belong to Malaysia because the British colonial rulers demanded territory from Thailand that belonged to the Patani kingdom. As a result, religion and ethnic identity became serious factors behind conflict. More than 95 % percent of Thai people are Theravada Buddhists but there are about 5 % Muslim people in the area of the former Patani kingdom and its environs. The Mindanao conflict came from a negative colonial religious legacy similar to the Southern Thai conflict. A great number of Christian migrants moved from Luzon or the Visayan Islands to Mindanao Island banana plantations during the US colonial rule. However, there were some Islamic kingdoms

such as the Sulu and Maguindanao and conflicts between Christian migrants and local Muslims were brought out in those areas.

3.1 The role of Malaysia for peacebuilding as the inside actor of ASEAN

Next, I would like to analyse the role of Malaysia as an Islamic member of ASEAN for promoting peace agreements. I have already explained the complex situation regarding the Southern Thai conflict. However, it has no deep engagement from outside actors in comparison with other conflicts in this region. Three territories of Southern Thailand had belonged to the Islamic Patani kingdom. As the British gained power in this area, Thailand (Siam at that time) ceded these territories to the British so that Patani was forcibly separated between Thailand and Malaysia (British Malaya at that time).

This is why the Southern Thai people retained a feeling of familiarity to the states of Kedah, Kelantan and Terengganu in present-day Malaysia. Those states accept students who have the same Islamic identity from Southern Thai areas that belonged to Patani. The Islamic Party of Malaysia (PAS) is one of the main opposition parties that promotes a strict Islamic identity and it sympathizes with the position of Southern Thai people from a Malaysian point of view. However, both countries have a complex history of diplomatic relations with neighboring countries. On the one hand, both have suffered from communist violence in the past and then cooperated in crackdowns against their activities. On the other hand, both often criticized each other because the illegal Darul-Arqam movement in Malaysia was training in Southern Thailand, or separatist armed groups in Southern Thailand were protected at the Thai-Malaysia border (Saravanamuttu, 2010: 284–285).

Considering the Malaysian activities toward the Mindanao conflict, Malaysia has mediated very actively since 1997. The first concern of conflict was caused between the Philippine government and the Moro National Liberation Front (MNLF). The MNLF had an internal dispute by the way of negotiation with the government and eventually formed a new group called the Moro Islamic Liberation Front (MILF). Malaysia promoted peace negotiations between the government and MILF through “Shuttle Diplomacy,” and Malaysia organized an International Monitoring Team (IMT) composed of Brunei and Libya which started in 2004 after the ceasefire in 2003. Japan participated in the IMT with the promotion of socio-economic development in 2006 (Ishii, 2013; Uesugi, 2015: 51–66).

Santos (2005: 55–88) points out five reasons why Malaysia engaged in

mediation of the Mindanao conflict. Firstly, Malaysia found middle ground to compromise through the support of economic development but not the separation of Mindanao as required by MILF, and it urged a reunion between MNLF and MILF as an act of common Islamic identity. Secondly, Malaysia proposed the Malaysian model that was successful for harmony between Islam and modernization, which was a combination of multi-ethnicities, multi-religions, and multi-cultures. Thirdly, the Mindanao conflict brought a geopolitical crisis to the attention of the international community, Southeast Asia and Malaysia because it included complex factors such as other conflicts related to the Abu Sayyaf terrorist group, an influx of a great number of refugees, and the historic territorial dispute over Saba state. Fourthly, the Mahathir government maintained long-term political economic stability at that time. PAS accepted Malaysian mediation because Mahathir became the spokesperson for the OIC and the Non-Aligned Movement (NAM) and were united behind his strong leadership. Finally, MILF itself was interested in the Malaysian experience of federation systems, an Islamic state, multi-culturalism, priority policies for *Bumiputra* or original people, and sultanates (Santos, 2005).

Malaysian diplomatic policy during the Mahathir administration aimed at mediation based on membership of ASEAN, the NAM, and the OIC. Malaysia also deployed a Peace Keeping Operation (PKO) to multi-national forces resolved by the UN Security Council to Namibia's UNTAG, Cambodia's UNTAC, Bosnia and Herzegovina's UNPROFOR, Bosnia's IFOR and SFOR, and Timor-Leste's INTERFET and UNTAET (Saravanamuttu, 2010: 343). These factors are the background to Malaysia's positive mediation.

3.2 The role of peacebuilding actors outside ASEAN

First of all, we have to focus on the presence of the OIC that promoted Islamic solidarity and exchange, and supported the struggle for self-determination. In fact, the OIC provided an observer position to MNLF in 1977, and it declared the resolution of the Mindanao conflict for peace in terms of Islamic issues at the sixth OIC Summit in 1991. Furthermore, the OIC asked Philippines president at that time, Joseph Estrada, for a cease-fire in 2000. Moreover, the OIC supported the mediation from Malaysia and Libya for a cease-fire at the 31st foreign minister meeting in 2004 (Santos, 2005: 94–98).

Santos states why the OIC could play a key role to mediate in the Mindanao conflict. First of all, MILF as well as MNLF could trust an OIC-based

Islamic organization. On the other hand, the government was afraid of influence from the Organization of Arab Petroleum Exporting Countries (OAPEC) belonging to the OIC. And furthermore, a large number of Filipinos were working in the Middle East as migrant workers.

What was the position of the US as former colonizer? The US had many concerns regarding terrorism after the 9.11 incident in 2001. The president at that time, George W. Bush, became deeply involved in the Mindanao conflict as it connected with Islamic groups. Although President Maria G. M. Macapagal-Arroyo asked President Bush for support for conflict resolution, the US decided on the introduction of a peaceful resolution without military attacks on MILF. The chairman of MILF, Mr. Salamat Hashim, sent a letter to President Bush regarding the origin of the Mindanao conflict. It said that the present conflict toward the government succeeded the US colonial policy. Therefore, MILF asked the US to play a legitimate role. The US understood that MILF had no relation with international terrorism networks. The US analyzed that the Mindanao conflict came from poverty, a lack of development and education, dominant secularism, cultural-religious coercion and destruction based on Christianity, and especially the exclusion of local people from their original lands (ibid: 98–101).

Finally, I would like to confirm the position of the UN and ASEAN. Former Secretary-General of the UN, Mr. Kofi A. Annan, suggested a comprehensive peace offer and appealed to the Philippines government for a continuous political resolution. On the other hand, ASEAN promoted preventive diplomacy based on non-interference principles. According to the ASEAN Charter in 2007, Article 23-Section 1 explained that “Member States which are parties to dispute may at any time agree to resort to good offices, conciliation or mediation in order to resolve the dispute within an agreed time limit.” Section 2 said that “Parties to the dispute may request the Chairman of ASEAN or the Secretary-General of ASEAN, acting in an ex-office capacity, to provide good offices, conciliation or mediation” (The ASEAN Charter, 2007).

That Article 23 can be adapted to conflicts beyond borders. Therefore, the Mindanao conflict can be applicable because it was already dealing with international conflict. On the other hand, the Southern Thai conflict has not had any clear involvement from outside actors yet. In a sense, if third parties such as international and regional organizations, international and locally connected NGOs, and state networks of common ethnicity can participate in conflict mediation, then the Southern Thai conflict will realize a peaceful

resolution in a short period.

4. The significance of socio-economic development for peacebuilding

Santos (2005: 62) introduced a statement of the Malay scholar, W. K. Che Man at an international seminar regarding Muslim separatism between Mindanao and Southern Thailand. Che Man said that both elites gradually came to accept their respective national systems through a process of national integration or economic development. On the other hand, he emphasized that ethnic leaders thought religion, identity, and nationalism were reasons for conflict rather than problems at a socio-economic level.

Ethnic identity is still an undeniable factor in conflicts, but on the other hand we have to recognize the importance of socio-economic improvement when we consider conflict resolution or peacebuilding. This is especially important for young people because globalization influences the daily life of common people regardless of their social situation. According to research in the 2000s, even in Southern Thai conflict areas, many people enjoyed Thai dramas or song shows without worrying what other people would think (Shibayama, 2007:62). The ethnic conscience has faded and now a national conscience has grown drastically on the wave of globalization. In other words, there are no obstacles to combining Thai as a national identity with a Muslim identity.

I surveyed Southern Thai students when I visited the Prince of Songkhla University (PSU) in 2013, carrying out an attitude survey of 94 students regarding the Southern Thai situation.⁷ The main questions and answers were: "What is the main reason for conflict?" Most Muslim students answered, "A lack of concern toward Southern Thailand." "Strong prejudice." "An arrogant attitude from the military and police." Most Buddhist students answered "A lack of understanding of different beliefs and religion." "A lack of government leadership." "Egoism and corruption of politicians." "A lack of political participation from residents."

Secondly, "Do you think different religions bring out different reasons for conflict?" Most Muslim students answered, "Residents believe in religion respectively, therefore we have to respect each religion and each other." This answer from Muslim students can be understood because of their managed situation under a military operation. On the contrary, most Buddhist students were conscious of different religions in daily life. They emphasized

the different customs between Buddhism and Islam.

Thirdly, “How can you evaluate economic development in Thailand?” Most students without a religion gave positive answers. On the other hand, some Buddhist students said, “People got to be happy because of an improved life.” But some Muslim students said, “We are afraid of egoism without a sense of morality.” They feared economic or income disparities between Southern Thai Muslims and Buddhist Thais (Yamada, 2016: 213–217).

There are several points about the above questionnaires and answers that can be suggested. Almost all students who answered gave a positive evaluation regarding Thai economic development. But Muslim students, as a rule, did not recognize the Southern Thai conflict as a religious struggle. They criticized the responsibility of the government and political leadership because they approved of coexistence and harmony between both religions. They also blamed politicians and the military that sought to acquire concessions for natural resources in Southern Thai areas. That is one of the main reasons why the separatist armed forces do not allow the presence of the government and the military. The PSU students generally seek for a peaceful daily life based on diversity and strongly ask for stable economic opportunities.

5. The relation between peacebuilding and human security

I have considered the meaning of peacebuilding in Southeast Asia from various points of view. Hereby, I would like to focus on the concept of “Human Security.” The UN Development Programme (UNDP) has published a *Human Development Report* (HDR) since 1990. It announces the rank of human development index (HDI) every year. The HDI is composed of mainly educational indices such as “Expected years of schooling,” or “Adult literacy rate,” and a health index based on “Life expectancy rate,” and “Gross national income (GNI) per capita based on purchasing power parity: PPP.”

The HDR emphasizes results from the perspective of an overall human life although the World Bank World Economic Report pays attention to total economic results. The 1994 HDR presented a special number regarding the relationship between “Human Development” and “Human Security.” As a result, the concept of human security was extended in the post-Cold War period led by UN peace activities. Human security consisted of the following seven items: economy; food; health; environment; individual; community;

and politics. In other words, it summarized “human-centered development.”

We can also categorize human security into two areas; “Freedom from want,” and “Freedom from fear.” The former means a breakaway from chronic menaces such as famine, sickness, and oppression to focus on decreasing poverty. The latter means to protect from the sudden destruction of daily life regarding the family, workplace, and community. It mainly considers fear from conflict. And nowadays we face crises from natural disasters and environmental destruction, which are included in “Freedom from fear.”

Both menaces come within the category of human rights. In other words, the HDI shows human rights from various points of view. Table 1.2 shows the main indices regarding 11 Southeast Asian countries. The HDI distinguishes accurately among “Very High Human Development,” “High Human Development,” “Middle Human Development,” and “Low Human Development.”

Singapore and Brunei are classified as very high human development. Malaysia and Thailand are classified as high human development and Indonesia, Vietnam, The Philippines, Timor-Leste, Laos, Cambodia, and Myanmar are classified as middle human development. There is no doubt that there are no low human development countries in Southeast Asia, although Myanmar was in that position in 2014. However, the HDI is an average value for each country but does not show numerical values regarding domestic disparities in education, income, employment, life expectancy, and other gaps.

Take the Southern Thai human development index for instance where there are clear differences in comparison to other domestic areas. According to the 2014 *Thailand Human Development Report* and *Human Achievement Index* (HAI),⁸ Southern Thai conflict areas such as Narathiwat, Yala, and Patani province show low level indices from the viewpoint of human rights. Narathiwat and Patani are ranked 63rd and 69th of all 76 provinces respectively. Especially, the educational index shows a low level rank at 76th in Patani, 71st in Yala, and 76th in Narathiwat. In the case of the employment index, Yala is 66th, Narathiwat is 67th, and Patani is 76th. Such low ranks show undeveloped socio-economic circumstances which is one of the serious reasons why the Southern Thai area is still in conflict even now.

How about the example of the Mindanao conflict? According to the *Philippines Human Development Report*, there are five provinces where *Bangsamoro* live:⁹ Sulu, Maguindanao, Tawi-Tawai, Lanao del Sur, and Basilan.

While the average HDI in the Philippines was around 0.6 in 2009, HDI in Sulu was 0.26, 0.3 in Maguindanao, and 0.31 in Tawi-Tawi. These HDI were

Table 1.2 2105: Human Development Index and its components in Southeast Asia

HDI rank	Country	HDI	Life expectancy at birth	Mean years of schooling (Adult literacy %)	Gross national income (GNI) per capita (\$US)
5	Singapore	0.925	83.2	15.4 (96.8)	78,162
30	Brunei	0.865	79.0	9.0 (96.4)	72,843
59	Malaysia	0.789	74.9	10.1 (94.6)	24,620
87	Thailand	0.740	74.6	7.9 (96.7)	14,519
113	Indonesia	0.689	69.1	7.9 (93.9)	10,053
115	Vietnam	0.683	75.9	8.0 (94.5)	5,335
116	Philippines	0.682	68.3	9.3 (96.3)	8,395
133	Timor-Leste	0.605	68.5	4.4 (67.5)	5,371
138	Laos	0.586	66.6	5.2 (79.9)	5,049
143	Cambodia	0.563	68.8	4.7 (77.2)	3,095
145	Myanmar	0.556	66.1	4.7 (93.1)	4,943
Very High HDI		0.892	79.4	12.2 (-)	39,605
High HDI		0.746	75.5	8.1 (95.3)	13,844
Middle HDI		0.631	68.6	6.6 (76.4)	6,281
Low HDI		0.497	59.3	4.6 (60.9)	2,649
Developing Country		0.668	70.0	7.2 (83.3)	9,257
World Average		0.717	71.6	8.3 (84.3)	14,447

Source: UNDP, 2016 Human Development Report.

the lowest in rank being in 77th, 78th, and 79th place respectively. Lano del Sur was ranked in 70th place and Basilan was 62nd of 79 provinces. Another example regarding the index of poverty rate showed 45.6 % in Sulu, 50.0 % in Maguindanao, 30.4 % in Tawi-Tawi, 45.2 % in Lao del Sur, and 27.5 % in Basilan, while the average of the Philippines was 26.3 %. Most of the Mindanao conflict areas have higher than national average poverty rates. Besides the above indices, education, health, and others showed the worst levels in comparison to the national average. One of the main reasons underlying the Mindanao conflict is the clear difference in socio-economic development even though those areas have abundant natural resources.

Conclusion

In this chapter, we examined the positive activities of civil society and NGOs, while Southeast Asian countries in general have authoritarian systems. Table 1 shows that most regimes are state-centered and have “Flawed Democracy.” One interesting comparison is that between Singapore and Timor-Leste that has been independent since 2002. Timor-Leste shows the best score regarding the democracy index being ranked 43rd but its HDI rank is 133. On the contrary, Singapore was ranked 69th on the democracy index but was ranked 5th in terms of HDI in 2015. Singapore is a typical developed Asian state that is said to have “Asian Democracy” that gives its people good living standards without individual political freedom.

Iwasaki compared Asian countries and African countries in terms of the democratic process. Although both were influenced by western democracy, inside actors in Asia were heading development toward democracy but in Africa, where there are few middle class people because of economic stagnation, outside actors such as international donors or other organizations took the lead to pressure governments (Iwasaki, 2009: 169). In Southeast Asia, I have discussed the position of the middle class who are conservative because they depend on a developmental regime. However, they are transforming their consciousness toward democracy step-by-step. Take Malaysia for instance; we know the regime drastically changed from *Barisan Nasional* (National Front) to *Pakatan Harapan* (Hope League) in the recent general election of 2018. This was based on the people’s passion toward the Najib Razak scandal even though the National Front had never been defeated since independence in 1957.

I have already referred to the democratization of Myanmar, the cause

of which was said to be “The Arab Spring” in 2011. The Myanmar military were afraid they would lose their position because of the people’s movement that strongly demanded freedom and improvements to daily life. M. Kaldor defined western NGOs as the tamed neo-liberal organizations held up democracy and humanism (M. Kaldor, 2007: 17). Hudock expresses concern about the role of western NGOs because they depend on donations for their budgets. She emphasizes that the developmental process of civil society should rely on self-help efforts without western control (Hudock, 2002) and points out the fact that western NGOs depend on international grants for 30–90 % of their budget. A great number of local NGOs accept 89–100 % subsidy from foreign aid (Reimann, 2005: 43).

Finally, I would like to reconsider peacebuilding approaches by civil society and NGOs related to human security. Needless to say, civil society and NGOs aim at realizing a free and fair Asia and, in fact, we confirmed that the activity areas of civil society and NGOs are extending globally; for example, the pursuit of common targets such as the Millennium Development Goals (MDGs) and Sustainable Development Goals (SDGs) based on the protection of global public goods.

However, on the other hand, we have to give careful attention to basic values based on local history and culture. Ivan Ilich points out the importance of “*subsistence*” that is an absolutely essential material and spiritual value for maintaining a people’s specific culture. Ilich shows the clear relation between violence and development. He emphasized authorized developments would mean nothing other than suppression of people’s subsistence based on their persistent efforts (Ilich, 1982: 15).

On the other hand, Paris emphasizes the necessity of peacebuilding in terms of local values and culture when western countries support post-conflict states. He stresses the importance of “Institutionalization before liberalization” toward the peacebuilding of post-conflict states based on western liberal democracy (Paris, 2005: 7). We have to consider the concept of hybrid peacebuilding that attaches importance to Asian endogenous concepts such as the Buddhist-based *Sarvodaya Shramadana* movement led by A. T. Ariyaratne (Ariyaratne, 1990).¹⁰

We recognize human security as a core concept that introduces multiculturalism, equality of educational opportunity, equal distribution of national resources, guarantees of political participation, and expansion of employment. These are very important for conflict prevention as well as peacebuilding. Civil society and NGOs have high expectations for peacebuilding

such as that where they can challenge each issue from a humanitarian position without the conflict of national interests. They can carry out their roles for international peace and international welfare based on their missions even though they are often against governments and markets.

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Notes

- 1 The contents of this chapter are mainly quoted from my two Japanese articles: “Shimin shakai kara mita Asia [The “Asian Movement” from the Perspective of “Civil society”]” Vol. 169, *KOKUSAI SEIJI*, 2012 and “Tonan ajia · dou kyokai chiiki no funso kaiketsu to heiwa kochiku—Shinnanbu Tai to Mindanao no futatsu no funso wo jireni shite [The Study of Conflict Resolution and Peacebuilding in Southeast Asia and Its Boundary Areas: The Case Study of Southern Thailand and Mindanao Conflicts]” Vol. 185, *KOKUSAI SEIJI*, 2016.
- 2 UN Doc. A/47/277-S/24111, 17 June 1992, A/50/60-S, 3 Jan. 1995
- 3 The main NGOs are composed Asia DHRRA (Asian Partnership for Development), Focus on the Global South, FORUM-ASIA (Asian Forum for Human Rights and Development), Human Rights Working Group-Indonesia, MFA (Migrant Forum in Asia), SEACA (Southeast Asian Committee for Advocacy), Think Center-Singapore, TWN (Third World Network). (Focus on the Global South, <http://www.focusweb.org/node/1277>. Accessed July 4th, 2012)
- 4 Executive director (at that time) Ms. Somsri Hanauntasuk stated to *Bangkok Post* “Anfrel calls for Myanmar sincerity,” March 23, 2012.
- 5 I participated in the 2015 general election as a member of ANFREL. Most observers evaluated good results but not a perfect democracy.
- 6 I had interviews with Mr. Tarmizi, director of the Aceh People’s Forum, and Ms. Shadia Marhaban, the director of the Aceh Women’s League on 12 Feb. 2008.
- 7 This questionnaire was carried out with the assistance of Professor Kenji Oda who was teaching Japanese at PSU. The 94 students were composed of 71 Muslims, 21 Buddhists (Theravada Buddhism), 1 Christian, and 1 person whose religion was unclear.
- 8 The *Thailand Human Development Report* makes use of the Human Achievement Index (HAI) instead of the HDI. The HAI is calculated by detailed numerical values such as health, education, employment, income, residence and amenity, circumstances in which families and communities live, traffic and communication circumstances, political participation.
- 9 “Bangsa” means “people” in Malay. “Moro” means “people” in the Mindanao

- Muslim area at the time of the Spanish colony.
- 10 A. T. Ariyaratne advocated endogenous development without extrinsic development based on a western system. His “Sarvodaya Shramadana” based on Buddhism extended to Asian countries as well as Sri Lanka. And we know the energetic activity of Muhammad Yunus who introduced micro finance or micro credit systems that are highly evaluated as a way of decreasing poverty in developing countries.

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CHAPTER TWO

*Managing conflict and dispute in Southeast Asia**The roles of ASEAN and its member states in resolving disputes*

Rudi Sukandar

Abstract

ASEAN has consistently played its key role in maintaining stability in the Southeast Asian Region. However, factors such as domestic and inter-state disputes as well as the dynamics of relations among the member states have made it more difficult for ASEAN to continue playing its role. While inter-state disputes have largely been resolved through direct negotiation between conflicting parties, others had to utilize a third-party mechanism that, unfortunately, did not directly involve ASEAN. Instead, the disputants have chosen to switch from diplomatic to litigation in resolving their disputes. The involvement of juridical institution, such as International Court of Justice, was selected because the mechanism in ASEAN cannot satisfy the needs of the disputants. In terms of domestic conflict, instead of resolving it using the ASEAN framework, the member states having domestic conflict requested the assistance of individual member states to be actively involved in assisting with the mediation and conciliation. The phenomena require more measures by ASEAN to maximize the role of its existing and recommended institutions to contribute more to the dispute resolution mechanism and establish early warning system to help with the conflict prevention.

Introduction

Being an established organization in the region, the Association of the Southeast Asian Nations (ASEAN) has survived many difficulties since its

inception in 1967. The organization continues to face challenges in reinventing and reinterpreting its roles in the changing world. Expanding from five original members (Indonesia, Malaysia, Philippines, Thailand, and Singapore) to ten with the inclusion of Brunei, Cambodia, Laos, Myanmar, and Vietnam, ASEAN has emerged to become one of the most influential regional organizations that strives for harmonious relations through its noninterference principle and *musyawarah* (consultation) and *mufakat* (consensus) decision making process. However, old and new issues keep emerging to challenge the solidity of ASEAN in their effort to maintain balance and harmony in the midst of uncertain global and regional geopolitical dynamics.

One of many issues that continues to arise is the conflict and disputes that occur domestically within and bilaterally between ASEAN member states. Consequently, ASEAN's problems and roles in managing conflict in the Southeast Asia region remains an interesting subject to discuss. Given the problem, this paper aims to discuss how disputes in Southeast Asia were being resolved and what contribution, if any, a regional organization—in this case the Association of Southeast Asian Nations (ASEAN)—has given to assist with the resolution of domestic and bilateral conflict in addition to the role of individual member states in the matter. The discussion will start with the domestic conflict resulted from the issue of separatism, followed by bilateral conflict resulted from territorial dispute.

1. Domestic conflict

Domestic conflict within the individual member states of ASEAN usually occurs in the form of separatism and internal armed conflict. The most notable member states with separatism issue are/were Indonesia, Myanmar, Philippines, and Thailand while internal armed conflict occurred in Cambodia.

1.1 Prominent cases

The following section discusses three cases of domestic conflict that caught international attention.

1.1.1 Cambodia case

The long conflict in Cambodia resulted from four factions continuously

fighting one another. The factions were Vietnam-backed People Republic of Kampuchea (PRK), FUNCIPPEC (*Front Uni National pour un Cambodge Independent, Neutre, Pacifique, et Cooperatif*), KPNLF (Khmer People's National Liberation Front), and the Khmer Rouge. Many countries participated in the effort to end the conflict. The ASEAN's diplomatic initiatives, particularly that of Indonesia, assisted the process through Jakarta Informal Meeting (JIM) I in Bogor in July 1988 and JIM II in February 1989. These two peace talks eventually paved the way to the Paris International Conference on Cambodia (PICC) in July/August 1989 to reach a comprehensive settlement to the conflict (Pike, 1991: 144; Sundararaman, 1997: 1054–1055).

1.1.2 Aceh case

The insurgency in Aceh by *Gerakan Aceh Merdeka* (Free Aceh Movement) intended to create an independent state of Aceh separated from Indonesia. The armed conflict itself occurred from 1976 to 2005. After several failed peace processes, the Indonesian government declared a martial law to the province in May 2003 and intensified its military operation. As a result, the strength of GAM was significantly reduced (International Crisis Group, 2005: 5). Then the December 2004 tsunami which devastated Aceh brought a momentum for the insurgent group and the central government to work on another peace process. After five rounds of Helsinki Talk, mediated by the former president of Finland, Martti Ahtisaari, both parties signed a memorandum of understanding (MOU) covering key issues, such as governance, political participation, economy, rule of law, human rights, amnesty and reintegration, security arrangements, monitoring, and dispute resolution (International Crisis Group, 2005: 6). The signing of the MOU marked the end of the armed conflict in Aceh Province.

1.1.3 Mindanao case

One of the largest conflicts in the Philippines concentrated in Muslim-majority areas in Mindanao Island by the Moro people. The insurgency to demand independence was partly caused by “the clash of interests in land and other natural resources, and the identity issues emerging from the de facto second class status of much of the Moro population” (Schiavo-Campo & Judd, 2005: 2). The peace negotiations between the government of the Philippines (GPH) and the representatives of the Moro people were conducted

several times with two prominent organizations. The first is the negotiation between GPH and the Moro National Liberation Front (MNLF), which was brokered by the government of Indonesia (van Klinken, 1997: 1). After four years of negotiation, a peace agreement was signed by both parties in 1996 (Sembiring, 2013: 1). The second is the negotiation between GPH and the Moro Islamic Liberation Front (MILF) (a breakaway group from the MNLF), which was facilitated by the government of Malaysia. This peace talk is unique in its approach because it introduced hybrid nature of the peace proces by allowing a body called the International Contact Group (ICG) to participate in the peace process. ICG consisted of four states (Japan, Saudi Arabia, Turkey, and the United Kingdom) and four international nongovernmental organizations (The Asia Foundation, Conciliation Resources, Centre for Humanitarian Dialogue, and Muhammadiyah). One of the tasks of ICG was to watch the formal sessions and technical working groups (Rood, 2012: 1). The peace agreement was signed in 2014 laying the foundation for the establishment of a new Bangsamoro Autonomous Region (BAR) to replace the older Autonomous Region of Muslim Mindanao (ARMM).The implementation of the agreement was slow because the Bangsamoro Organic Law (BOL) or Bangsamoro Basic Law (BBL), the basis for the creation of the new BAR, had not been passed (Strachan, 2015: 2). The latest development, however, shed a ray of hope when the House of Representatives approved the proposed BOL on July 24, 2018 (Diaz, 2018: 1). Following the approval, MILF held a consultative assembly to seek support from its members and supporters for a favorable stance toward the BOL (Santos, 2018: 1). The BOL approval and the follow-up actions and support by MILF and its supporters are expected to promote peace in Mindanao and end the decades-long armed insurgency.

1.2 Dispute resolution mechanism and critiques

Based on the case above, unlike its individual member states, ASEAN has taken a supporting role in assisting the peace process to resolve internal conflict. As domestic conflict is a sensitive issue, the situation is driven by the reluctance for member states of ASEAN to internationalize the conflict issues as it is feared to bring risks of international interference on domestic problems, risks that might not be acceptable to certain member states. However, reflecting on previous experience, the support gained to resolve them have outweighed the risks.

The conflict resolution processes above are worth noting, especially

when individual member states played key roles as facilitators/mediators in the peace negotiation. To be specific, this key role was well played out in the three cases above: (1) Indonesia's role in peace negotiation between conflicting parties in Cambodia through Jakarta Informal Meeting; (2) the peace negotiation between the Government of the Philippines (GPH) and the Moro National Liberation Front (MNLF) sponsored by the Organization of Islamic Cooperation (OIC)¹ and facilitated by the Government of Indonesia (Rood, 2016: 63), and; (3) the peace negotiation between the Government of the Philippines (GPH) and the Moro Islamic Liberation Front (MILF) facilitated by the Government of Malaysia.

As described above, one of the biggest obstacles for ASEAN to play its role to resolve internal conflict actively in the region is its noninterference principle. This principle, stipulated in the Treaty of Amity and Cooperation (TAC), is applied to any disputes that are perceived as domestic affairs. While this principle also affects ASEAN in handling other issues, such as those related to human rights, it mostly limits ASEAN as an institution to be proactive in participating in conflict resolution in the region. Indeed, TAC stipulates that ASEAN should uphold the noninterference stance in the domestic affairs of member countries. As a result, ASEAN has a limited space to maneuver when addressing issues caused by conflict and violence that occur in its member states.

It is not surprising that the noninterference principle has been the target of criticism by scholars and human rights activists because many view that it is outdated and does not adapt to the changing world dynamics. In some cases, the principle contributes to the escalation of an issue and might create new tension as seen, for example, in the issue of migration of refugees from Myanmar to the neighboring countries in Southeast Asia. Consequently, many believe that the principle needs to be reinterpreted to answer for the emergence of new challenges that might affect the stability of the region.

2. Border conflict

In addition to domestic conflict, ASEAN member states also face border conflict among themselves. A report stated that twenty cases of land and maritime border dispute have occurred in Southeast Asia (excluding Thailand), thirteen of which have been successfully resolved while seven are still being resolved (Khamkhun, 2015: 4). When disputes involving Thailand are

included, the number would definitely increase as the country has several on-going disputes with its neighbors, such as Cambodia, Laos, and Myanmar. Consequently, many have raised some concerns regarding the issue of security in the Southeast Asian region.

As regional security was one of the primary reasons for its inception, ASEAN has attempted to maintain stability in the region. If any disputes occur, the settlement should be reached by peaceful means (Rolls, 2012: 128). This principle has been implemented in many issues. However, despite the ability of ASEAN member states to resolve more than half of the territorial dispute cases bilaterally, peaceful means have not always been achieved due to much harder stances being taken. The harder stances resulted in military standoffs in several instances of conflict. The following will discuss several instances of highlighted border disputes between member states of ASEAN.

2.1 Prominent cases

Five cases of border disputes between ASEAN member states that caught international attention are as follows

2.1.1 Sipadan-Ligitan Islands

Indonesia and Malaysia have been at odds over their borderlines both on land and at sea. The land border that stretches for 1,107 miles (Geographer, 1965: 2) in the Borneo Island has been the source of disputes between the two countries. In addition, they also have dispute on the sea border in the Celebes Sea. While the land dispute does not cause spotlight in the news, the sea border dispute, however, has been closely monitored by the media. One of the examples of such highlighted dispute is the one over the Sipadan-Ligitan Islands. The Islands of Sipadan and Ligitan are located in the Celebes Sea, off the northeast coast of the Island of Borneo. Despite many years of direct negotiation between the two countries, an agreement could not be made. Then Indonesia and Malaysia sought the option of utilizing a “third party” mechanism to assist with the resolution of the dispute. However, the proposal to involve the good offices of the ASEAN High Council as provided for in the ASEAN Treaty of Amity and Cooperation (TAC) was rejected by Malaysia due to its concerns with issues of partiality as it also had territorial disputes with other member states of ASEAN (Djalal, 2013: 6). Malaysia’s proposal to take the case to the International Court of Justice (ICJ)

was initially rejected by Indonesia for quite some time before the latter agreed to the proposal. By then, the dispute resolution mechanism shifted from diplomatic to legal measures. ICJ in its ruling on December 17, 2002 stated that the sovereignty over both islands belonged to Malaysia (International Court of Justice, 2002: 1), thus ending the thirty-year dispute.

2.1.2 Ambalat sea block

The awarding of sovereignty over Sipadan and Ligitan Islands to Malaysia by ICJ has brought further consequences. Armed with the decision, Malaysia further strengthens its previous claim over the sea blocks called ND-6 and ND-7, which overlaps with Indonesia's claimed Ambalat sea block, on the Celebes Sea, east of Borneo. Malaysia's claim is strongly rejected by Indonesia. The dispute is further complicated by the fact that both countries have issued concession to exploit the oil-rich area to different oil companies. Several military face-offs occurred between the two naval and police forces in the disputed area during the middle of the first decade of 2000s. The leaders of both countries called for more peaceful ways in resolving the dispute. Recommendation for the resolution has also been presented, including among others, the diplomatic channel, ASEAN dispute settlement mechanism, adjudication process, dispute settlement under the UN Convention on the Law of the Sea, and the establishment of Joint Development Zone (Supancana, 2015: 195). So far, no concrete results have come out of the negotiation process to resolve the dispute.

2.1.3 Pedra Branca (Batu Puteh)

Malaysia and Singapore have had dispute over Pedra Branca (Batu Puteh) and subsequently two other islets, Middle Rocks and South Ledge. After bilateral talks to resolve the dispute failed, both countries agreed to bring the case to International Court of Justice. On May 23, 2008, ICJ ruled that Pedra Branca belonged to Singapore while Middle Rocks was awarded to Malaysia and South Ledge belonged to the state in whose territorial waters it is located (International Court of Justice, 2008: 1). Despite the ruling, the dispute continued as, following the ruling of the Court, the case can be reviewed in ten years if new evidence is presented to the Court. This prompted Malaysia to search for new evidence of its legal claim over the islet. Consequently, Malaysia applied for revision of the judgment on February 2, 2017 (International Court of Justice, 2017: 7). The new presented

evidence would ask for a new ruling by ICJ to determine which country has the sovereignty over the island. However, the latest development of the case shows that Malaysia has reconsidered its challenge of the 2008 judgment awarding Pedra Branca to Singapore (Salleh, 2018: 1) before finally deciding to drop the two cases to revise and to interpret the ICJ judgment (“Malaysia drops challenge,” 2018: 1). This latest decision by the Malaysian government has practically ended the dispute between the two countries.

2.1.4 Preah Vihear

The border dispute between Cambodia and Thailand was the claim over Preah Vihear Temple. This dispute led to several military clashes. The latest was in 2011 when the military forces from both countries clashed in the border fighting causing 17 people dead and 36,000 displaced (Mancini, 2013: 2). Both countries then agreed to have Indonesia as the observer and to allow Indonesian Observer Team (IOT) to go to the border to help prevent further military clashes at the disputed area (Padden, 2011: 1). A year later, the deployment of the IOT, however, still did not happen (Prentice, 2012: 1). This was further highlighted by a request from Thailand to modify the terms of reference (TOR) for the Indonesian observer team to be sent to the disputed area adjacent to the Hindu temple of Preah Vihear to fit the situation (Ganjanakhundee, 2012: 1). A further move to have ASEAN mediate the dispute was rejected by Thailand. Finally, both countries agreed to submit their dispute to the International Court of Justice (ICJ) and asked for a legal decision to end the dispute. In its verdict, ICJ decided that the temple is under the sovereignty of Cambodia (ICJ, 2017: 1). ICJ also states that both parties should continue to cooperate with ASEAN and its appointed observers. This verdict has opened the opportunities for ASEAN to play more active roles in helping deescalate the tension and resolve the conflict.

2.1.5 South China Sea

The dispute in the South China Sea (SCS) is the most highlighted in the current geopolitical landscape of the region and might worsen in the coming year (Edgerton, 2017: 1). Four ASEAN member states (Brunei Darussalam, Malaysia, the Philippines, and Vietnam) became the claimants of the dispute.² The internal dispute among the four ASEAN members is further

complicated by the involvement of other countries as the external claimants, namely, People's Republic of China (China) and Republic of China (Taiwan). In search of a resolution to the dispute, Indonesia as a member state of ASEAN attempted to broker peace among the claimants through track-two diplomacy and shuttle diplomacy. The annual track-two informal workshop would later contribute to the success of ASEAN member states to bring China together to agree on the Declaration on the Conduct of Parties (DOC) in SCS in 2002 (Aplianta, 2015: 14). However, the conclusive resolution to the whole disputes of overlapping claims has yet to emerge as several claimants would rather have the dispute resolved on a bilateral basis rather than regional.

2.2 Dispute resolution mechanism and critiques

The mechanism to settle disputes in ASEAN is stated in the Treaty of Amity and Cooperation (TAC) in Southeast Asia. TAC itself was signed by the leaders of the original five members of ASEAN: Suharto (Indonesia), Lee Kuan Yew (Singapore), Datuk Hussein Onn (Malaysia), Kukrit Pramoj (Thailand), and Ferdinand Marcos (the Philippines) on February 24, 1976. Chapter IV of TAC specifically outlines the Pacific Settlement of Disputes, as summarized below:

- The member states' task to prevent disputes from arising, especially those that might disturb regional peace and harmony in the region (Article 13);
- The establishment of a High Council comprising Representatives at ministerial level from the High Contracting Parties to be aware of the existence of disputes or situations that might disturb regional peace and harmony (Article 14);
- When no solution is reached through direct negotiations, the High Council shall recommend appropriate means of settlement, such as good offices, mediation, inquiry, or conciliation (Article 15);
- Chapter IV can only be implemented if the disputants agree to their application and the disputing parties should be willing to consider assistance for settlement from other non-disputing parties (Chapter 16); and
- Disputing parties are encouraged to take initiatives to solve it by friendly negotiations before utilizing other procedures outlined in the Charter of the United Nations (Chapter 17).

The mechanism for dispute settlement as outlined in TAC provides a strong foundation for all member states of ASEAN to resolve their disputes peacefully. Its importance is further reiterated and strengthened in the ASEAN Political-Security Community Blueprint, especially on developing “ASEAN modalities for good offices, conciliation and mediation; and Establish appropriate dispute settlement mechanism, including arbitration as provided for by the ASEAN Charter” (ASEAN, 2009: 14).

Reflecting on the Khamkhun’s (2015: 4) claim that 13 out of 20 disputes (excluding Thailand) were resolved, we can infer that ASEAN individual members actually have supported the mechanism, thus proving that they have the capability to resolve their own disputes through direct negotiation and bilateral talks. However, a “third party” mechanism utilizing an ASEAN High Council has not been fully implemented when the bilateral negotiation fails to produce satisfactory results for both parties. Rather, the disputants opt to seek assistance from a third party outside ASEAN, especially when a litigation process is involved, for example through the International Court of Justice as seen in several of the cases above. This pattern brings forth the concern that the ASEAN dispute mechanism was purposefully abandoned by disputing parties in search of other viable alternatives. This phenomenon might be driven by the following reasons.

2.2.1 Trust issues among ASEAN members

From the Sipadan-Ligitan Islands dispute between Indonesia and Malaysia, the High Council mechanism should have been utilized to resolve the dispute. However, Malaysia was reluctant to utilize the good offices of the ASEAN High Council as provided for in the ASEAN Treaty of Amity and Cooperation (TAC) of February 24, 1976. The reasoning was based on the concern that other members of ASEAN would not be able to take an impartial stance given the fact that they also had border disputes with Malaysia. This argument was not dismissed by Indonesia as it also had a similar situation with Malaysia in terms of having border disputes with the neighboring ASEAN member states (Djalal, 2013: 13–14).

This suspicious nature toward the neighbors that happen to be fellow members of ASEAN does not exclusively belong to Malaysia. The neighboring countries of Cambodia, Myanmar, Laos, and Vietnam, for example, were reported to be suspicious and concerned over the influence of Thailand in the region. Thailand, on the other hand, was also reported to be suspicious of its neighbors due to cross-border incidents involving, among oth-

ers, smuggling and drug trafficking (Kraft, 2000: 462). This trust issue is believed to erode the credibility of the High Council and its mechanism to resolve disputes between member states of ASEAN.

2.2.2 No unified stance issue against non-member states

As an entity, ASEAN has challenges to produce one stance when dealing with non-member disputants, especially in the case of South China Sea border disputes. This is viewed as an example on the rift that occurred among ASEAN member states despite the organization's perceived solidness. Internal and external factors obstruct ASEAN's effort to come up to one common position on the issue (Intentilia, Dharmiasih, & Nugraha, 2017: 1). The internal factors comprise different national interests among member states, ASEAN's consensus-based decision-making process, and weak Dispute Settlement Mechanisms (DSMs). This is further influenced by the external factors, namely the economic relations between ASEAN and China, China's persuasion efforts to ASEAN, and China's success to persuade Cambodia to make a favorable stance for China.³ The last point was significant when Cambodia took the Chairmanship of ASEAN in 2012. During the ASEAN 45th Ministerial Meeting, for the first time in history ASEAN was unable to produce a joint communiqué regarding China and the issue of the South China Sea (Aplianta, 2015: 17). Another situation was also repeated during the 50th ASEAN Foreign Ministers' Meeting when Cambodia was once again accused of supporting China's interest rather than regional cooperation. Cambodia defended its stance by claiming that it acted in an "independent and neutral manner" (Dara, 2017: 1). Consequently, a proposed legally binding code of conduct for managing the area was also failed to be agreed on.

In addition to internal disagreement among ASEAN member states and China's influence on the member states, the rivalry between China and the United States of America for influence and domination in the region has also made the resolution difficult to achieve. While American influence has become weaker due to its economic problem, China has been more assertive in its claim over the region (Buszynski, 2012: 19). Indonesia was later dragged into the dispute—despite having no previous claim on any of the disputed areas in the South China Sea—especially after China introduced its Nine-Dash Line, whose part overlaps Indonesia's exclusive economic zone near the Natuna Islands. China's claim of Nine-Dash Line was later brought to the Permanent Court of Arbitration (PCA) by the Philippines although

China has repeatedly stated that “it will neither accept nor participate in the arbitration unilaterally initiated by the Philippines” (Permanent Court of Arbitration, 2016: 1). PCA finally ruled that China had no legal basis to claim historic rights to resources within the sea areas falling within the Nine-Dash Line. This ruling, as previously predicted, was rejected and ignored by China as it did not recognize the tribunal. Considering that such ruling was unenforceable, China insisted that the matter should be resolved through bilateral negotiations with other claimants.

Given the complexities of disputes in the South China Sea, the resolution might not happen anytime soon. China further asserts its claim over the region with growing military presence. In addition, ASEAN as an entity still needs to work harder to maintain peace and stability in the region as well as harmony among its member states in the face of border disputes among its own member states. In terms of dispute with non-member states, ASEAN even has to face greater challenges in which its unity is put to the test. ASEAN’s inability to agree on a common stance on the SCS issue, for example, resulted in the ASEAN member state claimants to have a weaker position when negotiating with China. Despite efforts by individual member states to help deescalate the conflict, ASEAN’s answer to these internal and external challenges will determine how the organization can contribute to the resolution of conflict and border disputes in the region.

3. Third party involvement

As illustrated above, the willingness of member states to involve non-ASEAN international parties in their conflict has created a perception about ASEAN’s legitimacy, power, and capacity in resolving conflict among its member states. The tradition of *musyawarah* (consultation) and *mufakat* (consensus) in decision making processes among ASEAN members is seen to complicate a peace negotiation process that requires swift and flexible measures to deal with issues that arise in the negotiation process. This inevitably created an impression that the involvement of a member state in the mediation or conciliation of disputes within and between member states has produced more fruitful results and it has been seen to be more efficient and more flexible than using the ASEAN framework

The impression above might underplay ASEAN’s position as an entity in the active participation of individual member states in resolving domestic conflict. In addition, the reluctance of member states to utilize

ASEAN High Council to resolve conflict might result from perceived less legitimacy on the inter-state conflict and more flexibility of individual member states for a less complicated peace resolution process. Such flexible diplomatic maneuvers by individual member states in brokering peace is more preferable to that of ASEAN so that the responsibility lies more on individual member states rather than ASEAN, which to some extent, is just taking a supportive role. Despite the drawback, this situation has created opportunities for all member states to individually play roles in peace negotiation. This will, in turn, contribute to increased capacity of collective ASEAN to internally resolve conflict within the region, be it domestic or bilateral. Nevertheless, the member states are required to be more cautious when addressing conflict issues through its preventive diplomacy policy, quiet diplomacy, and less assertive approach (Cristescu, Nicolescou, & Wandi, 2012: 8).

The utilization of preventive diplomacy is further emphasized in the ASEAN Political-Security Community Blueprint. Together with confidence building measures, preventive diplomacy can “mitigate tensions and prevent disputes from arising between or among ASEAN Member States, as well as between ASEAN Member States and non-ASEAN member countries. They will also help prevent the escalation of existing disputes” (ASEAN, 2009: 12). Reflecting on previous experience, the supports gained to resolve them have outweighed the risks. The peace process in Cambodia, Aceh, and Mindanao were deemed successful due to the assistance from international parties to ensure conflicting parties to strive for a peaceful resolution.

4. Way forward

Despite its limitation, ASEAN has agreed to take new measures in the conflict and dispute prevention and management in the Southeast Asian region. The following section discusses what lies ahead when ASEAN moves further to handle the issue.

4.1 AIPR and beyond

On November 17, 2011 ASEAN agreed to establish the ASEAN Institute for Peace and Reconciliation (AIPR) during the 19th ASEAN Summit in Bali, Indonesia. This was then followed by action from the ASEAN Foreign Ministers to adopt the Terms of Reference of the establishment of the ASEAN

Institute for Peace and Reconciliation (AIPR) and launched it at the 21st ASEAN Summit in Phnom Penh, Cambodia, November 2012 (ASEAN, 2017: 3–4). As recommended in the Plan of Action (PoA) to Implement the Joint Declaration on Comprehensive Partnership between ASEAN and the United Nations (2016–2020), AIPR should implement its assigned tasks by also promoting gender mainstreaming in peacebuilding, peace processes, and conflict resolution. Its task should also promote the collaboration and networking efforts with relevant institutes. Finally, in its capacity, AIPR should also conduct regional and international seminars, workshops and training on confidence-building measures.

With reference to its outlined tasks, AIPR focuses more on capacity building and networking with peacebuilding institutes in ASEAN. However, looking at the current and future challenges, we expect more from AIPR. As Amador and Teodoro (2016: 16) put it, “AIPR should also go beyond providing research and some capacity-building activities.” Therefore, AIPR should also actively be involved in conflict resolution, especially when ASEAN’s presence as an institution is needed. The absence of a third-party institution in ASEAN to assist disputes through mediation and conciliation pushes AIPR to study the feasibility of establishing such an institution. While the High Council has been established for conflict prevention and resolution, its utilization has not been effectively implemented.

Another pressing issue in conflict prevention and resolution is how to strengthen the preventive measures by developing an early warning system. The Annex for ASEAN Security Community Plan of Action specifically states that the ASEAN early warning system needs to be developed based on the “existing mechanisms to prevent occurrence/escalation of conflicts” (ASEAN, 2012: 5). While this looks good on paper, the implementation will be challenging as conflict is understandably a sensitive topic. With this statement all member states have to agree on which issue of conflict potential they need to develop for the early warning system. At least there are three models for the database development for early warning system that can be adopted for that of ASEAN: Indonesia’s National Violence Monitoring System (NVMS) to monitor all types of conflict in its 34 provinces, Thailand’s Deep South Watch to monitor conflict in Southern Thailand, and the Philippines’s Bangsamoro Conflict Monitoring System (BCMS) or Conflict Alert. Here AIPR is needed to gather a pool of expertise in conflict in ASEAN countries to work together to develop an accommodating system that can be

accepted by all members of ASEAN.

4.2 Lessons learned as references for action

While the establishment of AIPR was a step forward, the institute itself might not be sufficient in assisting ASEAN in resolving disputes in the region considering its limited task to research and capacity building. This is also enhanced by the fact that the capacity to assist conflict resolution lies more in the member states rather than in the institutions within the ASEAN entity. The GPH-MILF peace negotiation process further highlights the active participation of individual ASEAN member states in a domestic peace process as opposed to that of ASEAN as an entity. In addition, it also underlines one of the lessons learned from the peace process that the hybrid state-INGO ICG structure can actually be effective in assisting peace processes. Therefore, this can only work if ASEAN plans to seek a more active role in the resolution process of conflict between and within its member states. Incorporating INGOs in conflict resolution and mediation can be very strategic as many have been operating in Southeast Asia and have experience, reliability, and capacity in providing support during peace negotiation.

4.3 Establishment of an ASEAN court?

Finally, the involvement of other parties on preventive diplomacy, including peace building, conflict prevention, conflict management, and conflict resolution is also recommended in the Plan of Action to Implement the Joint Declaration on Comprehensive Partnership between ASEAN and the United Nations (2016–2020). While ASEAN has actually done quiet diplomacy in conflict resolution among its members as was claimed (Cristescu, Nicolescou, & Wandt, 2012: 5), now is high time for the association to take one step further in conflict resolution process in the region. The challenge to resolve domestic and inter-state member conflicts tends to be more complicated and more difficult to manage using the current internal and quiet framework. Echoing Wandt's (2010: 1) suggestion, I also believe that ASEAN should develop its own institution for conflict mediation and prevention. The experience of member states in brokering peace and the best practice learned from the implementation of peace negotiation panel architecture should become references in developing a dispute resolution model to develop such institution.

In terms of legal resolution to a dispute, another viable suggestion is for ASEAN to set up an “ASEAN Court”. Such a court would function as a juridical body with the power to resolve any disputes and whose decisions shall be upheld by all ASEAN (Khamkhun, 2015: 14). The initial study of the establishment of such an institution can be done by the ASEAN Law Ministers Meeting (ALAWMM), with the cooperation of other sectoral bodies and entities associated with ASEAN including ASEAN Law Association (ALA). As mentioned in the ASEAN Political-Security Community Blueprint, those institutions are encouraged “to develop cooperation programmes to strengthen the rule of law, judicial systems and legal infrastructure” (ASEAN, 2009: 8).

Conclusion

With the complexities of problems in the Southeast Asian region, ASEAN has so far successfully maintained its presence and relevance in regional and global politics. This feat is not easy to achieve as each member state has its own agenda and interest. Many of the disputes that occurred among members of ASEAN have been resolved using direct negotiation between the disputing parties. This leads to the impression that maintaining harmony domestically and between neighbors is still one of the priorities for ASEAN members. However, some cases of disputes cannot be resolved using bilateral talks and requires the assistance of a third party. Articles 14 and 15 of Chapter IV of TAC states that ASEAN through a High Council can offer recommendation for appropriate means of settlement and form a committee of mediation, inquiry, or conciliation. This option, unfortunately, has not been utilized by disputing member states. Instead, in most cases, they opted to use a litigation process by presenting their cases to the International Court of Justice.

A similar phenomenon can also be seen in domestic conflict. Instead of involving ASEAN, a third party mechanism usually utilized an individual member state as the mediator or conciliator. Several cases of internal conflict were well managed and resolved with the help of individual member states. ASEAN’s inability to be directly involved in domestic disputes is understandable due to its principle of noninterference. Therefore, the participation of individual states is deemed more appropriate because of the flexibility of their maneuver. In addition, the mediation and conciliation processes by individual member states do not have to go through the ASEAN’s

musyawarah and *mufakat* decision making process, which to some extent can be long and dragging. With the challenges ahead, ASEAN should focus more on efforts to maximize their roles in resolving disputes using the current mechanism with help from existing institutions and proposed dispute resolution institutions. The existence of such institutions, for example AIPR, can strengthen the networking and capacity building of member states to cooperate and develop an early warning system to prevent conflict. In addition, the idea to establish an ASEAN Court is worth considering in order to enable the juridical resolution to the disputes between ASEAN member states.

Notes

- 1 Formerly known as the Organization of the Islamic Conference.
- 2 Recent development, however, indicates that Brunei might abandon its claim on the South China Sea due to its economic and political reliance on China (Hart, 2018: 1).
- 3 This accusation of siding with China and creating rifts in ASEAN was vehemently rebuked by Cambodia (see Po & Var, 2017: 1).

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CHAPTER THREE

*Coordination challenges for the UN-initiated
peacebuilding architecture
Problems in locating 'universal' norms and values on
the local*

Miki Honda

Abstract

The idea of “peacebuilding as security” has generated a number of critical challenges. This approach translates into peacebuilding policies that often ignore underlying sources of conflict because the emphasis is on recovery and the stability of the international order and the containment of unstable factors, rather than building or rebuilding peace in a conflict-prone and post-conflict society. When international stability becomes the priority, rather than addressing local conflicts or demands for justice, international peacebuilding state institutions rely on top-down mediation among power brokers and on building state institutions. The idea of a peacebuilding architecture emerged as the basis of a universal vision of peace and development. Some tensions within the peacebuilding project and between international peacebuilding actors and local stakeholders go far deeper than mere problems of coordination, and point to differences in ideological approach and to serious internal inconsistencies in the peacebuilding consensus. This approach can be insensitive towards local norms and values, traditions, and institutions. In particular, the effectiveness and appropriateness of promoting liberal democracy and market economies in volatile conflict-prone societies are contested. This chapter discusses the relevance of imposing “universal values and norms” on the local and sharing the “same values” among diversified peacebuilders, and also makes a modest attempt to seek possible ways of sharing values and norms among different actors.

Introduction

One of the challenges facing the international community in the post-Cold War era is the increasingly pervasive problem of intrastate conflicts that originate from ethnic, religious, and cultural diversity. International peacebuilding efforts in conflict-prone and post-conflict societies are aimed at preventing the resumption of armed conflict and promoting the consolidation of peace. Establishing a durable and self-sustaining peace requires a range of activities that engage with social, political and economic sectors. In line with the multifaceted nature of peacebuilding, a number and variety of actors have been involved in peacebuilding which has resulted in debate over the roles of these actors and the fundamental nature of peacebuilding. It is far from certain whether the various actors operate in a coordinated, complementary manner around a coherent vision of what they should seek to achieve. Critics say peacebuilding policies tend to ignore sources of conflict because the emphasis is on international stability rather than conflict resolution. Especially after the Cold War, intrastate wars originated from ethnic and/or religious reasons which made it more difficult for peacebuilders to understand the root causes of the wars. Such indigenous problems run deeper and are more serious than outsiders can imagine. As a result, the United Nations (UN) faces peacebuilding challenges deeper than that of just coordination.

This chapter makes a modest attempt to clarify the gaps in perspective between different peacebuilding actors who are requested to work on missions that are based on a coherent peacebuilding doctrine of the UN. The doctrine is defined as a network of international actors with a shared vision of the objectives of peacebuilding and their roles in it. The different actors are often regarded as if they were “one unity” called a “peacebuilding community.” But it is questionable that different actors—such as the UN organizations, international financial institutions, regional organizations, local stakeholders, and international and local non-governmental organizations—can share the same norms, values, and visions of what peacebuilding involves.

The chapter firstly overviews international approaches to peacebuilding and describes the different roles of the various actors. Secondly, it focuses on peacebuilding coordination efforts by the UN. Thirdly, the author analyzes the rich body of literature on liberal peacebuilding characterized by a top-down or state-centric perspective that has stimulated various disputes and critiques. These include debates over “post-liberal peace,” “hybrid peace” or

the “local turn,” and the international-local divide as well as the relevance of imposing “universal values and norms” on local people or the sharing of the “same values” among various actors. And lastly, the author introduces the emergence of a “new” actor in peacebuilding that can be a mechanism to connect the international and the local.

1. Approaches to peacebuilding and involved actors

Definitions of peacebuilding vary and remain a concept without clear guidelines or goals (Jennifer, 2007: 323–338) but it is widely accepted that improving human security is the central task of peacebuilding. In this sense, peacebuilding includes a wide range of efforts by different actors in government and civil society at national and international levels to ensure people’s safety from any kind of threat—freedom from fear, freedom from want, and freedom from humiliation before, during, and after violent conflicts. Peacebuilding activities are expected to create an environment that is supportive of a self-sustaining and durable peace; to reconcile opponents; to prevent conflict from restarting; to integrate civil society; to create the rule of law mechanism; and, to address underlying structural and societal issues.

Approaches to peacebuilding are diversified with an entire set of inter-related longstanding efforts by different actors—a mixture of locally and internationally focused components (MacGinty, 2011: 212; SAIS, 2012). The efforts include addressing economic, social and political root causes of violence; building a post-conflict society’s ability to manage conflicts peacefully; building state capacity to provide public goods and increasing state legitimacy; encouraging people to foster reconciliation; coordinating a multi-level strategy by ensuring funding, proper communication and coordination mechanisms between humanitarian assistance, development, governance, security, justice and other sectors; and, also encouraging people to change their beliefs, attitudes and behaviors in order to accept universal values shared by the international community (Barnett et al., 2007: 49–50).

1.1 International institutions

The UN Secretary-General’s Policy Committee defined peacebuilding as follows: “Peacebuilding involves a range of measures targeted to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at all levels for conflict management, and to lay the foundations for sustainable peace and sustainable development” (UN, 2007).¹ And the UN requires

different peacebuilding actors to consider that, “Peacebuilding strategies must be coherent and tailored to specific needs of the country concerned, based on national ownership, and should comprise a carefully prioritized, sequenced, and therefore relatively narrow set of activities aimed at achieving the above objectives” (UN, 2009; 2010; 2012).²

Almost all post-Cold War peacekeeping and peacebuilding operations have been carried out in situations of civil conflict and have involved tasks related to promoting security, development, humanitarian assistance and strengthening governance and the rule of law. The activities have included supporting ceasefires and peace processes; the demobilization and disarmament of former combatants and their reintegration into a community (DDR); stabilizing the economy; employment creation and economic development; repatriation (or resettlement) of refugees and internally displaced persons; responding to food insecurity; responding to acute health concerns; strengthening law and order; promoting and facilitating democratic practices; strengthening institutions of justice and legislation; resuming and strengthening public service delivery; promoting human rights and reconciliation; addressing land reform claims; and, sometimes, constitutional drafting or amendments.

The UN-related international actors in general have worked on peacebuilding as a part of a security agenda to recover and maintain international stability. Conflicts, weak statehood and underdevelopment are “threats” to the international security order; therefore, they should be removed. UN actors have promoted peacebuilding based on the rule of law and their activities are widely associated with UN organs and agencies with international peacebuilding responsibilities. Within the broader UN family, international financial institutions such as the World Bank Group (WB) and the International Monetary Fund (IMF) provide financial and technical assistance and policy advice for economic development and reforms.

Most peacebuilding reflects a liberal peacebuilding model: the top-down promotion of democracy, market-based economic reforms and a range of other institutions associated with “modern” states as a driving force for building peace.

1.2 Regional institutions

Regional institutions are also playing a growing role in international peacebuilding in line with Chapter 8 of the UN Charter which encourages the settlement of conflict by regional arrangements (Bellamy and Williams, 2005). Direct involvement by regional organizations is generally undertaken

with the support of the UN Security Council, and sometimes in operational cooperation with the UN on the ground. Missions undertaken by regional organizations in general are narrower than UN missions, and they contribute specific activities such as observing elections or supporting power-sharing. Regional institutions are generally considered to have greater legitimacy; however, there are sometimes concerns and criticisms of the role of local institutions in the context of regional arrangements that use peace operations to promote their own agenda.

The African Union, for example, has worked on peace activities in Angola, Burundi, Comoros, the Democratic Republic of Congo (DRC), Liberia, Somalia and Sudan. The Commonwealth of Independent States has developed operations in Georgia and Tajikistan. The European Commission's Humanitarian Aid and Civil Protection department has provided development assistance to developing nations and post-conflict societies. As another example, NATO has deployed enforcement missions and post-conflict stability missions to Afghanistan and former Yugoslavia. The Organization for Security and Cooperation has been involved in conflict resolution activities in Azerbaijan, Georgia and Moldova, and verification or policy missions in Bosnia, Eastern Slavonia, Estonia, Latvia, Kosovo and Macedonia.

1.3 Non-governmental actors

International non-governmental organizations (NGOs) have been involved in peacebuilding in a range of capacities; for example, the International Crisis Group, the International Committee of the Red Cross, World Vision International, Médecins Sans Frontières, Oxfam, Save the Children, CARE International, and many others. These worldwide NGOs have extensive networks and broad experience in many fields and are engaged in a wide range of activities; mainly in providing medical and humanitarian assistance, assisting displaced and vulnerable communities, facilitating community peacebuilding and reconciliation, assisting in local infrastructural reconstruction and supporting the development of local civil society in cooperation with national and international institutions and local governments.

Some receive funding from national donor agencies and the UN and they implement major projects and services on behalf of these organizations, often in the context of peacebuilding missions. Others work independently on a smaller scale, often at the grassroots level, and often eschewing official contact with the UN and national donor agencies (Newman, 2013: 314).

1.4 National actors

National actors in the target nation play an important but sometimes underutilized and occasionally marginalized role in international peacebuilding missions (Newman, 2013). In theory, peacebuilding activities by almost all actors are undertaken in cooperation with national authorities such as government agencies and ministries, politicians, and with local civil society. This is important so that local capacity is developed and so that local stakeholders have a sense of ownership over peacebuilding activities. The effectiveness and legitimacy of international peacebuilding activities rely, to some extent, on them being embedded in local institutions and meeting local needs. As a result some peacebuilding actors—and especially the UN—try to work hand in hand with national actors and to employ local staff for project work.

The relationship between international and local stakeholders is, however, one of the most challenging aspects of contemporary peacebuilding and a significant source of controversy. In major peacebuilding missions, and especially those under the auspices of the UN, there are mechanisms for coordinating activities, sharing information, and exchanging ideas. Countries with an extensive peacebuilding presence such as Afghanistan, Bosnia, Cambodia, the DRC and Kosovo reflect a multitude of various actors within the same peacebuilding space. This often results in the acceptance of a formal or informal hierarchy of authority within a peacebuilding country, with the UNSG's Special Representative having a senior position (Newman, 2013: 314–315).

2. Coordination by the UN

Major international peacebuilding operations have been developed under the auspices of the UN. The UN has coordinated in Afghanistan, Angola, Bosnia and Herzegovina, Burundi, Cambodia, Cote d'Ivoire, the DRC, East Timor, El Salvador, Guatemala, Haiti, Kosovo, Liberia, Mozambique, Sierra Leone, Somalia and, more recently, in South Sudan. In addition to these major operations, a much larger number of cases exist in which international and national, and sometimes joint development agencies support a wide range of activities. International financial institutions including the WB and IMF provide financial and technical assistance and policy advice for economic development and reforms.

Different ways of working among various actors, exclusive institutional

jurisdictions, and different priorities and ideas of sequencing all present coordination challenges in peacebuilding operations. One of the biggest challenges to the idea of an “architecture of peacebuilding” is the multiple and often disparate actors and interests involved (Newman, 2013: 315).

Policy and academic circles have paid significant attention to peacebuilding coordination challenges. In large peacebuilding operations, there is an emphasis on integrated missions under a lead agency in order to facilitate clear lines of communication among the various actors involved. This should avoid duplication of activities and, in theory, bring coherence across the different activities.

Such coordination extends across the broad UN family and sometimes beyond; periodic meetings in large peacebuilding missions will see representatives from across the specialized programs and agencies around a table chaired by the UNSG’s Special Representative—a reflection of the broader commitment to delivery as “One UN” at the country level—and sometimes also key national donor agencies and NGOs. The challenges of coordinating peacebuilding are inherent in all complex activities which have been promoted by various actors, especially at the international level involving multifaceted operations.

2.1 Coordination mechanisms

The 2005 World Summit announced that the UN would create a peacebuilding architecture based on Kofi Annan’s proposals (Barnett et al, 2007: 36). The proposal called for the creation of three organizations: the Peacebuilding Commission (PBC), the Peacebuilding Fund (PBF), and the Peacebuilding Commission Support Office (PBSO), to enable the Secretary-General to coordinate the UN’s peacebuilding efforts (UN, 2012).³

A major objective of the PBC established in 2005 is to represent a step forward, both in the coordination of peacebuilding activities and actors, and in the formulation of an international architecture of peacebuilding. The commission is designed to “bring all relevant actors to marshal resources and to advise on and propose integrated strategies for post-conflict peacebuilding and recovery; to focus attention on the reconstruction and institution-building efforts necessary for recovery from conflict and to support the development of integrated strategies in order to lay the foundation for sustainable development; to provide recommendations and information to improve the coordination of all relevant actors within and outside the United Nations, to develop best practices, to help to ensure predictable financing

for early recovery activities and to extend the period of attention given by the international community to post-conflict recovery” (UN, 2005).⁴

The Report of the High Level Panel⁵, endorsed by the Secretary-General, suggested that the core functions of the PBC should include identifying “countries which are under stress and risk sliding towards state collapse” and organizing, in partnership with the national government, “proactive assistance in preventing that process from developing further (UN, 2004: 69).” However, the 2005 World Summit Outcome Final Document (UN, 2005) prescribed more modest ambitions for the new PBC⁶. The main purposes of the commission are to bring together all the relevant actors to marshal resources and to advise on and propose integrated strategies for post-conflict peacebuilding and recovery. Nevertheless, the commission is at the heart of the evolving peacebuilding architecture, and—despite the political idiosyncrasies and constraints of the intergovernmental context—it has generated new thinking on the peacebuilding doctrine (Newman, 2013: 316).

In 2010, the PBC, in cooperation with the Fafo Institute for Applied International Studies and the Norwegian Peacebuilding Centre, created a practitioners’ guide to benchmarking for monitoring peace consolidation. The guide was made using country-level research in Afghanistan, Burundi, the DRC, and Haiti and was a technical (non-policy-oriented) resource tool intended primarily for use by field-based practitioners. It was designed to include sufficient flexibility and scope to enable it to add value to existing multiple assessment and strategic planning/coordination tools.

The PBSO, staffed by UN secretariat members with experience of peacebuilding, has facilitated policy analysis of the record of effectiveness of peace operations. It has also been open to external analysis and interaction with academics, supporting a number of debates on challenges related to coordination, local ownership of peacebuilding activities, capacity development and so on. In 2012, the office deepened its partnership with the African Development Bank, the European Commission and the WB to strengthen collaboration across UN funds in the field. The PBSO’s strategy aims to increase the prospects for sustainable peace by strengthening PBC and PBF support for national and international actors (PBSO, 2012: 4–5).

2.2 Coordination for “problem solving”

The UN-initiated peacebuilding challenge of coordination is designed to solve problems. A major objective of peacebuilding missions is to eliminate unstable factors in the local community and ensure the international order.

The overall objectives are seen to reflect a broad consensus among the various actors involved in terms of what peacebuilding should achieve and involve (Newman, 2013: 316). The liberal approach to peacebuilding and development in fragile states is driven by a belief in effective state institutions. With this rationale, rebuilding viable institutions based on the concept of “the rule of law” becomes a priority. The institutionalist view assumes that state institutions and the right market conditions will drive the material goals of peacebuilding, and it concentrates on institutional benchmarks and peacebuilding targets relating to sequences of programs (Newman, 2013: 316).

The institutionalists believe that once secular citizenship and human rights are achieved, political and economic development will move forward. But in reality various actors work in a division of labor for specific policy areas and objectives. They work for their organizational mandate: the UNDP, for example, takes the lead with governance and development issues; the UN Electoral Assistance Division assists with elections; the WB assists with economic policy; UN specialized agencies assist in their areas of expertise; and, national agencies generally take the lead with security sector reform. As far as there are reflective debates within these circles—and the PBSO has certainly encouraged and facilitated these—they largely fall within, and do not challenge, the prevailing liberal peacebuilding consensus (Newman, 2013: 317).

The challenge is, therefore, to optimize communication between the various actors, to agree on priorities and coordinate activities in a complementary manner, to identify and implement the correct sequence of programs, and to bring the necessary resources to bear on the peacebuilding mission (Paris and Sisk, 2009).

2.3 Coordination based on the rule of law

Peacebuilding efforts have been made based on one key concept—that is, “the rule of law.” How to promote the culture of the rule of law holds the key to successful peacebuilding. Cultivating “culture” to support the rule of law mechanism is necessary and, if possible, the culture needs to be (re) constructed in the hands of the local people themselves. Rebuilding institutions based on the rule of law and transitional justice in conflict and post-conflict societies has become a priority for peacebuilding efforts initiated by the UN (UNSG Report, 2004).⁷ The UN has promoted the rule of law in the field of human rights and humanitarian issues, and has established many law-enforcement agencies. Within the UN, the Rule of Law Coordination

and Resource Group was created in 2007, and the Office of Rule of Law and Security Institutions was established in the Department of Peacekeeping Operations in 2007 in order to promote justice and security. Assistance for ensuring the rule of law is believed to hold the key to the success of post-conflict peacebuilding and recovery. Based on this belief, the UN has coordinated police functions, legal systems, DDR, security sector reforms, and other peacebuilding functions.

Through the development of legal mechanisms, the UN has worked to (re)build law-abiding societies. There is another possible way, however, to stabilize a community after conflict—that is, to promote peacebuilding based on indigenous social customs that utilize different conflict resolution techniques. Most share common characteristics and traditional components such as the involvement of respected local figures, a public dimension, storytelling and the airing of grievances, and an emphasis on relationships and a reliance on local resources (MacGinty, 2012: 20–30). But in a post-conflict community, indigenous solution techniques relying on religion or ethnicity do not always function well. Therefore, instead of these local techniques, the UN reinforces the rule of law to address the root causes of conflicts, to overcome internal fighting and to stabilize the community.

The UN believes that peace cannot be (re)built without the rule of law and has promoted international judicial mechanisms including the International Court of Justice, International War Crimes Tribunals, hybrid courts, and, outside of the UN, the International Criminal Court. From these perspectives, the ongoing peacebuilding process is based on modern Western ideas (Shinoda, 2003).

3. Coordination challenges

In theory at least, the newly-built UN peacebuilding agencies have increased coordination among different actors, based on the idea of a coherent peacebuilding architecture and doctrine. The UN believes that due regard must be given to indigenous traditions for administering justice or settling disputes, and that help should be given to continue their vital role and to do so in conformity with both international standards and local traditions (UNSG Report, 2004). But peacebuilding strategies must be coherent and tailored to the specific needs of the country concerned. They should be based on national ownership and comprise a carefully prioritized, sequenced, and relatively narrow set of activities aimed at achieving their objectives (UN, 2012).⁸

Within peacebuilding policy circles, there are a number of problem-solving strategies that are used to make the liberal peacebuilding project work: to (re)build state institutions and good governance including democracy; to develop a responsible civil society; and, to promote a liberal market. The challenge is to find the right fit at the local level and the right sequence of activities. Every case is different but the actors and activities which work for the international peacebuilding architecture rest on this consensus. However, some tensions within peacebuilding projects and among different actors go deeper than problems of “coordination,” and point to differences in ideological approach and to serious internal inconsistencies in the peacebuilding consensus (Newman, 2013: 313).

3.1 Debates over a coherent architecture

The “Western-led” peacebuilding literature has been dominated by criticism of the liberal peace paradigm (Newman et al, 2009; Campbell et al., 2011) and follow-up debates over “post-liberal peace” (Richmond, 2011), “hybrid peace” (MacGinty, 2010) or the “local turn” (MacGinty and Richmond, 2013; Ojendal, 2017). Today, debates over peacebuilding seem to be much more diverse. It makes a great difference whether critics see peacebuilding as a normative project that should be promoted, reframed or dismissed; as an analytical tool or concept that should explain social processes or political outcomes; or as a distinct set of social practices involving various actors and levels. Sometimes the different perspectives are mixed together in order to deliver a fundamental critique of liberal peacebuilding (Dabiel et al, 2016: 3–4).

There are a range of controversies related to the prevailing liberal peacebuilding model. An increasing number of critics, including scholars and local stakeholders, place greater emphasis in peacebuilding on human security, local solutions, social justice and the resolution of the underlying causes of conflict (Newman et al., 2009; MacGinty, 2015). The apparent emphasis in top-down peacebuilding and state-building institutions has also raised concerns about the sustainability of peacebuilding projects. Externally-led state-building based on institutionalist models may undermine traditional indigenous authority structures, raising questions of legitimacy in addition to effectiveness (Paris, 1997).

These issues point to fundamental divergences between various actors based on different and incompatible views about the nature of conflict-prone societies, and a wide gap between the policies and assumptions of international peacebuilding actors and the perceptions of local stakeholders. All of

this raises the question as to whether there truly is an international architecture of peacebuilding with a coherent doctrine (Newman, 2013).

3.2 Debates over peacebuilding as a normative project

Due to the complex activities by various actors involving multifaceted operations, both post-colonial and liberal peace critics regard peacebuilding as unsuccessful and in crisis (Richmond, 2006; Dillon and Reid, 2009; Newman, 2010; Sabaratnam, 2013; Tschirgi, 2013; Schneckener, 2018).

The most fundamental criticism is that peacebuilding reflects an unjust world order and asymmetric power relations between a Western-dominated center and a post-colonial periphery (Duffield, 2007; Jabri, 2007; Dillon and Reid, 2009). Moreover, peacebuilding could be regarded as part and parcel of a greater project of transforming the notion of sovereignty and undermining the self-determination of peoples and states (Chandler, 2008). Peacebuilding, even if it takes a softer approach, justifies other forms of intervention on humanitarian grounds (Jabri, 2013: 9). By initiating and imposing Eurocentric norms, Western hegemony will be extended and reproduced in the local and the governmentalizing design imperative of peacebuilding is already scripted elsewhere, in the structuration of peacebuilding as a norm constitutive of the normative ordering of the international (Jabri, 2013: 6, 13–14). Post-9/11, peacebuilding – like state-building – became an expression of the widespread securitization of international politics and has to be regarded in the context of counter-terrorism, counter-insurgency or global policing policies (Richmond, 2006; Newman, 2010; Tschirgi, 2013).

The liberal approach to peacebuilding often leads to empty states, a virtual peace, and a focus on institutions over the variations of everyday life. The neo-liberal approach denies the post-conflict individual and community the resources they need to engage in the liberal social contract and to express the locality of peace. The rationalist and institutional focus of liberal peacebuilding denies cultural agency. (Richmond, 2011: 95).

Most critics see peacebuilding as a normative project and it has—be it intended or unintended—a strong bias towards universalizing these norms and transferring them to non-European contexts. The imperative seems to be that others should learn from the European experience and follow a similar path to consolidated peace. Newman most critically says that this ambition (or, better, hubris) is normatively questionable—not only because it offers a simplistic and teleological understanding of Europe’s contradictory history, but also because it neglects and potentially marginalizes non-European

experiences, traditions and cultures and hence often meets with local resistance (Newman, 2013).

3.3 Alternative approaches for better coordination

When critics discuss the relevance of norm- or value-sharing among different actors, especially between international peacebuilding actors and local stakeholders, most analyze it in terms of a Western or Eurocentric and non-Western context. Western people are the people of the UN-centered international agencies, and non-Western people are local people. Western values are “foreign” to non-Western people who respect their own indigenous values. Western people urge local people to accept international norms and values but local people do not want to be pressed to share the values that Western people bring.

However, this dichotomist rhetoric dividing the West and the non-West is severely questioned by political philosophers. Sen says democracy is not a monopoly of Western people (Sen, 2010). Sen does not deny that there are challenges to democracy’s claim to universality but it is necessary to clearly grasp the sense in which democracy has become a dominant belief in the contemporary world (Sen, 1999). The term frequently invites controversies between the international and the local.

Scholars of political ethics propose that both sides—international and local communities—use the term “justice” instead of democracy because justice is a more transnational and inclusive norm that all people can accept (Popovski, 2012). The following are various scholarly proposals concerning justice: justice is a process of (re)building the indigenous order and the distribution of equality, social positions, talent, property and resources (Popovski, 2012); justice is fairness (Rawls et al., 2001); justice means the capacity to resolve conflict, reconcile disputing parties, and that balancing accountability with forgiveness is not a “Western” capacity (Wanis-St. John, 2013: 365–366) and it is a local justice; justice is a measure to judge whether human-centric capabilities are satisfied or not (Nussbaum, 2013). In these ways, many scholars refer to “justice” as a universal value which can be easily understood and accepted by a local authority and its people.

Such scholars also propose a “capability approach” when rethinking peacebuilding. Sen initially argued for this approach in the 1980s in assessing capability as an alternative approach to welfare economics (Sen, 1985; 1989; 2010). Then, other political philosophers developed the idea and framed the core capabilities which should be supported by all democracies: life; bodily

health; bodily integrity; senses, imagination, and thought; emotions; practical reason; affiliation; other species; play; and, control over one's environment (Nussbaum, 2013). Those scholars emphasize the importance of people's various capabilities for sustainable peace and development.

Besides, in order to bridge the gap between these different peacebuilders, scholars welcome the emergence of "a new actor (or agent)" that can play an enabling role that will localize international norms and values. The new actor should be transnational, communicating between local and international contexts in a transnational realm (Keck and Sikkink, 1998: 8–10; Reinicke, 2000; Batliwala, 2002: 393–410). The transnational actor should thoroughly know about both international and local norms. Others call the new actor "a translator" who works to help local people understand and reform international norms and values in order to build their own original ones (Cross, 2013). Some Asian and African nations have already introduced such mechanisms through NGO-related transnational advocacy networks especially in the legislative system (Cross, 2013). New actors, agents, or interpreters are expected to play a key role in peacebuilding and local authorities need to guarantee indigenous values in these transition periods (Miller, 2000).

Conclusion

Over 40 years have passed since Galtung (1976) first coined the term peacebuilding: a system that would create a sustainable peace, that needed to address the root causes of conflict, and would support local capacity for peace management and conflict resolution. But discussions over liberal, post-liberal, and the local turn are still ongoing. Barriers to better solutions for peacebuilding persist, amounting to a call for a societal shift from structures of coercion and violence to a culture of peace.

How to share common norms, values and visions among different actors is a huge challenge for UN-initiated peacebuilding. The UN believes that due regard must be given to indigenous and informal traditions for administering justice or settling disputes, to help them to continue their often vital role and to do so in conformity with both international standards and local tradition. However, at the same time the UN demands that peacebuilding strategies must be coherent and tailored to the specific needs of the country concerned, based on national ownership, and should comprise a carefully prioritized, sequenced, and relatively narrow set of activities aimed at achieving the above objectives (UNSG, 2007).⁹ But, if local communities

have special indigenous norms and values which conflict with international ones, how seriously does the UN consider them?

Meanwhile, local stakeholders highly esteem local ownership in peacebuilding and try to localize or adjust international norms and values to meet a locality's needs. In the process of the localization of norms and values, a nation can take an initiative to behave as an agency or a medium (Miller, 2000), but in this localization process, a nation can be overly influenced by formal or informal hierarchies of international authority and lose its way.

Civil society, another major actor, respects local ownership and indigenous values but international NGOs tend to encourage local people to reconstruct indigenous norms and values by eliminating factors that do not fit in well with international norms, values and standards (Batliwala and Brown, 2006). This means that the reformed values are not so different from international ones and do not reflect local values.

Peacebuilding is, in reality, a technique or normative approach by the international community to secure the international order. In the process, local people, to some extent, need to change their beliefs and behaviors. But indigenous values such as rituals, for example, are symbolic representations of the ending of conflict and help people to commemorate, give witness, attain closure, and celebrate. The ancient human innovations of peacemaking continue in the traditions and practices of indigenous communities around the world (Wanis-St. John, 2012: 365–366).

Every peacebuilder is requested to reaffirm the idea of human security in peacebuilding. A wide range of efforts by diversified actors are needed to realize both tasks: the consolidation of peace for local people and to secure the international order. The challenges for UN-centered peacebuilding remain unchanged in the next decade.

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Notes

- 1 Definition of the Secretary-General, the Secretary-General's Policy Committee (SGPC), May 2007.

- 2 The Secretary-General has set out his vision for peacebuilding in three reports: UN Doc. A/63/881–S/2009/304, 11 June 2009; A/64/866–S/2010/386, 16 July 2010; and, A/67/499-S/2012/746, 8 October 2012.
- 3 UN Doc. A/67/499-S/2012/746, 8 October 2012.
- 4 General Assembly Resolution 60/180, 30 December 2005.
- 5 “A More Secure World: Our Shared Responsibility,” *Report of the Secretary-General’s High-level Panel on Threats, Challenges and Change*, UN Doc. A/59/565, 2 December 2004.
- 6 World Summit Outcome, UN Doc. A/RES/60/1, 24 October 2005.
- 7 Report of the Secretary-General, “The rule of law and transitional justice in conflict and post-conflict societies,” UN Security Council, 23 Aug. 2004, S/2004/616.
- 8 UN Doc. A/67/499-S/2012/746, 8 October 2012.
- 9 SGPC, 2007.

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PART II Practical Approach

CHAPTER FOUR

*Platforms for dialogue and hybrid facilitators
in the Bangsamoro peace process*

Yuji Uesugi

Abstract

This chapter examines the conflict in Bangsamoro in the Southern Philippines, using an analytical framework that focuses on three social cleavages: *Horizontal*, *Vertical* and *Diagonal Gaps*. By introducing a key concept, ‘Platforms for Dialogue’, as a means to negotiate, mediate, and facilitate a peace agreement, it sheds light on the functions of ‘hybrid facilitators’ such as the Organization of Islamic Cooperation, Malaysia, and the International Contact Group that have endeavored to bridge across the social cleavages. By doing so, this chapter demonstrates how these ‘hybrid facilitators’ have contributed to the Bangsamoro Peace Process. One of the key findings of this chapter is that cleavages and competition at the local level can be just as detrimental to a peace process. Hence, this chapter presents a new outlook of hybrid peacebuilding and contributes to the existing debate associated with the concept by extending the scope of the analysis beyond the binary frameworks of non-West/West and local/international. Such an approach allows us to gain a new standpoint from which we can transcend non-West/West and local/international dichotomies in peacebuilding studies.

Introduction

To realize sustainable peace, it is necessary to fill in the cleavages that exist within a conflict-prone society, and to bridge the gaps that exist between the local community and the international community. To support this argument, this chapter will examine the conflict in Bangsamoro, a territory that

includes the Sulu Archipelago and west Mindanao in the Southern Philippines, using an analytical framework that focuses on three social cleavages. In particular, it aims to illustrate the tensions overlooked by conventional analyses of liberal peacebuilding, and the roles that ‘hybrid facilitators’ can play in overcoming them.

The first and second cleavages, described here as *Horizontal* and *Vertical Gaps*, exist within the Philippines. By discussing these cleavages, this chapter seeks to outline the Bangsamoro conflict. It will then investigate the third cleavage, or a *Diagonal Gap*, that theoretically exists between the Filipino community and the international community. The Bangsamoro conflict can be understood as a conflict between the Republic of the Philippines (ROP), which is based on the modern sovereign state model, and Bangsamoro, which is based on the Islamic state model. Rather than being a simple local/international dichotomy, the *Diagonal Gap* exists in dynamic friction and mutual influence in which different values and social institutions meet. Examination of this gap will also touch on the impact upon the Bangsamoro Peace Process (BPP) of the Global War on Terror (GWOT) led by the United States (US).

One of the theoretical features of this chapter is that it discusses a dialogue process as a means to fill *Diagonal Gaps*. Using a key concept, ‘Platforms’, which was introduced by John Paul Lederach (2005: 182), this chapter explores the functions of facilitators that would bridge across different cleavages. These facilitators are called ‘hybrid facilitators’ and by analyzing their roles, this chapter will demonstrate how they have exercised their influence upon the BPP.

The scope of the existing discussion on hybrid peacebuilding has been limited to the process of resistance and reception that emerges in state-building endeavors in which Western values and social institutions are installed in a non-Western society. This chapter seeks to present a new outlook of hybrid peacebuilding by examining the BPP, where different dynamics are witnessed. Hence, this chapter aims to clarify interplays among different domestic cultures that impact on dialogue between the local community and the international community. In doing so, it clarifies the efforts to bridge the existing gaps and discuss them on a level beyond the binary frameworks of non-West/West and local/international.

1. Conflict analysis

Among the various cleavages that exist in the Philippines, this chapter fo-

cuses on the one between the Government of the Philippines (GPH) and the Muslim liberation movement in Bangsamoro. Concerning the Bangsamoro question, there are diverse claims or positions amongst the different actors in the Philippines and different stakeholders in Bangsamoro. For example, there is a difference between the two main organizations of the Muslim liberation movement: the Moro National Liberation Front (MNLF) and the Moro Islamic Liberation Front (MILF). Also, several divisions exist between these mainstream anti-government movements and other splinter armed groups deviated from either the MNLF or the MILF. Another cleavage that may affect the prospect of the BPP revolves around the local influential political clans within the Bangsamoro community. These key features of the Bangsamoro conflict will be examined below from two distinctive perspectives: the *Horizontal Gap* and the *Vertical Gap*.

1.1 *Horizontal gap*

1.1.1 *Marginalized muslims*

The origin of the first *Horizontal Gap* is embedded in the process of decolonization and independence where the ROP became a sovereign state. Christianity (Catholicism to be more precise) brought from the former colonial powers is one of the base cultures of the contemporary Philippines. On the other hand, the Moros, who sought separation from the Philippines, have a shared identity as Muslims. Unlike other groups who succumbed to Spanish, American and later Japanese colonists, and mainly accepted conversion to Christianity, these Muslims recognized themselves proudly as descendants of ethnic groups who continued their resistance against the colonizers until the end.

Hence, the genesis of the Bangsamoro conflict resulted from Moros objecting to the decision that their 'ancestral domain' should be incorporated into the territory of the ROP when it became a sovereign state after WWII. The result of this incorporation was the harsh reality that the Moros fell to the minority status within their ancestral domain (Kagawa, 2016: 2). This started a self-determination movement of the Muslim minority, and tore open the deepest *Horizontal Gap* between the mainstream Christian majority and the Muslim/Moros who seek to retain their distinctive identities and traditional territories in Bangsamoro.

1.1.2 *The genesis of the MNLF and the MILF*

The MNLF sought separation from the Philippines by claiming the distinct

identity of the Moros. The MNLF was formed in 1969, and Nur Misuari, then a lecturer in the University of the Philippines, who is originally from the Sulu Archipelago, became the first leader. When the MNLF was established, there was an international trend to support the claim of self-determination.

The MILF, on the other hand, was established and led by an Islamic scholar, Salamat Hashim, who claimed a different approach from the MNLF and separated from them in 1981. It was said that the separation of the MILF from the MNLF was the result of the internal power struggle between those who supported Misuari and those who followed Salamat. The 1976 Tripoli Agreement, which was signed between the GPH and the MNLF, was a major source of dissatisfaction to the MNLF hardliners. Upon signing the Tripoli Agreement, the MNLF withdrew its claim of independence from the Philippines, which had been the main goal for its struggle. Instead of realizing independence, the MNLF concluded the deal to establish autonomy for 13 provinces and 9 cities. For this reason, the faction that wished to keep demanding the independence of Bangsamoro formed the MILF and broke away from its parent organization.

The GPH in the beginning recognized the MNLF as the sole legitimate party representing the Moros and did not engage in peace negotiation with the MILF. Later, however, the GPH changed its policy and began negotiating with the MILF. As a result, the Comprehensive Peace Agreement (CPA) was signed between the GPH and the MILF in March 2014. In short, the GPH conducted the ‘two peace processes’, one with the MNLF and the other with the MILF (Ishii, 2014).

1.1.3 Power struggle over vested interests

Conflicts over vested interests among powerful families within the Bangsamoro community have often resulted in internal communal strife. These conflicts fought between Muslim clans are known as the ‘rido’ (Torres III, 2007: 8). Against the background of the rido, there are ‘horizontal inequalities’ between the ‘haves’ and ‘have-nots’ (Nagaishi, 2015: 10–15). At the same time, as shown in the Maguindanao Genocide of November 2009, many conflicts in Bangsamoro have been the direct results of the competition for shares among ‘haves’ rather than between the ‘haves’ and the ‘have-nots’. In fact, the power struggle over vested interests within the Bangsamoro community is a form of the *Horizontal Gap*, and it is a major obstacle for the BPP. Local politicians in the Bangsamoro community who

could be deprived of their vested interests by the peace agreement maintain their corrupt relationships with high-profile politicians in the center. By so doing, they become ‘spoilers’ of the BPP. Corruption and the benefactor-beneficiary relations that support vested interests are therefore a bigger cause of *horizontal* conflict than the superficial rivalry between Christian and Moro politicians.

1.2 Vertical gap

The next focus will be on the cleavage that exists between the national-level peace process and the grassroots-level peacebuilding. This second type of the cleavage is called a *Vertical Gap*.

1.2.1 The gap between the peace negotiating team and the grassroots

A *Vertical Gap* exists between the MNLF and MILF leadership who have undertaken the peace negotiation with the GPH on the one hand, and the people who live in Bangsamoro on the other. The upper and lower levels of each organization have not always seen eye to eye. Such a divide has produced and reproduced breakaway groups from the MNLF cohorts who fought the war against the GPH. Recurrent birth of splinter groups is indicative of the fact that there has been a gap between the central leadership of the MNLF and the people on the ground.

Likewise, the leadership of the MILF could not prevent their hardliners from forming splinter groups when the signing of the peace agreement with the GPH forced the leadership to deviate from their original aspiration, i.e., independence. This is another symptom of the gap between the leaders who are responsible for the peace negotiation and the rest. The Abu Sayyaf Group (ASG) was formed in 1991 as an offshoot from the MNFL, and the Bangsamoro Islamic Freedom Fighters (BIFF) was formed in 2008 as an offshoot from the MILF. These breakaway groups have provided a platform for radical elements and hardliners in Bangsamoro to continue their struggle, to the point where they were identified as terrorist groups by the GPH and became the targets of counterterrorism operations led by the Armed Forces of the Philippines (AFP).

Those leaders of the breakaway groups (Salamat who launched the MILF, Abdurajak Abubakar Janjalani who created the ASG, and Ameril Umbra Kato who was expelled from the MILF and formed the BIFF) did not necessarily represent the true voices of the people on the ground. Rather

they were merely representing those who joined the uprising aimed at full realization of self-determination and were not satisfied with the autonomy solution. However, these leaders used grievances of marginalized Muslims as leverage against the GPH. Hence, if they wanted to maintain their legitimacy as a representative of the Muslims in Bangsamoro, they had no choice but to continue their struggle as a splinter group. The fact that the leadership (central committees) of the MNLF and the MILF have opted for autonomy, abandoning the goal of full independence while their splinter groups continue suggests a methodological gap between the peace negotiation team and the field commanders on the ground.

1.2.2 The gap between 'Haves' and 'Have-nots'

This methodological gap should not be understood simply as a matter of leadership and the central committee lacking the ability to control the field commanders and their soldiers. This is a deep-seated issue. The leadership of the MNLF and the MILF mobilized and recruited the people at the grass-roots-level by referring to and emphasizing the importance of the ideals of the Islamic movement or the ideology of self-determination. However, these leaders then made critical concessions in order to reach an agreement in the peace negotiation with the GPH. From the viewpoint of the people on the ground, concessions by these leaders, who were supposed to represent the views of 'have-nots', can be seen as a sign of corruption, and a proof that these leaders have joined the club of 'haves' and been incorporated into the existing structure of vested interests. The birth of many splinter groups can be explained by this *Vertical Gap*. The leaders of the splinter groups have been able to mobilize frustrated people in their community who felt that they were left behind and kept outside the loop of vested interests, i.e., those who remained as 'have-nots'.

To make the situation more complicated, there are local Muslim politicians in the Bangsamoro community who assume the local administrative functions of the GPH such as the Governor and the Mayor, and are closely incorporated in the structure of vested interests. These politicians and their families, whose roots trace back to the pre-Spanish colonial period, such as the era of the Sulu Sultanate or the Sultanate of Maguindanao, have consolidated their power base by collaborating with powerful figures in the center. Such collusion with the center allowed them to assume the rights of public works licensing and public administration appointment, which have enlarged their power base and expanded their vested interests (Nagaishi, 2016:

12). Therefore, some of them disagree with the anti-government struggle led by the MNLF and the MILF as it might change the existing power structure that underpins their influence. Even as members of the Muslim community, these politicians have a conflict of interest with the MNLF and the MILF.

In the same way as we analyze the gap between the MNLF and the MILF, this cleavage may be categorized as a *Horizontal Gap*. However, if we focus on the aspect of discrepancy between those who enjoy vested interests and those who want to change the existing structure, we would agree that this gap is qualitatively different from the one that exists between the MNLF and the MILF where both have fought to change the status quo. The gap would emerge if we look for a fault line in the *vertical* division between the 'haves' and the 'have-nots'.

By employing the notion of Francis Stewart's 'horizontal inequalities', Nagaishi (2015: 16–17) has captured the essence of the gap and argued that it had a 'vertical' characteristic involving the sense of inequality. In other words, the major gap runs between the GPH (Christian majority) and the Bangsamoro community (Muslim minority), if the Bangsamoro conflict is seen from the macro point of view. This macro division is a *Horizontal Gap*. At the same time, within the Bangsamoro community and among the Muslims population, there is another division between those who have vested interests and those who don't. This localized division is an example of 'horizontal inequalities', and thus it can be identified from the micro perspective as a nested *Vertical Gap*.

Behind the armed struggle led by the MNLF and the MILF, there existed a desire to break the existing structure of vested interests which have benefited only certain powerful families in Bangsamoro. By claiming full independence of Bangsamoro, they have sought to cut off the tie of the local politicians with powerful politicians in the center. The ideology of the Islamic movement to resist the oppression by the Christian majority, as well as their nationalistic claim for self-determination, was used as a driving force for mobilizing the war against the 'haves'.

2. Diagonal gap

The first and the second gaps exist between or within the conflicting parties in the Philippines. Next, we turn our attention to the macro cleavage that will emerge when the BPP is situated in a wider context. This cleavage has attracted attention in the field and become a topical issue in recent debate

about liberal peacebuilding. This fault line that exists between the local community and the international community is called a *Diagonal Gap* in this chapter.

2.1 *Absence of the conventional local/international gap*

The basic assumption of the current debate about liberal peacebuilding is that a state that is branded as fragile or failed would undergo a state-building exercise with the support of the international community, which promotes the idea of liberal democracy. Thus, a liberal state must be built first as a necessary step for consolidating the basis for sustainable peace. It has been claimed that binary tension would rise between the illiberal local community and the liberal international community in the process of state-building. Those who criticize the liberal peacebuilding approach define this as a gap between the non-Western local community and the international community that promotes Western values and institutions.

There have been multiple international involvements in the BPP including those by the US, the United Nations (UN), the World Bank, the International Committee of the Red Cross (ICRC), and other international organizations (Santos, 2013). Hence, there was a high chance of the local/international cleavage emerging in the BPP. Nonetheless, the fault line did not manifest itself as the Philippines did not require state-building support from outside. There is a noticeable cleavage stemming from the qualitative difference between the nominal application of a liberal governance system and whether such a system operates properly on the ground. One of the very reasons for the outbreak of the Bangsamoro conflict has been the sense of grievance against corruption and injustice caused by the privileged class perceived as responsible for the malfunctioning of the existing liberal system.

In any case, in the Bangsamoro conflict, there were two distinct patterns of behavior for the international organizations and other outside actors who were involved in the BPP. Actors for the state-building venture of the international community that conventionally advocate Western values and institutions retreated to the background in the BPP, while Islamic actors of the international community who were more trustworthy to the Moros intervened as intermediaries. This is why the conventional *Diagonal Gap* did not surface between the local community and the international community, because the foreign liberal influence was perceived less strongly.

The *Diagonal Gap* in Bangsamoro does not exist in the conventional

notion of the local/international gap presuming disagreements between the illiberal local community and the liberal international community. The outside interveners such as the Organization of Islamic Cooperation (OIC) and Malaysia did not force Islamic values and institutions upon the GPH, and therefore prevented this particular cleavage. They were seen as merely having supported aspirations of the Muslims in Bangsamoro in a legitimate peace process.

2.2 Surfacing of the diagonal gap within the Philippines

It can be said of the BPP that the international community allowed the Moros to pursue Islamic values that would have been eliminated as illiberal in the conventional liberal peacebuilding approach. The usual tension between the local and international community has not been identified by existing literature as an obstacle to the BPP. As Chris Wilson (2015: 1321) points out, it is a compromise for the international community, because if the peace process does not undermine illiberal values, such an arrangement would guarantee the reproduction of violence and the most vulnerable people would continue to suffer discrimination and suppression.

At the same time, however, the liberal state mechanisms such as the separation of powers and the tripartite check-and-balance system have already been installed in the ROP, and it is not necessary for the international community to intervene to impose a new liberal model. Under the liberal principle of self-determination, the autonomous region in Bangsamoro, located on the periphery of the ROP, was allowed as a special exception in the liberal state model to adopt illiberal institutions such as Islamic law and Islamic courts. In addition, the residents are given an opportunity to decide via plebiscite whether they would prefer to join the Bangsamoro autonomous region or not. This public voting scheme was included in the procedure as a safeguard for accepting exemptions, respecting the free will of those who would be governed.

Of course, it is the free will of the majority in Bangsamoro that would be respected as the result of a plebiscite, not the views of minorities. If the majority of their community members decide to join the Bangsamoro autonomous region, regardless of their preference, minorities have to conform to the majority's decision. While it is true that the interests of the minorities would have to be safeguarded somehow, the same challenge would arise even under a liberal democracy. Hence, this challenge of minority representation cannot be attributed solely to the fact that illiberal values are accom-

modated in the outcome of the peace agreement.

In fact, the liberal/illiberal divide surfaced among the different parties in the Philippines, not as the *Diagonal Gap* between the local community and the international community. For the MILF who has fought the war to create an independent Islamic entity, the bottom line was autonomy in which the Moros can live under Islamic teachings. In contrast, it was imperative for the GPH to keep the deal within the four corners of the Constitution of the ROP, which adopted secularism. The GPH felt enormous pressure to get the support of the Congress and the Supreme Court in order to conclude a peace agreement that was constitutional, especially after the Supreme Court ruled out the 'Memorandum of Agreement on Ancestral Domain (MoA-AD)' as unconstitutional in 2008. Because the GPH had to convince the Congress and the Supreme Court that the peace agreement would not create an Islamic state within a secular republican state, GPH's options for dealing with the divide were limited. This problem was particularly acute in the implementation phase of the CPA signed in March 2014, in which the Congress had to enact the Bangsamoro Basic Law (BBL) to realize the CPA.

2.3 *Global War on Terror (GWOT)*

The international community representing Western principles did not come to the forefront in the BPP; instead, a certain element in the international community that aimed to safeguard Islamic values stepped into the spotlight. The conventional local/international gap was absent in the BPP, as discussed above. However, after the 2001 terrorist attack in the US (9.11), the shadow of the GWOT led by the US was always in the back of the BPP.

The BPP was not immune to the impact of the GWOT. The local/international gap that is often cited in peacebuilding literature surfaced in the context of this fight against Islamic extremism. For example, the ASG suffered a devastating blow by counterterrorism operations carried out by the AFP and the US forces, as the leader of the ASG, Abubakar Janjalani, who was a former mujahid fought in Afghanistan, was suspected of having connections with Al-Qaeda (Kagawa, 2016: 5).

The US-led GWOT does not necessarily operate under nor advocate the principles of liberal democracy. However, the fact that the GWOT is defined by the US as the fight against Islamic extremists who deny Western liberal values illuminates the possible *Diagonal Gap* in the international arena. In other words, the second front line of the GWOT manifested in the Southern Philippines overlapped with the local/international gap that surfaced in

Bangsamoro (Woon, 2011: 288). Hence, the two *Diagonal Gaps* intersected in the space confined to Bangsamoro (not the entire ROP) and they were merged as the GWOT and the Bangsamoro conflict intensified and the conflict was framed as between the West and Islam.

In sum, friction with the West was negligible for the GPH, which asserted liberal values and has been a close ally of the US in its effort towards the GWOT. The clash with the West was more likely for the Moros as a Muslim community since the GWOT emphasized the division between the West and Islam. Given their initial aspirations to create an Islamic entity under Islamic law, it was the Moros and not the GPH that felt friction with the West.

3. Platforms for the diagonal dialogue

In the BPP, a *Diagonal Gap* between the local community and the international community did not materialize as expected. In that sense, the involvement of the international community in the BPP was a successful case of hybrid peacebuilding. However, after the conclusion of the CPA, the BPP has stalled. In this section, the BPP will be reviewed in two phases using a concept of the Platforms for the Diagonal Dialogue (PDD). The factors for the success in the first half and for the failure in the second half will be discussed.

There were two major reasons for the initially smooth interaction between the local community and the international community. First, the composition of the ‘international community’ and its intervention manner in the BPP were appropriate to circumstances. The BPP served as the PDD and supported the peace negotiation teams to reach an agreement. The ‘hybrid facilitators’ used the platform to facilitate the two peace processes conducted by the GPH and the MNLF, and the GPH and the MILF, and sought to bridge between the MNLF and the MILF. South and Joll (2016: 170) stated that the recognition of the state of Bangsamoro by the international community, and the international community’s support for negotiations contributed positively to the success of the BPP.

Secondly, the *Diagonal Gap* that was expected to emerge between the local community and the international community surfaced among the local actors in the Filipino society. This is because the front line of the US-led GWOT with Islamic extremists overlapped with the cleavage within the Philippines. In fact, this second cleavage became an indirect cause for the stagnation of the BPP in the second half. Although the CPA was signed, the

BPP was forced to a standstill due to the major shift in the political landscape of the Philippines that came with the GWOT. This set back resulted from the limited scope of the PDD. Their mandate did not reach the GWOT, even though this was undertaken in parallel with the BPP. It also fell short and did not include measures useful in Filipino domestic politics. The following section provides a more detailed analysis of the successful factors in the first half—hybrid facilitators—and the reasons for the standstill in the second half—shortcomings of the PDD.

3.1 Hybrid facilitators as catalysts for the BPP

The first factor that contributed to the success in the BPP can be attributed to the characteristics of the intermediary involved. In the BPP, Islamic actors such as the OIC, Libya, Indonesia, Malaysia, Brunei and others served as the representative of the ‘international community’. Unlike Western countries, these intermediaries did not believe that Western values were universal, nor did they subscribe blindly to a sense of ‘justice’ indoctrinated in the Western society. In this sense, the ‘international community’ already possessed a ‘hybrid’ feature. Furthermore, the factor that Indonesia and Malaysia, fellow members in the ASEAN, behaved as equal compatriots also helped the GPH to accept the intervention. For example, President Fidel V. Ramos was quoted by Santos (2013) as follows: “The ASEAN approach of *Musjawarah* (consultation) and *Mufakat* (consensus) proved to be the most productive.” In the following, the external intermediary organizations that served on the PDD in the BPP will be discussed.

3.1.1 Organization of Islamic Cooperation (OIC)

The OIC is the second largest inter-governmental organization after the UN. It consists of 57 Muslim states and it endeavors to safeguard and protect the interests of the Muslim world (OIC, n.d.). It represents the voice of the Muslim world of which the Moros are part. Hence the OIC is not in the position to force Western values and institutions upon the Moros, which is of course a non-Western society.

Amongst the OIC member-states, Libya played a particularly significant role in the peace process between the GPH and the MNLF (Ishii, 2014; Yamada, 2016: 25). It served as a facilitator and concluded the two peace agreements both in 1976 and in 1996. Its involvement in the BPP was said to have been the result of the personal attachment of Muammar Al-Qaddafi,

a leader of Libya (Ishii, 2014).

Other members of the OIC such as Indonesia (which assumes chairmanship of the OIC's Peace Committee for Southern Philippines), Turkey, and Saudi Arabia have also exercised their influence on the BPP. The OIC and these member-states were not considered as impartial intermediaries. Rather, they served as supporters of the MNLF, which was fighting an asymmetrical war in an inferior position vis-à-vis the GPH. They helped the MNLF to be able to negotiate with the GPH in an equal footing at the negotiation table. Being in a leadership position of the OIC, Libya not only supported the MNLF in the BPP but also it assisted the MNLF both financially and militarily (Ishii, 2014).

For the MNLF, the intervention by the OIC, with which it shares the identity as a Muslim organization, reduced the concern that the OIC's intervention would cause value-based frictions between them. It would not have been the same, if the UN or the European Union (EU) tried to intervene and attempted to introduce Western values and institutions in the name of 'state-building', as they have in other non-Western societies. It was unlikely that the OIC would attempt such intrusive behavior towards its associate (since 1977, the MNLF had observer status in the OIC). In addition to the peace negotiation between the GPH and the MNLF, the OIC has endeavored to broker a peace agreement between the GPH and the MILF. For example, the OIC succeeded in the re-opening of the peace negotiation between the GPH and the MILF in Tripoli in July 2001, after it was suspended due to the outbreak of the 'All-out War' in 2000. Connected as part of the Muslim fraternity, the OIC is recognized as a 'trustworthy intermediary' for the MNLF and the MILF. However, for the GPH, it was seen as a 'terrifying intermediary' (Yamada, 2016: 26) because the OIC was able to exercise pressure upon the GPH.

Then, why has the GPH accepted the 'terrifying intermediary' that would support the MNLF and the MILF in negotiations? First, let us examine the mediation efforts which led to the 1976 Tripoli Agreement. It is important to acknowledge that there existed an international environment conducive to the peace negotiations between the GPH and the MNLF. During the Cold War, a primary concern of the US was to prevent the countries in Southeast Asia from turning to Communism. Also, particularly after the Oil Shock, improving the relationship with oil-producing countries was of the utmost importance for the US. Under such circumstances, the US did not block the OIC from involving in the BPP.

In the Philippines, for the Marcos regime, the Communist was also the most serious domestic threat. This was another reason why the GPH accepted mediation by the OIC. The Marcos regime had reason to feel threatened by Communist expansion. For example, in April 1975, Saigon, the capital of South Vietnam, and Phnom Penh, the capital of Cambodia, fell into the hands of the Communist forces. The Philippines fought the Vietnam War alongside the US and received the backing of the US for fighting with the Communist forces in the Philippines. The GPH needed to avoid conflict in the two fronts: one with the Communist forces and the other with the MNLF. Also, the fact that Indonesia, an ally in the ASEAN for the fight against Communism, was the OIC representative helped the Marcos regime assent to mediation by the OIC.

The influence of the OIC member-states as oil-exporting countries should not be overlooked. It was necessary for the GPH to import oil stably and cheaply in order to promote effective economic development and to receive dividends of development. The fact that many OIC member-states employ Filipino workers was an additional motivation for maintaining a good relationship with the OIC (Yamada, 2016: 26). In short, in addition to the anti-Communism platform, the economic development platform existed as a means of PDD bridging between the GPH and the OIC. This added to the advantage of the OIC sharing religious values with the MNLF and the MILF, and helped it to serve as a 'hybrid facilitator' in the BPP.

3.1.2 Malaysia

The ROP is based on a modern nation state model and it shares many values of Western liberal societies. This would make it possible for the Western international community, which normally advocates liberal values and institutions, to intervene in the Philippines without causing massive frictions, unlike the ordinary peacebuilding interventions elsewhere. However, in the BPP, it was the Moros not the GPH that would face a potential discrepancy between their upheld values, traditions and cultures and those of the Western international community. Namely, as the MILF maintains that it inherits rights of self-determination to live under Islamic teachings, liberal values and institutions that deny their way of life would be difficult to accept.

Under such circumstances, Malaysia, as an Islamic state and a neighbor of the Philippines, played an instrumental role as a facilitator. Malaysia's facilitation usually involved: serving as a go-between conveying positions of the parties; providing a conducive atmosphere, venue and facilities for

negotiations; having a presence in the talks as “referee” and to witness commitments and understandings; helping bridge differences; administering the talks; and, recording and keeping minutes, including details of what had been agreed upon (Santos, 2013).

Malaysia involved itself in the BPP proactively as it has assumed the role of spokesperson for the OIC and the Non-Alliance Movement (NAM), and a member of the ASEAN (Yamada, 2016: 25). At the same time, one should not underestimate the fact that the Government of Malaysia has a territorial dispute with the GPH over Sabah in the Borneo Islands. Also, the GPH had once expressed its discomfort with the then Malaysian facilitator Datuk Othman Bin Abd Razak, whom the GPH considered as partial to the MILF (Santos, 2013).

Then, why did the GPH accepted Malaysia to facilitate? First and foremost, the GPH realized the need for a third-party facilitator like Malaysia for the process to move forward (Santos, 2013). The second reason was that the international environment was conducive to the progress of the peace negotiation between the GPH and the MILF at that time, in the aftermath of 9.11. The situation was quite similar to the case of the OIC involvement during the Cold War.

After the threat of Communism dissipated in the aftermath of the Cold War, the threat of Islamic extremism such as from Al-Qaeda became the major concern of the US. The US-led GWOT supported the GPH to pursue military solutions to the Bangsamoro question and to escalate its counter-terrorism operations against the MILF, which forced the MILF to opt for Malaysia’s intervention in the BPP.

For the GPH, the fact that Malaysia is a member of the ASEAN that operates under the principle of non-interference of the domestic affairs of each member-state reduced psychological and political hurdles to accepting third-party intervention. Also, among other things, Malaysia itself is a hybrid state that has succeeded in fusing Islamic tradition with merits of modernity such as economic development (Yamada, 2016: 24). For those reasons mentioned above, Malaysian style was seen by both the GPH and the Moros as a more realistic and suitable model for peacebuilding than top-down liberal peacebuilding led by the West.

3.1.3 International Contact Group (ICG)

The mediation efforts by Malaysia were assisted by a hybrid facilitation support body (Herbolzheimer and Leslie, 2012; Santos, 2013). This advi-

sory body is called the International Contact Group (ICG), and it consists of four states, the United Kingdom, Saudi Arabia, Turkey and Japan, and four non-governmental organizations (NGOs) such as Muhammadiyah, Centre for Humanitarian Dialogue, Conciliation Resources, and The Asian Foundation. Such a hybrid nature of the ICG allowed it to offset the top-down approaches of international organizations, and to collaborate more smoothly with bottom-up approaches by grassroots NGOs in the Philippines.

In addition, Muhammadiyah is an NGO based in Indonesia which aims for Islamic reform. It accepted the invitation to join the ICG as its role is in line with the mission and identity as an Islamic movement (Santos, 2013). Unlike the other NGOs on board, Muhammadiyah which upholds and adheres to Islamic values and beliefs does not belong to a conventional category of 'international community'. The fact that the ICG included an organization that would have been excluded in the conservative definition of the international community increased the legitimacy and efficacy as a 'hybrid facilitator' in the BPP.

To further strengthen such an attribute of the ICG, all the governmental members except for the United Kingdom are not representatives of the West. Instead, the composition of the ICG eliminates possible accusations of being a liberal Western body by allowing Saudi Arabia, an Islamic state under absolutism, and then Turkey and Japan to be on board. In addition to such a hybrid composition of its members, the fact that it supported the administration and the logistics of the BPP effectively prevented the emergence of a *Diagonal Gap* between the Moros and the international community (Rood, 2013).

3.2 *Factors causing the stall of the BPP*

The PDD played an effective role in the process leading up to the conclusion of the CPA, but in its implementation process, it fell short of achieving the mandate to bridge the gaps that surfaced in the domestic politics of the Philippines. In retrospect, because of the underlying domestic cleavages, the BPP appears to have stalled after the CPA was concluded in March 2014.

After the conclusion of the CPA, not only the International Monitoring Team (IMT) that is responsible for monitoring the implementation of the cease-fire agreement, but also the OIC, Malaysia and the ICG, which supported the BPP at the negotiating table in Kuala Lumpur, failed to look beyond Bangsamoro. These 'hybrid facilitators' did not pay sufficient attention to the dynamics such as wider political situations in the Philippines and

the effect of the GWOT. The shift of arenas from Bangsamoro and Kuala Lumpur to Manila was a significant factor for the standstill of the implementation of the CPA. Failure to create platforms covering a wide range of issues and actors caused the BPP to be stagnated and eventually hijacked by domestic political dynamics within the Philippines.

3.2.1 Political dynamism on the ground

In its implementation process, the CPA was entwined in the political situation within the Philippines. The existing theories would explain the reasons for slowing down and stalling of the BPP as friction between the local community and the international community. However, the fault line did not run between them. Rather it appeared in the domestic politics of the Philippines.

The Mamasapano incident of 25 January 2015 drove the BPP into a catastrophe. The Special Forces of the Philippines National Police (PNP), who were chasing terrorists, clashed with the Bangsamoro Islamic Armed Forces (BIAF), a military wing of the MILF, causing the death of 44 police officers. This incident woke up the endemic prejudice that the majority Christians had held towards the Moros, which changed the tide of the BPP. The Office of the Presidential Adviser on the Peace Process (OPAPP), which promoted the BPP on behalf of the GPH, became the subject of slander and was criticized by Christian politicians preoccupied with the short-term political gains that the OPAPP behaved as if it were spokespersons, lawyers, and campaign managers for the MILF (Abuza, 2016: 102, 105).

President Aquino became the lame duck as his term was folding and the politicians in the Philippines turned their attention to the next presidential election. Even though the Third Party Monitoring Team (TPMT), an independent body mandated by the GPH and the MILF to monitor, review and assess the implementation of all GPH-MILF signed agreements, was launched in July 2014, the international community had no choice but to let the BPP be swallowed up by local political developments. After the CPA was signed, the international community lost its grip on the local parties and failed to follow the BPP, as the nature of the dialogue was redefined and shifted to matters of domestic legal procedures.

It was very unfortunate for the BPP that the Mamasapano incident took place in the heartland of Bangsamoro in the middle of parliamentary deliberation on the BBL. The deliberations of the BBL in the Senate were suspended by the intervention of several Senators such as Ferdinand Marcos Jr. (a son of former President Marcos) who took advantage of the national para-

noia to create an atmosphere in which support for the BBL would decay.

Even if there were Senators who were only interested in their short-term political gains, the Mamasapano incident would not have brought the BPP to a standstill if it had overcome its 'locality' and gained people's backing and understanding. Bangsamoro is at the periphery of the Philippines both in terms of its geographical location and the size of its population. Therefore, it needed a mechanism to bring the issues of the BPP up to the national agenda. Due to the lack of an appropriate platform, the effect of the BPP has been confined to the limited 'locality' and never elevated to a nationwide agenda concerning the whole population of the Philippines, except for the Mamasapano incident that caused nationwide paranoia. External actors had no foresight, or later mechanisms, for addressing this reality.

It is clear that the platform for international intermediaries to protect their achievements amid the domestic politics of the Philippines was lacking. But, how could the international community establish a linkage not only with the President (and his OPPAP) who led the BPP but also with the Congress (the Senate and the House) and the general population of the Philippines? The focus of the international community was on the situation of Bangsamoro, and thus its efforts to guarantee the implementation of the CPA did not reach the arena of domestic politics.

3.2.2 The limit of the cease-fire supervision and implementation mechanisms in Bangsamoro and the effects of the GWOT

In order to support the BPP, a number of mechanisms have been set up to implement and monitor the cease-fire agreement on the ground. For example, between the GPH and the MILF, the Joint Coordinating Committee on the Cessation of Hostilities (JCCCH) was established to implement the 2001 cease-fire agreement, and it was responsible for the maintenance of the public security in and around the area under the control of the MILF. Furthermore, in 2005, the Ad Hoc Joint Action Group (AHJAG) became operational as a mechanism to coordinate, monitor, and disseminate information between and among the AFP/PNP and the BIAF/MILF for the purpose of arresting suspects under its jurisdiction. The IMT, led by Malaysia as a mechanism for the international community to monitor cease-fire, was deployed on the ground. Since these mechanisms for cease-fire monitoring were introduced, the number of violations of the ceasefire agreement conducted both by the GPH and the MILF dropped significantly (Abuza, 2016: 83). In addition, several mechanisms were established to promote

the implementation of the CPA. For example, in addition to the TPMT, the ‘Bangsamoro Transition Committee’ (BTC) was launched to formulate the BBL and coordinate social and economic development.

Despite the presence of these multilayered mechanisms for cease-fire implementation and supervision, why did the 2015 Mamasapano incident happen? The main reason is that these mechanisms were mandated to supervise the implementation of the cease-fire agreement between the GPH and the MILF, and they were not designed to control the repercussions of the GWOT, which was undertaken concurrently with the BPP. In other words, the Mamasapano incident was a side-effect of the GWOT. The area of operations against the ASG and the BIFF, who were the targets of counterterrorism operations, and the area of operations for the MILF are not only located next to each other—they often overlap. It could be well anticipated beforehand that the impact of the GWOT could affect the implementation of the BPP. However, neither the GPH nor the MILF had been able to take appropriate measures to safeguard the BPP from the negative impact of the GWOT.

Although Malaysia, as a broker of the BPP, had dispatched the IMT to Bangsamoro, it fell short in exercising its influence over the GWOT as carried out by the GPH with the US. In hindsight, it was necessary to build closer collaboration with the GPH and the US through the TPMT, the IMT or the ICG. Such a coordinating structure could have served as the PDD between the BPP and the GWOT.

It was also essential to set up the PDD to regulate the interactions between the ‘hybrid facilitators’ of the BPP and the actors such as the AFP, the PNP and the US Forces that initiated the counterterrorism Operation Enduring Freedom-Philippines (OEF-P). However, the coordination with these security actors might have been too heavy a burden to the TPMT, the IMT or the ICG. There is a possibility also that these actors, directly engaged in counterterrorism, would not provide enough information to an independent body that included NGOs and non-Western actors.

Conclusion

In this chapter, it was argued that, for sustainable peace to be achieved, it is indispensable to bridge the gaps that exist among the local stakeholders as well as local and international communities. This chapter examined the causes of the Bangsamoro conflict on multiple levels, using three cleavages

as an analytical lens. It also analyzed the nature of the *Diagonal Gap*. Unlike what has been argued in existing literature, conventional friction between the local community and the international community was not detected in the BPP. Such an outcome was possible as a result of the involvement of ‘hybrid facilitators’ who were sympathetic to Islamic values as agents for the international community in the BPP. This chapter succeeded in illuminating the actual *Diagonal Gap* or the friction between Muslim Moro communities and the ostensibly liberal forces introduced by the US-led GWOT.

Furthermore, the role of ‘hybrid facilitators’ was examined by focusing on their performance at the PDD. In the BPP, the *Diagonal Gap* did not surface because the ‘hybrid facilitators’ respected the local preferences for the peace agreement. Based on the dominant local preferences, the ‘hybrid facilitators’ did not follow blindly the principles of liberal peacebuilding and instead allowed ‘illiberal’ or religious values and institutions to co-exist with the liberal secular ones.

On the other hand, the BPP remained ‘peripheral’ both in terms of the territorial space and the identity base even at the peak of the peace talks. It could not overcome its ‘locality’ to the Bangsamoro region, and thus the peace agreement did not enjoy the overall support of the Filipino population. As a result, it was hijacked eventually by latent prejudice among the Christian population and the short-sighted domestic politics of the Philippines. Furthermore, by showing the effects of the GWOT, it was argued that one of the reasons for the stagnation of the BPP was the lack of sufficient ties between the stakeholders of the GWOT and the ‘hybrid facilitators’. Although the TPMT was established to serve as the PDD between the local parties and international actors in the BPP, its mandate did not include the dialogue between the BPP and the GWOT, nor did it have a mandate to navigate its way through turbulent domestic politics of the Philippines. In hindsight, these were vital to the BPP’s success.

In a nutshell, this chapter offered an alternative perspective regarding the debate surrounding the theory of hybrid peacebuilding, by examining the case of the peace process in Bangsamoro. Its contribution can be found in the extended scope of the analysis of hybrid peacebuilding. Conventional discussion has been limited to the dynamics of resistance and acceptance of Western values and institutions in the process of state-building of non-Western societies; this chapter has shown that cleavages and competition at the local level can be just as detrimental to a peace process. It sheds light on the role of ‘hybrid facilitators’ such as the OIC, Malaysia and the ICG who sup-

port an international peacebuilding process by respecting local, in this case Islamic, values. Such an approach allowed us to gain a new standpoint from which we can transcend non-West/West and local/international dichotomies in peacebuilding studies.

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CHAPTER FIVE

*Deploying narratives and mobilizing narrators**The violent messaging of ISIS and efforts by civil society actors in Indonesia in countering them*

Asrul Daniel Ahmed

Abstract

The recently prominent violent extremist group Islamic State of Iraq and Syria (ISIS) has been spreading their narratives through computer mediated communications to great effect, leading to a development of a “new phase in terrorism” where we are beginning to see terrorist attacks being carried out using non-traditional weapons on unsuspecting populations far from centres of conflict by individuals and groups with no formal relationship nor experience with terrorism. This chapter looks at ISIS, its messengers and the messages that they propagate, as well as efforts by civil society actors in Indonesia in preventing and countering them.

Introduction

Terrorism around the world is on the decline, and yet its impact on the global public is arguably more widespread and acute than ever. While the number of deaths from terrorist attacks worldwide in 2017 went down by as much as 22 percent as compared to the heights it reached in 2014, there has also been a significant increase in the number of countries that experienced at least one death from terrorism, more than any other time in the previous 17 years (Institute for Economics & Peace, 2017). This development carries the suggestion that the reach and influence of recent terrorist groups have managed to propagate and expand widely and powerfully, more than ever before, to now encroach into spaces where, previously, such acts would have simply been unimaginable. The recent spate of attacks in the past few years

in city centres across Europe, North America, Africa, and East Asia does little to argue against this possibility.

There is an increasing recognition of the value, utility, and possibly necessity, of addressing the messaging of violent extremist groups, as well as the ideas that inform them, to complement enforcement activities and legal measures employed in thwarting and curbing their belligerent acts. Efforts that challenge, undermine and provide alternatives to the violent extremist propaganda are referred to under the nomenclature of the counter-terrorism community as Preventing/Countering Violent Extremism (P/CVE). These efforts attempt to stymie, degrade and mitigate the influence of violent extremist messaging by a number of ways, most prominently by tackling the drivers of extremism such as poverty, inequality, and the lack of meaningful opportunities, thus preventing violent extremist ideologies from taking root, or directly challenging the claims and validity of the violent extremist messaging and the ideas that inform them, thus countering them.

1. A new phase of terrorism

In the wake of the San Bernardino attacks that took place on 2 December 2015, the growing prospect of terrorist attacks that are planned at home, far from the madding crowd and rampant devastation of conflict zones, and executed by local operatives or supporters that have been either directed, influenced or inspired by foreign elements abroad prompted then U.S. President Obama to argue that terrorism has evolved into a new phase (Engel, 2015). Remarking on the tendency of such attacks to be self-initiated and self-motivated in nature, President Obama warned that the attackers will be harder to detect, and consequently harder to prevent. The attacks from this “new phase” of terrorism show little sign of abating and the list of countries that have been at the receiving end of such attacks has expanded at a rather alarming rate, and from 2016 onwards, we have seen the manifestations of such attacks in Southeast Asia, including in Malaysia, Indonesia and the Philippines (Jayakumar, 2017).

This development is troubling, especially with the recent trend of the weaponization of everyday life, where the use of vehicles such as trucks and vans as instruments of mass murder, as well as Improvised Explosive Devices (IED) made from household materials, and other similar tactics, have been remarkably effective in bringing harm to and disrupting the lives of unsuspecting civilians. Although such tactics have been borne out of tight-

ened security measures that have clamped down on access to conventional weapons in local black markets as a result of the complex and carefully coordinated attacks that took place earlier in Paris and Brussels, it has had the unfortunate consequence of forcing would-be attackers to innovate and adopt low-tech methods. Such methods, while not as spectacular as their predecessors, have the advantage of allowing those with little or no training to conduct lethal attacks on an unsuspecting populace, and noted counter-terrorism expert Professor Kumar Ramakrishna (2017) predicts that we will likely see more of such attacks. Such tactics have increasingly been attributed to one particular violent extremist group that has experienced a meteoric rise in its global profile over the past few years, and not without good reason.

2. The rise and decline(?) of ISIS

From its “humble” beginnings in Iraq as an obscure Al-Qaeda affiliate, the organization many now refer to as Islamic State of Iraq and Syria (ISIS) managed to elevate itself following the withdrawal of US troops in Iraq in 2011 and now leaves an indelible global footprint so glaring that today hardly a day goes by without reference to it in the international media. But just as it rose, seemingly out of nowhere, into prominence with its capture of Mosul and declaration of a Caliphate under the leadership of Abu Bakr al-Baghdadi in 2014, with coffers reaching, at its apex, a valuation of US\$2 billion dollars (Chulov, 2017), making it one of the richest terrorist organizations in history, it is now seemingly experiencing a rapid reversal of fortune as sustained attacks from multiple fronts have reduced ISIS to a shadow of its former self.

While many are rejoicing that ISIS is well on its way to being defeated, many experts have expressed scepticism that the threat of ISIS will truly be eradicated with these territorial losses, but rather will metamorphose from one form into another (Burke, 2017), one that is possibly more virulent and insidious. Indeed, ISIS leadership had anticipated this loss and prepared a clearly articulated post-Caliphate strategy in early 2016, where Abu Muhammad Al-Adnani, the official spokesperson for ISIS, gave a speech right before his death by a US airstrike in which he prepared the followers of ISIS on the inevitable fall of its cities as part of a historical flow, and that real defeat will not come from the loss of territory but only with the loss of will-power and the desire to fight, a sentiment that has been echoed in the ISIS

propaganda media henceforth (Hassan, 2017b).

2.1 ISIS, its affiliates and the siege of Marawi

There are an increasing number of ISIS ‘franchises’ made up of faraway pre-existing violent extremist groups as well as isolated individuals and small groups that have not only pledged allegiance to ISIS but have begun carrying out either “remote-controlled” or ISIS-inspired acts of violence factors significantly into this new chapter of ISIS’ fight. Some of these groups have even been working on their ambitions of establishing distant provinces, or Wilayat, to be placed under the control or influence of ISIS. One of the most recent examples of such efforts is the siege of Marawi. Launched by ISIS-affiliated groups led by the Mautes on May 23, 2017, the event brought about a strong response by the Philippine government with the imposition of martial law in Mindanao Island, and there was the concern that it would bring about a “new reign of transnational terror in the region.” (Heydarian, 2017).

Although the Armed Forces of the Philippines have managed to, for the most part, recapture Marawi back from the Maute Group, there is still cause for concern. Along the lines with what Adnani has said in his speech, the Mautes have different conceptions of victory from what has traditionally been the case, measuring their milestones by how much they have turned the residents of Marawi against the military and expose what it perceives to be the weaknesses of the state in its inability to protect its citizens (Singh and Jani, 2017). And it appears with the loss of territories in Syria and Iraq, there has been talk about establishing the next generation of foreign fighters in Southeast Asia against backdrop of the events in Marawi, as intimated by a pro-ISIS that stated how “Marawi is just the beginning.” (Chan, 2017)

2.2 Returning foreign fighters

However, one of the developments related to the loss of ISIS territories has been the anticipated return of foreign fighters from the frontlines back into the folds of their countries of origins. This is not the first time something like this has happened, and the populace of Southeast Asia are arguably still reeling from the effects brought about by their earlier experience with returning foreign fighters. In the 1980s, many young men in Southeast Asia went to Pakistan and Afghanistan to help the locals in their efforts against the Soviet occupation of Afghanistan (Singh, 2017). Like-minded people

mixed around and were exposed to the ideology espoused by Al-Qaeda and others, and when they went back, they carried with them these ideologies, along with the know-how of guerrilla warfare, and their connections to the militant networks.

These groups will go on to form their own extremist groups, including Jemaah Islamiyah, responsible for most of the high-level terrorist attacks in the region in the past 15 years (Liow, 2014). This is a consequence that is most worthy of careful consideration, as while the number of foreign fighters who fought in the Soviet-Afghan wars has been estimated to be around 10,000 (Hafez, 2009), the estimated number of those who have joined ISIS and other groups involved in the Syrian Civil War is roughly triple that.

2.3 Victory in defeat: Feeding the narratives of victimization

At the moment of writing, news has been pouring in about how ISIS has been haemorrhaging territories of its supposed Caliphate at an accelerated rate. The displaced populations of Mosul and Raqqa are already trickling back in to their abandoned residences after gruelling battles of attrition have left the cities devastated, and the reputedly last major stronghold of ISIS in Syria, Deir Ezzor, is currently in the process of being “liberated” by both the Syrian Arab Army and the US-backed Syrian Democratic Forces (El Deeb, 2017). Unfortunately, there are numerous stories coming out of Mosul of summary executions and rights abuse being levied towards some segments of the civilian population during the Mosul offensive based on their affiliation to ISIS as supporters or family members, supposed or otherwise, as recently admitted to by the office of Iraqi Prime Minister Haider al-Abadi.

There is very little doubt that similar stories would surface from Raqqa, Deir Ezzor, and other similarly “liberated” territories, as it is not very surprising that the virulent anger invoked by ISIS’s own practices would inevitably manifest themselves in various forms. But such actions play right into the hands of ISIS as their brutality has, indeed, been calculated to provoke extreme responses that would apparently turn the population against their governments. This has been recounted almost word for word in Abu Bakr Naji’s *The Management of Savagery* (2004), the playbook by which the leadership of ISIS has been playing the long game.

Excesses of violence and imperial overreach, the latter concept Naji has contemplated on from his careful reading of Yale historian Paul Kennedy’s *Rise and Fall of Great Powers* (Wright, 2006), is anticipated to feed into the grand narratives that fuel the propaganda efforts of ISIS. By ramping

up the narratives of victimization at the hands of vengeful adversaries, the storytellers of ISIS have managed to invest in a collective sense of rage and injustice to fuel the grievances of generations of its followers to come. This is something that has been instrumental to its efforts to radicalize and recruit foreign fighters into the ranks of its Caliphate, consolidate and sustain its relevance as well as expand the network of supporters who, while not directly affiliated to the organization, has nevertheless played an essential and crucial part in its communication strategy.

3. ISIS, its messages and its messengers

As alluded to earlier, ISIS, along with other violent extremist groups in the region, have managed to rally, according to the latest updated report by the Soufan Group, between 27,000 and 31,000 people from at least 86 countries to travel to Syria and Iraq and fight for their cause (2015), thanks largely to its successful and competent use of social media platforms and ability to produce propaganda material with production values that rival even the top Hollywood movie houses. They have been so convincing in their outreach that some have even uprooted their whole families and brought them over to territories under the control of ISIS. Today we are even seeing evidence that scores of young children are being trained and socialized into becoming the next generation of fighters and suicide bombers for ISIS (Horgan et al., 2017).

There have been concerted efforts to blunt the effectiveness and reach of ISIS propaganda, what is often termed under a basket of myriad approaches as Countering Violent Extremism (CVE). However, whereas ISIS's branding on social media platforms have arguably become stronger, their messages increasingly appealing to their target demographic, the corresponding attempts to curtail their reach and effectiveness have been met with limited success, if any. According to Cottee in his article for the Atlantic, there are at least three reasons why ISIS has been wildly successful and CVE efforts thus far has not (2015).

3.1 ISIS unleashed: Violent extremism to the extreme

One of the reasons, Cottee points out, is that ISIS has very few, if any constraints. For example, they can use visually shocking imagery such as beheading videos, while CVE efforts would not have the latitude, nor might one imagine the inclination, of resorting to such actions. But this point is

important, as the brutality of ISIS is borne not out of (well, perhaps not borne solely out of) an irrational and pathological affectation for grotesque sadistic acts, but rather a rationally calculated and carefully constructed piece of spectacle. As Henry Giroux argues:

“The danger and seduction offered by the spectacle of terrorism is that it thrives on new configurations of emotive and pedagogical violence that constitutes subjects who rather than being alarmed by violence seek out more extreme spectacles of violence as a way to ramp up the collective desire for instant pleasure and the need to feel something, anything.” (2015)

While repulsive, such spectacles of terrorism have that weird quality of being fascinating, such as that horrible traffic accident you just could not take your eyes off, and that quality can make it go immensely viral on social media platforms the way that “decent” CVE media products could not. And there will always be that small but significant segment of society who may be persuaded just enough by such spectacles to go the extra mile down the (presumably) lightly-trodden path of violent radicalization.

3.2 Fanboys and fangirls: The messengers of ISIS

The second reason Cottee mentions is that ISIS has a vast network of on-line supporters that are not directly affiliated with ISIS. They constitute the fanboys and fangirls where messaging can be crowd-sourced. To have a better idea of the scope and size of the supporters of ISIS, the Twitter Census published in March of 2015 to study the demographic patterns of ISIS supporter on that popular social media platform (Berger and Morgan, 2015), an estimated number between 46,000 and 90,000 of twitter accounts were identified as supporters, while the number of “official” ISIS accounts is given as 79. That is, by a conservative estimate, an average of 582 supporter accounts for every “official” account of ISIS, with each account having an estimated average following of 1004 people. This suggests that ISIS relies primarily on its army of internet followers to do the heavy lifting for its propaganda efforts, which is impressive considering the few, if any, supporters that can provide any form of assistance for those countering the narrative of ISIS. This is a condition described by Abdel Rehman Malik from the UK’s Radical Middle Way as the Asymmetry of Passion, the way that ISIS have supporters that are passionate, excited and willing to put in long hours and other resources into promoting their cause, whereas mainstream communities whose voices are needed to “moderate” the extreme narratives propagated by ISIS have more than enough to worry about living their everyday

lives (Malik, 2015).

The most important reason Cottee attributes to the success of ISIS is that they have a narrative that strongly resonates among their potential followers, while CVE practitioners have yet to come up with narratives that are equally as compelling and emotionally significant. Indeed, Scott Atran, reportedly the first anthropologist who addressed the United Nations Security Council on the role of youth in countering violent extremism, seems to echo this sentiment (2015). He argues that what inspires those who join ISIS is not the Qur'an or religious teachings, but a thrilling cause that promises esteem and glory. It is a narrative that speaks of brotherhood and belonging, it is glorious, it is cool, and ultimately persuasive. And Atran also points out that the passion is far from being just lip service, whereas most CVE practitioners have thus far focused on mass-messaging, broadcasting for maximum reach, ISIS recruiters will supplement such broadcasts with narrowcast approaches as they spend hundreds of hours engaging wooing a single recruit. Action speaks louder than words, and the actions of ISIS recruiters online have been resonating at the very least as much as the seductive messages they have been disseminating.

4. Efforts to counter the narrative of violent extremism

That being said, CVE practitioners internationally, as well as within the Southeast Asian region, have been hard at work to counter the impact of propaganda being circulated online and especially on social media by violent extremist groups, most notably ISIS. Government-led efforts include the Global Engagement Centre (GEC), based at the State Department of the United States and previously known as the Center for Strategic Counterterrorism Communications, continue to work with private sector and local foreign partners involved in strategic communications in its effort to counter terrorist messaging, violent extremism, and ideological support to terrorism. In the Middle East, the Sawab Center, a joint collaboration between the United Arab Emirates and the United States, serves as a digital communication hub focused on countering extremist propaganda in the region and beyond.

But government-led efforts at strategic communications to counter violent extremism can only go so far, as there is a limit to how effective such messages will be to target audiences, such as potential ISIS recruits, that are pre-disposed against figures of authorities in the first place. In an effort

to address this challenge, the Digital Strategic Communications Division (DSCD) of the Southeast Asian Regional Centre for Counter-Terrorism (SEARCCCT), based in Kuala Lumpur, taking a peer-based approach, held a series of workshops in 2017 to engage with and enhance the capacities of undergraduate student leaders based on the rationale that they would be in a better position to communicate effectively with target audiences that are most at risk of radicalization. The resulting network of student leaders from the workshop constitute a nascent model of a network of potential messengers that can be leveraged against ISIS' own network of messaging supporters. Meanwhile, the Singaporean government works closely with the Religious Rehabilitation Group, a voluntary group of individual *ulama*' and religious scholars that have been counselling and rehabilitating detained Jemaah Islamiah members and families since 2003 (Banlaoi, 2017). They now have expanded the scope of their work to include outreach efforts aimed at educating the public about the Syrian Conflict and the reality about ISIS and terrorism.

5. ISIS and Indonesia

A series of bomb blasts and the ensuing gunfight claimed the lives of 4 victims and left more than 20 wounded near the Sarinah complex close to the heart of Jakarta on January 14, 2016 (BBC News, 2016). This not only marks the first successful operation by militants affiliated with ISIS in Indonesia, but also in the whole of Southeast Asia. This operation, which came across as amateurish by any standards, seems to be a bid by Bahrun Naim, an Indonesian computer technician who left for Syria a few years prior, to strengthen his claim of being the leader for ISIS in Southeast Asia (Liow, 2016).

The attack also fits the pattern and *modus operandi* of ISIS in taking the battle to their adversaries, either by directly sending their operatives or by inspiring groups and individuals that have no direct affiliation with them to carry out attacks within their home ground (Schulze, 2015).

Although the attack had managed to temporarily disrupt the relative peace and stability enjoyed by the city since at least the 2009 Marriot and Ritz-Carlton bombings, it was not long before its inhabitants reacted defiantly against the extremist violence by brandishing the hashtags *#kamitidaktakut* ("we are not afraid") and *#JakartaBerani* ("brave Jakarta") on social media platforms (Dearden, 2016). This spontaneous expression of solidarity,

and the following measured response by the Indonesian authorities, suggests a growing resilience of Indonesian communities towards violent extremism.

5.1 The appeal of ISIS in Indonesia

It is evident that the influence of ISIS in Indonesia had reached a degree where it is possible for the group to mobilize some of their local supporters to carry out operations on the grounds of their home country. One of the reasons why the narratives of ISIS has resonated strongly with young Indonesian Muslims has been their persuasive claim that their efforts to establish a caliphate in Iraq and Syria has actually been part of a prophecy, that their violent and brutal actions actually constitutes a ‘fifth stage’ of Islam, in which a caliphate with an army bearing black banners will emerge to pave the way for the Mahdi, the Islamic eschatological redeemer, to defeat the Anti-Christ at the end of days (Nuraniyah, 2015).

Furthermore, ISIS’s constant messaging of battlefield victories makes them appear closer to realizing the dream of bringing their purist aspiration of Islamic rule to their lands, and their emphasis of their messaging on establishing governance structures and economic empowerment in the territories captured by them, as opposed to merely aiming for the destruction of the objects of their adversaries, makes their approach much more attractive than that of Al-Qaeda and Jemaah Islamiyah before them, whose tactics seem to have only led to great losses for them (Ibid.)

5.2 Indonesian P/CVE efforts against ISIS

Although the efforts of the authorities aimed at stemming the influence of ISIS in Indonesia are ongoing, such as the deradicalization and disengagement work done by the National Agency for Combatting Terrorism (BNPT) (Sumarlan, 2016), it may not be sufficient to tackle the problem effectively. As countering the propaganda of violent extremist groups is largely a persuasive measure that employs ideas to reach out to target audiences that may be influenced by such messaging, the nature and characteristics of those doing that reach out is equally important, if not more so, than the ideas that they put forth (Helmus, York, and Chalk, 2013). Approaching terrorism and violent extremism through security measures will not be enough, and the government can stand to gain in this area by working with civil society partners (Ismail, 2016; Indra Putri, 2012).

There are several ways in which civil society has been contributing to

the P/CVE efforts in Indonesia, and they include approaches that involve enhancing religious understanding, approaches that emphasizes social integration, and approaches that tackle the proliferation of violent extremist propaganda on social media.

5.2.1 Enhancing religious understanding: Nahdlatul Ulama and Muhammadiyah

Violent extremists depend largely on the general ignorance of their target audience, and in the case of ISIS and other violent extremist organizations of similar ilk, it is especially ignorance on religious matters that is exploited in their efforts to attract more recruits to their ranks and garner supporters for their cause (Gates and Podder, 2015). Indeed, an analysis of a cache of 3,000 documents seized from ISIS revealed that a sizeable majority of their fighters ranked their own knowledge of Shariah as “weak”, and very few of them actually have any advanced legal training in Islamic law (Lebovich, 2016). By selectively using passages in religious texts and pairing them with appealing images, sounds and other media content, ISIS has been able to shape narratives that resonates strongly and carry a powerful appeal for a small segment of Indonesian Muslims, especially among those who count themselves as having been relegated to periphery of Islam (Abuza, 2015).

But a great majority of Muslims in Indonesia are proud of being part of the tolerant and pluralist Islamic tradition that is practiced there, one that is a historical product of a centuries-old dialectical struggle between the adherents of radical and moderate interpretations of Islam, and currently exemplified by the two largest Muslim civil society organizations in the country, the Nahdlatul Ulama (NU) and the Muhammadiyah, both of which have worked to combine spiritual traditions and modern practices in creative ways to challenge and debunk foreign elements of hatred that is perceived as having originated from, and continues to be the source of conflict in, the Middle East (Wahid and Taylor, 2008).

The violent influence of ISIS in Indonesia seems to be quite pervasive, with the country’s military chief General Gatot Numantaro revealing that there are clandestine sleeper cells affiliated with ISIS in almost every province (Lui, 2017), and both NU and Muhammadiyah has been working, often together, and P/CVE efforts against them. Leveraging its massive membership of over 50 million followers, NU uses the concept of Islam Nusantara, a spiritual interpretation of the religion dating back over 500 years that draws upon virtues of compassion, non-violence and tolerance, to inform

their ideological campaign against ISIS, fought both in the physical world at conventions and conference rooms, as well as in the virtual world such as popular social media platforms (Cochrane, 2015).

Similarly, Muhammadiyah, the second largest Muslim organization in Indonesia with over 29 million members and vast network of pesantren, or Islamic boarding schools, has endeavoured to promote the image of Islam as a peace-loving religion and emphatically rejecting the ideology of ISIS in an effort to immunize minds from being influenced (Rizqo, 2017). With its modernist agenda of preparing the Ummah, or Muslim community, to engage with the globalized world, Muhammadiyah, working with NU, seeks to erect a foundation for diversity through religious education from the lowest levels of society as a countermeasure against the influences of radical ideologies (Wirawan, 2018).

5.2.2 Social integration: Food for peace

Besides the lack of religious knowledge, another factor has been attributed to the susceptibility of individual and groups to the influence of violent extremism has been the sense of being side lined by society and merely existing at its periphery. Indeed, there are some that argue that religion is not actually one of the factors that leads some to radicalization into conflict and terrorism, but rather serves as the medium that allows for the articulation of the sense of grievance and frustration come about from alienation and marginalization in society (Juergensmeyer, 2003).

It is with this in mind that Noor Huda Ismail founded the Institute for International Peace Building in Semarang, Indonesia. Noor Huda is an activist with a unique perspective into the minds of violent extremists, by the virtue of his ex-roommate of the religious boarding school he attended when he was twelve happened to be the Bali bomber who took the lives of 202 people in 2002 (Jamal, 2014). Understanding those that have dabbled in or become involved in violent extremism needed to become integrated into mainstream society before they even stand a chance of disengaging from violent acts if not de-radicalized from their violent beliefs, he ran an innovative program in which former convicts were trained and employed as cooks in restaurants, learning new skills and socially integrated by learning how to serve others in a service-based industry (Baker, 2014). By helping them understand their relationship with others in society, and by putting their understanding to practice in real life settings, the programme helps former extremists take their first steps in breaking away from the social milieu of

violent extremists and reintegrating with mainstream society.

5.2.3 *Digital outreach: Cerita*

Despite being well known for its public visage of cruelty, brutality, and ruthlessness that are being frequently shared on social media platforms, narratives of community, belonging and empowerment, often packaged in various visually-attractive forms of media shareable through social media platforms, has been crucial to the efforts of ISIS in the development of a powerful brand that can persuade potential recruits and supporters, even those with no prior record of crime or extremism, to join their violent cause (Winter, 2015). If P/CVE strategies are to be effective, they must include efforts to develop authentic narratives that are equally as compelling, both in content and in presentation, and they must be disseminated by credible voices that can resonate strongly with the target audience.

The Cerita project by the Jakarta-based Habibie Center aimed to do just that. An acronym for Community Empowerment for Raising Inclusivity and Trust through technology Application, with the word itself literally translating as “story,” the initial premise behind Cerita is to train young influencers in five cities across the archipelago as facilitators or storytellers within their own communities that employs storytelling as a way of fostering inclusivity and combatting discrimination (Habibie Center, 2017).

With the aim of producing shareable multimedia content that can be utilized to challenge false information and messages, the Cerita project holds workshops for young influencers to equip them with some capacity towards storytelling and interfaith/intercultural dialogue, which they can then replicate in their workshops within their own communities, all the while uploading their shareable video-based narratives on their own online platform. This model appears to be an attempt to outsource the mass production of authentic narratives that addresses the drivers of violent extremism to a network of young influencers that would be in a better position to message credibly to their peers, a subset of whom may be vulnerable to the propaganda of violent extremist groups such as ISIS. By attempting to emulate the manner in which ISIS outsources their own messaging efforts to their network of passionate young supporters, the Cerita project can perhaps serve as one of the models of efforts that can be undertaken to close the authentic shareable multimedia gap that currently favours violent extremist groups.

Conclusion

To be more effective and of relevance, CVE practitioners are at a point where they must commit themselves to serious soul searching and be brutally honest with themselves over what work and what does not when it comes to reaching out and helping vulnerable individuals and groups to disengage from the ideologies and social networks of violent extremism. For example, there has been a number of discussions of how counter-messaging must be creative and possess production values that are at par with the ones produced by ISIS. But in his recent critique over the current state of CVE Work, JM Berger argues that there has not been enough evidence to support this conclusion (Berger, 2016). Informative Public Service Announcement, carefully crafted, may not even need to be “slick” to be effective in blunting extremist propaganda, and the jury is still out on this one.

Indeed, Berger suggests that better chances may lie with a disruption model of intervention that targets the narrow processes involved in radicalization and recruitment. This is significant, because even the best narrative will fall short if one does not take into account the other important element in messaging—the social network. Individuals rarely, if ever, suddenly become radicalized after reading something on the internet. There is the element of community, whether online or offline, which works to give these narratives meaning, socialize individuals and provide support to them in their process of becoming part of a cause that is larger than themselves. And unless those in the CVE community pay the same amount of attention into developing the social network and communal aspect of guiding at-risk individuals away from becoming radicalized and recruited into violent extremist groups, their narratives, no matter how well crafted, will most likely fall short of their noble aim of reaching out to save lives.

That being said, those involved in efforts at countering the influence and impact of violent extremist groups such as ISIS are in a position where they must constantly innovate and experiment with new and unprecedented approaches simply to keep up with some of the developments of an adversary that is constantly adapting to the shifting situation on the ground. We have seen a few civil society efforts in Indonesia that present creative approaches to meet such needs, but they are but a few among many others, including the efforts of the Institute for Policy Analysis of Conflict (IPAC) which works to provide rigorous and timely analysis on violent extremism that can inform policy, the Wahid Institute, which constantly explores and seeks to

illuminate on how tolerance and inclusivity in Muslim societies can serve as a bulwark against violent extremism, and Robi Sugara's Indonesian Muslim Crisis Center, that looks at employing experimental media, such as visual storytelling with comics on social media, in addressing issues related to violent extremism.

While developing metrics for success in measuring the effectiveness of CVE efforts has been thus far challenging to say the least, there must be sustained efforts towards finding effecting methods of monitoring and evaluation. Considering the variety of approaches employed by recent violent extremist groups such as ISIS in producing and disseminating its propaganda through technologically enhanced media, there will never be a "silver bullet" singular approach that can be applied in preventing and countering them, and it can only be effectively met at least by an equally diverse selection of approaches tailored to the particular context of various target audiences. But it is only through careful and systematic attempts to separate what works and what does not that the most effective and efficient methods at CVE can be developed in time to address the next generation of ISIS, the generation that will remain and expand before they encroach and engulf the reality of our everyday lives.

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CHAPTER SIX

*The Rohingya issue and an ASEAN-style
practice of R2P
Addressing mass atrocities based on the
non-interference principle*

Hiromu Miyashita

Abstract

The Rohingya issue has raised concerns globally about ethnic cleansing and genocide. Since 2016, Indonesia has made active diplomatic efforts, falling under the second pillar of the Responsibility to Protect (R2P Pillar Two), to resolve the matter. This chapter will use the R2P perspective to analyze responses to the Rohingya issue by Myanmar, Indonesia, and the main regional organization—the Association of Southeast Asian Nations (ASEAN). It will argue that Indonesia’s diplomatic approach represents an ASEAN-style practice of R2P, which covers endeavors to address mass atrocities based on the principle of non-interference in the internal affairs of states. The principle of non-interference is a core constituent of state sovereignty as well as the “ASEAN Way.” In contrast to the political pressure applied by the United Nations human rights bodies and Malaysia, Indonesia encouraged Myanmar and ASEAN to resolve the Rohingya issue in a constructive way. Indonesia’s diplomatic efforts, which have respected the principle of non-interference, have not only been accepted by Myanmar, but also furthered ASEAN’s endeavors. Thus, the Rohingya issue has been discussed as a regional issue in the ASEAN Foreign Ministers’ Retreat; further, the implementation of humanitarian aid through the ASEAN Coordinating Centre for Humanitarian Assistance on disaster management has been encouraged. Indonesia’s policy of constructive engagement was stimulated by two factors: the influence of domestic politics and its self-identification as a champion of democracy and human rights. While there are still no prospects of the Rohingya issue being resolved soon, the fact that ASEAN has started engaging

with the issue represents a step forward. Respect for state sovereignty is entrenched in Southeast Asia; thus, helping the Myanmar government through constructive engagement that respects the principle of non-interference could be considered as an ASEAN-style practice of R2P.

Introduction

Previous research has demonstrated that no nation state in Southeast Asia has yet promoted the “Responsibility to Protect” (R2P) doctrine. In addition, the Association of Southeast Asian Nations (ASEAN), which adheres to the principle of non-interference in internal affairs, has also not taken any action under R2P (Dunn et al., 2010; Capie, 2012; Acharya, 2015). Although most ASEAN member states are wary of coercive military intervention as a last resort of R2P. The idea of R2P, however, does not only imply military intervention; another essential element includes taking preventive action before deciding to intervene militarily as a last resort. Many ASEAN member states have supported the preventive aspect of R2P.

A situation in Southeast Asia where the R2P could be applicable is the Rohingya issue, which has led to the international community repeatedly expressing concerns regarding ethnic cleansing and genocide. This humanitarian crisis reached its peak in August 2017, and remains unresolved because neither the Myanmar government nor the international community has fulfilled its responsibility to protect the Rohingya. However, Indonesia has made active diplomatic efforts, which fall under the second pillar of R2P, to encourage Myanmar and ASEAN to resolve the Rohingya issue in a constructive way.¹ Why has Indonesia taken this course of action? This chapter will analyze responses to the Rohingya issue by Myanmar, Indonesia, and ASEAN in terms of the principles of R2P, and will consider the implementation of an ASEAN-style R2P that involves taking action to address mass atrocities based on the principle of non-interference, a core constituent of state sovereignty as well as the “ASEAN Way.”

The Myanmar government needs to maintain a cooperative relationship with the military for the sake of national unity and reconciliation; thus, the government has no option but to handle the Rohingya issue with care. The government has demonstrated its intention to fulfill its duties under R2P, but there are limits to its capacity to do so. Moreover, ASEAN adheres to the principle of non-interference and, until 2015, did not treat the Rohingya issue as a regional concern. However, Indonesia’s diplomatic efforts since

2016, which have respected the principle of non-interference, have not only been accepted by Myanmar, but have also furthered the progress of ASEAN's endeavors. Thus, the Rohingya issue has been discussed as a regional issue during the ASEAN Foreign Ministers' Retreat (AMM Retreat); further, the implementation of humanitarian aid through the ASEAN Coordinating Centre for Humanitarian Assistance on disaster management (AHA Centre) has also been encouraged. Indonesia's constructive engagement constitutes state behavior influenced by two factors: the influence of domestic politics and its self-identification as a champion of democracy and human rights.

There are still no signs of the Rohingya issue being resolved soon; however, the fact that ASEAN has started engaging with the issue represents a positive development. State sovereignty is strong in Southeast Asia. Therefore, helping the Myanmar government through constructive engagement based on the principle of non-interference, as demonstrated by Indonesia, is indicative of an ASEAN-style practice of R2P.

1. Southeast Asia and the Responsibility to Protect (R2P)

R2P, endorsed by the United Nations General Assembly in 2005, is a concept that requires that nation states and the international community protect people from what are commonly referred to as "atrocities crimes," such as genocide, war crimes, ethnic cleansing, and crimes against humanity (UN, 2005: 30). Since 2009, norm entrepreneurs, such as UN Secretary-General Ban Ki-moon, have made efforts to refine R2P, which has been reconstructed as a principle based on three pillars (UN, 2009). Pillar one, on the "protection responsibilities of the state," consists of the responsibility of nation states and their governments to protect the people residing within their borders, regardless of whether they are considered citizens of the country in question. Pillar two, relating to "international assistance and capacity-building," consists of the responsibility of the international community to encourage and help nation states through non-coercive diplomatic efforts to fulfil their responsibilities outlined in the first pillar. Pillar three covers "timely and decisive response," and consists of the various measures outlined in Chapters VI through VIII of the UN Charter. The international community can use these to intervene if a nation state fails to protect members of its own population from atrocities crimes. Further, the use of coercive military intervention is allowed as a last resort.

A 2011 report of the UN Secretary-General clearly accepts R2P as a uni-

versal principle but states that “its implementation, however, should respect institutional and cultural differences from region to region. Each region will operationalize this principle at its own pace and in its own way” (UN, 2011: 3). Acharya (2004: 245) defines norm localization as “the active construction (through discourse, framing, grafting, and cultural selection) of foreign ideas by local actors, which results in the former developing significant congruence with local beliefs and practices.” The main addressees of R2P in Southeast Asia are ASEAN, a regional organization, and individual nation states. This section outlines how the localization of R2P is progressing in Southeast Asia.

All the nation states that comprise ASEAN, except Thailand, have a history of colonial rule; thus, as a regional organization, it has strictly upheld the principle of non-interference. For instance, the principle of non-interference has been stipulated in the Treaty of Amity and Cooperation in Southeast Asia concluded in 1976 and the ASEAN Charter established in 2008, and is considered to be a core principle of the “ASEAN Way.” However, there are inherent tensions between international human rights protection and the principle of non-interference.

Meanwhile, since the 2000s, ASEAN has been promoting liberal values, such as human rights, democracy, good governance and rule of law, based on the premise of non-interference. There have been a series of endeavors to promote human rights, beginning with the enactment of the ASEAN Charter to the establishment of the ASEAN Intergovernmental Commission on Human Rights (AICHR) in 2009 and the adoption of the ASEAN Human Rights Declaration in 2012. While ASEAN does not officially recognize the principle of R2P, such human-rights-focused endeavors could have an affinity with R2P ideas.

Previous research has examined the implementation of R2P using the existing ASEAN mechanism. For instance, Sukuma (2012) discusses the possible role of the ASEAN Political-Security Community (APSC) in operationalizing R2P in Southeast Asia. Sukuma (2012: 150) also made two important observations about operationalizing R2P: “correct approach and strategy will be of significant importance for any advocacy works in Southeast Asia regarding the RtoP” and “such engagement should also be guided by the principle of comprehensiveness.” Further, Kraft (2012) and Petcharamesree (2016) examine the role of the AICHR in the implementation of R2P while highlighting the issues of AICHR’s authority and consensus-based decision-making. Kraft (2012: 47) argued that “The objective should shift from mainstreaming RtoP (which would always collide with the non-interference

principle that ASEAN holds so dear) to using ASEAN institutions and instrumentalities to aid in the achievement of RtoP objectives.” On the other hand, Petcharamesree (2016: 133) pointed out that “in Southeast Asia where sovereignty is still jealously guarded, norms and ideas such as R2P cannot yet have a decisive impact in practice.” Furthermore, in 2014, the High Level Advisory Panel on the Responsibility to Protect in Southeast Asia (HLAP), chaired by former ASEAN Secretary-General Surin Pitsuwan, gave recommendations for mainstreaming R2P in Southeast Asia, in a manner consistent with existing regional norms, such as sovereignty and non-interference, while focusing on the preventive aspect of R2P (HLAP, 2014).

In addition, previous research has indicated that while ASEAN member states are skeptical about the third pillar of R2P, they do support the preventive first two pillars that do preclude the use of force (Bellamy et al., 2009; Bellamy et al., 2011). However, most ASEAN member states go no further than superficial support of R2P that does not entail any institutional change (Miyashita, 2017). Cambodia was the first ASEAN member state to institutionalize the R2P norm by appointing a national R2P Focal Point and becoming a member of the Global Network of R2P Focal Points in 2016. Two factors promoted Cambodia’s institutionalization of R2P: its identity as a state that experienced and addressed the past mass atrocities committed under the Khmer Rouge and the adaptation and advocacy of R2P by local norm entrepreneurs, such as the Cambodian Institute for Cooperation and Peace (Miyashita, 2018). Nevertheless, Cambodia raised the principle of non-interference to oppose the internationalization of the Rohingya issue in 2017.

According to Quinton-Brown (2013), Indonesia is considered as a cautious supporter of R2P. Further, Alexandra (2012) argues that while Indonesia does not oppose the first pillar of R2P, further endeavors are required, such as the establishment of domestic early-warning mechanisms. The study also notes the possibility that the second pillar of R2P may conflict with the principle of non-interference and the strict interpretation of sovereignty adhered to by ASEAN. Thus, the question remains as to why Indonesia encouraged Myanmar and ASEAN to resolve the Rohingya issue in a constructive way, an action that falls under the second pillar of R2P.

2. The international community and the Rohingya issue

2.1 *The Rohingya issue*

The Rohingya are a stateless people who live in the northern part of Rakhine

State in Myanmar. The Burmese military government has not granted citizenship to the Rohingya, seeing them as illegal migrants from Bangladesh who first entered Myanmar during British colonial rule from 1824 to 1948; this is why the Rohingya are often pejoratively called “Bengalis.” Further, there are restrictions on their freedom of movement, access to healthcare, food, accommodation, marriage and voting rights. Furthermore, the Rohingya have been subject to robbery, arbitrary taxation, land confiscation and forceful eviction, as well as forced labor (Human Rights Watch, 2000). The Rohingya are Muslims who have a skin color and language that is different from that of the indigenous Burmese; these are factors leading to discrimination against them.

The Rohingya have an extremely complicated history, and there is no universal agreement on their identity or origin. According to Ibrahim (2016), the Rohingya were recognized as an ethnic group after Myanmar’s independence; however, after General Ne Win wrested political power in the military coup d’état in 1962, the Rohingya gradually lost their civil rights, and were subject to systematic persecution. The legal basis for systematic discrimination against the Rohingya was the Burmese Citizenship Law of 1982. The victory of the National League for Democracy (NLD), under the leadership of Aung San Suu Kyi, in the 2015 general election in Myanmar, led to a historic transfer of political power from the military to the elected civilian government. Nevertheless, there is no recognition of the Rohingya by granting them citizenship, and persecution by the Myanmar military has continued.

The Rohingya issue has continued to intensify since the 1970s. Violence perpetrated by the Myanmar military and Buddhists in Rakhine State in the 1970s and 1990s led to over 200,000 Rohingya refugees fleeing and crossing the border into neighboring Bangladesh on each occasion.

In the recent intensification of the conflict in October 2016, nine police officers were killed in an attack by the Arakan Rohingya Salvation Army (ARSA; earlier called Harakah al-Yakin). As retaliation, the Myanmar military conducted “clearance operations,” and used excessive measures, such as burning down Rohingya residential areas (International Crisis Group, 2016). As a result, by January 23, 2017, 66,000 Rohingya had fled to take refuge in Bangladesh, and at least 21,000 became domestic refugees (OHCA, 2017). A report by the Office of the United Nations High Commissioner for Human Rights (OHCHR, 2017a) features testimonies of murder, violence, sexual assault, arbitrary detention, etcetera; there is evidence that the attacks

on the Rohingya were wide-ranging and systematic.

Subsequently, since August 2017, the largest influx of Rohingya refugees into Bangladesh has occurred. This is the result of a large-scale “clearance operation” undertaken by the Myanmar military as retaliation for a second attack by the ARSA. According to Médecins Sans Frontières, at least 6,700 people were killed between August and January, including 730 children below the age of 5 years (MSF, 2017). Furthermore, according to the United Nations High Commissioner for Refugees (UNHCR, 2018), 674,000 Rohingya had fled to Bangladesh by January 2018.

2.2 Pressure from the international community and resistance by the Myanmar government

The Rohingya issue first began to garner attention as an R2P-related problem in 2010. Following the conflict between the Rohingya Muslim minority and the Buddhist majority in 2012, UN human rights organizations and non-state actors promoting R2P began to voice growing concerns about ethnic cleansing and possible crimes against humanity occurring in Rakhine State (Human Rights Watch, 2012; UN, 2014; Amnesty International, 2016; OHCHR, 2017b).

From 2015 through 2017, the UN General Assembly adopted three resolutions on the Rohingya issue. The resolution adopted by the UN General Assembly Third Committee in November 2017 was drafted by the Organization of Islamic Cooperation. The resolution called on the Myanmar government to give full citizenship rights to the Rohingya, ensure humanitarian aid agencies get access to Rakhine state, guarantee the safe repatriation of all refugees, and address the root causes of violence and discrimination. Furthermore, the resolution called for the UN Secretary-General to appoint a UN special envoy to Myanmar (UN, 2018). However, Myanmar cast an opposing vote, stating that the “resolution will not help our efforts for solving the issue of Rakhine State, but would rather lead to further polarization and escalation of tensions among different religious communities in the country and beyond” (Permanent Mission of the Republic of the Union of Myanmar to the United States, 2017a).

The UN Human Rights Council adopted a resolution in March 2017 to dispatch a fact-finding team to inspect the state of human rights in Myanmar, and appointed members to the team in May (UN, 2017a). However, the Myanmar government refused to grant visas to this team. The government also announced in December its refusal to receive UN Special Rapporteur

Yanghee Lee, who had visited Myanmar twice since 2014, stating that the contents of her statement in July 2017 were unfair (OHCHR, 2017c).

The UN Security Council abandoned the adoption of a security resolution owing to opposition from China, and in December 2017 the Council adopted a legally non-binding statement by the Security Council's President. The Presidential Statement stresses "the primary responsibility of the Government of Myanmar to protect its population," and makes demands similar to those in the General Assembly resolution, including the granting of full citizenship to the Rohingya and securing humanitarian access (UN, 2017b). In response, Myanmar criticized the Presidential Statement, stating that "it exerts undue political pressure on Myanmar" and termed it unfair, as it had done in the case of UN General Assembly resolution of 2017 (Permanent Mission of the Republic of the Union of Myanmar to the United States, 2017b).

One feature common to all statements and resolutions of UN human rights bodies is the demand that the Myanmar government grant "full citizenship" to the Rohingya. Such pressure from UN human rights bodies and the Security Council has been ineffective till now, only managing to evoke the Myanmar government's opposition. This led to the UN Special Adviser of the Secretary-General on the Prevention of Genocide and the UN Special Adviser of the Secretary-General on the Responsibility to Protect both releasing statements that indicated that the Myanmar government and the international community had failed to fulfill their responsibility to protect the Rohingya (UN, 2017c).

3. Response by the Myanmar government and its limitations

As stipulated by the first pillar of R2P, the Myanmar government bears the responsibility to protect the Rohingya who live within its national borders, even if it does not recognize them as citizens. Yet the Rohingya issue continues to steadily deteriorate, and criticism is mounting against Aung San Suu Kyi, who serves as State Counsellor and as Minister of Foreign Affairs. This section will examine the response of the Myanmar government inaugurated in 2016, and its limitations to resolve the Rohingya issue.

The new government, inaugurated in March 2016, established the ministerial-level Central Committee for the Implementation of Peace, Stability and Development in Rakhine State (CCIPSDRS) in May of that year. Then, in September of the same year, in response to a request from Aung San Suu

Kyi, the State Counsellor Office and the Kofi Annan Foundation set up the Advisory Commission on Rakhine State (ACRS), to be headed by former UN Secretary-General Kofi Annan. The task given to the ACRS was to “investigate the complex issues faced by Rakhine State, and to propose measures in response to these issues.” (ACRS, 2014: 6) The ACRS spent one year preparing its final report and held talks with the CCIPSDRS regarding the report’s findings in Naypyidaw on August 23, 2017.

Following a request from Aung San Suu Kyi, neutral expressions such as “Muslims” and “the Muslim community in Rakhine” were used in the ACRS report, rather than the terms “Bengalis” and “the Rohingya.” (ACRS, 2014: 12) The contents of the ACRS recommendations are wide-ranging and include a review of the 1982 Citizenship Law, guaranteeing freedom of movement, securing complete access to media and humanitarian aid groups, the equal guarantee of education and medical services in Rakhine State, the closure of all domestic refugee camps, security sector reform, etcetera. Regarding the most difficult issue, the Citizenship Law, several proposals have been made on revising the law and the acquisition of citizenship by stateless peoples;² however, there has been no mention of granting “full citizenship” to the Rohingya.

On August 24, 2017, the day after the consultations, Aung San Suu Kyi released a statement asserting that the recommendations of the ACRS report would be implemented (Republic of the Union of Myanmar Ministry of Information, 2017). The release of the ACRS report and Aung San Suu Kyi’s statement kindled expectations about the resolution of the Rohingya issue. However, the very next day, ARSA attacked police facilities and, in retaliation, the Myanmar military began its “clearance operations.” As a result, there was an unprecedented worsening of the humanitarian situation of the Rohingya.

Meanwhile, Aung San Suu Kyi had been preparing to implement the ACRS recommendations. The ministerial-level Implementation Committee for the recommendations on Rakhine State (ICRRS) met from September to December 2017. Distinguished figures, such as Surakiart Sathirathai, former Deputy Prime Minister of Thailand, and Bill Richardson, the US Ambassador to the UN under the Clinton administration, were appointed as ICRRS advisory council members. The Office of the Union Enterprise for Humanitarian Assistance, Resettlement and Development in Rakhine (UEHRD) was also set up as a humanitarian aid body in Rakhine State. These efforts were made by the Myanmar government with the aim of resolving the Rohingya

issue and, at the very least, may be interpreted as political intent to fulfill R2P.

The three issues given the highest priority after the inauguration of the new Myanmar government were: the establishment of democracy; national reconciliation; and economic development. The Myanmar government faces armed conflict with numerous armed ethnic minority groups, such as the United Wa State Army and the Kachin Independence Organization, and, thus, cannot help maintaining a cooperative relationship with the military to achieve national reconciliation. Given these constraints, the Myanmar government's refusal to receive fact-finding teams and its restrictions on humanitarian access can be seen as actions intended to preserve the government's good relationship with the military.

The Myanmar government has been unable to stop the targeting of a large number of people or large-scale outflows of refugees; at present, it has not fulfilled the obligations set out in the first pillar of R2P—the “protection responsibilities of the state.” The government has, however, shown an interest in pursuing a long-term solution to the issue, based on the ACRS recommendations. If the most difficult issue—granting “full citizenship” to the Rohingya—is excluded, there is a large overlap between the ACRS recommendations and the UN demands. Accordingly, the international community need not pressure and, thereby, face resistance from the Myanmar government. Instead, it could pursue a policy of constructive engagement with Myanmar by encouraging, for instance, the implementation of the ACRS recommendations.

4. Indonesia's practice of R2P Pillar Two

Until 2015, the Rohingya issue had not been discussed as something of regional concern within the main framework of ASEAN. The Rohingya issue was first discussed by the AICHR at a retreat in March 2013. Then, in January 2018, the Rohingya issue was again discussed at a retreat held in Singapore. However, the AICHR upholds the principles of non-interference and decision making by consensus; further, it also does not have the right to discuss, investigate, or make recommendations regarding human rights issues in member states. Therefore, it is unable to undertake substantial action to resolve the Rohingya issue. In May 2015, a special meeting was held in Bangkok to discuss the large numbers of Rohingya refugees crossing the Indian Ocean in boats, within the framework of the Bali Process, rather than

that of ASEAN. However, no separate regional plans for handling the Rohingya issue were drafted.

4.1 Factors determining Indonesia's diplomatic efforts

The responses of individual ASEAN member states since 2016 can be briefly described as follows. Thailand, Singapore, the Philippines, and Cambodia, while respecting the principle of non-interference and refraining from any detailed statements, have been cooperating in the field of humanitarian aid. Meanwhile, Vietnam, Laos, and Brunei have refrained from making any clear statement or taking action.

Meanwhile, Indonesia and Malaysia have exhibited notably different behavior from that of other ASEAN member states; however, there has been a great difference in the approach taken by each state. Regarding Myanmar's handling of the Rohingya issue, Malaysia has adopted the approach of "megaphone diplomacy," disregarding the principle of non-interference, but undertaking very little constructive action in the matter. In contrast, Indonesia has engaged in behind-the-scenes diplomatic negotiations which, in addition to being accepted by Myanmar, have also succeeded in advancing ASEAN endeavors.

In response to the worsening humanitarian conditions in Rakhine State since October 2016, Malaysia requested the Foreign Minister of Laos, the ASEAN chairman, to hold an ASEAN Foreign Ministers' emergency meeting to discuss the Rohingya issue. Prime Minister Najib Razak also made a request to Aung San Suu Kyi to hold talks about the Rohingya issue with Anifah Aman, the Minister of Foreign Affairs. However, both requests amounted to nothing. Then, in December, Malaysia began intensive megaphone diplomacy. Prime Minister Najib participated in public demonstrations against Myanmar, and after having described the oppression of Rohingya as "genocide," fiercely criticized Aung San Suu Kyi who had taken no action to resolve the crisis despite being a recipient of the Nobel Peace Prize. In response, the Myanmar government summoned the Malaysian ambassador stationed in Myanmar to make a formal objection, and temporarily stopped sending workers to Malaysia.

Malaysia's megaphone diplomacy does not respect ASEAN's principle of non-interference and, notably, damages its unity and centrality. According to Shigemasa (2018: 90), "Malaysia's behavior has its origins in the expectation that Myanmar would democratize upon joining ASEAN, in the disappointment at the lack of progress relating to that, and then its position

as a Rohingya refugee hosting country.” Meanwhile, Malaysia is facing a general election in August 2018 and, thus, active engagement with the Rohingya issue could be seen as an election ploy to acquire support from the domestic Muslim constituency.

In contrast, Indonesia has not criticized Myanmar, preferring to conduct behind-the-scenes diplomatic negotiations. Between 2016 and 2017, the Minister of Foreign Affairs, Retno Marsudi, twice held talks with Aung San Suu Kyi and met General Min Aung Hlaing, Commander-in-Chief of Myanmar’s military, once. At a meeting on September 4, 2017, the “4+1 Formula” was proposed; it had the following elements: (1) reinstating stability and security; (2) exercising maximum self-restraint and the non-use of violence; (3) protecting everyone residing in Rakhine State, regardless of their ethnicity and religion; (4) opening up access for humanitarian assistance immediately; and (5) immediate implementation of the ACRS recommendations (Ministry of Foreign Affairs, Indonesia, 2017). Further, in the meeting with General Min Aung Hlaing, Marsudi not only convinced the general to refrain from any further violence, but also showed an understanding of his views on the issue being a serious security threat.³

Why did Indonesia make these diplomatic efforts? Rafendi Djamin, a former Indonesian Representative to AICHR, gives the following two reasons.⁴ The first is the perception of Indonesia as a champion of democracy and human rights. Since implementing its democratic reforms, not only has Indonesia been perceived at the regional and international level as a model of democracy and human rights in Southeast Asia, but Indonesia has positioned itself in such a light. The second is the potential gains in domestic politics for the ruling government. In the 2014 presidential election, Joko Widodo (hereafter, Jokowi) of the Indonesian Democratic Party of Struggle (PDI-P) defeated Prabowo Subianto of the Great Indonesia Movement Party (Gerindra) by a slim margin of 6 %. Within Indonesia, there are actors, such as Gerindra, the Prosperous Justice Party (PKS), and the family of Suharto, the former president, who seek to weaken and topple the Jokowi government. These actors have used the Rohingya issue as a political tool to criticize the Jokowi government. Thus, by actively engaging in the Rohingya issue, the Jokowi government is able to gain the political benefit of acquiring support from Muslim rights groups, including radical groups.

Wahyudi Djafar, Deputy Director of the Institute for Policy Research and Advocacy (ELSAM), also listed two factors driving Indonesia’s diplomatic involvement in the Rohingya issue—external and internal.⁵ The external

factor is Indonesia's role in the international community as a state supporting human rights and R2P. This is manifest not only in the Rohingya issue but also in Indonesia's engagement in Afghanistan's peace process and the Palestine issue. Meanwhile, the internal factor is "political pressure" from radical Islamic groups. The activities of radical Islamic groups such as the Islamic Defenders Front (FPI) and the Muslim Cyber Army (MCA) have placed considerable political pressure on the Jokowi government. For instance, at a large-scale meeting held by the FPI in front of the Myanmar Embassy in September 2017, attendees not only blamed the Jokowi government for inaction, but also called for a *jihad* (holy war) in Myanmar. Further, the MCA has spread hate speech and fake news about the Rohingya issue via social media, and criticized the Jokowi government. There are concerns that such activities will foment extremist views; thus, this is a factor leading to the Jokowi government's active engagement in the Rohingya issue.

President Jokowi belongs to the Indonesian Democratic Party of Struggle (PDI-P), a "secularist" party that emphasizes plurality. Meanwhile, the Rohingya issue has been politicized by the PDI-P's political opponent—the Gerindra party's Prabowo. Further, Islamic political parties, such as the PKS, who object to secularism, and radical Islamic groups have also spoken up for the Rohingya. The relations between secular nationalist parties and Islamic parties in Indonesia have remained tense ever since the nation state was founded. These tense relations are also manifest in the stand taken by them on the Rohingya issue; thus, domestic politics can be considered to have had a large influence on the diplomatic efforts undertaken by the Jokowi government. However, as pointed out by Rafendi and Wahyudi earlier in this chapter, Indonesia's identity as a champion of human rights is also an important factor underlying its diplomatic efforts in response to the Rohingya issue.

4.2 The ASEAN Chairman's Statement and implementing humanitarian aid

In December 2016, an AMM Retreat was held in Yangon, hosted by the Myanmar government in response to a request from Indonesia. At the meeting, Aung San Suu Kyi, who had hitherto remained silent on the Rohingya issue, first explained that arrangements were in place to cooperate with UN bodies to allow humanitarian aid into Rakhine State. Next, she expressed a desire to be granted some leniency in terms of the time and execution of government actions in response to the crisis, owing to the complexity of the

issue. Finally, she emphasized the importance of strengthening the unity of ASEAN through peaceful, friendly discussions (Ministry of Foreign Affairs, Myanmar, 2016).

Indonesia worked with Singapore to persuade Myanmar and other ASEAN member states to discuss the Rohingya issue within the ASEAN framework. As a result, an AMM Retreat was held during a session of the UN General Assembly in September 2017, and an ASEAN Chairman's Statement was released by the Philippines, the state chairing ASEAN then. The ASEAN Chairman's Statement called on the Myanmar government to continue to implement the ACRS recommendations, and decided upon the implementation of humanitarian aid through the AHA Centre. However, it is worth noting that Malaysia disassociated itself from the Chairman's Statement, stating that the statement neither reflected Malaysia's views nor did it explicitly acknowledge the Rohingya as one of the affected communities (Ministry of Foreign Affairs, Malaysia, 2017).

The AHA Centre, headquartered in Jakarta, is an organization established in 2011 by ASEAN with the aim of functioning as a base for disaster management. Following the ASEAN Chairman's statement, the AHA Centre dispatched \$515,000 worth of humanitarian aid to Rakhine State in October and December 2017. The Disaster Emergency Logistics System for ASEAN (DELSA), a cooperative project between ASEAN and Japan, was used for the first humanitarian aid dispatch. Then, humanitarian aid supplies from Singapore were delivered through the AHA Centre as part of the second dispatch. The AHA Centre's principal mandate is to respond to humanitarian needs caused by natural disasters; however, in the future, the organization will be responding on a case-by-case basis, based on the guidance of ASEAN member states and in close consultation/agreement with the governing board of the AHA Centre.⁶

Conclusion

This chapter has analyzed the responses to the Rohingya issue by Myanmar, Indonesia, and ASEAN, from the perspective of R2P, and has considered an ASEAN-style practice of R2P. Indonesia's diplomatic efforts, which have respected the principle of non-interference, have not only been accepted by Myanmar, but have also furthered the progress of ASEAN's endeavors. Thus, the Rohingya issue has been discussed as a regional issue at the AMM Retreats, and the implementation of humanitarian aid through the AHA Cen-

tre has been encouraged.

Indonesia's constructive engagement constitutes state behavior that is stimulated by two factors: the influence of domestic politics and its identity as a champion of democracy and human rights. In contrast, Malaysia's megaphone diplomacy, which violated the principle of non-interference, and the demands from UN human rights bodies and the Security Council, have only led to resistance by the Myanmar government and failed to have much constructive influence.

While the prospects for the resolution of the Rohingya issue still seem bleak, the fact that ASEAN has started engaging with the issue represents a step forward. Respect for state sovereignty is entrenched in Southeast Asia; helping the Myanmar government through constructive engagement that respects the principle of non-interference that is a core constituent of state sovereignty as well as the "ASEAN Way," as demonstrated by Indonesia, is considered to be an ASEAN-style practice of R2P.

Notes

- 1 Shigemasa (2018) makes a similar argument but the target period of his examination is limited to 2016; further, determining factors of Indonesia's constructive engagement is not discussed.
- 2 For instance, the following are some of the proposals: (1) individuals cannot lose nor have their citizenship revoked; (2) enable reacquisition of citizenship by those who have lost or been stripped of it; (3) provide opportunities for individuals permanently residing in Myanmar (especially those without nationality) to acquire citizenship through naturalization; and (4) create plans for undertaking revision of the Citizenship Law (ACRS, 2014: 29–32).
- 3 Interview with Djamin by the author of the present chapter (conducted on March 21, 2018; Jakarta).
- 4 Ibid.
- 5 Interview with Djafar by the author of the present chapter (conducted on March 20, 2018; Jakarta).
- 6 Interview with Shintya Kurniawan, AHA Centre Communications Officer (conducted on March 26, 2018, via email).

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CHAPTER SEVEN

Hybrid forms of peace in Timor-Leste
Local actions in communities and the role of external
actors in enhancing security

Yukako Sakabe Tanaka

Abstract

While inclusion of “locals” is considered essential for successful peacebuilding, how to implement this principle remains an open-ended question. This chapter aims to provide theoretical and practical implications of including locals in peacebuilding by identifying who “locals” are and what actions be taken by respective actors. Specifically, it highlights efforts by community residents in a newly democratic country, Timor-Leste, to provide security in its interactions with state authority, diverse social groups, and the international community. After reviewing concepts relevant to support of security sectors in weak states (e.g., security sector/system reform, human security, hybrid peace), possible local roles are considered to identify how to deal with threats through interactions in both local-international and local-local relationships. Cases of community policing, early warning systems, and social audit initiatives are examined to specify community residents’ roles and the supporting roles of civil society. Further, three cases are presented as revitalizing the state–society relationship in a country in the developmental stage of building institutions. The analysis suggests scrutinizing externals’ role for supporting security in weak states in mentoring, intervening in, or facilitating local–local relationships.

Introduction

The idea of engaging “locals” in peacebuilding activities has obtained consensus among practitioners and scholars. This holds true for the field of

security sector/system reform (SSR), which aims to “increase the ability of partner countries to meet the range of security needs within their societies in a manner consistent with democratic norms and sound principles of governance and the rule of law” (OECD, 2005: 5). While referring to the main actions of SSR as to enhance the effectiveness and democratic accountability of the state institutions, the Organization for Economic Cooperation and Development (OECD), for instance, has proposed putting “local ownership at the heart of international SSR policy and practice” (OECD, 2007: 14). This awareness notes that initiatives of locals which involve those of state, civil society actors to individuals at the community level, should be encouraged.

Hybrid peace has been proposed as an alternative that concerns maintaining order and stability through the coexistence of institutions rooted in democratic contexts and led by external actors and state authorities (Richmond and Franks, 2009; Richmond, 2011). Hybrid forms of peace may come from the “everyday activity that emerges at the interface between international actors and local actors” (Richmond and Mitchell, 2012: 3). In particular, MacGinty (2010) noted that traditions and community methods for conflict resolution, reconciliation, and mediation can interface with the “liberal peacebuilding” approach.

A question raised in this chapter concerns how locals, specifically community residents, are involved in creating such hybrid forms of peace concurrent with the building of state institutions. This, in turn, poses a challenge for external actors, who are considered here to be non-local actors, since supporting locals essentially asks them to enhance their capacities while acknowledging their limited ability to do so (Ismail, 2009). Therefore, conceptual discussions of relevant concepts and their practical application could be effective for understanding possible support for weak states. In order to understand locals’ involvement in enhancing security, this chapter will review related concepts such as SSR, human security, and hybrid peace, and determine locals’ expected roles, especially at the community level. Such a review permits the discussion of activities that community residents may engage in as well as the involvement of civil society organizations and external actors in improving public security in weak states. The chapter’s goal is to identify ways that locals participate in upholding public security at the intersection of multiple actors.¹

First, the expected functions of local communities are assessed in terms of concurrence with the ideas in SSR and human security. Then, analytical tasks involved in creating hybrid forms of peace are discussed, including

identifying external actors' roles. Section 2 presents the security situation in Timor-Leste, the development of SSR, and the public understanding of security factors present in daily life. Section 3 explains community policing, early warning systems (EWSs), and the social audit initiative (SAI) as cases that created hybrid forms of peace in Timor-Leste. The analysis that follows specifies the characteristics of community residents and external actors. It also discusses how consensus among engaged parties is achieved to sustain peace in communities. The last section offers conclusions and suggestions for future studies.

1. Local communities' expected functions in enhancing security

External actors have considered engaging locals within the scope of SSR. In principal, SSR is expected to be "people-centred" to assess the security situation and address the diverse, specific needs and perceptions of women and men, girls and boys (OECD, 2007: 13). It focuses specifically on vulnerable groups such as women, children, and ethnic minorities based on the notion of inclusiveness (OECD, 2005: 17–18). SSR is also expected to be "locally owned," asking relevant actors to reflect the populations' concerns and ensure programs' sustainable impact (OECD, 2005: 22). Further, SSR targets not only core institutions, such as "armed forces, the police and gendarmerie, intelligence services, coast guards, customs," but also elected and appointed civil authorities, as well as bodies such as parliament, the executive, ministries, and judicial and enforcement institutions (OECD, 2005: 19–20). To this extent, civil society is highlighted as having a surveilling role for state institutions (i.e., civil oversight). In the process of developing SSR, especially in weak states, civil society efforts to address SSR challenges and provide regional networks and information are recommended (OECD, 2005: 23).

However, external actors have encountered the reality that enhancing local ownership in SSR is challenging. One problem is the lack of political leadership in the reform process, and in its absence, local ownership cannot emerge (OECD, 2008: 15). Further, resistance to the liberal peacebuilding approach is based on suspected negative effects in the communities where it has been applied. One criticism is that it only encourages external dependency because of the gap between the introduction of a democratic regime with its liberal economic institutions and affected communities' realities (e.g.,

Richmond and Franks, 2009: 8, 45–46). There are also cases where democratic and liberal laws and rules are not enforced, introduced institutions do not effectively function, or regimes do not comply with democratic governance criteria (Schroeder et al., 2014). Since locals engaging in state affairs (e.g., elites, politicians, bureaucrats, judges, and lawyers) are themselves in the process of increasing their performance, achieving local ownership in SSR faces challenges in responding to various security needs on the ground.

1.1 Assessment of locals' role

It is increasingly evident that weak states' capacities to maintain security are not improving as expected under this approach; therefore, securing public safety in alternative ways is important. After being mentioned in the 1994 *Human Development Report*, human security has included safety and welfare in addition to the state's traditional security concerns (UNDP, 1994). It is now widely recognized that public and personal security are needed for economic and social development and to protect human rights (OECD, 2005: 44).

The expected roles of locals—specifically, those of civil society actors—are extensive in realizing human security. This is because human security itself is directly connected to locals, enabling the fostering of themselves and others, which may constitute a “local-local” relationship. Since the human security concept encourages increasing individuals' capabilities, empowerment instruments are pursued. Support for locals includes activities intended to form security and autonomy, identify and represent the subject, and build institutions by considering local systems and international standards (Richmond, 2012).

Local prevention-based actions are also valuable and vital in ensuring human security. While the Responsibility to Protect is an example of an internationally driven action that sparked a debate on protection discourse, prevention emphasizes the vulnerable rather than the victims (e.g., Chandler, 2012). In practice, locals can channel information to relevant international actors and implement early warning and prevention measures (Kötter, 2007). Such measures could be more sustainable with locals' active involvement from a human security perspective, in consideration of not “taking away from people the responsibility and opportunity for mastering their lives” (UNDP, 1994: 24).

It is apparent that individuals' and community residents' perspectives on enhancing security are being examined in parallel with SSR activities build-

ing state institutions. One indicator of public security is the extent to which individuals feel secure. In theory, human security concerns protecting vulnerable individuals from any kind of threat or danger. These can be broadly categorized into “freedom from want,” which encompasses security concerns regarding social and economic well-being, and “freedom from fear,” which focuses on concerns of protecting individuals from violent conflict (e.g., Hanlon and Christie, 2016: 4–5). The state-society relationship concerns how each respectively approaches enhancing human security. While human security assumes the state has the primary responsibility to protect people, the concept includes in local peacebuilding the very people human security is meant to secure (Richmond, 2012). Instead of the state providing protection, people and local communities assume such roles, as in Somalia (UNDP, 1994: 38).

In typical weak states, a lack of freedom from fear means the state cannot maintain security, such as situations wherein (1) the state cannot monopolize violence because of rebel forces or terrorists in state territory or (2) the public’s oppression by state security forces is unchallenged (Tanaka, 2017). Regarding the former, it is necessary to directly secure public safety and build capacity to maintain security. Considering the latter, because the problem is a lack of public trust in state security forces, reforms must be implemented to improve public trust in those forces. In other words, to resolve these situations, the state is asked to employ its capacity to protect public safety, strengthen its capacity to do so, and obtain public acceptance and trust in its capacity. In fact, rebuilding of state legitimacy is a concern in countries experiencing internal conflicts (e.g., Cawthra and Luckham, 2008: 323–324; Lake, 2010: 34). The importance of building trust between a state and its public is increasingly recognized, and, in this vein, the scope of SSR have expanded to include different social groups and the population as a whole.

It is increasingly expected that the population (i.e., community residents in this chapter) will develop the capacity to maintain security through SSR involvement along with state institutions, achieving the capacity to maintain security. In other words, extending local ownership is meant to be a key to implementing successful SSR (OECD, 2007; Donais, 2008; Mobekk, 2010). For community residents, enhancing security concerns establishing reliable relationships with different societal groups and with the state authority. Schirch and Mancini-Griffoli (2015) found multiple roles of local communities in practice. They suggested that local ownership can be broadened and

deepened by sharing the process of identifying threats and tackling the situation of human security threats. Their cases describe community residents' roles not only in civil society oversight, which has been primarily referred to in the SSR context, but in engaging in dialogue and consultation, creating a system for their own security. Such operations in which residents enhance their own security and have healthy relationships with the state authority are among the major issues for them.

1.2 Three phases of analyzing hybrid forms of peace

Hybrid peace can assume various forms that emerge through interactions among different groups. Based on previous studies, this chapter disaggregates "hybrid peace" to analyze it in three challengeable phases.² The first phase is to identify relevant actors (Ismail, 2009; Donais, 2012: 6–7). Examples include politicians, traditional leaders, police officers, civil society, militias, and criminal organizations. In this phase, identifying security threats and actors whose involvement is needed to deal with those threats is crucial.

The second phase entails consensus-building among community residents or between community residents, relevant local actors, and external actors along with contestation (Donais, 2012: 36–39). Building the type of trust needed to achieve consensus among involved parties includes building an institution in the context of the community's history and its existing institutions; however, there is no model hybrid institution. Trials and errors likely occur in any case, which shape the peacebuilding process and the institutions emerging from that process. Continuous interaction, as explained as everyday practice among relevant actors, could create peace formation (Richmond and Pogodda, 2016: 9–10).

The third phase concerns external actors' functions. Although there is a principle that emphasizes ownership by the community residents, when weak states cannot secure public security, external actors tend to use their capacities as proxies for community residents. Jastard and Olsson (2012) identified three external actor functions. First, "interveners" directly support the state and its public, such as with the provisions of security forces or humanitarian aid. Second, "mentors" strengthen the capacity of the state and its public and emphasize maintaining equal relationships with the state. Third, "facilitators" interface between the state government and the people or parties involved at any state level.

In summary, locals are increasingly expected to play a role in enhancing

security, as mentioned in relevant policies and theoretical concepts. SSR assumes civil oversight while human security posits them as subjects needing empowerment. Hybrid peace places locals at the center but also assumes their elastic roles since peace is to be formed in a process where locals themselves are vulnerable to threats. This approach contains some analytical challenges to be addressed in the context of the state in question and its public before it can be introduced to provide support. Analytical phases emerge through processes of interactions that aim to (1) identify the local parties in respective cases, (2) establish consensus among involved parties, and (3) specify external actors' appropriate functions.

2. Shift from top-down SSR to grassroots conflict prevention in Timor-Leste's security situation

This section presents the case of Timor-Leste, especially regarding its post-1999 security situation, when independence was announced and social problems subsequently emerged. It then provides a brief overview of the country's SSR, which is building state institutions in the security sector under the leadership of the international community. This overview explains the background for the creation of hybrid forms of peace that are to be discussed in Section 3.

2.1 *Timor-Leste's security situation and public perceptions*

Timor-Leste's security situation has generally calmed down insofar as large numbers of casualties are no longer produced, but instability was still frequent. During and immediately following the 1999 referendum under the auspices of the UN, about 900 casualties, among massacres and sexual assaults, were counted, which ultimately resulted in about 1,400 casualties and 300,000 refugees at most fleeing the region (CAVR, 2005). Since independence and the deployment of the UN Transitional Administration in East Timor (UNTAET), conflict among various groups in Timor-Leste has been the major cause of violence. Examples include the 2002 Dili unrest, the 2006 crisis, failed attempts to assassinate the president and prime minister in 2008, and violence during every national and sub-national election.

The 2006 crisis highlighted two challenges of newly independent Timor-Leste. Its immediate cause was a demonstration by soldiers facing discriminatory treatment in the national military forces. This protest developed

into a conflict among the military and the *Polícia Nacional de Timor-Leste* (PNTL), and police enforcement was temporarily lost. This constituted a question concerning the effectiveness so far of international-led SSR initiatives. Leaders who were no longer able to manage the rapidly deteriorating security requested deployment of the International Stabilization Force (ISF), with Australian military forces at its core, and momentarily delegated its power to the ISF to maintain security. Leaders also requested UN help to rebuild its policing functions.

Concurrent with the soldiers' protest was increased violence, including continual murders, arsons, and thefts in Dili, the capital. In particular, some youths formed a mob, and, starting in the autumn of 2006, the number of sporadic violent incidents in communities increased, with over 100 victims (Muggah, 2010: 44–45). Consequently, the Timor-Leste government prioritized “addressing the needs of youth,” “employment and income generation,” and “public safety and security” (RDTL, 2008; RDTL, 2010). The state recognized that many members of the youth groups were unemployed, and they were participating in violent activities to steal money and/or vent frustrations, indicating that a social problem caused the violence epidemic.

Following the 2006 crisis and the eruption of youth violence, the population became worried about the conflicts' effects on their daily lives. In 2015 and 2016, the author interviewed several national non-governmental organizations (NGOs) working across the country regarding the reasons for conflict at the *suco* (village) and district levels. In addition, focused group discussions were held in three villages to collect public opinions on the security situation. Table 7.1 lists the reasons for the conflicts stated by the NGOs and villagers.

Table 7.1 Causes of conflict reported in 2015 and 2016 by NGOs and villagers³

Causes of internal conflict	
Individual factors	Structural factors
Land ownership issues	<ul style="list-style-type: none"> • Youth unemployment • Dissatisfaction of Martial Arts Group (MAG) • Treatment of military veterans • Non-compliance with laws by law enforcement institutions (national military forces and the state police) and powerful individuals

Source: fieldwork and interviews, 2015–2016.

Table 7.1 presents individual-level factors that caused the violent incidents. Land ownership issues in Timor-Leste are similar to those of many countries experiencing civil conflicts with vague land ownership. In Timor-Leste, land ownership types include traditional ownership, which dates back to before Portuguese colonization, land ownership devised under Indonesian rule, and temporary leases sanctioned under UN rule. Consequently, official land ownership problems arise whenever development projects get underway. Land and its related rights are always involved in attempts to implement infrastructure projects, like roads and public facilities. With unclear ownership, multiple owners appear, claim rights, and demand compensation, creating conflicts. Many of Timor-Leste's citizens want to own land, but, because the government lacks a workable policy for managing land issues, land disputes tend to become conflicts.⁴ The more extensive the development project, the more frequent the land conflict is.

Table 7.1's structural factors are causes embedded in the societal structure that exacerbate social cleavage and public frustrations. The reported structural factors in Timor-Leste were youth unemployment and dissatisfaction among members of two social groups, the Martial Arts Groups (MAGs) and military veterans. These groups differ in that the former are youths and the latter elderly people, but both were thought to have the potential for violence. Community residents widely believe that many unemployed young adults have joined MAGs and that inter-group conflict has been occurring. Dili residents tended to believe that, during the 2006 unrest, violent incidents involving MAGs frequently occurred, and they were fearful because of road closures (Tanaka, 2018: 22).

Debates about veterans' treatment have been active since the August 1999 referendum. The state, including the Armed Forces for the National Liberation of East Timor (FALINTIL) commander and the first president, Xanana Gusmão, has always been vigilant about rewarding FALINTIL veterans who served in the independence struggle. Traces of FALINTIL are evident in the defense forces of Timor-Leste's official name, the Falintil-Forças de Defesa de Timor Leste (F-FDTL), suggesting continuity from the old FALINTIL. However, many veterans and fighters could not join the national military forces, and they experienced different paths in regards to disarmament, demobilization, and reinsertion/reintegration (DDR) (see 2.2). In particular, veterans are assumed to exert significant influence in Timor-Leste and, after the 2006 crisis, the government boosted their pensions to appease them and their supporters (RDTL, 2008: 7). The NGOs' interview-

ees pointed out that, although veterans have elevated social status with actual benefits, status authentication is arbitrary and unfair. From the public's perspective, veterans and their families are favorably treated, which leads to complaints that other socially vulnerable groups are being neglected.⁵ Furthermore, veterans' pensions come from high oil and gas production tax revenues. About eight percent of the 2015 national budget was allocated to veterans "to honor the sacrifice they made for the independence of Timor-Leste" (RDTL, 2015: 17). However, many people question this revenue's stability and are alarmed about a future when policies favoring veterans lose effectiveness (La'o Hamutuk, 2005/2018).

The last structural factor provided in Table 7.1 concerns institutionalized law enforcement's incomplete law compliance. These agencies are the national military forces, police, and individuals in state offices. Community residents stated a police absence or shortage was a problem.⁶ Instead, they also referred the traditional conflict resolution system could handle minor community-level problems.⁷ The NGOs' interviewees indicated the state and the public should have honestly and directly tackled the challenges in governance, governmental systems, and the security sector, particularly since the 2012 UN withdrawal, to end law enforcement power abuse and the lack of professionalism.⁸ In sum, land ownership issues, youth unemployment, MAGs, and military veterans are concerned. Law enforcement's non-compliance with laws also has potential to create tension between the population and the state.

2.2 Enhancing security led by external actors

SSR in Timor-Leste began after 1999 when the UN referendum supported country independence. The UNTAET intended to govern Timor-Leste until it achieved independence and to support state-building activities, but the UN's exact task in relation to SSR was not totally clear (Hood, 2006; Tanaka, 2011). Initially, Timorese representatives were unenthusiastic about the formation of national military forces, and the UNTAET's mandate did not reference support for them. However, Timorese interest increased in response to worsening border security situations and freedom fighter demobilization. A King's College (2003) report proposed several options for forming national military forces, one of which was adopted. Only a small proportion, about 650 ex-combatants, was integrated into the new national military forces. This meant that the DDR of FALINTIL, which had resisted Indonesian security forces, was most challenged in its ability to reintegrate

the freedom fighters. Some became part of the FALINTIL Reinsertion Assistance Program (FRAP) of the International Organization for Migration (IOM), but others were not included. Some veterans, dissatisfied with their treatment, joined groups involved in conflicts (see Table 7.1).

Regarding a police force, the UNTAET's civilian police force was implicitly charged with law enforcement and development of a national police force, but this was an overwhelming burden because there were no established recruitment or training criteria (Martin and Mayer-Riechke 2005). Put differently, no foundation existed to support effective functioning. Regarding a judiciary system, until independence, international appointees served as public and private prosecutors and defense lawyers, and judiciary personnel were trained through UNDP (United Nations Development Programme) programs (e.g., Tanaka, 2008).

When the police force's ability to function temporarily collapsed during the 2006 crisis, the international community again responded. The United Mission in Timor-Leste (UNMIT) had a mandate of law enforcement, and it screened and mentored police officers and provided field training to rebuild the police force's functionality. UNMIT also was mandated to conduct "comprehensive review of the future rule and needs of the security sector, including FDTL, Ministry of Defence, PNTL and the Ministry of Interior" (UN document, 2006). While PNTL was able to restore its function in 2010, the review aspect of various sectors, including policing, only partly occurred; international actors and the state disagreed on the reform's basic principles (Funaki, 2009; Wilson, 2012). When UNMIT withdrew in 2012, Portugal, Brazil, China, and Indonesia joined with Australia, New Zealand, the United States, UNDP, and Japan to support state policing (Dewherst et al., 2016).

3. Cases: Hybrid forms of peace in Timor-Leste

With no exception from other weak states, the Timorese SSR has been progressing as a part of the state-building process. Systems intended to respond to and prevent conflicts and for conflict resolution are emerging in the communities. This section discusses community policing efforts, civil society-led EWSs, and the state-led SAI to analyze functions of community residents and external actors in these processes.

3.1 Community policing

The introduction of community policing was consulted under the UNTAET,

and the first Police Basic Law was implemented in 2004 to establish the Community Protection Unit. It states that public peace and order must be maintained with community and resident cooperation (RDTL, 2004). Therefore, in community policing, residents and police cooperate to preserve community security. The Police Basic Law was revised in 2009 to position community policing as the basic principle of policing and establish the Community Policing Department. It requests that each district's police stations establish police posts in each of the 442 *sucos* (RDTL, 2009). One function of the Community Policing Department (CPD) was to draft concrete community policing policy, but it lacked funding and human resources, although it received support from Australia, New Zealand, and Japan (JICA, 2002; 2013; ODE, 2014: 58).

The CPD was established out of concern for a lack of public trust in the police. According to results of a 2007 survey conducted by the Asia Foundation (an international NGO), about 60 percent of respondents identified their community leaders (e.g., the *suco* and *aldeia* chiefs), and about 15 percent identified the PNTL, as the main guarantors of community security.⁹ Respondents who reported contact with the PNTL believed the PNTL had an arrogant attitude related to a lack of professionalism and that PNTL members used physical or verbal abuses of power (Chin and Everett, 2008: 7–8). Therefore, it was expected that community residents would take responsibility for security matters to prevent crime in response to police and policing resource shortages in the districts (Belo and Rajalingam, 2014).

The plan was to establish the Community Policing Council (CPC) in all *sucos* in Timor-Leste (Belo and Rajalingam, 2014: 12–15). The idea for the CPC emerged when CPD staff learned about Bangladesh's Community Action Committee during trainings. Presently, a CPC's core comprises of police officers (at KOBAN posts), the village chief, village elders, and community representatives. Additionally, veterans, youth, representatives of women's groups and MAGs sometimes participate. Its members determine CPC activities, and so differ by community. However, its basic functions are to promote understanding of the police through dialogue between the community and police officers, identify factors that destabilize security, seek solutions to security risks/problems, and gather information about the security situation through regular meetings and collective activities, like community patrolling (Belo and Rajalingam, 2014:13–14). To date, a wide range of factors that destabilize security are discussed at CPC meetings, such as youth violence, land ownership disputes, domestic violence, economic or social

problems, and political interference. This list suggests the CPC functions as an institution for dialogue among parties involved in community security problems.

A 2015 survey conducted by the Asia Foundation found that community residents have increasingly understood the CPC as a venue for cooperating with the police to prevent crime (96–97). In the same survey, about 64 per cent of respondents reported that the first ones to consult about security are the village or settlement chiefs (93). This finding suggests that mediation by chiefs and traditional conflict resolution are established substitutes for the non-functional formal judicial system (Asia Foundation, 2015: 68–71).

The CPD is part of building a national-level police force, and the CPC was introduced as a way to secure community-level public security and build trust between police and residents. Australia and Japan are involved with CPD capacity-building, and CPC establishment and maintenance has been supported by the US Agency for International Development (USAID), by international NGOs financially supported by New Zealand, and by the New Zealand Police. These external actors offer mediation skills, develop mediation programs, and monitor post-mediation situations (Djurdjevic-

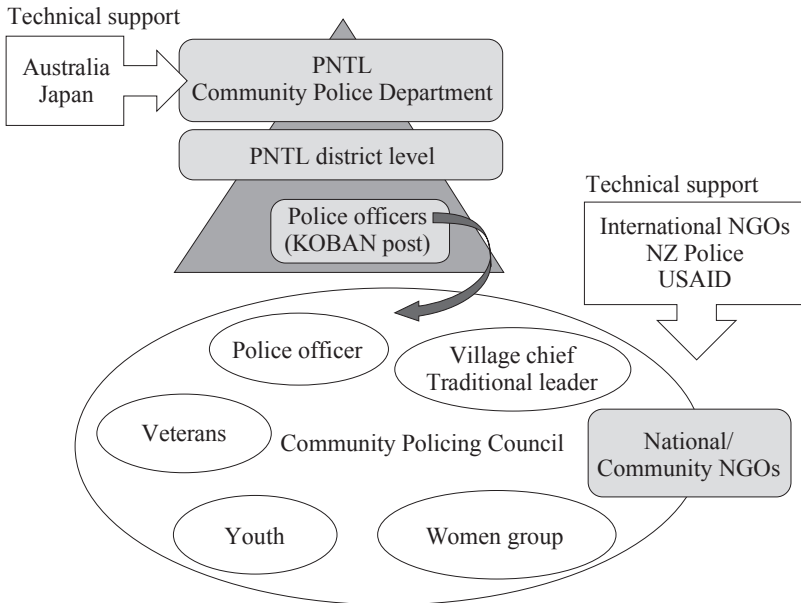


Figure 7.1 Community policing structure in Timor-Leste¹⁰

Lukic, 2014; USAID, 2017a). Figure 7.1 illustrates Timor-Leste's policing structure.

3.2 *Community early warning systems (EWSs)*

As pointed out earlier, Timorese citizens consider inconsistent land management and unfair social systems are destabilizing factors that could incubate public dissatisfaction. Therefore, national NGOs chose not to take stability in Timor-Leste for granted and supported building EWSs so that, for example, land disputes would be less likely to lead to violence. In Timor-Leste, the national NGO Belun collaborated in 2008 with Columbia University's Center for International Conflict Resolution to develop the system, which is based on a traditional conflict resolution method called *Tara Bandu* (Belun, 2011; IRIN, 2013). *Tara Bandu* is a mediation method based on community-level consensus and, according to Belun/The Asia Foundation (2013), it is widely and currently applied in Timor-Leste. A practice of *Tara Bandu* was incorporated into the EWS by, for example, including national NGOs' staff at community meetings on matters with conflict potential. Meetings' contents are compiled as reports to share information with the conflict prevention network, which includes the state.

When a community requests support from national NGOs to hold a *Tara Bandu*, the national NGOs' liaising function is performed by staff volunteers in the community.¹¹ They gather information over a period of days through conversations with community residents and report that information to the national NGOs' headquarters in Dili. There, the information is organized and used to update the EWS database, available on their websites.¹² The national NGOs regularly publish analyses of the situation and share information with relevant governmental institutions, communities, and conflict prevention networks. When urgent, high conflict risks are identified, NGOs' headquarters immediately dispatch staff to deal with the situations.

EWSs pursue three goals through their activities: (1) prevent conflict emergence and/or spread, (2) produce materials and recommendations for state public policy by building a database on conflict risks and writing reports on conflict prevention, and (3) inform the public about ways to avoid and prevent conflict. In short, an EWS is an application of traditional conflict resolution customs and decision-making in a community with NGO staff to prevent conflict spread and suggest state policies on conflict and security from the people's perspective. In this sense, a national NGO referred to its activities as "security sector development," and they actively engaged

in refinement (e.g., Schrich and Mancini-Griffoli, 2015: 10–11). Furthermore, because of accumulated knowledge of public security in communities, national NGOs have emphasized their intentions to promote concrete public policies by sharing information with state institutions.¹³

3.3 *The social audit initiative (SAI)*

This subsection reviews the state's initiative and examines its relationship to national NGOs' activities to analyze the way the state understands information on security risks gathered by these NGOs.

In February 2015, Prime Minister Rui Maria de Araújo of the Sixth Constitutional Government stated in his inauguration speech,

The civil society over the past few years has contributed more and more in a responsible and participative way in the process of state building and in our democracy. The Sixth Constitutional Government will continue to invest in this fundamental approach, including with NGOs and the media (12).

He proposed,

This government wants to establish partnerships in which you will be able to have a more active participation through what is known as a “social audit,” in which the indicators of governmental action are thoroughly reviewed with more accountability so that, by working together, we might be able to provide better services to our people.¹⁴

The SAI was established under the Cabinet Office in response to this proposal. The state entered into an agreement with Forum NGO Timor-Leste (FONGTIL), an organization of community, national, and international NGOs in Timor-Leste, in 2015, which formalized collaboration between the state and civil society (Government of Timor-Leste, 2016).

The SAI focuses on the four sectors of society that exert the strongest influences on people's lives: agriculture, education, health, and infrastructure. It collects public and NGO opinions on governmental project planning and implementation, shares collected information with relevant governmental departments, and monitors issues until resolution.¹⁵ Citizens and the NGOs submit opinions, questions, and complaints to the SAI via postal letters, e-mails, and telephone. The SAI identifies the relevant governmental offices,

notifies them that a submission has been received, and requests responses. Fourteen SAI liaison officers work to ensure all submissions receive a response (as of March 2016).

When the SAI was implemented, social audits on infrastructure sector were already undertaken by some community NGOs (Freitas, 2017). When the state made its intentions clear, the NGOs were officially requested to develop and implement social audits. An international NGO funded by the Australian government supported FONGTIL to build relationships among various NGOs active in Timor and established a pilot social audit project. Since the end of 2016, the European Union has been financially contributing to the implementation of a social audit guidebook targeting community NGOs (Failor and Leahy, 2017).

The government subsequently launched a Sector Working Group (SWG) for the security sector that has mostly similar functions with SAI. As of March 2016, the SWG meets every other month, functioning as a venue for the state to exchange security sector information with NGOs, such as information about recent community security situations, information on how the state is engaged with SSR, and opinions regarding security risks (land ownership, veterans, and MAGs). Occasionally, Belun presents its analysis of accumulated information in its EWS at the SWG.

A national NGO director said that,

The Timor-Leste government has established a system for collecting public opinions in which public activities are openly acknowledged. Timorese NGOs support individuals' efforts to ensure security in the communities, share information obtained there with the state, and work to conform the state's perceptions of security to those of its citizens. The EWS is a way to provide advice and warnings about potential conflicts to the state. I conclude that governmental officials have the power and influence to effectively use this information for conflict prevention.¹⁶

The EWS is described above as an NGO-proposed, grassroots conflict prevention method that aims to provide accurate information to inform the state's security sector policy. The effort has been linked to the state's security sector policy through the SAI and other interactions with the government. The following example clarifies this interaction.

A possible role of national NGOs is to develop the relationship between people and the state. This collaborative project, to which USAID provided

USD one million, aims to strengthen civil society's monitoring capacities and promote relationships between the national police and communities in five districts (USAID, 2017b). This grassroots approach intends to change public perceptions from a focus on personal crime management in the community to conflict resolution by adopting formal procedures, such as reporting crimes to the police. For example, a legal framework is being developed to deal with domestic violence (i.e., family violence), which national NGOs consider a risk factor for wider conflict. In 2010, laws identifying domestic violence as a crime and elaborating victims' rights to support and protection were passed (Ferguson, 2011). The law's implementation is taken with caution since in Timor-Leste, male dominance prevails, and domestic violence is rarely recognized as a crime at the individual level. By learning how to manage the problem with NGO support, the public, including victims who might be reluctant to report the crime, is expected to understand how to report domestic violence when it occurs. National NGOs have emphasized that these types of changes in attitudes and behaviors may represent EWS' success. Their grassroots conflict prevention approach incorporating *Tara Bandu* is on the way to help people acknowledge, trust, and interact with official institutions built by the top-down SSR.

3.4 Analysis: local actions in communities and external actors

Initially, Timor-Leste experienced SSR as a part of institution-building led by the international community. Since SSR is at the developmental stage, the state has adopted systems in which community residents have some responsibility for community security. Community policing enables the targeting of residents, community leaders, traditional leaders, women's groups, social groups (e.g., veterans), and actors who destabilize security. By including such diverse local actors, the CPC, the institution for dialogue on daily security as sensed by residents, was formed by consensus among them. District police and civil society are involved in the planning, implementation, and monitoring phases, which support achieving resolution and managing the situation among community residents. In this regard, national NGOs are foundational to these processes that facilitate interaction between community residents and relevant local actors.

The EWS in Timor-Leste has developed into a mechanism for grassroots-level conflict prevention through national NGOs' efforts. It reinforces communities' traditional functions, which help form new state-society relationships. Although NGO staff is involved, EWS's goal is to be a volunteer

activity in the community. To that end, forming community consensus to build and sustain the EWS is a significant factor. Moreover, regarding the EWS's educational objectives for security and information-sharing with the state, national NGOs complement the national government in the background to support communities.

The SAI is a system intended to strengthen the state's accountability through community feedback on state-run public services. SAI systems have been attempted in different countries, such as India. The characteristic that stands out in the Timor-Leste case is that the state formalized its relationships with local NGOs (i.e., national and community NGOs). While the sustainability of the SWG stemming from the SAI in the security sector needs further investigation, essentially, local NGOs' catalyst role is emphasized. In contrast to other cases, the SWG in Timor-Leste is premised on the idea that local NGOs serve to provide information with the government, and, through that activity, NGOs represent community residents, which is a subjective position. Then, in practice, local NGOs to sustain their own capacity would be key to SWG effectively fulfill its functions.

External actors perform a variety of functions on behalf of the supported programs. They provide program management as well as technical assistance to establish CPC and EWS. They do not lead discussions among community residents, and they generally are limited to facilitating the relationship between the state and society. At the same time, when external actors provide financial assistance, they can become interveners because, by doing so, they directly influence the sustainability of the state's finances and/or local NGOs. Notably, as the case of community policing demonstrates, when external actors dispatch advisors to support building institutions and capacities at the state level, they function as mentors. It is therefore difficult to uniformly define the role of external actors, indicating it is critical to clearly understand communities' needs and their responses to those needs. Repeat communication with locals could successfully identify the role of external actors, starting from understanding the local-local relationship and specifying any social group that can supply the voice of the people.

Conclusion

Recent measures in Timor-Leste aimed at achieving public security were formulated through interactions among local parties in the preparation of the measures, their implementation, and post-implementation monitoring. The

three hybrid forms of peace analyzed in this chapter demonstrate the processes through which community residents become involved in enhancing security. Locals in theory are vague since they could be the direct suppliers of state security services to the receivers of such services. This chapter thus aimed to identify community residents' roles in providing security as well as the supporting roles played by local NGOs, which comprise of concrete steps toward practically providing security when state services are incomplete.

The three cases developed in the process of a fledging SSR wherein the community took measures to manage its own security. Meanwhile, the cases also became elements for renewing the relationship between the state and the people in the security sector. For those involved in top-down SSR, CPC is a significant institution of policing practice. From the perspective of community residents, EWS is a practical conflict-prevention measure for achieving security. Information gathered through the EWS is fed back to the state, and SAI (SWG) in Timor-Leste provides a platform for the state to buttress its capacity to recognize situations in communities. Continuous effort by national NGOs has become key for connecting the state and the people by activating CPC, EWS, and SAI (SWG).

External actors provide support as facilitators, but, because state institution-building is simultaneously pursued, these external actors frequently perform multiple functions. From the perspective of strategic support, it is crucial for external actors to identify policy aspects in which they can engage while recognizing the locals' dynamics, including those of potential catalysts. Analyzing the outcomes is beyond this study's scope; future research could monitor and assess the situation. For instance, the application of *Tara Bandu* in Timorese EWS may not be an omnipotent measure, as the degree of practicing *Tara Bandu* varies across the country.¹⁷ In this context, searching who can create interfaces between traditional institutions and state institution-building could help policymakers identify their roles.

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Notes

- 1 I greatly thank Tomoaki Honda for allowing me to extend the research originally published in Honda and Tanaka (2016). I also appreciate the generous accep-

- tance of applying interview results to the analysis conducted by Mitsuru Yamada, Sachiko Hirakawa, and Tomoaki Honda in Dili, September 2015.
- 2 Tanaka (2017) previously referred to the three phases of analyzing hybrid peace.
 - 3 A group of researchers, including the author, conducted interviews with representatives of NGOs in September and November 2015. The group also conducted further interviews and focused group discussions (FGDs) in March 2016. The results of the FGDs can be found in Tanaka (2018). Some of the NGOs mentioned problems with neighboring states regarding borders as transit points for drug trafficking as the reasons for international conflicts and border issues. Since this chapter focuses on public security affected by internal conflicts, the author excluded these issues from the analysis.
 - 4 Interview with a representative of the NGO, Dili, 9 March 2016.
 - 5 Interviews with representatives of the NGOs, Dili, November 2015.
 - 6 Comment from residents of Aisirimou, Aileu, during FGD conducted 14 April 2016.
 - 7 Comment from residents of Aisirimou, Aileu, during FGD conducted 14 April 2016; comment from residents of Ma'abat, Manatuto, during FGD conducted 20 April 2016.
 - 8 Interviews with representatives of NGOs, 5 and 8 September 2015.
 - 9 Village-level elections are held to elect village (*suco*) and subvillage (*aldeia*) representatives; chief of *suco*, chief of *aldeia*.
 - 10 Source: Tanaka (2017).
 - 11 Interviews with representatives of the NGOs, Dili, November 2015.
 - 12 Belun ran the EWER mapping system, which compiles data from EWS (<https://belun.crowdmap.com>). It also provides a new data portal (<http://atres.belun.tl/>) (Accessed 4 May 2018).
 - 13 Examples of agencies for sharing information are the Ministry of Interior, Ministry of Justice, and Ministry of Social Solidarity.
 - 14 Speech by Prime Minister Rui Maria de Araújo, Lahane Palace, Dili, 16 February 2015.
 - 15 Interview with Liaison Chief of Social Audit Initiative, 11 March 2016.
 - 16 Interview with the director of Fundasaun Mahein, 9 March 2016.
 - 17 Interviews with representatives of the NGOs, Dili, November 2015.

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CHAPTER EIGHT

The state building process in Timor-Leste
A study of the theoretical foundations of technical education

Luis A. Marques

Abstract

The theoretical foundations of Vocational and Technical Education are traced in various well-known studies. It would be helpful to scan those studies to gain a better understanding of what factors might be contributing to the development of Technical Education and the process of state building in Timor-Leste. The approach of classical behaviorist theory shows that it does not adequately address a full range of learning needs, which constructivist theory may address in a more comprehensive way. New studies have shown that Technical Education and the evolution toward higher technology in the workplace continue to advance (Doolittle & Camp, 1999). Federal support for Technical Education must be on the redoubling of efforts to increase the links between not only academic and occupational skills development, but also between businesses and education. UNESCO has held group discussions with members from developing countries to better integrate TVET programs. As a matter of urgency, attention should be paid to Technical Education in Timor-Leste due to both its impact on society as a whole and its influence on the process of state building.

Introduction

The globalization of trade means that decisions in one country may impact on employment opportunities in another where values and priorities differ. Opportunities vary from one country to another or in different segments of society within a country. There is now a greater need for Specialized Tech-

nical and Vocational Education and Training (TVET). However, with the fast pace of development of technology resulting in a shortage of workers in certain specialized fields. The days of job stability are long gone for many, and have been supplanted by a situation where flexibility, adaptability and transferability of skills are essential. Viewed in this context, this research provides a brief analysis of the Technical Education process in Timor-Leste, providing an index which offers the theoretical foundations. Those theories are traced in various well-known studies. It would be effective to skim those studies to gain a better understanding of what factors might be contributing to the advancement process of Technical Education (TE) in Timor-Leste. In spite of the fact that the Timor-Leste educational system faces a hard reality, upon closer examination, it shows that Constructivist theory addresses TE in a comprehensive way as well as the vital contribution those theoretical foundations have throughout the evolution of TE in Timor-Leste.

1. Theoretical foundations of career, vocational and technical education

In a previous published study I have illustrated the theoretical foundations of Technical Education reflecting the process of state building. As a follow-up, this dissertation offers an approach and analyses on the theoretical foundations of Technical Education focusing on the process of state building in Timor-Leste.

The relationship between State and Technical Education in general may be better understood through analysis of past studies on the theoretical foundations of Technical Education.

Preparation of workers for their entry into the workplace of the future and their subsequent career development necessitates an educational program that provides not only job skills, as enacted by Career and Technical Education throughout the 1900s, but also a higher order of thinking, problem solving and collaborative work skills. Classical behaviorist theory does not adequately address the latter kinds of learning but in contrast, constructivist theory may.

In the 1900s, for over three-quarters of a century, the implicit learning theory of behaviorism stood at the vanguard of curricular and pedagogical research on Career and Technical Education. However, its counterpart, the theory of constructivism, has had implications for Career and Technical Education practice in recent decades and its abiding influence foreshadows

future educational considerations. Cognitive constructivism balances most compatibly with Career and Technical Education. Here, Constructivist principles will be examined in the light of the fundamental requirements of Career and Technical Education as we move through the new century by examining new requirements for redesigned professions.

1.1 Social efficiency as an outgrowth of education

One unifying theory binds social efficacy and human satisfaction. It was envisioned by David Snedden¹ and effectuated by Charles Prosser², Career and Technical Education in the US in the early twenty-first century became known as Social Efficiency Doctrine. Proponents of social efficiency held that only an efficient society could create a positive environment in which the individuals could prosper and find self-fulfillment.

Technical Education harbors an inherent mission to further the good of society by contributing to its efficiency. In the past, this fact would have been mentioned as one of the main characteristics of state building. Clearly, Career and Technical Education as envisioned by Snedden and Prosser, formed one of the bulwarks of social efficiency through its preparation of a well-trained and compliant workforce. It became a perceived *sine qua non* of an efficient society.

According to Snedden and Prosser, six fundamental theories form the basis for social efficiency (Doolittle & Camp, 1999). They can be applied to both Career and to Technical Education, as in the early 1900s.

- Socioeconomic stratification: In all societies, the natural development of social classes can be noticed. Movement between social classes flows though a stable social system and rightfully renders vertical social mobility challenging.
- Probable Destiny: According to this theory, social classes are inherently stable. Thus, an individual born into a working-class family will probably live and die as a member of the working class.
- Psychometrical measurement: This was seen as a potential predictive determinant of a student's destiny and was performed as a simple test. This classified educational tracks into academic or vocational and in turn augmented reliability.
- The theory of social control: It affirms that for any society to exist, its members must voluntarily adhere to both implicit and explicit societal norms.

- **Pedagogy:** Although never really formulated as a single coherent theory, pedagogy involved the systematic study of teaching and learning. According to Prosser and Snedden, pedagogy for Career and Technical Education must be based on an organized, rigidly sequenced, hands-on approach to teaching.
- **Behaviorism:** This provides the final foundation for social efficiency. (Research of E. L. Thorndike, 1932) It is based on the analysis of the human condition that relies on only verifiable observations of behavior and not on untenable mental construction.

1.2 Behaviorism and moral development

Further, behaviorists contend that most human behavior can be understood as basic reflexive learning mechanisms or “laws” that operate on one’s experience within the environment.

Behavioral science provided the processes by which schools would teach the right work and moral habits. It would lead to a voluntary compliance with social control theory (Doolittle & Camp, 1999). It meant that members of all social classes would benefit from a healthier society and economy and, consequently a more humane workplace.

The educational system as an absolute contribution to social efficiency and development is influenced by the provision of a scientifically-based mechanism for teaching and learning. The aforementioned theories came into existence during the early 1900s and they would seem to have had little to do with the realities of the early 21st century’s Career and Technical Education. However, behaviorism remains the learning theory undergirding current Career and Technical Education thinking. Logically, it seems clear that a curriculum that is designed to provide specific, pre-determined skills demonstrated to industry standards does not represent knowledge constructed internally by the student, but rather represents externally imposed knowledge and skills.

Career and Technical Education at the local level remains oriented toward a competency-based curriculum, structured from the perspective of industry needs and standards, and delivered using a pedagogy that relies on pre-determined performance objectives. These objectives include conditions, tasks and standards. With the rapid development in occupational, educational and computer technologies, the old instructional model of transmitting to students a discrete and well-established set of skills and knowledge must be called into question. Within this uncertain environment of change, the stu-

dents' ability to build viable knowledge and to adapt is paramount. Attention to abstract reasoning, psychometrics and sociology would allow schools to guide students towards their ideal of education. In this instance, it would be logical to mention that in Timor-Leste, due to its shocking historical facts, the development of reasoning, psychological and sociological aspects is vital.

1.3 The epistemology of constructivism

Constructivism can bolster the theory and management of educational policy makers. Four essential epistemological principles of constructivism abide:

- Knowledge results from active cognizing by the individual rather than passive accumulation.
- Cognition is an adaptive process and functions to make an individual's behavior more viable, given a particular environment.
- Cognition organizes and makes sense of one's experience; by processing that experience there is a more accurate representation of reality.
- Knowing has epistemological roots both in biological/neurological construction and in social, cultural, and language-based interactions (Doolittle & Camp, 1999). Thus, constructivism acknowledges the learner's active role in the personal creation of knowledge, the importance of experience (both individual and social) in this knowledge creation process, and the realization that the knowledge created will vary in its degree of validity as an accurate representation of reality.

These four fundamental tenets provide the foundation for basic principles of the teaching, learning and knowing process as described by Constructivism. As will be seen, however, these tenets may be emphasized differently, resulting in various "types" of Constructivism.

2. Emergent theories of learning

2.1 Constructivism

New emerging theories of learning affirm the concept that learners construct their own knowledge from experience in an operation termed constructivism. In addition, recent research concerning Career and Technical Education has discussed the usefulness of constructivist principles without specifically positioning those principles within the framework of a constructivist

perspective. Constructivism is a theory of learning that is rooted in both philosophy and psychology. The essential core of constructivism holds that learners actively construct their own knowledge and meaning from their experiences (Fosnot, 1996; Steffe and Gale, 1995).

Philosophically, this essence relies on an epistemology that stresses subjectivism and relativism: the concept whereby reality may exist separately from experience, yet can only be discovered and processed through experience, resulting in a personal reality. Thus, constructivism acknowledges the learner's active role in the personal creation of knowledge, the importance of experience (both individual and social) in this knowledge creation process and the realization that the knowledge created will vary in its degree of validity as an accurate representation of reality. However, these principles may be emphasized differently, resulting in various "degrees" or "types" of constructivism. Typically, this continuum is divided into three broad categories: Cognitive Constructivism (e.g., Anderson, 1993; Mayer, 1996), Social Constructivism (e.g., Cobb, 1994; Vygotsky, 1978), and Radical Constructivism (e.g., Piaget, 1973; von Glasersfeld, 1995).

2.1.1 Cognitive constructivism

Cognitive constructivism represents one end, or extreme, of the constructivist continuum and is typically associated with information processing and its reliance on the component processes of cognition. Knowledge then, from the cognitive constructivist position, is the result of the accurate internalization and (re)construction of external reality. The results of this internalization process are cognitive processes and structures that accurately correspond to processes and structures that exist in the real world. This claim, that reality is knowable to the individual, differentiates cognitive constructivism from both social and radical constructivism.



Figure 8.1 The indicative emphases of the four essential principles (Cognitive Constructivism)

2.1.2 Social constructivism

Social constructivism lies somewhere between the transmission of knowable

reality of the cognitive constructivists, and the construction of a personal and coherent reality of the radical constructivists. Social constructivism, unlike cognitive and radical constructivism, emphasizes all four of the previously mentioned epistemological principles. These particular epistemological emphases lead to the definition of principles that maintain the social nature of knowledge and the belief that knowledge is the result of social interaction and language usage and, thus, is a shared, rather than an individual, experience (Prawatt and Floden, 1994).

In addition, this social interaction invariably occurs within a socio-cultural context, resulting in knowledge that is bound to a specific time and place. Truth is neither the objective reality of the cognitive constructivists nor the experiential reality of the radical constructivist, but rather is a socially constructed and collegially agreed upon truth resulting from “co-participation in cultural practices” (Cobb and Yackel, 1996: 37).



Figure 8.2 The indicative emphases of the four essential principles (Social Constructivism)

2.1.3 Radical constructivism

Radical constructivism represents the opposite end of the constructivist continuum from cognitive constructivism. Radical constructivism fully embraces the first three epistemological principles (1-2-3), that is, that knowledge acquisition is an adaptive process that results from active cognizing by the individual learner, rendering an experientially based mind, rather than a mind that reflects some external reality (Doolittle & Camp, 1999). These particular epistemological emphases lead to defining principles that maintain the internal nature of knowledge and the idea that, while an external reality may exist, it is unknowable to the individual. Reality is unknowable since our experience with external forms is mediated by our senses, and our senses lack deftness at rendering an accurate representation of these external forms (e.g., objects, social interactions).

Radical constructivism has long been considered a “strong” form of constructivism, as it fully embraces three (1-2-3) of the constructivist epistemological principles and at least partially embraces the fourth. That is, radical constructivism is concerned with the construction of mental structures, the



Figure 8.3 The indicative emphases of the four essential principles (Radical Constructivism)

position of cognitive constructivists and the construction of personal meaning.

3. Popular requisites for employability

Generally, theoretical research has shown that obtaining workers with an inherent work ethic and appropriate social behavior has been a priority for employers. Employers complain about the attitude and character of workers; particularly in relation to absenteeism, an inability to adapt, a lack of self-discipline and negative work behaviors. In response to criticism about the general employability of the workforce, the U.S. Secretary’s Commission on Achieving Necessary Skills, in 1991 published a range of skills that everyone in the workforce should have. These include the following (Ashon, 1999).

According to Constructivism, Career and Technical Education would prepare workers for skilled positions in the workplace through a public system of pre-employment, on-the-job training, skill-upgrading, and worker-retraining programs. To the extent that the role remains central to Career and Technical Education today, even within a changing society and workplace, certain practices must remain central in the professions. In order for Career and Technical Education to meet its obligations not solely to society but to the education community, to business, industry and to students, it must continue to identify employability and workplace skills and to pass on those skills to students. The precise nature of those skills may have changed from repetitive, manual tasks to problem-solving and collaborative tasks during

Table 8.1 List of Necessary Skills

1- Basic Skills	2- Thinking Skills	3- Personal Qualities
a. Reading	a. Creative Thinking	a. Responsibility
b. Writing	b. Decision Making	b. Self-Esteem
c. Mathematics	c. Problem Solving	c. Sociability
d. Listening	d. Knowing How to Learn	d. Self-Management
e. Speaking	e. Reasoning	e. Integrity/Honesty

the 1980s (McNabb, 1997), yet the fact remains that providing employability and workplace skills, is a fundamental goal for Career and Technical Education.

Viewing this employability and workplace approach through a constructivist lens, however, adds a new dimension of interest. Therefore, a new question must be asked

“How does Career and Technical Education merge the traditional need for learning core knowledge and skills with the modern emphasis on adaptability, knowledge construction and self-regulation?”

3.1 *Traditional learning versus knowledge construction*

Interlinking a strict commonly held approach to the learning of core knowledge with a pliant adaptive modern approach can be facilitated by an appeal to five central concepts:

- All teaching within Career and Technical Education must begin and end with an appreciation of the student’s understanding.
- The student must be exposed to a core of currently accepted knowledge and skill sets within Career and Technical Education.
- Career and Technical knowledge and skills have a dynamic; thus students must have the skills necessary to adapt.
- The student’s idiosyncratic understandings of Career and Technical knowledge and skills must be valued, as these understandings may lead to new discoveries, insights, and adaptations.
- The goal of Career and Technical Education must be to produce an occupationally self-regulated, self-mediated and self-aware individual.

These five concepts provide a framework within Career and Technical Education that values historically reliable domain-specific knowledge, future innovation and change in domain-specific knowledge, and the thoughts and perspectives of the individual student and teacher. Career and Technical Education remains in fact, squarely grounded in the learning principles of behaviorism. Many scholars and reformers in the profession have supported changes that implicitly relied on cognitive constructivist principles. Scholars with new research have yet to explicitly address the shift from behaviorism to constructivism. As we move through the millennium, the path of theoretical reform indicates a changing reality. Behaviorist learning theory strains

to adequately either explicate or predict the pedagogy needed by Career and Technical Education.

4. Technical and vocational education and training (TVET): The need for reform

The UNESCO division of Technical and Vocational Education affirms that often throughout recent decades, the skills imparted by the national education system did not match those demanded in the workplace. This has been evidenced in many countries and this mismatch has widened in recent years with the integration of new technologies in almost every sphere of professional activity. Most governments prioritize narrowing the gap between education and the world of work because of the potential economic and social benefits. It can increase the proportion of the population that engages in productive ways of making a living.³ New studies show that the face of Vocational and Technical Education is changing, a phenomenon that presents challenges for the cultural traditional model. Levesque, Laven, Teitelbaum, Alt and Libera (2000) wrote that,

“Historically, Vocational and Technical Education have had the role of preparing young adults for direct entry into the job market or labor pool with fewer credentials than college students.” (Lauen, 2000)

During the last one hundred years, in the US concurrently with many other countries in world, the economy has shifted from manufacturing and industry to service and information. Elsewhere in the world, such as in China, Brazil and Russia, the economy has been shifting as well, requiring more skilled laborers and technicians. Due to the change in purpose of Vocational and Technical Education, in many countries, Vocational and Technical Education institutions are now becoming centers of research.

However, TVET is still considered inferior to a professional education or even relegated as a second choice, regardless of the students' interests or abilities. Many people, therefore, dismiss promising and meaningful career paths in areas where employment demand is greater, simply because of the perceived stigma attached to technical and vocational occupations. Education systems continue to be directed primarily towards preparation for university education.

4.1 China as an exemplar

Wanbin (2009) demonstrates that Vocational and Technical Education, in the case of China, should play an equal role of importance to academic higher education. Whereas third level education strives to cultivate engineering and academic professionals, the goal of Vocational and Technical Education endeavors is to produce skilled technical graduates. According to Ren, the importance of heightened attention to Vocational Education must take precedence as it will play a major role in fortifying China's sustainable development. Reform is essential. As a generalized notion, he further stated,

“China must replace the outdated idea that Vocational Education is a second-rate education with the new one that anyone with skills needed at the job market is useful” (Wanbin, 2009: 155)

Vocational and Technical Education urgently needs reform in order to satisfy the needs of the growing service and information economy. Vocational and Technical Education specialists can no longer simply teach the skills, but also need to teach the special skills that labor markets demand. Vocational and Technical Education should be the means by which a country can develop and achieve the goals of science and technology. The evolution towards higher technology in the workplace continues to progress. In the interests of globalization, the focus of federal support for Vocational and Technical Education must be on the redoubling of the efforts to multiply links between academic and occupational skill development, and between secondary and post-secondary education.

The rapid technological developments we are witnessing in the 21st century, together with the forces of globalization, are resulting in radical changes in the world of work. In fact, the changing nature of work is already very noticeable in both urban centers and in rural communities. It follows, therefore, that human development, of which education is such a vital part, must keep in step with these societal changes if it is to achieve the goals of state building and development.

In past decades, UNESCO has held conferences with TVET policymakers and educators from developing countries willing to introduce or better integrate TVET programs in their countries in order to achieve more effective human resources development.⁴ While guidance and counseling together form an easily accessible service in many developed countries, its benefits have yet to be adequately exploited in the developing world. In some coun-

tries such as Timor-Leste, in spite of the fact that the major development the country has made towards Technical Education, it may even be considered a luxury that is postponed indefinitely in order to deal with more vital services that must be provided within ever diminishing budgets.

5. Pathways of technical education

Smithers (2002) affirmed that the traditional curriculum is one of uniformity, and through this uniformity, all learners are treated alike. In so doing, schools lose the ability in curricular design to fit the specific, individual needs of learners; neither do they take account of their future needs nor the needs of the community. These communal needs equate with the means of the state wherein those future professionals will function. Smithers described three pathways of education for students entering secondary schooling:

- One pathway academically directs students toward a degree with preponderance on coursework in mathematics, the sciences and languages.
- The second pathway technically form students in design and interpersonal skills. The technical pathway develops problem-solving and imparts practical skills. It is based on the idea of general learning and includes many of the same subjects as the above mentioned academic path.
- The third pathway is occupational. It is similar to the technical pathway, but more specialized and based on the work and the career the student wishes to follow. This pathway combines the educational setting, work setting and the paying of employers to participate.

Smithers depicted Vocational and Technical Education in England as lacking clarity and devoid of a complete path. He states that,

“The undervaluing of Vocational Education in British culture and lack of clarity about its purpose has impoverished both the education of the young and the quality of life of the nation”.

Young people suffer in their inability to develop their talents maximally while the country suffers *vis-à-vis* the inaccessibility to their practical skills (Smithers, 2002). Which is for many aspects such as, social, cultural, economical, and etc, a crucial issue in Timor-Leste Technical Education System as well. Smithers also suggests that governments around the globe must pay

more attention to Vocational and Technical Education because of how it impacts society as a whole.

6. Recommendations

Through the development of my research and the writing of this chapter, I analyzed the theoretical aspects of Technical Education, the reality of distinctive countries and the reality of Timor-Leste, together with my personal witness of the current situation on the occasion of my research trips to the country. Considering all these factors, I would attempt to make a few recommendations, which I believe to be helpful for the future development of Technical Education in Timor-Leste and consequently to the development of the state. Approaching the Theory of Technical Education since its early times, I would be tempted to suggest as a counter to the reality of Timor-Leste, the Radical Constructivism Theory for it be considered a “strong” form of constructivism, fully embraces the first three epistemological principles and at least partially embraces the fourth. However, in Timor-Leste, it would be prudent to offer a combination of the three broad categories of Constructivism: Cognitive Constructivism, Social Constructivism and Radical Constructivism, which are conveyed in the following recommendations.

- It would be necessary to institute a one-year internship program for graduates of Technical and Vocational Education and Training to acquire further professional skills. The trainees should be assured of paid job placement or support for private establishment and be reimbursed for the cost of their training. The training institutions should also receive sponsorship from the government as is best practice in other countries such as its neighbor, Malaysia.
- There is a need for Timor-Leste people to embrace value orientation in order to improve their perception of goods made in Timor-Leste. Improved services will definitely encourage local production through Technical Education.
- The government should devise a credible and practical means to integrate and strengthen links between non-formal work in art communities with formal TVET programs. In this manner the needs of the immediate environment would be addressed. It would also create and enhance employment opportunities of unskilled and illiterate adults and youths in society.
- Technical Education should be separated completely from general edu-

cation, but still be managed by the ministry of education. In this way, TVET would be encouraged and emphasized. Achieving a good and adequate budget for TVET programs as a faculty would not pose a threat to the federal and state governments.

- Systematic guidance and counselling services may well lead to a drastic reduction of the wastage that occurs at many levels of the educational and vocational ladder and thus avert a major expense to the government. They may also reduce the causes of dissatisfaction and frustration to students and their families.
- Technological advances and economic conditions may bring about relatively rapid changes in the employment market, which in turn will have an important bearing on decisions concerning educational and career choices. Thus, guidance and counselling of a scientific and professional character will be more necessary than ever before in schools and technical colleges. The international associations active in this field have a vital role to play in helping a developing Timor-Leste to discover the usefulness and full extent of the services that the counselling and guidance movement can offer to society at large. They must also help the country to examine the nature of the service and the training of service-providers in order to maximize the benefits of guidance and counseling services.
- Providers should keep programs simple and consistent and make sure to offer training in new demand areas of the country and be wary of training in already crowded sectors such as in Dili; and ensure that skills offered are matched to the needs of communities.
- Encourage women and girls to train in new and growing sectors that are yet to develop in the light of gender equality.
- I believe it is necessary to exploit traditional knowledge while being wary of traditional barriers for the development of TVET.
- Government and providers should recognize that a business-like approach is more realistic and holds far greater potential for long-term success. I suggest as well that the government should pay more attention to Vocational and Technical Education because of the impact on society as a whole, as proven by the theory of constructivism.

Conclusion

Within the scope of this paper, it was impossible to present a full picture of Technical Education for Timor-Leste. However, it was possible to construct

and follow an argument on the proposed topic. I hope this study represents some positive and conclusive remarks on the topic.

This study also examined the necessity of technical education in the matter of state building. In order to give theoretical proof, this chapter offers a theoretical approach regarding technical and vocational education in the beginning of the 21st century and highlights the development of those theories up to the recent past. This chapter has highlighted those theoretical foundations of Vocational and Technical Education by tracing various studies. My intention in scanning those studies was to gain a better understanding of which factors may contribute to the process of state building in general and its specific appliance to the reality of Timor-Leste. It has been shown that Classical Behaviorist Theory does not address the many kinds of contemporary learning needs.

On the other hand, constructivist theory addresses more comprehensively considering the fact that Vocational and Technical Education and the evolution of technology in the workplace continue to advance. It is clear that constructivist theory fundamentally and wholly answers the primary inquiries. Human resource development has benefited from contributions by TVET programs developed by UNESCO as it has formed group discussions with TVET policy makers and practitioners from developing countries. As a matter of acute importance, increasing attention should be paid to Vocational and Technical Education.

Throughout this study it was possible to notice the need to address Theoretical Foundations of Technical Education and relate them to the needs of contemporary learning giving an approach to more recent studies. This study, through the Theoretical Foundations, examined the necessity of Technical Education in the matter of state building with a twist towards the reality of Timor-Leste. In order to give theoretical proof, this chapter offers an approach based on theory regarding Technical and Vocational Education.

Skills development in the formal and informal sector, especially in developing countries, is essential for poverty alleviation. Technical and Vocational Education in developing countries faces challenges in reform of government and non-government training institutions. Moving forward is a necessity and it requires the governments to be more strategic. The government is encouraged to foster partnerships with other providers, promote social equality, fill critical gaps and perform the market functions that the government is uniquely equipped to perform. Getting the policies right to encourage efficient training markets is an important first step. The implica-

tion for international assistance to skills development has been and is still of paramount importance. Upon closer examination, the above facts can show the impact and the vital contribution of theoretical foundations of Vocational and Technical Education to the building or the rebuilding of the state as in the case of Timor-Leste. However, in further studies there is a need to develop a more critical analysis of the theoretical foundations and to also analyze recent developments and their impact within the current context of Technical Education.

This aspiration plays out in the case of Timor-Leste, in the hope of its future impact on society as a whole and in particular as an influence on the process of the rebuilding of the state.

Although this chapter addresses the theoretical foundations set out in the beginning, much further research is needed in the area. Future studies should be developed in order to connect educational development to the development of the country *per se*.

I believe that in the drastic predicament of Timor-Leste, there is an urgent need to promote urbanization as well to construct modern manufacturing bases and to recruit an array of technicians and laborers equipped with both practical knowledge and professional ethics. Therefore, attracting and encouraging foreign investment and working together with highly skilled professionals will be the next step for Timor-Leste.

The importance of Technical Education in Timor-Leste's process of state formation and development is evident. The major impetus for the creation of national education system lies in the need to provide the state with trained administrators, engineers, workers with skills to spread the dominant cultures and inculcate popular ideologies of nationhood, to deal with its painful past, forget the political differences and to cement the ideological hegemony of education possibilities, particularly to marginalized classes but also extended to all classes. And, it is thus about more than economic growth, which is only a very important means of enlarging people's choices.

In addition to avoiding training programs that may not meet the needs of a region or the country, areas that are in the process of creating a training infrastructure may want to consider alternative ways of conceptualizing it. One problem in many areas of the world where Technical Education has been established is the relatively low status ascribed to it within the context of the broader educational community. However, in Timor-Leste that would not be the case. I categorically hold that young people and their communities are in extreme need and are willing to embrace this kind of education.

How best to approach that need and respond to it to optimal world standards remains an open question?

Throughout society, a lot of importance is placed on both general and academic education rather than on Technical and Vocational Education, and this perspective is starkly reflected in the reality of Timor-Leste. The fact is that the inflexible education mechanism is divorced from the adjustment of economic structure and market demands; education quality and profit need improving. Vocational and Technical Education is an absolute need for the development of Timor-Leste as a state.

Although this study addresses the relevance of the topic, much further research is needed in the area. Neither does it pretend to be perfect or complete. As such, it forms the basis for possible further research studies that I intend to conduct in the near future.

Notes

- 1 David Samuel Snedden (1868–1951), one of the most prominent educators of the progressive era, and probably the most articulated advocate of social efficiency.
- 2 Charles Allen Prosser (1871–1952) was the father of Vocational Education in the United States.
- 3 See, UNESCO, *Technical and Vocational Education and Training in the 21st Century*. United Nations Educational, Scientific and Cultural Organization, Last modified 2002. <http://unesdoc.unesco.org/images/0013/001310/131005e.pdf>. (Accessed February 10, 2014)
- 4 See, UNESCO, *Technical and Vocational Education and Training in the 21st Century*.

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CHAPTER NINE

Rapid development threatens community security in Papua, Indonesia

Kazumi Abe

Abstract

This chapter examines, from the perspective of community security, the influence of the rapid development that started under the Yudhoyono presidency on the Papuan people. President Yudhoyono actively started working on economic development in his second term from 2009 to 2014 as a way to develop political stability after democratization had started in 1998. In 2011, one of the most isolated and poorest regions, Papua, became a targeted zone of development. It is important to see the influence of this rapid Indonesian government-led development on the democratization of the Papuan community, which had suffered from political, economic and social marginalization since it was annexed to Indonesia in 1969.

This chapter focuses on the collision between the Indonesian government's policy of development and the Papuan people's land rights based on their customary *adat* laws. It analyzes the case of the biggest national development project in Papua: the Merauke Integrated Food and Energy Estate (MIFEE) in the southeastern regency of Merauke. The analysis shows that the rapid development exposed the Papuan people to a high risk of community insecurity as a result of the government prioritizing national development rather than *adat* laws.

Introduction

The Papua region, which consists of Papua and West Papua provinces, has been one of the poorest regions in Indonesia since it was annexed to Indone-

sia in 1969. The Indonesian government adopted a strict approach to security in Papua, targeting not only armed rebels of an independence movement but also peace activists and ordinary Papuan people. The Suharto presidency developed Papua in order to exploit its natural resources but not to improve the Papuan people's lives. Papuan people were not free from fear nor want. In 1998, the Suharto government collapsed as a result of the effects of the Asian financial crisis that started in Thailand in 1997. Then, Indonesia embarked on the process of democratization known as *reformasi*. President Susilo Bambang Yudhoyono, who was elected in 2004 in the first direct election, achieved political stability in his first term. He focused his second presidency from 2009 to 2014 on economic development. In the national strategic development plan named, "Master Plan: Acceleration and Expansion of Indonesia Economic Development 2011–2025," released by the Indonesian government in 2011, the remote Papua region was set the goal of accelerated development.

However, the government approach to this rapid development project did not consider its impact on the life of local communities. This resulted in the government having a strong influence on the institutions responsible for local customary *adat* laws, and exposed local communities to a higher risk of community insecurity. This chapter examines the influence of this rapid development on the Papuan people from the perspective of community security. The first section explains the concept of community security. The second section describes the brief history of development in Papua focusing on the impact of massive migration and failed development under special autonomy. The third section analyzes the government's interference with the institutions in charge of customary *adat* laws and its impact on local communities. Finally, the last section introduces two cases to show the importance of dialogue in the process of development.

1. Community security from the perspective of human security

In 1994, a new concept of "Human Security" was proposed at the UN. It was a concept of security designed for ordinary people and not a concept for the security of states. Human Security has two main aspects. First, it means "safety from such chronic threats as hunger, disease and repression." Second, it means "protection from sudden and hurtful disruptions in the patterns of daily life—whether in homes, in jobs or in communities" (UNDP, 1994: 23). In other words, the concept of Human Security is composed of two pillars, which are freedom from fear and freedom from want.

“Community Security” is one of seven components of human security. The other six are: economic security; food security; health security; environment security; personal security; and, political security (UNDP, 1994: 31–32). Community security is a protection against the breakdown of communities as a result of the loss of traditional relationships and values (Caballero-Anthony, 2016: 61). “Societal Security” is also introduced as a similar concept advanced in discussions of community security (Caballero-Anthony, 2016: 62). Societal security is defined as “the sustainability, within acceptable conditions for evolution, of traditional patterns of language, culture and religious and national identity and custom” (Buzan, 1991: 19). Other scholars think that societal security is the protection of one’s identity (Wae-ver, 1995: 67). In short, community security is about freedom from fear and freedom from want of particular groups such as ethnic minorities and indigenous people (Caballero-Anthony, 2016: 63). In the process of development in a particular area, it is very important to maintain sustainability and try to reduce its negative impact on groups that live there. In particular, development projects should be based on the consensus of the local community. Caballero-Anthony points out that a multifaceted approach involving human security, human development, peace and democracy is necessary in order to protect community security (Caballero-Anthony, 2016: 63).

According to Caballero-Anthony, the drivers of community insecurity are horizontal inequalities such as political discrimination; economic discrimination that includes the distribution of resources and wealth inequality; and, cultural and religious discrimination. Therefore, she underscores the importance of understanding the connections between community security and conflict (Caballero-Anthony, 2016: 61). Conflict areas are often undeveloped, lack modern infrastructure and do not have basic health and education services. Moreover, governance systems are often weak and human rights abuses are common. From a peacebuilding perspective, it is also important to see not only the direct reasons for a conflict but also the indirect structural sources of the conflict (Dayton, 2009: 66–67). These indirect sources include un-integrated social systems, weak democratic institutions, high levels of economic inequality, and a lack of educational opportunities. It can be seen that conflict and community security impact each other.

2. A brief history of development in Papua

Papua has long been the target of foreign investment due to its abundant

natural resources. However, the Papua region is one of the poorest regions in Indonesia because the profits from development have not been used for local people. This section reviews the history of development in Papua briefly focusing on the influence of two factors on Papuan people: inward migration and the failure of the special autonomy status.

Under the Indonesian government the Papua region has not been developed for the local people but for national prosperity. During the Dutch colonial era, as Papua was remote from the center of colonial administration, it was neglected as a place of development only until the Dutch government faced the serious threat of an independence war. After the Hague Agreement in 1949, the Dutch government started a new Papua policy as its sovereignty remained unclear (Chauvel and Bhakti, 2004: 9–12). The new policy aimed at a future independent Papua and so the Dutch government spent lavishly on infrastructure and other socio-economic projects to encourage economic prosperity (Singh, 2005: 88). However, once Papua was put under the administration of the United Nations Temporary Executive Authority (UNTEA) in 1962, most of the development projects were halted. After Papua was annexed to Indonesia, Papua became a zone that was used to make profit for the Indonesian government by utilizing its rich natural resources. One well-known project is the Freeport-McMoRan-owned Grasberg mine, which is the largest gold mine and second largest copper mine in the world. Freeport signed a contract for the exploitation of the Ertsberg mine (which eventually opened in 1981) in 1967, which is before Papua was annexed to Indonesia in 1969. The land rights of the Papuan people were ignored and profit from the exploitation of natural resources was not returned to the Papuan people. Without enough socio-economic development, the Papuan people suffered many difficulties such as poverty and a lack of education and health care services. The following description of Papua symbolized the contradictions in people's lives during the Suharto presidency: "In 1985, it had the sixth highest per capita gross domestic product among Indonesia's 27 provinces but also had the highest incidence of rural poverty. Infant mortality in Irian Jaya is 133 per thousand, 85 % above the national average: life expectancy is just 48 years" (Singh, 2005: 88).

Massive inward migration accelerated, ignoring the existence of the Papuan people in the development of Papua. Inward migration can be classified into two types: migration through government programs and spontaneous or voluntary migration. A transmigration program was officially started by the Dutch colonial government and accelerated during Suharto's New Or-

der regime, especially in the 1960s and 1970s. The official purpose of this program was to relocate poor people from densely populated islands like Jawa to sparsely populated places like Papua. But it also aimed to promote “Indonesian identity” through the Islamization and Javanization of Papua. While the transmigration program was officially halted in 2000, spontaneous or voluntary migrants kept coming to Papua. Most of them come from the eastern part of Indonesia looking for better economic opportunities and they tend to settle in urban coastal areas. Migrants who have more skills in business than the indigenous Papuan people handle most economic activities in Papua. For example, almost all the markets in major Papuan cities are dominated by migrants from South Sulawesi (Genthong, 2007: 122–125). The Papuan people have been marginalized not only economically but also in terms of numbers. According to research conducted by Statistics Indonesia in 1971, just after Papua was annexed to Indonesia in 1969, the percentage of indigenous Papuan people in the Papua region was 96 %. In contrast, according to Indonesia’s national census in 2010, the percentage of indigenous Papuan people amongst the total population in Papua province had decreased to 73 %. In West Papua province, the percentage of indigenous Papuan people was 51 %. In total, the percentage of indigenous Papuan people had decreased to 66 %. In other research carried out by a team from Sydney University, it was concluded that the percentage of the indigenous Papuan population in 2010 had decreased to an alarming 47 % (Elmslie, 2010). The research team based this number on the birth rate of indigenous Papuans. Although, these two figures need to be reconciled, both reveal that the number of Papuan people residing in their own land had significantly decreased. Figure 9.1 shows the percentage of Papuan people in the five major cities and regencies in Papua province. In cities and regencies in urban coastal areas, the percentage of Papuan people are much less than 50 %: Jayapura City 34.9 %, Merauke Regency 37.3 %, Mimika Regency 42.5 %. On the contrary, in inward highland areas, the Papuan people are still dominant: Jayawijaya Regency 90.8 %, Yahukimo Regency 98.6 %. It is clear that migrants are dominant in urban coastal areas while Papuan people still mainly occupy the inward highland areas. These latter areas have less economic opportunities for residents and are not suitable for cultivation.

Improper use of the special autonomy budget is another reason why Papuan people were left behind during development. In 1998, after Indonesia embarked on the process of democratization known as *reformasi*, Papua received special autonomy status under law No.21/2001 but it did not par-

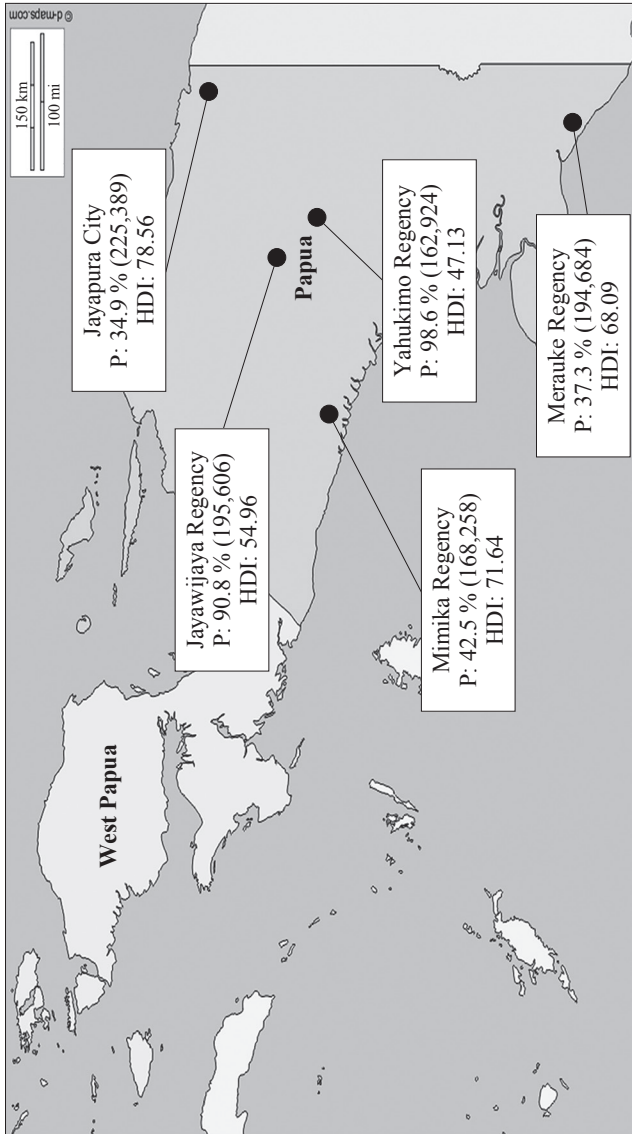


Figure 9.1 The percentage of Papuan people and the score of Human Development Index in five major cities/regencies in Papua province

Notes: “p” means the percentage of Papuan people in population. Number in parenthesis is population. “HDI” means Human Development Index.

Source: Author, based on the data of Badan Pusat Statistik Provinsi Papua (2017).

ticularly improve Papuan people's lives. The special autonomy status itself has a spirit of respect for the Papuan people and secured space for political participation and autonomy. In addition, it is written in the special autonomy law that Papuan culture and traditions should be respected and protected. An enormous budget was allocated as a form of resource revenue sharing in order to promote development in Papua, including improving infrastructure and education and health care services (Article 34, the special autonomy law). However, research shows that the management of special autonomy funds does not refer to government or special local regulations (Noch, Sudarma, Irianto, and Djamhuri, 2015) and that regulation and management mechanisms have had no significant influence on the increment of special autonomy financial performance (Rumasukun, Zain, Solimun, and Sumiati, 2013).

Two main reasons why the special autonomy fund was not utilized properly will be explained here. One reason is the lack of human resources and the lack of a system to supervise expenses. Most of the Papuan civil servants who started to work after special autonomy was enforced did not have enough skills or experience in financial management and administration. In many government bodies, budget expenses were not properly recorded so it was impossible to supervise them. Another reason is local clan culture. One example is that of the "Big Man" who typically is a leader that distributes welfare to members of their clan. Gift-giving is a form of bond between giver and receiver and is similar to patron-client relationships. This pattern continues when the Big Man occupies a political position (Ruhyanto, 2016: 496). Gift-giving budgets are usual in local governmental institutions and local government leaders do not hesitate to financially support their subordinates or events in the local community using the official budget. In sum, there is no clarity regarding budget expenses. Papua became the so-called "paradise of corruption" (Papua Pos, 14 February 2014). Another example is the disruption to social cohesion among clan elites. After *reformasi*, the Indonesian government recognized the decentralization policy as a symbol of democratization. In order to accelerate local development and improve social and economic conditions, the establishment of new local governments was encouraged (*pemekaran*). In 1998, the Papua region was under Irian Jaya Province with 13 sub-provincial districts and cities. Today, there are two provinces with 52 regencies. In Papua *pemekaran* resulted in conflict among clan elites. *Pemekaran* offers new positions within government institutions which, as Nordholt and Klinken point out (Nordholt and

Klinken, 2007: 1–29), tends to facilitate the rise of “little kings” which has caused disruption to social cohesion in Papua (see Anderson, 2015; Honna, 2016; Institute for Policy Analysis of Conflict, 2013; Ruhyanto, 2016). Clan leaders spend a lot of effort to become little kings and competition over these positions sometimes develops into violent incidents, especially during election periods (Anderson, 2015: 32–35). Anderson shows how much the government and its services are absent, especially in the highlands in Papua. This absence of central government has caused “an absence of the rule of law, failing health and education services, and extreme levels of corruption” (Anderson, 2015: xiv–xv). This is reflected in low human development index scores (Figure 9.1). The human development index shows the gap between the coastal and highland areas (Badan Pusat Statistik Provinsi Papua, 2017: 223). The national average human development index of Indonesia in 2016 was 70.18. Cities and regencies in the coastal area scored over or close to the average: Jayapura city 78.56; Mimika Regency 71.64; and, Merauke Regency 68.09. On the other hand, regencies in the highland areas that are dominated by Papuan people received a much lower score than the national average: Jayawijaya Regency 54.96 and Yahukimo Regency 47.13.

After 15 years of special autonomy status, Papuan people’s lives have not improved. In September 2016, the percentage of poverty in Papua province was 28.40 % whilst the rate in West Papua province was 24.88 %. Both rates are the highest among provinces in Indonesia (Badan Pusat Statistik, 2017: 206). Access to basic education is still limited and the illiteracy rate in children who are under 15 years reached 32 % in 2010 (UNDP Indonesia, 2012) while the adult rate is almost 36 % (Ministry of Education and Culture, 2012). Limited access to healthcare services resulted in about 100 Papuan children dying because of a measles outbreak in January 2018 in the isolated Asmat regency. This could have easily been prevented with safe and inexpensive vaccines (Harsono, 2018). The percentage of HIV/AIDS positive individuals is far higher than the Indonesian national average: research estimates that nearly 7 % of the total population in the Papua region will be affected by HIV/AIDS by 2025 (Australian Agency for International Development, 2006: 101), which is the fastest rate of growth in Asia. The United Nations special rapporteur on the right to health, Dainius Pūras, visited Papua in April 2017, when he expressed his concern about the health status of ethnic Papuans and called for greater government attention and resources to improve their health services (OHCHR, 2017).

3. Community insecurity in Papua under rapid development

3.1 *A collision between centralized development and traditional land rights*

This section investigates, from the perspective of community security, the influence of rapid development on the Papuan people after the second Yudhoyono presidency. It focuses on Papuan traditional land rights describing one of the biggest development projects in the southeastern regency of Merauke. During his second term as president, Yudhoyono prioritized economic development as a way to gain political stability. The east of Papua became one of the targeted zones of development in Indonesia's sixth economic corridor in "Master Plan: Acceleration and Expansion of Indonesia Economic Development 2011–2025 (MP3EI)."² Based on this national economic development strategy, the development of the Papua region accelerated. However, development projects in Papua often faced disputes over land rights with local communities.

The land rights of the Papuan people follow their customary *adat* laws which can be described as a way of life that links history, land, and law (Henley and Davidson, 2007: 1–5). *Adat* is the base of people's sustainable lives and the way to keep peace among clans. Originally, land in Papua was protected and managed by local communities according to *adat*. As happened to other areas in Indonesia under the Suharto presidency, almost all lands were grabbed by the government with little or no compensation to local people. After *reformasi*, many *adat* communities in Indonesia claimed their traditional land rights called *hak ulayat*. In Papua, land rights were officially recognized in advance of other regions in Indonesia. Within the special autonomy law for Papua, it is written that *adat* should be respected and protected (Articles 43 to 47). Furthermore, in May 2012, the Constitutional Court ruling No.35 stipulated that the land rights of peoples living by *adat* must henceforth be recognized fully by the Indonesian government.

In contrast to official statements mentioning respect for *adat* laws, there are many cases in which companies started to exploit land without the agreement of the local *adat* community. It is true that land rights are a difficult matter to deal with because, in many cases, there are no documents to support ownership and negotiations might take a long time. Indeed, not a few projects are behind schedule mainly because of land disputes. Some recent examples are the cement plan project of PT. SDIC Papua in South Manokwari regency (Cahaya Papua, 2 October 2015) and the oil palm project of

PT. Nabire Baru in Nabire regency (Jenaru, Triharyanto and Koten, 2017: 63–82). The biggest project among those is the Merauke Integrated Food and Energy Estate (MIFEE). MIFEE was officially launched in 2010 under government regulation No.18/2010. The beginning of MIFEE goes back to 2007 when the government of Merauke launched an investment program on the 105th anniversary of the regency. The program was marked by the symbolic handover of land from *adat* communities to the government to be hereafter given to investors (Dewi, 2016: 91). In the following year, the Merauke government and investors agreed to create a specific project called the Merauke Integrated Rice Estate (MIRE). Though there was a consortium of 15 Saudi Arabian investors and Indonesian corporations ready for the project, MIRE was restarted as MIFEE after the global financial crisis (Awat MIFEE, 2012: 3). This was the first national project in Papua after the special autonomy law was enforced, aiming to develop Merauke as an ideal space for agricultural expansion for national food and energy security. MIFEE is to cover more than a million hectares in the Merauke regency for growing food crops such as rice, maize, soybean and sugar cane, as well as oil palm and fast-growing Acacia tree species for wood chips to be used in paper or as an energy source (Indrawan, Caldecotto and Ermayanti, 2016: 148).

Generally, *adat* institutions have a responsibility for land use following *adat* laws. Formerly, there were several forms of *adat* institutions in each area in Papua. As each *adat* institution was a traditional gathering born in history, they were not systematized as one organization. During the Suharto regime, one of the prominent leaders of the independence movement, Theys Eluay, established the Papuan Customary Deliberative Assembly (LMA). The LMA brought in most of the *adat* institutions as one body and became a core organization that represented more than 300 tribes in Papua. After Eluay's death in 2001, the LMA changed its name to the Papua Customary Council (DAP). The DAP is the institution tasked to protect the rights of Papuan people but it does not have any particular political agenda or relation to governmental institutions. However, the DAP does have a strong authority through its power to approve land use as the representative of *adat* communities. Some members of the DAP are critical of the policy of the Indonesian government toward Papua as the government does not respect *adat* laws. The DAP is usually obstinate in regard to land leasing and is seen as an unfavorable organization by the government.

To avoid disputes over land use and to accelerate development, the Indonesian government supported the establishment of a new *adat* institution

which has the right to control land use. In 2010, the Customary Community Council (the new-LMA) was newly established with support from the Coordinating Ministry of Political, Legal, and Security Affairs. The agenda of the new-LMA is not only to protect Papuan people's rights but also to synergize development programs with the Indonesian government to increase the prosperity of the Papuan people (Dewi, 2017: 560). The new-LMA also has the authority to approve land use rights as a representative of *adat* communities with official recognition from the Indonesian government. Needless to say, the role of the new-LMA overlaps with the DAP but its character is completely different. While the DAP emerged from local Papuan *adat* communities, the new-LMA was established by government instruction. While the structure of the DAP was based on seven traditional *adat* divisions in the Papua region, the new-LMA has branches according to administrative divisions. For the government, the new-LMA is a key institution which can minimize land disputes and help accelerate development in Papua. At the same time, the government has succeeded in demonstrating that it respects *adat* communities in Papua.

The interference in *adat* institutions by the government in order to accelerate development extended to the regency level and below. *Adat* institutions at the provincial level developed as mentioned above. On the other hand, *adat* institutions at the regency level were still unorganized and in some areas there were several *adat* organizations that co-existed at the same time (Jubi, 10 April 2016). For example, in the Merauke regency, the LMA and the DAP co-existed, with the LMA being more active. In Merauke, the biggest tribe is the Marind. The members of the DAP covering the Merauke regency were not from Marind tribes; even so, the LMA reflected the structure of the Marind leadership so the LMA received more support than the DAP in Merauke (Dewi, 2017: 563). However, the character of the LMA changed after the initiative of regency governor John Gluba Gebze and the leader of the new-LMA, Lenis Kogoya. At that time, the LMA existed only at the regency level in Merauke. Gebze took an initiative to establish the LMA at the sub-district and village level in order to solve land disputes and accelerate investment programs. Gebze tried to persuade *adat* communities that LMA leaders at the village level would be local government partners for village development and would act as mediators between the government and each *adat* community. But many villages in Merauke refused to take part in the LMA at the sub-district level and did not support Gebze's investment plan because this would overlap with the authority of local *adat* leaders.

Even though Gebze and Kagoya did not receive wide support in Merauke, the impact of their initiative on the acceleration of development is clearly seen in the changing character of *adat* institutions there. After the investment program was launched in 2007, the presence of the LMA in the Merauke regency strengthened its claim to be the representative of *adat* communities. The change of the character of the LMA in the Merauke regency was symbolized by a declaration during a meeting in 2007. LMA Merauke expressed that it had become the highest authority for the leasing of Marind Anin Lands. This clearly contradicted local Marind *adat* rules that decisions to lease lands rested with the head of the clan after consultation with other clan members and leaders (Dewi, 2017: 561). After Lenis Kogoya became the leader of the new-LMA in 2010, the character of the LMA in the Merauke regency changed and it started to work as a local government partner in the implementation of the development program. LMA Merauke became a gathering of elites with interests in land leasing rather than representatives protecting the rights of the *adat* community. Because of its elites' behavior, the LMA is seen as a supporter of companies and the government by local communities. According to Dewi, even though there is resistance from local communities to the current LMA, the promised salaries and annual budgets for the LMA at village, sub-district and regency levels promoted the formation of the LMA (Dewi, 2017: 567). If they have the support of the LMA, the government and companies could not be accused of land grabbing because the LMA is involved in the process of negotiation for land leases as a representative of the *adat* community. Kogoya has deep connections to the government which means that his action as the new-LMA leader reflects the government's policy. Kogoya had a strong relationship with Joko Suyanto, the Coordinating Minister of Political, Legal and Security Affairs of President Yudhoyono. He was also appointed President of the Special Staff under the Joko Widodo government which started in 2014.

The MIFEE project has also a strong influence on the number of Papuan people in Merauke. According to research conducted by Elmsile (2017), the percentage of Papuans in Merauke has fallen catastrophically. MIFEE is the main reason why migrants keep coming to Merauke today. In competition with migrants with more skills and higher educational backgrounds there is little hope for Papuan people to be employed on MIFEE projects. It has been pointed out that inequality of job opportunities became one of the reasons for raised ethnic tensions in Merauke.

The establishment of new *adat* institutions meant that the Papuan people

are at a higher risk of land grabbing. Moreover, it confused the authority of *adat* institutions. As a result of this confusion, *adat* laws, which are the core of people's way of life, are vulnerable and this causes community insecurity for Papuan people. Formerly, *adat* institutions were supposed to protect Papuan people's rights. However, as some of them became government supporters, *adat* institutions with a new character put Papuan people at a higher risk of land grabbing. Some of them are losing land inherited from their ancestors which had sustained traditional lifestyles as well as social and ritual activities. These losses have a critical impact on traditional relationships and values in the local community. Apart from the direct impact of losing land, there are other concerns such as future damage to eco-systems because of poor environmental management. The MIFEE project does not deal with the multifaceted impact it has on local communities. In addition, the process of decision making regarding the MIFEE project is unclear. This project has yet to be fully negotiated, understood and accepted by the Papuan people (Indrawan, Caldecotto and Ermayanti, 2017: 190–191). Judging from the case of MIFEE, it can be clearly seen that the Indonesian government prioritizes the development of Papua rather than respecting *adat* laws, which are at the core of the Papuan community for a sustainable and peaceful life. As a result, the rapid development in Papua exposes the Papuan people to a high risk of community insecurity.

3.2 *The importance of dialogue in the process of development*

There have been some efforts to prevent land grabbing and protect *adat* laws. These efforts show the importance of dialogue in the process of development in Papua. While many regencies face the problem of collapsed governance and community insecurity, there have been some successes to protect Papuan rights. One example is seen in the case of “Participatory Mapping” in the Merauke regency.² Participatory mapping was introduced into Indonesia in 1992 when the World Wildlife Fund (WWF) conducted a project in East Kalimantan to improve recognition of *adat* community land rights. A similar project was conducted by the Pancur Kasih organization in 1995 in West Kalimantan. In 1996, Indonesian activists established the Network for Participatory Mapping (JKPP). In the case of Merauke, Indonesian NGOs actively advocated that *adat* communities fight against land grabbing and united to form the Papuan People's Solidarity to Reject MIFEE (SORPATOM) (Dewi, 2016: 98). Indonesian NGOs, together with international funds, have helped local communities to claim their land rights through

participatory mapping. Dewi introduces a case study of three villages in Merauke where participatory mapping contributed to claim each *adat's* land rights. However, in the process of making the maps other problems emerged. Land claimed by the *Alu* community overlapped with land claimed by the *Duku* community. Both communities are from the *Marind Anim* tribe and often intermarry. They have owned the same land for a long time and there is no clear border mentioned by both communities. Dewi pointed out the problem in the process of participatory mapping because it requested them to put the name of one community as a land owner on the map. This led to fragmentation between the communities in *Alu* and *Duku* (Dewi, 2016: 100). This might be avoided through dialogue between the communities.

The case of Otto Ihalauw gives a clue as to how important dialogue is in the process of development. Ihalauw served as head of the South Sorong regency from 2003 to 2015. He was born in Manokuwari, West Papua province, but his parents moved to Papua from Ambon. So, although he is non-Papuan he succeeded in acting as head of the regency for two periods from 2005 to 2015.³ Ihalauw was widely supported by various groups in the regency. One important lesson from his approach is the importance of effort to understand the character and customs of local communities, and dialogue with all stakeholders, especially with *adat* communities. In order to make a development plan, he first invited *adat* leaders to a *musyawarah* meeting, which is a traditional meeting to get consensus. After the *musyawarah*, he discussed with all stakeholders about how to deal with land rights and invited academic specialists to give their advice on the development plan. Finally, he called investors to start the project. This multi-actor approach was called *ABGC* (Academics, Business, Government and Community). The important point is that he not only included the majority tribes in the regency but he invited all tribes. In the South Sorong regency, his approach was welcomed by the community and worked well.⁴

Conclusion

This chapter has examined the influence of the rapid development started under the second Yudhoyono presidency on the Papuan people from the perspective of community security. In Papua, *adat* institutions started to be controlled by the government which put priority on the acceleration of the development of Papua. As a result of the government intervention with *adat* institutions, the Papuan people are threatened by serious community

insecurity, including land grabbing. In the MIFEE case, the government's intervention with *adat* institutions is the result of cooperation between the government, which wanted to accelerate the development of Papua, and some Papuan elites seeking political power. As a result of the intervention, the *adat* institutions started to work as government partners for development projects and not to protect their community's traditional land rights and sustainability. The Papuan community is losing the traditional authority of *adat* institutions which have guided a way of life that links history, land, and law. This is a serious risk to community security.

The government's current approach to development in Papua has marginalized the Papuan people, put them at risk of losing their traditional relationships and values, and has exacerbated the tangled problems that society faces in Papua. In the process of development in Papua, dialogue can be one clue for development that respects community security.

Notes

- 1 The name of the province was Irian Jaya until 2002. After the name changed to Papua province, the west part of the Papua region formed the new province of Irian Jaya Barat in 2003. In 2007, Irian Jaya Barat province became West Papua province.
- 2 There are six economic corridors written in "Master Plan: Acceleration and Expansion of Indonesia Economic Development 2011–2025." Those are Sumatra Economic Corridor, Java Economic Corridor, Kalimantan Economic Corridor, Sulawesi Economic Corridor, Bali-Nusa Tenggara Economic Corridor, and Papua-Kepulauan Maluku Economic Corridor.
- 2 Participatory Mapping is the process of the mapping of land with local communities with regard to indigenous ways of organizing and using space and patterns of land use. This process helps ensure that any planning process and change of conservation status or any other management decision are conducted in more participatory ways and in line with the free and prior informed consent principle. During mapping, the social history of the village or community is also reconstructed as well as the boundaries of the customary land with other villages (Eghenter, 2013).
- 3 The direct election of heads of regencies was adapted after the 2005 election in Indonesia.
- 4 Information from an interview with Otto Ihalauw in Cikini, Jakarta on 17 April 2017 and from Haryanto (2015: 77–121).

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CHAPTER TEN

*The challenge of geographical constraints in
the border area between Myanmar and China
Local actors' support for the IDPs in the Kachin conflict*

Shiro Mineta

Abstract

This chapter focuses on armed conflicts in Myanmar and how local actors support Internally Displaced People (IDPs) in peace-building during conflicts. As a case study, the Kachin conflict is selected. Kachin is the northernmost state in the country and has fought against the Myanmar military since 1961, making the duration of this armed conflict one of the longest in the world. The Kachin Independence Organization/Kachin Independence Army (KIO/KIA) has its headquarters at Laiza in the Kachin State. It is near the border with China and is surrounded by the Myanmar military. Therefore, support for IDPs provoked by the Kachin conflict is complicated by a difficult geographical situation regarding the delivery of humanitarian assistance.

To overcome these geographical constraints, local actors mainly organized by Kachin people often rely on de-facto phenomena to manage various aspects of the national border. They are taking advantage of the border aspects both officially and unofficially, which international relations have legally built in this area. Additionally, local actors have cooperated with each other to attempt to solve this dilemma by formulating a joint strategy to work for IDP because each scale of local actors is smaller than larger scale organizations such as the Myanmar government and international NGOs. Local actors include NGOs, and faith-based groups. However, local actors are not completely free from Kachin's political and military organization, but their relationships are strong.

This chapter outlines the conflict's history, describes the involvement by

local actors to help IDPs, and lists the joint strategies that have been developed by local actors.

Introduction

After the cold war and with the advance of globalization, various kinds of cross-border issues in international politics and economics, as well as the transnational issues such as refugees, armed conflicts, and non-traditional security, have emerged. Various actors have engaged in these issues. Thus, it is difficult to observe these issues because they have strong relations with the aspects of national borders. Proximity to national borders, de-jure and de-facto phenomena occur continually, making it difficult to consider nation-states as one unit.

Myanmar's issues are roughly divided into two which are closely connected to each other: democratization and the autonomy of ethnic minorities. In November 2015, a general election was held in Myanmar,¹ in which the National League for Democracy led by Aung San Suu Kyi won overwhelmingly. The military dictatorship was toppled for the first time in half a century and Myanmar seemed to be moving toward democratization. Regarding ethnic minorities, in October just before the election, the Myanmar government and a number of ethnic minority groups signed the Nationwide Cease-fire Agreement (NCA) and armed conflicts, which had continued for a long time, appeared to cease. However, the peace negotiations were suspended because eight out of 17 groups who signed the NCA were recognized as illegal organizations by the anti-terrorist law of the Myanmar government. Thus, there were obstacles to overcome before the complete settlement of armed conflicts in Myanmar.

The armed conflicts that have continued for more than fifty years in Myanmar have been fought basically between two ethnic groups: the Burmese in the majority and non-Burmese in the minority. The conflicts have occurred in various locations across the country, beginning from the time before Myanmar was independent from the British in 1948; and these have continued, representing the longest period of conflict in the world. Despite the transition to the civilian rule of President Thein Sein in 2011, the conflicts have continued to cause more than 240,000 internally displaced people (IDPs) as of 2017,² most of whom were ethnic minorities.

The armed conflicts in Myanmar have occurred near its borders with neighboring countries and the borders have had both positive and negative

influences. Ethnic minority groups have been forced to fight in seemingly disadvantageous geographical conditions near these borders because the geographical conditions put limitations for ethnic minority groups to go freely and legally back and forth and maintain lifelines. However, they have attempted to cope with these conditions to survive under the continuous conflict because all of the borders are not always monitored by officials.

From this perspective, this chapter focuses on armed conflicts in Myanmar and how local actors for IDPs support peace-building. The Kachin conflict is selected as a case study. Kachin is the northernmost state in the country and the Kachin conflict has been fought between the Myanmar military and Kachin Independence Organization/Kachin Independence Army (KIO/KIA) since 1961, making the duration of this armed conflict one of the longest in the world. KIO/KIA has its headquarters at Laiza in the Kachin State, which is close to the border with China and is surrounded by the Myanmar military. Therefore, supporters of IDPs provoked by the Kachin conflict have had to cope with a difficult situation regarding the delivery of humanitarian assistance.

The Kachin conflict started in 1961, ceased in 1994, and re-occurred in 2011. This armed conflict has resulted in many IDPs and various actors have carried out different kinds of supportive activities. An estimated 96,400 IDPs have been uprooted by the conflict, most of whom are living in camps set up for them in the KIO/KIA-controlled area. Different types of humanitarian assistance have been implemented, mainly by the local Kachin people. In this chapter, local actors refer to independent non-governmental organizations (NGOs) and organizations with strong relations to the KIO/KIA such as Kachin civil society and faith-based groups.

When local actors require assistance from outside donors, such as United Nations (UN) agencies and international NGOs, they must travel through Myanmar military-controlled areas or China. Therefore, local actors also have issues to overcome regarding dilemmas about their policies. The dilemmas are derived from the issues between what the local actors aim at and what they are forced by factors from outside of Kachin area. Most of them have much smaller financial and human resources than outside actors and can be easily influenced by the policies of the donors. To overcome these conditions, local actors often rely on de-facto phenomena to officially or unofficially manage aspects of the national border, by crossing the border legally with the help of international relations. Additionally, local actors have cooperated with each other to attempt to solve these dilemmas by formulat-

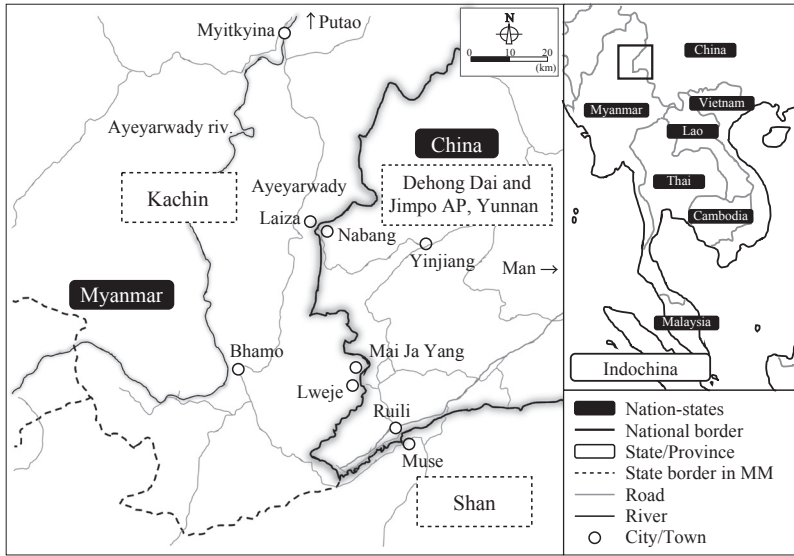


Figure 10.1 National border of Myanmar (Kachin state)–China (Dehong Dai and Jimpo Autonomous Prefecture, Yunnan)

ing joint strategies to work for IDPs.

This chapter considers an outline of the conflict’s history in the first section, the involvement by local actors to help IDPs in the second section, and joint strategies developed by local actors and national-level actors in the third section.

1. Historical overview of the Kachin conflict

The core members of the Kachin people come from the KIO, a political wing. While, the KIA is a military wing with eight brigades and controls the area along the national border with China in the state of Kachin and the northern area of the state of Shan. Both KIO and KIA are monolithic because General N’Ban La acts as a leader of both the political and military wings. So did successive leaders. Their headquarters are in Laiza, Kachin, and the estimated number of soldiers is 10,000–12,000. Kachin has rich natural resources such as jade and timber. KIO/KIA trade mainly with Chinese merchants who take advantage of both de-jure and de-facto aspects of the national border.

1.1 Origins of the armed conflict with Kachin

The struggle between Kachin and the Myanmar government has continued for more than fifty years. The Kachin's aim of this conflict is to achieve equal autonomy. One of the reasons for this struggle dates back to the era before Myanmar's independence. During the British governing Myanmar, the British attempted to control Myanmar more easily by applying Divide and Rule policy. As a result, this policy inflamed conflicts between Burmese and non-Burmese people.

After a short period of Japanese governance during World War II, the Panglong Conference was held in February 1947 to form a federation of both Burmese and non-Burmese. The key person of this conference who concluded the peace agreement was General Aung San, the father of Aung San Suu Kyi. However, some months later, the general was assassinated and in the following year, although Myanmar had gained its independence, there was no one to form a federation. Subsequently, the decreasing autonomy of non-Burmese people created an increasing sense of an oncoming crisis. Regarding Kachin, KIO was organized by youth Kachin such as Zaw Seng in 1960 because of the withdrawing of the Panglong agreement. After a year later, KIO's private army became KIA. It was not also acceptable for Kachin that the Myanmar government divided their land with China and forced Buddhism on them when the Myanmar government declared Buddhism as the state religion in 1961. As a result, the declaration triggered the ongoing armed conflict between the KIO/KIA and the Myanmar government in 1961 because most Kachin are Christian.

1.2 Ceasefire agreement in 1994

In 1988, when the movement for democratization called the "8888 uprising" forcibly came under control by the Myanmar government with an iron fist, the situation in Kachin also changed. The suppression of the movement brought harsh criticism from international society, the Myanmar government was isolated there, then attempted to ensure the border security of the China side in order to get cooperation regarding diplomacy and economy from China. The Myanmar government launched an effort to enter a ceasefire agreement with the armed minority groups. In 1994, the KIO/KIA concluded an agreement with the government. The reason why the KIO/KIA agreed to a ceasefire was that they had become exhausted by the fighting. There was also pressure from China which imported jade and timber from

the Kachin State. This agreement about mainly autonomy brought the affirmation of a certain controlled area to Kachin and also prioritized boosting the local economy, but the Myanmar military did not alter the troops' deployment, and the autonomy deal was postponed.

However, after this ceasefire, Kachin realized that they had not received sufficient benefits from this agreement to get Kachin's freedom such as political and economic autonomy. They were considered as a potentially rebellious element of the Myanmar government and their particular freedom was restricted based on ethnicity; for example, holding an ethnic event, teaching ethnic language and culture, and, in addition there were restrictions on employment and positions that could be held in the society. In contrast, the Myanmar government enjoyed huge gains by selling natural resources in the Kachin State. The Myanmar government also developed the state's water resources for a more stable supply of electricity to strengthen economic ties with China. This situation continued until 2011.

1.3 Restart of the armed conflict

During this ceasefire, Myanmar experienced a new political stage. In 2008, a new constitution was formulated. In 2010, there was a general election and Aung San Suu Kyi was released and in 2011 she restarted political activities. As a result, expectations for democratization in Myanmar increased. However, the Myanmar military attacked the KIA on June 9, 2011, calling for abrogation of the ceasefire agreement.

One of the reasons for the reoccurrence of fighting was that prior to the 2009 general election, the Myanmar military demanded that the armed minority groups join the Border Guard Force (BGF); that is, the Myanmar military required the groups to disarm themselves and be integrated with the Myanmar military. The armed minority groups reacted sharply against those demands, resuming a high level of tension (Table 10.1). During this time, a skirmish occurred at the outpost of both KIO/KIA and Myanmar military. Based on this incident, the Myanmar military deployed troops and then the KIA blew up a bridge to block the supply route of the Myanmar military. As a result, under such tension, this "brush fire" caused the restart of armed conflict. President Thein Sein called for a ceasefire but instead of halting the attack the Myanmar military started air strikes on Laiza, the location of the KIA headquarters. Even today, the armed conflict is ongoing and more than 100,000 IDPs live on the national border between Myanmar and China. IDPs in this area have been under the humanitarian crises such as a lack

of access to humanitarian services, forced recruitment, sexual and gender-based violence.

After the BGF issue, there was a growing tendency among the minority groups to establish cooperative relationships with each other in order for smaller organizations to act as equals with larger organizations such as the Myanmar government. In December 2010, six groups, including the KIO/KIA, established the Committee for the Emergence of Federal Union. In February 2011, due to the effort of 11 groups, this committee developed into the United Nationalities Federal Council (UNFC), which is the latest coalition of ethnic armed organizations.

These cooperative relationships mean that although each minority group is too small to confront the Myanmar government alone, an established group such as the UNFC has the power to call for political dialogue. Notably, the military government modernized their weapons with support from outside countries and doubled their troops from 200,000 to 400,000 during the last ceasefire period. By contrast, the minority groups have become weaker during this period. Although the United Wa State Army, the largest of the minority groups, has 30,000 troops, the KIA only has 10,000 troops and some groups only have a few hundred.

The Myanmar government did not favor a union between the minority groups and considered it advantageous to begin individual negotiations with each group. Therefore, in 2012, the government established the Union Peacemaking Working Committee and the Myanmar Peace Center, the latter of which assigned Aung Min as the head, namely as the President's Office Minister, to negotiate with the minority groups. The individual negotiations with the groups achieved a certain result. Until August of 2013, 14 groups renewed their ceasefire agreements with the government.

During negotiations with three of the groups, including the KIO/KIA, President Thein Sein had a flexible attitude because he hurried up the nationwide ceasefire. Alternatively, he had an expectation of coming to another NCA as part of a comprehensive agreement with China, India, Thailand, Japan, the European Union, and the UN. The minority groups also established a new cooperative union named the Nationwide Ceasefire Coordination Team (NCCT), which comprised 17 groups and included ones that had not previously joined the UNFC (Table 10.2).

As a result, at the October 2015 conference in Naypyidaw, only eight groups had signed the NCA and the KIO/KIA was among the groups that refused. One of the reasons why the groups declined to sign the agreement

Table 10.1 Main armed groups in Myanmar

Name	Operational Area	Estimated Strength	Ceasefire & Peace Process
United Wa State Army (UWSA) Founded: Apr. 17, 1989	Northern part of Shan state	30,000 (30,000 reserves)	Stage 1: State level ceasefire Sep. 6, 2011 Stage 2: Union level ceasefire Dec. 25, 2011 Previous ceasefire: May 18, 1989
National Democratic Alliance Army (NDAA) Founded: 1989	East part of Shan state	3,000+	Stage 1: State level ceasefire Sep. 7, 2011 Stage 2: Union level ceasefire Dec. 27, 2011 Previous ceasefire: 30 Jun. 1989
Democratic Karen Benevolent Army (DKBA) Founded: Nov. 8, 2010	Southern Kayin state	1,500+	Stage 1: State level ceasefire Nov. 3, 2011 Stage 2: Union level ceasefire Dec. 11, 2011
Restoration Council of Shan State Army (RCSS/SSA) Founded: 1964/1996	Eastern, Southern, and Northern part of Shan state	8,000+	Stage 1: State level ceasefire Dec. 2, 2011 Stage 2: Union level ceasefire Jan. 16, 2012 Stage 3: NCA signed Oct. 15, 2015
Karen National Union (KNU) Founded: 1947	Kayin state, Eastern part of Bago region, Northern part of Tanintharyi region	5,000+	Stage 1: State level ceasefire Jan. 12, 2012 Stage 2: Union level ceasefire Apr. 7, 2012 Stage 3: NCA signed 15 Oct. 2015
Shan State Progress Party/Shan State Army (SSPP/SSA) Founded: 1964/1989	Northern part of Shan state	8,000+	Stage 1: State level ceasefire Jan. 28, 2012 Stage 2: Union level peace talks Jan. 28, 2012 Previous ceasefire: Sep. 2, 1989
New Mon State Party (NMSP) Founded: July 1958	Mon state, a part of Tanintharyi region	800+ (2,000 reserves)	Preliminary Peace Talks Stage 1: State Level Ceasefire Feb. 1, 2012 Stage 2: NCA signed: Feb. 13, 2018 Previous ceasefire: Jun. 29, 1995
KNU/KNLA Peace Council Founded: 2007	Kayin state	<200	Stage 1: State level ceasefire Feb. 7, 2012 Stage 2: NCA signed Oct. 15, 2015
Karen National Union (KNU)/ Karen National Liberation Army Peace Council (KPC) Founded: Jan. 31, 2007	Karen state	<200	Stage 1: State level ceasefire Feb. 7, 2012 Stage 2: NCA signed Oct. 15, 2015 Previous ceasefire: Feb. 11, 2017
Karenni National Progressive Party (KNPP) Founded: 1957	Northeast part of Kayah state	600+	Preliminary Peace Talks Stage 1: State level ceasefire Mar. 7, 2012 Stage 2: Union level ceasefire Jun. 9, 2012
Chin National Front (CNF) Founded: Mar. 20, 1988	Western part of Chin state	200+	Stage 1: State level ceasefire Jan. 6, 2012 Stage 2: Union level ceasefire May 7, 2012 Stage 3: Nationwide Ceasefire Oct. 15, 2015

Name	Operational Area	Estimated Strength	Ceasefire & Peace Process
National Socialist Council of Nagaland-Khaplang (NSCN-K) Founded: 2009	Northwest part of Sagaing region	<500	Stage 1: State level ceasefire Apr. 9, 2012 Post ceasefire agreement: none
Pa-O National Liberation Organization (PNLO) Founded: 2009	Southern part of Shan state	400+	Stage 1: State level ceasefire Aug. 25, 2012 Stage 2: Union level ceasefire Mar. 23, 2013 Stage 3: NCA signed Oct. 15, 2015
All Burma Students Democratic Front (ABSDF) Founded: Nov. 1, 1988	KIA and KNU controlled Areas	400+ (approximately 200 in Kachin state)	NCA signed: Oct. 15, 2015
Arakan Liberation Party (ALP) Founded: Apr. 9, 1967, 1973, 1981	Northern Rakhine and Karen states	60-100 (2,000 party members)	Ceasefire: Apr. 5, 2012 Peace talk: State level
Lahu Democratic Union (LDU)	Southern part of Shan state	<100	NCA signed: Feb. 13, 2018
Kachin Independence Organization/Kachin Independence Army (KIO/KIA) Founded: Feb. 5, 1961	Kachin state and Northern part of Shan state	10,000 to 12,000 (excluding the KIO's MHH and MKM civilian militia forces)	Preliminary peace talks and in combat Previous ceasefire: Feb. 24, 1994
Arakan Army (AA) * Founded: 2008	KIO/KIA-controlled area	3,000	Non-ceasefire
Palaung State Liberation Front (PSLF)/ Ta'ang National Liberation Army (TNLA) Founded: 1992	Northern part of Shan state	6,000+	Non-ceasefire
Myanmar National Democratic Alliance Army (MNDAA) Founded: 1989	Kokang region	2,000+	Non-ceasefire
Myanmar National Truth and Justice Party Founded: Mar. 11, 1989	Kokang region	2,000+	Non-ceasefire
Arakan National Council (ANC)/ Arakan Army (AA) Founded: 2010	Karen state	100+	N/A

Note: * The Myanmar government does not approve of the participation in the ceasefire negotiation of the AA because this group is under the umbrella of the KIO/KIA.

Source: This table was made by the author using the following reference: Burma News International 2017, Myanmar Peace Monitor by the Burma News International website: <http://mmpeacemonitor.org> (accessed on 18 March 2018).

Table 10.2 Participation in UNFC, NCCT, Signature of NCA

Name	UNFC	NCCT	NCA
UWSA			
NDAA			
DKBA		Active member	October 2015
RCSS/SSA		*	October 2015
KNU	Suspended in 2015	Active member	October 2015
SSPP/SSA	Active member	Active member	
NMSP	Active member	Active member	February 2018 **
KNU/KNLA		Active member	
KNU/KPC			October 2015
KNPP	Active member	Active member	
CNF	Suspended in 2015	Active member	October 2015
NSCN-K			
PNLO	Suspended in 2015	Active member	October 2015
ABSDF			October 2015
ALP		Active member	October 2015
LDU	Active member	Active member	February 2018 *2
KIO/KIA	Resigned in 2017	Active member	
AA with KIA/KIO		Active member	
PSLF/TNLA	Resigned in 2017	Active member	
MNDAA	Suspended in 2015	Active member	
ANC/AA	Active member	Active member	

Notes: * The RCSS/SSA joined the conference but deferred participation in the NCCT. ** According to the Irrawaddy, the MNDAA and Lahu Democratic Union, which are active members of UNFC, signed suddenly because they did not want to face a major clash with the Myanmar military (Kumbun J., 2018).

Source: This table was made by the author using the following references: Burma News International, *Deciphering Myanmar's Peace Process: A Reference Guide 2016, 2017*; and, *Myanmar Peace Monitor* by the Burma News International website: <http://mmpeacemonitor.org> (accessed on 18 March 2018).

was that the government committed to a transition to a federation. The KIA also had further two reasons to reject it: (1) the KIA demanded political dialogue before ceasefire; and, (2) if the Myanmar government wanted to have an NCA, they would have to stop their offensives first.

To summarize this section, the armed conflict between the KIO/KIA and the Myanmar government began in 1961 when the KIO/KIA initiated fighting. After the ceasefire in 1994, fighting did not occur again until 2011. During the period after the reoccurrence, many IDPs escaped the ravages of the fighting but were driven far away from their original sources of livelihood. The next section discusses the humanitarian assistance for IDPs afflicted by both geographical disadvantages for IDPs and local actors, near the national border between Myanmar and China. This geographical disadvantage affects both IDPs' livelihoods and the actors to implement humanitarian assistance.

2. Local actors support IDPs across the national border

2.1 *De-jure and de-facto phenomena in proximity to the national border*

Considering this history of conflicts and the resulting mass exodus of IDPs, it is humane and crucial to ask, "How is their life supported?" As aforementioned, the KIO/KIA have established camps for IDPs along the national border with China. This geographical aspect enhances de-jure and de-facto phenomena. De-jure phenomena refer to the bilateral treaties between Myanmar and China that delineate a national border. Then free movement of Kachin who are living in Kachin-controlled area are limited by the situation of these treaties because these treaties give difficulties for them to crossing the border to survive, besides, on the domestic side, the Kachin-controlled area is surrounded by Myanmar military.

KIO/KIA control a part of the national border area between Myanmar and China on the east and north sides of the states of Kachin and Shan, respectively. The KIO/KIA conduct their political, economic and social activities by using their geographical advantages in overcoming the difficulty of this border, which means that they have opportunities to cross the border illegally if needed. In other words, this aspect of the border area has produced two types of phenomena—the de-jure and de-facto phenomena—for the actors operating in this area. The former is demarcated by a bilateral treaty and the latter by the livelihood of the people. The livelihood of the people

counters the de-jure regulation that represents the territoriality of nation-states and the regime in this region.

Next to the national border area across from Kachin and Shan, the KIO/KIA have allocated eight brigades,³ which have increased from six to eight in two years (Weng, 2016). When the KIO/KIA brigades were observed being set up it appeared to be a contiguous area; however, the area is divided by the presence of the Myanmar military who control the main cities of Myitkyina (the capital), Bhamo (in the southern area), and Putao (in the northern area), and the main roads between these cities. This is described as the control of points and lines by the Myanmar military in the KIO/KIA deployment area.

Therefore, when KIO/KIA generals move from point to point in their separated areas they must cross through the Myanmar military-controlled area. They cannot ram through the enemy's barricades but instead cross into the neighboring nation-state. For example, the KIO/KIA controlled area is divided into two areas at Lweje, where trade with China is brisk and the Myanmar military has control. In this case, the generals enter Dehong Dai and Jingpo Autonomous Prefecture in Yunnan province, China, for a short time and return to their controlled area. In some cases, they enter and return through the official gates under international law (i.e., the de-jure phenomena), and in others, they use unofficial gates alongside a river. When they cross into China, cars registered in China and driven by Kachin people, called Jinpo, help them.

Local actors who support IDPs also have to deal with this situation in the national border area. They thread their activities through the de-jure regulations, and as a result, the de-facto phenomena that relativized the border are realized. For example, some of the local staff of the Kachin Baptist Convention (KBC) who have an address in Muse, Shan, support the activities for IDPs who have camps alongside the national border. They access this area from the China side by using an unofficial gate because it is more dangerous for them to cross in another way. Therefore, they also have an office in Yingjiang, Yunnan province, which is one of the nearest counties to the border. They carry permits issued by the Myanmar government which allow them to visit limited areas in Yunnan for sightseeing or business activities. In other words, although the local staff who have Myanmar nationality remain in China under international treaty as a de-jure regulation, they also circumvent the problems of the national border by using an unofficial gate when accessing IDP camps for support purposes.

The means of communication among local staff enhance de-facto phenomena, too. Their activity area is mostly outside the coverage of Myanmar's communication companies, therefore, they buy SIM cards to use China's communication networks and make frequent use of WeChat (a Chinese SNS application) to communicate among each other. When they must use other applications such as Facebook Messenger, which is restricted by the China's government, they install VPN applications to escape from the restriction.

2.2 Causes of increasing numbers of IDPs and the humanitarian situation

After the reoccurrence of the armed conflict in 2011, a humanitarian crisis occurred which resulted in the outflow of the largest number of IDPs in history. Many horrific abuses of human rights by the soldiers of the Myanmar military were reported: abductions, tortures, killings, enforced labor, forced settlement, destruction of churches and houses, and violence against women and children (Kachin Women's Association Thailand, 2013: 2–3). The 2016 report showed a dramatic increase in the number of human rights violations with 154 cases (Network For Human Rights Documentation-Burma, 2017: 6).

Although the abuse by the Myanmar military occurred before the 1994 ceasefire agreement, it is one of the main reasons that justly provoked many Kachin people to become refugees and build new communities in Northern Thailand, Southeast Asia, or other countries. However, the situation after 2011 increased the population in IDP camps to a number larger than before 1994 for two reasons. First, Myanmar military action was on a larger scale and the war situation was more fluid than ever before. Second, the Myanmar military made concentrated attacks against the KIO/KIA because individual ceasefire agreements had been concluded with main armed groups except KIO/KIA. This resulted in approximately 87,000 IDPs living in 142 camps. IDPs who sought asylum in China were restricted from crossing the national border for reasons of national security by the Chinese government, that is, IDPs were denied protection under international law as refugees (Ho, 2017: 86). The Chinese government did not recognize these IDPs as refugees and rejected the protection of IDPs because the Chinese government put priority on the relationship with the Myanmar government over Convention Relating to the Status of Refugees.

After 2011, IDPs were forced to leave their homes en masse due to ag-

gravation of the war situation.. As of now, these IDPs remain in settlements established in more than 150 places in Kachin and northern Shan state (Early Recovery Network, 2015: 10). These settlements are divided into four types: the camps for IDPs in KIO/KIA-controlled areas, the camps for IDPs in Myanmar military-controlled areas, the refugee camps inside China, and the settlements of IDPs' relatives. As for the third one, refugee camps in China, the Chinese government pushed the camp out of its national border in August 2012 because it prohibited to let stay cross-border refugees from Kachin in China. Of these four types, the largest one is the second.

2.3 Framework of humanitarian assistance to IDPs

After the recurrence of the Kachin conflict, the situation regarding people's livelihoods and society's infrastructure has worsened, and more than 350 Kachin communities have been destroyed. The Myanmar Human Country Team under the UNOCHA reported that some IDPs have resettled or returned home temporarily; and the situation of IDPs required a series of emergency responses, early reconstruction, and support for people's livelihoods through all support sectors in all target areas (Humanitarian Country Team in Myanmar, 2014: 4). Although, since 2011, humanitarian assistance has been delivered regularly in all accessible locations, the actors that support these IDPs face difficulty because they cannot rely on sustained and predictable humanitarian access (Humanitarian Country Team in Myanmar, 2018: 12).

Under this emergent situation, six types of actors support IDPs. The first type comprises of the local Kachin NGOs; for example, Wunpawng Ninghtoi (WPN), which was formed by local groups and acted separately before the conflict was renewed. WPN is based in Mai Ja Yang, China, and supports IDPs from there. The second type comprises of other Kachin supporting IDPs from China. They have Chinese nationality and live in China. The Kachin Christian community in China also sends clothing and food as support. The third type comprises of Kachin living outside Myanmar in other parts of the world that provide assistance to help their homeland. The Pan Kachin Development Society (PKDS) has offices in Chiang Mai, Thailand and Mai Ja Yang. This organization is the only outside organization permitted to operate in the KIO/KIA-controlled area. The PKDS has delivered aid supplies from Thailand through China's territory. The fourth type comprises of operations by organizations based in Myanmar military-controlled areas, such as the KBC. These organizations also have bases in Yangon. When

they access the Kachin-controlled areas from their bases or offices they must be cleared by Myanmar military checkpoints. Therefore, their main missions are investigations, recordings, and recommendations about the IDP situation because it is impossible for them to implement large-scale or successive deliveries. The fifth type comprises of UN organizations. From the end of 2011, the UNOCHA initiated support but their activities are infrequent because if they go to the camps to support IDPs they must receive permission from the Myanmar government. The final type comprises of international NGOs that face obstacles which are similar to the UN organizations; however, they sometimes receive official permission to conduct research or unofficially enter the Kachin-controlled area via China.

As aforementioned, various actors support IDPs. Because of the obstacles caused by the differences in control, the local actors fit the part to manage issues affecting IDP expeditiously, frequently, and successively. However, after the transition to civilian rule in Myanmar, most local actors have faced the risk of losing control over their activities. The transition to civilian rule has brought money, material goods, and information to Myanmar. The local actors are also sensitive to the influence of international society which can have a positive effect but at the same time local actors are exposed to risks.

Those supporting actors face similar difficulties which can be classified into three categories. The first type is the concern that the role of local actors becomes weak due to the influence of larger actors such as international NGOs, which have more funding and more functions to operate. Generally, if international NGOs can implement their work in a country, the government is more responsive to organizations that are not directly under the government's control. Notably, the Myanmar government has given permission to international NGOs to work inside Myanmar. Therefore, if international NGOs seek to work in this country they must reinforce their relationship with the government, but the role of local actors is weakened because they require knowledge, finance, and information from international NGOs.

The second type is the concern about outside investment in the extractive industries in Kachin. The economic benefits from investment have not reached the grass roots level. Instead, if the government and the army learn that they can continually make money through the extractive industries, outside investment could become another cause of conflict over the benefits involved. However, it is so difficult for local actors to access to these benefits that outside investment from the outside would constrict the role and work

of local actors.

The third type is concern about the ongoing armed conflict. The Myanmar government has maintained political openness for outside actors by granting permission to work, which increases financing from foreign countries. The continuation of the Kachin conflict is possible because the cause of the conflict is influenced by natural resources.

Under these risks, local actors supporting IDPs make attempts to minimize the negative impacts and optimize the benefits from outside actors. The next section discusses how local actors organized by the Kachin Joint Strategy have created a formula for sustainable humanitarian assistance and organizational operation.

3. A joint strategy made by the collaboration of local actors

3.1 Background to the joint strategy

To cope with the humanitarian crises caused by armed conflicts, UN agencies and international NGOs play key roles in every peace process, such as facilitating ceasefire agreements and preventing the recurrence of conflicts. However, as mentioned above, their support and financial help are temporary due to various difficulties. If they enter a Kachin-controlled area, they must obtain permission from the Myanmar military which means that they have not been able to carry out a sufficient amount of work.

Undoubtedly, the most suitable actors to help IDPs in KIA/KIO-controlled areas strongly influenced by conflict are local actors, namely the Kachin people. Local actors can develop support systems to cope with the emergent situation and optimize the ability of local people to support IDPs; however, this recognition does not make light of the role of UN agencies or international NGOs. They should continually work together with local actors who have a shortage of the resources required to support IDPs.

The reason why maximizing local actors' ability to support IDPs is an urgent issue. They need to secure food, clothing, and housing for IDPs as well as safety of the area. Promoting education is a particularly urgent task. In the KIO/KIA-controlled area, access to education is limited and the number of children who cannot go to school due to the development of the conflict has dramatically increased. If the conflict continues, the humanitarian crisis will cause a stagnation of the society, which will strongly influence the next generation. Schools in this area have closed due to the aggravated fighting. For students, schools have functioned as shelters while parents work in the

daytime but if these shelters are lost the risk of students becoming involved in trafficking increases.

To solve these issues, each local actor in Kachin has supported IDPs separately after the reoccurrence of the conflict. Although the conflict had been expected to finish soon, it has continued until now. Therefore, local actors have sought to create a cooperative structure between them. One of these solutions is a joint strategy. The nine local actors participating in this strategy are the following organizations: Bridging Rural Integrated Development and Grassroots Empowerment, KBC, Kachin Relief and Development Committee, Kachin Women's Association, Kachin Development Group, Karuna Mission Social Solidarity, Metta Development Foundation, Nyein (Shalom) Foundation, and WPN (Kachin Baptist Convention et al., 2013: 6). These organizations call themselves the Joint Strategy Team (JST), an alliance of Kachin civil-society and faith-based groups comprising of the Kachin and the groups helping the Kachin within Myanmar including the KIO/KIA-controlled areas and the Myanmar military-controlled areas. As the next phase of this conflict is unforeseeable, it is difficult for the actors to predict how they should best react in order to provide humanitarian assistance.

3.2 Purpose of the joint strategy

The purpose of this strategy is (1) to minimize the effects of dogmatic policies by outside aid donors and (2) to optimize the support of local actors to meet the critical and urgent needs of IDPs in eastern Kachin and northern Shan, (3) to avoid overlapping in projects, (4) prevent the overconcentration of aid and widening of the gap between the locations of the projects, and (5) to create an effective cooperative framework between local actors and facilitate sharing of necessary information, knowledge, and facilities.

The joint strategy has helped implement programs such as providing psychological support, food, education, shelter repair and renovation, and livelihood assistance, which were the first and most important matters for 2015–2016. The hygiene, education and training, food-nutrition, and protection sectors were high-level priorities (Kachin Baptist Convention et al., 2015: 7–11).

Besides these programs, the security issue of IDPs is also urgent. Ensuring people's safety is obviously a matter of top priority among the support actors because attacks from the Myanmar military have been ongoing and IDP camps should be protected from any military danger. This cooperative framework also calls for the KIO/KIA to maintain their distance from IDP

camps in order to prevent the Myanmar military from mis-identifying the camps as military targets (Kachin Baptist Convention et al. 2015: 7).

This joint strategy must enable local actors to sustainably implement their programs of humanitarian assistance for restoration and development. Therefore, they have attempted to share their accumulated experience with each other in order to improve local actors' capabilities and increase their confidence in each other. It is also important to prevent the work of outside actors from imposing limitations on local actors.

Predicting the situation of conflict and IDPs under the dramatic changes in Myanmar is difficult. However, under these unpredictable situations, local actors have found that preparing a road map has enhanced the quality of their work. This road map is the means for local actors to achieve sustainable and successful development and has the importance of being an impetus among the actors and a means to accommodate humanitarian crises.

As part of this strategy, 11 principles that actors should adhere to are presented. Respect for human dignity is at the center of all the principles and activities. Using differences regarding border crossing as an advantage, the Kachin people support IDPs within the state and the international groups, such as the UN and NGOs, support Kachin. However, after the change in government in 2015, the Kachin local support actors were placed in a dilemma. When will the government's political openness for international society, support, and investment increase? Kachin's local actors welcomed openness but worried that it would lead to a prolongation of armed conflict and a weakening of their work. To cope with this, Kachin's local actors created a joint strategy to work together with national NGOs organized by the KBC. This strategy aims to minimize the negativity of the conflict's influence and optimize support systems.

The principles of the joint strategy are shown as follows. Through this strategy, Kachin's local actors want to create sustainable support for IDPs. In an unforeseeable situation, if Kachin's local actors and national NGOs cannot keep in step, they also cannot improve the quality of support (Kachin Baptist Convention, et al., 2013: 11).

- Respect for Human dignity will be at the centre of all principles and activities
- Adherence to and respect for principles of the International Humanitarian Code of Conduct, and advocacy to ensure compliance of all actors, including UN agencies and government

- Particular commitment to fully respect the principle of impartiality in practice and advocacy as above in Principle 1.
- Commitment to develop good human resource management practices to ensure impartiality, information sharing, transparency and accountability on the implementation of the principle of impartiality.
- Commitment to raise awareness on humanitarian principles for staff and the communities we serve.
- “Do no harm” and “conflict sensitivity” approaches will be guiding principles of all humanitarian work.
- Coherence and commitment to communities and truth.
- Define strategies and programs based on local context.
- Professionalism (guided by Sphere Standards).
- Accountability and transparency.
- Avoiding the institutional ownership of IDP camps (e.g. naming camps on the basis of the managing LNGO).

These principles indicate the joint action taken by the local actors and assume true humanitarian aid through which local actors are sure to provide assistance based on local needs without being influenced by donor interests.

The JST established by the nine humanitarian organizations has worked for IDPs and delivered humanitarian assistance since the 2011 renewal of conflict in Kachin and northern Shan. The JST is a group of committed, professional local actors, which provides comprehensive, strategic, principled humanitarian assistance to IDPs harmed by the armed conflict between the KIO/KIA and the Myanmar military. The JST has a long term strategy and delivers principled assistance within the complex contexts of conflict. Therefore, its work shows knowledge and experience of the international humanitarian system. The most significant achievement of the JST is its protection of IDP human rights and the provision of basic needs after the conflict restarted.

Conclusion

Currently, there is no sign that the Kachin conflict will stop. There is also no sign of full-scale repatriation and resettlement for IDPs. As this conflict has occurred near the national border between Myanmar and China, supporters of IDPs are forced to implement their services in the Kachin-controlled area surrounded by the Myanmar military, or cross through China. Therefore, the

roles involved in this humanitarian assistance have been inevitably taken by Kachin's local actors, who know the needs of IDPs and the geographical aspects of this area. However, local actors are in dilemmas which are derived from both de-jure and de-fact aspects of the national border, because each local actor from Kachin is relatively small regarding finances, human resources, and information; thus only one group would have little chance against the policies of UN agencies and international NGOs and be required to obey.

To overcome these geographical constraints and the political dilemma, local actors have attempted to formulate a support strategy collectively. The background to the formulation of the joint strategy was influenced by the various geographical aspects of the conflict being close to the national border.

The joint strategy recognizes that the most suitable actors to support IDPs are the local actors consisted of Kachin people and groups to support Kachin IDPs. It is the local actors that can best manage the urgent situation of IDPs by maximizing the abilities of local people to support them in an optimal manner. The joint strategy does not underestimate the roles of UN agencies and international NGOs but has a shared awareness that local actors must continually build a relationship of trust with outside actors because of the problems that must be solved; namely, a shortage of information, knowledge, experience, and finance.

The function of this joint strategy is to coordinate these local actors and provide more effective support than in the case where a local actor works individually. Coordination among them intends to prevent their policies and work from overlapping and to help bridge the gap between different locations that need support. The expectation is that they share their experiences and work sustainably, and they have attempted to exchange experiences to improve the quality of their work.

In the Kachin conflict occurring proximal to the national border, the aspects of the KIO/KIA-controlled area characterize the methods of providing humanitarian assistance. Local actors have transformed the geographical constraints into an effective means to manage the urgent situation of IDPs and ensure the sustainability of the work and organization operations.

Notes

- 1 Since independence in 1948, the name in Burmese remains "Myanmar." How-

ever, the name in English has sometimes changed. When this country was independent it was known as the “Union of Burma.” After the name was changed to “the Socialist Republic of the Union of Burma” in 1974, it returned to the “Union of Burma.” In 1989, the name in English was changed to Myanmar by the military government. In this chapter, “Burma” as the country name in English is not adopted to avoid any confusion between Myanmar and Burma. This chapter calls this country “Myanmar,” even though matters before 1989 are mentioned.

- 2 There are more than 860,000 people who need humanitarian assistance in Myanmar. All people, except IDPs, are non-displaced. Most are non-displaced stateless people in the Rakhine state (Humanitarian Country Team in Myanmar, 2017: 4).
- 3 The list of brigades is as follows: Brigade 1 (Putao area), Brigade 2 (Tanintharyi area), Brigade 3 (Bhamo area), Brigade 4 (northern Shan state–Kutkai), Brigade 5 (Sakayong area), Brigade 6 (northern Shan state–Mong Hsat), Brigade 7 (Pangwa area), and Brigade 8 (Indawgyi area). (Myanmar Peace Monitor by the Burma News International website: <http://mmpeacemonitor.org> (accessed on March 18, 2018)).

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CHAPTER ELEVEN

*NGO sector in Ethiopia**The impact of the civil society organization law*

Yoshiko Tonegawa

Abstract

Non-governmental Organizations (NGOs) have internationally increased and are recognized as actors which are close to local people and represent their voice. More recently, their spheres of activity have broadened from service delivery to political advocacy and human rights activities. Scholars such as Korten (1990) and Edwards (2004) also argue that NGOs can empower people, influence national policies, and promote transformation for sustainable development. At the same time, many governments have enacted relatively restrictive laws directed at NGOs. In Ethiopia, the Civil Society Organization (CSO) Law was enacted in 2009, affecting other neighboring countries in sub-Saharan Africa. This CSO law has sometimes been criticized because of its restrictiveness. This paper examines the effect of the CSO law on the NGO sector and its response by NGOs. The analysis found that regulations set by the CSO law have regulated not only advocacy and human rights activities but also service delivery conducted by NGOs. The result is that many NGOs are minimizing their spheres of activity and losing their legitimacy.¹

Introduction

Non-governmental Organizations (NGOs) have increased internationally and are recognized as actors which are close to local people and represent their voice. Recently, their spheres of activity have broadened from service delivery to political advocacy and human rights activities. Scholars such as

Korten (1990) and Edwards (2004) also argue that NGOs can empower people, influence national policies, and promote transformation for sustainable development. At the same time, many governments have enacted restrictive laws directed at NGOs (Dupey et al., 2015). Especially in sub-Saharan Africa, laws related to NGOs were enacted during the 2000s: Malawi in 2000, Rwanda in 2008, and Sierra Leone in 2009 (ICNL, 2013a; 2013b; 2013c). Moreover, in the two-year period from 2015 through 2016, fourteen laws and regulations were established in sub-Saharan African countries (ICNL, 2016). While NGOs have internationally been expanding their work in the various spheres, including advocacy, it is assumed that many NGOs face difficulties due to these newly restrictive laws and regulations.

In Ethiopia, the Charities and Societies Proclamation No. 621/2009, commonly known as the Civil Society Organization (CSO) law, was enacted in 2009. This CSO law has sometimes been criticized because of its restrictiveness (e.g., Aalen et al., 2009; Abdi, 2013; Hodenfield, 2014). Furthermore, the CSO law seems to be affecting other neighboring countries in sub-Saharan Africa. In Kenya, a neighboring country of Ethiopia, the government has plans for a new restrictive law; 500 NGOs, which were against the law, were forced to close in 2014 (Mwesigwa, 2015). In fact, an article in *The Guardian* states that “[i]t began in Ethiopia in 2009 with an extremely repressive NGO law and it appears many of the countries in the east and Horn of Africa are learning from Ethiopia” (Mwesigwa, 2015, Para. 8).

It has been more than nine years since the CSO law was enacted in Ethiopia, and there are serious questions that need to be addressed about the law. These questions include issues related to the scale of NGOs’ finance and the spheres of NGOs’ activities. This study examines the effect of the CSO law on the NGO sector and the NGOs’ responses to it. Furthermore, it specifically focuses on local NGOs. The following sections will review arguments on the roles of NGOs, as defined in the existing literature, and provide a brief history of NGOs in Ethiopia. Then, the background of the CSO law and findings will be discussed.

1. Literature review on spheres of NGO activities

1.1 Determinants of spheres of NGO activities

This section examines existing arguments on determinants of civic space, more precisely, spheres of NGO activities. Hata (2004) identifies each actor in three systems in a country: government in the political system, market in

the economic system, and community in the social system. He explains that civic space is formed by the influence of these three systems.

Shigetomi (2001) focuses more on NGO activities; he notes that spheres of NGO activities are determined by their own independent attributions, political space, and economic space. NGOs' independent attributions consist of the thoughts of the NGO staff and members; political space means the political environment where NGOs are able to work freely (Shigetomi, 2001). This political space is primarily decided by the government and community (Shigetomi, 2001). Governments can influence the content and severity of laws in respect to NGOs; moreover, communities can influence NGO activities based on their traditional and social norms (Shigetomi, 2001). When a government is autocratic, the political space for NGOs tends to be small.

The economic space for NGOs is influenced by the government and the market (Shigetomi, 2001). In a case where the government and market are not functioning well and cannot provide goods and services to people, the economic space for NGOs becomes large, and NGOs gain a new role as resource providers. These arguments relate to *government failure* and *market failure*, which will be discussed later.

The size of political and economic spaces for NGOs varies depending on the country's situation. For instance, economically poor countries tend to have a larger economic space for NGOs. Shigetomi (2001) cites some examples: Bangladesh, Indonesia, and Pakistan have both large political and economic spaces for NGOs; China has large economic space and small political space for NGOs; and Singapore has both small political and economic spaces for NGOs.

Based on these arguments by Hata (2014) and Shigetomi (2001), and the research on Ethiopian NGOs by Tonegawa (2014), there are four main determinants of the spheres of NGO activities (see Table 11.1). First, independent attributions include the beliefs of the NGO staff and members, their social background, their financial capacity, and the capacity of staff. Second, political factors are the strength of the governmental authority, contents of NGO law, and the strictness of the law. Third, economic factors include the provision of goods and services by the government and market, and the level of poverty of the population (Shigetomi, 2001). Finally, social factors mean the social conditions, including social equity, access to social and welfare services, and traditional and social norms prevalent in the area. These four perspectives influence each other, and it is important to examine them in order to analyze the spheres of NGO activities. Along with these factors,

Table 11.1 Determinants of NGO activities

NGO's independent attributions	Thoughts of NGO staff and members, social background, financial capacity, capacity of staff
Political factors	Strength of governmental authority, contents of NGO law, strictness of NGO law
Economic factors	Economic status of the local people (level of poverty), goods and services delivery by the government and market
Social factors	Social equity, access to social and welfare services, traditional and social norms

Sources: Shigetomi (2001), Hata (2014), and Tonegawa (2014).

this study focuses on political factors to understand the spheres of the current NGO sector in Ethiopia by examining the impact of NGO law in Ethiopia.

1.2 Transition of spheres of NGO activities in developing countries

The reason the number of NGOs has increased in developing countries is because of the following international factors and their effects. First, as opposed to the top-down approach based on the trickle-down theory, the bottom-up approach based on the post-development approach was emphasized after the 1980s (e.g., Friedmann, 1992; Chabbott, 2003; Willis, 2005). This bottom-up approach promoted participatory democracy; NGOs became one of the main proponents of its development. Friedmann (1992) states that NGOs represented civil society during the transition to democracy in Latin America. In addition, he notes that NGOs can work against governments, as well as work with them, for the benefit of the people (Friedmann, 1992).

Second, the growth of the NGO sector was widely anticipated in the 1970s to the 1980s as many governments and private sectors failed in their development programs and basic service delivery; these are known as *government failure* and *market failure* (e.g., Arnove et al., 1998; Lewis, 1998; Banks et al., 2012). As discussed by some scholars, NGOs are different from government and private companies and are seen as actors who can work flexibly and effectively to respond to the needs of poverty-stricken people (e.g., Bratton, 1989; Biggs et al., 1996; Edwards et al., 1996; Wils, 1996; Clark, 1997; Robinson, 1997; Atack, 1999; Johnson, 2001; Ebrahim, 2003; Banks et al., 2012). However, various scholars also criticized these NGOs'

superiority. Some scholars argued that NGOs do not necessarily understand local needs and do not even understand local situations (e.g., Edwards et al., 2000; Lewis et al., 2000; Unerman et al., 2006). These NGOs' situation is called *voluntary failure*, and it occurs after *government failure* and *market failure* (Salamon, 1995; Salamon et al., 2015). These voluntary failures are often recognized because many NGOs face difficulties in effectively providing large populations with the necessary resources (Salamon et al., 2015). This is because scale of the projects implemented by NGOs are often small; only certain communities are benefited by these projects. Moreover, this sometimes causes a widening of the gaps between beneficiaries and non-beneficiaries in society (Salamon et al., 2015).

As for reasons why NGOs expanded their number and roles in Africa from the 1980s to the 1990s, Obayashi (2007) suggests democratization and the minimization of governmental roles based on structural adjustments promoted by the World Bank and the International Monetary Fund (IMF). *Government failure* became visible in sub-Saharan Africa after the 1980s (Nishi, 2009). In many developing countries, including sub-Saharan African countries, private sectors were not mature enough; it resulted in *market failure* after the structural adjustment. Shivji (2007) states that local NGOs became significant actors in providing education and health services after the 1980s. Barroso (2002) also states that NGOs, especially local NGOs, have played important roles in the development of countries and in supporting people living in poverty.

Finally, international aid agencies, e.g., World Bank, promoted a *new policy agenda* in the 1980s. One of their goals was to strengthen civil society for political diversity and democratic governance (Arnove et al., 1998). To achieve this goal, international aid agencies increased their funding of NGOs, which led to the rapid growth of the NGO sector worldwide (Arnove et al., 1998; Lewis, 1998; Edwards et al., 2000; Mitlin et al., 2006). In sub-Saharan Africa, the number of local NGOs rapidly increased in the 1990s due to financial aid provided from various agencies (Igoe et al., 2005). NGOs are seen as actors who can engage in dialogue with the local populace and promote community participation. Major international aid agencies and many developed countries believed that these NGOs' work would eventually lead to democracy (Edwards et al., 2000). These perceptions and expectations of NGOs resulted in an increasing number of NGOs which established the international status of NGOs.

Korten (1990) explains the expanding roles of NGOs in general by iden-

Table 11.2 The four generations of NGOs

First	Relief and welfare: Direct delivery of services to meet an immediate deficiency or shortage experienced by the beneficiary population.
Second	Community development: Developing the capacities of the people to better meet their own needs through self-reliant local action.
Third	Sustainable systems development: Looking beyond the individual community and seeking changes in specific policies and institutions at local, national, and global levels. Helping national agencies reorient their policy and work.
Fourth	People's movements: Social movements and global change.

Source: Korten (1990) and Miyake (2016).

tifying and describing four generations of NGOs (see Table 11.2). According to Korten (1990), NGOs in the first generation directly provide services, which are lacking in the populace, based on a spirit of charity. NGOs in the second generation implement activities for empowering the populace to be self-reliant (Korten, 1990; Miyake, 2016). NGOs in the third generation practice activities for transforming systems including policies based on sustainability. These activities include advocacy towards governments and capacity building (Miyake, 2016). NGOs in the fourth generation expand spheres of activities transforming systems and people's lives through the lens of global perspectives (Miyake, 2016). For instance, Korten (1990, p. 114) emphasizes the global change of institutions and values to solve the global issues of poverty, environmental destruction, and social disintegration.

According to Heyzer (1995), traditional NGOs deliver services, whereas the current NGOs work to transform the economy and politics to meet people's needs and provide a sustainable environment. The activities of NGOs expanded from temporary activities, including service delivery, to long-term committed activities for the advocacy of empowerment and sustainable development (Korten, 1990; Heyzer, 1995).

Moreover, Edwards (2004) argues that NGOs should not only deliver services, but should also mobilize people, be flexible, and be transformative. These arguments by Edwards (2004) are similar to the ones by Korten (1990) and Heyzer (1995). Edwards (2004) analyzes the roles of governments and NGOs as follows: governments should deliver the necessary services that

NGOs and private companies cannot deliver, and NGOs should represent the citizens' voice and apply pressure to governments for transformation (Edwards, 2004). In order for NGOs to do this, governments have a responsibility to enact laws and social policies to assist and protect NGOs (Edwards, 2004). However, Edwards (2004) reluctantly indicates that NGOs sometimes become mere subcontractors of governments to complement public services (Edwards et al., 1996; Edwards, 2004). Because of this, NGOs are losing flexibility, the capability for prompt response, and their transformative abilities (Edwards et al., 1996). Moreover, these situations are worsening because of the restrictive laws and regulations concerning NGOs.

2. Brief history of NGOs in Ethiopia

The modern political history of Ethiopia consists of three phases: imperial rule until 1974, communist military rule until 1991, and the current democratic federal rule proclaimed in 1994. Under imperial rule, the number of NGOs was limited. However, severe drought in Ethiopia in the 1970s and 1980s changed the situation for NGOs, as many international NGOs began implementing emergency activities in Ethiopia. This promoted the establishment of local Ethiopian NGOs (Berhanu, 2003; Rahmato, 2008). At that point, NGOs began to engage in activities similar to the first generation as Korten (1990) defined it. However, the communist military government was not willing to facilitate activities by NGOs because they were afraid that the NGOs might work against the government (Campbell, 1993). Even the democratic federal government, which came after the communist military government, seemed to have the similar concerns and maintained relatively restrictive rules against NGOs until 2000 (Rahmato, 2008). Therefore, the spheres of NGOs' activities were limited for a long time in Ethiopia.

Around 2000, the government of Ethiopia changed its policy and tried to develop partnerships with NGOs (Rahmato, 2008). One of the reasons behind this was that partnerships with the NGOs had become internationally significant, and the government of Ethiopia prepared a Poverty Reduction Strategy Paper (PRSP). This PRSP needed to include partnerships with the civil society in order to gain financial support from foreign donors (Miller-Grandvauz et al., 2008). In 1994, there were 70 NGOs in Ethiopia; the number of NGOs rapidly increased from 1976 to 2007, and it reached about 4,000 by 2009. These numbers show that NGOs enjoyed a more favorable environment for their activities after 2000.

Around this time, many NGOs applied the rights-based or human rights approach, which aims to realize various rights for people; their spheres of activities expanded in Ethiopia. For instance, many NGOs worked for education and/or health activities based on children's rights and advocacy work against female genital mutilation (FGM) to protect the rights of women. The human rights approach, which promotes self-reliance, became influential in the 1990s. Prior to this approach, the basic needs approach, which voluntarily delivers services to isolated people who lack basic needs, such as water and education, was more prevalent (Jonsson, 2003; Willis, 2005). While the basic needs approach has the possibility to promote dependency on foreign aid, the human rights approach empowers people to improve the quality of their own lives (Jonsson, 2003). This transformation from the basic needs approach to the human rights approach shows the similar expansion of the NGOs' activities from temporary service delivery to advocacy for sustainable development, as discussed by Korten (1990), Heyzer (1995), and Edwards (2004).

Moreover, when Ethiopia had a national election in 2005, some NGOs implemented voter education and provided training for election monitoring (Paulos, 2005; Aalen et al., 2009). At that point, these NGOs acted in the roles of the third generation as described by Korten (1990); they played the roles for transformation as argued by Heyzer (1995) and Edwards (2004). Under these conditions, the CSO law was enacted in 2009.

3. Research methodology

3.1 Research objectives and research questions

Based on the above-mentioned conditions of NGOs and the spheres of NGOs' activities, this study aims to examine the impact of the CSO law on the NGO sector in Ethiopia. More specifically, this study considers the following three research questions:

- How has the CSO law affected the NGO sector in Ethiopia?
- How have NGOs responded to the CSO law?
- In what spheres of activities do NGOs work?

3.2 Data collection methods

This study is a qualitative research based on field research conducted in

Addis Ababa, the capital of Ethiopia, in February, 2016. The author conducted semi-structured interviews with the participants to understand their individual experiences and perceptions of the CSO law. More specifically, 19 directors, 9 staff of local NGOs, 1 board member, 1 former director of 30 local NGOs, 2 former staff of local NGOs, and 1 director of an international NGO were selected. All of the informants had experience working in the Ethiopian NGO sector, and their individual range of experiences was from 8 to 26 years. All experienced the time before and the time after the formulation of the CSO law. Moreover, the selected local NGOs were registered as Ethiopian Residents Charities, as are about 95 % of the total local NGOs in Ethiopia. Although the interviews were conducted in Addis Ababa, the selected NGOs also worked in Oromia, Southern Nations, Nationalities, and Peoples' Region (SNNPR), and throughout Ethiopia.

4. Background and features of the CSO Law

4.1 *Background of the CSO law*

Prior to the Charities and Societies Proclamation No. 621/2009 (CSO law), there were no laws or regulations related to NGOs except for the Civil Law (Articles 404 to 482) formed in 1960 and the Association Registration Regulations of 1966 (Rahmato, 2008). The purposes of the CSO law were clearly stated: “to ensure realization of citizen’s right to association enshrined” in the Constitution and “to aid and facilitate to the role of Charities and Societies in the overall development of Ethiopian people” (Constitution of the Federal Democratic Republic of Ethiopia, 1994; CSO law, 2009).

When the CSO law was enacted in 2009, the Charities and Societies Agency (ChSA) was newly established. A ChSA staff member explained the objectives of the CSO law as follows: “Before the law, there was no specific law.... The CSO law is to govern and support NGOs and to make them use resources effectively” (ChSA staff, February 16, 2016).

In addition to the above-mentioned objectives of the CSO law, some scholars believe that one of the objectives included control of the anti-government movement by NGOs, although the CSO law does not state this in its objectives. Dupuy, et al. (2015) posit that the true objective of the CSO law is not to activate civil society but to exclude anti-government movements and elements. Based on their research, it assumes that the government regards international and local NGOs’ activities, such as training for election monitoring and advocacy for democracy at the election held in 2005, as

anti-government movements. Some think that the purpose of the CSO law was to control the NGO sector since some NGOs conducted activities which could influence the national governance of Ethiopia (Abdi, 2013). In interviews with the NGO directors, some also mentioned relationships between the election in 2005 and enactment of the CSO law. Therefore, this study considers this background of the CSO law and analyzes the current spheres of NGO activities in Ethiopia.

4.2 Features of the CSO law

The CSO law has directives which address concrete guidelines, and the work of NGOs is based on these directives. Although the CSO law includes various new rules, this study especially focuses on the following two new features of the law. First, the CSO law set ceilings on administration costs at 30 % and on operational costs at 70 % (Article 88). Another feature is the new classification of NGOs based on their financial sources (Article 2). The new classification is addressed in Table 11.3. Moreover, based on this classification, their activities are regulated. That is, only Ethiopian Charities/Societies are allowed to engage in activities related to human rights and advocacy (Article 14). The details of the activities which are not allowed for Ethiopian Residents Charities/Societies and Foreign Charities based on CSO law are indicated in Table 11.4. A “Charity” is defined as an organization with “charitable purpose(s)” which includes NGOs; a “Society” is defined as an organization which works for its members’ interests and rights (Articles 46 and 55). Since most of the NGOs in Ethiopia receive funding from foreign donors, they register as Ethiopian Residents Charities. In fact, while the

Table 11.3 Classification of NGOs based on the CSO law

		Not more than 10 % of their funds from foreign sources	More than 10 % of their funds from foreign sources
Local NGO in broad category	Society*	Ethiopian Society	Ethiopian Residents Society
	Charity**	Ethiopian Charity	Ethiopian Residents Charity
International NGO		–	Foreign Charity

Notes: * “Societies” mainly work for their own members, including professional associations. ** “Local NGOs” here refers to “Charities” as defined in the CSO law.

Source: Created by the author based on the CSO law (2009).

Table 11.4 Activities Ethiopian Residents Charities/Societies and Foreign Charities are not allowed to engage in *

-
1. The advancement of human and democratic rights.
 2. The promotion of the equality of nations, nationalities, people, gender and religion.
 3. The promotion of the disabled and children's rights.
 4. The promotion of conflict resolution or reconciliation.
 5. The promotion of the efficiency of justice and law enforcement services.
-

Note: * Namely, activities only Ethiopian Charities/Societies are allowed to engage in.
 Source: Created by the author, based on Article 14 in the CSO law and Kodama (2016).

number of Ethiopian Charities was 107, the number of Ethiopian Residents Charities was 2,073 in 2016.² This means that about 95 % of the local NGOs in Ethiopia registered as Ethiopian Residents Charities cannot implement projects related to human rights and advocacy.

5. Findings on the impact of the CSO law on the NGO sector in Ethiopia

This section will address four findings on the impact of the CSO law on the NGO sector in Ethiopia based on the research.

5.1 Prevention of funds misappropriation

As mentioned earlier, the CSO law set new ceilings for administration and operating costs at 30 % and 70 %, respectively, of the total annual expenditure. According to an interview with an Ethiopian Charities and Societies Agency (ChSA) officer, he believes that there were many NGOs which worked for their own benefit and did not work for local communities. Tonegawa (2014) addresses that community people, who were even benefited by NGO projects, sometimes regard that NGO workers work for their own benefit. One of the reasons is because community people are aware that NGO workers tend to receive a high salary (Tonegawa, 2014). According to the ChSA officer, to encourage more NGOs to work for communities and utilize more funds for projects, this ceiling system was put in place. In fact, the selected NGO directors and staff also positively perceived the ceilings as most funds are used for local communities.

NGOs are influential internationally and are regarded as one of the stake-

Table 11.5 The number of NGOs in Ethiopia (1994–2016)

	1994	1996	1998	1999	2000	2002	2007	2009*	2010	2014**	2016**
Local NGO	24	96	160	190	246	280	1,742	3,616	1,427	2,647	2,658
International NGO	46	96	119	120	122	120	234	403	314	424	426
Total	70	192	270	310	368	400	1,976	4,019	1,741	3,071	3,084

Notes: * The number of NGOs in Addis Ababa is not included in the 2009 number.

** Local NGO in 2014 and 2016 in the table means Ethiopian Charities and Ethiopian Residents Charities.

Source: Created by the author, based on AAA (n.d.); Clark (2000); Singer et al. (2002); Rahmato (2008); Rahmato et al. (2008); Kodama (2016); interview with a ChSA officer (Feb., 2016).

holders which work for local communities and understand their needs (e.g., Biggs et al., 1996; Eade, 2000; O'Dwyer et al., 2008). However, research conducted by Tonegawa (2014) indicates that there are NGO staff in Ethiopia who have various motivations, including their own self-interests. These NGOs, which were separate from their missions and worked for themselves, were closed after the introduction of the CSO law (Dupuy et al., 2015). This is one of the positive results of the CSO law. As a result, for a one-year transition time in 2010, the number of the NGOs was dramatically reduced (see Table 11.5). After that, although the number of NGOs increased and there were 3,084 NGOs registered as Ethiopian Residents Charities in 2016, the NGOs which actually implement projects numbered only about 1,860.³

5.2 *Effects on NGOs' financing*

5.2.1 *Ambiguous definition of "administration cost"*

As mentioned above, there are NGO directors and staff who perceive positively the ceilings for administration and operating costs. However, the NGO directors and staff addressed the ambiguity of the definition of the "administration cost" in the CSO law. Many informants mentioned that "administration cost," including operating cost components, negatively affect NGOs activities. In fact, in Directive No. 2/2011, "administration cost" includes costs for projects such as project staff, monitoring, and supervision costs. The interviews conducted in this present research revealed that some NGOs reduced the number of visits to project sites for monitoring and evaluation purposes to minimize "administration costs."

Furthermore, since salaries for project staff, who are hired during a specific project, are categorized as an administration cost, many NGOs face difficulties when trying to hire experienced personnel. According to this research, the project staff are often young and inexperienced or the NGO staff are assigned multiple responsibilities. In addition, NGOs avoid projects far from their offices in order to save on transportation costs. This research found that NGOs have different strategies to minimize their administration costs. For instance, to reduce their rent, at least seven out of the 30 selected local NGOs moved their offices from the center of Addis Ababa to its suburbs. Moreover, most of the selected NGOs reduced the number of staff employed. As for other strategies to minimize "administration costs," when they go to their project sites, they do not go alone with only one task to perform; they make sure that they do several tasks with several staff members

at one time to save fuel costs. These changes show that NGOs are saving money and working in a more effective manner.

However, it is assumed that the fewer number of monitoring visits and non-employment of mature staff negatively affect the quality of the projects. NGOs are often recognized as actors which can work flexibly in international society, and this is documented in literature (e.g., Bratton, 1989; Johnson, 2001; Banks et al., 2012). However, in Ethiopia, the conditions that limit NGOs' effectiveness may result in the failure to successfully implement projects for local communities living in remote areas without public services. This suggests that the CSO law affects the quality of NGO activities.

5.2.2 Foreign aid reduction

After the enactment of the CSO law, financial aid from foreign donors decreased; as a result, the financial scales of local NGOs' shrunk. Foreign donors who had supported projects related to human rights, gender, democracy, and children's rights lost many of their local NGO partners. As previously stated, only Ethiopian Charities/Societies, which make up only 5 % of the local NGOs in Ethiopia, can implement projects related to human rights and advocacy, according to the CSO law (see Table 11.4). Several informants mentioned difficulties in obtaining foreign funds for the NGOs because many foreign aid agencies have exited Ethiopia. Due to the reduction of foreign funding, financial sources of local NGOs decreased, and their annual budgets shrank as a result.

5.3 Change of the spheres of NGOs' activities

5.3.1 Effects of the CSO law on human rights NGOs

As shown in Tables 11.3 and 11.4, only Ethiopian Charities/Societies with not more than 10 % of their funds provided by foreign sources are allowed to engage in activities related to human rights and advocacy. NGOs working primarily on human rights and advocacy, i.e., human rights NGOs, decreased their financial resources to make foreign sources 10 % of their funds. There were only 107 Ethiopian Charities in 2016.⁴ The number of human rights NGOs has also decreased. Human rights NGOs, which were influential before the enactment of the CSO law, decreased their financial size to be able to continue their activities. As a result, the influence of these NGOs was decreased in Ethiopian society. These situations were addressed by various informants. The following extract shows Ethiopian Women's

Lawyer Association (EWLA) as an influential NGO before the enactment of the CSO law.

Many sectors have been forbidden to work on human rights and advocacy. Only Ethiopian Charities can now work on human rights and advocacy. That is damaging, and some groups have changed their objectives, like us. Others have changed and become Ethiopian Charities, but they can only get local funds. That is very hard. For example, EWLA—they used to be big, but because of financial constraints they are now small. They make a difference in this country (Local NGO director with 12 years of experience in the NGO sector in Ethiopia, February 8, 2016).

Moreover, Ethiopian Residents Charities are not allowed to work on gender-related activities (see Table 11.4). Before the government enacted the CSO law, many NGOs were working against harmful traditional practices (HTP), including FGM, early marriage, and the abduction of girls. However, these activities are not open to the majority of NGOs because of the CSO law.

We (NGOs) have to advocate for quality services. But this is not our (Ethiopian Residents Charities') right. That is the right of the Ethiopian [Charity/Society] organizations. We are restricted.... Working on FGM and HTP is not our mandate area. They said it is the mandate of the government and Ethiopian [Charity/Society] organizations. But people are dying [because of HTP]. We frequently observe that this kind of HTP happens in the community and affects the well-being of girls and women. But, we are not allowed to work on that. Because of this, our working capacity is shrinking. Even though there are resources from international organizations for gender-based violence, as we are not allowed to engage in this, our partnerships with these kinds of (donor) organizations are also shrinking. This leads to the capacity of NGOs also shrinking (Local NGO director with 11 years of experience in the NGO sector in Ethiopia, February 9, 2016).

Although the NGOs mentioned above worked especially for women's rights for a long time, they had to change their focus after the CSO law was enacted. The NGO director evidenced his deep sense of frustration about the CSO law as seen in the interview extract. This restriction of gender activities to NGOs in Ethiopia indicates a backward movement for the de-

velopment approach from the Gender and Development (GAD) approach mainstreamed in the 1980s to the Women in Development (WID) approach mainstreamed in the 1960s. NGOs face difficulty in empowering women to pursue fair treatment in society. These situations show completely different spheres of NGOs' activities from the transformation for sustainable development as discussed by Heyzer (1995) and Edwards (2006). This research found that NGOs which worked for human rights dramatically reduced their activities under the CSO law.

5.3.2 Effects of the CSO law on NGOs with a human rights approach

This research found that, in addition to human rights NGOs, the CSO law has also affected the activities of other NGOs. This is because many NGOs in Ethiopia implemented projects based on a human rights approach, as mentioned above. Projects based on a human rights approach are also not allowed for Ethiopian Residents Charities. Moreover, these NGOs modified their missions and re-registered as Ethiopian Residents Charities in 2010, since their mission statements included words such as "human rights" and "advocacy."

There were many NGOs which implemented their projects based on a human rights approach. For instance, when NGOs implemented projects to establish health posts, water wells, and primary schools, they raised awareness about children's rights. However, using a human rights approach, these types of projects are difficult for NGOs to implement under current conditions.

Furthermore, NGOs tend to avoid training and workshops, since these activities can be regarded as advocacy for human rights. When NGOs implemented a hard-component project, such as the construction of schools or water wells, they previously included awareness-raising workshops on the importance of education and hygiene. Currently, NGOs are afraid to include these components in their projects. One reason is because training and capacity building activities were regarded as administration costs under the CSO law until 2014 when the guidelines were amended (ChSA, 2014). The selected directors and staff of NGOs stated that advocacy activities that offer training and workshops are necessary for any project.

Based on this research, NGOs, which used to utilize the human rights approach, transferred their activities to direct service delivery of visible hard components, such as construction and materials delivery. Some NGOs have tried to find ways to implement women's rights activities and advocacy without going against the CSO law. However, since most of the NGOs are hesitant to go against the law, they simply avoid activities related to rights,

gender, training, and workshops, and they only implement service delivery projects with hard components.

The limitation of the activities regulated by the CSO law has affected not only human rights NGOs, but also the majority of other NGOs in Ethiopia. This has resulted in the limitation of the spheres of the NGOs' activities in Ethiopia. This research also found that NGOs faced difficulty when trying to implement projects effectively, and when trying to implement quality projects with training and workshops.

In sum, on the one hand, there are positive impacts from the CSO law: a decrease in the number of NGOs seeking their own profit, an increase of the operation costs used mainly for local communities, and the efficient use of their finances to minimize administration costs. On the other hand, this research found the following negative impacts of the CSO law: shrinkage in the size of NGOs, shrinkage of the spheres of NGOs' activities, and degradation of the quality of NGOs' activities.

6. NGOs' perception about the government

As mentioned above, there are negative impacts on NGOs. Because of that, many NGOs exhibit increased mistrust of the government, according to the findings of this research.

Although one of the aims of the CSO law is to aid and facilitate the role of NGOs, the following interview extract shows that these objectives are not realized in the current situation: "they (the government) mentioned the issues of transparency and accountability. They also mentioned that they will develop an environment conducive for NGOs. [However,] such a type of scenario is not there in reality" (Local NGO director with 15 years of experience in the NGO sector in Ethiopia, February 15, 2016). Moreover, an NGO director indicated that "they (the government) say that they consider us (NGOs) as partners. But not in reality ... to be partners, at least we should get help from them (the government), right? And an understanding of each other" (Local NGO director with 12 years of experience in the NGO sector in Ethiopia, February 8, 2016).

The next extract from the interviews indicates that the NGO director sees the importance of a law for NGOs. However, this NGO director has an increased distrust of the government, as the CSO law is too restrictive for NGOs to work as they wish.

The CSOs (NGOs) have to be controlled. We don't say we should not have a law. Not all NGOs are genuine. And, I am not saying that any NGOs did not abuse their mandate.... [However,] the solution is not enacting a very strict law so that no one is able work. A different mechanism of looking over NGOs [is needed to check] if we are really working in a proper fashion and managing our fund properly. It is not having a strict law.... Strict supervision and strict laws should be there. But not too strict, so that we are not able to move an inch. Supervision is very important. Not too strict, but strict (Local NGO director with 12 years of experience in the NGO sector in Ethiopia, February 8, 2016).

After the 2000s, the government officially stated that they intended to form collaborative partnerships with NGOs. However, this research found that their partnership has not been well-formed. Rather, there seems to be an increased mistrust between them, especially after the enactment of the CSO law. The following interview extract demonstrates the NGOs' relationships with the government:

I say that the relations between the CSOs (NGOs) and the ChSA have not improved. There still needs to be a lot of work to improve the relationship. Both entities should come together and come to an organically solid way of thinking, rather than looking at themselves in different categories. We all are standing for development.... I would say, open dialogue should be created.... The government should trust the NGOs, NGOs should trust the government. This is all about development ... we have to come together and work together, because this is a development issue (Local NGO director with 23 years of experience in the NGO sector in Ethiopia, February 10, 2016).

As seen in the interview extracts above, mutual understanding between NGOs and the government is needed to improve their relationships. To do that, one of the ways may be to ease the restrictions of CSO law with more discussions between NGOs and the government side.

Conclusion

In international society, the NGO sector became an influential actor in civil society, and partnerships with NGOs became common in many countries. In

line with this international trend, the government of Ethiopia seems to form partnerships with the Ethiopian societies, such as professional associations and youth associations as “civil society.”⁵ Moreover, there are Government-organized Non-governmental Organizations (GONGOs) in Ethiopia; these GONGOs seem to implement some projects which are not allowed for Ethiopian Residents Charities.⁶

Furthermore, the government has expanded its own activities to include activities formerly done by NGOs. For instance, the Ministry of Women and Children Affairs expanded their gender projects after the CSO law was enacted (Kodama, 2016). In the education sector, NGOs are not allowed to implement projects related to the quality of education, whereas the Ministry of Education and The United Nations Children’s Fund (UNICEF) are currently working for improvement in the quality of education.⁷ A government surely has a responsibility to deliver public services to their citizens. However, if the government of Ethiopia expects that NGOs only supplement public service delivery, the NGO sector may eventually become very limited in its spheres of activities because of the expansion of government work in Ethiopia. These situations imply that NGOs in Ethiopia are currently not expected to do certain activities, e.g., the collection of the people’s views and interests, the encouragement of political advocacy, and the promotion of transformation, in the broader spheres addressed by Korten (1990) and Edwards (2004).

This research found that CSO law has regulated NGOs activities, especially with ceilings on administration costs and limiting their activities based on the new categorization of the NGOs as determined by their financial sources. These have caused many NGOs to reduce their spheres of activity. The purpose of the CSO law is to support and encourage the NGO sector for the betterment of the Ethiopian people. The NGOs which were operating mainly for their own profit found it difficult to operate under the CSO law. This is one positive effect of the law. The ceiling for operating costs, based on 70 % of the total budget, means that more funds are utilized for local communities in Ethiopia. This can also be seen as a positive result of the law’s enactment. However, as mentioned above, “administration costs” include operating costs. Maintaining 30 % of “administration costs” is difficult for many NGOs in Ethiopia.

In 2005, NGOs in Ethiopia expanded their activities to include political advocacy by implementing voter education and giving training for election monitoring. However, it is assumed that the government has not been recep-

tive to these activities of the NGOs. This analysis also found that regulations set by the CSO law have regulated not only the advocacy and human rights activities but also the service delivery conducted by NGOs. This indicates that the law does not necessarily support and encourage the NGO sector in Ethiopia. Activities related to political advocacy, as discussed by Korten (1990), Hayzer (1995), and Edwards (2004), are not expected from NGOs by the Ethiopian government. The result is that many NGOs are minimizing their spheres of activity and losing their legitimacy.

In April 2018, a new Prime Minister, Abiy Ahmed came into office. In one of his speeches, he emphasized the importance of “building democratic systems” (Dufief, 2018, para. 8). The government quickly formed the Law and Justice Advisory Council in June; the Council started consultations to amend CSO law in August 2018 (Fana BC, 2018; ICNL, 2018). This situation shows the possible improvement of the spheres of NGOs in Ethiopia. The progress of the consultations and amendment will be examined in future studies.

Notes

- 1 This chapter is based on the chapter by Tonegawa, Y. (2018) ‘Ethiopia ni okeru katsudo ryouiiki no kentou [Analysis of the Spheres of Activity by NGOs in Ethiopia]’ in Y. Miyawaki (ed.), *Kokka shihai to minshu no chikara* [National governance and civil power], Osaka: Osaka Municipal Universities Press, pp. 56-102.
- 2 According to an interview with a staff member of the Ethiopian Charities and Societies Agency, February 15, 2016.
- 3 According to an interview with a staff of the Ethiopian Charities and Societies Agency on February 15, 2016.
- 4 According to an interview with a staff member of the Ethiopian Charities and Societies Agency on February 15, 2016.
- 5 Based on interviews with former local NGO staff with eight years of experience in the NGO sector in Ethiopia, on February 13, 2016, and aid agency staff on February 22, 2016.
- 6 Based on an interview with local NGO staff with 12 years of experience in the NGO sector in Ethiopia, on February 23, 2016.
- 7 Based on an interview with an international aid agency on February 21, 2016.

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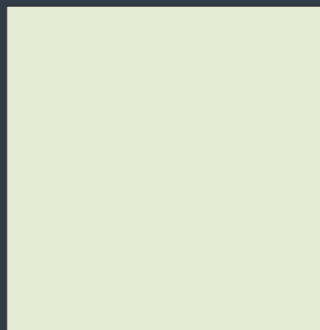
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About this book

Complex Emergencies and Humanitarian Response is composed of two parts. Part I takes a theoretical approach and Part II takes a practical one. Through discussions from both approaches, this book presents the reality of the unstable situations and difficulties that conflict-prone and post-conflict nations face. The chapters analyze complex emergencies and humanitarian efforts by diversified actors—nations, international and regional organizations, and civil society. We hope this volume can contribute to a better understanding of the challenges for the international community to stabilize and root real peace in conflict-affected societies. Peace is not an event that happens immediately but efforts by many diversified actors offer us a glimmer of hope for the future.



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