

*Routledge Contemporary Southeast Asia Series*

# **PATHWAYS FOR IRREGULAR FORCES IN SOUTHEAST ASIA**

**MITIGATING VIOLENCE WITH  
NON-STATE ARMED GROUPS**

Edited by  
Atsushi Yasutomi, Rosalie Arcala Hall  
and Saya Kiba



“This fascinating collection focuses on irregular forces – militias, private armed groups, youth gangs and martial arts groups – in Southeast Asian cases that include the Philippines, Thailand, Timor-Leste, and Indonesia. Rather than examining these forces from the perspective of states, the individual essays as the volume as a whole suggest looking at them as phenomena rooted into local circumstances, as entities that are not simply informal or illegal entities but have communal roles. The essays are thus devoted to their organizational structure and dynamics to show how they adapt to changing social and political conditions and proceed along evolutionary paths; towards less use of armed force and intimidation, weakening and dissolution or transformation into other social and political forms. Of especial significance are five general essays that frame the case studies by offering general comparative and theoretical directions as well as suggestions for reform. This book will be indispensable for any scholar interested in irregular forces both in the region and outside it.”

**Eyal Ben-Ari**, Kinneret Academic College, Center for Security,  
Society and Peace

“This is an important book that goes beyond the binary of state and anti-state forces to consider the political, economic, and sociological details of irregular armed groups. Overgeneralization and a military lens have impaired our understanding of armed groups. Western military forays into anthropology in the service of counter-insurgency ‘human terrain analysis’ have been unhelpful.

Yasutomi et al. have pioneered a much more promising approach toward respectful and inclusive peace processes, disarmament, and reform of security sector governance.

The micro-sociological approach by Yasutomi et al. demonstrates that armed irregular forces can play positive roles in peace processes, despite typically being portrayed as spoilers. These roles are linked to the governance and security needs of differentiated communities.

In addition to rebel groups, Southeast Asia sees irregular forces engaged by governments, veterans’ groups, martial arts groups, and ritual arts groups. Clan, family, and criminal networks add to the complexity of managing human needs for security, reliable governance, and trust in local decision-making.

Yasutomi and colleagues identify three pathways for demobilization and SSR: continued violence, dissolution, and adaptation to new circumstances. All three offer interesting possibilities for demobilization, security sector governance and reform.

Readable, well-documented, building on fieldwork and deep first-hand knowledge, this book has implications far beyond Southeast Asia with its fundamental insights about irregular forces and their connections to society.”

**David Last**, CD, PhD, Associate Professor, Department of  
Political Science, Royal Military College of Canada



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# Pathways for Irregular Forces in Southeast Asia

An exploration of the roles that pro- and anti-government militias, private armed groups, vigilantes, and gangs play in local communities in the new democracies of Southeast Asia.

Scholars have typically characterized irregular forces as spoilers and infiltrators in post-conflict peacebuilding processes. The contributors of this book challenge this conventional understanding of irregular forces in Southeast Asia, demonstrating that they often attract solid support from civilians and can be major contributors to the building of local security—a process by which local residents, in the absence of an effective police force, develop, partner, or are at least included in the management of community crimes and other violence. They analyze irregular forces' dealings with political actors at the community level, explaining why and how forces are incorporated in and collaborate with legitimate institutions without using violence against them. Offering a new approach to dealing with irregular forces in Southeast Asia, the contributors explore new theoretical frameworks that are better suited for evaluating irregular forces' relationship to different security providers and the political environments in the region. Specifically, they examine case studies from Indonesia, Timor-Leste, the Philippines, and Thailand.

A valuable resource for researchers, students, and practitioners in the areas of conflict resolution, peacebuilding, and security governance, especially those with a focus on Southeast Asia. This book will also be of great interest to scholars of the sociology and anthropology of the region.

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# Pathways for Irregular Forces in Southeast Asia

Mitigating Violence with Non-State  
Armed Groups

Edited by Atsushi Yasutomi,  
Rosalie Arcala Hall and Saya Kiba



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# Preface

Irregular forces have a misguided reputation as spoilers of peace. They are seen as illegitimate armed actors tied with the shadow economy of drugs and crime, whose violent acts are or result in human rights violations. They are largely excluded by international aid agencies in peacebuilding initiatives and at the margins of scholarship. In Southeast Asia, where decades of armed conflict are intertwined with post-colonial state- and nation-building, there is a need to examine their nature and dynamism beyond these stereotyped categories. Irregular forces in the region have distinct historical moorings, enjoy legitimacies to their local publics, and are not always or perpetually wedded to violence. They are more than stereotypes.

This book does not deny the dangerous nature of irregular forces in Southeast Asia but offers a more critical examination of their diversity and embeddedness in the changing political environment of their countries. It offers conceptual recategorization of these armed actors beyond the binary that privileges the state, i.e., that they are not statutory formations and therefore illegal. The book proceeds from the point of view that irregular forces traverse the gray area between formality and informality in their working relationship with the military and police. They more than assist, stand proxy for, or act as subcontracted fighters against state enemies. They are local and territorial forces with value to their communities. This book offers a micro perspective in that it describes the organizational characteristics of irregular forces—their recruitment, resources, command structures, and relationships—and how their leadership brings these attributes forward in the face of political changes. Irregular forces are not treated as static. Rather, their objectives, motivation, and internal cohesion are actively shaped by external political processes, even when these processes exclude them. Their transformation as an organization follows three distinct pathways to more or less violence, dissolution, and evolution.

The militias, private armed groups, martial arts groups, and youth groups, in the Philippines, Thailand, Indonesia, and Timor-Leste, covered in this book were local organic formations that emerged because of state absence in the periphery. Starting as loose organizations, they became more structured as they were brought into the state's ambit to fight opposing forces or support governing elites. This transformation ranged from being absorbed into the state's security

apparatus (e.g., as auxiliaries) or becoming neighborhood watch associations, village defense groups, or security guards with close ties to local military command. In this pathway, they never totally shed their violent nature but found more pragmatic means of dealing with the state. Some followed a decisively political track by becoming election campaign machines, formal political parties, or pressure groups. Coercion became less important than money, networks, and popularity as instruments to obtain concrete benefits in the form of jobs, government contracts, pensions, and symbolic recognition of their members. This political trajectory was uneven across the cases and was highly contingent on their national government's policy mood, which swung between accommodations (e.g., the Philippines, Indonesia) to crackdown (e.g., Timor-Leste). Rather than moving away from a violent portfolio, the case of Thai militias in the Deep South goes in a reverse direction, with them being more formally integrated into the government counter-insurgency apparatus down to the village level.

The foregoing inventory of irregular forces in Southeast Asia portends to their transformative potential beyond violence. There is a need to differentiate irregular forces and consider those whose organization and leadership are open and flexible toward more accountable ways of providing security. A security sector reform approach that is inclusive of these types of irregular forces is warranted.

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# Introduction

*Atsushi Yasutomi, Rosalie Arcala Hall and Saya Kiba*

This book analyzes irregular forces in the new democracies in Southeast Asia. Irregular forces—pro-government militias, anti-government militias, vigilante groups, gang groups, etc., as will be defined in the subsequent chapters—are often understood to be nefarious actors of democratic transitions and post-conflict peacebuilding processes. Irregular forces are thus often characterized as spoilers. True. Even after peace negotiations are concluded in the post-conflict settings, irregular forces manage to retain weapons and use them for extortion to exert political influence on the political opposition. In countries undergoing democratic transitions, irregular forces traffic weapons, humans, and drugs to benefit from illegal businesses that use violence and illegitimate money transactions. Others continue to violate human rights against the local population. These activities by no means represent opposite directions toward the transition to democracy. They may well be spoilers in many parts of Southeast Asia. Many scholars and practitioners in this field agree that these malignant actions thwart ongoing efforts to gain peace and stability.

Are irregular forces always spoilers to democratic transitions in Southeast Asia, nonetheless? While this book acknowledges the damaging nature of their political behaviors, it also attempts to shed light on alternate perspectives. It argues that it is not always appropriate to regard these groups as a single-faceted actor that haphazardly destroys the efforts of democratic transitions in this region. This book suggests that some irregular forces have the potentials to collaborate in democratic transition efforts.

We aim to draw the readers' fresh attention to some of the irregular forces in this region that exhibit internal adaptations to the changing political environment and to ones that are less violent than before. Those that experience such transformation manage to adroitly alter their original political objectives with less violent means to pursue them without dismantling the original structure. The contributors to the chapters illustrate cases where different forms of irregular forces contribute, in their own way, to maintain security in their communities while retaining the use of violence to a lesser degree. Sure, their approach to security at the community and state levels is often illegitimate, and they may not fully comply with the appropriate democratic practice. Nevertheless, the authors suggest that this alone may not be the sole reason to exclude them from ongoing

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efforts of democratic transition. Instead, they suggest that various national and international agencies supporting these efforts have more flexible and permissible programs that can include these illegitimate actors in the region.

The authors observe that irregular forces in Southeast Asia are undergoing a characteristic transformation in their internal structure in response to the altered political environment. Though some irregular forces remain as violence-based organizations and some simply dissolve, others find themselves capable of adapting to the changing political environment and adopting objectives and the means to pursue them. We pay particular attention to irregular forces that fall into this latter type. Throughout the chapters that follow, the authors present cases in which these irregular forces evolve under changing political environments. Some provide the local populations with informal public services in the absence (and/or the lack) of formal services that legitimate state agencies should, otherwise, have provided. We also find cases where irregular forces adapt by utilizing their developed nonviolent components of resources, such as network and popularity, and transforming into a political party and non-government organization. At the end of this book, we suggest that it is this type of irregular forces that external assistance agencies supporting security sector reform and governance (SSRG) should pay more attention to as they have more potential for future collaboration with them. Careful studies on these irregular forces enable more extensive SSRG operations, enhancing the political developments required for these states in Southeast Asia.

### **Irregular forces in the context of post-conflict peace processes**

#### *Irregular forces as spoilers*

Studies on irregular forces have developed rapidly since the end of the Cold War, and civil wars broke out in many parts of the world where irregular forces played major roles during conflicts, as witnessed in states such as Rwanda, Sierra Leone, and Bosnia-Herzegovina. A number of studies were conducted about irregular forces in relation to post-conflict peacebuilding processes. These studies largely assume that irregular forces are peacebuilding spoilers as large parts of these force members, particularly those excluded from the ongoing peace processes, could ruin such processes to regain the power they once had.

Stephen Stedman's (1997) pioneer study in his International Security piece entitled "Spoiler Problems in Peace Processes" defines spoilers as leaders who "believe that peace threatens their powers, worldview, and interests, and use violence to undermine attempts to achieve it" (p. 5). He suggests two types of spoilers: inside spoilers are among those already involved in peace processes and undermine peace processes, whereas outside spoilers are excluded from peace processes. In his article, he further characterizes three different categories according to their distinct objectives. First, "total spoilers" are those who do not tolerate worldviews that would result from the peace negotiations and thus reject

anything that is agreed upon in the given peace process and attempt to destroy all efforts from the negotiations. The second kind of spoilers is characterized as “limited spoilers” who seek limited goals such as recognition, redressing grievance, and a share of power that the opposition would otherwise attain. The third type, “greedy spoilers,” is positioned between total and limited spoilers whose goals vary, depending on their strategic calculations.

Based on Stedman’s definitions, irregular forces excluded from peace processes can be categorized as spoilers. Steiner and his colleagues (2019) analyze the characteristics and behaviors of pro-government militias in post-conflict states, such as the Interahamwe militia in Rwanda and the Arkan’s Tiger in the former Yugoslavia, and explain that their behavior falls on the “outside spoiler” category since they were excluded from the peace processes. For a number of reasons—lack of alternatives, psychological satisfaction toward violent behavior, and strong indoctrinated violence philosophy on achieving political goals, etc.—their continued war-fighting and criminal activities contributed to undermining the peacebuilding processes in the countries (Steiner et al., 2019). Likewise, like the Autodefensas Gaitanistas de Colombia (AGC), pro-government militia and criminal groups can be seen as outside spoilers. The AGC split from the pro-government militia called the AUC (Autodefensas Unidas de Colombia), which had been demobilized in 2003–2006 and was rearmed to resume its drug trafficking business. This led AGC members to be excluded from the 2015 peace negotiation participants and from the subsequent state-sponsored disarmament, demobilization, and reintegration (DDR) processes. The AGC’s continuing drug businesses and related criminal activities have been responsible for a number of deaths among communities in Colombia during heavy combats with the Colombian military and law enforcement units. The case of the AGC exemplifies pro-government militias and criminal groups undermining the ongoing peace processes in the post-conflict state.

Once left outside peace negotiations, these irregular forces hardly become recipients of assistance from Western donors, further spurring them to commit violence. As Stedman, Rothchild, and Cousens (2002) argue, spoilers take advantage of uncontrolled positions from the Western’s eyes, allowing them further to commit violence. Moreover, as Nilsson (2008) explains, outside actors are more likely to engage in post-settlement violence once they are kept outside the loop of the peacebuilding process, as it remains the only viable means for protecting their interests for survival.

Other scholars contend that characterizing irregular forces as spoilers to peacebuilding is negligent and counter-effective and instead uphold a more inclusive approach to defining irregular forces. Greenhill and Major (2006–2007) suggest that spoiler’s behavior is neither intentional nor personally driven and that it is indeed difficult to make a clear-cut distinction among spoilers that are “total,” “limited,” and “greedy” as they are not necessarily stable and static. By observing that these distinctions are rather the response to the environments, Greenhill and Major explain that spoilers’ characteristics are shaped by the political environment under which they operate. According to them, their behavior relies on

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perceptions derived from the security dilemma they face after the peace negotiations. If their expected utility is to comply with the peace bargains, they would likely surrender to peace.

In contrast, if a credible third party is absent to guarantee their survival, they would rather find it difficult to give up their weapons. Their decision may also have to do with how fellow members are motivated to stay combative; leaders of armed groups may well find it hard to convince members to dissolve the group if the motivation to remain violent stays high. However, if a drastic change in internal power distribution takes place among the armed group members, the followers would rather leave, and the organization may well lead to a collapse (Greenhill and Major, 2006/7). Zahar (2003) similarly argues that spoilers' behaviors are not simply so vicious that they wish to destroy the peace processes, but that they result from a simple calculation of cost and benefits based on their post-negotiation economic strategies. When their perception of the "peace dividend" after the peace process is higher, they would simply turn themselves in. But they would rather choose to stay in combat if their peace dividend is lower than that expected.

The discussions on spoilers to peacebuilding suggest that all irregular forces that continue to be present after peace processes do not necessarily and automatically point to the destruction of developments in the peace processes. Their political behaviors (most notably whether or not to surrender or challenge peace negotiations) are shaped not simply by their ideology and leadership of the armed groups but also by their perceived political conditions and environments created from the peace bargains that take place out of their control.

#### *Irregular forces from a more micro perspective*

Since the 2000s, studies on irregular forces have further developed by shedding light on their behaviors at a more micro level. Scholars who pay attention to this level of analysis agree that more detailed examinations of their behaviors are required to restore peace and stability in post-conflict peacebuilding. Such examinations on irregular forces through a magnifying lens have helped us reaffirm the nature of irregular forces; that is, they are not simply unitary violent actors who spoil political transitions.

Weinstein (2005) closely examined the recruitment strategies of irregular forces by comparing those with ample financial resources and those without. He observes that those recruited in the former type of groups exhibit little commitment to their long-term goals, and those with poor resources attract new recruits with private rewards utilizing social ties. Staniland (2014) discussed that social networks and bonds within family and kinship play important roles in their recruitment policy. Loyle and Bestvater (2019) observed Colombian rebel groups' use of Twitter during the civil war and found that they used Twitter to publicize the legitimacy of their activities to the audience outside the country but not to recruit new members. McQuinn (2016) analyzed the internal organization of irregular forces by focusing on command profile and financing structure

and found that those are two important core factors that determine their political behaviors after the civil wars.

Studies on irregular forces at the micro level also extend to studies on the relations between them and the communities. In her award-winning book *Extralegal Groups in Post-Conflict Liberia*, Cheng (2018) explains that irregular forces (she refers to them as “extralegal groups”) in Liberia, in the absence of a functioning government and without public trust, created a functioning political norm that maximized financial rewards for their activities while providing conflict resolution and other problem-solving mechanisms for communities. Their engineering of a substitute political norm poses a rigorous academic challenge to the conventional understanding of irregular forces as peacebuilding spoilers. Arjona and her collaborators (2017) examined rebel groups in Côte d’Ivoire, Colombia, Liberia, and other post-conflict states and analyzed their relations to civilians in the communities from the governance perspective. Their book entitled *Rebel Governance in Civil War* observed the irregular forces’ governance systems in these states. The rebels sought to win over the population in their territories and draw them on to collaborate and prevent civilians from turning against the rebels. Kaplan (2017)’s work is intriguing in that he analyzes the rebel groups’ relationship vis-à-vis the community from the community’s standpoint. He argues that communities in post-conflict states can ensure their own security by strengthening their social bond and creating civilian authority when confronted with violence and other abuses posed by armed groups in the communities.

Some post-conflict studies suggest that the social bonds among former combatants in irregular forces and their fighting skills tempt them to commit crimes in their communities and that such criminal inclination tends to spill over through communities. Peña and Dorussen (2021) test the so-called violent veteran’s effect in post-conflict Colombia and claim that it is not always true. They find that murders committed by former anti-government militia members who had experienced the government-sponsored social reintegration process were not accounted for, while the number of thefts claimed by them did increase. Based on their observation, they debunk the common prevailing bias that Colombia’s demobilized militia members are murderers and are cruel.

The studies by Nussio and Kaplan (2016) and by Nussio (2017) also show that the common image of recidivism by former irregular force members is often exaggerated. These scholars explain that irregular force members, particularly those who had gone through the demobilization and reintegration processes in Colombia, do not dare to risk their new life by committing particularly violent crimes like murder, especially for those who now need to support their own children. They simply calculate the risk and tend to resort to a more stable and economic life. According to them, lingering joblessness in town is a quintessential misconception toward such former combatants. Indeed, Nussio (2017) supports his claim by indicating a study by the Colombian Agency for Reintegration in which among the 57,907 combatants who underwent the 2003–2016 reintegration processes, no less than 74% were employed and have contributed to the economy of their local communities.

These scholars have observed diverse characteristics of irregular forces and suggest that they are not simply unitary actors that thwart peacebuilding efforts after the conflicts. Based on this presupposition, some scholars call for a wider approach to the DDR of ex-combatants in post-conflict peacebuilding processes. Shibuya (2012), for instance, warns of isolating irregular forces from DDR processes in post-conflict states. His approach to post-conflict DDR processes is more inclusive in that external agencies responsible for DDR should reach out to irregular forces, such as militias and rebel groups, and incorporate them in the processes, warning that the lack of such an approach has undermined the peacebuilding efforts in various post-conflict states so far. Furthermore, Berdal and Ucko (2009) pay particular attention to the reintegration processes of irregular forces at the local level. They stress that the conventional approaches to irregular forces in DDR processes have stressed the mechanical and normative aspects and have neglected various political and anthropological aspects at the local level. Thus, they argue that analysis of dynamic interactions between irregular forces and local institutions that accommodate them during DDR (particularly the reintegration process) is vital. Particularly, Berdal and Ucko's emphasis that they advocate a "more permissive" and long-term approach to reintegrating irregular forces into communities is of significant interest. They argue that Western donors that sponsor DDR processes in post-conflict states need to prepare more lenient policies toward irregular forces and allow for their more active participation in decision-making at the local and community levels.

### **Irregular forces in the SSR context**

In the field of SSRG, dealing with irregular forces has been a common topic, but, in practice, it seems to have been long overlooked.

SSRG aims to enhance the effectiveness of security, justice, and oversight institutions and to bring the state as well as non-state security sectors (e.g., military, police, and private security companies) under democratic governance as a state-building end-goal (OECD DAC, 2007). While SSRG is widely known to be reform efforts in states in the post-conflict peacebuilding context (as was conducted in states such as Bosnia-Herzegovina and Sierra Leone), it is also conducted in states undergoing democratic transitions where no civil wars are necessarily involved.

SSRG implemented in these wider political contexts underscores the significance of including irregular forces in its operations. The Organisation for Economic and Development Cooperation (OECD) makes it clear in its book entitled *OECD DAC Handbook on Security System Reform* that a successful SSRG requires an inclusive operation policy that reaches out not only to state security apparatus but also to non-state security providers as they often play key roles in providing local security particularly in remote areas (OECD DAC, 2007).

Despite this principle on non-state security actors, practitioners and scholars of SSRG are rather cautious about reaching out to irregular forces. Hendrickson and Krakoszka (2005) warn that weak state security functions (such as the police)

can easily lead to a (re-)rise of irregular forces like militias and vigilante groups to fill in the gap and encourage illegitimate use of violence, which results in undermining efforts for governance. For this reason, the OECD points out that enhancing governance over irregular forces should follow careful examinations of irregular forces and studies on their roles on the relations among various irregular forces and those with the state security apparatus (OECD DAC, 2007).

Some observers advocate that containing and controlling irregular forces is a vital step for a successful SSRG. Bryden and Hänggi (2005) point out that controlling irregular forces is an important process for peacebuilding, and it represents a minimum-security prerequisite to allow external security sector reform (SSR) bodies and the local collaborators to proceed with under a safe environment. Holmsqvist (2005) similarly states that close coordination between national and external actors is critical in promoting post-conflict SSR to control irregular forces that could spoil post-conflict reforms. Von Dyck (2016) also indicates that SSRG's first step for short- to long-term tasks includes restoring order in the operating region by neutralizing and de-legitimizing illegal, non-statutory armed groups such as militias, gangs, and community defense groups.

This book challenges the conventional approach of SSRG institutions (such as international organizations and civil society organizations) that treat irregular forces as permanent spoilers of democratic transitions. Our conclusion is not to turn a blind eye to their illicit activities but to indicate that external agencies supporting SSRG reach out more to irregular forces and not isolate them from their assistance programs. It will be inappropriate for external agencies to assume that they are a homogeneous group erratically thwarting SSRG efforts. The authors of this book suggest that not all undermine democratic transitions and that they have the potential for some degree of collaboration with SSRG agencies in Southeast Asia.

## **Plan of this book**

Existing studies on irregular forces in Southeast Asia have mainly focused on discourses tackling how they have been a predicament to democratic transitions and what challenges they have posed to the stability in the region (e.g., Aceh, Indonesia [Stange and Patock, 2010; Aspinall, 2009]; Timor-Leste [Simonsen, 2005; Sindre, 2016; de Almeida, 2017]; the Philippines [South and Joll, 2016]; and Thailand [McCargo, 2006; Ball and Farrelly, 2012]). In short, these studies are about how irregular forces are spoilers toward democratic transition processes in these states. Studies on irregular forces using our different angles are limited. This book dares to challenge the conventional perspectives of observing irregular forces in Southeast Asia from two following aspects. First, it focuses on irregular forces that are not simply violent and combative actors disturbing democratic transition efforts in the region. Second, it sheds light on those that have transformed themselves into less violent (if not entirely nonviolent) entities and have the potential to contributing to peace and stability at the community and state levels. In short, this book tries to put the spotlight on less spoilers in the states.

This book will proceed by examining various forms of irregular forces in the selected states under unique political milieus: Indonesia (democratic deepening) and Thailand (democratic reversal with ongoing conflict, especially in the case of the Deep South), Timor-Leste (democratization through post-independence state-building), and the Philippines (democratic transition through post-conflict peacebuilding, specifically in the case of Mindanao). On this basis, states such as Cambodia, Laos, Myanmar, and Vietnam are not selected as relevant case studies. Irregular forces do exist and are active in many parts of this latter group of states. However, none of these states suggests promising democratic transition and there are no prospects for relevant changes within the irregular forces. Moreover, none seems ready to accommodate any encouraging initiatives for the democratic governance of security institutions.

This book consists of nine chapters. Chapters 1 and 2 discuss the issues and problems through which we try to understand the behavior of irregular forces. In Chapter 1, Yasutomi discusses that post-conflict irregular forces tend to be treated as one loose armed group that fights against either the regular forces or legitimate statutory forces (i.e., the military, the police, and other law enforcement agencies). He points out that, to avoid existing ambiguous confusion on irregular forces, there is a fresh need to understand these groups. In this context, he re-grouped irregular forces into five categories—paramilitaries, pro-government militias, anti-government militias, vigilante groups, and gang groups—and analyzed each characteristic according to (1) the main objectives, (2) motivation for enlistment, (3) internal cohesion within force members, (4) relations with the state, (5) relations with the community in the territories where they control, and (6) relations with the community in the opponent territories. His analysis provides reasons to support the idea that irregular forces tend to be misconceptualized as simply spoilers and helps us better understand whether and who, among surviving irregular forces, are transforming themselves into political entities with altered purposes for their existence.

Hall, in Chapter 2, illustrates how irregular forces undergo any of the suggested three pathways in a changing political milieu. In Pathway 1, irregular forces have no pressing reasons to bring out drastic changes in their current objectives and means for survival in the given political environment and thus remain violent groups. In Pathway 2, irregular forces lose sources of their continued activities (e.g., trust, social network, financial resources, manpower) under the changing political environment and are unable to find alternate ways for their survival. Such groups are eventually destined to dissolve. In Pathway 3, irregular forces do recognize changing expectations and roles to play in the new political environment and adroitly alter their objectives and the means to preserve their organizational structures. Hall explains that the irregular forces have undergone either of the three pathways. She particularly highlights Pathway 3 to be most noteworthy.

Chapters 3 through 7 analyze the cases of illegitimate actions of non-state violent groups in Southeast Asian states. These chapters present cases in the Southeast Asian states where we observe various forms of irregular forces experiencing transformations through either Pathways 1, 2, or 3.

Okamoto, in Chapter 3, analyzes the existing violent groups in Indonesia. Indonesia has experienced a series of democratization reform processes since the end of more than three decades of the Suharto authoritarian regime in 1998. Okamoto's focus on the roles of Pancasila Youth (Pemuda Pancasila) offers intriguing examples of Pathway 3 in which pro-government militias continue to exist after the conflict while finding altered objectives. Pancasila Youth—which once actively assisted Indonesian army operations in dismantling the Communist Party and the subsequent overt and covert operations to maintain the Suharto regime—has, since democratization, successfully found ways to actively participate in national as well as local politics while maintaining violent instruments. Okamoto illustrates that non-state violent actors such as Pancasila Youth find their ways to continue with activities by shrewdly locating the space in which their very presence is illegitimate, but the state tolerates their operations and businesses involving violence and extortion.

Chapter 4 illustrates the irregular forces in Timor-Leste that survive after the country regained its independence in May 2002. Observing that there are three categories of armed forces remaining in the country (veteran groups, martial arts groups, and rebel groups), Uesugi points out two major characteristics of irregular forces in post-independence Timor-Leste. First, leaders of armed groups in the first two categories were successfully able to go into politics while keeping their structure intact so that the groups can continue to exert influence on the political processes of the groups. Second, some armed groups under these categories were being absorbed into private firms, mostly in private guard businesses, whereas those belonging to the third category (i.e., rebel groups) failed to do so and were gradually destined to dissolve. In depicting the various courses that irregular forces have taken since the end of independence battles, Uesugi indicates that irregular forces in the country demonstrate various examples and combinations of Pathways 2 and 3.

Chapters 5 and 6 discuss irregular forces present and active in the aftermath of separatist conflicts in the Bangsamoro region, Mindanao, in the Philippines. These two chapters illustrate how different forms of irregular forces in the region—e.g., anti-government militias, vigilante groups, and criminal gangs—have been impacted by separatist conflicts in the region and the autonomous region experiment in Mindanao. After gaining independence in 1946, the Philippines has been confronted with separatist Islamic insurgencies in Mindanao. The Moro Islamic Liberation Front (MILF) concluded a peace deal in 2014, leading to the creation of an autonomous political entity of Bangsamoro in the region. The Moro National Liberation Front, which had separated in 1978 from the MILF, remains a grave source of concern for the stability and security in the region (as detailed in Chapters 5 and 6). While some demobilized former members formed a political party and non-government organizations in the region, many remained violent in the region by morphing into illegitimate community security providers. These chapters illustrate how the latter type of armed groups has managed to survive after the conflict by tacitly providing alternative public security services, albeit illegitimate, to fill the gap created by the defunct security management

of the state apparatus. Chapter 5 explains this at the community level, while Chapter 6 analyzes it from the perspective of state-local political relationships.

Oreta, in Chapter 5, carefully examines the origins, compositions, and objectives of irregular forces in Mindanao after the peace accord and groups them into four distinct categories. While describing detailed traits in each type of the current irregular forces, she identifies key elements commonly observed across these categories. In the absence of effective community security management in the region, these armed groups successfully gain legitimacy from among the community members as they play significant roles in providing local security. She also explains that the dysfunction of the state security apparatus allows the armed groups to tacitly maneuver the “gray” space between legal and illegal environments where they use violent as well as nonviolent methods in solving a variety of community problems. The way Oreta characterizes their behavior in the community seems accurate when she refers to them as a “reversible jacket.” By this, she means these forces have double-faced functions. On the one hand, they continue to engage in violent activities, such as extortion of political rivals and kidnapping. On the other hand, they are virtually functioning as “private governments” as she puts it because they perform minimum functions of local governance such as managing community affairs and mitigating neighborhood disputes, through which they gain informal but solid legitimacy among community members. This is particularly seen in rural areas in central Mindanao, where the local government finds it very difficult to provide for local security, thus allowing these informal actors to actively engage in such “double” functions in the communities.

Chapter 6 also examines the irregular forces in the Bangsamoro region but from a different perspective. Hall heeds attention to the relationship of mutual benefits between the state and local politicians where irregular forces are being used as “currencies” to win against rivals. The decentralized political power structure in the country fostered the formation of many illegal armed groups. The lack of public good services by the state security apparatus has further allowed those groups to fill the gap. Under these environments, the state pragmatically utilizes irregular forces for counter-insurgency operations by either giving them virtual legal status or turning a blind eye to their illegitimate presence and exercises. Local politicians, on their part, are able to deploy the local military and police forces to achieve counter-insurgencies while conveniently laying responsibilities on violent actions on irregular forces and thus averting the public’s negative image toward the military and the police.

Chapter 7 discusses the paramilitaries and pro-government militias in Thailand as the case study on Pathway 1 as it demonstrates no sign of transformation in their internal structures. In their chapter, Chamber and Jitpiromsri describe a variety of paramilitary organizations and pro-government militias that exist and continue to function as major force contributors to the state’s counter-insurgency operation for the Deep South in Thailand. For more than 100 years, the Thai government has struggled with the constant insurrections by Islamic separatists in the Deep South provinces in the country. Particularly with the exacerbation of armed confrontations between the government and the separatist

movements in 2004, the Thai government has increasingly relied on the work of various paramilitary groups as well as pro-government organizations. Chamber and Jitpiromsri indicate that while the paramilitaries and militias are legally positioned under the clear state's command lines, the reality is such that that command line has been reduced to a formality, leaving them de facto autonomous in their operations and virtually giving a free hand to act with impunity in the region. The Deep South case contrasts with irregular forces in other states that have experienced transformation.

Chapter 8 turns the readers' attention to the historical nature of security governance and the reform process of SSRG with limited intervention by external assistance agencies. Kiba elaborates why and how irregular forces were needed as security governance stakeholders in Southeast Asia. Then she discusses that there have been some efforts by the Western SSRG agencies to attempt to reach out to irregular forces and incorporate them into programs promoting community security. Despite some criticisms that such methodology would undermine democratic and civilian control purported to enhance other ongoing institutional reforms, collaborating with community security helps sensitize both state and non-state stakeholders about their partial roles in the post-conflict peacebuilding processes.

Our Conclusion chapter summarizes our analyses on various forms of irregular forces in Southeast Asian states. We observe many of these forces transforming with their altered objectives to find ways to survive in the new political environments. Some of these groups simply find no ways to continue; they either dissolve or undergo state-sponsored demobilization and reintegration processes through which members learn to adapt to civilian life. On the other hand, some, if not many, irregular forces find alternate ways to survive the changing political environment; they still maintain violence as a key instrument while tacitly serving the security needs of communities that are substantially lacking and winning legitimacy (not necessarily legal) from the public and the state. These unique traits commonly observable in Southeast Asia are significant, particularly for external donor institutions that promote SSRG in these states. We conclude that contrary to conventional methods of treating irregular forces simply as a spoiler to democratic transitions, international and domestic agencies supporting SSRG should carefully reexamine those irregular forces that share important roles in building and maintaining security in the community and national levels.

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# 1 Characterizing irregular forces

*Atsushi Yasutomi*

## **Irregular forces: What are they like?**

### *Enlistment incentives and cohesion within the group*

The recruitment and mobilization of irregular forces can be explained in four ways. The first factor explaining the incentive for joining irregular forces derives from simple economics: individuals seek financial rewards (i.e., salary) from contributing their manpower to the irregular forces, regardless of their political, social, or religious attachments (Collier et al., 2003). Social networks account for the second reason for enlisting in irregular forces. In this case, a social network refers to family and clan circles. Individuals may not have either political or economic reasons for enlisting but are recruited simply because of their ties to their family and clan networks through which their social status can be preserved (Peterson, 2001; Staniland, 2015; and Abrahms, 2008). The third factor is ideology. Individuals seek membership in a particular type of irregular force to share or realize their religious, political, or ethnic beliefs (Oppenheim, 2015). Colombia's *Ejército de Liberación Nacional* (ELN), an armed group based on Marxism-Communism, may fall into this group. The ELN consisted of armed individuals who aspired for regime change and the establishment of a new Communist government in Columbia. The fourth factor concerns the mobilization of irregular forces to protect the territory and the population in the community in which the forces reside. For example, Nigeria's Civilian Joint Task Force emerged as a private security group to protect the community's territory and the people from constant attacks by the terrorist group *Boko Haram* (Jentzsch et al., 2015).

If incentives for mobilization are different, then the internal cohesion of irregular force groups—the bonds between members and the group and between each other—will also differ accordingly. By closely observing the case in Colombia, Oppenheim (2015) argues that cohesion among irregular force members is strongest when they are mobilized on an ideological basis. In such armed groups, members share a political and spiritual goal that vigorously animates each member as they envisage their ultimate form of life and appraise the personal sacrifice their goal may require. In contrast, cohesion in irregular forces formed based on economic incentives is weakest (Oppenheim, 2015). Those who enlist for purely monetary reasons are more likely to defect to other or opposite armed groups

when offered better financial rewards. They are also more likely to voluntarily disarm by making themselves part of disarmament processes (e.g., UN peace deal) and to stop fighting with expectations of better financial and social benefits by engaging in these processes (Oppenheim, 2015). Steinert (2019) states that irregular forces that are ethnically or religiously homogenous are more integrated than those that are less homogenous.

## **Relations with the state**

### *Irregular forces as a threat to state sovereignty*

The classical view is that irregular forces are a threat to state legitimacy. Regardless of the type of organization, irregular forces operate outside the regular (i.e., statutory) military forces that should monopolize the legitimacy of state authority of violence (Weber, 1994). This view is shared among many scholars (Carey and Mitchell, 2017; Geddes, 1999; Linz, 2000; Mann, 1988). In particular, Tilly (1985) argues that irregular forces undermine the legitimacy of the monopoly of state violence, thus posing structural threats to state sovereignty. Irregular forces, according to him, attempt to challenge the state monopoly of violence, thereby threatening the integrity of the state. Culleta and Cullen (2000) also indicate that the target of irregular forces' activities is the state and that the purpose of their activities is regime change. Collier et al. (2003) further argue that irregular forces are likely to emerge and become more active under a poor authoritarian regime whose governance functions are weak.

Davis (2010) goes on to say that the relationship between irregular forces and the state does not remain simply stationary but exhibits a more complicated collocation. By carefully observing the relationship between various irregular forces and the state in Latin American countries, Davis (2010) claims that irregular forces do not attempt to replace the state's sovereignty but seek to coexist by arduously competing for domination or control of communities within the state. In such cases, each power aims to strengthen its coercive influence over the citizens and to garner community allegiance by offering them favorable rewards or benefits (Davis, 2010). As a result, sovereignty in the state is divided throughout the country, and so are the community loyalties to the guarantors of their security.

### *Irregular forces as outsourced agents for counterinsurgency*

Governments often utilize irregular forces to combat counterinsurgents. The paramilitary (see subsection Paramilitary)—a type of irregular force that operates as militarized security unit—is a part of the state institution and supplements the capacity of regular forces (Eck, 2015). Pro-government militias may also supplement regular forces but in an informal and illegitimate way. As the command link between government and pro-government militia is loose and obscure, the government may take advantage of outsourcing “dirty jobs”—i.e., operations involving

clear violations of human rights—to combat counterinsurgents (Carey, Colaresi and Mitchell, 2015; Kalyvas, 1999; Kalyvas, 2006). The government may employ irregular forces to reduce the cost of operations while benefiting from their local intelligence on the insurgents (Sanín, 2008). Because of the loose link, the government may easily deny any legal responsibility if accused of abuse or violation.

### *Irregular forces as state-delegated agents of violence against civilians*

Irregular forces can be delegated by the government to commit violence against civilians (Carey, Colaresi and Mitchell, 2015; Jentzsch et al., 2015; Pilster and Böhmelt, 2011). Paramilitary and pro-government militias are often subcontracted or informally tasked to conduct special operations that cannot otherwise be done legitimately and overtly by regular forces. Such delegated operations may include murdering, raping, and burning the houses and villages of communities suspected of collaborating with rebels (Campbell and Brenner, 2000; Mitchell, Carey and Butler, 2014). They may also burn and steal crops from communities under the control of rebel groups (Stanton, 2015). It is convenient and efficient for governments to delegate operations to irregular forces because in doing so, they can easily evade any accountability for direct involvement with such abuse against civilians (Carey, Colaresi and Mitchell, 2015). In their article, “Governments, Informal Links to Militias, and Accountability,” Carey and her colleagues find that government delegation of violence against civilians is more likely to take place in weak democracies and in countries that receive foreign aid from democracies, as governments in such circumstances tend to have more informal links with militias in pursuit of various political objectives, e.g., local intelligence on rebels and evasion of state responsibility for the abuse (Carey, Colaresi and Mitchell, 2015).

## **Relations with community civilians**

### *Irregular forces as delegated agents of violence commissioned by the state*

Irregular forces can be commissioned by the government to attack civilians to counter rebels as part of their strategy. They do so by attacking the civilian residents of the communities under the control of rebel groups. As explained above, such operations include “dirty jobs” involving supra-legal activities such as violations of human rights. Their behavior toward targeted civilians is likely to be left freehand, as the informal and illegitimate form of violence enables the state to evade responsibility for the irregular forces’ actions (Ahram, 2014; Campbell and Brenner, 2000).

### *Irregular forces as predatory*

Irregular forces can predate community civilians for a number of reasons. This can include extorting community resources that they need to support their activities,

such as food, water, and other basic survival needs. It can also include abducting youths for forced recruitment as soldiers and abducting children for human trafficking as another means to increase their income. Kidnapping high-ranking figures for ransom can also constitute an essential source of income, as seen in the case of the M19 of Colombia during the 1980s through the 1990s.

Even those forces initially tasked to protect community civilians can easily be driven to predatory acts. During the civil war in Sierra Leone, the Civil Defense Force, a pro-government militia, was organized to protect civilians against insurgent attacks. However, they soon turned to perpetrate violence against their own community members by looting and committing other acts of aggression for the force members' personal benefits (Jentzsch et al., 2015). Because the contractual relationship with the government is informal and illegitimate, the government's control over militias' actions and behaviors remains difficult. This gives militias ample chance to perpetrate crimes against civilians (Jentzsch et al., 2015; Mitchell, Carrey and Butler, 2014; Wood and Waterman, 1991; Kaldor 2006; Koonings and Kruijt, 2004).

### *Irregular forces as a provider of community public service*

Irregular forces may provide community civilians with some degree of public service. Such local services may include assistance in building roads and giving school tents. Other instances include assistance in transporting the sick to local hospitals and providing community patrols for public safety.

The incentive for these actions is based on a *quid pro quo* relationship where irregular force members provide a wide range of public goods, including essential living materials, access to energy and resources (e.g., water), and monitoring neighborhood crimes. In return, the community members support their activities, including providing local intelligence on enemy armed groups. Irregular forces also provide public service to attract recruits and prevent them from joining enemy groups (Carey et al., 2015). Gang forces also follow this strategy. Examples from Colombia and Brazil demonstrate that gang groups provide community services to civilians in the territories they control, including education for children and building public facilities like public toilets and community bridges (Grajales, 2017; Leeds, 1996). These services are provided to attract political and economic support favorable to gang groups by exploiting the population to maintain territorial control. In other words, the residents' betrayal or denial of cooperation may well result in a retaliatory assault by gang members.

### **Reexamining definitions of irregular forces**

The term "irregular forces" is used in this book to represent armed groups that operate either independently from or in association with statutory security agencies (such as the military). The term does not seem to be part of the established terminology used by students of peacebuilding and other related studies. Terms such as "paramilitary," "civil defense forces," and "militias" are

often misconceptualized and confused and are thus often erroneously conflated. Careful distinction and clarification are therefore necessary. This chapter categorizes irregular forces into the following five large groups: paramilitaries, pro-government militias, anti-government militias, vigilante groups, and gang groups. This categorization is made on the basis of their common political behaviors concerning the following three factors: (a) reasons for mobilization and level of internal cohesion among members, (b) relation with the state, and (c) relation with the civilian population in the community under control.

A question may arise regarding the treatment of “terrorists” and “guerrilla forces.” These terms may also refer to armed individuals and groups that do not belong to regular security agencies (e.g., the military and the police force) and, in this respect, can be categorized as “irregular.” However, both terms should indicate the method of operations rather than the objective. According to Richardson (2007), terrorists are those who “deliberately and violently target civilians for political purposes,” whereas guerrilla forces are

small units organized along conventional military lines [...] on a scale and intensity designed to achieve operational or strategic effects over time: the weakening of the resolve of their political adversaries and the withdrawal of competing, occupying and/or government forces.

(Kiras, 2016)

Under these definitions, gang groups may conduct terrorist acts by, for example, bombing a shopping mall and demanding a politician to step down. Similarly, anti-government militias may use guerrilla tactics and combat regular forces to replace the current government. In these cases, one can characterize the gangs as “terrorist groups” and the anti-government militias as “guerrilla forces.”

Another issue concerning the categorization of irregular forces is the difficulty of clearly distinguishing each group from another. This may sound paradoxical, given my claim that various groups of irregular forces have been misconceptualized and confused. Nevertheless, it is also the case that some factors and elements that differentiate one group from another do often overlap, making clear-cut distinctions difficult. For example, the anti-government militias’ illegal and criminal acts are difficult to distinguish from those of mafias and gang groups.

Despite these difficulties, this exercise of categorizing different groups of irregular forces helps us to understand more clearly in what way and to what degree groups contribute to community security based on the kind of interests involved.

### *Paramilitary*

“Paramilitary” is perhaps the most misleading term in this field of study. The term is generally used to represent any armed groups that do not belong to regular forces. However, paramilitary here is defined as “militarized security units, equipped with military weapons and vehicles, trained and organized under the central government to support or replace regular military forces” (Stanton,

2015). The clear difference from other forms of irregular forces is its statutory nature. The principal function of the paramilitary is to supplement the (regular) military in complex operations that cannot be otherwise conducted (due to tactical and sometimes political reasons) by providing their specially trained soldiers to solve domestic security problems (Böhmelt and Clayton, 2018). According to this definition, terms such as “illegal paramilitary” and “non-government paramilitary” are self-contradictory and incorrect in that they are not statutory institutions and should thus be grouped into other categories such as pro-government militias and vigilante groups. An example of a paramilitary is the Nigeria Security and Civil Defence Corps, which the Nigerian government first established in 1967 and incorporated into the Nigerian police force in 2003 as a statutory organization to supplement their counter-crisis measures. Special attention must be paid to the United Self-Defenders of Colombia (*Autodefensas Unidas de Colombia* or AUC). While the AUC is often referred to as *paramilitares* or “paramilitary” in English, it was staffed by private soldiers, former police, and military personnel and formed to supplement the weakened police forces’ combat capabilities to protect against attacks by leftist armed groups such as *Fuerzas Armadas Revolucionarias de Colombia* (FARC), ELN, and M19. The legality of the AUC’s operation was somewhat ambiguous and inconsistent. It often conducted large and heavy assaults against forces and civilians *without* the government’s consent, the cruelty of which was the subject of harsh criticism from the international community and worldwide human rights non-government organizations (NGOs) (e.g., Arnson, 2005). Given such loose and unclear contractual relations with the state, there is much room for debates over the AUC’s statutory nature. Thus, the AUC might as well be categorized as pro-government militia rather than paramilitary.

Paramilitaries in many post-conflict states are often better equipped and trained than the regular forces for undertaking internal security measures. They are delegated by the government to conduct difficult assault missions—including those involving extreme and supra-legal measures—against rebel groups and other anti-government forces (Böhmelt and Clayton, 2018). Because of their statutory nature, it is less difficult for a government to monitor the actions of paramilitaries than those of other irregular forces that are contracted by the government on an informal basis (such as pro-government militias). Nevertheless, the legitimate link with paramilitaries encourages governments to deny their abusive operations against civilians when their offensive conduct is exposed to the public (Stanton, 2015).

### *Pro-government militias*

Pro-government militias operate to counterinsurgents and rebels when commissioned by the state. Unlike paramilitary, pro-government militias are *not* a legitimate part of the regular military and do not have statutory status. Staffed by illegitimate armed soldiers, they are loosely and informally linked to the state. There are no formal, legitimate contractual relationships with the government

concerning their operations and methods of countering insurgencies. They are mobilized mainly based on monetary benefit and material gain (Eck, 2015), but some are also organized on an ideological basis, particularly if they are formed based on ethnic, religious, or a particular political ideology such as Marxism (Wood, 2008).

Pro-government militias are conveniently deployed by governments requiring counterinsurgent operations that are more effective, quicker, and more inexpensive. Carey and others had analyzed that pro-government militias collaborated with the state in more than 80 percent of the armed conflicts between 1981 and 2007 and that more than 90 percent of the enemy targets of pro-government militias were insurgents and rebels (Carey, Mitchell and Lowe, 2013). Pro-government militias are mobilized to counter attacks by anti-government militias. Members of pro-government militias find themselves in need of protection from assault by anti-government militias with a strong sense of vengeance and fear of retaliation (Sanín, 2008).

The pro-government militias' loose and illegitimate relation with the state allows them to carry out a violent offensive against rebel soldiers and civilians residing in the communities under the enemy insurgents' and rebel groups' control, often involving abuses such as killing civilians, burning their houses, raping, and looting (Steinert, 2019; Campbell and Brenner, 2000). For example, Indonesia's Death Squads in Aceh killed civilians sympathizing with insurgents while the government denied responsibility for their extreme actions (Böhmelt et al., 2015, p. 205). Nevertheless, pro-government militias' predatory activities are not always carried out in an organized way. Stanton (2015) carefully studied cases in Sudan and found that pro-government militias were not as highly organized and controlled as previously believed and were not able indeed to conduct organized assaults against community populations. Moreover, the state's political reputation and the punitive consequences it faced—if involvement in delegating illegal civilian attacks was disclosed—were previously underestimated; modern information technology such as the social network service (SNS) can easily be used to reveal the government's "dirty work" subcontracting with militias, making them almost impossible to disavow involvement. Stanton also found that pro-government militias are less likely to attack civilians from the same place of origin or share the same ethnic or religious identity; rather, they are more likely to commit violence against civilians from different backgrounds (Stanton, 2015). Moreover, they are more likely to attack civilians when pro-government militias are composed of people from mixed backgrounds (Stanton, 2015).

Pro-government militias, which are by nature illegitimate armed organizations with no legal relations with the state, are often excluded from post-conflict disarmament processes. This provides them with a favorable legal vacuum, allowing them to continue holding weapons and looting from civilians in the community, further impairing peace deals. Even when they are included in a peace deal, pro-government militias, compared to other types of irregular forces, are more likely to give up their weapons and terminate violence after post-conflict peace deals. Steinert (2019) analyzes that the political environment during armed conflict

offers better conditions for the survival of pro-government militias, leading them to easily damage existing peace deals. During armed conflicts, pro-government militias could otherwise continue to benefit from looting civilians and gain material benefits by preying on civilian properties. Accepting a peace deal means an end to such privileges and is thus an unfavorable economic position. Such behaviors were frequently observed among the Bosnian Serbs and Sudan's pro-government militias, such as *Janjaweed* (Steinert, 2019). Furthermore, some pro-government militias are mobilized with a strong sense of belonging by sharing a common political objective, such as *Interahamwe* in Rwanda and *Janjaweed* in Sudan, whose major recruitment incentive is based on retaliation against opponent ethnic groups. Peace deals may well make it difficult or impossible to continue such actions.

### *Anti-government militias*

Anti-government militias are groups formed by illegitimate soldiers armed with illegal weapons to fight against government forces. Rebel groups and insurgents can be synonymously treated as anti-government militia.

Anti-government militias are formed to counter the state's regular forces to topple the incumbent government and establish a new government (Colleta and Cullen, 2000). The members of these groups are often bound together by a strong political, religious, and/or ethnic belief in the expectation of realizing their ultimate society (Eck, 2015; Wood, 2008). Examples are commonly observed in the activities of Marxist insurgents in Nepal and of the Liberians United for Reconciliation and Democracy (LURD) during the civil war in Liberia. Forces such as FARC and the ELN of Colombia may also fall into this category. Members of anti-government militias are often compelled to join because of pressing economic needs. As observed in Peru and Colombia, for example, the reasons for entry into anti-government militias are manifold. First, many impoverished farmers may be incentivized to join by financial and economic support (salary and other material benefits). Ideology, such as Marxism, also often constitutes an important factor for recruitment. Once recruited, members are granted opportunities for basic education (e.g., writing and mathematics apart from combat training) and a basic living environment (e.g., tents, food). Militia members may also be motivated by psychological reasons, such as the excitement and bonding they experience in the militia instead of the boring routine of agricultural labor (Sanín, 2008). Members also typically feel a sense of status and strength with the weapons and rank granted by their armed group, which provides recruits with an escape from their otherwise mundane lifestyles (Sanín, 2008). Mobilization in anti-government militias can also derive from members' strong desire for retaliation against organized assaults committed by the state military and associated irregular forces (i.e., paramilitaries and pro-government militias) targeting civilians in members' communities (Kalyvas, 2006).

By examining cases in Colombia after the civil war, Oppenheim (2015) found that anti-government militia members are more likely to defect (i.e., switch sides

and join the opponent's armed groups) or demobilize (i.e., engage in a disarmament process and return to civilian life) if members are organized on a financial basis. On the other hand, those mobilized on an ideological basis are less likely to defect or demobilize. Gould (1995) discusses how the geography of a militia's operation also influences the internal cohesion of the group's membership. He observed that militia members who fought away from their homes are more likely to demobilize after the civil war as they tend to be demotivated to commit to fighting (Gould, 1995).

Providing community civilians with assistance similar to that of "public service" is a strong instrument for securing support from anti-government militias (Jentzsch et al., 2015). In the absence of the state's legitimate provision of public services, militias often provide citizens with alternative functional equivalents to state services like employment and security services (e.g., night patrol and crime control) (Davis, 2010). Such practice has been commonly observed in Colombia, Guatemala, and Mozambique, where community public services are furnished by anti-government militias, generating a strong sense of local and catholic allegiance among the population (Wood, 2008).

### *Vigilante groups*

Defining vigilante groups appears difficult due to the abstract nature of their presence. Johnston (1996) explains that vigilante groups emerge in reaction to threats to their community and are formed by the private armed citizens who gather on a voluntary basis. Vigilante groups are extra-legal citizen groups formed to protect established patterns of local communal life from social deviants in the absence of adequate official law enforcement (Brown, 1975). *Autodefensas* or vigilante organizations in Mexico have emerged among community members to protect their citizens against the threats posed by narcotic gangs and other criminal groups in the absence of functioning law enforcement. Blocq (2014) observed vigilante groups in South Sudan that emerged in response to indiscriminate violence perpetrated by neighboring tribes, out of a strong sense of the need to protect their population and form their own armed group to counter enemy forces.

The relationship between vigilante groups and the state is primarily confrontational. Vigilante groups consider themselves an imperative replacement of the incompetent and mistrustful law enforcement agencies for community protection. On the other hand, the government perceives them to be merely armed groups that are subject to disarmament.<sup>1</sup> This has rendered the relationship between the two one of rivalry, competition, or mutual distrust.

Another aspect of state-vigilante relationships is reciprocity. By examining cases in Uganda, Omach (2010) analyzes the state's scheming relationship with vigilante groups.<sup>2</sup> In the absence of security provided by statutory institutions, vigilantes need to protect their community's civilians from assaults by insurgents and rebel groups. States tacitly support vigilante activities as doing so is beneficial to their counterinsurgency policies. Furthermore, vigilante groups pay the police

for maintaining control over the community members and for police weapons. This quid pro quo relationship amplifies the police's monetary benefits, thus rendering a favorable condition for the government to let vigilante groups fight for the government. This situation has further eroded the reciprocal relationship between the police and vigilantes. Government efforts to maintain the regime (not state) security eschew democratic transitions, further weakening police functions. This further increases the vigilantes' sense of necessity in establishing and maintaining self-protection against assaults by the state forces and/or attacks by insurgents and rebel groups, thus weakening the state security function. Omach (2010) observes that this relationship is commonly seen in many parts of Africa, such as with Sierra Leone's Revolutionary United Front (RUF) and the vigilante groups in Uganda operating against the Lord Resistance Army rebels.

Because vigilante groups are formed by community members to protect their own people against external threats such as state and non-state armed groups, their relationship with their communities tends to be correlative and reciprocal. During the long transition periods after the civil wars, vigilante group members typically feel compelled to provide the community with collective goods in the absence of functioning state services. Arjona (2014) explains that this vigilante trait is observable in many post-conflict communities. By employing the concept of "wartime social order," any given community caught in the crossfire of civil war and conflict can find among its members those willing to organize to provide public goods to the community. Other scholars like Boege et al. (2015) also agree that vigilantes do tend to play a kind of governance function within their community of control, providing residents with collective services that are similar to those of the police, such as safety patrolling and public awareness for children's safety. For example, vigilante groups in Guatemala that emerged during the civil war (1960–1996) but remained active since the end of the war were active in civil patrolling, resulting in the effective prevention of drug trafficking cartels from reaching community members (Bateson, 2017).

It is not surprising that the bond between vigilante groups and the community becomes mutually supportive as the former provides safety and the latter supports their informal services for collective goods.

During the civil war in Colombia, Governor Uribe of Medellín (later President) encouraged the residents to form vigilante groups named *Convivir* to counter rebel groups. These groups spread throughout the country and later became legitimized by the Samper Administration (1994–1998). The Colombian government encouraged the citizens to collaborate with *Convivir* and become "informants" so that *Convivir* could counter insurgent attacks and provide community security. Soon, *Convivir* found itself a useful and beneficial informal organization that could broker between the state regular forces and the FARC forces. In this process, *Convivir* began to receive higher positions in FARC and, in one case, a managerial position at a plantation firm that was under FARC's control. *Convivir*, in return, passed on information from the regular forces while receiving similar economic and political benefits from the state (Grajales, 2017). In this way, *Convivir* turned into a highly bureaucratized local organization that

the state regular forces and FARC depended on for co-existence, while community residents' economic as well as political activities remained grounded on the bureaucratic system that *Convivir* established (Grajales, 2017). Under such circumstances, the reciprocal relationship between the community and vigilante group has become so solidified that they are heavily embedded in the outer triad relationship among *Convivir*, the state, and insurgent armed groups.

### *Gang groups*

Similar to vigilante groups, gang groups' relationship with the state is mixed; gang groups offer protection to the communities under their control in the absence of (and to the benefit of) statutory security institutions.

As in the case of vigilante groups, such relationships with the state can be fundamentally not only confrontational but also reciprocal. In principle, gang groups benefit from anti-social business activities involving drugs, prostitution, human trafficking, and illegal firearms, which naturally are antithetical to the objectives of state security institutions such as the police and paramilitaries. However, in many states where democratic control over state security institutions is weak, corruption within those institutions serves to foment these gangs' criminal activities while providing state security agents with an important source of monetary benefit. Drug cartels such as the Medellín Cartel and Cali Cartel in Colombia, two of the biggest drug cartels until the early 2000s, can fit into this category. While the violence committed by these gangs caused tremendous and various damage to citizens in Colombia, it is also true that community citizens were often grateful for their economic provisions since their financial contribution eventually transformed many impoverished villages into more prosperous and dignified living environments.<sup>3</sup> A prime example is a case in which the infamous Colombian cartel leader Escobar donated a huge sum of money for the community's local economic development, which secured local support among community members in the area.<sup>4</sup>

A similar phenomenon is observed in gang groups in Cape Town, South Africa. Rival gang groups were forced into a truce during the 2020 Coronavirus crisis and started to assist in delivering humanitarian goods like food packages to community families in their areas of control. The gang members are familiar with the community residents' family setups and, using the trafficking network they use for drug smuggling, were able to effectively deliver humanitarian goods to each family.<sup>5</sup>

Drug gangs in *favelas* (slums) in Brazil demonstrate an intriguing example of a reciprocal relationship with community members. In the grave absence of police functions, drug group members in many *favelas*, particularly in Rio de Janeiro, provide community members with a virtual welfare system and various degrees of alternative security, including house patrols against robbery, rape, and other kinds of interpersonal violence. In some cases, drug groups provide a kind of housing service and even offer a virtual traditional intermediary local justice system for intercommunity conflicts. In return for these benefits,

Table 1.1 Irregular forces and their relations with the state and community civilians

	<i>Main objectives</i>	<i>Enlistment motivation</i>	<i>Internal cohesion within the irregular force</i>	<i>Relations with the state</i>	<i>Relations with the community in their territories</i>	<i>Relations with the community in the opponent territories</i>
<b>Paramilitaries</b>	Counterinsurgency	Homeland security	Legitimate part of the regular force	Formally contractual Allegiant Paramilitary's behavior more likely to be accounted for	Predatory and abusive when state control weakens	Predatory and abusive when state control weakens
<b>Pro-government militias</b>	Counterinsurgency	Monetary and other benefits Protection from insurgencies Personal vengeance Social network	Defecting and demobilized when offered benefits	Informally contractual Outsourced or delegated Contractual relation denied by the state when accused of abuse	Reciprocal Protection from enemy assaults in return for material support and local intelligence	Predatory and abusive Often assaults motivated by personal vengeance
<b>Anti-government militias</b>	Regime change Ideology Monetary and other benefits Social network Personal vengeance	Defecting when offered benefits Some strongly allegiant to ideology	Confrontational	Reciprocal Protection from enemy assaults in return for support. The community receives assistance similar to public service, e.g., road construction and transferring the sick to a hospital		

(Continued)

*Table 1.1 (Continued)*

	<i>Main objectives</i>	<i>Enlistment motivation</i>	<i>Internal cohesion within the irregular force</i>	<i>Relations with the state</i>	<i>Relations with the community in their territories</i>	<i>Relations with the community in the community in the opponent territories</i>
<b>Vigilante groups</b>	Community protection	Protection of own community from enemy attacks	Cemented as long as reciprocal relationships with community members continue	Usually confrontational The state remains connivent when vigilantes combat insurgencies		
<b>Gang groups</b>	Private profit	Monetary and other benefits Social network	Cemented as long as reciprocal relationships with community members continue	Usually confrontational State corruption allows their illegal activities	Forced reciprocal Assistance similar to public service in return for support for their criminal activities Retaliatory against traitors	

the community members support drug groups by providing various kinds of assistance for cocaine trafficking and dealing (Leeds, 1996). They also provide services similar to traditional judiciary assistance to resolve problems between neighborhood businesses and families. To some extent, gang groups and their communities have established a solid society in which fundamental public services needed are provided by the gang (Leeds, 1996). This also means that any betrayal or attempt to disturb the gang's activities may well be responded to with severe penalties (Leeds, 1996). In this context, their relationship is characterized as forced reciprocity.

## **Conclusion**

The discussion on various forms of irregular forces can be summarized thus (see Table 1.1). A task like this always entails the risk of oversimplification and erroneous categorization of irregular forces; nonetheless, this exercise helps us understand at least the overall traits of irregular forces.

Our review of existing studies on various forms of irregular forces is useful for analyzing irregular forces in Southeast Asia—as will be done in the subsequent chapters—for the following two perspectives. First, they reaffirm that irregular forces cannot be simply treated as unitary actors. These studies indicate that various forms of irregular forces have their distinct incentives for enlistment, reasons for members to stay, and maintain relations with the state and the community population. Second, the reviews overturn the common preconception toward irregular forces that they always indiscriminately assault innocent civilians in the communities while combating opponent forces. A number of narratives on rebel forces' cruelty toward innocent civilians have been published, giving attention to their grave human rights violations in all aspects. Such violence does occur, particularly targeting civilians residing in the enemy areas where the conflicting armed groups operate. However, some cases show that irregular force members contribute to community public good in a variety of forms.

A number of challenges remain, however. More detailed studies on the behavior of each type of irregular forces are insufficient. This study was grounded by a limited review of some current case studies in limited states. More substantial analysis requires a more dynamic and meticulous investigation of each type of irregular forces. This further requires looking more specifically at how irregular forces have contributed to the efforts of democratic transition in the Southeast Asian context. In order to enrich the cases, these actors in Southeast Asia must be studied thoroughly to unravel the extent or degree and the way irregular forces have contributed to community security in these states. These issues will be investigated in the following chapters.

## **Notes**

- 1 For example, Lizbeth Diaz, "Mexico's Wild West: vigilante groups defy president to fight cartels", *Reuters*, September 13, 2019. <https://www.reuters.com/article/>

- cle/uk-mexico-violence-vigilantes-idUKKCN1VY1GP, last accessed March 31, 2020.
- 2 Although he uses the terms “vigilante” and “militia” interchangeably in his article, it is clear from his context and by my definition, Omach’s focus is a vigilante.
  - 3 For example, “Pablo Escobar, dead drug baron, is still seen by many Colombians as a hero”, BBC World, December 2, 2013. <https://www.bbc.com/news/av/world-25158010/pablo-escobar-dead-drug-baron-is-still-seen-by-many-colombians-as-a-hero>, last accessed March 31, 2020.
  - 4 For example, Arturo Wallace, “Drug Boss Pablo Escobar Still Divides Colombia,” BBC Mundo, December 2, 2013. <https://www.bbc.com/news/world-latin-america-25183649>, last accessed April 10, 2020.
  - 5 “How Coronavirus Inspired a Gangland Truce”, BBC World, April 8, 2020. <https://www.bbc.com/news/av/world-africa-52205158/how-coronavirus-inspired-a-gangland-truce-in-south-africa> last accessed April 10, 2020.

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## 2 Pathways for irregular forces

*Rosalie Arcala Hall*

### Introduction

The pathways for irregular forces can be imagined within the spectrum of violent and nonviolent outcomes. Pathway 1 lies closer to the violent end of the spectrum with irregular forces coexisting with local authorities as alternative security providers to an inept police or contributing to community security through activities such as patrols and law enforcement. It has been widely acknowledged in the literature that irregular forces do provide a semblance of governance in spaces they control and public goods, including security substitutive of, complementary to, or as a gap-filler for areas not reached by the state. Its relationship with the community, the imperative of sustainability (long-term presence), and the desire for legitimacy are factors incentivizing irregular forces toward this trajectory.

Irregular forces may enter into a pragmatic or permanent arrangement with state security forces with respect to public security provisioning. This dyadic relationship can proceed in three routes: (1) collaboration, i.e., join government security forces in violent action against state enemies or quelling public disturbance; (2) collusion, i.e., sharing information, financing, equipping, training, and operational link; and (3) co-optation, i.e., integrating the armed group into the regular security forces and conferring legal status. Irregular forces can be subcontracted to do “dirty jobs,” i.e., providing the state plausible deniability in cases of human rights infractions. The co-optation route could take the form of paramilitary formation (legally sanctioned auxiliaries) or integration into the police and army. Many post-conflict arrangements, endogenously negotiated or orchestrated by the United Nations, feature the absorption, insertion, or merger of these irregular forces into the state security apparatus. Under the aegis of security sector reform (SSR), these groups are targeted as a short-term effort to reduce the likelihood of violence erupting anew.

Pathway 2 under the nonviolent end of the spectrum presumes that irregular forces will give up their arms voluntarily, adopt civilian identities, and carry on their lives as members of society. A variation is when the irregular force goes through an institutionalized “exit,” a reintegration program either negotiated or unilaterally offered by the government. Formal exits from armed groups resulting from peace settlements or negotiated conflict termination agreements through

disarmament, demobilization, and reintegration (DDR) fall within this genre. Reintegration into civilian life and their host civilian community considers how former members of irregular forces take on livelihood or become engaged in collective economic enterprises such as cooperatives.

Pathway 3 is a shift to “normal” politics where the irregular force transforms into a political party, an interest group, or when individual members become part of the local governing apparatus (being elected officials or as bureaucrats). This can also be classified as a political trajectory in that the former irregular force will choose to pursue political ends by nonviolent means.

The idea of “pathways” suggests a dynamic transformation on the character of the irregular force, without discounting the possibility that only certain segments or factions of the group may go in that direction. In the same vein, it is also likely that groups retain both violent and nonviolent characters or alternate between these two versions. Irregular forces may also undergo organizational transformations, projecting “spin-offs” or replicates. Mapping the sets of opportunities and risks in their environment and how these push toward one pathway or another are explored in the various case studies.

### **Pathway 1: Benign coexistence**

Irregular forces provide security as a public good in areas where they also exercise political authority and enjoy legitimacy. Rather than a category in dichotomous opposition to the state, many authors recognize that irregular forces provide governance, filling in for the state’s absence (substitutive) (Bagayoko et al., 2016, p.4) or serious gaps in providing security (Kasfir et al., 2017, p.1; Berti, 2016, p.1), or protection against state-sponsored violence directed against certain ethnic groups (Podder, 2013, p.5; Colletta and Muggah, 2009). These armed groups’ relationship with civilians in territories they control draw upon parallel playbook as the state, employing a combination of coercion, service provision, and ideological/identity anchor to exact loyalty and material support (Kasfir et al., 2017; Podder, 2013, p.6). Many rebel groups are found to provide a wide variety of public services— security, justice, medical, and education— to their civilian clientele as a way to win them over. Informal and traditional institutions, including kin-based, personal, and patronage networks underpin the power of these armed groups (Bagayoko et al., 2016, p.5). Because they are locally embedded and often seen as co-ethnic representatives of the civilians under their control, their authority is more readily recognized and accepted than those of state agents (Meagher, 2012, 1076). Urban gangs, for instance, serve as informal defense organizations in squatter settlements populated mainly by migrants (Colletta and Muggah, 2009). Irregular groups may originate as having predatory character (i.e., intent on exacting profit or private gain) but also strive for legitimacy to ensure durability over the long run (Podder, 2013, p.6). Where they are dependent on community resources (i.e., for logistics and personnel), irregular forces are prompted and incentivized to maintain a good relationship with civilians.

This situation is described in a variety of ways: plural, to indicate diversity and value of alternative authority systems apart from the state; hybrid, acknowledging the “multiplicity of sites of political authority and governance where security is enacted and negotiated, to include informal societal structures which could be used as instruments” (Bagayoko et al., 2016, pp.5 & 9; Meagher 2012, p.1075); and multilayered, as “interplay of violent actors, both state and non-state, in competitive, complementary, cooperative, or contradictory relationships with no presumption that they must be engaged” (Kasfir et al., 2017, p.262). This type of security governance is not necessarily regressive or antithetical to that provided by the state; there are positive aspects to it. To recognize the diversity of security governance on the ground is not the same as adjudging their effectivity and equitability. From the point of view of communities, what matters is whether security makes a meaningful impact on the everyday lives of people, regardless of who provides it (Cheng 2018, p.276). Physical safety, protection of livelihood, and welfare are paramount, alongside guarantees that these are available and accessible to all, not just the elites (Bagayoko et al., 2016, p.14). A line is drawn between armed groups with predatory motives (profit and private gain) and which use coercion more liberally toward these ends, although they may also instrumentalize traditional structures to justify their presence. There is, however, also a danger that irregular forces use their power to oppress, entrench, or render invisible forms of social injustice (i.e., gender bias, racism) (Meagher, 2012, p.1088).

Irregular forces evolve in the way they relate to civilians under their jurisdiction and with colocated armed groups and state entities (Kasfir et al., 2017). Part of the imperative is the desire to be legitimate in the eyes of their local publics and to the international community, especially where they derive support and future recognition (Terpstra, 2020, p.1146). Legitimacy, whether based on provision of benefit or morals, is a premium for irregular forces seeking longevity, and they have to rely on means other than coercion to exact compliance. One template of this transformation are the Middle Eastern variants, Hamas and Hezbollah, and the Liberation Tigers of Tamil Eelam or LTTE in Sri Lanka. Hezbollah is the most evolved, combining its military apparatus with an organization that is integrated into domestic politics (e.g., party competing for electoral seats), in civil society formations like unions and universities, and extensive provisioning of health and social services through nonprofit organizations (Berti, 2016, pp.2–3; Flanigan, 2008, p.500). Its goal is substitutive, to replace the state with its own version of social contract with the Shi’ite population in southern Lebanon (Grynkewich, 2008, p.355). Hamas has a similar template combining violence directed against the Israeli-occupied territories’ grassroots electoral presence and social service provisioning (Grynkewich, 2008, p.362). In their transformation into a territorially governing entity, their control over the population relies on both coercion and co-optation as well as symbolic politics (branding). Hamas and Hezbollah relate to their Palestinian and Lebanese state, respectively, rather than work to undermine them. The LTTE, after consolidating control over Sri Lanka’s northern and eastern provinces, acted as *de facto* government

administrative body following the ceasefire agreement in 2002. However, its level of community support (wide acceptance and active participation of community members into the LTTE apparatus) was not as extensive as those of Hezbollah. This is largely because LTTE had no independent capacity to provide for social welfare services, for which it had to rely on external NGOs (Flanigan, 2008, p.503). In contrast to Hezbollah, whose NGO service providers are legally recognized by the government, the LTTE taxed, vetted, and steered external NGOs to meet its own needs, i.e., redirecting NGO social services to soldier families in an effort to increase fighter recruitment or skimming off money from partner NGOs to aid LTTE-controlled areas (Flanigan, 2008, p.512).

Formal state actors coexist alongside and often have alliances with irregular forces, particularly where the latter form strong social intermediaries with the local population (Kasfir et al., 2017, p.265). Often, this pragmatic cooperation entails the state contracting out public provision of security and justice to the indigenous irregular force in return for access to public resources (Kasfir et al., 2017, p.272) or for gathering intelligence or surveillance. Even with limited control of these militias, governments have logistical and political incentives to delegate their monopoly of the use of force to militias, warlords, and civil defense forces instead of deploying the military in conflict areas (Eck, 2015, pp.17–18). Despite the risks of human rights abuse and the possibility of these irregular formations turning against it, the state has potential benefits from the incorporation of these warlords/ militias into the government's patronage network and plausible deniability. Cheng (2018) and Meagher (2012) by contrast see linkages akin to a regulatory alliance between non-state security actors, commercial actors, and local government officials premised security provisioning that will then ensure the protection of livelihood and wealth accumulation. Irregular forces provide services such as dispute resolution mechanisms, regulations, and contract enforcement that underpin economic activities as these are in short supply in many conflict areas in Africa (Cheng, 2018, p.83). The presence of actors such as the Democratic Republic of Congo militias and the Bakassi Boys vigilante group in Nigeria is sanctioned by the state (recognized in the ceasefire agreement) and plays an integral role in establishing "order" in the countries' mining and trade corridors. Gangs in Central America perform a similar function as providers of order and authority in squatter migrant settlements (Colletta and Muggah, 2009). International NGOs also have to engage irregular forces to negotiate access when conducting humanitarian action and in undertaking development projects in conflict-affected areas (Podder, 2013, p.10). Richmond (2019, p.72), on the other hand, considers engagements between police pacification units embedded in Brazilian favela neighborhoods and trafficker-controlled militias as a dual security assemblage, characterized by mutual surveillance by the two actors. In Medellin, Colombia, youth gangs in neighborhood development projects liaise with state governance actors informally and manipulate elections (Abello-Colak and Guarneros-Meza, 2014, p.3284).

Colletta and Muggah (2009, p.445) argue about a second-generation security promotion as *modi operandi* for DDR that includes the creation of community

security mechanisms. Rather than treating local security as being insured by the disarming and demobilization of ex-combatants alone, the authors encourage routine involvement and exchange between military and police on the one hand and irregular forces with affected communities on the other hand. Mechanisms for violence prevention (such as community patrols, dialogues) are examples.

The integration of former members of irregular forces into the state security forces occurs as part of (1) a post-conflict package; (2) defense reforms geared toward improving the effectiveness of the state security apparatus; and (3) a broader set of reforms designed to make the state security apparatus symbolic of a unified nation. Integration is defined as the amalgamation of previously opposed military forces into a new state security force (Baaz and Verweijen, 2013) or the absorption of ex-rebels into an existing armed force (Licklider, 2014). The impetus for integration could be endogenous (as was the case of post-apartheid South Africa) or externally introduced as part of a UN process after the conclusion of civil wars. Glassmyer and Sambanis (2008) had found 34 such cases of negotiated conflict termination with military power-sharing agreements since 1945, while Hartzell (2014) found 40% of 128 civil war termination agreements with a proviso for integration of combatant forces. As part of the SSR portfolio, military and/or police integration is seen as a short-term strategy to avoid a security breakdown and as a long-term peacebuilding strategy. There is a wide variety in integration programs: (1) by magnitude (token or substantial in proportion to the regular force); (2) horizontal integration at the unit level (bases for integration is to minimize dissent and foster loyalty or professionalization); and (3) vertical integration of officer corps (whether commensurate to rank during wartime and use of quota) (Krebs and Licklider, 2016, p.99). However, only a fraction of these integration programs have been fully implemented (Hoddie and Hartzell, 2005). Many authors discount the purported link between integration and long-term peace (Krebs and Licklider, 2016; Glassmyer and Sambanis, 2008). Integration does not necessarily foment a unified national identity within newly formed armies in multi-ethnic settings (Krebs, 2004; Simonsen, 2007). In cases such as those in the Democratic Republic of Congo, integration of militias led to a surge in inter- and intracommunity violence and furthered patronage networks, command structures, and divided loyalties within a weak army to begin with (Baaz and Verweijen, 2013, p.575).

In Timor-Leste, militias disarmed under an UN-supervised demobilization and disarmament scheme, but only a fraction (and mainly those from the main group Falintil) was integrated into the newly formed army, police, and border guards (Robinson, 2001, p.290; Reese, 2004). In the Philippines, 7,500 Moro National Liberation Front (MNLF) ex-combatants (mainly their proxies) were integrated into the army and police as part of an agreement with the government in 1996 (Hall, 2014). Adjudged as token integration, the absorption of ex-MNLF improved the army's effectiveness in conducting internal security operations but did not make a dent in improving the security situation in the theater (Hall, 2019). A parallel arrangement is made with the Moro Islamic Liberation Front, which undisclosed numbers are supposed to comprise the new Bangsamoro Police

Force, as per the terms of the Comprehensive Bangsamoro Agreement with the government in 2014. In South Africa, integration involved former South African Defense Force (SADF), four homeland armies, three national liberation armies, and paramilitary grouping to constitute a supposed leaner, more professional new South African New Defense Force (Williams, 2005). However, major differences in skills and numbers between those coming from revolutionary armies and statutory forces (SADF, homeland armies) led to short-term tensions, later offset by a pension scheme for all veterans (including those from non-statutory forces) and a Service Corps under the defense department, which provided assistance for reintegration (Williams, 2005). In his survey of integration experiences in seven African countries, Burgess (2008, p.88) noted as well the different levels of professionalism and completion between rebel groups and militias.

## **Pathway 2: Exit from violence**

Reintegration is a pathway most commonly bundled with disarmament and demobilization of irregular forces. International organization-supported DDR programs see irregular forces as posing danger to the fragile post-conflict environments. Disarmament and demobilization aim to dismantle the military structure of the irregular force, while reintegration is a form of “transitional safety net” preventing remobilization or rearming against the post-conflict order (Subedi, 2014, p.44; De Vries and Weigink, 2011, p.8; Banholzer, 2014, p.27; Nillson, 2005, p.18). Often packaged with a negotiated peace agreement in place and in conjunction with other peacebuilding instruments (e.g., truth commissions, transitional justice), DDR is argued to prevent the recurrence of violent conflicts (Banholzer, 2014, p.8).<sup>1</sup> Reintegration is the economic and social assimilation of ex-combatants and their families into civilian life and communities (Nillson, 2005, p.4). It is widely seen as a process whereby ex-fighters shed off their militarized identities, learn how to live productive lives, eschewing violence altogether, and establishing new social ties (Torjesen, 2013, p.4). Reintegration programs typically include direct assistance to ex-fighters such as cash compensation, education and vocational or entrepreneurship training, psychosocial counseling, credit access, transportation, and health-care subsidies (Alden, 2002, p.342 in the case of Mozambique). Most reintegration programs target those considered vulnerable, e.g., young fighters/child soldiers, women, and disabled for special assistance. Earlier reintegration programs were set up in a compressed time frame as an interim measure to maintain security, but more recent iterations such as those in South Sudan and Nepal had a longer time frame in which ex-combatants sign an agreement on their preferred package (including an option to integrate into the army or police) and area for resettlement (Munive, 2014, p.343; Luna, 2019, p.201). Beyond the demobilized and disarmed former fighters, reintegration considers the communities where they will have come home to. The characteristics of recipient communities, that is, their receptivity or opposition to hosting returned ex-fighters is conditioned by their previous relationship with irregular force units and their economic situation (De Vries and Weigink, 2011, p.40; Kaplan and

Nussio, 2015, p.135; in the case of Uganda, Annan and Aryemo (2009, p.646) found that ex-combatant community relations revolve around conflicts arising from the previous relationship with the rebel group and fear). DDR programs are typically set within short time frames, but reintegration is acknowledged as entailing a longer-term gestation as it involves an identity shift and is best attained with improvements in the local economy and security in general (Knight, 2008, p.29; Loetscher, 2016, p.9; Alden, 2002, p.353). Community-based reintegration programs involve the non-combatant population (refugees, displaced, sex slaves, or women forced to marry guerrillas) in decision-making, participate in collective livelihood schemes (e.g., cooperatives), and benefit from infrastructure projects under the reintegration umbrella.

Research into reintegration programs has pointed out the diversity of the ex-combatant population and the need for identification and need assessment for effective targeting (Bowd and Ozerdem, 2013). Individual attributes such as age when they joined the armed groups, gender, length of time spent or forced to stay with the rebel group, rank and armed faction/unit they belonged to, activities done by their unit, and unit's relationship with civilian communities (whether abusive or not) affect the ability to socially integrate (Bowd and Ozerdem, 2013, p.457; Nillson, 2005, p.18). Interest in combatant reintegration is nuanced among top-level and mid-level-ranked officers in rebel units or foot soldiers, depending on the perceived gain of influence in the process. Though economic reintegration is easier done with an array of livelihood support, social reintegration is harder to achieve particularly in cases where ex-combatants and communities have lost family members or when ex-combatants have stayed away from civilian settlements for a long time. Social trust and networks are harder to rebuild in such an environment, and so careful attention is placed so that communities do not feel aggrieved or economically burdened with the insertion of ex-fighters into their midst. Community participation is deemed crucial to the success of reintegration programs, hence the inclusion of information and sensitization campaigns and infrastructure projects offering more collective benefits (Loetscher, 2016, p.10). In some places, the community requires re-integrees to undergo a ritual reconciliation, provide communal labor, or participate in community-based security schemes (e.g., patrol) as means to bridge trust. The latter is valued for its symbolic importance, conferring status to ex-combatants and at the same time contributing to the community's safety (Nillson, 2005, p.52). Communities with high levels of social integration, i.e., high levels of participation in community organizations, are found to engender better social integration prospects for ex-combatants (Kaplan and Nussio, 2015, p.133).

The underlying aim of a reintegration program is to supplant or weaken factional ties and hierarchic relationships with the rebel organization. While these bonds ought to have disappeared alongside the dissolution of the rebel command structure with demobilization, in reality, the informal networks among ex-combatants (those who served the same unit, are from the same region or ethnicity) and between fighters and their immediate commanders remain and influence the reintegration trajectory (Subedi, 2014, p.49; De Vries and

Weigink, 2011, p.42). In Aceh, former Free Aceh Movement (GAM) combatants were absorbed into the web of collusion and predatory economy that characterize the construction industry, to which many put up businesses (Aspinall, 2009, p.3). Construction contracts became a means to sustain patronage links between commanders and their men (Sindre, 2016b, p.200). An alternative view considers close contacts between ground commanders and fighters as an enabling asset for ex-combatants to find jobs or access resources in government. This patronage dynamic enhances the role of ground commanders who act as brokers, enabling ex-combatants to gain access to the elite for employment. In Liberia, such employment includes being private guards to Big Men/warlords or paid militias undertaking foreign missions (Thumner, 2019, p.530). In the case of the paramilitary in Guatemala, which underwent reintegration, the ex-combatants' prior experience as guerrillas and stint in the pre-war cooperative movement contributed to their ease of transition (Janzen, 2014, p.1). The way reintegration programs are set up also bolsters these clientelistic relations. In Timor-Leste, reintegration funds were handled by an agency controlled by the rebel group party and were distributed directly to the ex-commander according to the list; a plan to shift to community block grants was scuttled because of ex-combatant opposition (Sindre, 2016b, p.204).

In reality, many gaps were identified in the implementation of reintegration programs. Insufficient funding, particularly those without or little cash subsidy, meant that many ex-combatants found themselves unemployed or employed in the informal economy. Many livelihood intervention packages were designed without careful study of the labor market or reckoning with the ravaged post-war economies (Ozerdem, 2004, p.493). With skill sets and stature, they find employment in private security companies, recruited into paramilitary outfits carrying out foreign missions for a fee, or engaged in illicit drug trade (as in Liberia, Thumner, 2019, p.530). Women ex-combatants were excluded or rendered invisible in many reintegration programs such as those in Nepal (Luna, 2019; Bhandari, 2015). Reconciliation between ex-fighters and communities was not fully attained, given the paucity in transparency and accountability in the reintegration policy of the government, as in the case of Guatemala (Janzen, 2014, p.10). In the absence of a formal reintegration policy, reintegration is shaped by the spatial location of ex-combatants, where they are in strongholds or migrant communities across the border (Hennings, 2017, p.8). The fate of ex-Khmer Rouge combatants in Cambodia varied widely, depending on where they ended up; in strongholds, they are appointed into government positions and continue to hold authority, but in other places, they face strong suspicion. Reintegration programs are also criticized for legitimizing an underlying narrative that ex-combatants are dangerous, threatening, and volatile, thereby fomenting hostile attitudes against them by communities (Ozerdem, 2004, p.443; McMullin, 2013, p.398). In the end, reintegration programs are seen as part of a liberal democratic project that aims to socially reengineer the state and social institutions but largely ignores important contextual factors that often are specific to each post-conflict setting (Colletta and Muggah, 2009, p.433).

### **Pathway 3: Normal politics**

Rebel-to-political party transformation is a trajectory more readily observed in cases with negotiated conflict settlements or where there is a shift toward democratic politics (Manning and Smith, 2016, p.977). Soderberg-Kovacs and Hatz (2016, p.991) found 93 such rebel groups-turned-political parties, of which about half have such proviso in peace agreements. These opportunity structures provide rebel groups with a window in expanding their support base. Timing is also key, as in cases where reintegration, security force integration, and other peacebuilding initiatives are also being carried out concurrently or when elections are scheduled. In Aceh, Indonesia, GAM's political party, Partai Indonesia, was formed after the first election in 2006, although it was able to conduct wide consultations across its districts and city units, resulting in rebel leaders successfully winning office through their rebel-group grassroots machinery (Sindre, 2016a). Fretilin in Timor-Leste was a people's movement with a strong mass base, distinct from the Falintil armed wing, which transformed readily into a party contesting elections, but the former's internal party leadership selection was eventually centralized under Prime Minister Alkatiri.

The transformation of rebel groups into political parties is affected by the internal characteristics of the group and the external environment. Whether the armed group has a prior political wing (Manning and Smith, 2016, p.983), the extent to which control is centralized or a loose coalition (Ishimaya and Batta, 2011), and its internal power configuration (cohesion or division between military/combatant versus civilian/political wing, between those who wish to remain armed and those who wish to transform into a political organization) (Manning, 2004; Klapdor, 2009; Curtis and De Zeeuw, 2010) affect political party transformation. The managerial and bureaucratic skills gained as a rebel group organization and the extent of its support from the grassroots and societal forces also influence such a shift (Ishimaya and Batta, 2011; Allison, 2016; Dresden, 2017, p.241). The rebel group is incentivized by the imperative to compete under given electoral rules and presumably aims to capture power by winning seats in government. To be competitive, it must identify and recruit suitable candidates, find funding sources, and build new organizational routines and procedures for running a campaign and winning (Manning, 2007, p.256). The skill sets developed as an armed organization are not necessarily fungible; parties require a more transparent form of leadership, accountability, and staff whose skills match the political and administrative needs of a party (Manning, 2007, p.257). A change in image, one that is less reliant on the organization's violent past or credentials, might also be necessary to obtain mass following (Manning, 2004, p.54). Rebel groups, particularly those that have established parallel state structures or shadow governments in territories they control, have a built-in advantage. Having a tel-luric presence means they already have a captive base and a very good pool of leadership among local cadres. They can comprise the local political entrepreneurs with organizational skills and social capital to mobilize and engage voters (Costalli and Ruggeri, 2015, p.42). They also have built-in support in territories

they previously controlled, from which, as political parties, they can expand their support base (Lyons, 2016, p.1031). Coherent, united, and disciplined leadership in the decision to enter peaceful politics, high level of popular support, and international legitimacy shape the turn to party politics (Manning and Smith, 2016, p.922; Lyons, 2016, p.1031). By contrast, rebel organizations with decentralized and fluid command-and-control make party-building difficult (as in the case of the MNLF and Moro Islamic Liberation Front (MILF) in the Philippines (South and Joll, 2016, p.186)).

The experiences of political parties formed by former rebel groups in Nepal, Guatemala, Aceh, Bosnia-Herzegovina, Colombia, and in African countries Uganda, Ethiopia, and Rwanda point to nuancing. In Guatemala, the Guatemalan National Revolutionary Unit (UNRG) trained cadres to be political or electoral organizers during the transition but failed to account that many of its recruits are neither committed to their program nor politically conscious. Disagreements between its militant and reformist factions and its limited relationship with Guatemalan civil society resulted in poor electoral performance (Allison, 2016, pp. 1049–1050). In Nepal, the timing was everything. The Communist Party of Nepal-Maoist announced a change in strategy from revolutionary struggle to acceptance of a multi-party system early on in 2006, which allowed it to build coalitions with other societal forces in the fight against the monarchy (Hechchethu, 2008, p.58). This programmatic shift, the selective use of violence, and the built-in trust from prolonged periods as a shadow government in many local areas were instrumental in the people's positive perception of its party credentials (Klapdor, 2009, pp.32–33). In Bosnia-Herzegovina, pressure from international actors to ban those with adverse human rights records from running for office led to the ascendance of reform-minded leadership. Competing at local and regional levels, rebel-turned-political parties faced off with local strongmen and had to offer a distinct political message, were debilitated by personalized leadership, and suffered from the separation of military and political cadres (Manning, 2007, p.258). While the Colombian rebel group Movimiento 19's (M-19) easily transformed into a political party, abetted by concurrent reforms in the National Assembly representation (of which M-19 was guaranteed seats) and wide public support for its political integration, demobilized paramilitaries faced higher barriers to entry into politics as they were widely discredited within the Colombian society and the international community for their human rights record and links to drug trafficking (Guaqueta, 2009, p.13). M-19, however, was unable to sustain election wins because it lacked party management skills and has lost touch with its wartime local structures, unlike the paramilitary federation United Self Defense Forces of Colombia (AUC) whose local appeal and access to illicit funding enabled it to become a political force. In the case of African countries, coherent and disciplined rebel group leadership gave rise to authoritarian political parties. Banking on their highly developed armed and civilian governance capacities (they run strong shadow governments in territories they controlled), they are able to mobilize supporters through built-trust and also coercive tactics (Lyons, 2016, p.1035). The competitive electoral system did not produce citizen participation

but rather power consolidation by the former rebel groups. In Aceh, the political wing of GAM outgrew its elitist roots and was able to establish independent and local party presence following the 2006 autonomy law. Their electoral success, however, led to untoward outcomes as local commanders-turned-local party leaders used their position as patronage resource for demobilized members. Local Aceh Transition Committee (KPA) groups practiced extortion and intimidation to raise funds and ensure favorable electoral outcomes (Stange and Patock, 2014, pp.108, 116).

These writings on rebel-to-party transformation are critiqued for the assumptions that the two formations are conceptually distinct and that there is a linear transformation from one form to the other. Rebel organizations are not departures from normal politics, which is associated with political parties and elections (Wittig, 2016, p.138). Most rebel organizations have political wings or are embedded in political relationships with populations in areas they control. As hybrid formations, they do not necessarily shed off their armed wing as they develop a political party structure (e.g., Hamas in Lebanon in Berti and Gutierrez (2016, p.1062)). In actuality, factions within the armed group alternate between violence and nonviolent activities, even after forming a party, as in the case of Burundi and Cote d' Ivoire (Wittig, 2016, p.138). A shift to political parties does not necessarily enhance democracy, as the rebel-turned-political parties are known to exhibit authoritarian practices or become patronage vehicles (Wittig, 2016, p.153). Moreover, informal hierarchies paralleling its former military command structure and social ties between commanders and rank-and-file continue to inform party position (Sindre, 2016a).

Why rebel groups do not form political parties is as instructive. Winning local elections in some settings does not require a political party apparatus; instead, the rebel group's grassroots network and field unit reach proxy for party machinery. Absent political parties, individual ex-rebels assume key government office by election or appointment, banking on the resources of the rebel organization (Torjesen, 2013, p.4). Resources such as the rebel group's social grassroots capital and links to elites are key in capturing positions in government. However, as was the case for Liberia, the rebel elites were co-opted by the president and did not fare well in the local elections. The rebel group in Cote d' Ivoire's pre-conflict ties and strong local support in territories they controlled enabled it to be electorally competitive, while its counterpart in Burundi who lacked such ties with social movements pre-conflict (e.g., capital city-based elites and with university students) lost local elections (Speight and Wittig, 2017, pp.41–42).

Rebel groups mobilize and form interest groups to pressure governments to respond to their specific demands (Nillson, 2005, p.51). Veterans associations such as the *petisyonaryos* in Aceh pre-figured in violent protests because of their exclusion from the reintegration program (Sindre, 2016a; Sindre, 2016b, p.202). Ex-combatants were also organized as conduits for community-based reintegration assistance (De Vries and Weigink, 2011, p.43). Ex-MNLF combatants were Peace and Development Community leaders in Mindanao, Philippines, while many ex-communists formed networks of rebel cooperatives such as *Grupo*

*Paghidaet* in Iloilo province, Philippines, along the same line (Rutten, 2001, p.324; Bercilla, 2001, p.75). Namibia's Development Brigade consisting of ex-rebels anchored the two-year reintegration program (Preston, 1997, p.465). An environment where there are fewer opportunities for reintegration compels veterans to form associations (Kaplan and Nussio, 2015, p.148). In Timor-Leste, veteran associations constitute a powerful constituency in that they are able to shape reintegration policies long after the externally assisted program ceased (De Almeida, 2017, p.93). The government-created National Council of Combatants of National Liberation did a survey of Faintil ex-combatants and conducted consultations with veterans, generating a national database used for the reinsertion assistance. There was also a veteran social liaison officer under the president and a policy of remembrance for which memorials were erected.

### **Which pathway? The irregular forces in Southeast Asia**

There is a diverse universe of irregular forces in Southeast Asia. These organizational pluralities include gangs, militias, civil defense forces, private armies, martial arts groups, and rebel groups. They are mainly local formations, with pre-colonial origins and amalgamated into the colonial security apparatus. With one foot in the shadow economy, they were mainly used by colonial authorities as brokers to communities (Baker, 2016). Later, they were utilized as private security providers for local oligarchs. The evolution of irregular forces is closely tied with state formation. Their relative autonomy rose and ebbed with the state apparatus. On the one hand, they are associated with a predatorial state seeking to consolidate capital accumulation (Sidel, 1999), as they are with state weakness in peripheral areas. On the other hand, irregular forces rely on the central government for rents (Okamoto and Hamid, 2008, p.117). The relationship between these violent actors with the post-colonial authority is layered, driven by pragmatism and patron-client ties (Nordholt, 2015, p.167). Over the course of history, irregular forces have been mainly co-opted or conferred legal status, acting as subcontractors or proxy for the state's coercive authority and integrated into political party machines (Ahram, 2011, p.53; Baker, 2016, p.189; Okamoto and Hamid, 2008). Linkages between the military and these violent groups have been cited as responsible for conflict escalation in areas rife with ethnic tensions, as in Ambon, Indonesia (Azca, 2006, p.450). These irregular forces seek legitimacy by connecting to their community's moral or ideological frame and instrumentalizing traditional structures to obtain support (Tersptra, 2020, p.36). As "informal sovereignties," emphasis is also placed on the performative aspect of their behavior, e.g., wearing the uniform, hand weapons, martial arts skills, as the source of their legitimacy (Baker, 2016, p.183).

Several pathways have been noted for Southeast Asian irregular forces. First is the transformation induced by the government or an external party. These mainly targeted rebel groups (militias, only marginally) as part of the conflict settlement package. Timor-Leste had an UN-supervised DDR program for Falintil and militias, and a similar one for Aceh with GAM. There also was a

reintegration program for the Philippines' MNLF, underwritten largely by foreign donors. For the militarily defeated Khmer Rouge (Cambodia), no formal reintegration program came about, hence the differential outcomes between ex-rebels situated in strongholds versus those outside (Hennings, 2017). There was the integration of former and MNLF (Philippine) rebels into the military and police as a result of an endogenous peace agreement, while the case for Falintil (Timor-Leste) was part of a broader state-building project carried out under UN auspices (Hall, 2010; Simonsen, 2005). Falintil and GAM eventually formed political parties that contested local elections, while the MNLF did not. For non-insurgent armed groups, the more common trajectory is state collaboration and co-optation, with their organizations transformed in tandem with the political fortunes of their leadership. The increasing trend of privatization of security points to strong men, bosses, and warlords utilizing these armed groups often for nefarious ends.

As observed in the case of GAM in Aceh and Falintil in Timor-Leste, the transformation of irregular forces did not dissolve or supplant hierarchical and command structures that link leaders and members. Rather, it solidified clientelistic ties, strengthened the formation of veterans as an influential interest group (De Almeida, 2017; Sindre, 2016b), and further embedded members into the predatorial and corrupt practices of the state (Stange and Patock, 2010; Aspinall, 2009). While rebel groups tend to have a more defined structure (incentivized by concrete prospects for benefits in the advent of a negotiated settlement with the government), other irregular forces exhibit fluid organizational characteristics, allowing them to be easily recycled and repurposed with drastic consequences (Rutten, 2001).

The overall record of irregular forces in the Southeast Asian region points to the tenacity of these formations. Because they are products of distinct socio-political and economic milieus, periodic efforts to formalize them or at least bring them into the normative ambit of judicious and accountable use of force produced varying levels of success. Regardless, there is an imperative for state agents to recognize their existence (rather than ignore them) and acknowledge their positive contribution from the perspective of their community publics upon which they draw support and membership. Efforts must be directed at creating pathways that make resorting to violence less appealing and that enhance state capacity to provide public security.

## Note

- 1 In the case of Indonesia, the reintegration program for the youth involved in sectarian ethnic conflict in Poso was part of a counter-insurgency program of the police and military deployed to pacify the area and included a one-time cash compensation, vocational training, and livelihood assistance to integrees (McRae, 2010, p.415). While some groups were excluded (e.g., youth involved in fighting prior to 2002; one other militia group), the process was adjudged to be successful as contacts between the state security forces and ex-combatants increased and there was overall improvement in the security situation.

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# 3 Non-state violence and political order in democratized Indonesia

*Masaaki Okamoto*

## Introduction

In October 2019, almost two decades after the end of the 32-year Suharto authoritarian regime and the beginning of democratization, reelected President Joko Widodo addressed the national convention of a nationwide social organization called Pancasila Youth (Pemuda Pancasila). Bearing the name of Pancasila (the national ideology of Indonesia) reflects the organization's nationalist and right-wing identity. As the Suharto regime consolidated power in the mid-1960s, Pancasila Youth was actively involved in the violent dismantling of the Communist Party by the army, effectively laying the groundwork for its subsequent expansion. In the 1980s, it succeeded in expanding its membership and activities nationwide by ensuring the political stability of the regime. The proximity of the organization to state power and its violent nature allowed its members not only to access government projects but also to engage in illegal and illicit business. The organization "participated in politics" in that it received seat allocations in return for supporting the governing party, Golkar, by silencing and weakening opposition groups with violence and threats during elections (Ryter, 1998; Aditjondoro, 2006, p. 20).

Since the collapse of the Suharto regime and the ushering in democratization and decentralization in 1998, various other organizations that use violence as a political resource have emerged at both the local and national levels. In contrast to Suharto's time, many of these were established on the basis of a specific identity, such as religion or ethnicity, while others were simply racketeering organizations. Most of the violent groups that have retained their influence for more than 20 years after democratization retain patronage from the central and local elites. Among them, Pancasila Youth has succeeded in gaining candidacies of several political parties in both central- and local-level elections. In the 2019 elections, 25 elected national MPs as well as the president of the People's Consultative Assembly, the president and vice president of the Regional Representative Assembly, and the minister of Youth and Sports in the second Joko Widodo government were all from Pancasila Youth. Its prominent members also won three out of six gubernatorial elections in 2020. In this sense, the organization has succeeded in participating in politics in an unprecedented way for a group whose

resources are based on violence. As such, this chapter will focus on Pancasila Youth to examine the relationship between violent groups and the state and to consider the political significance of these actors.

Studies are numerous of non-state actors that use violence to gain influence and further their interests. These range from the classic study on bandits by Hobsbawm (1969), studies of the Italian mafia (Blok, 1974; Gambetta, 1993; Lewis, 2003), and studies of violent entrepreneurs in Russia after the collapse of the Soviet Union (Volkov, 2002; Varese, 2001) to a study of Islamic gangs (Sato et al., 1994), Latin American gangs (Rodgers, 2004, 2006), and the Japanese *yakuza* (Hill, 2003; Siniawer 2008). Global comparative studies on gangs can also be found (see, for example, Hazen and Rodgers, 2014). Research has often said that, from the state's point of view, having links with non-state forces or creating non-state forces, on the one hand, has the merit to trace and control illicit and illegal activities done not only by themselves but also by other underground forces and, on the other hand, is helpful to maintain social order without mobilizing a limited resource of policing personnel. However, if the state becomes overly dependent on such forces, it may not be able to stop them from getting out of control, which could fundamentally shake the social order.

The literature on this topic in Indonesia is also rich.<sup>1</sup> Compared with other countries, Indonesia is characterized by a strong relationship (both formal and informal) between the state and non-state forces, regardless of what political regime is in power. Immediately after Indonesia's democratization, research flourished on the background of the emergence of non-state forces operating at both national and local levels and their rising politico-economic powers. As democracy took hold, however, the focus shifted to non-violent resources, such as money, popularity, and networks that became more politically salient. The focus of research thus shifted to such aspects. A series of works by Ryter, also cited in this chapter, analyzes the politicized members of Pancasila Youth and other groups (Ryter, 1998, 2009, 2012, 2014). Ryter notes how Pancasila Youth and other forces have "become an essential part of Indonesian democracy" (Ryter, 1998, p. 73). Mulyanto (2007, 2013) examines Pancasila Youth in North Sumatra province in detail. While these studies touch on the shrewd organizational adaptation of Pancasila Youth to democratization, they do not examine its national political rise and the meaning of this to the political order in Indonesia. As for the study of non-state forces after the consolidation of democracy, Wilson (2015) does fascinatingly detail these actors' adaptation to democratization and their relationship with politicians and the military and police, but his study is confined to the metropolitan area of Jakarta. If we are to examine the nature of the political order and the role of non-state violence in that order since democratization, it is essential to analyze the violent nationalist forces that have transformed themselves to adapt to democracy and have begun to influence politics even at the national level. Therefore, this chapter will focus on Pancasila Youth as the most successful non-state force participating in national politics. I will first outline the relationship between the state and non-state forces in general before turning

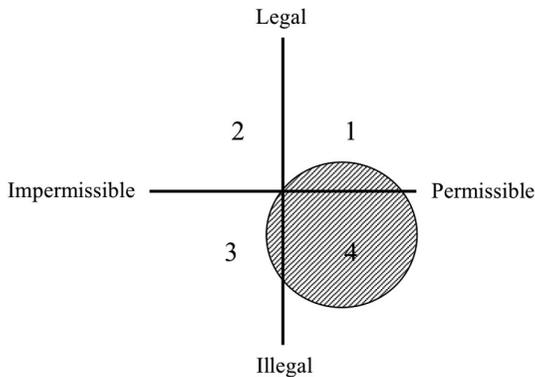
to this relationship in Indonesia and then examining the political rise of Pancasila Youth and its significance.

### The relationship between non-state forces and the state

The numerous studies that discuss the modern state and violence often rely on Weber's (2004: loc.2113-2116 of 3589. kindle.) classic definition of the state as their starting point: "the state is the form of human community that (successfully) lays claim to the monopoly of legitimate physical violence within a particular territory." The impact of this definition is so great that, in their volume on violence and social order, North et al. note: "virtually all models of the state assume that the state has a monopoly on violence," even though a little more than two dozen states in modern society actually hold such a monopoly (North et al., 2013, p. 273).

Weber's definition, however, continues: "all other organizations or individuals can assert the right to use physical violence only in so far as the state permits them to do so" (Weber, 2004). In other words, as long as it is within the limits permitted by the state, certain non-state organizations and individuals can use physical violence without state interference. In this chapter, I refer to such organizations and groups as non-state forces.<sup>2</sup> According to Weber's definition, some of these non-state actors may be groups or individuals who are legally allowed to use physical violence. In reality, however, many organizations and groups are allowed to exist, even if they or their activities are not necessarily legal. Therefore, categorizing organizations and groups based on whether they are legal or illegal can be misleading, as many operate within a gray zone of permissibility.

Figure 3.1 depicts the relationships between state and non-state forces and the gray zone within which this study focuses its attention. The x-axis represents the permissibility of non-state forces and the y-axis represents their legality. In the first quadrant, we find organizations that are both legal and permissible, such



*Figure 3.1* Relationship between the state and non-state forces.

as private military companies that carry out missions alongside the military on the battlefield, and security companies that protect their clients' businesses and residences during peacetime. In Japan, the petitioning officer system created by the Meiji state in Hokkaido, which allowed for the existence of police officers financially supported by private citizens, can also be considered an example of the first quadrant (Inose, 2016). It could also be said that, until the mid-1960s, the *yakuza* in Japan fall into this quadrant. As public safety deteriorated in urban areas amid Japan's postwar turmoil, the police did not eliminate the *yakuza* but rather relied on them to ensure security; some politicians also benefited from their links to the *yakuza*. For their part, the *yakuza* used violence and extortion as weapons to expand their businesses. While organizations in the second quadrant (operating legally and not in a permissible way) might be rare, this may apply to the *yakuza* in Japan since the mid-1960s. While their existence is technically legal, according to the Anti-Violence Law, they are categorized as "anti-social forces," and in order to eliminate them, the police do not tolerate their violence-prone activities. The third quadrant includes groups that are both illegal and not permissible, such as terrorist groups that plan to overthrow the state through violence and Italian mafias that became illegal by the national law in 1992, even though there are some spaces for them to engage in the illegal drug business and human trafficking with the connection to local political and judicial actors.

The fourth quadrant (illegal and permissible) is home to organizations and groups whose existence is illegal but who are tolerated by the state, or whose operations and/or businesses are illegal and involve violence and/or extortion but their organizations and business are tolerated by the state. State-sanctioned militia groups in Myanmar, for example, fall into this quadrant. While they are known to be involved in illegal activities such as drug trafficking and extra-judicial killings, the state uses them to maintain security in border areas (Buchanan, 2016).

The *chao pho* or "godfathers" in Thailand also fall into the fourth quadrant. As development benefits spread to the countryside from the 1970s onward, these local businessmen used coercion to make their fortunes not only in legal businesses such as rice milling, construction, and transportation but also in illegal businesses such as logging, drug trafficking, gambling, and prostitution (Tamada, 1987a, 1987b; Viengrat, 2000, 2001; Ockey, 1993, 2000). With the onset of democratization in the mid-1980s, some *chao pho* succeeded in gaining influence in local and even national politics. They were non-state forces, resorting to violence to maintain and expand their spheres of influence. The bureaucrats of the Ministry of Home Affairs dispatched to the provinces or the police stationed in the provinces tacitly approved of the *chao pho*'s illegal businesses and entrusted them with maintaining security in the community while receiving financial rewards (Ockey, 2000).

At this juncture, Malaysia provides a useful example. Considered one of the most successful and secure countries in Southeast Asia, authoritarian rule by coalition parties prevailed until 2018. The Domestic Security Act and the Law on Security Violations and Countermeasures enacted in 2012 allowed police to

easily detain anti-government activists and others; police control over the citizens is tight. Nevertheless, there is room for non-state forces, commonly referred to as gangs in Malaysia, to operate. Indeed, in August 2013, the Ministry of Home Affairs announced that 49 illegal gang organizations (comprising 40,313 people) were operating in the country.<sup>3</sup> These gangs also operate within the fourth quadrant because, although they are illegal, the Malaysian police do not aim to eradicate them. Indeed, in 2016, Nur Jazlan, the deputy minister of Home Affairs openly acknowledged that the police and gangs both have one goal, which is to maintain public safety, and they, therefore, maintain a kind of cooperative “arrangement.” According to Nur Jazlan, gangs basically use violence against rival gangs in turf wars, helping to maintain security in their territory. As the police see it, they can eliminate gangs whenever it becomes necessary. If they are not the cause of a serious deterioration in security, the police may find it cheaper and less troublesome to leave local security to them instead of interfering in their illegal activities.<sup>4</sup>

While such explicit acknowledgment of the cooperative arrangement between the state and non-state forces is rare, its existence is not. Non-state forces may engage in collecting racketeering fees, forcible detention, possession of a real estate, and coercive debt collection uninhibited by the state, but they are also often engaged in illegal businesses such as drug trafficking, prostitution, and illegal gambling, which are generally subject to a crackdown by the state. However, allowing these actors to operate also offers benefits for the state. While these actors fight with other violent business actors to expand their territories, they at least try to ensure safety within their own territories. They are also a source of information about serious crimes. Therefore, in Southeast Asia, “cooperative arrangements” involving the exchange of money and other rewards between the state’s violence apparatus and non-state violent business actors are not uncommon, especially at the local level (Trocki, 1998). In some cases, these arrangements are tacitly state-sanctioned with systematic approval, whereas in other cases, they are tacitly approved by the particular military and/or police officers (Okamoto, 2017).

## **Coexistence and co-prosperity of the state and non-state forces in Indonesia: A brief history**

### *Non-state forces from colonial times to independence*

The very idea of the state monopolizing violence has been feeble since the time of the Dutch East Indies, a colonial state that emerged as a modern state. In Java, the island with the highest degree of colonial penetration among the Dutch East Indies, the Dutch began in the early 19th century to exert control at the village level through the development of a bureaucracy. The opium farming business by the Chinese expanded along with the development of the bureaucracy, and both of these were supported from behind the scenes by non-state forces such as *jago* and *jagabaya* (Rush, 1990). These actors operated both inside and

outside of the formal social order and were allowed to and did use violence in total disregard of legal norms of justice. While most of these non-state actors became henchmen of the colonial state for their own survival and benefit, as the colonial state stabilized and increased predatory behavior, a few of them fought anti-colonial struggles alongside Communist Party members (Williams, 1990; Okamoto, 2015).

The Dutch colonial regime ended with the invasion of the Japanese army in 1942, after which Japanese military occupation lasted 3 1/2 years. When Japan surrendered to the Allies in August 1945, the Allies ordered the Japanese military to maintain the status quo of the ex-Dutch colonial state, but it had little legitimacy to govern. In this power vacuum, Indonesian nationalists declared the independence of the Republic of Indonesia from the Netherlands. The Dutch did not recognize the republic and plotted a military invasion to re-colonize it. As a result, fighting broke out between the republic and the Netherlands, and non-state forces such as militia and vigilante groups rapidly proliferated to fight against the Dutch.

Adding to this political chaos, social revolutions also erupted in some of Indonesia's regions (Anderson, 1972; Cribb, 1991; Kahin ed. 1985; Stoler, 1988; Williams, 1990). Rejecting the rule of the Netherlands, Japan, and even the Republic of Indonesia, some local leaders attempted to govern themselves autonomously. Such local leaders included not only Islamic leaders but also non-state forces who used violence as a weapon to create order. When the Republic of Indonesia finally gained independence in 1949 and began state-building, these forces did not disappear but rather became less visible politically.

### *Non-state forces under authoritarian regimes*

Immediately after independence, Indonesia, like other Southeast Asian countries, adopted a parliamentary democracy. This did not last long, and as local rebellions broke out and as the conflict between Islamic and communist forces deepened, political instability increased. Sukarno, the republic's first president, established an authoritarian regime in 1957. At the same time, the army deepened its relationship with Islamic forces and intensified its confrontation with communist forces. In this context, newly established non-state forces linked to the army began to emerge. These included nationalistic right-wing organizations, such as Pancasila Youth, as well as the anti-communist Indonesian Student Action League (KAMI) and the Indonesian Youth Student Action League (KAPPI). The largest Islamic social organization in Indonesia, Nahdlatul Ulama, created youth units such as Ansor and Bansel, which brought society's "roughnecks"—delinquents, thugs, and hoodlums—into their ranks (Ryter, 1998).

When the conflict spun out of control and the Communist Party staged a coup d'état in September 1965, the army, led by Suharto, actively utilized non-state forces to dismantle the Communist Party and its allies. These actors staged anti-communist demonstrations, killed party members, collected money for their "struggle" from ethnic Chinese, and were involved in the confiscation of

party-related assets. Later, as Suharto's regime consolidated power and entrenched itself, the state once weakened the relationship with these actors.

In Jakarta and other cities in the early 1970s, gangs led by children of military officers who had too much free time on their hands emerged. They fought, assaulted, murdered, raped, robbed, used illegal drugs, stole, and behaved in other inappropriate ways, becoming a source of insecurity. In response, the Suharto regime forced neighborhood associations and neighbor groups to carry out night patrols under the supervision of the military and police and turned hoodlums into neighborhood-level security guards (Barker, 1999). In addition, the national military systematically brought together non-state forces at the local and national levels to enforce their version of peace and order (*rust en orde*) and control underground forces and their activities (Wilson, 2015, pp. 15–18). At the national level, these actors included the Panca Marga Youth (PPM), led by children of the veterans of the independence war, the Communication Forum for the Children of Military and Police Officers (FKPPI), Baladi Karya, the Youth League for Indonesia Renewal (AMPI) under Golkar, and Pancasila Youth. At the local level, locally stationed military commanders facilitated the formation of the Siliwangi Youth League (AMS) in West Java, the Indonesian Association of Bantenese Martial Arts and Culture (PPSBBI) in Banten, the Diponegoro Youth League in Central Java, the Security Core Command (Kotikam) in Yogyakarta Special Province, and the Industrial Youth Solidarity (IPK) in North Sumatra (Ryter, 1998; Okamoto and Rozaki, 2006; Beitinger-Lee, 2009). The rise and fall of these non-state forces reflected the power struggles within the regime and the military. In this context, Pancasila Youth came under the protection of President Suharto and grew rapidly as a national organization in the 1980s, as explained in detail later.

In order for the Suharto authoritarian regime to hold elections every 5 years in a way that ensures victory for the ruling government party, Golkar, the state relied on non-state forces to undermine opposition parties, activists, and other opposition forces through violence and the threat of violence. In return for this support, these groups gained parliamentary posts. As Indonesia's economic growth accelerated, the cadres of these groups secured government projects and were tacitly allowed to expand legal and illegal businesses, such as construction, gambling, prostitution, and smuggling. These businesses provided jobs for the groups' ordinary members, such as collecting parking fees in markets and other places; providing security in bars, nightclubs, and brothels; collecting rent and debt from stores and street vendors; enforcing evictions of residents, and forcefully providing security and construction materials for development sites. These kinds of businesses continue to this day and are not only a source of funding for the organizations but are also an important source of income for ordinary members.<sup>5</sup>

### *Democratization and restructuring of non-state forces*

When the Asian currency crisis struck in 1997 and the Suharto regime began to collapse, Suharto's political order buckled and insecurity became pervasive,

especially in urban areas. The final collapse of the regime and the appointment of Suharto's right-hand man Habibie as president in May 1998 further worsened the security situation. To defend President Habibie, the national army mobilized not only nationalist non-state forces such as Pancasila Youth, PPM, FKPP, and AMPI, with whom it had coexisted for a long time, but also the Islamic non-state forces, with whom it had only developed relations since the latter half of the Suharto regime. The Habibie government surprisingly proposed a series of drastic democratization and decentralization plans, including the free and fair election of 1999. Despite this, the government was confronted with student groups staging demonstrations critical of the Habibie administration as a continuation of the Suharto regime. In Jakarta, the anti-Suharto elite chose not to dislodge Habibie from the presidency by orchestrating anti-Habibie demonstrations but instead joined the electoral politics scheduled in 1999. On the other hand, at the local level, there was a backlash against the coercive military and police during the Suharto regime, and non-state and anti-state forces based on religion and ethnicity emerged for vigilante purposes (Okamoto and Rozaki, 2006; Wilson, 2015). Similar to what happened during the war of independence, violent actors wanting to make quick money also emerged (Okamoto, 2015). These new actors acquired the same business interests as those of the old non-state violence actors, such as collecting rents and playing the role of a bouncer. Conflicts among multiple actors who wish to expand their sphere of influence frequently occurred.

Democratization and decentralization also brought about a significant change in the participation of a variety of non-state forces in formal politics. Although the route of political participation through Golkar existed even during the Suharto era, since democratization, non-state forces have gained access to the political process through multiple political parties. Since direct local head elections commenced in 2005, not only these actors have joined campaign teams but cadres and members also began to directly run as candidates. When elected, they are able to use local government budgets as well as various permits and concessions to expand their patronage.

By the time Susilo Bambang Yudhoyono, the first directly elected president of Indonesia, took office in the mid-2000s, religious and ethnic conflicts had subsided. In contrast to Thailand during the 1980s–1990s and the Philippines by the early 2000s, where political killing was rampant in the democratization process (Anderson, 1990; Sidel, 1999), Indonesian democracy experienced fewer political killings and intraregional conflicts have not led to as much violence as many Indonesians expected. The reason for this is that, as democracy began to take hold in the 2000s and as the police began to exert their authority over internal security, the influence of non-state forces that did not have networks with the official violent apparatus weakened, clear turfs among these actors became more or less established, and large-scale conflicts subsided (*Tirto* March 5, 2019).<sup>6</sup> In addition, in the democratization era, violent actors have gained plenty of non-violent political resources and are now subject to a political backlash in response to any apparent use of violence. This is especially true at the national political level, where such actors are more vulnerable to criticism by civil society forces.

*Contemporary dynamics of the relationship between the state and non-state forces*

Today, if Indonesia is destabilized in a way that involves non-state forces, it most often involves Islamic radicals. Terrorist attacks by Islamic radicals occur periodically, including the Bali suicide bombings, which killed 202 people in 2002 and 23 people in 2005. This was followed by attacks targeting churches around the country in 2000 (18 dead), suicide bombings in Jakarta in 2003 (12 dead), in 2004 (9 dead), in 2009 (9 dead), and 2016 (8 dead), and in Surabaya in 2018 (28 dead). The most significant political action involving Islamic non-state forces was the anti-governor's demonstration staged in Jakarta on December 12, 2017, by Islamic radicals and conservatives. Attracting 750,000 people, the demonstration was the largest in Indonesia's history and had a significant political impact. Jakarta's governor, Basuki Purnama (a.k.a. Ahok), is a Protestant Chinese who had gained popularity by implementing administrative reforms and improving public services. Islamic conservatives, however, were unhappy to have a non-Muslim at the head of the capital. In addition, when Jokowi, as Jakarta's previous governor, had distanced the city's violence apparatus from non-state forces based on Islam and the Betawi ethnicity, thus reducing economic opportunities for them (Wilson, 2015, p. 150), Ahok began using the military and police in maintaining security in Jakarta. Ahok had also banned certain mass Muslim activities from taking place in the streets and the ritual slaughter of animals on the Muslim feast of sacrifice (Idul Adha) (IPCA, 2018, p. 16). These policies led to grumblings and widespread protests when he ran for governor in 2017. During the race, Islamic conservatives fiercely criticized Ahok's remarks quoting the Qur'an as insulting to Islam and succeeded in mobilizing a large number of people who followed the "conservative turn" (van Bruinessen, 2013) of Islam in Indonesia after democratization and a strict and conservative interpretation of the Qur'an. Ahok was defeated in the gubernatorial race and jailed after being found guilty of blasphemy (IPAC, 2018).

In Indonesia, where multiple social cleavages permeate religions, religious sects, ethnicities, and classes, the cleavage between devout Islam and non-Muslims was the most politicized and had the potential to divide Indonesian society not only in the capital but also nationally, thereby having a tremendous impact on the 2019 presidential election. Therefore, incumbent President Jokowi, who was seeking reelection, began to do two things. First, he tried to appease Islamic conservatives by choosing as his vice-presidential candidate a conservative Islamic leader who was among those who spearheaded the anti-Ahok movement. This led to Jokowi's reelection and prevented instability caused by the radicalization of social divisions. Jokowi also began to strengthen nationalism, with an emphasis on the Pancasila ideology, and to act in authoritarian ways (Power, 2018). As part of this strategy, Jokowi actively approached Pancasila Youth, a nationalist, non-state force. The organization welcomed Jokowi's overtures and was well-positioned to deliver on the state's needs, as we will see below.

## **Pancasila Youth**

### *Entrenchment during the Suharto authoritarian regime*

Pancasila Youth was founded in 1959 by former national army officers. It was strong in northern Sumatra as an anti-communist youth wing of the Indonesian Independence Support League (IPKI), which was established by former army chief of staff disaffected with identity-based party politics. As the army and the Communist Party struggled for power during Sukarno's rule, Pancasila Youth repeatedly fought against Communist Party-affiliated youth units and, after the Party's failed coup attempt in 1965, Pancasila Youth members actively hunted and killed party members under the tutelage of the army, especially in North Sumatra and Aceh, as vividly described in the much-talked-about documentaries *The Act of Killing* and *The Look of Silence*.

Efendi Nasution, who became the president of Pancasila Youth in 1968 under the newly born Suharto regime, recalled that "all the members [of Pancasila Youth] were hoodlums, delinquents, thieves, robbers, and killers." Efendi said that he recruited branch heads when he was the North Sumatra provincial branch head based on the "street cred" of a candidate, such as the number of people he had stabbed, the number of people he had killed, and the number of followers under him (Muryanto, 2013, pp. 63–65).

When the Suharto regime was established, several non-state forces emerged under the patronage of the regime. In the 1980s, Suharto himself entrusted Pancasila Youth to organize the "rough and toughs" nationally. At the time, Suharto began to fear that his right-hand man, Ali Murtopo, had become too powerful and might become a threat.<sup>7</sup> As head of the intelligence apparatus, Murtopo had a deep network of violent actors and was instrumental in delivering victory to the governing party, Golkar, in the 1971 and 1977 elections. Murtopo wanted to turn Golkar's youth wing, the AMPI (launched in 1980), into a nucleus of non-state forces. Suharto, however, feeling threatened by the formal and informal rise of Murtopo, had other plans. In the mid-1980s, thousands of thugs and hoodlums were killed on the streets in what came to be known as the Petrus or "mysterious" killings (Bourchier, 1990). The Petrus killings eliminated thugs close to Murtopo, such as AMS members in West Java. In his autobiography, Suharto later described the murders as "shock therapy" to restore order, but they were also clearly aimed at weakening Murtopo's power.

Meanwhile, Suharto had turned his attention to Yapto Suryosumarno. Yapto's father was related to Suharto's wife Tien and was close to Suharto himself (Adijondro, 2006, p. 20; Janssen, 2015, p. 270); he was born in 1949 to a Dutch Jewish mother and a military father who later became a major general. As a young man, Yapto was the head of the 234SC, a notorious Jakarta delinquent group whose members were children of military officers. In the 1960s, when the Sukarno regime was turning toward communism, Yapto was already a right-wing activist as a high school student, participating in daily anti-communist demonstrations. According to his mother, Yapto wanted to follow in his father's footsteps

and become a soldier, but he was unable to do so because of his short stature (Janssen, 2016, pp. 189–194), which is thought to be the reason he developed ties with Pancasila Youth, of which he was elected president in 1981. In 1984, he graduated from the Faculty of Law at the Indonesian Christian University and today has his own legal office.

After Petrus, Pancasila Youth led by Yapto quickly rose to be the most influential of the non-state forces. Under Yapto, Pancasila Youth developed its organization and established branches in different provinces. It instilled the Pancasila ideology among its cadres, who supported Golkar with violence and threats during the five-yearly elections in a *quid pro quo* exchange for business opportunities. While the cadres engaged in businesses, such as security and construction companies, and secured both local and national government projects, the unemployed, casual workers, ex-prisoners, and delinquents were attracted to join the organization by the offer of jobs (collecting parking fees from cars and motorcycles parked on the street; collecting rent from stores and street vendors; providing security at factories, stores, and nightclubs; collecting debts; occupying land with ambiguous legal status for the sake of developers; and extorting and evicting residents at the request of developers), from which cadres received portions of the daily wages (Mulyanto, 2013).

As Pancasila Youth's influence expanded, politicians, bureaucrats, and entrepreneurs also became members and the number of ordinary members continued to grow, exceeding one million by the mid-1980s. As for Yapto, in addition to resolving disputes as a lawyer, he profited from the real estate business and succeeded in creating an extensive network in the political and business world, especially among the Suharto family (Janssen, 2016, pp. 272–277).

### *Political adaptation and further rise of Pancasila Youth after democratization and decentralization*

The fall of Suharto and the commencement of democratization and decentralization in 1998 at first weakened Pancasila Youth, but the new regime needed Pancasila Youth, and the organization shrewdly adapted to the new political landscape. Contrary to popular expectations, when Vice President Habibie assumed the presidency, he immediately promoted democratization and decentralization, but, as mentioned above, students criticized him as a continuation of the Suharto regime and staged demonstrations. The national army mobilized Islamic and non-state forces to confront the student demonstrations. In addition to the right-wing PPM and FKPPi, Pancasila Youth was also mobilized, but they managed to avoid a head-on collision with the students and retreated to avoid any deterioration of their image and thus adapt to democratization. Although Pancasila Youth members already had established networks in military, police, political, and business circles, the political and social instability in the immediate aftermath of democratization and decentralization led to a proliferation of non-state forces, and the struggle for supremacy became fierce. An increasing number of members left Pancasila Youth to join groups that were based on religion and ethnicity in

attempts to expand their influence. Although exact data is not available, according to Yorrys Raweyai, a senior member of Pancasila Youth of Chinese and Papuan descent, at one point, membership had been reduced by half.<sup>8</sup>

Faced with drastic changes in the rules of the political game, Pancasila Youth decided at a special general meeting that its members could freely participate in politics in the first general elections after democratization in 1999. In other words, members could support any political party, not just Golkar, and run as candidates for any political party (Nina, 2008, p. 10; Syahrul et al., 2017, p. 100; Ryter, 2009, p. 187). This decision turned out to be politically successful. For example, in the 1997 elections (the last of the Suharto regime), Pancasila Youth in West Java was allocated 24 parliamentary seats by Golkar. In the 1999 elections, however, they succeeded in getting a total of 58 parliamentarians elected, both at the national and local levels, including 12 from the Golkar Party and 18 from the Indonesian Democratic Party of Struggle (PDIP).<sup>9</sup>

Yapto himself became more ambitious and launched a new political party, the Pancasila Patriot Party in 2001, because it became clear that support for the Golkar Party would result in no jobs, no projects, and no donations after the fall of Suharto (Janssen, 2016, p. 294). At the time, Yapto boasted that Pancasila Youth had 6 million members, of which 4.5 million had membership cards, so a new party could be expected to get a large percentage of the votes.<sup>10</sup> However, in the 2004 general elections, the Pancasila Patriot Party received only about 1 million votes (1 percent of the total). In 2008, Yapto launched the Yapto Center with great fanfare. At the inauguration that the author was invited to attend, he expressed his desire to run for president if he was requested to do so. When Pancasila Youth campaigned as the Patriot Party in the 2009 general elections, however, it received only about 550,000 votes, making his ambitions impossible to realize.

Participation in politics through formal channels, such as establishing a political party or planning to have Yapto run for the presidency, made Pancasila Youth politically visible, but it was difficult to achieve formal political success as Pancasila Youth itself. First of all, the group did not oblige its members to support its own party, the Pancasila Patriot Party and later the Patriot Party. Many cadres were already members of other parties, mainly Golkar. For example, the aforementioned Yorrys opposed the launch of the new party, remaining a Golkar Party member,<sup>11</sup> while Ruhut Sitompul, another experienced cadre, moved from Golkar to the Democrat Party of Yudhoyono.

Being a non-state force, Pancasila Youth also did not have widespread support among the voters. Some voters had personally experienced violence and threats, while others often read articles about casualties in turf wars between Pancasila Youth and other similar organizations. In addition, many voters have heard rumors about Pancasila Youth's underground activities such as gambling and prostitution. As a consequence, it has not been able to get rid of its image as an organization of thugs even until now.

However, as the case of West Java illustrates, Pancasila Youth has been quite successful in participating in politics individually by running for office as

candidates of various political parties and indirectly by supporting candidates. This is due in no small part to the access of senior members of Pancasila Youth to political, bureaucratic, and business circles; their familiarity with political maneuvering from experience in organizing its recalcitrant members; and the organization's experience in crushing demonstrations and mobilizing ordinary members when it comes to elections (Ryter, 2009). Mobilization here means not only providing member support to election campaigns but also intimidating rival candidates' campaigners to disrupt campaigns and intimidate voters to influence the election outcome, particularly in places that are not easily accessible to election monitoring committees (Mulyanto, 2013). Therefore, it appears that some candidates provide campaign funds to Pancasila Youth not because they expect the organization to actively support their campaign but rather in an effort to reduce the possibility that such violence and extortion is perpetrated against themselves and their supporters.

In the 2004 general elections, 12 Pancasila Youth members became national MPs, about 115 became provincial MPs, and more than 400 became a district and municipal MPs from Golkar and other parties (Ryter, 2009, p. 188). In the 2009 general elections, 535 members were elected as MPs at the national and local levels. According to Pancasila Youth cadre Yorrys Raweyai, more than 30 former cadres were serving in the national parliament alone after the 2009 general elections.<sup>12</sup> According to a biography of Yapto, from 1999 to 2014, Pancasila Youth produced four ministers, three full and deputy provincial governors, and seven district heads and mayors and vice district heads and mayors (Didik, 2011, pp. 73–77). This is only part of the story, however. For example, in Pancasila Youth's stronghold of North Sumatra Province, organizational members were elected as seven local heads and five vice local heads out of the 35 districts and cities in 2008.

In the 2019 general election, at least 25 of the 575 elected parliamentarians and 12 of the 106 provincial assembly members in the capital city of Jakarta were from Pancasila Youth. Although many of them belong to the Golkar Party, members of other parties also stand out, too, suggesting that Pancasila Youth has maintained networks across party lines. Importantly, Pancasila Youth also has members in the bureaucracy and business sectors, some as executives of state-owned enterprises related to SME financing, steel manufacturing, and livestock. They also maintain links with the national army and police. These positions and networks enable the organization to secure government projects and provide jobs for its members. For example, in 2015, Pancasila Youth signed a memorandum of understanding with the state-owned enterprise, the Indonesian Logistics Bureau (BULOG) to distribute daily necessities to the poor through cooperatives created by Pancasila Youth (*Antara Jatim* December 19, 2015; BULOG, 2016). It also signed an agreement with the Ministry of Defense to support the national defense program initiated by the ministry. These diverse networks are the sources of money for the cadres and of jobs for ordinary members and attract not only ordinary people but also businessmen, politicians, and bureaucrats to join Pancasila Youth.<sup>13</sup>

Local branches of Pancasila Youth cultivate local-level political, business, and bureaucratic networks, and some local cadres are able to put major local media under their influence, as in the case of North Sumatra Province, making it impossible for local leaders to ignore Pancasila Youth. Even in areas where Pancasila Youth does not have such a strong influence, it is not uncommon for local leaders to allocate local government budgets to Pancasila Youth in the name of “supporting social organizations” or to grant the organization licensing rights because Pancasila Youth can be indispensable in providing countermeasures against protests and it would be troublesome for local leaders to cut off relations with them and its militancy was quite useful for the candidates for local heads during election campaigns (Mulyanto, 2013; Iqbal, 2017; Fariz, 2017). In the case of Jakarta Province, the provincial government even provides land rent-free to Pancasila Youth for its branch office.

*Pancasila Youth and presidential elections*

Table 3.1 lists the presidential candidates endorsed by Pancasila Youth and the candidates who won in the 2004–2019 elections. Although some of the endorsed candidates were defeated, the defeat has not directly led to the outlawing or weakening of Pancasila Youth. The organization has maintained its deep networks with every administration since democratization. One example of this is Vice President Yusuf Kalla. Without endorsing him in either the 2004 or 2014 elections, Pancasila Youth invited him in 2008 to its national convention and made him an honorary member and a cadre of Pancasila Youth, Ruhut Sitompul, joined the president’s party, Democrat party, demonstrating the organization’s ability to flexibly adapt in order to maintain power and influence.

In the 2019 presidential election, Pancasila Youth supported Jokowi and Ma’aruf Amin, who had the upper hand as the incumbent ticket. Although Yapto himself had been closely associated with another presidential candidate, Prabowo, since the days of the Suharto regime, it can be said that he was more concerned with riding a winning horse and wanted to curb the growing power of Islamic conservatives who supported Prabowo. From Jokowi’s point of view, as symbolized by the aforementioned unsuccessful election and imprisonment of Ahok, the Jakarta governor who Jokowi trusted, if the Islamic conservatives and radicals gain momentum, it would be difficult for him to manage the

*Table 3.1* Elected candidates and candidates endorsed by Pancasila Youth in the presidential elections (2004–2019)

	<i>Endorsed candidates</i>	<i>Elected candidates</i>
2004	Wiranto-Solahuddin Wahid	Yudhoyono-Yusuf Kalla
2009	Yudhoyono-Budiono.	Yudhoyono-Budiono
2014	Prabowo Subianto-Hatta Rajasa	Joko Widodo-Yusuf Kalla
2019	Joko Widodo-Maaruf Amin	Joko Widodo-Maaruf Amin

government even if he were reelected. Jokowi, therefore, needed a less Islamic and more nationalist militant vanguard organization such as Pancasila Youth to secure his reelection and future government. One month before the election, Jokowi attended a meeting where Pancasila Youth pledged to support Jokowi. At the meeting, Jokowi paid tribute to Yapto's achievements as president of Pancasila Youth for 39 years. Tellingly, as he praised the organization, he noted, "whoever dares to change Pancasila will be confronted by Pancasila Youth."<sup>14</sup>

In forming his cabinet, Jokowi narrowed down the list of candidates from 300 to 34 and gave Pancasila Youth the post of Minister of Sports. Significantly, Pancasila Youth leaders also gained the posts of chairman of the People's Consultative Assembly, which has the constitutional authority to dismiss the president and vice president, and chairman and vice chairman of the Regional Representative Assembly, whose role it is to convey local demands to the central government. Even before the second Jokowi cabinet, Pancasila Youth cadres obtained the positions of a minister and top positions of parliament and assembly; they have never had these important executive and legislative positions in the same administration. In that sense, for Pancasila Youth, the second term of the Jokowi administration is its most successful in history in terms of political participation.

In October 2019, after the conclusion of the presidential election, not only did President Jokowi attend the opening ceremony of Pancasila Youth's national convention and Vice President Ma'aruf Amin attend the closing ceremony but both men also became special members of the organization. During the opening ceremony, Jokowi thanked Pancasila Youth leaders across the country for the successful implementation of the elections and expressed his hope that Pancasila Youth would continue to protect the state ideology of Pancasila. Meanwhile, at the same convention, Bambang Soesastyo, vice president of Pancasila Youth and chairman of the People's Consultative Assembly said as follows, and his message suggests that Pancasila Youth is reformulating to wipe out the negative and violent image of the organization and to show itself as a more legal and formal one:

Pancasila Youth is no longer an ordinary *preman*<sup>15</sup> organization. We no longer use brute force, mountain swords, wear tattoos, or have thick mustaches. We use more brains, thoughts, knowledge, and intelligence to control our territory.

...

If anyone violates the sovereignty of the people, the Republic of Indonesia, and the Pancasila, we will go back to the *preman* and be rough with whoever it is. ... The same goes for anyone who interferes with President Jokowi, who is the head of state and the head of government. Pancasila Youth will not tolerate any attempt to overthrow the regime because the people will suffer.<sup>16</sup>

### *Distancing of Pancasila Youth from non-state preman forces*

The statement that Pancasila Youth is no longer an ordinary *preman* organization and statements to the effect that Pancasila Youth is now a more “refined” youth organization have often been made by leaders such as Yapto and Yorrys since the New Order. Indeed, since democratization, Pancasila Youth has been able to participate in politics through various political parties and has succeeded in building a wide network among political, business, and government circles not only at the local level but also at the national level. Importantly, it has even succeeded in securing key posts in both the executive and legislative bodies of government. At the same time, Pancasila Youth has transformed itself from a group of roughnecks with no clear organizational structure to a highly organized nationwide organization whose leadership is courted by the country’s president. At the central level, the organization includes a president (1), vice presidents (4), a secretary-general (1), 19 divisions, a finance director (1), vice finance directors (4), and 9 committees, including those in charge of legal aid, business, and culture, the consultative committee, and the honorary member committee. Two derivative organizations focus on students and women. During the 2020 local elections (for 9 provincial governors, 224 district heads, and 37 mayors), it set up local head election desks similar to those of the Ministry of Interior, aiming to support the cadres of Pancasila Youth to join and win the direct local head elections. Of the six gubernatorial elections that year, three Pancasila Youth cadres were elected as new governors.

To further consolidate its structure and tighten membership loyalty, in 2005, the central executive committee decided to ban membership in social organizations other than the FKPPi and PPM, with which it has had close ties since its inception. In the mid-2010s, the headquarters began a full-fledged data-gathering operation on its membership, linking a member’s Pancasila Youth membership card number to that person’s resident registration card number, effectively obtaining relevant personal information on members such as age, address, and occupation. Membership drives have also been activated in each region to increase overall membership and territorial reach, which is linked to the goal of demonstrating the political power of Pancasila Youth in numbers. The organization is extending its membership to diverse groups. In Jakarta, the provincial branch has made serious efforts to register the members and the registered members reached 21,991 in October 2020 (Badan Rekapitulasi KTP MPW PP DKI Jakarta, 2020). Membership in the organization is also diversifying; of Jakarta’s 22,000 members, 20 percent are professionals, 30 percent are intellectuals, and 50 percent comprise the masses.<sup>17</sup> Despite these consolidation efforts, it is doubtful that Pancasila Youth will weaken its informal nature entirely or transform itself into too formal a social organization. The fundamental strength of Pancasila Youth remains its ability to incorporate informal actors, such as the unemployed, informal workers, delinquents, and those who have been imprisoned, to provide security in bars, night clubs, brothels; collect parking fees in markets and other places; collect rent and debt from stores and street vendors; sometimes mobilize

them as a mass; and, in some cases, deploy them in acts of violence and extortion. It is within this locally based power that some of the cadres have risen to become powerful figures locally and then nationally.

At the local level, many other non-state forces are active, and they may even control local politics (Okamoto and Hamid, 2008; Mulyanto, 2013; Hadiz, 2010; Abdur, 2016). For these groups, their strength lies in being based on a specific religion and/or ethnicity and being active in a specific locality, so it is difficult for them to expand nationwide in the highly diverse country of Indonesia. One non-state force that has gained exceptionally broad nationwide support is the Islamic Defenders' Front (FPI). It had a cordial relationship with the police, as exposed by a WikiLeaks document of comments made by former national Chief of Police Sutanto (2005–2008), who divulged that the FPI was perennially useful as an “attack dog” when needed. A State Intelligence Service (BIN) official characterized FPI as a useful tool that could spare the security forces from criticism for human rights violations, and funding FPI was a “tradition” of the police and BIN.<sup>18</sup> However, the current Jokowi administration, which is concerned about the rise of radical Islamism, considers the FPI an impermissible enemy and the government declared the disbandment of the organization at the end of 2020. So the case of FPI shows that the movement along the axes in Figure 3.1 from permissible and illegal (in some of their activities) to impermissible and illegal (of the organization itself) is rather fluid, depending on the network with the government and the state coercive apparatus.

In contrast, the strength of Pancasila Youth is its ideology of nationalism and its adherence to the national principles of Pancasila and the 45-year-old constitution of the Republic of Indonesia, which is extremely convenient for the state actors.<sup>19</sup> Moreover, from the perspective of state actors such as the presidential office, the military, and the police, Pancasila Youth has influence in the informal sector, which is useful in keeping troublesome actors such as those who engage in violence and extortion under control for the time being, thus minimizing political instability. The mutual accommodation between Pancasila Youth and the state extends also to the connection between the data server of Pancasila Youth and the population data of the Ministry of Home Affairs, which allows both sides to obtain detailed information on the Pancasila Youth's membership. This “accommodation” has taken place even in the field of public health. The Jakarta branch of Pancasila Youth now collaborates with the National Health Insurance Program (BPJS) so that BPJS can send text messages to Pancasila Youth members when their monthly fees are coming due.

## Conclusion

After describing the range of relationships between states and non-state forces, this chapter provides a history of their coexistence in Indonesia before introducing Pancasila Youth as a case study. In Indonesia, numerous non-state forces, including Pancasila Youth, have utilized violence and the threat of violence as an important political resource. Although the very purpose of their being is to exist

in the gray zone between legality and illegality, and they do perpetrate violence, the state has historically tolerated these actors. During the Suharto authoritarian regime, they played a role in maintaining the regimes' desired order by promoting nationalism. The biggest with the most extensive networks among these was Pancasila Youth. With the onset of democratization, a rise in non-state forces based on religion and ethnicity was noticeable in many places, weakening the influence of nationalistic actors. However, as democracy took root and domestic security maintenance by the police and other organs of the state's violence apparatus began to function, it became difficult for non-state forces to survive without a relationship with the official violence apparatus. In this context, Pancasila Youth, which had been building networks with various state actors since the time of the authoritarian regime, established a broad network not only in party politics but also in the bureaucracy and business circles at the central as well as at the local level. At the same time, it actively continued to recruit the jobless poor and the "rough and toughs," the so-called *preman*, as members. With its deep well of political resources, foremost of which is the ability to mobilize a violent mass, it has succeeded in gaining elected legislative and local head positions through multiple political parties.

Moreover, as socially conservative Islam has gained influence after democratization, the Jokowi administration, which took office in 2014, has begun to emphasize the national principle of Pancasila and has even become authoritarian. Pancasila Youth, with its robust image as the militant guardian of nationalism, has succeeded in using its ideological resonance with the current government as a weapon to achieve the most remarkable political participation in the history of the organization. From the perspective of the relationship between the state and non-state forces, this demonstrates that the state intends to maintain security in a way that incorporates illegitimate actors in a very active manner.

And this incorporation has been the case in Indonesia since the Dutch colonial period. It is no wonder, then, that the state conception of governance includes reliance on non-state forces in addition to official violent apparatuses such as the police and military to guarantee the minimum level of security for its citizens. Given this reality, the strategy of Pancasila Youth to maintain its informal and violent nature while emphasizing militant nationalism and realizing political influence through different parties may be considered a viable strategy for any civil actor wishing to expand its power socially, economically, and politically, and this mutual accommodation between the state and the non-state forces is, one way or another, contributing to achieve a certain democratic consolidation in a distorted way.

## Notes

- 1 For the Dutch colonial period, see, for example, OngHok Ham (1984); Rush (1990); Schulte Nordholt (1991); for the War of Independence period, see, for example, Anderson (1971); Cribb (1991); Stoler (1988); Williams (1990); for the Suharto regime period, see, for example, Barker (1999; 2001); Ryter (1998);

- Wilson (2002); Okamoto (2015: 73-99); for the post-Suharto regime to democratization period, see, for example, Andri Rosadi (2008); Beittinger-Lee (2009); Brown and Wilson (2007); Okamoto and Abdur Rozaki (2006); Facal (2020); Hadiz (2003); Hadiz (2010); Jacobsen (2002); Kirstiansen (2003); MacDougall (2007); Ryter (2014); Sidel (2006); Suryawan (2005); Suryawan (2006); Syarif Hidayat (2007); Syarif Hidayat (2009); Okamoto and Hamid (2008); Togi (2000); Wilson (2006); Wilson (2015).
- 2 Other chapters in this volume use the word “irregular forces,” but this chapter uses the word “non-state forces” to explain the non-state actors that use violence and threat of violence as social, political, and economic resources in the Indonesian context. Most of these actors in Indonesia are not irregular in the sense that they are officially sanctioned by the state.
  - 3 “Names of 49 Illegal Gangs Revealed”, *The Sun* daily, August 29, 2013. Available at <https://www.thesundaily.my/news/815692>. According to Lemièrè (2019), the numbers alleging a very small number of Malays (1,923 out of 40,313 people) was manipulated to strengthen the pro-Malay discourse propagated by the Malay ruling party of UMNO. She described the existence of pro-Malay gangsterized groups called Pekida (Lemièrè, 2014 and 2019).
  - 4 From an interview with Nur Jazlan, deputy minister of Interior, conducted on October 26, 2016.
  - 5 “Pemuda Pancasila: Kami Itu Free Man, Bukan Preman”, *Kumparan.com* [online], December 6, 2019. Available at <https://kumparan.com/kumparan-news/pemuda-pancasila-kami-itu-free-man-bukan-preman-1sONfmbfNnW>
  - 6 “Sejarah Lobi Elite Pemuda Pancasila dari Era Sukarno ke Jokowi”, *Tirto.id* [online], March 5, 2019. Available at <https://tirto.id/sejarah-lobi-elite-pemuda-pancasila-dari-era-sukarno-ke-jokowi-diug>
  - 7 Not much is known about Ali Murtopo, but books about him are beginning to appear in Indonesian (see, for example, CSIS, 2004 and Aref, 2011).
  - 8 Interview with Yorrays Raweyai, Pancasila Youth executive, November 6, 2020.
  - 9 Interview with the head of the West Java branch of Pancasila Youth, December 2, 1999.
  - 10 “Kecewa pada Golkar, Pemuda Pancasila Bikin Partai”, *Tempo.co* [online], August 9, 2003. Available at <https://nasional.tempo.co/read/9203/kecewa-pada-golkar-pemuda-pancasila-bikin-partai>
  - 11 Interview with Yorrays Raweyai, Pancasila Youth executive, 6 Nov 2020.
  - 12 “Alumni Pemuda Pancasila Jadi Menteri dan Politikus”, *Tempo.co* [online], 17 March 2013. Available at <https://metro.tempo.co/read/467526/alumni-pemuda-pancasila-jadi-menteri-dan-politikus/full&view=ok>
  - 13 Interview with Arif Rahman, Executive Director, Pancasila Youth, October 16, 2020.
  - 14 “Jokowi: Yang Berani Ganti Pancasila, Berhadapan dengan PP”, *Tirto.id* [online], 9 March 2019. Available at <https://tirto.id/jokowi-yang-berani-ganti-pancasila-berhadapan-dengan-pp-dihf>
  - 15 *Preman* means gangsters and thugs in the Indonesian language. The original meaning of *preman* originated from the Dutch word for “free man,” *vrijmen*. The current usage of *preman* still carries this connotation and Pancasila Youth members are proud of their existence as “freemen.”
  - 16 “Pemuda Pancasila Akan Buas Jika Ada yang Ganggu Jokowi”, *Tempo.co* [online], October 27, 2019. Available at <https://nasional.tempo.co/read/1264918/bamsoet-pemuda-pancasila-akan-buas-jika-ada-yang-ganggu-jokowi/full&view=ok>
  - 17 Interview with Tariq Mahmud, Jakarta provincial branch head, Pancasila Youth, Embay Supriyantoro, Jakarta provincial secretary-general, Pancasila Youth, December 10, 2020.

- 18 “WikiLeaks: National Police funded FPI hard-liners”, *The Jakarta Post*, 5 Sep 2011. Available at <https://www.thejakartapost.com/news/2011/09/05/wikileaks-national-police-funded-fpi-hard-liners.html>.
- 19 While the PPM and the FKPPi are ideologically similar organizations, they have not been able to expand to include as diverse a constituency as Pancasila Youth because only the children of military personnel and veterans can be members.

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# 4 Irregular forces in Timor-Leste

*Yuji Uesugi*

## Introduction

In the context of Timor-Leste, “conflict” means the period of liberation/resistance struggle carried out during the Indonesian rule between 1975 and 1999 by various organizations such as the Revolutionary Front for an Independent East Timor (FRETILIN), the Armed Forces for the National Liberation of East Timor (FALINTIL), and the National Resistance of East Timorese Students (RENETIL). The conflict involved violence and human rights violation, notably during the Indonesian invasion in December 1975, the Santa Cruz massacre in November 1991, and the post-referendum violence in August 1999, which set Timor-Leste’s course toward independence. This conflict in Timor-Leste ended after a multinational force led by Australia (called the International Force East Timor) intervened and calmed the post-referendum violence, and a peacekeeping operation called the United Nations Transitional Administration in East Timor (UNTAET) assumed the responsibility for governing the territory in October 1999. After the transition phase, Timor-Leste (re)gained its independence in May 2002, and a state-building process of a newly born state began thereafter as “post-conflict” peacebuilding despite historical grievances resurfacing and new types of animosity emerging in society.

With the conflict over in 1999 as Indonesian forces withdrew from Timor-Leste, the threat or use of force in Timorese society as small-scale violence continued because of existing internal cleavages. A number of irregular forces played a significant role in the post-conflict power struggle in Timor-Leste. For example, several major irregular forces were mobilized and involved in violent acts in the political-security crisis of 2006, one of the most critical setbacks since independence. The post-independence political struggle and shifting of alliance caused both statutory and irregular forces to be mobilized in various ways, which evolved into the 2006 crisis. It also brought about an east–west confrontation in Timorese society, and nearly one-third of the population became internally displaced people (IDP). According to an oversimplified narrative that exacerbated the east–west tension, the westerners were collaborators of the Indonesian regime, whereas the easterners contributed to the liberation/resistance struggle and were represented by the FRETILIN government. Even though violent

exchanges involving both statutory and irregular forces were settled down by foreign military intervention, the presence of an anti-government irregular force or a rebel group stirred up people's anxiety. Thirty-eight people were killed in the crisis, and the traumatized population felt that they were still under conflict (United Nations [UN], 2006). For them to feel safe and relieved, the rebel group had to be removed and the IDP had to be repatriated. Initial paranoia about the fear of conflict prevalent among the ordinary people continued until February 2008 when the rebel group was suppressed and the IDP camps dissolved, paying families up to US\$4,000 as an incentive to return to their homes, which was equivalent to around 8 years' income (Kingsbury, 2009, p. 361).

Despite the internal power struggle and initial violent clashes, almost 20 years since the end of the Indonesian rule, Timor-Leste was ranked first in Southeast Asia, fifth in Asia, and 43rd of all the states assessed in the *Democracy Index 2016* (Government of Timor-Leste, 2017). Hence, the following accounts are based on the assumption that, as the conflict was over almost two decades ago, and Timor-Leste should no longer be categorized as a post-conflict country, it should be treated as an emerging democracy. On this premise, the chapter examines how irregular forces in Timor-Leste have evolved or declined in the aftermath of the conflict. It investigates the pathways through which irregular forces in Timor-Leste chose or were forced to take in the process of post-conflict peacebuilding and explores possible pathways in the foreseeable future as an agenda for an emerging democracy.

In Timor-Leste, statutory forces such as the Defense Force of the Timor-Leste (F-FDTL) and the National Police of Timor-Leste (PNTL) were established under the auspices of the UNTAET. In the turbulent state-building process, these statutory forces, especially the PNTL, painted a gloomy trajectory of security governance in a newly engineered state, not only by their lack of institutional capacity to provide effective law enforcement but also by their illegitimate connections with political elites in the power center and the irregular forces operating on the street. Despite initial critical setbacks that barely ruined most of the state foundations installed by the UN, the statutory forces now seem to have found ways to remain politically neutral and collaborate with each other and other existing mechanisms for the sake of maintaining law and order in society albeit their low institutional capacity.

As the 2006 crisis has demonstrated, in addition to the statutory forces, irregular forces have played a non-negligible role in the security governance of Timor-Leste. Irregular forces are defined as organizations or network of organizations established to achieve objectives with the threat or use of force, but, unlike statutory forces, they are informal entities prohibited to bear firearms by the law. Their power stems from their capacity to mobilize their members and exercise the threat or use of force. Although the term "force" is usually associated with the concept of the military with a command structure, uniform, and lethal weapons, the irregular forces in Timor-Leste do not always use sophisticated weapons. Many violent incidents in Timor-Leste involved mobs armed with knives, hatchets, and hand-made guns. At the same time, when the major irregular forces were demobilized

in 1999, some commanders left the cantonment with their followers and weapons, and during the crisis in 2006, some weapons and ammunitions of the statutory forces were distributed illegally to certain irregular forces acting as proxies for influential political figures in the power center. Hence, some irregular forces in Timor-Leste are expected to hide their lethal weapons and ammunition illegally.

## **Typology of irregular forces in Timor-Leste**

A wide spectrum of irregular forces existed in concerned territories during the Indonesian occupation. At the same time, not all irregular forces in Timor-Leste have their origins in the liberation/resistance struggle against Indonesian rule. Some have been established in the post-conflict period, while others have been reactivated or reorganized in the period around independence. The FALINTIL is an example of an irregular force that operated during the liberation/resistance struggle. It was originally established as a military wing of the FRETILIN, which won the civil war among the Timorese factions and had fought the invading Indonesian security forces since December 1975. In addition to the FALINTIL, various clandestine groups existed to resist the Indonesian occupation and/or to support the guerrilla warfare led by the FALINTIL by providing supply, shelter, and intelligence. Furthermore, Timorese students who were in universities in Indonesia organized resistance groups against Suharto's dictatorship, one of which was the RENETIL established in Bali, Indonesia, in 1988. In the aftermath of the 1999 post-referendum violence, some of these were dissolved or transformed into civilian organizations such as labor unions, student unions, and agricultural cooperatives. Pro-integration (pro-Indonesian) militias who committed atrocities escaped to West Timor (Indonesian territory) and became "refugees" there. After independence, the president of Timor-Leste and former commander-in-chief of the FALINTIL, Xanana Gusmão, visited the camps to facilitate the repatriation of these "refugees," which succeeded, except for those criminals who committed serious atrocities. As these returnees were former members of pro-integration militias or were affiliated with them, their return caused tension within the respective communities and some of them were absorbed into irregular forces.

As the aim of this chapter is to illustrate the pathways of irregular forces in post-independence Timor-Leste, the focus will be placed on the irregular forces that have been active and have played a major role in the post-independence period. In post-independence Timor-Leste, a number of irregular forces exist with divergent origins, purposes, size, and influence. This chapter focuses on three to clarify the dynamics and mechanisms of their trajectories in the post-conflict state-building process: (1) veteran groups, (2) martial arts groups (MAGs)/ritual arts groups (RAGs), and (3) rebel groups (Table 4.1).

### *Veteran groups*

Veterans are those who contributed to the liberation/resistance struggle during Indonesian rule (Table 4.2). For many veterans who had devoted their

*Table 4.1* Mapping of irregular forces in Timor-Leste

<i>Category</i>	<i>Examples</i>	<i>Major features</i>
Veteran Group	CPD-RDTL, Sagrada Familia, Colimau 2000, Rai Los group, FNJP, KRM	Former members of FALINTIL and other clandestine groups
MAG/RAG	PSHT, Kera Sakti, KORK, 7-7, 5-5	Diverse background but often lineage/kinship-based
Rebel Group	Petitioners, Reinado group	Former members of F-FDTL

*Source:* Created by the author with reference to Institute for Policy Analysis of Conflict (IPAC), 2014; Scambary, 2006; Smith, 2004.

life to national liberation and who gave up opportunities for education and employment during the resistance, it was difficult to find high-paying jobs in the UN and international NGOs. Upon independence, some of them were not included in the statutory forces. Those who were excluded and dissatisfied or had nurtured historical grievances against the FRETILIN, the FALINTIL command and/or Gusmão formed veteran groups such as the CPD-RDTL, the Sagrada Familia, the Colimau 2000, Rai Los Group, and the National Front for Justice and Peace (FNJP) (Scambary, 2011, pp. 59–61; Myrntinen, 2009, p. 10; Devant, 2009). One special case is the Maubere Revolutionary Council (KRM), which was formed in 2013 when Paulino Gama (aka Mauk Moruk) returned to Timor-Leste after almost 30 years in exile in the Netherlands. The KRM was suspected of informally linking with the CPD-RDTL and the Sagrada Familia through personal networks of their leaders, in particular, Cornélio Gama (aka L-7), an older brother of Mauk Moruk, who seemed to have exploited his vantage point as a prominent FALINTIL veteran to instigate dissident veterans and their followers. The KRM and the CPD-RDTL were declared as illegal entities by the parliament in 2014 and became the target of law enforcement. The KRM dissolved after its leader was killed and the CPD-RDTL reorganized itself as an agricultural cooperative and confined its activities in agricultural development in several municipalities (Ximenes, 2020). While many of these veteran groups consisted of former FALINTIL and clandestine members, it is believed that former pro-integration militias were also included and some senior F-FDTL officers on active service are shadow members, affiliates, or supporters. An example was Lere Anan Timur, who is the commander of the F-FDTL and who used to belong to the Sagrada Familia during the liberation/resistance struggle (Powles and Santos, 2013).

### *MAGs/RAGs*

Unlike the veteran groups, it is very difficult to draw a line among various MAGs/RAGs as their demarcations vary from territorial ties, blood relations,

Table 4.2 Summary of major veteran groups

<i>Name</i>	<i>Leaders</i>	<i>Major features</i>
CPD-RDTL (1999–)	Ologari Assuwain; António Tomas Amaral da Costa (aka Ai-Tahan Matak)	6,600 supporters (ex-FALINTIL dissidents and their followers); anti-FRETILIN, anti-FALINTIL command, and/or anti- F-FDTL feelings
Sagrada Familia (1989–)	Cornélio Gama (aka L-7)	5,000 supporters (ex-FALINTIL dissidents and unemployed youth); anti-FRETILIN, anti-FALINTIL command
Colimau 2000 (1999–)	Osorio Mau Lequi	Number of supporters unknown (ex-FALINTIL dissidents, poor farmers, and youth from western regions of Ermera and Bobonaro); anti-FRETILIN
Rai Los Group (2006)	Vicente da Conceição (aka Rai Los), discharged from the F-FDTL in 2003	Obtained police weapons and ammunition illegally from Rogerio Lobato, the minister of Interior, during the 2006 crisis
FNJP (2006)	Augusto Araujo (aka Tara)	Claimed broad popular support (its members from all districts), with official affiliation with the CPD-RDTL, Sagrada Familia, and Colimau 2000
KRM (2013– 2015)	Paulino Gama (aka Mauk Moruk), a younger brother of L-7	Upon the return of Mauk Moruk from 30 years of exile who attempted a failed coup against Gusmão in 1984, the group was organized but declared illegal and dissolved

*Source:* Created by the author with reference to ABC News, 2015; IPAC, 2014; Scambary, 2006, 2011; Smith, 2004; UN, 2006.

political affiliations, ideologies to patronages and kinship. Some have nationwide networks while others are rooted in a particular locality, which makes it difficult to systematically categorize them. The PSHT, Kera Sakti, and KORK are the three major MAGs in Timor-Leste. Members of the MAGs come from the elite class who hold university degrees or are currently university students, whereas the RAGs have attracted youth from the bottom of the society, applying mysticism in their activities (Carapic and Jütersonke, 2012, p. 40). RAGs are known as *kakalok* (number groups) (e.g., 5-5, 7-7, and 12-12), acting as clandestine agents during the Indonesian occupation (Myrntinen, 2013, p. 218). Although many of them became inactive in post-conflict, 7-7 remade itself as a MAG and controller of cockfighting and gambling rackets (Scambary, 2006, p. 6; p. 15), and 5-5 was mobilized during the 2006 crisis (UN, 2006). Both MAGs and RAGs have diverse background and membership. Some of them were organized by the Indonesian authority to discipline the Timorese youth and indoctrinate them with the spirit of “*Pancasila*” (Indonesian ideology of national integration) during the Indonesian rule. For example, the PSHT and the Kera Sakti have their

origin in this type and were mobilized by the Indonesian security forces to undertake the dirty jobs. Since most of the wards (*aldeia*, the smallest administrative unit in Timorese society) consist of members in the same extended family and their relatives belong to the same *uma lisan* (sacred family house), many MAGs in the rural areas are formed on the basis of lineages/kinships and made into a vigilante force against any assault from outside. This is why personal troubles and family disputes (over land, inheritance, marriage, etc.) affecting a member can cause a chain reaction involving MAGs and the community, often leading to communal violence. On the other hand, MAGs in Dili served as a magnet for jobless youth from rural areas who were looking for jobs. MAGs provided many youths the same natal group, a place where they can belong, and a way to support each other in a strange place away from home.

### *Rebel groups*

Unlike the previous two categories, rebel groups emerged after independence with core members being former members of statutory forces such as the F-FDTL and the PNTL. The rebels called the Reinado group stemmed from a demonstration organized by so-called “petitioners” who claimed that they were discriminated against in the F-FDTL because of their origin (they were from the western regions, whereas those privileged in the F-FDTL were from the eastern regions). The petitioners were all discharged from the F-FDTL, and some of them joined and formed the Reinado group. It has become a major anti-government force since independence and a target of law enforcement by the statutory forces. Both the petitioners and the Reinado group were short-lived, lasting only for 2 years.

### **Post-conflict trajectories of irregular forces**

This section examines how irregular forces in Timor-Leste have evolved, transformed, or declined in post-conflict peacebuilding stages. Which pathways did they take, and why? As later demonstrated, their post-conflict pathways were diverse. One of the most common pathways for former members of the liberation/resistance forces was to join the statutory forces such as the F-FDTL, the PNTL, and the *Segurança Civil* (unarmed government security guards). The remaining pathways for the irregular forces in Timor-Leste were dynamic and exceeded the three hypothetical pathways the study initially anticipated: (1) going into politics, (2) being dissolved and reintegrated into civilian life, and (3) remaining as informal security providers. Some members, especially those who have strong connections with Gusmão and/or Taur Matan Ruak (who succeeded the command of the FALINTIL after Gusmão was arrested by the Indonesian forces; he was the first commander of the F-FDTL), either joined the statutory forces or were reintegrated into civilian life, often setting up construction companies and fulfilling government contracts (Belo, 2020). Others formed or joined private security companies (PSCs), offering protection services to, for example, the UN agencies, embassies, NGOs, and private businesses. The most senior

leaders chose to convert themselves from military elite to political elite, establishing their own political parties, while maintaining their patron–client networks with their irregular forces. These bifurcated passages cannot be categorized into any of the three anticipated pathways. What follows are the typical pathways chosen by the veteran groups, the MAGs/RAGs, and the rebel groups, including the PSCs, which served as a pathway for members of irregular forces to transform from being illicit actors to legal business employees.

### *Veteran groups*

Before independence in 2002, the territory was placed under the auspices of the UNTAET. During this transitional period, contentious issues around the former FALINTIL soldiers existed, especially the issues on how they would be placed in independent Timor-Leste as well as on how to address incidents of retaliatory clashes between them and the repatriated pro-integration militias (Howe and Uesugi, 2016, p. 88). The fate of the irregular forces was not yet clear and the people had their own expectations about how they would be treated in the post-conflict society. As the situation got clearer, many of the former FALINTIL veterans found that their contributions to the liberation/resistance struggle were not adequately appreciated by the UN. One of the major turning points included the selection of the F-FDTL, as only 650 of the FALINTIL soldiers were absorbed into the F-FDTL, whereas more than 1,300 of them were expected to be demobilized and reintegrated into civilian life (Rees, 2004). The former FALINTIL senior leaders who were loyal to Gusmão and the FALINTIL command were given senior positions in the F-FDTL (Leach, 2017). Those excluded from the selection expressed their discontent vocally against the UNTAET and the FALINTIL command, which were responsible for the selection of the members of the F-FDTL and the PNTL.

Initially, many leaders of the former FALINTIL remained undecided about which pathway to take in post-independence Timor-Leste. They either maintained their irregular forces or created new ones, except for Gusmão and Francisco “Lu-Olo” Guterres, the most senior members of the former liberation/resistance movement who opted to become politicians. Gusmão did not form a political party when he ran for president in April 2002—he formed his political party called the *Conselho Nacional de Reconstrução do Timor* (CNRT) in March 2007—and Lu-Olo was already a senior member of a political party, the FRETILIN, when he ran as a member of the Constituent Assembly in August 2001. Although disarmament, demobilization, and reintegration programs were introduced by the international community for FALINTIL veterans, these did not reduce the challenges that many veterans faced and did little to dissolve their dissatisfaction. These marginalized veterans did not recognize the legitimacy of the UNTAET and the subsequent political order that emerged after the transition.

A new political order emerged when the Constituent Assembly was formed to draft and adopt a constitution of a newly independent state. In the 2001 Constituent Assembly election, the FRETILIN won the absolute majority

and a government led by Prime Minister Marí Alkatiri was established. A series of clashes involving various veteran groups took place in the early stage of the state-building process, in addition to the clashes between and within the statutory forces as both statutory forces and veteran groups were exploited by the political elite as proxy tools for a power struggle. Under the FRETILIN government, efforts recognizing the veterans' contributions were crystallized as the Statute of the National Liberation Combatants (Law, 3/2006) promulgated on April 5, 2006, stipulated not only the moral dimension but also the martial or retributive dimensions. These included socioeconomic protection for veterans in the form of a pension, including special subsistence, special retirement, and survival pension schemes. Nevertheless, the FRETILIN government was not able to implement the policy related to the pension scheme due to insufficient financial resources, and policy implementation was further interrupted by the 2006 crisis, which resulted in the dissolution of the FRETILIN government. The disbursement of veteran pensions started only in 2008, after Gusmão formed a new government (Howe et al., 2021, p. 117).

The 2006 crisis revealed illicit connections between the veteran groups and the political elite at the power center. It can be said that the confrontational structure in national politics between FRETILIN and Gusmão created an informal role for veteran groups in the post-independence political landscape. Because of their affiliation with political parties, veteran groups were involved indirectly in politics. Their proximity to a particular political party was measured by the political affiliation of their leaders. Under the influence of their leaders (who were often ex-FALINTIL commanders), members of the veteran groups were mobilized to act as an interest/pressure group in politics to realize or advance the interest of dissatisfied veterans. During the 2006 crisis, veteran groups representing the interest of dissatisfied veterans, in cooperation with counterpart groups in the political center, organized a series of anti-government demonstrations to put the FRETILIN government down. This case was a good example of how leaders of veteran groups allied with the political elite mobilized their followers to shape national policy and preserve or protect their vested interests (which obviously included those of their leaders who doubled as political leaders).

As a result of the 2006 crisis, Prime Minister Alkatiri was forced to resign, and President Gusmão established the CNRT to run in the 2007 parliamentary election. The leaders of the Sagrada Família, L-7, and André da Costa Belo (aka L-4) established a political party called the UNDERTIM in 2005, which won the backing of the marginalized veterans (Myrntinen, 2009, p. 10). The 2007 parliamentary election was a critical turning point for the post-independence Timorese politics, as FRETILIN fell short of the majority vote, allowing Gusmão's CNRT to organize the Parliamentary Majority Alliance (AMP) and form a new coalition government together with other parties, including the UNDERTIM that got two seats. Cristiano da Costa, who was one of the founders of the CPD-RDTL, became a coordinator for the UNDERTIM and was appointed vice-minister of Economy and Development in the 2007 AMP government (United Nations Integrated Mission in Timor-Leste [UNMIT], 2010).

Other senior veterans who were not included in the F-FDTL, such as Mau-Loy, joined the UNDERTIM as deputy chairman. Under this government, political reconciliation between Gusmão and L-7 was made, albeit temporarily, and the frustrated needs of most of the influential veterans were met with the newly introduced veteran pension schemes.

This shift indicated that, in addition to the most senior members of the veteran groups such as Lu-Olo and Gusmão, high-ranking veterans who had initially rejected the legitimacy of the FRETILIN government decided to get into politics. Political parties were established by veteran groups or prominent veterans representing the interest and voices of the dissatisfied elements in the society. This pattern of political affiliation was preserved even after the 2006 crisis when the political landscape was reshuffled. For example, CPD-RDTL and Sagrada Familia were maintained as irregular forces, while their leaders, converted into politicians, joined the government. The structural pattern established by the most senior veterans was repeated by other influential veterans. Under this corrupt relationship between the political elite and the veteran groups, double-hatted leaders of the veteran groups served as agents for political maneuvering, exploiting their influence on and the patron–client relationship with their followers. This pattern of double command allowed them to have both a formal channel in parliament or government and an informal one through their irregular forces.

This transition has been accelerated further when the UNMIT—a peacekeeping operation introduced in the aftermath of the 2006 crisis—was withdrawn in December 2012 after witnessing a successful completion of two critical elections, presidential and parliamentary. As a result of the presidential election, Ruak, a generation younger than Gusmão and Alkatiri, retired from his military position as the commander of the F-FDTL and was elected president (2012–2017). He also became the party leader of the People’s Liberation Party (PLP), which was initially founded by L-4 (who died in November 2018 just after he was appointed as the secretary of state for veterans in the 2018 FRETILIN government) and led by Aderito Soares Lidera, a RENETIL veteran. In the 2012 parliamentary election, the CNRT, for the first time since its inauguration, defeated the FRETILIN, obtaining more than 36 percent of the total vote, which gave Prime Minister Gusmão a firmer political clout. With this political development, the reshuffling of alliances among the veterans and their groupings occurred, but the general pattern of their pathways continued to be dominant.

### *MAGs/RAGs*

As for the veteran groups, their relationship with the F-FDTL was significant; for the MAGs/RAGs, their relationship with the PNTL was outstanding. A relatively high number of PNTL officers have been involved in major MAGs. Some leaders of the MAGs were appointed as senior commanders of the PNTL, which was tasked to crack down on illegal/criminal activities, resulting in the involvement of PNTL in gang- or MAG-based violence. For example, former PNTL Dili district commander, Pedro Belo, was allegedly a member of the Kera Sakti (Myrntinen,

2008), whereas his deputy, Abilio Audian “Mausoko” Mesquita, was also the *warga* or leader of the PSHT (Scambary, 2009a, p. 5). Their rivalry was linked with the competition in the political center and this caused fierce battles between the rival MAGs. Mausoko was arrested for distributing firearms to PSHT members in the 2006 crisis (Devant, 2009; Scambary, 2006, p. 2), which revealed that, at least in 2006, a senior officer of a statutory force was able to double as a leader of a MAG and became involved in an organized crime allegedly said to have been ordered by a senior political leader (Wilson, 2010, p. 150; Scambary, 2009a, p. 5). Due to these arrangements, the statutory forces, particularly the PNTL, often failed to win the trust of the population as they became the source of insecurity rather than security for the ordinary people. Against this backdrop, the PNTL officers were not allowed to maintain their MAG membership, and MAGs have been put under strict regulations since July 2008 (Law 10/2008). Among the many MAGs, three major ones—PSHT, KORK, and Kera Sakti—were banned by the government in 2013 (Resolution No. 16/2013: Extinction of Martial Arts Groups) (Belun, 2014, p. 5).

Despite the troubles they have made along the turbulent trajectory of state-building in Timor-Leste, MAGs are widely accepted throughout the country, even popular in certain areas, because their relationships are based on indigenous lineage and kinship that dominate all aspects of life in Timorese society. Because of their network at the grassroots level (through lineage, patronage, and customary relationship), MAGs serve as a machine for gathering votes during election campaigns, and then, after the elections, they can transform into a mechanism for distributing rewards according to the followers’ distinguished services. Also, through the political linkage between the leaders of MAGs and the political elite, the needs of constituents in the bottom of society, represented by the jobless youth group, for example, have been communicated to the political center.

On the one hand, the government wants to control the violence instigated by MAGs. On the other hand, the political elite wants to take advantage of the influence of MAGs on their members, especially during an election, as each MAG has been affiliated with a certain political party and in the past, these groups have been mobilized by the political elite. Reciprocal clientelism exists between a political party that represents the interests of a MAG and the growing population of disenfranchised young people (Rahmani, 2020). In the past, an alliance between a MAG and a political party was formed, owing much to the personal connections of the MAG leaders. The alliance could thus shift due to a change in leadership. For instance, before the 2006 crisis, the KORK supported FRETILIN, but, after the crisis when Jose dos Santos “Naimori” made a comeback and became the leader of the KORK, he cut ties with the FRETILIN (Scambary 2009b, p. 3), which paved the way for the KORK to set up its own political party, the *Kmanek Haburas Unidade Nasional Timor Oan* (KHUNTO), in 2011. Before the 2006 crisis, the PSHT was close to Gusmão and it sided with political parties such as the Democratic Party (PD) and the Social Democratic Party (PSD), and, therefore, the KORK that supported

FRETILIN and the PSHT that supported anti-FRETILIN elements clashed in the streets (Belo, 2018). After the 2006 crisis, the PSHT reconstructed its ties with the CNRT and the PLP and these political parties used their connections with MAGs during the election campaigns in 2017 and 2018 to gain more voters (Belo, 2018).

A new political development was also witnessed during government deliberations in 2018 and 2019, in which the KHUNTO held a casting board. The emergence of a MAG-based political party showed that not only veteran groups but also a MAG (consisting of leaders and members who were younger than the senior veterans who took this pathway earlier) has formed a political party and began to have direct participation in politics. As discussed, the leaders of veteran groups formed a political party and exercised their influence on politics to preserve their vested interests. As a result, the Statute of the National Liberation Combatants (Law 9/2009) was revised and the third amendment to the Decree Law 15/2008 on the Pensions for the National Liberation Combatants and Martyrs (Decree Law 25/2010) was adopted to preserve and extend their privileges. Members of MAGs who were agitated by the political elite during the 2006 crisis and who committed illegal violent activities realized that members of the political elite (mostly senior veterans) were behind the scene, benefiting mostly from the crisis. After they collaborated with the political elite to fulfill their patron's political ambition of coming to power (winning the elections and changing of government), the new government decided to regulate the activities of MAGs and, as mentioned, three major MAGs were banned in 2013. The leaders of the MAGs who were in the "former youth" (or *Geração Foun*) group and who grew up under the Indonesian rule (Arthur, 2016, pp. 176–181) and were a generation younger than the leaders of the veteran groups (many of whom are now in their seventies or deceased) viewed this government policy as an act of treason and concluded that they should form a political party by and for themselves to exert their influence on politics.

This trend is a sign that a shift in political leadership is happening in Timor-Leste, in tandem with the political move made by Prime Minister Gusmão to step down and appoint Rui Maria de Araújo of FRETILIN as his successor in 2015. As a demographically young nation, the majority of the population in Timor-Leste was born after the independence in 2002 and thus they only know about legendary contributions made by honorary veterans (war heroes and heroines) as stories of the past. The center of political gravity is tilting from veterans to "former youth," who are now heading the MAGs. Before the senior political elites run away with the national wealth, the "former youth" may seek to grab the remaining spoils by emulating the pathway taken by their predecessors. The establishment of the KHUNTO is a case in point. It has become a political dark horse in the COVID-19 political reshuffling, which forced the CNRT to leave the ruling coalition. The success of the KHUNTO in politics influenced the leadership of the PSHT, which motivated it to establish its own political party and prepare for the next election (Belo, 2020).

*Rebel groups*

As a prelude to the 2006 crisis, 576 dissatisfied F-FDTL soldiers from the western regions organized a series of demonstrations. The deserter soldiers, called “petitioners,” were led by former Lieutenant Gastão Salsinha, a FALINTIL veteran who was associated with the Sagrada Familia. On the eve of the 2006 crisis, an interesting shift in political alliance was detected through an action made by the commander of the F-FDTL, who was considered to be close to President Gusmão. F-FDTL Commander Ruak did not consult with the president when nearly one-third of the soldiers left the barracks and organized a demonstration in Dili in April 2006. The deserters who joined the demonstrations formed an irregular force, later called the petitioners. Ruak declared that the petitioner issue was disciplinary in nature and discharged all the petitioners. Gusmão attempted to politicize the issue and used it to bring down the FRETILIN government by siding himself with the petitioners. Under such a circumstance, an informal alliance between the F-FDTL led by Ruak and the FRETILIN was created, while a counter alliance was forged informally between Gusmão and the petitioners, including other anti-FRETILIN irregular forces. Several veteran groups acted behind the scenes, such as the Colimau 2000 and the FNJP headed by former Major Augusto Araujo (aka Tara) from the western district of Ainaro who had deserted the F-FDTL in May 2006 (Scambray, 2009a, p. 273).

The petitioners were joined by groups who oppose the FRETILIN government, later evolving into a rebel group (in the context of Timor-Leste with a “glorious” history of resistance, the term “rebel” has a positive connotation, as it was gauged by the level of public support for the rebels). It was called the Reinado group because it was led by a deserter F-FDTL officer, former Major Alfredo Alves Reinado. Being a military police officer, Reinado was ordered to put down the violent revolt triggered by the petitioners’ demonstration, but he decided to disobey orders and sided with the petitioners, bringing with him his followers and their weapons and ammunition. The group was composed of mainly deserter F-FDTL soldiers and PNTL officers who followed Reinado in the 2006 crisis (UN, 2006). In the context of the east–west division, the FRETILIN government was thought to represent eastern interests, while the rebel group was depicted as an iconic body representing the grievances of the western regions. The group was also perceived to collaborate with Gusmão in his efforts to bring down Prime Minister Alkatiri and his government (UN, 2006). The opposition to the FRETILIN government successfully forced Prime Minister Alkatiri to resign, paving the way for a change in government. The petitioners were demobilized as the new government offered each of them US\$8,000 as a “retirement” payment to rebuild their lives (Kingsbury, 2009, p. 362). Even after the change in government was completed in 2007, the Reinado group continued to oppose the government, this time, led by Gusmão. In spite of some reconciliation efforts initiated by President José Ramos-Horta, the Reinado group was said to have attempted the assassination of the president and the prime minister in February 2008. After the failed assassination attempt, the Reinado group was clashed with

the statutory forces, killing Reinado. Salsinha and his supporters were arrested and the group was dissolved.

### *Private security companies*

One critical circumstantial change observed in the aftermath of the 2006 crisis was that petroleum funds kicked in for the first time since independence. Although the transfer of wealth from the petroleum funds started in 2005, it was after the AMP government, which was established as a result of the 2007 parliamentary election, assumed power that these funds were actually spent on tangible national projects. For example, the AMP government introduced a national recovery strategy to heal social wounds instigated by the 2006 crisis; they started distributing veteran pensions in 2008 to address the needs and grievances of veterans (Howe et al., 2021, p. 117). Under such a circumstance, middle or low-ranked leaders of the veteran groups decided to run businesses, exploiting the former command line during the resistance, asking their former senior leaders who were in the government to give government contracts (Anon, 2020). Some private companies used their connections with veterans and asked them to offer good offices in government so that they could win the bid (Anon, 2020). Expecting such an effect, some companies were registered under the name of a veteran (Anon, 2020). These veterans are considered to have been reintegrated into civilian life while maintaining and exploiting their former ties with the senior leaders of their irregular forces.

Unlike those who used the old ties with the political elite in government and won government contracts for public work (mainly infrastructure and construction, which is purely civilian in nature), some of them formed or joined PSCs. In the aftermath of the 1999 post-referendum violence, several PSCs were established as a legal entity to meet the urgent and growing need to provide security guards to, for example, UN facilities, diplomatic corps, NGOs, and private entities. Former members of irregular forces were hired by these PSCs as private security guards, whose nature of work can be described as paramilitary inasmuch as their tasks include providing security, protection, and intelligence service. It was reported that, in 2010, 6,500 private security guards were employed by three major PSCs in Timor-Leste (Table 4.3), whereas PNTL had 3,194 officers, less than half the number of private security guards (Ashkenazi and von Boemcken, 2011, p. 23).

Those who joined the PSCs can be regarded as taking a new pathway. The owner of the Gardamor is a good example of successful conversion from being a FALINTIL veteran to a businessperson. He, nonetheless, has won contracts from the government to provide security guards for public buildings, allegedly exploiting his personal connection with Ruak, which was nurtured during the FALINTIL era (he was a communication officer for Ruak during the liberation/resistance struggle). This is one of the common practices in Timor-Leste: veterans are given special consideration when there is a government bid for public works. It can be said that, by such an arrangement, the political elite facilitated

*Table 4.3* Summary of major PSCs

<i>Name</i>	<i>Leadership</i>	<i>Major features</i>
Chubb Security Group (2000–)	Australian	1,300 security personnel, including FALINTIL veterans, militia leaders, and some gang leaders; a branch of a foreign company; sold to another foreigner and now called Maubere Security
Seprosetil (2003–)	The most senior members of the PSHT	1,700 employees, mostly PSHT members; sold to a foreigner (ex-FBI US citizen) and now called the Asia Pacific Assurance Company
Gardamor (2008–)	Eduardo Belo Soares, ex-FALINTIL and founder of the Baniuaga group	2,000 employees (100% owned and managed by Timorese; under the Baniuaga group, Soares undertakes other types of business, including internet provider service and employs a total of 3,000 people)

*Source:* Created by the author with reference to Ashkenazi and von Boemcken, 2011, pp. 23–25; Braithwaite et al., 2012; Maubere Security, n.d.; Nikkei Asia Review, 2016; Scambary, 2006.

the veterans finding a new role in society, while keeping their potential to turn into a credible informal security provider in time of contingencies, albeit all private security guards are unarmed or only carry defensive equipment (Parker, 2008, p. 4).

## **Irregular forces in an emerging democracy**

### *Generational change*

When we consider the pathways of irregular forces in Timor-Leste after almost two decades since independence, a generational change comes into mind. Such a change is taking place in Timor-Leste among the political elites as well as within the irregular forces. It is true that political elites, especially the “Generation of 75” who were prominent in the liberation/resistance movement against Indonesia and who still dominate the political leadership in Timor-Leste (such as Gusmão, Alkatiri, Ramos-Horta, and Lu-Olo), are in their seventies and some of them have already passed away. For example, the senior leader of Sagrada Familia, L-7, who was born in 1945, has already turned 75 and his right-hand man, Mau-Loy, died in September 2020. The political elite who manipulated and agitated MAGs and the youth are now beginning to hand over their leadership positions to the Geração Foun. Local power brokers who have led MAGs are also on the verge of

generational turnover. Provocateurs who have carried out violence and dirty jobs in the early stage of state-building in Timor-Leste are now in their forties and fifties. While a generational shift had occurred in the irregular forces, as younger leaders who led the MAGs started getting involved in politics rather than being used by senior political elites, the main pattern remained—leaders of irregular forces join or form a political party while maintaining their influence and linkage with their irregular forces.

So far, one of the key factors that enable irregular forces to have informal roles in security governance in post-conflict Timor-Leste has been the historical legitimacy of veterans. The legitimacy stemmed from the charismatic and legendary leaders and the invaluable devotion of their fellow veterans to the national liberation struggle during Indonesian rule. At the critical juncture of the generational change, a key question is whether emerging leaders in the irregular forces who may have little or no experience in the liberation/resistance movement will be able to sustain the legitimacy and win sufficient support from their followers in the era of an emerging democracy. If the emerging leaders are to inherit the legitimacy from the previous generation, on what ground would they stand? What would the process of this handover look like? If the legitimacy will decay once the charismatic leaders retreat from the frontline leadership, will the irregular forces be able to sustain their presence and influence?

Obviously, in a democracy, elections are employed to gain legitimacy and, in the context of Timor-Leste, elections may work in favor of a new generation of leaders (*Geração Foun*), who represent major MAGs as their extensive membership is very attractive to political leaders to win elections, whereas disadvantaged citizens, by taking part in a MAG, can convey their messages to the political leaders. The “former youth” in MAGs who were led, manipulated, or exploited by the political elite in the earlier phases of state-building are beginning to shift their role in society. MAGs continue to serve as an identity platform for many people, particularly the young males, in Timor-Leste. As its membership extends over multiple generations ranging from youth to senior citizens, major MAGs hold an extensive network involving more than 10,000 people. This feature has given MAGs a new mandate as well as leverage in the emerging democracy.

Through this legitimate function in a democracy, irregular forces are effectively assuming the role of pressure groups. Rather than (or in addition to) serving as a device for projecting the threat or use of force, MAGs are being recognized as a vote-getting machine. They can still be used as a tool for political parties to blackmail and harass political opponents, and senior members of MAGs are beginning to take advantage of their power (especially their network) to fulfill their own political and economic ambitions. The lifting of the ban on the three major MAGs in February 2019 was realized as reparation for their support in the 2017 elections, especially in the aftermath of rearranging the political alliance of the KHUNTO (Viegas, 2020). Some MAGs are based on a shared identity emanating from their natal place, kinship, and *lisan* (cultural institutions and local traditions). Thus, they have good potential to survive, even evolve in the face of the generational turnover in an emerging democracy. Their web of

networks infiltrates various sectors of society, including politics, business, rituals, family, and personal affairs. They are more resilient than an ordinary group of ex-combatants whose footing merely originates from wartime command structure and relationship. While the legendary charisma of some of the top leaders is still effective at the national level, it is the connection of extended family that counts at the grassroots level. Hence, the informal functions of MAGs are more likely to be maintained in Timor-Leste in the foreseeable future.

### *Security governance*

Despite the leadership turnover in irregular forces and political players as well as a gradual but qualitative shift from a post-conflict state to a nascent democracy, the recurrent structural patterns of the relationship between the irregular forces and politics in Timor-Leste exist: the elite formally turned into politicians and became senior members of political parties, while maintaining their irregular forces at their disposal. While the most senior elites (such as Gusmão) can officially mobilize the statutory forces, middle-rank elites (such as L-7) are allowed to keep their irregular forces intact. Due to the collision between political elites and irregular forces, the statutory forces have hesitated to clash with them, even the ones that maintain an anti-government posture. The government has been patient, engaging in persuasion and dialogue. After a period of searching for non-violent solutions and seeing that the anti-government irregular forces made no efforts to reach an agreement and continued to agitate people and disturb the public, the parliament declared these irregular forces illegal. This gave statutory forces the necessary authorization to arrest the leaders of the illegal irregular forces. Labeled as either criminals or rebels, they became the target of law enforcement by the statutory forces.

At the same time, the most senior elites have tried to marginalize their middle-rank elites, sometimes employing appeasement measures (e.g., forming a political alliance, appointing them to government posts, including ambassadorships in foreign countries), while often forcefully suppressing junior rebellious actors (such as Mauk Moruk) as a warning to more senior leaders (such as L-7). The leaders of the illegal forces such as Reinado and Mauk Moruk were initially arrested, but they escaped from government custody, allowing the statutory forces to execute them in the crossfire (hence, they were effectively deprived of the chance to put their case on trial). L-7 claimed that his brother, Mauk Moruk, was unarmed and ready to surrender when he was killed by the statutory forces (GlobalSecurity.org, 2016). Moreover, Amnesty International (2016) also reported excessive use of force by the statutory forces.

Since the clash of the KRM with statutory forces in 2013, issues of communal violence and crimes in Timor-Leste were no longer framed as MAGs problems; they are now increasingly registered as youth problems (Belun, 2014, p. 7). Thus, the focus of security governance has shifted from MAGs to the youth. The main provocateurs in communal violence are males between 15 and 25 years old, and senior members of the MAGs now take on the role of cracking down petty

crimes committed by their junior members. Even the youngest generation of rank-and-file members of MAGs who caused too much trouble during the 2006 crisis are in their early thirties. Eventually, they got married, found better jobs, and raised their children. Some even decided to go abroad to look for better opportunities.

It was against this background that a new system of community policing or community security measure called the Community Policing Council (KPK) was introduced. In this case, former troublemakers were tasked to keep current troublemakers under control. For example, to maintain law and order in a village called Bebonuk (located on the outskirts of Dili), the KPK was established in which senior leaders of different MAGs worked together with the village authority and the village police officer dispatched by the PNTL. According to Bebonuk's village chief, when troubles or crimes involving younger members of MAGs arise, their senior leaders who are also members of KPK can intervene effectively as the younger members would listen to their leaders (Mashedo, 2019). It shows that former troublemakers are now working alongside or often with PNTL and the village authority to maintain law and order in the community.

## **Conclusion**

As the 2006 crisis has illustrated, a recurring pattern of behavior in Timor-Leste is dissatisfied elements being drawn into political conflicts, causing widespread violence, which forces the government to take action. In the past, when the government meets such demonstrations, a policy of “buying peace” is implemented to spearhead countermeasures against such contingencies, relying on petroleum funds as a financing source (Poz, 2018). It is well-known that this financial resource is limited, and there is thus no guarantee that such an option will be available in the next uprising. There may even be a risk that the conflict will intensify over the distribution of the remaining wealth before the financial resources dry up.

To prevent the conflict from recurring, politicians in the power center have to achieve political reconciliation. The challenge here is that the generational turnover may destabilize a temporal halt of political rivalry created by gentlemen's agreements among the current leaders. The rise of the KHUNTO may intensify political competition among the political elite and between different generations of the elite because the KHUNTO can mobilize its armed wing of the KORK. Other MAGs inspired by the KHUNTO's recent political success may form their own political parties and participate in politics, creating a new axis of confrontation. If more MAG-based political parties that encompass irregular forces are to be established, it could easily lead to violent clashes among political parties. They could become a source of political instability in the emerging democracy, and effective countermeasures have not been set in place. If fierce competition between the new political forces and the incumbent authority or if the rivalry among the emerging elites develops into violence, even the victorious side would lose, let alone the loser.

Therefore, when considering the pathways of irregular forces, a group that has converted into a political party may preserve its patron–client relationship with its irregular forces while letting it lie idle or give it legal status as private security guards in the PSCs. Under such a circumstance, retrogression is possible, in which the latent force will be reactivated whenever necessary. Likewise, there is a possibility that veteran groups and MAGs that were dissolved will be revived after a generational change of leadership. The concept of being a veteran can encompass the veteran’s extended family members, so it is possible, for example, that a child of a charismatic leader could relaunch the organization using the kinship network inherited from his or her parent. Even organizations that chose to be integrated into civilian life and that collaborate with or supplement the statutory forces in maintaining law and order in the community may be dragged into intracommunity struggles because of their proximity and entangled relationship with other community members. Influential veterans and MAG leaders are often selected as members of the village council and/or the KPK that are the cornerstones of community security, and the irregular forces play a significant part in assisting the local authority in maintaining law and order in their community. However, it is unknown whether the village chief can take command of irregular forces when these leadership positions are filled by a new generation of local elite who have no historical legitimacy, albeit having rational-legal authority gained through democratic elections.

In other words, multiple factors determine where the irregular forces are heading, and their trajectory often involves numerous twists and turns. Irregular forces are either dismantled or placed under the rule of law set by the elite when the elite feel that they are unable to protect their privileges and vested interests with the irregular forces under their command. Alternatively, when the elite can agree on a formula through which their privileges and vested interests are preserved without relying on the threat or use of force, their irregular forces are doomed to be dissolved or become inactive. The prediction of the pathway taken by each irregular force depends on the solution of the simultaneous equations, that is, it depends on the political environment and the ability of a political system that can adapt to changes in the political environment. If a consensus is reached among political elites and the consolidation of control over statutory forces by political elites can be achieved and sustained, the informal functions of irregular forces in community security will diminish or disappear. Nonetheless, this case study of Timor-Leste’s irregular forces indicates that it is the juxtaposing of pathways that irregular forces in Timor-Leste will take at the critical juncture of generational change and the foreseeable future.

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# 5 The gray zone of irregular forces

## Politically sanctioned, local defense, and organized crime groups in the Philippines

*Jennifer Santiago Oreta*

### Introduction

The term “gray zone” (Craps, 2014: 202–203) is used in this chapter to describe the ambiguous and complex situations in the peace, conflict, and security landscape. It is premised on the reality that a threat environment and contemporary security problems have made it difficult to clearly distinguish what is legal, legitimate, and appropriate. The gray zone is the in-between space where parties navigate in a continuum of non-violent and violent actions, legal and illegal policy environments, and legitimate and illicit engagements. Gray zone activities are subject to very little regulation, if any.

The political, economic, and security environments in geographically isolated and depressed areas serve as incubators of radical ideas. The overlapping issues of poor governance, national government’s neglect, clan politics, political dynasties, poverty, and underdevelopment create a fertile environment for rebellion, transnational crimes, local crimes, and terrorism. Power remains in the hands of the elite, and those who run for office, once elected, use their access to power, resources, and information to consolidate their economic and political clout. Governance is not the reason for running for office, but it is the excuse given by those who want to gain political power.

Conflict-affected communities offer a pool of sympathetic individuals who can either be potential recruits to armed groups or provide support and assistance to whoever will give them the best utility. Conflict-affected areas are those “where (a) there are actual armed encounters between the government forces and political armed groups; or (b) where political armed groups dominate the state of affairs of the community.” Conflict vulnerable communities are those “proximate to conflict affected areas, where possible ‘side-stepping’ of armed group(s) is imminent. It can also include geographically isolated and disadvantaged areas whose resources (actual or symbolic) are deemed valuable by the political armed group” (OPAPP, 2016b: 3).

In 2016, the military declared that 76 of the total 81 provinces in the Philippines are conflict-affected areas. The lack of access to roads and poor infrastructure in some provinces leave areas in relative isolation, creating safe havens and recruitment hubs for armed groups. In these communities, militias have

relative freedom to move without the fear of detection from state security forces.<sup>1</sup> While armed threat groups are found mostly in remote areas, their operations affect the development and security stability of the entire province, creating an unceasing cycle of underdevelopment and armed conflict. Poverty, lack of economic opportunities, poor service delivery by local government units, poor justice system, poor peace and order, and widespread proliferation of firearms are the common characteristics of these areas. Illegal gun proliferation complicates further the conflict dynamics in these localities (Oreta, 2012: 68–69). In the Bangsamoro areas, for instance, security officials confirm that almost every household has a firearm<sup>2</sup> and guns are prized instruments of power and status. The easy availability of guns greatly contributes to the formation and survival of irregular forces in local settings, and those unable to purchase their own firearm gravitate toward groups that can provide them.

Compounding the issue would be the limited capacity of the local government units and the lack of strong political will of officials to address the problems.<sup>3</sup> The regions in Mindanao have the unfortunate fate of having all types of armed groups present in the area – communist insurgents, Bangsamoro secessionist groups, terrorist organizations, criminal syndicates, private armed groups, and paramilitary groups. After decades of being autonomous, the region still lags behind in infrastructure development. Irregular forces offering private security services thrive in this environment. When there is an absence of a clear mechanism for peace and order, people gravitate toward those that offer the greatest utility. The inconsistent policy of peace-and-war of the government, the lack of a comprehensive plan to address irregular forces and terrorism, and the wavering political will of the government explain why the problem endures for generations.

Armed groups and militia formation in the Philippines showcase their fluidity of movement, from legal, political, and criminal. This creates a huge gray area that makes the issue difficult to wrestle with. This chapter attempts to illustrate the “reversible-jacket” nature of irregular forces, where group identity shifts based on necessity and convenience; it will also discuss how the overlap in the physical-operational space of armed groups creates a condition where combat strategies and tactics are shared and grievances cross-pollinate. The chapter will also highlight the problematic nature of politically sanctioned groups or groups created based on peace agreements and how vulnerable they are to cross over to criminal groups, if not terror groups.

### **The threat landscape and the complex security context**

After independence, the country was immediately confronted with a communist insurgency demanding social and political changes. To this day, the communist group continues to advance the political agenda of toppling the government and replacing it with a communist order. The Philippine government, since 1986, has attempted to forge a political settlement with the group, the Communist Party of the Philippines-New People’s Army-National Democratic Front (CPP-NPA-NDF) but was only able to forge agreements with its two breakaway groups, the

Cordillera People's Liberation Army (CPLA) and the Revolutionary Proletariat Army-Alex Boncayao Brigade (RPA-ABB).

CPLA members belong to the indigenous groups found in the northern Cordillera region, and the main fuel of its rebellion was the development projects initiated by the national government that would displace the indigenous communities from their homes. Members of the RPA-ABB, on the other hand, are primarily farm workers found in the Negros-Panay island, and the motivation for fighting the government was fueled by the landlord-peasant oppression associated with in a farmland setting (OPAPP, 2016c: 32–38).

The southern part of the country is beset with problems of secessionism and terrorism. In 2014, the Philippine government signed a peace agreement with the Moro Islamic Liberation Front (MILF), aimed to cap the decades of struggle of the Bangsamoro people, the identity label adopted by the Muslims in the South of the Philippines. Called the Comprehensive Agreement on the Bangsamoro (CAB), the agreement was supposed to fill the gaps of previous agreements forged by the preceding group, the Moro National Liberation Front (MNLF) from where the MILF decided to separate in 1978. The MNLF, founded in 1970, signed an agreement with the government in 1976 and a Final Peace Agreement in 1996. Several decades after the signing of the said peace deals, the demobilization of arms and forces (DAF) remained nominal and the gains of the agreement have not achieved the peace it promised. The 2014 CAB has more detailed political and economic deliverables; it also has a clearer DAF, labeled as “normalization,” and is meant to be implemented together with the political milestones of the peace deal (OPAPP, 2016c: 32–38). Years after its signing, the progress of the normalization agreement remains unimpressive.

An initiative called the Bangsamoro Leaders Forum was convened during the administration of Pres. Aquino. The initiative attempted to bridge the MNLF and MILF leaders and unite them under a common agenda.<sup>4</sup> The effort, however, was short-lived. On the other hand, a Convergence Forum for Development, meant to forge a partnership with the MNLF Senior Leaders, was also organized in 2013 by the Autonomous Region of Muslim Mindanao (ARMM) Regional Government.<sup>5</sup> This effort also faced numerous challenges. The differences in opinion and agenda, and the personal conflicts between and among the leaders and members of the groups complicated the attempts to forge unity.

It is in this environment that terror organizations thrive. Disgruntled MNLF members formed the Abu Sayyaf Group (ASG) in 1991, and its operations would significantly affect the threat landscape in the Bangsamoro area. ASG would stage kidnapping and bombing, targeting civilian populations and later on would pledge allegiance to ISIS (Islamic State of Iraq and Syria) in 2016.<sup>6</sup> Meanwhile, disgruntled members of the MILF also created the breakaway group, the Bangsamoro Islamic Freedom Fighters (BIFF) in 2008. The same BIFF would pledge allegiance to ISIS in 2016. The de facto link of the ASG members to MNLF members and the BIFF to MILF members, owing to family ties and kinship relations, would create more problems to the peace process of the government in the Bangsamoro region.

*Political opportunities*

The persistent presence of armed groups in local communities is largely due to the government's swinging policy of "all-out-war" and "all-out-peace" (Meyer, 2004: 125). All-out-peace is the government campaign line referring to the primacy of the peace process as policy. The Philippine Development Plan 2011 states that "the peace process shall center on the pursuit of negotiated political settlement of all armed conflicts and the implementation of complementary development tracks to address its causes. This shall be anchored on conflict prevention and peacebuilding in conflict-affected areas" (Philippine Development Plan, 2011: 292). "All-out-war," on the other hand, is the campaign line that gives primacy to military solutions in dealing with armed rebel groups. The term "all-out-war" was popularized during the administration of President Estrada (1998–2001) when peace talks with rebel groups failed to forge political settlements. This vacillating tendency creates confusion and inconsistency in policy guidelines and operations of concerned agencies. From the time of the administration of President Corazon Aquino, the national government has shifted its position between peace talk and military solution as the centerpiece of the peace and security policy agenda.

The Corazon Aquino administration (1986–1992) started the peace talks with the CPP-NPA-NDF and the MNLF, but this effort failed to achieve its goal. Toward the end of the administration, a military solution was resorted to in dealing with rebel groups.

The Ramos administration (1992–1998) had major headways in the peace negotiations, with the signing of The Hague Agreement (September 1992) with the CPP-NPA-NDF that frames the peace negotiations with the group, and the Final Peace Agreement with the MNLF in September 1996 (OPAPP, 2016a). When the Estrada administration took over (1998–2001), the peace talk was again replaced by a military solution. With the Arroyo administration (2001–2004; 2004–2010), peace negotiations and peacebuilding work were again continued, this time, with the added peace table with the MILF. In 2008, on the eve of the signing of the major peace deal with the MILF, the Philippine Supreme Court issued a temporary restraining order that halted the signing of the agreement. It also signaled the renewed armed hostilities between government forces, the MILF, and the newly established BIFF.

Under President Benigno Aquino (2010–2016), the peace process again became the centerpiece of the peace and security agenda of the administration. Under this administration, the Comprehensive Agreement on the Bangsamoro (CAB) was signed between the Philippine Government and the MILF; the administration also attempted to complete the political commitments made by past governments with the groups CPLA and RPA-ABB. (OPAPP, 2016c: 10). The phrase "all-out-justice" was popularized, claiming it to be more "sober and fair" and focused on going after criminal elements operating in conflict-affected areas (Pedrasa, 2011).

The swinging pendulum of peace-and-war of the government is among the major reason government peace and security efforts remain ineffective and its

successes short-lived. The inconsistent policies, the absence of a comprehensive plan to address irregular forces and terrorism, and the wavering political will of leaders explain why the government fares behind in synchronizing its programs and converging its efforts to address the problem. The 2007 Human Security Act, the primary anti-terror law, was inadequate and has not been fully utilized. This law has recently been replaced by the Anti-terrorism Law of 2020, but its effectiveness remains to be seen. Likewise, the national action plan to deal with terrorist groups has just been passed in 2018 (DILG official 2020, personal communication, September 22) and concerned government agencies are just in the process of organizing themselves to implement the plan.

Policy guidelines between national and local government units are also conflicting. While the national government has repeatedly declared its strong position against terrorist groups, local government units such as those in Lanao del Sur and Basilan have established reintegration programs for members of the Maute Group and the ASG,<sup>7</sup> both groups affiliated with ISIS. In the last quarter of 2020, the Department of National Defense issued Administrative Order No. 25, amending the Expanded Comprehensive Local Integration Program, to include members of terrorist groups in the reintegration program.<sup>8</sup> These developments are all happening in the midst of continued focused military operations against the armed groups.

The confusing policy directives affect the response of local government units. Short-term interventions are done at the local level to address security problems, and ad-hoc arrangements are adopted by communities directly affected by the presence of terrorist groups. For instance, after the Marawi siege, the provincial governor of Basilan declared an “all-out war” against ASG/ISIS affiliates in the province, while at the same time offering the reintegration program as a peacebuilding initiative. In cooperation with the military and capitalizing on the powers accorded by martial law in Mindanao, the provincial government initiated a strong-arm strategy. Military offensives were done in some areas, while food rationing was initiated in areas believed to be ASG hideouts. This move was meant to constrict the maneuver areas of the group. It was carefully handled as the move can be construed as violating people’s rights.<sup>9</sup> The provincial government claims that their effort significantly reduced the number of ASGs operating in the province. More than 200 ASG members have surrendered to the provincial authorities in Basilan from January to November 2017 (Alipala, 2018) and in 2018, it was reported that only 35 ASG members remain in the entire province (Wakefield, 2018).

Military intervention as a stopgap arrangement to address security and terror threats in conflict areas has become normalized (Senior military officer 2018, personal communication, August 2). Martial law in Mindanao, despite its potential negative effect on democratic governance, was favored by communities affected by the presence of armed groups. Martial law in Mindanao was declared from May to December 2017 and was renewed in 2018 and 2019 (Gotinga, 2019).

*Mobilizing structure and armed activities*

Complicating the peace process are the horizontal conflicts by feuding families in the Bangsamoro that eventually feed on and latch to the vertical conflicts of state and non-state armed groups. Referred locally as “rido,” clan conflict is one of the major reasons private armed groups are maintained by political families. Rido generally affects Muslim families, is not easily resolved, and can span generations. There are various conflict triggers for rido, but the most common cause is conflict over resources, specifically land disputes and electoral-political power (Durante, 2007: 105). Settlement for rido employs the legal platform but likewise utilizes platforms that are not necessarily legal and are generally in the gray zone, for instance, families agreeing to settle their conflict using “blood money” or payment for a death caused by rido without going through judicial court proceedings.

The fear of getting embroiled in rido has a direct effect on peace and security in these areas. Muslim police, for instance, may hesitate to get involved in security cases that might entangle their own family in rido (Police official 2018, personal communication, August 24). When agents of peace and order turn a blind eye to security matters, what prevails would be informal security arrangements to fill the gaps. Political families hire private armed groups (PAGs) to provide them security, and hence, private security service thrives in this environment. In 2018, the Philippine National Police reported 77 active PAGs with 2,050 members and 1,065 firearms; 72 of these PAGs are found in the Bangsamoro Autonomous Region of Muslim Mindanao (Lalu, 2018). Whoever has the biggest private armed group is recognized as the authority in the community. A PAG is defined as “an organized group of two or more persons, with legally or illegally possessed firearms, utilized for purposes of sowing fear and intimidation, and violence for the advancement and protection of vested political and economic interest” (Office of the President Memorandum Circular 83, 2015).

The recruitment base of armed groups and militias is their family and kinship relations. Armed groups also recruit from members of the Citizens Armed Forces Geographic Unit (CAFGU), organized crime groups, rogue elements of military and police, and lost commands of MILF, MNLF, rebel returnees, and former members of partisan hit squads (Patino, 2012: 218–223). They particularly single out young, economically poor, and those living in geographically isolated areas. They also target the disgruntled members of armed rebel groups, those whose families are involved in clan conflict or rido, those whose family members are killed because of the conflict, and those with resentment over previous military abuses.<sup>10</sup> A 2012 study in Sulu remains relevant: people living in remote and isolated areas where there are active armed hostilities between families feel they are physically trapped in the conflict area; they also think that the only way for them to survive is to take the side of either of the parties in conflict or join an armed group like the ASG (Oreta and Tolosa, 2012: 37).

Members of irregular forces are embedded in communities, making their capture difficult.<sup>11</sup> Local residents are not exposing them because of their ambivalence

toward state security forces. For instance, while the military has ended the occupation of ISIS-affiliated groups in Marawi City in 2017, the same military bombed and destroyed the city in its effort to neutralize the terror groups. Suspicions of vested interests by those in power persist; especially since three years after the Marawi siege, a number of families remained displaced.<sup>12</sup>

Communities affected by armed conflicts are vulnerable to recruitment by armed groups, especially if their basic needs are not addressed and their voice is not heard by government agencies. Hence, despite the decades of the peace process and peacebuilding activities in the Bangsamoro area, terror groups BIFF and ASG continue to operate, recruit, and train members. In 2015, the BIFF is reported to have 300 armed followers (Inquirer.net, February 1, 2015). This number may seem insignificant but the group has significant capability to cause trouble. A faction of the BIFF called the Turaife group, with 60 members in January 2019, are all alleged to be trained in making improvised explosive devices (Senior military officer 2019, personal communication, January 19). During the 2017 Marawi siege, some members of the BIFF initiated parallel attacks in parts of central Mindanao to divide the attention of security forces (Placido, 2017).

In schools and urban areas, armed groups recruit passionate idealists who are dissatisfied with the political system and its leaders. Potential recruits are spotted in social gatherings, befriended, and lured using different hooks such as money, safety, group belonging, access to firearms, and stature. In most cases, a financial incentive is offered.<sup>13</sup>

### *The Marawi siege and the renewed armed hostilities*

The Marawi siege from May to October 2017, initiated by ISIS-affiliated groups who adopted the name *Daulah Islamiyah Wilayatul Mashriq* “Islamic State-Eastern Region” or the Daulah alliance, was the boldest and most extensive terrorist attack in the Philippines in recent history.<sup>14</sup> The major groups involved in the Daulah alliance are the ASG-Basilan faction, the Maute Group of Lanao del Sur, and a faction of the BIFF. Dr. Mahmud bin Ahmad, a Malaysian foreign terrorist fighter, allegedly facilitated the creation of the Daulah alliance (International Crisis Group, 2019). The aim is to establish an ISIS *wilayah* (province) in Mindanao.

The Marawi siege is significant not only because of the damage inflicted in the city but, more importantly, the event signals the renewed strategic cooperation of armed groups of the three major ethnolinguistic groups Maguindanao (BIFF), Maranaw (Maute Group), and the *Tausug* (ASG) under the ISIS banner (Institute for Policy Analysis of Conflict, 2016: 1). Not since the establishment of the MNLF in 1969 had these three major ethnolinguistic groups worked together, thwarted by the split of the MILF in 1978. Since then, the three ethnolinguistic groups had operated parallel to each other. While they do not actively fight each other, they also do not collaborate either. The Marawi siege showed the level of renewed interoperability achieved by the ISIS-affiliated groups as well

as their military capacity and organizational strength. Linkage with ISIS has also brought the Bangsamoro issue to a broader international stage.

At present, recruitment by ISIS affiliate groups has been constricted by the aggressive military operations in areas where they are known to operate.<sup>15</sup> The image of these groups has also been negatively affected by what happened in Marawi.<sup>16</sup> Yet still, the groups endure and continue to operate.

Martial law and the visible presence of the military in Mindanao had stabilized the security situation. It appeased the people and put the armed threat groups on the run (Gotinga, 2019). The intensified intelligence gathering and focused military operations put heavy pressure on the movements of armed groups. The danger, however, of utilizing martial law as a response to security problems is the increased reliance of civilian communities, the local government units, and the local police on the military. It normalizes military response to an erstwhile law enforcement problem (OPAPP, 2016a).<sup>17</sup>

## **The gray zone of irregular armed forces**

For conceptual clarity, this chapter divides the various armed groups into four clusters. These groups are situated in the same communities, creating a common space where identity, operations, and ideologies interact. Note that this clustering covers only the relevant and known groups and does not cover the universe of irregular forces in the country.

### *First cluster: Political-ideological groups*

The first cluster includes the political-ideological groups that have waged armed rebellion for decades. The groups here include the MNLF and the MILF; both groups have secession as their desired end (OPAPP, 2016c, 13, 21). Both groups have also signed a peace deal with the Philippine government. Also, under this cluster is the CPP-NPA-NDF whose desired end is to replace the democratic government with a socialist-communist system.

The nature of the first gray area that this chapter wishes to note is the fact that politically sanctioned groups (i.e., groups sanctioned and/or created by peace agreements) are allowed to bear arms without a clear legal basis.

### *Case 1. Commander Abtajir Tingkasan*

In 2010, the village of Silangkan, Parang, Sulu, led by MNLF Commander Abtajir Tingkasan, organized itself into a “peace-centered community” (PCC). Commander Tingkasan is a decorated MNLF commander, respected in the community for his bravery.

In November 2010, representatives from all families in the barangay (village) signed a Letter of Affirmation, pronouncing their support for the PCC. The community has likewise developed its implementing rules and regulation

(IRR) to the Letter of Affirmation. A key feature of the IRR is the prohibition of public display of firearms. The barangay has also developed a community-based grievance mechanism where misunderstandings between neighbors are resolved among themselves.

(Oreta and Tolosa, 2011: 18–19).

Note that the Letter of Affirmation only prevents public display of arms, but it does not require disarming or turning in of firearms.

While not an elected official, Commander Tingkasan is considered as the peace holder; different armed militias respect the PCC because of him. Commander Tingkasan and other MNLF members assist in maintaining peace, security, and order in the community. The relative peace and security stability enjoyed by the area allowed the local government to deliver basic services to the people; it likewise allowed economic activities to take place and enabled external groups to engage the community.

*Case 2. Commander Abedin Sanguila (Barangay Pagawayan, Bacolod, Lanao del Sur).*

In September 2013, at the height of the Zamboanga siege, Sanguila was called on by the MNLF forces in Zamboanga to augment the militia. Military leaders and peace groups were able to convince Sanguila not to join the siege. In October 2015, Commander Sanguila and 200 members of the MNLF voluntarily decided to turn in the group's high-powered firearms. They claimed that they are no longer interested in joining the armed conflict and were fully on board the peace and development projects in their community (Oreta, 2018).

The 12 high-powered firearms that were turned in are the following: four units of M-16 rifle armalite, two units of M203 grenade launcher, two units of rocket-propelled grenade (RPG), one unit of Barrett rifle caliber .50, one unit of machine gun caliber .30, one M-14 rifle, and one pistol 9-mm berretta. All these weapons were put into a box and properly locked and received by PSSUPT Madid Paitao and Col. Gapay for proper custody.

(Enriquez, 2015)

Note that only the high-powered firearms were turned in; small arms remained in the possession of individual members. To this day, Sanguila and his group continue to engage and support development projects, assisting especially in securing the safety of government personnel and in maintaining peace and security in the community.

*Case 3. MNLF Basilan*

Another interesting case would be the MNLF members who have been providing intelligence and operational support to military operations in Basilan. After the

Marawi siege in 2017, government forces, with assistance from MNLF members, continue the search for the remaining ASG-Basilan members. While some of the MNLF members have their firearms legally registered, others have not. In providing operational support to state security forces, these MNLF members carry their firearms for their protection, and when the situation requires, use these firearms to fight together with state forces.<sup>18</sup> Without any legal shield on the use of these weapons, killing or getting killed in a firefight is obviously a problematic situation.

*Organizational mechanics:* Demobilized members of rebel groups return to civilian life and transform their group into a political party or a civil society organization (OPAPP, 2016c: 41). Others, however, remain actively engaged in the use of violence. After the signing of the 1996 Final Peace Agreement (FPA), MNLF leaders and followers gradually engaged the local and national bureaucracy by getting elected or appointed in local positions, while others actively supported community development work as part of the peace agreement. Most of the guerilla fighters have morphed into community security providers, not legally as they have not been formally integrated into the state security forces but they are not outright illegal also since the MNLF group has been regarded by the state as a “peace partner,” given the peace deal.

Some MNLF leaders have voluntarily demobilized as combat units, although they are more the exception than the rule (see Cases 1 and 2). They have not, however, disarmed. The FPA with the MNLF in fact has weak provisions on disarmament and demobilization of arms and forces. On the other hand, the peace pact with the MILF has created the Joint Peace and Security Team (JPST) as part of the normalization/DAF peace agreement. The JPST is a combined unit of the Armed Forces of the Philippines (AFP), the Philippine National Police (PNP), and MILF with the task of “(1) tracking and documenting private armed groups, (2) making security arrangements for normalization activities, and (3) supporting dispute resolution initiatives on the ground” (OPAPP, 2019). It is meant to maintain peace, order, and security of residents of the “six government-acknowledged MILF camps during the (MILF) decommissioning process” (OPAPP, 2019). Since November 2018, joint training has been done by the AFP, PNP, and MILF, involving 200 joint peace and security teams and a total of 6,000 personnel (OPAPP, 2019). While the JPST is a part of the peace agreement with the MILF, its provisions are not incorporated in Republic Act 11054, the legal translation of the government’s peace agreement with the MILF. The legal anchor of JPST, therefore, is an issue, especially since the JPST-MILF members are allowed to bear arms (OPAPP, 2020).

Government agencies like OPAPP and AFP claim that Executive Order 264, which created the CAFGU, is the legal basis of MILF’s participation in the JPST and their being able to bear arms. CAFGU (Citizens Armed Force Geographical Unit) is the state sponsored paramilitary unit situated in communities. If this is so, these MILF members should be enlisted as CAFGU militia prior to their involvement in JPST and subjected to the same rules and entitlements as CAFGU—the issue, however, is that they are not. This is another manifestation of the first type of gray zone covered by this chapter.

As for the peace process with the CPP-NPA-NDF, the Philippine government has been negotiating with the group since 1986 and has launched several demobilization efforts targeting individual members of its armed militia, the NPA. Livelihood support packages and cash-for-guns were used to lure NPA members to return to the fold of the law. Over the years, thousands have already availed of the government package. The problem, however, is that government support is a one-time-big-time package, and no after-care program is put in place to ensure that former combatants are successfully transitioned to civilian life. Individuals who surrender with their cache of firearms, a commodity highly priced in the underground movement, are in constant threat of reprisal from their former comrades. Without a clear government program for former rebels, members are left on their own. The CPP-NPA-NDF regard those who voluntarily surrender to the government as traitors to the revolution. Most of the former communist combatants thus keep their own firearms for protection. Skilled in the use and management of violence and with little support from the government, many of these former combatants would find themselves working as part of local security groups, where some are legal but others are not.<sup>19</sup>

The two breakaway groups of the CPP-NPA-NDF (the CPLA and the Revolutionary Proletariat Army-Alex Boncayao Brigade [RPA-ABB]) would eventually sign a peace deal with the government, but both agreements have poor attempts at demobilizing arms and forces.

Some of the former members of the CPP-NPA and CPLA were eventually integrated into the formal state apparatus, either as enlisted soldiers or as members of the state paramilitary CAFGU. There were also those who later become part of local security groups.<sup>20</sup> The militia of the RPA-ABB, however, was converted into a community defense force (CDF), a unit created based on their peace deal with the government, making it a politically sanctioned armed group. The problem, however, is that the CDF has an unclear legal anchor—it cannot be categorized as paramilitary in the same way as CAFGU<sup>21</sup> is regarded, yet state forces have been tapping the RPA-ABB members to help in security operations (Momblan, 2020).

The RPA-ABB has organized itself as a political party, the Abang Lingkod Party, and has successfully won a seat in Congress in 2013. However, given that its demobilization of arms and forces is still incomplete, the Abang Lingkod Party is technically a political party with an armed militia. Moreover, as in the case of the MNLF previously discussed, RPA-ABB members provide assistance to the military and police during security operations in their areas of influence. Without a clear legal mandate, their use and possession of firearms during these operations remain tenuous.

### *Second cluster: Groups labeled as terrorist*

The second cluster of armed groups refers to those labeled as terrorists. Under the Anti-Terrorism Act of 2020, a terrorist is defined as

any person who within or outside the Philippines, regardless of stage of execution engages in (a) acts intended to cause death or serious bodily

injury to any person, or to endanger a persons' life; (b) acts intended to bring extensive damage or destruction to a government or public facility, public place or private property; (c) acts intended to cause extensive interference with, damage or destruction to critical structures; (d) acts intended to develop, manufacture, possess acquire, transport, supply, or use weapons, explosives, or biological, nuclear, radiological, or chemical weapons; and (e) release of dangerous substances, or those causing fire, floods or explosion.

The purpose of these acts must be to create an atmosphere of fear, intimidate the government, or seriously destabilize the fundamental political, economic, or social structures of the country; create a public emergency; or seriously undermine public safety (Republic Act 11479, Section 4).

While the history of terror activities in the country is long, it is the ASG that became the byword of terrorism given the viciousness of its actions against state forces and civilians. The ASG was formed in 1991 by former members of MNLF led by Khadafi Abubakar Janjalani, a veteran of the Soviet-Afghan war that linked him with the Al Qaeda group. On the other hand, BIFF was also populated by former MILF members. The BIFF and the ASG have sworn allegiance to the international terrorist group, ISIS (IPAC, 2016: 2–19). This link between MNLF and MILF members and members of groups considered as terrorists creates the second gray area in this chapter: the tacit complicity of the MNLF and the MILF communities toward terrorist organizations.

*Organizational mechanics.* Terror organizations are embedded in local communities and co-exist with local authorities and other armed groups in localities. They exercise power and authority owing to their control and access to firearms but also because they provide security to communities within their sphere of influence.

In the Bangsamoro area, groups are linked through intermarriages, creating a family bond that spans generations. This connection has been beneficial as a social support system, but in the context of armed militia formation, this connection becomes a double-edged sword. In the case of the MNLF, MILF, ASG, and BIFF, individuals are separated by group affiliation but are still linked together as a family. The kinship connection is a major reason that groups in Bangsamoro do not actively seek and fight each other (except for those involved in clan conflict or *rido*) despite the splintering of groups. This greatly differs from communist groups where splinter groups and former members are actively liquidated by their former comrades. These kinship ties in the Bangsamoro have proven to be problematic when played out in community security management.

For instance, on July 10, 2007, 23 members of the military were killed in a firefight in Al-Barka, Basilan. Fourteen of these soldiers were beheaded. On October 18, 2011, 19 soldiers were killed in a firefight in the same area. In the 2007 incident, government forces fought against members of the ASG, but the group of Dan Laksaw Asnawi, leader of the MILF 114th Base Command in Basilan, was also involved in both incidents (Malig, 2011).

Basilan's unique volatility arises from the fact that the small island is home to three heavily armed groups – the MILF and its predecessor the MNLF, as well as the terrorist bandit ASG. Clans are often involved in all three networks. In both the 2007 and 2011 incidents, once combat began, armed men from surrounding neighborhoods, including ASG fighters, joined together to fight the Marines in the hope of sharing in the spoils (e.g. captured equipment, arms or ammunition), or of avenging past wrongs.

(Malig, 2011)

This coming together of armed men to gang up on a common opponent is locally referred to as “pintakasi.”

Note that when the 2011 incident happened, the MILF was actively engaged in peace talks with the government. Despite the involvement of its commander in the “pintakasi” against the 19 soldiers, the MILF leadership has not made public its disciplinary action, if any, toward Asnawi.

### *Third cluster: Criminal syndicates*

The third cluster involves criminal syndicates, with networks of connection in local communities, state security authorities, and international organizations. While organized crime groups (OCGs) are technically not part of irregular forces, “close collaboration between OCGs and irregular groups often makes it impossible to make a clear distinction between the two.” More so, these “networks are often linked directly or indirectly to governments in countries that are emerging from conflict” (Keene, 2018: 1). Keene (2018) uses the term “silent partners” to describe the mutually reinforcing relationship of OCG and irregular forces, the third gray zone that this chapter looks at.

*Organizational mechanics:* Criminal groups, similar to local militias, provide security to the group they serve. In community settings, tactical arrangements if not partnerships are forged by various armed groups to avoid hostile confrontations and/or to maximize mutual benefits.

Terror groups such as the ASG, in their kidnapping heists, have relied on small, factional armed groups to assist and/or perform specific tasks, e.g., information gathering, transporting the kidnapped victims, communication relay, and providing for the “board and lodging” needs of kidnap victims, among others (Mogato, 2016). Some of the groups that perform these outsourced functions are not necessarily members of ASG. It is thus a gray area on whether to consider these groups to be members of the terrorist group or be categorized simply as OCG. “(T)he distinction between crime and terrorism has not always been clear especially as both activities reinforce each other” (Singh, 2018: 6).

Another example of the silent partnership of OCG and irregular forces would be with the RPA-ABB. The RPA-ABB has signed a ceasefire and peace agreement with the Philippine government in 2001, the ceasefire being the first step to a more comprehensive political settlement. However, the completion of political, security, and economic commitments of both parties is still unfinished as of

this writing. The disposition of arms and weapons also happened only in 2019. This means that, from 2001 to 2019, the organization was an armed organization, albeit no longer in a hostile relationship with the government. During this period, local communities have complained that some members of RPA-ABB have joined criminal groups and private armed groups, all the while remaining active members of RPA-ABB (Balana, 2012).

Interestingly, OCG and local armed groups also provide public goods to their host communities. While vilified by outsiders, the illegal and criminal operations of OCG and terrorist groups directly benefit their members and family and, consequently, their host communities. In informal conversations with security and local officials, they observed that when ransom payment is exchanged for ASG kidnap victims, the local economy of communities within the area of operation of the terrorist group becomes vibrant and active.

In indigenous communities, especially those isolated in the mountainous areas in central Mindanao and those rarely visited by government officials, local armed criminal groups become the “private government” since they perform the minimum functions of governance, i.e., manage community affairs, settle or mitigate possible conflicts within the community, maintain peace and order, and protect individuals and their properties (Shearing, 2006: 11). The transactional relationship of local communities, terrorist groups, and OCGs, based mainly on mutual benefit, is one of the major reasons the locals hesitate to report these groups to state authorities.

Clarity on how to locate OCG within the pathways of irregular forces is necessary since it has implications on both policy and programming of interventions. For instance, the Department of National Defense issued the Administrative Order (AO) 25, amending AO 10 or the Expanded Comprehensive Local Integration Program. AO 25 (2020) creates a reintegration program intended to lure members of terrorist groups, which includes livelihood support for surrendering members. The reintegration package is a political move by the government to entice members of terrorist organizations to leave their group. But if members of OCGs are regarded by the government as part of terrorist groups and allowed to avail of the reintegration package, the program may lose its essence. Likewise, it may convey to local communities that the government is actually rewarding violent groups.

#### *Fourth cluster: Community-based armed groups*

The fourth and last cluster involves community-based armed groups that are organized and financed by political dynasties. Since the time of the colonizing powers, the Spaniards, the Americans, and the Japanese, armed civilians have been used by the government to fight rebel groups. “The post-World War II government encouraged recruitment and arming of ‘civilian guards’ to augment government forces in the fight against communist insurgents” (Patino, 2012: 219). These civilian guards would later transform into Barrio Self Defense Units, the precursor of the current paramilitary group, CAFGU. This shows that a

community-level defense unit has always been part of the state-building process in the Philippines. This is also the source of the fourth gray zone: the fluidity of membership in legal and illegal armed groups in local community settings.

#### *Case 4. Irregular forces' layers of identity*

Alvin Flores, a leader of a criminal armed group, was killed in a shootout with government authorities in October 2009. The firefight happened in a beach resort in Compostela, a municipality in Cebu located in Central Visayas. A few weeks earlier, his group did a heist on a jewelry shop in Makati, located in the National Capital Region (Araneta, 2008).

Alvin Flores was a member of the Local Executive Assistant Group (LEAG), a civilian volunteer organization (CVO) created by the mayor to support the peace and order efforts of the municipality of Compostela. People believe, however, that LEAG was the mayor's private army.

Alvin Flores was also operating a shop of stolen vehicles in Bulacan, trains other PAGs in Central Luzon, Northern Luzon, and Central Visayas, and leads a carnapping syndicate composed of former soldiers, police, PAG members, and former members of the CPP-New People's Army (NPA). Flores himself was a former member of the NPA (Patino, 2012: 212–214).

The case of Alvin Flores illustrates the complex and layered context, identity, and operations of members of the local militia in the Philippines. Being a member of LEAG offers a cloak of legitimacy and serves as an effective cover for their criminal activities. His operation traverses the major island groups of Luzon and Visayas, a feat that would not have been possible without local contacts and support groups. Flores has the support of influential political leaders and security sector officials, either directly or just by being complicit in his group's activities. The indicator of this support is the fact that maintaining a shop of stolen vehicles and carnapping are considered as high-end in the hierarchy of criminal activities, with its operation requiring complex and detailed planning, i.e., from targeting victims, actual car stealing, disassembling the parts, and selling them back to the market. Without providers of information and without links to the market, both legal and illegal, the carnapping business would not have thrived.

His background as a former member of the NPA gave him mastery of the management and use of violence. His group, composed of erstwhile adversaries in their previous careers, also shows that, when common interests intersect, in this case, financial gain from criminal acts, political ideology, and affiliation becomes secondary.

His being a former NPA was most likely the channel that linked him with former soldiers and police, as well as with other armed groups and individuals in the areas of Central Luzon, Northern Luzon, and Central Visayas. Note that these same areas are known to be where the NPA operates; they are likewise areas with a high proliferation of civilian-owned firearms.

The 2009 Zenarosa Commission that investigated PAGs also found that local militias, members of NPA, and corrupt members of state security forces (i.e., police,

military, and CAFGU) forge tactical alliances and working partnerships during elections. The operations of these local alliances are broad and, more importantly, traverses legal and gray operations—from providing security for candidates, securing political rallies and similar activities during campaigns to illegal gunrunning, assassination of political opponents, and threatening or coercing voters.<sup>22</sup>

*Organizational mechanics:* The local militia serves as an alternative security provider especially in areas where there is a limited presence of state security forces. They are organized primarily to deliver security to the families and/or communities they serve. The horizontal conflicts by feuding clans, referred locally as “rido,” feed on and latch to the vertical conflicts of state and non-state armed groups. This complicates the peace process and exacerbates the conflict dynamics on the ground.

The Marcos administration organized the paramilitary unit Civilian Home Defense Force (CHDF) (renamed Integrated Civilian Home Defense Force [ICHDF] in 1976), placed under the control of the now-defunct Philippine Constabulary (Patino, 2012: 219). All other community-based armed organizations were considered illegal.

At the onset of martial law, the Armed Forces of the Philippines (AFP) had only about 57,100 men [...] They had to rely on reservists and draftees and paramilitary militia for augmentation. Toward the end of the Marcos presidency, the security apparatus, including the ICHDF, had an estimated strength of 274,300.

(Kintanar, 2012: 135)

When President Corazon Aquino took over, CHDF was disbanded and replaced by CAFGU. In 1987, local government units were ordered by the Department of Interior and Local Government (DILG) to organize their respective civilian volunteer organization (CVOs) to serve as civilian defense units (Patino, 2012: 220). The CAFGU paramilitary unit was placed under the Philippine Army and was issued firearms; the CVO was placed under the control of local police and were unarmed.

“At present, CAFGU has a total strength of 53,432 members organized into 567 CAFGU active auxiliary companies all over the country” (Langcaoan, 2019: 7). Each CAFGU is expected to provide service for 15 days per month as it was supposed to be an add-on community service to the regular work or income source of the individual (Langcaoan, 2019: 10). An individual, hence, can become a member of CAFGU for half a month and of CVO the rest of the month. This opened the floodgates of opportunism and corruption. The CAFGU–CVO divide in some localities, has become so fluid that community members can no longer distinguish the difference. In some local government units, the CVO becomes the cloak to legitimize the private armed groups of local politicians. The CVO mechanism has provided political families a platform to hide their private armed groups; it also allowed them to use public funds to support and maintain these armed groups.

In community settings, individuals can join state-sanctioned paramilitary groups or join private armed groups supported by political families, capitalists, and landlords. While the paramilitary group and private armed group can be easily distinguished on paper, the actual reality in community settings presents much fluidity. Just as in the case of Alvin Flores discussed in Case 4, one can have multiple memberships in legal and illegal groups in the community context.

## **Conclusion**

Security is a public good, and the state is generally expected to provide this good to its constituents. However, the complexity of the threat landscape has necessitated citizens to actively participate in security management. “Citizen participation in security governance has been practiced in many countries largely due to the fact that security institutions, particularly the military and police, are not sufficient” or the locals are more “knowledgeable of the terrains and cultures” of the place (Langcauon, 2019: 1).

Armed groups gain “legitimacy because of the assistance they provide to government security forces” (Patino, 2012: 220) and because they fill the gap in security services in community settings. These groups, characterized by their willingness and capability to use violence in pursuing their objectives and limited autonomy in exercising their politics, military operations, and resources, function as “private government” in their respective areas. Private governments are groups engaged in “steering the flow of events to promote security” and manage private properties in a given area (Shearing, 2006: 11).

The might makes right principle remains to be the unwritten rule in conflict-affected areas. Whoever controls the biggest number of armed groups is automatically recognized as the authority in the community. The inconsistent policy environment creates the political opportunity for these groups to operate, and the dysfunctional rule of law and the ineffective management of security provides the context for irregular forces to mobilize and operate.

Various interventions have been done to address the proliferation of irregular forces, using hard security or focused military operation, negotiations or peace talks, and confidence-building and community dialogues, but wrestling the problem remains a daunting challenge.

The administration of President Duterte (2016–2022) utilized the iron-fist approach in dealing with irregular forces, especially those outside the peace process. Compared with the past administrations, President Duterte frames the response to the various armed groups within the ambit of the “drug war.” The term “narco-terrorism” or the link between the drug trade and terrorism is popularized under this administration. The major premise is that the various armed groups, regardless of their politics and purpose, are involved in the drug trade. The paradox is that, while the Duterte administration frames the problem within the prism of the drug trade, the government has offered no national strategy, no clear action plan, no long-term solution, and no institutional reform agenda especially for the police agency and local government units to

comprehensively address the problem. The irony also is that instead of mitigating recruitment, the drug war and the killings associated with it have provided the political armed groups a new anchor to radicalize dissent and recruit more members.

Central in finding a solution to armed group formation is to address the fuels of armed violence. Good governance, delivery of basic services, opening up of opportunities for people in conflict-affected areas, improving the justice system, strengthening the rule of law, and addressing the grievance of people are the immediate and short-term interventions that can and must be done. But the sustainability of the solution remains contingent on a political system that is inclusive of the various sectors and groups. Consistency in policy and operations, a strategic mindset in the programming of interventions, and partnership with communities in security management are necessary conditions to achieve lasting and durable solutions.

## Notes

- 1 Author's interview, Mayor Racma, August 24, 2018.
- 2 Author's interview, Capt. Dacawi, August 24, 2018.
- 3 Author's interview, military officer, August 24, 2018.
- 4 Author's interview, Lorena, September 6, 2013.
- 5 Author's interview, Lorena, September 27, 2013.
- 6 Briefing of the National Security Council to DILG Officials, September 22, 2020.
- 7 Author's interviews: Provincial Board member of Lanao del Sur 2018, August 23, 2018; Governor Salliman, September 21, 2018.
- 8 Author's interview, DILG official, December 30, 2020.
- 9 Author's interview, Local government official, September 21, 2020.
- 10 Focused group discussion, Military officers, August 24, 2018.
- 11 Author's interview, Jumawan, August 3, 2018.
- 12 Author's interview, IDP community representatives, August 24, 2018.
- 13 Focused group discussion, Marantaw City Government officials, August 24, 2018.
- 14 Author's interview, senior military official, February 14, 2018.
- 15 Author's interview, senior military official, January 19, 2019.
- 16 Focused group discussion, CSO representatives, August 24, 2018.
- 17 Author's interview, October 20, 2016.
- 18 Author's interview, an MNLF member, September 22, 2018.
- 19 Author's interview, a former NPA member, April 16, 2014.
- 20 The late Mayor of Loreto, Agusan Sur, Mayor Dario Otasa admitted that his security group was composed of former members of NPA. He himself was also a former member of NPA, returning to the fold of law and rejecting the ideology, leadership, and armed means of the group. He said he needed security details since the NPA has a standing order to kill him. Otasa's security details are not members of CAFGU but an armed group specially tasked to protect the Mayor. The author personally witnessed that police and military forces were complicit with its existence, given the threat to the Mayor's life. Otasa was later on assassinated by NPA members on October 19, 2015.
- 21 CAFGU is created based on Executive Order 264 (1987). The current policy being used in the administration and supervision of CAFGU is the AFP Letter of Instruction Tanggol-Bayan "Delta" of 2005.

- 22 The author was a consultant of the 2009 Zenarosa Commission and took part in some of the investigations, analysis of data, and writing of the report. The Zenarosa Commission was created by President Arroyo in 2009 to investigate on the issue on private armed groups, especially after the 2009 massacre that happened in the municipality of Ampatuan, Maguindanao, involving the municipal Mayor, the Provincial Governor, state security forces (police, military, and CAFGUs), and local militias.

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# 6 Between legal and legit: local security arrangements between state security actors and irregular forces in Bangsamoro region, Philippines

*Rosalie Arcala Hall*

## Introduction

Armed groups of many hues and varieties proliferate in Mindanao. They prefigure in news-grabbing violent incidents that have plagued this part of the Philippines for decades. The Maute brothers and their followers laying siege Marawi City in 2017; Moro National Liberation Front (MNLF) local commander Habier Malik doing the same in Zamboanga City in 2013; Islamic State of Iraq and the Levant (ISIL)-linked terror group defusing a bomb at a packed Catholic Church in Jolo; Abu Sayyaf Group (ASG) elements kidnapping foreign tourists; the Ampatuan private army massacre of his rival's family in Maguindanao—they all portend to the complex security ecology of the area, which is also the most militarized in the entire country. While the government has made headway in the peace process with Muslim identity-based rebel groups MNLF and Moro Islamic Liberation Front (MILF), what to do with these other irregular forces remains a daunting challenge.

The lacunae of local armed formations in the Philippines are a historical offshoot of the incomplete post-colonial state-building project. In Mindanao where state presence has been notoriously weak, the national government relied on power bargains with local elites able to administer the territory on the state's behalf using coercive means in exchange for economic rents. Politicians have their own private armies to defend their turf and their access to these resources. Economic marginalization and identity assertion led to the formation of armed Muslim separatist groups and counter mobilization by Christian settlers through militias and vigilantes. Ideological factions and internal leadership challenges spawned splinter groups, and after 9/11, terror groups. Income from legal and illicit activities underscores these violent enterprises, whose steady stream of recruits is lured by economic incentives and easy access to firearms. The military and police deployed on the state's behest have to tread gently and adopt pragmatic ways of working with or against these armed groups to achieve mission goals.

This chapter maps the evolution of irregular forces in the Philippines in general, and specific to the Bangsamoro area (Mindanao), in the context of limited state reach in these peripheral areas and persistent challenge to its authority. Various

types of armed groups are enumerated and characterized depending on their relative independence from or linkage with deployed state security forces. Insurgent groups, private armies, militias, vigilantes, and criminal gangs have operated in this space. While infamous for instigating violence and committing human rights abuses, these armed groups are also key security providers in areas that they control. Exercising de facto state authority and enjoying grassroots legitimacy in their communities, they create rules and enforce them, especially property rights claims and dispensing justice. They also point to the primacy of privatized security provisioning that is socially stratified—private armies and private security guards for elites and their economic interests, and volunteer-manned militias and vigilantes for the poor masses to defend what is theirs. The Philippine state routinely mobilized and utilized these armed formations for counterinsurgency operations in the Bangsamoro Region, and even formalized their existence by integrating them into the armed forces or bestowing them with a legal cover. On the ground, informal security arrangements and practices are made between co-located military/police units and irregular forces to achieve order and minimize violent outcomes for the community.

### **Irregular forces and the state: organic, substitutive, complementary, and competitive**

The relationship between irregular forces and the state could be imagined by their historical origins. Some types of irregular forces in post-colonial settings predate state formation—i.e., they have been around even before the advent of statehood. Communal groups whose members tend to be local volunteers and share a collective belief on the need for violent means to address insecurity (Perez, 2018, p.2); formations by indigenous peoples to protect communal property with a basis in customary laws (Phillips, 2016, p. 1367; Isima, 2007, p. 28); kinship-based formations anchored on notions of honor, martial rules, internalized customs and charismatic powers of their leader (Halden, 2018, p. 616); or on-call enforcement personnel of lords they are loyal to (Robinson, 2001, p. 286) are examples. Even when the state comes into being, its weakness and marginal reach in peripheral areas mean that these irregular forces fill in the gap (Aliyev, 2016, p. 502; Robinson, 2001, p. 288). These largely volunteer armed groups draw from strong local traditions of irregular violence (Aliyev, 2016, p. 503).

How these armed groups relate to the state varies in terms of their formation, membership mobilization, resources, functions, and autonomy vis-a-vis the state. This dyadic relationship and each actor's sense of agency could be viewed in terms of financial (materiel and logistics), training, and structural support the state extends, on the one hand, and irregular force independence, on the other hand (Stanton, 2015, pp. 901–902).<sup>1</sup> On one end are death squads and vigilante groups arising from policing inadequacies and social inequality. They have informal and pragmatic ties with the government (often by way of providing information to police and assisting police in crowd control) and often adopt the same strategy as insurgents, i.e., targeted killings or assassinations, display mutilated

corpses of their victims (Hills, 2014, p. 18; Robinson, 2001, p. 302; Carey et al., 2012, p. 251). Vigilante groups constitute private security provisioning by people in poor communities (Phillips, 2016, p. 1359). Criminal gangs are also included in this category. While their *modus operandi* is tied with gains from an illegal activity (e.g., drugs), they also feature local identity-based membership, are armed, and use violence or threat thereof to carry out their activities (Xenaxis and Cheliotis, 2013, p. 304). Private security companies, often legal and subject to state regulation, service rich, and middle-class families. Some irregular forces are state-manipulated and state-parallel (Jentszsch et al., 2015, p. 759). State-manipulated groups are those subcontracted to do the “dirty job” as state agents in going after enemies of the state, providing the state plausible deniability in cases of human rights infractions committed on the state’s behalf (Raleigh, 2014b, p. 298; Carey et al., 2015, p. 852; Jentszsch et al., 2015; Stanton, 2015, p. 900; Robinson, 2001, p. 305). Even with limited control, governments have logistical and political incentives to delegate their monopoly of the use of force to militias, warlords, and civil defense forces instead of deploying the military in conflict areas (Eck, 2015, pp. 940–941). Private armies that rely on resource rents (e.g., oil, drugs, smuggling) can either collude with or fight against the state if the latter impinges access to these rents (as in the case of Afghanistan and Iraq, see Marten, 2014, p. 83; Kuhn, 2011, p. 368; for Tajikistan and Uzbekistan, see Markowitz, 2011, p. 160). By contrast, government-linked, government-backed, or government-allied militias have some level of organizational coherence, with identifiable leaders, name and known geographic or religious basis whose links with the state are clandestine and unofficial (Carey et al., 2012, p. 250; Robinson, 2001, p. 306). At the other end of the spectrum are militias that are organized by the state specifically to address localized problems such as kidnapping, cattle rustling, and guarding of critical infrastructure (Hills, 2014, p. 16). State-parallel militias are better armed, functioning as army substitutes in theater and have political agenda aligned with the state (i.e., preservation of status quo) but may disregard government forces or function as parallel institutions (Jentszsch et al., 2015, p. 759).

This trajectory of irregular forces could be mapped according to changes in their status vis-a-vis the state. One path is a move from informality to formality through collaboration, e.g., sanctioned use of irregular forces by government security forces in violent action or operations against state enemies. Another path is collusion, e.g., sharing information, financing, equipping, training, and an operational link which is more substantive and not just one-off (Staniland, 2015). Third is cooptation, e.g., integrating the armed group into the regular security forces (military, police, and paramilitary) and conferred legal status (Perez, 2018, p. 7; Robinson, 2001, p. 290). The state’s calculation in engaging irregular forces is conditioned by its views on whether the latter is an ally, enemy, or gray-zoned (Jentszsch et al., 2015, p. 777). Allies are ideologically aligned groups that can be operationally useful to the government and can be colluded to (Besteman, 2017, p. 411). Gray-zoned irregular forces are those that exist in spaces where state control is weak and participate in governance arrangements for

the purpose of gaining legitimacy from community residents. In these situations, a dual security assemblage, characterized by implicit cooperation between state security forces and criminal group-supported militias, and mutual surveillance by the two actors become the norm (Richmond, 2019, p. 72; Abello-Colak and Guarneros-Meza, 2014, p. 3284).

A different pathway is carved for irregular forces as they shift patrons and functions from private to public security providers (Raleigh and Linke, 2018, p. 92). Raleigh (2014b, p. 285) has a threefold category of militias according to their patron, functions, and conditions in which they arise: (1) local security providers (members stay within the locality, elite patrons, dominate local politics, and emerge given state decay); (2) emerging militias (coming out of state crisis and may be used by either government or rebel groups); and (3) competition militias (private armies of elite patrons intensely competing for local power). Private armies are turned into community militias with a shift from private security ends to group goals and from elite control to community support for training, arms, and supplies. Private armies with competing patrons engaged in violence directed at each other could be tolerated by the state as long as the violence is not directed against it and for as long as such private armies are useful as local intermediaries. But these private armies may be brought into the state's ambit to fight against the state's enemies on pragmatic terms.

The next section examines irregular forces in the Philippines and the Bangsamoro area and explores how their nature and functionality support or depart from the literature. The existence of internal security threats and criminal problems are similar contexts that gave rise to armed group formation in the Philippines. Their relationship with the government, however, has fluctuated over time lending to more pragmatic bargains over their usefulness as state-subcontracted force versus formally integrating them into the military and police structure. The independence of these armed formations and their role as alternate security providers to their community and clan members nuance their existence.

### **Irregular forces in the Philippine context**

In the Philippines, the presence of armed groups distinct from state security forces has historical roots. Predating state formation, traditional leaders had a coterie of armed supporters bound by clan ties either as personal bodyguards or as henchmen. Indigenous people had militias for rule enforcement and community defense. Militias under millenarian leaders have also fought against Spanish colonial authorities, with members captured under cultist belief of their superpower abilities. The United States Armed Forces in the Far East (USAFFE) counter guerrillas to Japanese occupation were grassroots-based and composed of civilian volunteers (Espino, 2004, p. 77). Post World War II, local power holders have depended on coercive means to capture and control resources against rivals. Dubbed strongmen or "boss," they are distinct from other local leaders that rely on traditional authority or patronage ties (Sidel, 1999). Decentralization of power, most visible in the peripheral areas, breeds armed group formation.

Beyond binary categories (i.e., state versus non-state), these armed formations use force to achieve politico or quasi-politico objectives and are opposed to or autonomous from the state (Santos, 2010, p. 1). The term itself encompasses rebel opposition groups whose goal is control of a government or a territory; local militias; vigilantes; warlords and their private armies; civil defense forces and paramilitary groups not subject to state control; and private companies that provide military and security services (Holmquist, 2005, pp. 45–46; Robinson, 2001). From a state lens, they are “illegal” in that they negate the state’s monopoly of power to bear arms. Foremost among these are insurgent groups that contest state power such as the communist New People’s Army and the Moro identity-based MNLF, and Moro Islamic Liberation Front. Splinter groups Bangsamoro Islamic Freedom Fighters (BIFF), the jihadist ASG, and the ISIL-linked Maute Group, which have been labeled “terror groups” by the Philippine military also fall into this category. The terror group assignment follows the previous Macapagal-Arroyo administration’s (2001–2010) policy, in view of the US war on terror, to differentiate them from separatist groups MNLF and MILF and the state response toward them, accordingly (Won, 2011, p. 289).

Another type refers to private armed groups differentiated according to the purpose they serve and the tasks they perform. Landlord-controlled private armies, such as those found in Negros Island, are used as bodyguards, security guards for elites, and overseers of private properties (Rutten, 2001, p. 326). There are similar company-controlled private armies particularly for plantations in eastern Mindanao, whose members are specially sought for their violence-related skills, e.g., ex-soldiers, ex-criminals, and ex-rebels. Often labeled “lost commands,” these private armed groups are used to harass indigenous populations and force them to flee the land. In Compostela Valley, Mindanao, mining companies have their own private armies to protect their tunnels from small-scale miners (Verbrugge and Adam, 2016, p. 265). The private armies of bosses, strongmen, and *datus* who rely on coercive means to buttress their electoral positions against rivals follow the same template (Adam and Verbrugge, 2014; Kreuzer, 2005, p. 14). They are tools for private ends and receive remuneration and benefits directly from their private benefactor. A variation is a local insurgent commander, an entrepreneur of violence (Gutierrez, 2013), or an agent of violence by chance (Kreuzer, 2005, p. 15) with armed followers in his locality. Loosely tethered to the rebel command structure, these local commanders are seen as legitimate sources of authority by crafting and enforcing property rights rules in their locality, and mediating relations between their community and the state (Adam et al., 2014, p. 16).

Militias collectively formed by volunteers from the community as self-defense units, such as those found in Christian settler and indigenous communities in Mindanao are different (Adam et al., 2014, p. 16). The Christian Ilaga militia asserted claims over land by having guards posted in critical zones and maintaining a communication system to warn against impending attacks. Muslim militias composed of ex-MNLF members have also been mobilized through the Marcos administration’s cooptation strategy for combat operations against insurgents in

Mindanao (Vartavarian, 2019). Tribal militias like Bagani Command and Alamara identified for atrocities against native Lumad communities in Compostela Valley and Bukidnon provinces are recent iterations.<sup>2</sup>

Vigilantes are similar in their collective focus but have volunteer membership with ethnic or religious basis (Kreuzer, 2005, p. 15). With mass-based recruitment and appeal, they are often seen as populist (Hedman, 2000, p. 126). Many cultist vigilante groups were set up by the military as part of the counterinsurgency (COIN) strategy. Davao's *Alsa Masa* in the 1980s received support from military officials and were similarly recruited from among angst-ridden and personal revenge-seeking youth (Vartavarian, 2019; Espino, 2004, p. 13). *Nagkahiusang Katawhan alang sa Kalinaw* (NAKASAKA) in Davao del Sur and *Puwera Masa* in Misamis Oriental were similar formations that cropped out like mushrooms following the example of *Alsa Masa*. Vigilante groups have mobilized armed neighborhood patrols and checkpoints, produced anti-communist radio broadcasts, held mass rallies, and engaged in spectacular displays of violence, e.g. beheading (Hedman, 2000, p. 126). The current war on drugs under the Duterte administration has also produced copycat vigilantism, resulting in many extrajudicial killings of drug suspects.<sup>3</sup> Militias and vigilantes receive illicit financial and logistical support from the governments or private benefactors. Irregular forces also include groups that engage in criminal activities for profit and that use violence to do so. Examples of these are kidnap-for-ransom gangs, drug gangs, and others engaged in extortion activities, proliferating in areas where state presence is weak (e.g., in North Cotabato, as cited in Ilagan, 2014, p. 78). To this mix is added armed private security guards, usually employed by commercial establishments.

While these categorical distinctions are useful, boundaries between irregular forces are easily blurred. Militias, whose utilization is controlled by strongmen and politicians, could be transformed into criminal bands, with the promise of payment (Espino, 2004, p. 30). In the Bangsamoro territory, local insurgent commanders who have taken their groups to engage in kidnap-for-ransom activities have been referred to as "lost commands." The ASG, for instance, has long financed its activities through lucrative kidnap-for-ransom activities targeting mainly foreigners. Periodically, the government *de facto* legitimized private armies by authorizing local governments, dominated by the politician-warlord, to form civilian volunteer groups on the pretext of providing community defense.

Irregular forces in the Philippines could be arrayed in terms of the extent of private and local control on one end and national government control on the other end, over their establishment, mobilization, and utilization. Private armies tend to be more independent and controlled by their private benefactors, whereas militias and vigilantes, depending on their persuasions, lend themselves to pragmatic relations with the national government for counterinsurgency operations. Paramilitaries formally incorporated into the military organizational structure, e.g., the Citizens Armed Forces Geographical Units (CAFGU) Active Auxiliaries, Special CAFGU Active Auxiliaries, and Civilian Volunteer Organizations (CVOs), but whose members are drawn from pre-existing private armed groups and militias

may still be strongly influenced by local chief executives over their deployment (Espino, 2004, p. 50). For instance, in the mining areas of Compostela Valley, the barangay uses their armed CVOs to maintain peace and order and settle conflicts between rival mining claimants (Verbrugge and Adam, 2016, p. 268).

### **Irregular forces and the Philippine state: partnerships for convenience?**

The Philippine state has a long and checkered history of organizing paramilitaries from among civilians or linking up with sub-national armed groups for counterinsurgency operations. Under Defense Secretary Magsaysay in the 1950s, local militias were mobilized against the Hukbalahap rebels, which were later transformed into Barrio Self Defense Units under the control of the Philippine Constabulary, providing intelligence, gathering information, and participating in COIN operations in Central Luzon (Hammes, 2012, p. 574; Espino, 2004, p. 8). As legitimate militia organizations, they relied on village officials for support and operational needs, often doubling as bodyguards for politicians. The nefarious Civilian Home Defense Group (CHDF), tasked with village defense, is integral to the military's counterinsurgency operations (Abinales, 1987, p. 12; Espino, 2004, p. 15). CHDF members neither received training nor were organic to the localities in which they were posted, leading to numerous human rights infractions (Espino, 2004, p. 11). The CAFGU is a formal paramilitary outfit created in 1988 and commanded by Philippine Army officers. Its members are outfitted, provided individual equipment, and given allowances and various benefits from the national government. Local government units (LGUs) do not decide on CAFGU disposition and deployment but provide supplemental support. State mobilization of armed groups is seen as a strategy to induce marginalized sectors to be part of the coercive apparatus and to lure them away from rebel group recruitment (Rubin, 2019, p. 477). Using livelihood enticements and intimidation, the state is able to recruit young men to join paramilitary and self-defense forces, offsetting whatever likely economic losses are brought by disasters in their community (Easton, 2016, p. 116).

The current CAFGU units are formal paramilitary outfits that are integrated into the armed forces structure and chain of command. The government authorized the formation of CAFGU under the broader legal umbrella of national reserves in 1988. CAFGU Active Auxiliaries to (CAA) are used by the military solely for COIN, mobilized along the same lines as other civilian reservists for national defense or in response to disasters. CAA units are armed and tasked for village territorial defense; its role is to "hold" the community against communist re-infiltration (Espino, 2004, p. 15). Among others, it is also expected to control residents so they will not support the local communist group and prevent them from joining the rebel movement. The army assumed operational and administrative control over CAFGU units in 1998 (with the military taking the lead in internal security operations relative to the police). CAA members are trained by the army; receive a nominal monthly allowance and separation benefits, and are

subject to the same rules as regular uniformed personnel (Rabasa et al., 2011, p. 27). CAFGU units are established by army commands upon request from the local government, through its Peace and Order Council (POC), which also takes care of its maintenance and operation. POCs also determine the conditions for CAA deactivation (Executive Order 309 series of 1987).

There are also Special CAFGU Active Auxiliaries (SCAA) that are organized and trained by the local army command, whose task is to secure private companies in areas threatened by insurgency activities. Mining and agribusiness firms typically request for the establishment of an SCAA unit, permission for which is granted by the secretary of national defense. Local governments could also request for the creation of SCAA. The private company or LGU shoulders the SCAA budget requirements, which are similar to those received by the CAA. The military provides firearms and ammunition to their members, with major service commands exerting operational control over them (Espino, 2004, p. 35). LGUs mainly use SCAAs for checkpoint operations and patrols.

Apart from CAA and SCAA, the government also allows the formation of unarmed village-level CVOs, whose activities are also monitored by the municipal POCs but are managed and supervised directly by the municipal Philippine National Police (PNP) unit (Executive Order 546 series of 2006). Like the CAA, CVO members are also recruited locally. They receive training from a private foundation, function mainly as neighborhood watch and force multiplier for the police, and are solely funded by the municipal government. Superseding the CVOs in 2010 are the Barangay Protection Auxiliary Teams (BPATs), also put up through a municipal POC ordinance detailing their membership, funding, and limited functional remit. Unlike the previous CVOs, which de facto functioned as private bodyguards of mayors in most cases, the BPATs are placed under the control of the provincial police. The BPATs are different from the barangay tanod (village auxiliaries). Although similarly unarmed, the BPAT is presumably better trained as extra hands in law enforcement at the village level.

The nature and functions assigned to government paramilitaries vary across theaters. Hall's (2006, p. 12) research points to sustained paramilitary recruitment in Panay island as counterinsurgency operations intensified, making, however, their detachments easy pickings for rebel attacks. CAA units that peaked in number in the 1990s were deactivated in the early 2000s. In Ilagan's (2014, p. 84) research on military operations in North Cotabato, CAA units manned highway checkpoints and guarded critical installations (e.g., telecommunications towers). The CAA units were perceived as delivering effective security as they can spot non-locals easily and coordinate intelligence and operations between village officials and the military/police. In Mindanao, there are more numerous CVOs. CVOs were formed in North Cotabato in response to threats from the BIFF and lawless elements (Ilagan, 2014). Their tasks were to apprehend and arrest, together with the CAA and military, cattle rustlers and kidnap-for-ransom gangs. They are provided with short wave radios by their LGU. Contrary to the CVO legal template, many of these North Cotabato CVOs are armed with personal weapons.

The government has indirectly or illicitly supported other armed groups in internal security operations. The military operates under an integrated territorial defense system in areas cleared of insurgent presence, having identified all CAA, CVOs, and anti-communist organizations for defense against attacks (Espino, 2004, p. 40). Many militias and vigilante groups have acted with complicity by providing intelligence information to the military and doing lateral coordination of their violent actions against deemed state enemy forces, e.g., insurgents, criminals, drug purveyors (Espino, 2004, p. 29; Kowalewski, 1991, p. 244; Verbrugge and Adam, 2016, p. 265). That many of these vigilante and militia groups had been initiated and led by ex-military personnel or were co-located or timed with military deployments also suggests strong linkages (Verbrugge and Adam, 2016, p. 265; Kowalewski, 1991, p. 245; Hedman, 2000, p. 133). The Aquino administration in the late 1980s has been accused of encouraging the formation of vigilantes to defeat communist insurgents with the interior department office placed in charge of mobilizing, supporting, and controlling the groups (Kowalewski, 1991, p. 245).

The military has routinely used landlord-controlled private armies, such as those found in Negros Island, to go after communist rebels that extort from the landlords themselves (Vartavarian, 2019). Although independent from the central government, private armies leverage their positions by providing information, patrolling hacienda boundaries, and generally augmenting CAFGU troops. Ex-rebels, those with previous careers in violence, also are actively recruited into private armed groups or state-controlled paramilitary formations. Rutten (2001, p. 336) cites the example of ex-RPA ABB rebels, which became the core of the security forces for landlord Eduardo Cojuangco in Negros island, capitalizing on proviso in the government's peace deal with the army group for 100 members to carry weapons and to perform police functions. Private armies of local warlords, anti-Communist civilian groups, and death squads also cooperated with the military during counterinsurgency operations (Amnesty International, 1988, as cited in Hall, 2006, p. 27).

Shifting notions of the legality of armed groups and the government practice of "recycling" them into formal paramilitaries make for a fluid government policy on what to do with them. Driven mainly by pragmatic calculations, the national government while aware of the presence of vigilantes and militias, does not task the military and police to crack down on them or make concerted efforts to disband them.<sup>4</sup> The pitfalls of many of these irregular forces are reports of human rights transgressions negating whatever gains were made in the counterinsurgency war. With easy access to small firearms, there is a clear danger that these groups will be involved in illegal activities, thereby transforming what presumably was a collective goods goal behind their formation into a private objective (Rabasa et al., 2011, p. 36). In his analysis of newspaper accounts of paramilitarism from three national dailies, Kowalewski (1992, p. 77) noted that the most vocal critics of paramilitarism are the urban poor, labor union members, and cause-oriented groups who are disproportionately targeted for these human rights infractions. Vigilante groups in particular are tagged for indiscriminate

killings and assassinations, many victims being activists and those with leftist persuasions (Santos, 2010, p. 29; Hedman, 2000, p. 132). Military and police control notwithstanding, vigilante groups are known to be abusive and demanding vis-a-vis community residents. Intense electoral competition between rival warlords with their powerful private armies resulted in *rido* (clan wars) in the Bangsamoro areas (Kruezer, 2005). The legal cover as CVOs afforded erstwhile private armies and emboldened the likes of Maguindanao Governor Ampatuan to act with impunity against rivals, as was the case of the infamous Maguindanao massacre in 2009 carried out by his minions against political rival Mangudadato (Mercado, 2010, pp. 18–19). Where the government organized paramilitaries, counterviolence was also found to increase, intensifying security concerns in the community (Kowalewski, 1992, p. 79).

### **Nuancing irregular forces in the Bangsamoro area**

Power and the coercive means to wield it have been historically decentralized in the Philippine context. Nowhere is this truism more readily applied than in Mindanao, with its long record of resistance to central government control by local politicians and rebel groups. In this contested space, violence is at once decentralized and privatized; military and police presence representing the state is mediated or eclipsed by more resonant social and political institutions such as clans (Lara, 2014). Given these, there are multiple armed groups and the types of conflict (vertical or that between state security forces and insurgent groups; horizontal to encompass Muslim/Christian communal, clan-based and rival politician-warlord violence; law enforcement challenges to include banditry and kidnap-for-ransom activities) existing within the same often narrow territorial confines (Rood, 2005; Layador, 2015; Kruezer, 2005).

Different labels are used for these armed groups as they are found in the Bangsamoro zone: non-state armed groups juxtaposing their position against the state (Buchanan, 2011, p. 20) and violent extremist organizations indicating a lack of rule of law and privatized security in these parts of Mindanao (Dunham-Scott, 2012, p. 123). The labels are inclusive of (1) the MNLF and MILF with separatist or identity-based goals; (2) clan-based groups that are able to draw upon support from clan members in *rido* (clan feuds); (3) political warlords, strongmen, bosses of both Muslims or Christians with their own private armies; (4) “entrepreneurs of violence” or “agents of chance” as charismatic local commanders enjoying social legitimacy and whose currency of violence enables protection of their community or enforcement of private property regime; (5) self-defense units/militia; and (6) lawless elements, including the ASG, Pentagon Gang, and other loosely organized formations engaged in kidnap for ransom and other shadow/illicit activities (see Gutierrez, 2013; Kruezer, 2005). To these are added military/police auxiliary forces—CAA, SCAA, and BPAT (superseding the CVOs, which were disbanded in 2010).

Clans or extended family relations by blood and marriage constitute an important fulcrum to most irregular forces in Mindanao. As security providers for their

members, clan leaders be it politicians, warlords, bosses, or commanders can rely on kinsmen to deliver this good (International Contact Group, 2020). The most important of these is protection from or reprisal for *rido* (clan wars) and assertion of rights claim over an asset. Unlike other irregular forces elsewhere that rely mainly on monetary enticement or loyalty to mobilize members, clans impart a more symbiotic relationship between the leader and his retinue of armed guards and expected reinforcements should the need arise. Clan relations cut across all armed formations for or against the government. The Ampatuan clan in Maguindanao, for instance, included not just those in their private army but also kinsmen who have taken posts as CVOs, CAFGU, police, and the military. The ISIL-linked Maute Group that laid siege of Marawi City in 2017 was a militia whose core members came from the Maute clan. Armed group membership as such tends to be porous and less important than their kin affiliations.

This type of nuancing is crucial from the perspective of co-located state security forces that have to deal with them on a day-to-day basis. Locally deployed military units are non-locals and are not necessarily more numerous than these armed groups, although they may have an edge with possession of artillery. Local police units, whose members are no longer locals but purposely rotated into/out to avoid kinship ties with local government authorities, are a skeletal force of 18–20 personnel. They are typically stationed in the town center where the municipal government facilities are located. The police (at least since 2010) and military are alien to the local political ecology of communities where they are deployed. The CVOs and BPATs are *armed* volunteers tasked to secure their respective barangays/villages from outside threats and are more closely attached to and controlled by the mayors who also are their private benefactor and kinsman. The local army commander's link to these presumably state auxiliaries is mediated by his relationship with the mayor. Other hybrid BPAT-like security arrangements have also been created at the barangay level in North Cotabato areas threatened by the BIFF and in Basilan areas used as ASG corridors but with stronger army footprint as to their organization, firearm registration, and volunteer mobility (see Hall, 2017).

Under the 1987 Constitution, all private armed groups (PAGs) including private armies, militias, and vigilante groups are deemed illegal. The police and the military maintain a “watch list” of these PAGs within their areas of responsibility, keeping track of their leaders, membership, weapon strength, locations, and activities. In the infamous Salvo-Pagatin-Mamasapano-Shariff Aguak (SPMS) box, for instance, no less 22 than PAGs were on the Army's watch list in 2014, including the mayors of the four towns, and strongmen with an estimated 50+ armed person following. A report notes 77 private armed groups inside the Bangsamoro Autonomous Region for Muslim Mindanao (International Contact Group, 2020). Across many national administrations, there have been periodic attempts to bring these local armed formations under the state security forces' ambit and thereby confer some legality into their status. The deputization of CVOs as “force multipliers” in the campaign against terrorism under Pres. Macapagal-Arroyo's Executive Order 546 (2006) raised concerns about their

mobilization and utilization. While CVOs are presumably authorized and supervised by the barangay POCs, it is a fact that not all barangays have active POCs; CVOs are issued firearms contrary to the legal provisions; and no mechanisms are in place to prevent the CVOs from being used as private security guards of local chief executives (Buchanan, 2011, p. 20; de Lima, 2008). In a survey of these private armed groups in Mindanao in 2000, Buchanan (2011) found that many CAA and CVOs participate in actual fighting alongside the military and that many have been involved in *rido* (clan feuds) directly or indirectly. Andal Ampatuan Sr.'s close connection with the local military (6th Infantry Division) and his free pass to organize armed CVOs approximated state subcontracting of military and police powers to the Ampatuan clan (Lara 2014, p. 253). Having clan members join the military (and posted locally, typically upon request by the clan leader) bolsters the clan's legitimacy as a friend of the military and, at least in the case of Ampatuan, refraining from taking action in clan operations against rivals (Kreuzer, 2005, p. 20; Lara, 2014, p. 254).

### **Let sleeping dogs lie: military-irregular force engagements in the Bangsamoro theater**

In the Bangsamoro theater, the presence of many irregular armed forces co-located with deployed military units and paramilitaries makes for some very interesting take on conflict management. The priority for many of these groups is to avoid misencounter or accidental shooting/gunfire particularly with those that are not mission targets. For the military, these enemy targets are rebel and terror groups. Kinetic engagements between the military and MILF in Central Mindanao and also with MNLF in Basilan and Sulu have almost been nil, given gains from the peace process and the presence of functional coordination mechanisms, e.g., Joint Coordinating Committee on Cessation of Hostilities or JCCH, and the Ad Hoc Joint Advisory Group or AHJAG for security matters.<sup>5</sup> The military has only conducted sustained kinetic operations against the MILF-breakaway BIFF, ASG, and ISIL-linked Maute Group. For these types of armed missions, the military works with MILF, MNLF, and some friendly militias on an ad hoc basis but mainly in terms of rear defense, establishing safe corridors for the military to do pursuit operations or to pass on intelligence information on enemy group movement. Generally, the local military units are aware of the presence of irregular armed formations within their area of responsibility and make efforts if they can to establish a line of communication with leaders of these groups (direct or by way of an intermediary) and, where possible, bring them into some kind of informal coordination and cooperation arrangement for local security provisioning. Foremost of these local security concerns are *rido* (clan wars), which carry the potential of violence escalation as clan members from MILF, MNLF, and from the military/police may be brought in.

There is a variety of informal arrangements between co-located military units and militias in the Bangsamoro area. In one Muslim-majority barangay in Basilan island, local men led by a retired-Philippine Army sergeant decided to form a

CVO after receiving an extortion letter from the ASG. They got help from the local army command, which facilitated for their personal firearms to be “registered,” i.e., put in stenciled serial number along with their names as individual owners. The army veteran who is also a barangay officer regularly reports to the point-of-contact inside the brigade regarding suspicious movements in his barangay (Hall, 2017, p. 130). A parallel example of cooperation is BPATs in North Cotabato barangays harassed by BIFF elements entering into arrangements with the local army detachment for reinforcement. The local army unit also informally arranged with the mayors on BPAT mobilization and operations, including (a) having them wear on-duty shirts that identify them as BPAT; (2) not allowing them to carry their firearms in plain sight outside their barangay); (3) putting a serial number to their firearms, with the owner identified in the army closed registry; and (4) formation of a radio group among local BPAT, town police, and the local army unit for real-time reporting of hostile activities (Hall, 2017, p. 119).

At a higher level, a Memorandum of Understanding was signed in 2013 between the commander of the locally deployed mechanized infantry brigade, police provincial directors, and 11 municipal mayors in the SPMS area of Maguindanao, to create “armed volunteer guards,” Task Force Kadtatabanga, a 25-man local security force per town that will operate only within their town and with military and police coordination (Hall, 2017, pp. 123–124).<sup>6</sup> Members of the TF Kadtatabanga were in reality the private army of each mayor. The Kadtatabanga security forces were tasked to (1) secure vital installations within their municipality and (2) report and coordinate in a timely manner with the local army and police. Under the terms of the MOA, members of the TF Kadtatabanga carry IDs issued by the mayor, provincial police chief, and brigade commander; t-shirt with “Kadtatabanga” printed as their uniform to be worn on-duty at designated checkpoints, roads, and markets; and their operational expenses shouldered by the mayor. The mechanized battalion and PNP jointly screened the TF Kadtatabanga members and provided a short briefing on vital installations in the area of operations, improvised explosive device awareness, and reporting systems. A radio system was also set up among the members and the local military commands. The MOU forbids TF Kadtatabanga members from carrying firearms in plain sight or bringing said firearms across checkpoints.

Operational collaboration has been recorded between the military, paramilitary CAA, BPATs, and co-located MILF and MNLF units. The mayor of Pagalungan disclosed that, in 2014, an MILF unit from their “controlled” barangay joined forces with the CAA to drive the BIFF away from the national highway (Hall, 2017, p. 117). A former MILF officer relayed a parallel story where CAA and BPAT units defending the Rajah Buayan municipal hall from a BIFF attack was reinforced successfully by a local MILF unit. When an MILF “peace-keeping force” (5–10 persons) close to a CAA detachment was set up by the MILF Central Committee to provide security to contractors for the National Irrigation Administration (NIA) project in the area, an arrangement was made between the local MILF and the CAA commanders to maintain their respective “perimeter security” and henceforth avoid confrontation between the two groups

(Hall, 2017, p. 118). In MNLF-Nur Misuari strongholds in Sulu, links between the local army deployed and the MNLF armed group is semi-institutionalized, with coordination of movements and sharing of intelligence information about the ASG via a direct point-of-contact (an officer) at the brigade level. This relationship has been somewhat downgraded following the 2013 Zamboanga siege in 2013 where many MNLF men perished.<sup>7</sup> Alfonso (2007, p. 4) also noted parallel arrangements intended to reduce untoward violent incidents between co-located military and MNLF units, including the “gentlemen’s agreement” forged between Army General Dolorfino and MNLF commander Habier Malik in 2006 resulting in the delineation of boundaries of the known MNLF camps that should be free from intrusion in any military operation against the ASG and the MNLF’s commitment to deny the elements of ASG safe haven in their territories.

## **Analysis**

Irregular force formation in the Bangsamoro area cannot be dissociated from the very features of the Philippine state. Rather than a robust state wielding authority consistently throughout the entire territory, elites at the national level had to make deals with powerful local figures whose interest is mainly private accumulation (Verbrugge and Adam, 2016). Coercive power by the state, channeled through its military and police, had to be leveraged against these local power wielders, who in turn must constantly position themselves against equally greedy rivals. Local politicians, doubling as warlords, strongmen and bosses, fuse legal-bureaucratic and authoritative claims to gain a loyal following. The prize is access to resources, sourced from the national government internal revenue allotment share, economic rents (e.g., from mining or land), or proceeds from illicit economic activities. Even local rebel commanders, loosely tied to their command structure, behave as intermediaries between the state and their communities for access to these resources and legitimation. Private armies, militias, and vigilantes are crucial currencies to win the competition against rivals.

The state in the interest of bargain at the very least tolerates these irregular formations as long as their violence is not directed at it (Raleigh, 2014a). Where state security forces are confronted with enemy insurgents, the state takes on a more transactional and temporary approach toward them (Jentzsch et al., 2015). Informal ties, mainly through coordination in terms of operations and shared intelligence, are maintained for counterinsurgency purposes. Even with evidence of dire human rights abuses, the Philippine state is willing to tolerate their existence for these pragmatic reasons. The Philippine government’s practice of recycling these irregular groups by providing them a legal basis for existence, as was the case of CHDF and CVOs, even knowing that they are more firmly under the control of the politician-strongmen-warlord is an example of such a bargain. Lara (2014) refers to this national-local elite bargains for power (e.g., votes for the presidency; neutralizing enemies of the state) as a key feature of Bangsamoro politics. The national government has also tried the formal route,

incorporating these irregular armed groups into armed forces and police as auxiliaries. The directive for local military units to keep a PAG watch list within their area of operations, but with the implicit rule not to do anything about them (i.e., dismantle these irregular formations), is a glaring proof of this fictive monopoly of force. Local military units make do by initiating hybrid arrangements to avoid misencounters and costly armed confrontations with these co-located groups. It mobilizes, organizes, and trains CVOs and BPATs, rather than the police. Rather than disarming them, the local military units allow such formations to be armed, funded by their local government or their mayors—but informally regulated by the army which formulates rules regarding the registration and carrying of firearms, the volunteers' restricted mobility and mechanism for reporting. In the aforementioned cases, the formation of CVOs, BPATs, or barangay or municipal self-defense groups was a result of a negotiation between the local army unit, police, and the local government.

Irregular forces are necessarily embedded in the social institutions and economic realities of the Bangsamoro zone. The primacy of kinship relations, privatized security provisioning (i.e., protecting your own family and property by having guns and parallel means to do so) and the premium placed on traditional-legal-coercive bases for leadership underscore recruitment into and persistence of these kinds of groups. Clan relations, which cut across these armed formations, blur and bridge boundaries at the same time, making things more dangerous. Clan wars could easily escalate or spiral to involve private armies, militias, military, police, and rebel groups where aggrieved family members can rely upon support from kinsmen inside. Kidnap-for-ransom gangs are part of dark networks or interdependencies that include local rebel group commanders, politicians, and military units sharing in lucrative shadow economy dealings (Gutierrez, 2013, p. 137). The political economy dominated by private accumulation also means that an armed group could easily be utilized as well for extortion, asserting claims over natural resource assets, and distribution of spoils. Criminal gangs are hard to disassemble in the Bangsamoro area because an entire network of families shares on the spoils of ransom or rent payments. Those with a previous career in violence (e.g., ex-soldiers, ex-paramilitary, and ex-rebels) also find lucrative employment in these irregular forces as their skill sets are valued. The glaring social disparities of private security provisioning between elites who can afford private security guards or raise their own private armies on one hand and the masses who form vigilantes for self-defense with themselves as unpaid volunteers, on the other hand, is another striking element. Vigilante groups, projected as populists are in reality, the poor's way of taking care of themselves collectively where they are caught in the crossfires, with no reliable police nearby.

Where state presence is weak, the political vacuum is filled up by armed groups by providing alternative governance apparatus. The shadow MILF apparatus in their camp enclaves has all the trappings of statehood-police force, Islamic law courts, standing army, and parallel combatant training schools (Ressa, 2003, 128–129). People inside these camp communities also rely on armed

insurgent groups for security provisioning (Adriano and Parks, 2013; Adam and Verbrugge, 2014). MILF area commanders like Commander Bravo in Lanao del Norte capitalizes on violence to enforce Sharia court decisions in areas he and his armed followers control, even capital punishment. The lack of effective legal security from the state incentivized many individuals to join the militia, private army, rebel groups, and lawless elements to obtain “private” security, which absent supervision created adverse consequences (Judd and Schiavo-Campo, 2005, p. 6).

## **Conclusion**

Irregular forces in the Bangsamoro area have strong grassroots origins in terms of their membership recruitment and utilization. They exist in conjunction with notions of traditional leadership underscored by the ability to dispense economic benefits to clan members and provide for their security against rival clans. Community self-defense groups, e.g., militias and vigilantes, follow this collective security impetus. There are also predatory local leaders who rely on their private armies to access and control economic rents and state largesse, away from competitors. Privatized security is a privilege for local elites whose pragmatic bargains with the national government enable them to carry out private accumulation largely unchecked.

The decentralized power structure in the Philippines makes a fertile environment for irregular armed formation. With a weak state bureaucratic and coercive presence in the Bangsamoro area, alternative security providers step in to fill the gap. Separatist armed groups MNLF and MILF capitalize on Muslim grievances and land dispossession to increase their ranks, as do violence-practicing groups driven by fundamentalist ideologies like ASG. Regardless, these formations provide a semblance of order in the territories they control. They create rules and enforce them in a manner that is legitimated by their own communities. Local commanders and politician-warlords mediate the relationship between their communities and state’s agents (military and police) toward collective security outcomes that have some value.

The state treats irregular forces in a pragmatic fashion, utilizing them where necessary for counterinsurgency operations and more formally integrating them into the structure of the armed forces. Included in this pragmatic approach is the periodic attempt to bestow some semblance of legality to their presence (buy off) or simply ignoring their presence by not insisting on their being disarmed and demobilized (turning a blind eye). For locally deployed military and police, there is a premium in engaging these co-located irregular forces, not just to achieve counterinsurgency targets but also to minimize untoward violent encounters and misunderstandings. To this end, informal security arrangements are forged with the end goal of more rule-based mobilization and utilization of these armed group formations for common security goals, i.e., defense against common enemies. While temporary and ad hoc, these arrangements portend to useful normalization pathways for these irregular forces.

## Notes

- 1 Militias should be distinguished from paramilitaries, which are armed groups that are structurally integrated into military operations as auxiliaries. As force multiplier especially in counterinsurgency operations, they are mobilized, trained, supplied, and backed by government authorities and placed under the command-and-control of regular forces and the Ministry of Defense. The dyad relationship with the state is on a formal footing.
- 2 “Tribal militias illegal-Army”, *Inquirer.net*, September 28, 2016. Available at <https://newsinfo.inquirer.net/819689/tribal-militias-illegal-army>
- 3 “Thousands dead: the Philippine president, the death squad allegations and a brutal drugs war”, *The Guardian*, April 2, 2017. Available at <https://www.theguardian.com/world/2017/apr/02/philippines-president-duterte-drugs-war-death-squads>
- 4 Hedman (2000) argues that at the height of the vigilante problem in the late 1980s, the Aquino government wavered between turning a blind eye on them and praising them for their contributions to counterinsurgency operations. In the author’s reckoning, the vigilante groups functioned as subcontracted state violence, supported by the US’ new doctrine of fighting low-intensity conflicts.
- 5 Prior peace agreements between the Philippine government and the MILF created the Joint Coordinating Committee on Cessation of Hostilities (CCCH) and the Ad Hoc Joint Advisory Group (AHJAG) as coordination mechanisms between the military and MILF-BIAF. The Joint CCCH was created in 1997 and in 2001, the International Monitoring Team was constituted to monitor and adjudicate cases of violations by either party. The CCCH enables either party to inform the other about troop movement and disposition, and are intended to prevent misunderstanding between co-located ground troops. The AHJAG enables cooperation in addressing concerns with lawless elements that make use of the military and MILF’s marked “spaces” to escape and prevent apprehension. The key difference between the two mechanisms is that CCCH deals with agreement-specific ceasefire violations, while AHJAG provides a framework for joint anti-terror and law enforcement operations involving the two groups. Notwithstanding, these mechanisms do not explicitly cover Philippine military operations against the BIFF, which splintered off from the MILF following the 2008 Memorandum of Agreement-Ancestral Domain (MOA-AD) collapse. The amorphous nature of the BIFF (is it to be treated as a terror group?) makes for a gray area when it comes to applicability of said mechanisms.
- 6 Details about TF Kadtatabanga were obtained from a communication dated September 13, 2013, issued by the 1st Mechanized Infantry Battalion (Shariff Aguak, Maguindanao) with subject Launching/activation of Kadtatabanga Security Force.
- 7 One local MNLF commander (Commander Abugao) joined the siege and was presumed among those who perished. Many of the 50+ men who joined him are now detained in Manila.

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## 7 Frontline informality

### Paramilitary forces and pro-government militias in Thailand's Deep South counterinsurgency

*Paul Chambers and Srisompob Jitpiromsri*

#### **Introduction: Auxiliary security forces in Thailand**

Thailand is a country in which the state maintains both formal and informal linkages with different security entities engaged in violence against insurgents as well as members of civil society. As in other countries, such an association represents a form of strategic interaction between state actors (principals) and security entities (agents) with regard to national security and regime survival. In many cases, different state actors oversee different entities which have variations of formality and at different levels of control. But this myriad of groups generally forms a hierarchy that has spearheaded state formation.

In the process of nation-building, states generally attempt to consolidate monopolies over the use of violence to guarantee their claims to legitimate sovereign supremacy (Tilly, 1992; North et al., 2009). To do otherwise risks unraveling state control (Stepputat et al., 2007, p. 11). In some circumstances, however, formal security institutions align with or act as patrons to informal or even non-state actors, working together to deliver security in what might be termed public–private partnerships (Ahram, 2011; Campbell and Brenner, 2002). As such, states tend to engage in “violence management,” in terms of establishing and overseeing networks of different types of security actors (Staniland, 2012).

In the political security market, violence is both a public and a private commodity. As a public commodity, it offers state-controlled order, and as a private commodity, it provides security services for the purpose of earning a profit. Though in most cases states would prefer to monopolize violence, sometimes they prefer to manage an oligopoly of violence—supplementing public (formal) security services with informal security entities acting as auxiliary forces. There have been several studies on such irregular forces (e.g. Mitchell et al., 2014; Jentzsch, 2015; Carey, et al., 2015, 2016; Carey and Mitchell, 2017; Lyall and Wilson, 2009; Pilster, Böhmelt, and Tago, 2016). The use of auxiliaries has been especially prevalent in countries where democracy is weak and there is a reliance on international donor aid from established democracies (Carey et al., 2015). Moreover, auxiliary forces tend to (1) be relatively cheaper; (2) offer access to local intelligence; and (3) conveniently provide states plausible deniability for any violence or human rights violations (Carey and Mitchell, 2017). Such realities

apply to the case of Thailand, where the state's outsourcing of security to auxiliary forces is most ubiquitous.

### *Paramilitaries*

Paramilitaries are specifically defined as “militarized security units, equipped with (light) military weapons and/or military vehicles, trained and organized under the central government to support or replace regular military forces” (Janowitz, 1988; Bohmelt and Clayton, 2018). They operate at the national level under the central government, tend to be specialist forces, and maintain informal or even illegitimate linkages with state security forces. Where paramilitaries are less supervised by the military and police, the more autonomous and freewheeling they tend to be.

### *Pro-government militias*

Pro-government militias (PGMs) are, like paramilitary forces, informal and auxiliary to regular security services but function at the smaller (village) level. They are often formed in response to a local threat and tend to be disbanded or plummet in size when the threat diminishes. Though PGMs are mobilized by state actors, they are only loosely influenced by security bureaucracies and thus function with enormous autonomy from the state. PGM members are generally not well-trained, equipped with weaponry, or well-paid. They may be loosely organized and work on a part-time basis. Given that they operate outside of state structures, there is little governmental monitoring of PGMs (Wood and Waterman, 1991; Bohmelt and Clayton, 2017).

This paper scrutinizes the evolution of irregular forces in Thailand in general and then more specifically in the Deep South counterinsurgency region. Using principal-agency theory, the paper argues that the Thai state has relied on irregular forces because of formal state limits, the need to use locals familiar with the terrain, counterinsurgency budget savings, as well as preferences not to bog down too many regular soldiers in counterinsurgency theaters of operations. It looks at the various types of state-supported irregular forces at the levels of paramilitaries and pro-government militias. Each was structured with differing levels of linkage vis-à-vis deployed state security forces. Why has the Thai state employed different types of irregular forces? How are these groups structured? How are they deployed in counterinsurgency operations? What are their advantages and disadvantages? This chapter addresses these questions.

### **Thailand's auxiliaries**

In 2021, Thailand is a semi-democratic country which has long existed under the tutelage of powerful security forces. These forces include the military (army, navy, and air force) and also the police. Nevertheless, they are formal security forces—bound by a chain of command and specifically set budgets. There are

also irregular forces or auxiliary security forces which function in support of the military and police. Such auxiliaries are armed units somewhat aligned with state security bureaucracies but outside of the chain of command which formalizes the security hierarchy. They are more quickly mobilized, and their members receive much less training than regular security officials (Bohmelt and Clayton, 2018, p. 202). Auxiliaries' recruitment thus tends to be quite "rudimentary" while they are generally less disciplined than regular troops (Carey et al., 2015). In their functions, auxiliaries are divided between paramilitaries and pro-government (village) militias, with variations among different types of paramilitaries and PGMs.

### Thai paramilitaries

There are five types of paramilitaries in Thailand today. All are directly or indirectly dominated by the army-controlled Internal Security Operations Command (ISOC).

First, there is the Volunteer Defense Corps (VDC) or *Gaung Asa Raksa Dindaen (Or Sor)*. The VDC are organized under the Ministry of the Interior with the Minister of the Interior as its institutional commander. The deputy commander is the Minister of Defense. Within each province, the civilian governor is the VDC chief, and within each district, the chief district officer (and her/his deputy) acts as chief. These district officers are assisted by an army colonel who is district deputy commander of the VDC.<sup>1</sup> Control over the VDC remains divided. Though it is formally administered by the Ministry of Interior, it receives weapons training and leadership from the army (Central Intelligence Agency, 1974). The VDC provides border security and assists Ministry of Interior officials at the local level in various tasks including narcotics suppression and guarding refugee camps. The VDC also assists in security for the provincial police (Ball, 2007, p. 1).

Second is the Border Patrol Police (BPP) *Tamruat Traween Chaidaan (Tor Chor Dor)*. International commentators have stressed that the BPP is Thailand's "most effective internal security force" (United States Government, 1989, p. 271) despite being "paramilitary" in nature.<sup>2</sup> The BPP's mission today is internal (specifically frontier) security, collecting border intelligence, drug suppression, enforcing law and order, and keeping the peace in non-peaceful parts of the country (Ball, 2013, p. 1). Some commentators do not consider the BPP to be a paramilitary but rather an "alternative kind of police professional since they are police officers who performs duties like soldiers."<sup>3</sup> The BPP Bureau, under the Royal Thai Police, is headed by a police commissioner who is a police lieutenant general (BPP website, 2020). In the field, the BPP tends to be operationally controlled by the Royal Thai Army.

Third are the Rangers (*Taharn Prhan* or "Hunter Soldiers"). Under the jurisdiction of the Royal Thai Army, Rangers are supervised by a Coordination Centre of the Army Operations Centre (Ball, 2004, p. 68). They principally work in counterinsurgency and border security matters, as well as providing security for the BPP. Some Rangers were recruited from among convicted criminals whose

sentences were lessened to join the Rangers. Thus, Rangers have the worst reputation for committing human rights atrocities (Ball, 2004, pp. 163–178).

Fourth are the Paramilitary Marines (*Taharn Prhan Navigyotin Gaungtop Ruea*). This paramilitary is under the jurisdiction of the Royal Thai Navy and its Marine Corps. It is tasked mostly with assisting in security for Navy-led operations. In 2013, allegations emerged that members of the Thai Royal Navy, including paramilitary marines, had been involved in the human trafficking of Rohingya people (Petty, September 1, 2015). Finally, marines have been said to have provided goon security for arch-royalist protestors in 2013–2014 (Bangkok Post, February 26, 2014).

The fifth paramilitary is the Thai National Defense Volunteers or TNDV (*Thai Asasamak Pongkan Chat* or *Tor Sor Por Chor*). The TNDV was created by ISOC, the Army, and the Ministry of the Interior perhaps because the latter wanted a duplicate security program to shore up its power base (Ball, 2007, p. 40). Formed initially to assist in counterinsurgency, the TNDVs' mission became limited in 2007 to responding to natural disasters (see DPMA, August 28, 2007).

### *Thai pro-government militias*

Like almost all Thai paramilitaries, PGMs or mass organizations found their genesis in the Cold War anti-Communist struggle. Following the creation of the Communist Suppression Operations Command (CSOC) in 1965 (renamed as Internal Security Operations Command in 1974), it created a variety of PGMs at the village level. These were the Village Security Force and Village Security Teams; the Village Volunteer Development and Self-Defense Program or *Chor Ror Bor*; the Hilltribe Border Security Volunteer Team Program, and CSOC-supported Chinese Kuomintang (Race, 1974, p. 101). The Red Gaur (*Krathing Daeng*), *Nawaphon*, and Village Scouts (*Luk Sua Chaobaan*) were three final militia groups created to uphold monarchy, religion, and nation, while putting down Communism. But by 2000, the only PGMs left were the *Chor Ror Bor* and the Village Scouts. The Village Scouts were resurrected by Prime Minister Thaksin Shinawatra in November 2004. A new palace-centered, quasi-PGM, *Chit Arsa*, was founded in 2018, receiving indirect coordination from ISOC (Nanuam, 2019).

Figures 7.1 to 7.3 illustrate the formal and informal linkages among the Thai bureaucracy, formal paramilitaries, PGMs, and ISOC. Single lines refer to official supervisory connections or chains of command while “arrows” refer to informal ones. Notably, Thailand's army command dominates all security organizations through ISOC.

The coordinating center of Thailand's paramilitaries and PGMs continues to be ISOC. ISOC's mission is to preserve Thailand's monarchy and guarantee national security. It strives to unite the military, police, and the Ministry of the Interior under the army. Indeed, ISOC is nominally the political arm of the Thai military, but it has spread its bureaucratic tentacles into social and legal realms as well, building up mass organizations, disseminating propaganda, and conducting

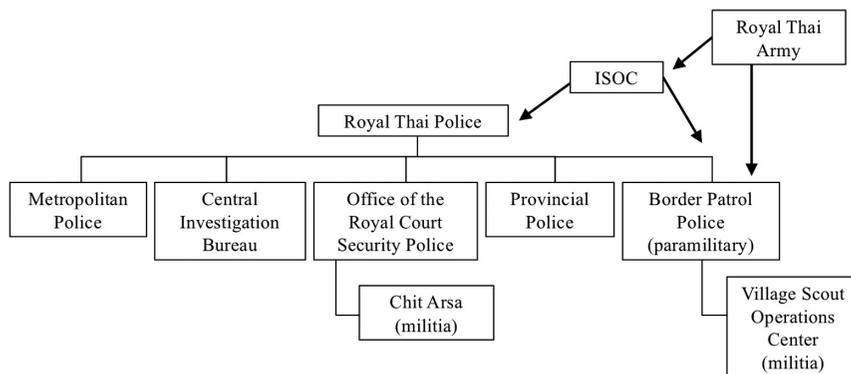


Figure 7.1 Thai Border Patrol Police and Village Scouts.

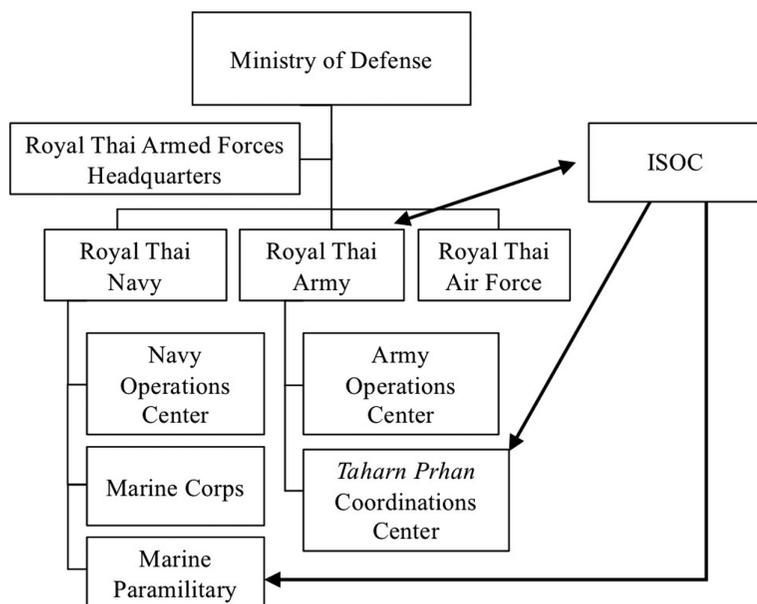


Figure 7.2 Ministry of Defense, Rangers, and Marine Paramilitary.

prosecutions. It is a 1965 creature of autocracy, representing an entrenched parallel state juxtaposed astride any government that comes to power through a coup or election (see Pawakapan, 2017). The post-2019 ruling political party of Prime Minister Gen. Prayut Chan-ocha—Palang Pracharat—is itself a proxy of Thailand’s army and ISOC. Though ISOC has undergone various bureaucratic alterations, since 2008, it has been nominally directed by the Prime Minister,

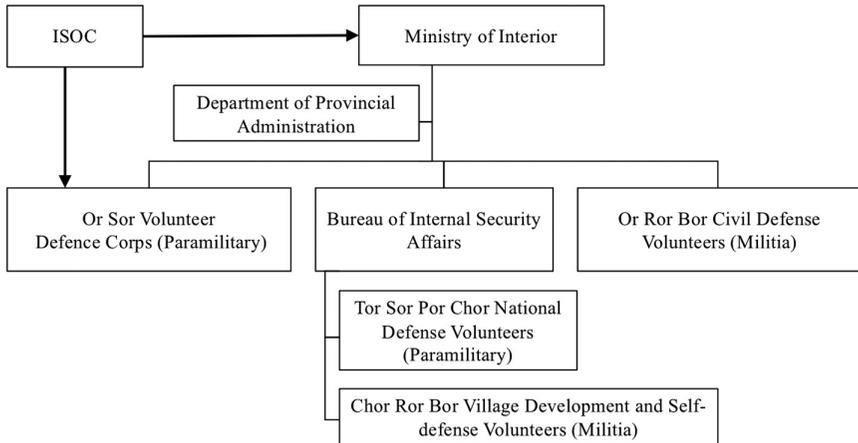


Figure 7.3 Thai Ministry of Interior's control over VDC and PGMs.

Source: Ministry of Interior (Thailand), website, 2021, [Accessed 10 January 2021] [http://www.moi.go.th/portal/page?\\_pageid=814,1036627,814\\_1036653&\\_dad=portal&\\_schema=portal](http://www.moi.go.th/portal/page?_pageid=814,1036627,814_1036653&_dad=portal&_schema=portal).

with the Army Commander as Deputy Director, Deputy Army Commander as Assistant Director, and Army Chief of Staff as Secretary-General (see ISOC website). The blueprint of ISOC's campaigns against insurrection is all based on its original experience with the Communist Party of Thailand during 1965–1982. ISOC's use of paramilitaries and PGMs in the Deep South counterinsurgency, examined below, follows this script.

### State-supported irregular forces in Thailand's Deep South counterinsurgency

Paramilitaries and PGMs have for decades supplemented regular security forces fighting insurgents in Thailand's southern provinces. One of the first use of paramilitaries was the Border Patrol Police against Communists in Pattalung in 1974. In 1981, Prime Minister Prem Tinsulanonda established civilian-police-military task force 43 (CPM 43), bringing together all state security agencies engaged in combating Deep South insurgency under ISOC.<sup>4</sup> This included the BPP, which was operationally led by the Ministry of Defense but was formally under the Thailand National Police Department. CPM 43 also included the Rangers and Marine paramilitaries, which were directly under military control. In place of the military and its paramilitaries, Thaksin relied mostly upon the police and its Border Patrol Police paramilitary as well as VDC. Upon coming to office as Prime Minister in 2001, Thaksin Shinawatra saw problems in the Deep South more along the lines of controlling banditry rather than smothering insurgency.

In 2002, he dismantled CPM 43 as well as SBPAC, and “ordered the paramilitary ranger divisions 41 and 43 and the marine corps out of the trouble spots in Pattani, Yala and Narathiwat provinces, and back to their barracks ... in Nakhon Si Thammarat, well away from the violence” (Wassana Nanuam, quoted in McCargo, 2006). BPP, under the operational control of the army, also took a peripheral position to the police in countering the violence.

But with the 2004 exacerbation of the 100-year-old Malay–Muslim insurrection in the Deep South provinces of Pattani, Yala, Narathiwat (and six districts of Songkhla), Thaksin acceded to a return to military control over the insurgency, as formally led by the 4th Army Commander. The 4th Army began to be assisted again by CPM 43 in late 2006: CPM 43 had been re-established along with SBPAC in November 2006 following a military coup against Thaksin. In 2010, ISOC dissolved CPM 43, following SBPAC legislation which separated civilian and military agencies. Thus, the Frontline Section of ISOC Region 4 became more directly in charge of all units of security forces on the ground, including paramilitaries (Jitpiromsri, 2013, p. 560). The 2014 coup returned military control over state policy in the Deep South. Expanding paramilitaries to replace the regular forces has become a major policy since the 2006 coup. Despite Thailand’s 2019 return to electoral governance, the military continues to dominate Deep South policy and the SBPAC is “weak.” The Central Headquarters of ISOC also lost its full control over policies, programs, and budgetary processes of the Deep South since the coup of 2014. The Forward Command of ISOC Region 4 took control of all operations responsible for the new structure of Steering Committee directly controlled by the junta—National Council for Peace and Order. The motivation for this new structure is interest from a huge amount of budget.<sup>5</sup>

In 2021, the 4th Army Command is divided into two superstructures: Infantry Division 5 in Nakorn Srithammarat province, which comprised 4 regiments and is responsible for security in the 11 upper southern provinces; and Infantry Division 15 in Pattani province, which comprised 4 regiments responsible for 3 southern border provinces. The 4th Army Command has established the Forward Command at Sirindhorn Camp in Pattani province, taking care of Infantry Division 15 and 12 regiments of Rangers. The Royal Thai Navy also has another regiment of Marine Rangers in Narathiwat province.<sup>6</sup> Nevertheless, the final control over security forces in the Deep South rests with the 4th Army Commander (Jitpiromsri, 2013, p. 560).

After January 2004, auxiliary forces began to take a larger role in engaging in counterinsurgency, with their numbers expanding. With four paramilitary groups and two core PMGs operating in the Deep South, an overlapping of responsibilities has been a common problem, especially given the common nature of the task—countering insurgency. Regarding burden-sharing, the BPP handles law-and-order issues and the VDC, in serving their local municipal unit, can assist the BPP, can engage in patrols, staff checkpoints, conduct civil-military operations, assist in development projects, etc. Rangers perform the same tasks as VDC. Paramilitary marines tend to operate only in marine settings. PGMs conduct defensive functions but are limited to their villages, though they support

paramilitaries/troops. All groups are needed and dominated by the army. But the plethora of groups makes burden-sharing a blurry affair.

These auxiliaries have received criticism for human rights abuses:

The activities of auxiliaries in the Deep South have resulted in violations of human rights, particularly the detention of suspects, making local people afraid and distrust the auxiliaries. Auxiliaries should know human rights fundamentals before working with villagers. Auxiliaries would be better for Deep South people if they only assisted soldiers or police regarding anti-drug-trafficking and border security.<sup>7</sup>

But the army has been disinclined to penalize human rights violations. Moreover, the Army's Command and Control represents the only "in-house" oversight over paramilitaries and PGMs (with involvement from the Navy, the Ministry of Interior, the Royal Thai Police, and ISOC).

Meanwhile, all formal auxiliary forces have been legally "covered" by a "blanket immunity" which "all security forces operating in the south have enjoyed since 2004" (Dominguez, March 12, 2014). They have found protection from prosecution in conflict situations under Martial Law Act (1914) and the Emergency Decree on Public Administration in Emergency Situations Act (2005). Both laws have been applied in Thailand's Deep South counterinsurgency. A 1959 amendment to the Martial Law Act allows some basic claims of wrongdoing committed by soldiers against civilians to be made (Annexe 1959, Kingdom of Thailand, 1914). But such cases must be processed through military courts, which are highly partial to the armed forces. Regarding the Emergency Decree Act (2005), its Section 17 permits civilian victims to seek legal redress against state officials for "wrongful acts" unless such acts were "performed in good faith, non-discriminatory, and was not unreasonable in the circumstances or exceed the extent of necessity" (Section 17, Kingdom of Thailand, 2005). But this Act does not define these qualifiers, and cases involving this Act generally are processed through Military Courts which tend to take the military's side.

The BPP, Rangers, and Marines as formal paramilitaries to the military (or police) are covered by each Act. This owes to the fact that these organizations are generally working in the Deep South warzone or along borders (always considered under martial law). They thus enjoy legal impunity. VDC officials are covered when they engage in activities with the military and police. When Village Defense Volunteers (VDVs) are tasked by the military or police, they have the protection of the law. Village Protection Volunteers (VPVs) never have legal protection under the emergency decree or martial law. Many VPV members hold concurrent enrollment with the VDV, however, making prosecution for misconduct difficult. In addition, the VPV, as a PGM close to the palace, has powerful connections to prevent the most successful prosecutions. Thus, almost every auxiliary in Thailand's Deep South enjoys some form of legal impunity. Though Thailand's National Human Rights Commission would appear to be a natural monitoring agency for paramilitary abuses, the Commission has, particularly

since the 2006 coup, been weak and ineffective (Thi, 2008). As a result, in the Deep South, while villagers have tended to fear paramilitaries as much as insurgents, there is no formal complaint mechanism for paramilitary's human rights violations. Complaints of such violations from villagers or NGOs only find an audience in the media, among international NGOs, or with progressive foreign governments. Such reports have led to criminal defamation cases by Thailand's armed forces, driving complainants into silence.

Paramilitaries and PGMs have had their own experiences in the Deep South, differing somewhat in terms of organization and deployment in the counterinsurgency. To some extent, each has had different relative amounts of space from control by or linkage with deployed state security forces.

## **Paramilitaries**

Paramilitaries have been the backbone of the Thai state's counterinsurgency in the Deep South since it suddenly intensified in 2004. Because paramilitaries were easiest to deploy, their members knew the Deep South the best, and they tended to be cheaper and more expendable relative to regular troops, the state gave them a prominent role, especially after 2010, in combating insurgents.

### ***Border Patrol Police***

The oldest and most professional paramilitary working in the Deep South is Thailand's Border Patrol Police. Their duties tend to place them within 25 kilometers of the southern border, though not always so. There are four sub-divisions of BPP covering southern Thailand's seven provinces. These are headquartered in Chumphon, Nakorn Sri Thammarat, Songkhla, and Yala. With regard to the Deep South, the center of Region 4 for Border Patrol Police activities has been at Border Patrol Regional Sub-Division 44. The 44th Sub-Division was originally created in December 1986 in Yala province and called Phaya Lithai Camp (BPP 44th Sub-Division, 2020). At that time, the BPP was a useful auxiliary of the army and police, interdicting drugs, weapons, and other smuggled items at the border while also fighting the communist insurgency. The 44th has acted as the forward camp of BPP activities in the Deep South for law and order operations along the Thai-Malaysian border. The BPP has also been a key security bulwark in the Malay-Muslim counterinsurgency, sometimes working with paramilitary Rangers. There is also a Police Aerial Unit in the 44th Sub-Division—the Special Forces Southern Center. Finally, the 44th Sub-Division oversees the local Deep South contingent of the *Luk Sua Chao Baan* (Village Scouts).

The close operational connections between the army and BPP have helped the latter to financially endure over the years. But these intimate ties have also meant that the BPP has been identified as a tool of the army. Thus, when Thaksin took office in 2001, his 2002 decision to transform the security bureaucracy such that police took control from the army over security efforts in Thailand's Deep South also had ramifications for the role of the BPP in that region as well. In effect,

after “dismantling the ... border patrol police in the southern region,” Thaksin placed the BPP in an adjunct role to the Royal Thai Police, which now came to the forefront of containing disorder in the Deep South (Dorairajoo, 2006, p. 92). But when, following the January upsurge in violence, the army was able to retake security control over Deep South policy, the BPP re-emerged as a key auxiliary to army-led efforts, with the army pushing regular police into a smaller role (especially after Thailand’s military coup). In 2015, the numbers of BPP grew in the Deep South (Dominguez, March 12, 2014), and it remains in 2021 a crucial part of ISOC’s strategy to maintain control over the region.

The use of the BPP has been advantageous to the state for various reasons. First, being much better trained and professional than any other Thai paramilitary,<sup>8</sup> sometimes on a par with regular troops, they have been the most effective auxiliary force in the Deep South. Several Thai commentators of the Deep South see the BPP as “police professionals” rather than “paramilitaries.”<sup>9</sup> Second, for BPP stationed in the 44th Sub-Division, they tend to have much longer deployments in the Deep South than other police (who are rotated more frequently). This has given the BPP enormous familiarity with the Deep South region, making them useful intelligence assets. Third, like other paramilitaries, as a Light Infantry auxiliary, BPP troops can be more rapidly deployed than regular army or police units, which must check with superiors first. Fourth, given their formal police status, they are more familiar with Thai law than other state security personnel except for regular police. Fifth, as paramilitaries, they are cheaper to use in the field than regular police (Ball, 2013, p. 342). Sixth, for the army, they have been beneficial given that the army has effective control over the BPP despite the BPP being under the formal control of the Royal Thai Police.

Nevertheless, BPP activities in the Deep South have not existed without problems. Some BPP are alleged to have taken bribes and “make a lot of money in the south from collecting payments from illegal smugglers” (Dorairajoo, 2006, pp. 90–91). Ex-BPP head Gen. Kowit Wattana was allegedly involved in the disappearance of Muslim lawyer Somchai Neelaphajit in the Deep South in May 2004. Three months later Thaksin promoted Kowit to head the Royal Thai Police (Ball, 2013, pp. 398–399). BPP were also apparently on hand during the infamous Deep South massacre at Tak Bai in October 2004 (see sections under Volunteer defense corps and Army rangers below) (International Crisis Group, 2007, p. 6). The BPP has moreover embroiled itself in the tit-for-tat of Deep South killings, followed by retribution killings, giving way to further killings and beyond, thus making the BPP part of the human rights problem. Ball and Farrelly (2012) demonstrate this in a table listing the assassinations in two Deep South districts from 2004 until 2011 (Ball and Farrelly, 2012, pp. 17–18). Finally, BPP are generally not recruited from the Deep South, meaning that they lack any local knowledge of the region.

From 2007 until 2021, the 44th has grown from 7 to 9 companies of troops. At the same time, since 2005, BPP in Regions 1, 2, and 3 of Thailand have been required to send troops to the Deep South in 6-month rotations (Ball, 2013, p. 296). These BPP have been used not only to bolster the work of the 44th

Sub-Division in terms of law and order functions but also to help maintain check-points. In these efforts, they are often assisted by Rangers and VDC.

### *Volunteer defense corps*

The VDC paramilitary serves the Ministry of the Interior in the Deep South. Unlike Rangers, VDC are not expected to engage in combat but rather act as guards for Interior Ministry bureaucrats and infrastructure. The VDC first entered Thailand's Deep South in 1981 as a paramilitary force supporting state interests under the Ministry of the Interior as a part of the CPM 43 counterinsurgency against communism. Until 1998, Deep South VDC operations were under the police (which in that year became transferred to be directly under the control of the Prime Minister). The VDC also functioned under the SBPAC, which Thaksin disbanded (along with CPM 43) in 2002 (viewing them as creatures of his arch-royalist opponents) (Storey, 2008, p. 37). Moreover, Thaksin's decision in 2002 to rid the Deep South of army control over the maintaining order meant that he relied increasingly on the police and the Ministry of Interior, under Thaksin's confidante Purachai Piemsombon. Indeed, VDC's strength in the Deep South "tripled between 2002 and 2004" (International Crisis Group, 2007, p. 14). The period 2002–2004 enhanced the role of VDC in keeping order, training village PGMs, and protecting state interests in the region. But with the VDC in a key auxiliary role, allegations intensified against them of corruption and human rights abuses (Ball and Mathiesen, 2007, p. 296). At the same time, with the military and rangers having been removed, the level of state operations in the chaotic South diminished. The result was a security vacuum that insurgents exploited, attacking a military base in January 2004. This exacerbation of insurrection forced Thaksin to resurrect the dominant role of the army in the region but the VDC continued to be an important part of the counterinsurgency.

The VDC have been considered useful to the state for several reasons. First, they have been perceived to violate human rights on a smaller scale than Rangers. Second, they have been perceived to be more loyal toward their superiors than other paramilitaries in the Deep South (International Crisis Group, 2007, p. 14). Third, they are a relatively cheap force to use in comparison to a regular army or police troops. With training almost identical to Rangers, VDC work obligation is 7 days followed by a 7-day break.<sup>10</sup> Fourth, like other paramilitaries, they can more rapidly be deployed to their security roles than regular security forces. Fifth, like all paramilitaries, and unlike regular troops, VDC are deployed to a single location for several years. They thus tend to be more familiar with their working environments than military and police officials, who are regularly rotated. Sixth, VDC in the Deep South have mostly been recruited locally, again giving them insights into their theater of operations. Seventh, VDC were welcomed in the Deep South as a substitute security force for a military which could not engage in counterinsurgency while also guarding public officials and buildings effectively. Eighth, for the Interior Ministry, using VDC has been quite appealing because VDC are a paramilitary exclusively under Interior Ministry control. It is no small

wonder that Thailand's 2014–2019 military junta placed retired Army Chief Gen. Anupong Paochinda at the helm of the Interior Ministry: Anupong could rein in any anti-army attitudes among Interior Ministry VDC.

Nevertheless, there are drawbacks to the VDC. First, their tasks are nearly duplicated by Rangers. Such bureaucratic mimicry can easily cause confusion and tension when members of different paramilitaries set out together on a joint mission, such as anti-narcotics operations in public areas. Second, because VDC receive little training and are not supposed to engage in combat, they are often less than effective when violent crises erupt. Third, because of low pay and lack of proper discipline, VDC have sometimes been alleged to have engaged in corruption or some human rights violations. Indeed, VDC have been accused of targeted killings as well as acting as informal hitmen for Interior Ministry superiors (Ball and Mathieson, 2007, p. 3, 295). According to some accounts, the VDC “played a secondary role in the early stages of the Krue Se and Tak Bai massacres in 2004,” in support of the Thai military (International Crisis Group, 2007, p. 14). Two other cases were documented in June 2007. Finally, like other paramilitaries, there tends to be insufficient oversight over VDC. As a result, even though they are seen to have a better reputation than other paramilitaries, there is always the possibility that some among them might engage in crimes unmonitored.

Regarding organization, VDC in the Deep South are structured as elsewhere in Thailand: At the national level, they serve the provincial governor, under the Minister of Interior, under the Prime Minister. Within every district of Thailand's Deep South provinces, there is a Security Affairs Section, headed by a Deputy District Chief. These Sections directly control VDC units. Each unit is commanded by a civilian district officer as well as an army lieutenant colonel serving as deputy.<sup>11</sup> In 2014, VDC began to be organized into district-level Tambon Protection Units (TPUs) commanded by the aforementioned deputy colonels and including 30–40 VDC and 10–15 *Chor Ror Bor* (PGMs) per TPU. Meanwhile, the military has begun giving more advanced weaponry to the VDC, and the latter's antiquated weapons have passed to the PGMs. The TPU program has led to increased cronyism as local bigwigs push for their relatives to enter the TPU system (Ashayagachat, November 23, 2014). Because the VDC is formally under the Ministry of Interior, the army lieutenant colonels commanding the TPUs help the army to influence and monitor the VDC. Moreover, despite the Interior Ministry's bureaucratic control over VDC, it is ISOC and the 4th army regional headquarters in Pattani which indirectly compel obedience from all district officials, like all other Thai regular and irregular forces (Jitpiromsri, 2013, pp. 558–559).

In the years since the exacerbation of Malay-Muslim insurgency in Thailand's Deep South, three trends in the region have directly impinged upon the VDC. First, in 2011, the Thai state decided to begin a phased withdrawal of regular military troops and police officials from the Deep South, replacing them with more paramilitaries and PGMs. As a result, the number of VDC in the Deep South has soared from 2004 until 2021. Second, allegations of VDC complicity in corruption and human rights violations have persisted. Some VDC continue to

be seen as the “muscle” for the local mafia who either are connected with or work as district officers. Third and finally, VDC have continued to be prime targets of violent attacks, most by insurgents (see, for example, Ball and Mathieson, 2007, pp. 217, 242–246).

Ultimately, VDC play a vital security role in the Deep South counterinsurgency. Nevertheless, their relevance is complemented or sometimes confused by other paramilitaries with similar missions.

### *Army Rangers*

Rangers have been a crucial part of Thailand’s counterinsurgency effort in its Deep South region. The Army initially deployed *Taharn Prabhan* to the Deep South region only three years after their genesis. Recognizing Rangers’ ease of deployment, senior army officials by 1981 had substituted as many as 80% of regular army troops for Rangers in the Deep South borderlands (and other areas of insurgency) (Ball, 2004, p. 11). With a mere 14-to-44-day-long training course, Rangers were rapidly placed in the Deep South field of action. They quickly became indispensable units in the early 2000s, confronting the Malay-Muslim insurrection. In this capacity, Rangers have operated under the jurisdiction of the Royal Thai Army, sometimes working within combined squads of regular soldiers, BBP, and VDC.

The army benefited in seven ways by utilizing Rangers in the Deep South counterinsurgency. First, if Rangers were locally recruited, there was the assumption that they would provide excellent intelligence because of their knowledge of the region, connections with locals, and possible understanding of the Deep South Malay-Muslim *Melayu* language. Unfortunately, most Rangers are not local Malay-Muslims who can speak the local language and gather intelligence about the insurgents. Second, as a light infantry paramilitary, Rangers tended to be faster and more flexible than regular army soldiers. A Ranger unit can immediately move to defend or attack a designated area while soldiers must first bureaucratically obtain approval from superiors before doing so. Third, Rangers are cheaper than regular soldiers. Though monthly Ranger salaries are higher than those for conscripts, Rangers’ salaries are lower relative to higher-ranking soldiers. Also, Rangers are not provided with yearly insurance.<sup>12</sup> Fourth, Rangers have tended to be more eager combatants than regular military officers. Moreover, while regular soldiers generally remain on base, Rangers regularly patrol throughout and around local villages (International Crisis Group, 2007, p. 8). Fifth, while regular soldiers continuously rotate in and out of the Deep South, Rangers stay in the region longer, enhancing their knowledge of the insurgency. Indeed, the state expects them to remain there for at least three or more years. Salaries have increased commensurate with the longer length of Ranger deployments in the Deep South. Sixth, as the Deep South counterinsurgency has continued, becoming seemingly interminable, more Rangers have been needed simply because there are not enough regular soldiers to effectively quash the Deep South insurrection. Seventh and finally, using Rangers was quite

appealing to the army because Rangers are a paramilitary exclusively under army control.

Despite these advantages, Rangers have had four specific disadvantages: unstable backgrounds, poor training, problems of discipline, and insufficient oversight. These issues have led to gross human rights violations often committed against the very civilians that Rangers are supposed to protect. Many Rangers were previous ex-convicts released from prison early to begin their service. Others wanted to violently avenge the deaths of relatives killed in the insurgency. Combined with what sometimes amounted to only two weeks of training, frictious competition with regular soldiers (including regular soldiers and police), as well as insufficient monitoring of Rangers in villages, this became the perfect recipe for violent intimidation of local people and what became notorious in the Deep South for carrying out brutal human rights violations (International Crisis Group, 2007, pp. 7, 8). This included reports from 1981 until 2002 that Rangers had killed many unarmed civilians, raped others, committed extrajudicial killings of suspects, and even murdered police. Rangers were also suspected to have stolen weapons from police and army depots. Following advice from police advisors, Thaksin removed Rangers from Deep South insurgency operations (McCargo, 2006, p. 49).

Nevertheless, after the January 2004 insurgent attack on a Thai army base, Thaksin declared martial law and effectively returned the army back to a position of control over Deep South policy, which meant that Rangers re-emerged as an important state auxiliary force. Thaksin deployed two Ranger Regiments (the 41st and 43rd) into the Deep South while establishing a third (the 45th) in Narathiwat (International Crisis Group, 2007, p. 6).

The 2004 return of Rangers to the region frightened many Muslims in the region given the former's sordid reputation for committing atrocities. In the years that followed, a resurgence of Ranger atrocities only confirmed these fears. Over the last 20 years, such trepidation has led to a continuing negative reputation of Rangers among Deep South Muslims, with yearly surveys of villagers finding that Rangers are a leading source of violence in the region.<sup>13</sup> The most infamous human rights incident involving Rangers was the October 2004 arresting and transporting of protestors from a police station in Tak Bai, Narathiwat back to an army base in Pattani. The 45th Regiment Rangers' loading of male protestors on top of each other in four layers led to 78 deaths, mostly from asphyxiation (International Crisis Group, 2007, p. 6). From 2005 until 2007, at least seven more Ranger atrocities were documented, including the killing of a Muslim family, the rape and murder of a Muslim woman, and the shooting up of an Islamic school (Ibid., 2007, pp.9–13).

From 2007 until 2020, the number of alleged Ranger human rights violations has continued to grow. For example, in January 2012, at Pulot Puyo subdistrict in Pattani, Rangers killed four civilians (Prachatai, February 3, 2012). Then, in March 2014, at Bacho, Narathiwat, Rangers killed three young boys (AFP, March 4, 2014). In another incident, in March 2017, at City District, Narathiwat, Rangers killed a VDC and injured two policemen (The Nation, March 7, 2017).

More recently, in December 2019, at Bongor, Narathiwat, Rangers killed three unarmed villagers at close range (Al-Hakim, December 18, 2019). In August 2020, following a bombing in City District, Pattani, protestors began to peacefully demonstrate against state policies. Days later, Rangers visited the home of a peaceful demonstration leader, ordering him to report to their camp in what was described as harassment (Prachatai, August 13, 2020). It is these incidents (and many more) that have contributed to entrenched negative attitudes by local people—bordering on fear and hatred—of Rangers in Thailand’s Deep South (as seen in the aforementioned CSCD Peace Survey).

Despite Rangers’ negative public image in the region, Thai army commanders found the *Taharn Prhan* auxiliary force to be a very useful addition to Thai counterinsurgency efforts in the Deep South. From 2004 until 2020, the number of Ranger Regiments in the region grew from 3 to 12: the 41st and 47th regiments in Yala, the 42nd, 43<sup>rd</sup>, and 44th regiments in Pattani, and the 45th, 46th, 48th, and 49th regiments in Narathiwat. Meanwhile, the 11th, 22nd, and 33rd Regiments were supposed to replace conventional soldiers from the 1st, 2nd, and 3rd Army Region sent from other regions. All of these Ranger Regiments follow orders issued by the nearby Deep South (4th Army) Sirindhorn base in Pattani province, which is also the center of CPM 43 in the Deep South. Each Regiment contains 3–5 Ranger companies of approximately 80 troops each which are commanded by a lieutenant from the regular army. Each Ranger Regiment is commanded by a colonel from the regular army. Rangers work 22 days each month and then are off for 8 days (International Crisis Group, 2007, p. 7, note 45).

In 2011, the Thai military decided to subcontract Deep South counterinsurgency operations increasingly to paramilitaries and pro-government militias. Rangers became a significant part of newly reorganized security forces. In 2016, approximately 40 percent of this military contingent in the region were Rangers, with some of those being Malay-Muslims (Pathan, October 5, 2016). This proportion has remained roughly the same in 2021 with Rangers continuing to implement army tasks—carrying out foot patrols, manning checkpoints, and other security routines for the army while acting as back-up for anti-narcotics operations for the police. Ultimately, the Rangers are a highly autonomous, yet unaccountable and feared paramilitary which answers only to the army. In 2020, 13 regiments of the Rangers were deployed in the Deep South with more than 20,000 personnel.<sup>14</sup>

### *Marine paramilitary*

Thailand’s Marine Rangers, formally under the Navy’s Marine Corps, have incrementally increased their presence in the Deep South from 2004 until 2021. There have long been approximately 800 troops stationed in the Deep South region. Some are recruited from the Deep South while others are from other regions. Following the redeployment of soldiers in 2011, more Marine Rangers were stationed here to replace them. In 2013, ISOC established a new regiment of 2,000 Marine Rangers to reinforce the Deep South marine taskforce (Nanuam, March

13, 2013). In 2016, the Navy established yet another paramilitary marine regiment to further shore up the forces in the region after the 1st, 2nd, and 3rd Army Regions withdrew elements of their regular forces. Composed of 1,600 troops, the 16 new companies were stationed in Narathiwat and Pattani (Nanuam, May 13, 2017). By 2019, Marine Rangers were already suffering more casualties from the insurgency.

### **Pro-government militias**

Like paramilitaries, locally recruited PGMs in Thailand's Deep South mostly saw the beginning of deployment during 2002–2004. Their existence offers easy wages for locals, they are perhaps the easiest force to deploy and they are more expendable even than paramilitaries. Unlike paramilitaries, they are much more informal creations of state institutions. Also, because of the ambiguous way in which they were created, this has facilitated overlap between the two principal PGMs—with cases existing where one person served as a member of both organizations simultaneously. Some join these PGMs out of deep hostility to Muslims—especially among recruits with family members killed by Muslim insurgents. Of this latter group, there are some likely motivated to oppress the Muslim population of Thailand's Deep South.

#### *Chor Ror Bor, or village development and self-defense volunteers (VDVs)*

The most prominent PGM in Thailand's Deep South are the Ministry of Interior's Village Defense Volunteers (*Chut Raksa Khwam Plodphai Moobahn* or *Chor Ror Bor*). Each VDV unit is ostensibly directed by district chiefs as assisted by village headmen. The mission is to protect villages. Regarding operational control, the VDC receive their orders from ISOC and sometimes patrols alongside Thai soldiers. They receive 3–10 days of army training. Indeed, ISOC and the Ministry of Interior officially provide shotguns, ammunition, and uniforms for each VDV unit. They can be Buddhist or Muslim and work in their own Deep South villages. V DVs only patrol at night and they are the numerically largest PGM working in the Deep South (United States Cable, February 11, 2010). The benefits of the V DVs are that they require little training, are cheap to maintain, offer an intelligence advantage (their knowledge of the local village area), provide 24-hr-security in their villages, and often have good reputations in their own villages. As for disadvantages, V DVs tend to be inept relative to paramilitaries, are often the easiest targets of insurgents, receive inadequate weapons training, practice human rights violations, and steal weapons (International Crisis Group, 2007, pp. 15–17). In 2011, it was reported that V DVs have engaged in recruiting child soldiers aged 9–16 in 13 villages (Child Soldiers International, 2011, p. 5). In 2021, there are roughly 59,000 V DVs in the Deep South.<sup>15</sup>

*Or Ror Bor, or village protection volunteers*

A second PGM operating in Thailand's Deep South today is the Village Protection Volunteers or the *Ratsadorn Asasamak Raksa Moobaan* (*Or Ror Bor*).<sup>16</sup> The VPVs were first established in 2004, when then-Queen Sirikit sought the creation of an auxiliary which would specifically defend Buddhist villagers from insurgents in the Deep South. She ordered the military to begin training to create the force (which also funded it), under then-Deputy Royal Aide-de-Camp Gen. Naphol Boonthap. While the Ministry of Interior provided many weapons, Naphol arranged for VPVs in each Deep South village to be able to purchase shotguns at a 60 percent discount from the original cost. VPV members attend a seven-day army-led training course and are told to attend five-day extra training courses twice a year. Of all the militias, the VPVs have been considered "the most troublesome" towards Muslims since the VPVs possess an exclusive Muslim membership. In fact, VPV units are often based in (and store their weapons in) Buddhist temples, a fact which has unnerved Muslim communities, damaging Queen Sirikit's reputation with Muslims (United States Cable, February 11, 2010). Since the VPV/TPV is under the jurisdiction of the Office of the Royal Aide-de-Camp and that department is under the Defense Ministry (and is enormously influenced by the palace), this PGM exists outside of the normal chain of command led by the Fourth Army Commander (International Crisis Group, 2007, p. 18). In 2021, there are at least 4,000 *Or Ror Bor* and Town Protection Volunteers in Deep South villages.<sup>17</sup>

*Other PGMs*

One unofficial PGM which has informally existed under indirect state sponsorship has been Ruam Thai or "Thais United." Initiated back in 1982, this neighborhood watch-type entity of approximately 1,000 members was almost completely voluntary and increased its operations in 2005, carrying out bombings and other acts. Under the guidance of Police Colonel Phitak Iadkaew, it offered military-style 10-day training for village people, amidst allegations that its group included 300 child soldiers (Working Group on Justice for Peace, March 2008, p. 10). This charge was denied by an ex-Ruam Thai interviewed by the authors. There were both Muslim and Buddhist Ruam Thai and cases where members of Ruam Thai were simultaneously also VPVs or V DVs. Phitak was transferred in 2007, after which Ruam Thai began to crumble. Many members migrated to the VDC or VDV in search of better wages (United States Cable, February 11, 2010). In 2021, Ruam Thai hardly exists anymore.<sup>18</sup>

Another PGM was the Luksua Chaoban (Village Scouts)—under the guidance of the BPP—which began to focus upon the Deep South conflict following its 2004 resurrection (Global Security, 2020). Thailand's previous queen gave a public talk about defending the Deep South in front of crowds of Village Scouts in 2005 (US Cable, April 26, 2005). In 2014, on the Queen's Birthday, there was a Pattani gathering of 300 Village Scouts and Boy Scouts partly organized

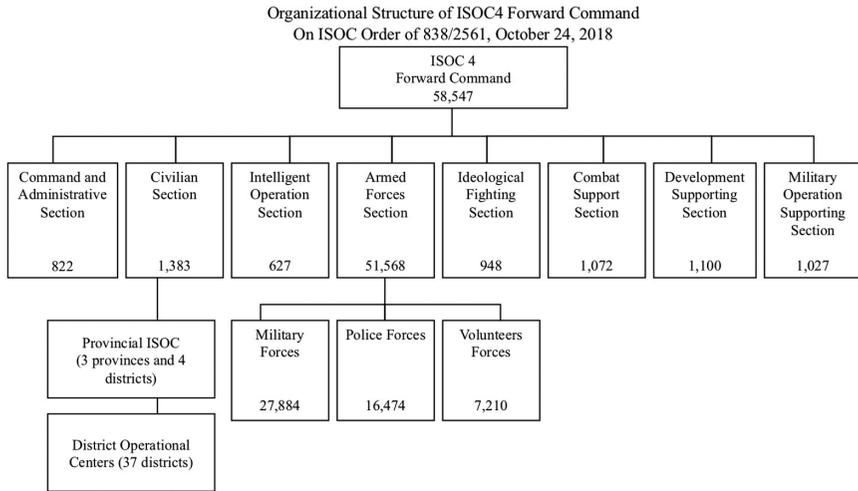


Figure 7.4 Troops serving in Thailand's Deep South (2019).

Source: Internal Security Operations Command, website, 2021, <https://www.isoc.go.th/>, [Accessed 9 January 2021].

by the BPP Scout Collaboration Center, an ISOC proxy (Manager, August 10, 2014). Nevertheless, in 2021, the Village Scouts have almost entirely disappeared from the Deep South.<sup>19</sup> Many of them exist today as VPV members.

Finally, some Deep South vigilante groups and criminal gangs have continued operating. They have reportedly established alliances with some units of paramilitaries or PGMs. For example, Deep South mafia maintains connections with some *Or Sor* (VDC)<sup>20</sup> (Figures 7.4 and 7.5).

## Conclusion

The Kingdom of Thailand has predominantly relied upon regular and auxiliary forces to consolidate the centralization of state control. The plethora of security agencies (formal and informal) offers a form of principal-agent interaction where different state actors (principals) oversee different security entities (agents) at different levels of formality and at different levels of control, representing a hierarchy that has spearheaded state formation. Thailand has prioritized the use of auxiliaries (with the military depending upon them) because of the limits of regular forces, the need to use locals familiar with the terrain, counterinsurgency budget savings, as well as preferences not to bog down too many regular soldiers in counterinsurgency theaters of operations.

This paper has examined auxiliaries in Thailand's Deep South by dividing them between paramilitaries and PGMs. Each organization is structured with differing levels of linkage vis-à-vis deployed state security forces and is associated

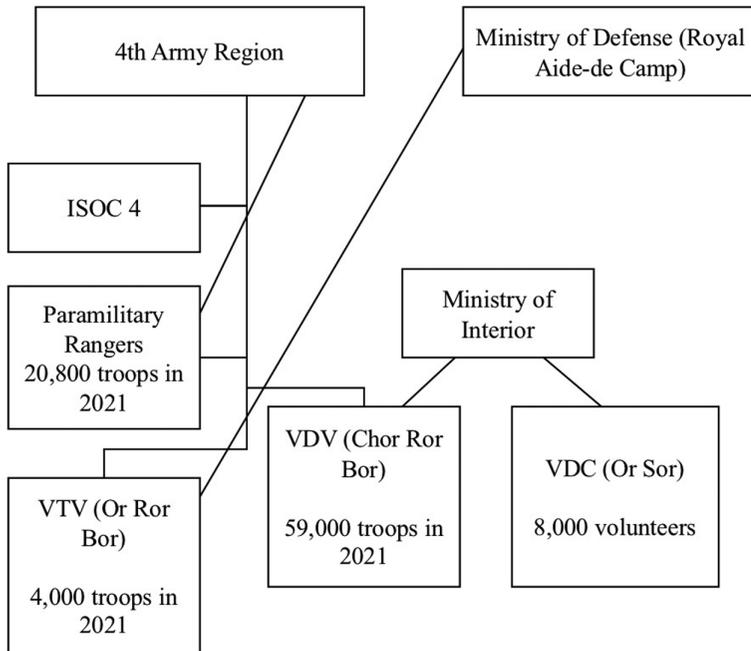


Figure 7.5 Allocation of paramilitaries and PGMs in Thailand's Deep South (2021).

Source: Anonymous personal interviews with VDC official, November 14, 2020, Southern Thailand academic, November 29, 2020, and active-duty Thai general stationed in the Deep South, December 21, 2020.

with different bureaucratic interests. Regarding paramilitaries, though they are agents of the state, they are also agents of their individual bureaucracies, with the BPP under the police (and operationally the army), the VDC under the Ministry of the Interior, the Rangers under the Army, and the Marine Rangers under the Navy. As for PGMs existing in 2021, the VDV's are formally under the Ministry of Interior while the VPVs remain under the Office of the Royal Aide-de-Camp, making them a simultaneous mechanism of the Ministry of Defense and monarchy. All are dominated by the army and ISOC. Ultimately the diversity in Thailand's auxiliaries operating in the Deep South has contributed to duplication of missions, bureaucratic overlap, and occasional confusion, leading at times to turf tensions.

In 2007 and 2011, as Thailand increasingly began to rely on auxiliary forces rather than regular troops in the Deep South, this transition in strategy placed more poorly trained and trigger-happy security officials in the forefront of counterinsurgency efforts in the region, which potentially meant more human rights violations and/or ineffectiveness. As revelations of abuses by auxiliary personnel have proliferated, Thailand's justice system has proven to be a roadblock to

prosecution. Indeed, it has been difficult to pursue cases against paramilitary officials and PGM personnel accused of legal misconduct or abuse of human rights.

If ensuring elected civilian power is the societal objective, auxiliaries should be phased out and replaced by professional police. This would be a worthwhile investment involving a state-building process which promotes the rule of law because at least the police have better judgment compared to the military. In handling mobs, police are better able to adapt and more flexible than paramilitaries or the army. This is true in terms of conflict management, crowd control, negotiations, and conflict resolution especially because the police (when they are not controlled by the army) come from the civilian sector.<sup>21</sup>

Auxiliaries will likely continue to exist in Thailand's future. This is because they help impose order; represent the lowest level agents in a pyramidal security structure legitimized by the principal monarchy; provide jobs and income for local people; are cheaply budgeted; and can be used by military officers and local bigwigs to extract rent. In terms of Informal Security Force Pathways, Thailand appears not to represent any pathway suggested in Chapter 2 of this book. The country possesses different types of Auxiliary Security Forces which will remain working as a subcontractor of the state forces. There seems to be no chance that Thai Auxiliary Security Forces will face organizational transformation.

## Notes

- 1 Anonymous personal interview with VDC official, 2020.
- 2 International sources referring to the BPP as a "paramilitary" include United States Central Intelligence Agency (1974, p. 21), Lobe and Morell (1978, pp.153-178), United States Government (1989, p. 271), Ball (2013, p. 1), and Hyun (2017, pp. 262-282).
- 3 Anonymous Southern Thailand academic, Pattani, November 29, 2020.
- 4 Prem also established the Southern Border Provinces Administrative Center (SBPAC or *Sor Or Bor Tor*).
- 5 Anonymous personal interview with Thai general stationed in the Deep South, Pattani, December 21, 2020.
- 6 Anonymous personal interview with Thai general stationed in the Deep South, Pattani, December 21, 2020.
- 7 Anonymous personal interview with Deep South human rights activist, December 15, 2020
- 8 BPP receive at least one year of training, much longer than any other paramilitary or PGM member (Ball, 2013, p. 330).
- 9 Anonymous personal interview with Southern Thailand academic, Pattani, November 29, 2020.
- 10 Anonymous personal interview with VDC official, November 14, 2020.
- 11 Anonymous personal interview with VDC official, November 14, 2020.
- 12 Anonymous personal interview with Ranger, November 13, 2020.
- 13 According to the results of a 2019 survey of local villagers by Center of Conflict Studies and Cultural Diversity (CSCD), 16.2 percent of regional violence was the fault of Rangers. This figure was only topped by individuals involved in drugs, smuggling and dark influences (25.9 percent). See CSCD, March 1, 2020.
- 14 Anonymous personal interview with Thai general stationed in the Deep South, Pattani, December 21, 2020.

- 15 Anonymous personal interview with active-duty Thai general stationed in the Deep South, Pattani, December 21, 2020.
- 16 Closely related to the VPV are Town Protection Volunteers (TPV) or Ratasadorn Asasamak Raksa Mooban (Or Ror Mor).
- 17 Anonymous personal interview with active-duty Thai general stationed in the Deep South, Pattani, December 21, 2020.
- 18 Anonymous personal interview with ex-member of Ruam Thai, December 21, 2020.
- 19 Anonymous personal interview with Thai general stationed in the Deep South, Pattani, December 21, 2020.
- 20 Anonymous personal interview with ex-member of Ruam Thai, December 21, 2020.
- 21 Anonymous personal interview with Southern Thailand academic, Pattani, November 29, 2020.

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# 8 Security governance in Southeast Asia

## Security sector reform with non-state actors

*Saya Kiba*

### Introduction

This chapter discusses the emergence, development, and maintenance of security governance and the security sector reform (SSR) process in relatively new democracies in Southeast Asia, with a focus on the Philippines, Thailand, Indonesia, and Timor-Leste. As Yasutomi describes in Chapter 1, irregular forces, including paramilitaries, pro- and anti-government militias, vigilante groups, and criminal gangs, often contribute to community security; how and to what degree this is done is dependent on specific local conditions. This is also true in Southeast Asia, and as such, security governance has included irregular forces. While irregular forces cannot be treated as one singular entity, the chapter investigates how state security institutions, governing elites, civil society organizations, local populations, and international donors have worked with non-state armed actors during the transition from the traditional practice of patronage-based local security governance to that during the post-democratization period, when SSR initiatives were adopted by governments after the 2000s.

As a starting point, the chapter explains what kinds of roles were traditionally played by various irregular forces and what conditions have allowed them to continue to exert violence and maintain endemic control of power in some areas. It then compares the conventional understanding of security governance to its application in Southeast Asia, finding that, often, state and non-state actors do not share a collective purpose or even if they do, cannot agree on how to sustain peace and order in the long term.

The second section examines how the selected countries have adopted an approach to SSR that contrasts with the conventional democratization-oriented intervention approach shared by donors via the Organisation for Economic Cooperation and Development's Development Assistance Committee (OECD-DAC) and the United Nations (UN). The conventional SSR approach regards non-state armed groups—particularly militia and rebels—as spoilers of peacebuilding. However, in Southeast Asia, these groups have been partially included in the SSR dialogue among security sector stakeholders.

Finally, the chapter demonstrates that SSR with irregular forces as governance stakeholders is feasible and practical by presenting two case studies from

the region. While some rebel groups, militias, and criminals were neutralized and disarmed through military operations and the state-led peace process, irregular forces, in general, were hardly ever the subject of elimination by either donor-driven or state-driven SSR dialogue in the selected Southeast Asian countries.

Although the author agrees that non-state armed entities should be under the legitimate control of the state security apparatus, as Hall argues in Chapter 2, this chapter also emphasizes that a more inclusive approach to SSR is a practical solution to build a consensus around what kind of reform is needed in the region. With or without foreign intervention for democracy promotion, government agencies and non-government organizations (NGOs) have been tolerant and permitting of the armed actors, creating a flexible reform agenda that is suitable to each country and area.

### **Security governance with irregular forces in Southeast Asia**

Local order and community security provided by non-state actors using coercion have been a built-in need in many countries in Southeast Asia. While this book primarily discusses middle-income countries that experienced economic growth and democratization decades ago, paramilitaries, pro- and anti-government militias, vigilante groups, and criminal gangs continue to control some geographic areas in those countries.

#### *Violence and local order*

Scholars in Southeast Asia have emphasized that due to relatively weak state capacity and the ability of social entities to mobilize militias and vigilantes within local communities to maintain control over specific areas, non-state armed actors are embedded in the local order. Migdal's series of works (1988, 1994, and 2001) on "local strongmen" has been essential in explaining local governance characterized by a competing leadership of brokers, patrons, and clients in Third World countries during the 1960s–1980s. Migdal (1988:4) notes that in most post-colonial countries, the state has been unable to fully penetrate society through either public service provision or allocation of resources. He asserts that local strongmen have succeeded at social control by "having themselves or their family members placed in critical public posts to ensure allocation of resources according to their own rules, rather than the rules propounded in the official rhetoric, policy statements, and legislation" (Migdal, 1988, 1994, and 2001).

Sidel (2013) defines the "bossism" behavior of such local strongmen to explain the persistent vote-buying, threats, and physical violence—including murders—that characterize local elections in the Philippines, Thailand, and Indonesia. The term "bosses" refers to local brokers who enjoy an enduring monopoly of coercive and economic resources within their respective bailiwicks, such as long-term mayors who run their municipalities as private fiefdoms or congressmen and governors who have built up political machinery and business empires that span entire districts or provinces (Sidel, 2013:5). Violence and intimidation are

used to mobilize local political machines, thus ensuring self-perpetuation in office through such means as vote-buying and electoral fraud (Sidel, 2013:5). He notes that in the Philippines, Thailand, and Indonesia, a pattern of local bossism has emerged and prevailed in which the state apparatus is subordinated to elected officials. While this pattern remains embedded, local electoral mobilization became much more complex, collective, and contentious after democratization, and some bosses continue to closely engage with armed actors and are involved in inter-religious or inter-ethnic violence (Sidel, 2013). The combination of a weak state and strong society (led by bosses utilizing violence) is illustrated in more exhaustive analyses of politics in the Philippines (Sidel, 1996, 1997, 1999; Hutchcroft, 1998, 1999; Thompson, 2020), Thailand (Sidel, 1996; Hutchcroft, 1998, 1999; Shatkin, 2004; Thompson, 2020), and Indonesia (Abdil, 2017; Aspinall, 2010).

All of these studies demonstrate how pro-government militia and vigilantes have been mobilized as vote collectors and interest brokers by different kinds of strongmen, party organizations, and ethnic groups. However, these irregular forces are not regarded as proactive actors who control local communities.

### *Need provision and social order by rebels, militias, and paramilitaries*

In contrast to the pattern of non-state actors using violence simply to secure positions of power, other studies provide clear examples of how leaders of rebel groups govern a particular territorial area—not by providing election-related jobs but rather by ensuring local order in the community and behaving like a de facto representative of the population. Mampilly (2011) and Arjona et al. (2015) define this as “rebel governance.” In areas of rebel governance, rebel movements represent the de facto public authority in the territory under their control and they perform acts of governing in an alternative “order” that they establish. Therefore, Péclard and Mechoulan (2015:6–7) insist that rebels need to be viewed not simply as armed groups exercising violence but also as political actors, noting that “there is (social) life beyond the logics of weapons and war-induced violence, and rulers, be they ‘rebel’ or ‘state representatives’, have an important role to play in the regulation of this (social) life.”

While rebel governance often emerges during conflict or during the state-formation process of post-conflict states, a similar phenomenon can also be observed in new democracies in Asia, where (1) rebels can dominantly satisfy the economic and/or social needs of civilians in some limited area where the state does not adequately do so, and (2) states subcontract paramilitary groups and militias to diminish or defeat such rebels.

First, in places underserved by the state, such as remote and inner-city areas, irregular forces assume the role of the state in providing public goods. Indeed, Olson (1993) concludes that rebels are able to exercise stable control over a local population only by providing some of the functions of the nation-state. Economic rewards (taxation systems) are the most important means through

which rebels obtain support for their political authority and thus can be seen as legitimate rulers. Taxation is also a crucial strategy when rebels decide to move from being “roving bandits” to “stationary bandits” (Olson, 1993).

Felbab-Brown et al. (2017) also explore how various militias and gangs in post-conflict countries contribute to and/or destabilize local order by providing some governance. They first define governance as the ability of actors to develop and enforce binding decisions upon others within the social and territorial context in which they operate. Such decisions include how to provide order (resolving social conflict or establishing a rule of law) and who has access to economic opportunity. The authors then explain the key conditions that enable non-state armed entities to maintain their position as security providers in post-democratization countries. The core contribution of their work is its careful attention to the role of political elites, who are similar in nature to the local strongmen described by Migdal. Where the capacity of the state as an institution is still weak, elites-as-individuals intentionally hinder public services in particular communities to advance their economic interests and political power. For the elites-as-individuals, who are relatively stronger than the state control, extending government services to jungles, inner cities, refugee camps, and minority communities is inherently more expensive than catering to more accessible populations. Government services are personalized and selectively distributed by such elites. They thus tend to look past poor and remote areas where political (votes) and economic (tax income) benefits are disproportionately costly to secure. In turn, the overlooked communities develop a reputation for being reluctant to cooperate with the state, giving elites even less incentive to build or maintain government presence or provide education, public health, and welfare support.

In the absence of these services, rebels and anti-government militia assert themselves, delivering both public “*goods*” (governance) and public “*bads*” (coercion). They protect “in-group” members of the community from “out-groups,” such as other armed organizations, warlords, and political elites. Once they establish effective territorial control and gain support from the local population, they are more willing to invest in local de facto governance. Irregular forces often shift from “roving bandits” to “stationary bandits,” recognizing the benefit of setting and obeying rules, respecting local customs and tradition, and pursuing a democratic consensus. They create community solidarities and local hierarchies. For these reasons, even armed groups can be seen as safeguarding the interests of local populations more than other rulers—including their state-sponsored counterparts.

The abovementioned pattern applies to governance in the Philippines, Indonesia, Thailand, and Timor-Leste, countries discussed in this chapter. Anti-government forces, such as separatist movement groups, ethnic/religious vigilantes, communist rebels, and gangs, control and, in some cases, de facto govern remote villages and pockets of territory in capital cities. These groups gradually lose legitimacy when the state-as-institution strengthens its presence to correct the personalized behavior of elites in providing—or not providing—public services.

Here we arrive at the second feature of the presence of rebel governance in Asia's new democracies: the state's attempts, although risky, to eradicate it. The state primarily relies on non-state actors for security provision and confrontation with remaining rebels, mobilizing paramilitaries, militias, and vigilantes in expectations that their military-like strength and capacity will win the hearts and minds of the local population, guerrillas, and rebel followers. Frontline operations are subcontracted by the state's armed forces to auxiliary security forces like paramilitaries and pro-government militia.

Table 8.1 shows the number of paramilitaries relative to regular forces and reservists in Southeast Asian countries. Given that there has been no state-to-state war in the region since the Cambodian-Vietnamese War, the role of these irregular forces is primarily for internal counterinsurgency operations. As Yasutomi explains in Chapter 1, while paramilitaries are contracted and allegiant to the state, the contractual relationship can be denied by the state when such forces are accused of abuse (such as illegal acts, human rights violations, corruption, disobedience, and other forms of wrongdoing). As Chambers and Jitpiromsri explain in Chapter 7, most of such auxiliary security forces are ill-trained and transactional rather than professional and disciplined. On the ground, they assist the regular forces in imposing order and represent the lowest level agents in a pyramidal security structure. Paramilitaries also provide jobs and income for the local population to undermine rebel governance.

*Expanding conventional understanding of security governance to include irregular forces*

The concept of security governance was developed to explain the relationship between state and non-state actors in the regional security management of post-Cold War Europe during the 1990s. The concept was applied to countries in the rest of the world, which do not share the same context as the original conceptualization of security governance. After the 2010s, conventional understandings of security governance have been revisited, given the security environment in the Philippines, Thailand, and Indonesia, which continue to manifest rebel governance-like order in some areas. This section explains how the idea of governance with irregular forces in Southeast Asia has been explored in that process.

Security governance attempts to explain cooperation and collaboration among state and non-state actors in effectively providing security, particularly in light of the increasing roles of regional cooperation agencies, international/transnational NGOs, and other non-state actors such as private military companies (PMCs). It was first proposed by Webber et al. (2004) as a means to analyze new security arrangements in post-Cold War Europe. They identify the concept of security governance as "involving the coordinated management and regulation of issues by multiple and separate authorities, the interventions of both public and private actors, formal and informal arrangements, in turn structured by discourse and norms, and purposefully directed toward particular policy outcomes" (Webber et al., 2004: 4), and note that it comprises five features: (1) heterarchy; (2) the

Table 8.1 Numbers of paramilitaries, regular forces, and reservists in Southeast Asian countries

	<i>Regular forces</i>	<i>Army</i>	<i>Navy</i>	<i>Air force</i>	<i>Paramilitaries</i>	<i>Reservists</i>
Brunei	7,200	4,900	1,200	1,100	Gurkha Reserve Unit	700
Cambodia	124,300 (including provincial forces of 45,000)	75,000	2,800	1,500	Police including Gendemarie	0
Indonesia	395,500	300,400	65,000	30,100	Police, Coast and Seaward Defense Command, Maritime Security Agency	400,000
Laos	29,100	25,600	0	3,500	Militia Self-Defense Forces	0
Malaysia	113,000	80,000	18,000	15,000	Police_General Ops Force, Maritime Enforcement Agency, Area Security Units, Border counts, People's Volunteer Corps	51,600
Myanmar	406,000	375,000	16,000	15,000	People's Police Force, People's Militia	0
Philippines	143,100	101,000	24,500	17,600	Coast Guard and Citizen Armed Force Geographical Units	131,000
Singapore	51,000	41,000	4,000	6,000	Civil Defense Force and Singapore, Gurkha Contingent	252,500

Thailand	360,850	245,000	69,850	46,000	93,700	45,000
						Border Patrol Police, Marine Police, National security Volunteer Corps, Police Aviation, Provincial Police, hunter Soldiers
Timor-Leste	2,280	2,200	0	80	0	0
Vietnam	482,000	412,000	40,000	30,000	40,000	5,000,000
						Border Defense Corps, Coast Guard, Local Forces

*Source:* International Institute for Strategic Studies (IISS) 2021. The Military Balance 2021.

interaction of a large number of actors, both public and private; (3) institution-ization that is both formal and informal; (4) relations between actors that are ideational in character, structured by norms and understandings as much as by formal regulations; and (5) collective purpose (Webber et al., 2004:8). The concept helped explain the changing roles and functions of regional institutions since the 1990s. For instance, the North Atlantic Treaty Organization, a collective defense body, gradually began engaging in out-of-area crisis management, and the European Union and member states have reexamined their responsibilities in the political-security domain. Thus, those two regional organizations began to coexist, compete, and share roles to prevent regional and extraregional conflict.

At the same time, the roles of international NGOs and their worldwide networks notably expanded from the realm of humanitarian assistance to that of “hard security,” namely, disarmament non-proliferation (Prince, 1998; Finnemore, 1999). NGOs led efforts to establish universal rules around issues including dealing with regional conflict, the treatment of refugees and internally displaced people, and the containment of small arms in post-conflict countries. For their part, states were willing to rely on the cooperation and resources of non-state actors, such as private security companies, NGOs, and international organizations (Krahmann, 2003:6), which had been less influential actors during the Cold War. NGOs and their networks, therefore, were able to increase their influence to enhance global governance in partnership with state actors. The International Campaign to Ban Landmines of the 1990s and the work of the Cluster Munitions Coalition during the 2000s are two well-recognized milestones of this collaboration (Price, 1998). These international arms control campaigns illustrate how medium-sized wealthy states—or middle powers—and global civil society networks are increasingly joining forces to influence the global policy agenda on issues of international law, justice, humanitarianism, and development (Bolton and Nash, 2010). Such collaboration echoes the World Bank’s discourse on good governance and social accountability (World Bank, 2009), which is crucial to its development agenda. By the 2000s, it was, and continues to be, widely accepted that non-state actors contribute to the successful maintenance and development of sovereign states—including developing countries.

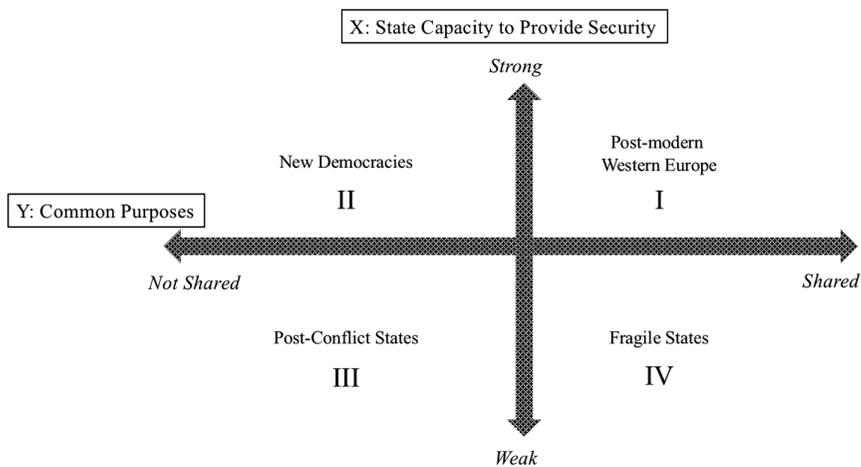
Having been conceptualized in the context of European states, security governance assumes that the central government initially monopolizes the security role, and that role is gradually shared with various non-state actors. Although state and non-state actors are linked in heterarchical and cooperative relations, sovereign states remain at the core of the arrangements. Years later, this assumption has been critically reexamined by scholars working in countries where non-state actors, including irregular forces, have been playing major, not supplementary, roles in maintaining local order using violence and coercion and, in some cases, providing economic and social services in particular local communities (Boege et al., 2008; Schroeder et al., 2014). This phenomenon is common both in post-colonial and post-conflict states. For instance, Ebo (2007) argues that in West Africa, given the alienated nature and structure of the post-colonial state, non-state actors emerged to contest and engage with the state in the governance of

security (Ebo, 2007:54). He asserts that the typical West African state can rarely be described as having a “monopoly of the means of force” and therefore, any viable understanding of security governance must necessarily extend beyond state security institutions to include a variety of irregular forces, which are non-statutory, informal, invisible, and often armed.

***Security governance in Southeast Asia: an alternative understanding***

Discussions acknowledging the role of irregular forces enabled scholars to develop an alternative understanding of security governance in Southeast Asia that reflects the realities of the region, specifically the states’ lack of complete monopoly over the use of legitimate force. The most salient feature of this alternative understanding is that, unlike the conventional assumption in Western Europe that NGOs and PMCs share a “collective purpose” (Webber et al., 2004:8) to maintain long-term peace and stability in a geographically large area (often beyond one nation), in new democracies, non-state actors are not always in accord with the government and indeed may have serious reasons to oppose the state. Scholars note that while the weakness of the state or the existence of non-state actors alone do not make a significant difference, the lack of shared values among the state and non-state security providers can create instability in security governance in new democracies and post-conflict countries.

Adachi (2018) creates a typology to compare security governance in (1) post-Cold War Western Europe, (2) new democracies, (3) post-conflict states, and (4) fragile states. In Figure 8.1, the *x*-axis represents the state’s capacity to provide



*Figure 8.1* Mapping security governance.

*Source:* From De-Westernization and Reconstruction of Security Governance Theory (Adachi, 2018, p.12), modified by the author.

security and the *y*-axis represents the degree to which the state and non-state actors share a common purpose in securing peace and order.

In the first quadrant, the state effectively monopolizes power, and state security provision is supplemented by NGOs or PMCs that share the state's strategy of how to maintain peace and stability in the region.

In the second quadrant, the central government is functional and state security sector actors, such as the police and military, maintain peace and order to some extent. However, traditional/informal non-state security providers remain and do not necessarily share the state's approach, for example, failing to adopt transparency and accountability measures. In order to fully provide security, the state security sector collaborates with these actors on an ad hoc basis, but doing so comes with risks of damaging good governance. Adachi claims that new democracies such as Sri Lanka, the Philippines, Turkey, and Colombia are included in this quadrant.

The third quadrant represents post-conflict nations where state capacity to provide security is relatively low. Rebel governance—in which rebel rulers do not share the same purpose or interests in securing order as the government—is more prevalent here. Adachi mentions Afghanistan, Iraq, and Kosovo as examples in this quadrant. State and non-state actors in this quadrant may agree to ad hoc collaboration to confront a common enemy (such as violent extremists or terrorists) on a short-term basis, but they will likely never share a long-term vision of how to maintain peace and order.

In fragile states, located in the fourth quadrant, the central government accepts foreign donor intervention and rebels gradually become more cooperative with state actors. Adachi points to Mali and Sierra Leone as sample cases in which an agenda of democracy, freedom, human rights, or war on terror raised by international actors matches the needs of local civilians, and the rebels, therefore, compromise with the state and refrain from using arbitrary violence.

Drawing on Adachi's typology, we can describe security governance in new democracies in Southeast Asia as follows. First, the state security apparatus (including the military, police, and court system) works to some extent, and various ethnic, religious, and ideological insurgency groups retain territorial control in some areas where the state-as-institution cannot fully provide a sense of security to local populations. Second, in order to eradicate such armed rebels, the state subcontracts counterinsurgency operations on the ground to poorly trained auxiliary security forces. These forces may violate rules posed by the state or, in some cases, may be created precisely to depart from such rules without incurring negative consequences to the state.

### **Irregular forces: target of reform or stakeholders of good governance?**

This section examines how disarmament of irregular forces has rarely been a subject of SSR after democratization in the four selected Southeast Asian countries of the Philippines, Indonesia, Thailand, and Timor-Leste. In these countries, SSR

has included, rather than eliminated, non-state armed actors, clearly departing from the SSR methodology widely shared and mainstreamed by peacebuilders in post-conflict states.

It is noted that the Philippines, Indonesia, and Thailand have not been typical targets of conventional SSR despite the persistence of armed conflict. These countries have experienced reform initiatives to the extent that donors have provided financial and technical assistance for the democratic restructuring of the military and police, which confronted the vested interests of the existing security apparatus members to some degree (this occurred to a much more significant degree in Timor-Leste). However, it is still worth reviewing how a series of democracy- and liberalism-oriented SSR concepts have been developed and criticized in the context of peacebuilding in these countries.

Following such a review, case studies from the selected countries demonstrate that implementing SSR with the broad participation of armed groups is feasible and practical. This draws a picture of SSR that contrasts with the conventional understanding that SSR should either correct rebel behavior or dismantle their groups because they are spoilers.

### *SSR and irregular forces in liberal peacebuilding*

SSR policies have been developed, shared, and standardized by donors and policymakers attempting to create a coherent and comprehensive approach to security promotion in fragile states. Such policies, therefore, reflect the general and standardized approach of the democratic countries of aid providers.

Security promotion efforts such as SSR and the Disarmament, Demobilization, and Reintegration (DDR) of former rebels are widely considered essential to peace support operations and state-building. During the Cold War, disarmament and demobilization schemes and police reform activities were directed primarily at veterans of both state forces and rebel forces and, in some cases, liberation or guerrilla movements. As multilateral and bilateral involvement in peace support operations expanded in the 1990s, security promotion efforts expanded in dimension to include, for example, civilian police attachments to UN peace support operations and a growing emphasis on judicial reform. In the 2000s, security interventions focused not only on enhancing and extending service delivery but also on ensuring civilian and democratic accountability over the entire security sector by strengthening the rule of law, enhancing transparency in procurement and budgeting, training in human rights and the use of force, and investing in community policing (Nat and Muggah, 2009).

The SSR Handbook developed by the OECD-DAC (Organisation for Economic Co-operation and Development—Development Assistance Committee) in 2007 distilled lessons learned and good practices from around the world. It defines SSR as a means to enhance the ability of countries to encounter the security and justice challenges that they face in a manner “consistent with democratic norms, and sound principles of governance and the rule of law” (OECD-DAC, 2007: 21). This definition was also reflected in the

UN Secretary-General's 2008 report on the role of the UN in supporting SSR (Ban, 2008).

According to this definition, SSR does not simply enhance the state's capacity but also enhances democratic norms and the rule of law in each country. The main goal of SSR is, therefore, that security forces act in a way that represents the interests of a broad enough portion of the population, thus building trust and legitimizing rule, not simply allowing the state to monopolize power.

This assertion of norms via an intervention policy sometimes leads to friction between the global actors (international organizations, donor governments, and international NGOs) and the local actors and populations (Björkdahl et al., 2016), for example, when donors impose certain "democratic values" on the government and society of the recipient country. This becomes particularly problematic when it comes to liberal peacebuilding, which, according to Paris (1997), promotes the principles of market democracy and peace through political and economic liberalization. However, such ideas are often rejected by recipient countries and locals, who share no common rules, institutions, or organizational cohesiveness with the outside entities promoting such ideas. Numerous scholars have criticized the implementation of liberal peacebuilding in the past few decades, recognizing the importance of traditional and bottom-up approaches in the face of colonialist viewpoints that overlook local contexts, needs, and conditions (see, for example, Chandler, 1999).

Bagayoko et al. (2016) propose a framework of hybridity to empirically analyze how security governance works and for whom, based on a critical understanding of how formal and informal state and non-state systems overlap, interrelate, and interpenetrate at complex levels in Africa. The framework is particularly useful when analyzing states that are severely dependent on external support for security sector capacity-building and operations (Bachmann, 2012). Similarly, Boege et al. (2008) illustrate how an alternative security concept has been promoted in northern Mali through "processes of assimilation, articulation, transformation and/or adoption in the context of the global/exogenous – local/indigenous interface" (Boege et al., 2008:7).

### *Selecting co-operators and enemies*

The confrontation between international intervention based on liberal peacebuilding ideas and locals intensifies during DDR initiatives. Many donors perceive irregular forces not as security governance stakeholders but rather as threats or "spoilers" (Stedman, 1997). Sperling (2009) outlines the various threats caused by non-state actors, including not only state-targeted threats of terrorism but also society-targeted threats of cyber-vandalism, human trafficking, drug trade, and small arms proliferation. To neutralize such nationwide or transnational threats, various studies have been conducted on the attributes, dynamics, and sources of funding for terrorist groups, criminal groups, and drug syndicates (see, for example, Stanton, 2015; Curran et al., 2020).

How to incorporate threatening and dangerous actors into the peace process and encourage DDR has been widely discussed among the donor community

(see, for example, United Nations University, 2015; World Bank Group 2018). The basic consensus is that, while irregular forces should be somehow recognized as security providers and included in the peace process, they should also be subject to reform in the end. As such, policies that can be summed up as “without reform, no engagement” or “without DDR, no participation” are widespread. Once irregular forces abandon their arms and return to citizen life, they can be embraced by the post-conflict reconstruction and rehabilitation process and receive a peace dividend.

Conversely, empirical studies of post-conflict countries find that the complete elimination of rebels leads to stagnation of the peacebuilding process (Ricigliano, 2005; Denney, 2012). Baker and Scheye (2009) recommend that international intervention efforts take into account that irregular forces may have a better understanding of the sentiment and needs of the population than the police. It has also been pointed out that isolating organizations that do not participate in the disarmament process is risky (Shibuya, 2012).

Working with irregular forces can have wide-ranging potential benefits. For instance, the OECD recognizes non-state justice systems as an informal conflict-mitigation mechanism that not only metes out punishment but also provides a sense of security and justice for a community. Some crime prevention groups, religious, tribal, clan, and political party police are therefore embraced by donors as partners in peacebuilding (OECD, 2007).

However, both donors and state actors should be careful and selective when dealing with anti-government militia, vigilantes, and gangs. Various recommendations have been presented to both donors and recipients on how to integrate or exclude irregular forces from security provision roles to ensure successful peacebuilding. To sum up the literature, the essence of three key recommendations is discussed with sample case studies.

The first recommendation to donors is to recognize the risk of working with irregular forces. For example, Denney (2012), who has observed SSR cooperation between national and non-state actors in Sierra Leone, warns that the behavior of the irregular forces is often unpredictable, and they may use violence with illegally possessed weapons. Donors from democratic countries should keep their distance from such actors in order to retain accountability to both the local community and their taxpayers.

Second, donors should “utilize” local NGOs in collecting sufficient information before examining how to deal with the irregular forces on the ground. They should work closely with local NGOs that are familiar with the basic nature of the different irregular forces. Community-based organizations can also provide useful information about which irregular forces have the potential to cooperate with donor projects (Denny, 2012, p. 4). Donors that do not have a regular presence must rely on local NGOs to act as intermediaries in identifying the potential risks and opportunities of working with irregular forces. In their study of anti-landmine eradication campaigns in Nigeria, Burundi, Sri Lanka, and Myanmar, Hofmann and Schneckener (2011) note that international NGOs should regard irregular forces as “cooperators” rather than “enemies.”

Third, donors should encourage recipient governments to monitor the activities—particularly the use of violence—of the irregular forces and ensure the legitimacy of the state institutions as the subject of aid projects (Baker and Scheye, 2007, p. 520). Donors should provide funds as an incentive to bring irregular forces into the fold (Denney, 2012, p. 3; Lawrence, 2012, p. 15). In doing so, donors must support national and non-state actors to enable the functional division of roles rather than cause a fight over legitimacy (Wulf, 2007, p. 19).

All of such recommendations must be the most practical to impose security promotion in post-conflict states. However, the authors of this book critically view the attempt of donors and recipients to selectively integrate or exclude irregular forces in the SSR. First, outside donors (who must be accountable to groups that often have agendas and needs quite different from those of local populations) playing a disproportionate role in determining how and under what norms security is provided is inherently flawed. They should not be the ones who select “cooperators” and “enemies.” In that sense, leaving decisions to local NGOs is the better option.

### *Localized SSR practice in Southeast Asia*

The good news is that practices in new democracies in Asia point to an alternative approach to SSR that reflects the local and traditional context of security governance. In short, it is more inclusive, flexible, and process-oriented, rather than focused on institutional reform.

The Philippines, Indonesia, and Thailand have adopted SSR for decades. The main targets of restructuring have been the armed forces, the police, and the justice sector. State security providers, particularly the military, have functioned under authoritarian regimes for decades, while civil-military relations have left much to be desired. Democratization and SSR attempts have partly enabled the security sector to work under the democratic control of the civilian agencies. However, the Philippines, Thailand, and Indonesia continue to lack “objective civilian control” (Huntington, 1957) today, with the military often attempting to subordinate civilian political leaders and intervene in important decisions on foreign and military policy (Huntington, 1995).

While SSR has been regarded as essential to achieving a successful transition from authoritarianism to democracy in Southeast Asia, during the transitional period, governing elites in each country exploited SSR to their advantage, undermining the main goal of a reform “consistent with democratic norms, and sound principles of governance and the rule of law” (OECD-DAC, 2007, p.21). Therefore, the type and manner in which each country adopts SSR highly depend on the roles played by political elites, who have vested interests in the security sector—particularly, how they, through civilian bodies, monitor and control the different security providers.

In tracing the implementation of SSR in Southeast Asia (specifically in the Philippines, Thailand, Indonesia, and Timor-Leste), Heiduk adopts a

“whole-of-government approach” to analyze the role of all actors, both military and civilian, involved in the security sector (Heiduk ed., 2014; Heiduk, 2015). He not only assesses the role of government and military generals but also discusses how SSR is interpreted and subsequently implemented, focusing on whether there has been a transition from policy to practice. He concludes that security sector-related reforms in those countries have quickly become enmeshed in national power politics, and their scope, as well as their success, has relied on interpersonal loyalties and patronage networks between the respective political leadership and the armed forces. As a result, civilian control over the military remains insufficient in all four countries (Heiduk, 2015:19). Croissant et al. (2013) also note that in post-democratization countries in Asia, the degree of civilian control highly depends on the “strategic actions of political actors and how they relate to the structural, ideological, and institutional environment in which civilian and military elites interact. (Croissant et al., 2013: 202).

A book edited by Heiduk (2014) and Hernandez (2014) claims that implementing SSR in Southeast Asia was a foreign policy tool of the UK and other countries in the OECD-DAC from the late 2000s to the early 2010s and, as a part of this, they began organizing consultative groups and providing training programs for academic, government, and civil society stakeholders. Although such a process requires a global/exogenous–local/indigenous interface, at least in so-called SSR or SSG programs, militias, vigilantes, and gangs, as well as the local strongmen who used to benefit from them, were not the main subject of elimination and reform. (They were, however, targeted by military counterinsurgency, counterterrorism, and peace talks efforts by the government, which this book does not focus on.) Both Heiduk (2014) and Hernandez (2014) conclude that the SSR process in Southeast Asia is path-dependent and local ownership-oriented, valuing traditional and personal networks of the local elites and state security sector. The book edited by Heiduk provides more details of SSR in different countries as follows.

In the Philippines, civil-military relations are highly clientelistic. Even after democratization in 1986, civilian governments have tried to consolidate and secure civilian supremacy in governance; however, the governing civilian elites have continued to extend informal government acquiescence to military autonomy, particularly in the arena of internal security. Although all past administrations have partly succeeded in expanding the oversight capacity of the executive branch, civilian elites maintained relations with senior officers to consolidate their personal power bases (Chambers, 2014). It is important to note here that the Benigno “Noynoy” Aquino administration (2010–2016) took several measures to professionalize and reorient the armed forces toward an external security posture (Lee, 2020). The Internal Peace and Security Plan (*Bayanihan*) of 2011 legitimized the military’s support role to the government’s peace initiatives in conflict areas of Mindanao, the southernmost region of the Philippines. According to the Plan, the military was to rely on cooperative relationships with local stakeholders in all its activities toward the goal of turning over internal security responsibility to local governments and effecting an institutional shift toward an external security role (Hall, 2016).

However, elite-dominated and clientelistic governance and the lasting insurgencies remain obstacles to establishing civilian authority over the military (Lee, 2020).

In Thailand, security assistance from the United States has been targeted at military effectiveness and developing professional skills since the Cold War period. Thailand did not experience any external pressure, either regionally or internationally, to push for SSR according to the OECD-DAC guidelines. The proclamation of the “war on terror” in 2001 enabled the military to overcome pressure for institutional reform, particularly when the army was deployed in Thailand’s deep southern provinces to combat anti-government rebels. The case of Thailand illustrates that SSR is possible only when the respective actors benefit politically from inducing such reforms. In general, no political camp is willing to campaign for civilian control over the armed forces because everyone more or less relies on support from the security organizations when they are in power (Kocak and Kode, 2014).

In Indonesia, NGOs have been involved in SSR in the post-authoritarian period (after 1998) as a watchdog of the security sector. Throughout the 2000s, they participated in the debates surrounding the National Security Act, the hand-over of military businesses, and the revision of the Law on Military Tribunals, but growing resistance from state institutions and donor reluctance to fund NGOs slowed the reform process (Scarpello, 2014). Mietzner (2013) demonstrates that while SSR progress in Indonesia has been the subject of heated debate both in Indonesia and in Western capitals, SSR has been superficial and contains many shortcomings, not the least of which is allowing the armed forces to remain a highly problematic institution. Although the armed forces have lost many of their previous privileges, the military has been able to protect its core institutional interests by successfully fending off demands to reform its territorial command structure, which is the institution’s primary source of political influence and off-budget revenue (Mietzner, 2006, 2013).

The experience of Timor-Leste differs from the other three countries. SSR was implemented as part of the UN state-building policies. Unfortunately, the global/exogenous–local/indigenous interface during the past 20 years has not incubated localized reform initiatives by the Timorese but has rather nurtured local skepticism and “international adviser fatigue” (Lemay-Hebert, 2014).

## **Reform and good governance practices with irregular forces**

Some initiatives show that moderate inclusion of irregular forces in security governance may stabilize and neutralize illegitimate use of violence in the region.

### *Promotion of security sector governance by DCAF*

The Geneva Centre for Security Sector Governance (DCAF) has promoted the concept of security sector governance (SSG) worldwide, as an alternative to SSR. Under its former name Geneva Centre for the Democratic Control of Armed Forces, the organization began SSR promotion in 2000 to enhance democratic

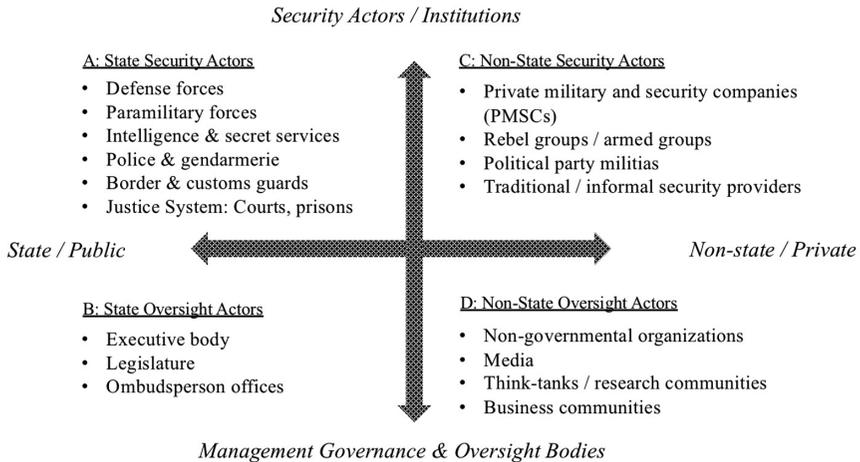
control of armed forces in new democracies, providing advice and training to the military and police, training members of parliament, and hosting expert meetings around the world. DCAF's handbook for parliamentarians, *Parliamentary surveillance of the security sector* (Fluri et al., 2003), has been translated into various languages, including local languages in Asia.

However, as Heiduk (2014) points out, as the root cause of insufficiency of civilian control lies in the resilience of interpersonal loyalties and patronage networks, it does not make much sense to demand reform of only the security institutions. Recognizing this, it presents the alternative concept of SSG, which may be applied not only to vulnerable and post-conflict countries that require international intervention but also to emerging democracies and countries where democracy is already established. DCAF defines SSG as “the process by which accountable security institutions supply security as a public good via established transparent policies and practices” (DCAF, 2020). Democratic oversight performed by a range of stakeholders, including democratic institutions, government, civil society, and the media, can improve the accountability of security institutions.

Narrow definitions of the security sector that focus only on state security providers while excluding security oversight and management are not compatible with SSR. However, DCAF broadens its definition to include all actors involved in security provision—both state and non-state, legal and illegal (DCAF, 2012: 7–9). By recognizing that the state is not the only provider of security and justice in many countries, such a definition provides a clearer and more accurate picture of the actual security dynamics that affect state and human security. Whether or not non-state security and justice providers are included in the security sector depends on the national context.

Figure 8.2 illustrates four groups of actors involved in the security sector, either providing security or performing oversight functions. State security providers ([A]) are the security institutions established by the state and authorized to use force on behalf of the state. The use of force includes the threat to use force and the limitation of certain basic rights under specific circumstances defined by law. DCAF clearly states that the use of force by non-state armed actors ([B]) can affect public and national security for all people and the state; thus, the goal of SSR is to bring their use of force under legitimate state control within a framework of rule of law and respect for human rights. This involves disarming irregular forces, ensuring that they operate according to the law, and, depending on the situation, bringing them before the law (DCAF, 2012). By acknowledging the role of irregular forces in providing security and including them in the security sector, it is hoped that not only all security providers will be held to account by the oversight actors but also all actors ([A]–[D]) will oversee each other.

Figure 8.3 details the range of actors that can be included in definitions of the security sector. When implementing its SSR/SSG programs in Southeast Asia, DCAF applied the broadest definition depicted in Figure 8.3. Together with the Germany-based Friedrich-Ebert-Stiftung organization, DCAF held Inter-Parliamentary Forums on Security Sector Governance in Southeast Asia



*Figure 8.2* A comprehensive definition of the security sector.

*Source:* From the Geneva Centre for Security Sector Governance (2012: 3), modified by the author.

(IPF-SSG) from 2006 to 2017 to support the role of parliaments in security sector governance. The forums promoted peer review and dialogue among parliamentarians and interested stakeholders of the region. The past 17 forums have involved 300 participants, including members of parliament, parliamentary staff, government and security officials, academic experts, and civil society representatives from Cambodia, Indonesia, Malaysia, Myanmar, the Philippines, Singapore, and Thailand (IPF-SSG 2016). Some forums were organized as a side event of the Association of Southeast Asian Nations Parliamentary Assembly.

To ensure open and cross-national dialogue and networking with more partners, DCAF invited parliamentarians, military officers, and police officers from some authoritarian countries and democracy-backsliding countries such as Myanmar and Cambodia. When the Thai military took control by a coup in 2014, DCAF invited retired military officers. It is fully understood among the core participants of the Forum that authoritarian leaders will close off their dialogue window once they are criticized by other countries for ill governance of the security sector.

The Forum featured country workshops and task force meetings that address specific issues of parliamentary oversight of the security sector, such as national security policy development, defense budgeting and procurement, police governance and police reform, and judicial reform. Participants from the Philippines, Thailand, and Indonesia included armed forces officers, police officers, parliamentarians and staff, NGO activists, journalists, and leaders of traditional organizations. The Forum adopted a “break-the-silo” approach to bridge different sectors, particularly among military and civilian or state and non-state actors.

Organizers and participants in several forums and country workshops in the Philippines and Thailand in 2014, 2015, and 2016 stressed to the author that

	Narrowest	Narrow	Broad	Broader	Broadest
<b>Not compatible with SSR</b>					
State security providers only e.g. police, armed forces, intelligence, etc.					
+					
State security providers AND security oversight and management bodies, including civil society and justice institutions involved in oversight e.g. parliaments, ministries, courts, ombuds-institutions, women's groups, academia, media and others					
+					
State justice institutions closely linked to security provision e.g. actors in criminal justice or entire justice sector					
+					
Non-state security and justice providers e.g. commercial security providers, community security groups, customary justice providers					
+					
External actors supporting national SSR efforts e.g. in transition or post-conflict contexts					
+					
Armed non-state actors e.g. armed groups that use force to achieve political or criminal groups outside the remit of state control, including criminal or political organizations					

Figure 8.3 Narrower and broader definitions of the security sector.  
Source: From the Geneva Centre for Security Sector Governance (2012: 9).

they tried to avoid using the term “democratic control” or “reform,” which may potentially offend those managing the security system in non-democratic ways. They were equally tolerant of those who support a military junta and those who justify territorial governance and use of force by non-state armed actors. They tried to avoid the “legitimacy” question to leave the door open to all.

Ultimately, DCAF-as-donor expects institutional reforms such as national accountability and information disclosure, administrative transparency to gain public trust, constitutional legal action, and citizen participation in decision-making. However, such a goal-oriented approach to SSR is not welcome in the region. There is no proof that a process-oriented dialogue as practiced in the forums can eventually enhance good governance by legitimate and accountable actors in the region. However, an approach that understands and accommodates the existing context in new democracies, including the autonomy of different sectors and the role of the locally valued elite network, may imply a new shape of security governance in Southeast Asia that differs from security governance heretofore practiced in post-conflict countries. After a decade of lessons learned, DCAF decided to expand a similar approach of knowledge sharing to both South Asia and East Asia in 2019. The author is engaged in the DCAF effort in East Asia as a country secretariat (SSG Associate) of Japan.

### *Inclusive community policing in Mindanao*

Another example of a security governance approach that includes irregular forces is a community policing (CP) program sponsored by the British Council in Mindanao. The beneficiaries of the project included supporters of the anti-government rebel group, the Moro Islamic Liberation Front (MILF). This case provides useful lessons for future SSR efforts tailored to local circumstances in the region, particularly in areas where rebels are present. In the program, a Manila-based NGO played a significant role in facilitating links among the British donor, a city mayor, city hall bureaucrats, and local populations in a pilot area.

In CP, residents work with police to implement local crime control measures and solve various problems related to local safety, with an emphasis on mutual communication and fostering trust through collaboration between residents and police (Trojanowicz and Bucqueroux, 1999; Bureau of Justice Assistance, 1994). CP originated in Chicago in the 1950s and is now being introduced in post-conflict states and emerging democracies where police capacity is low and corruption is high. Reducing the hostility and skepticism of local populations toward the police is expected to contribute to the democratization of the police organization (Neild, 2001; Fielding, 1995). According to Thacher (2009), the purpose of CP cannot be achieved as long as illegitimate and less accountable actors are substituting the police and therefore “community policing without the police” is meaningless (Thacher, 2009). In other words, militias, vigilantes, and criminal gangs are a barrier to trust-building between the police and the general public.

The case discussed in this section is rare in that supporters of the MILF, the largest rebel group in Mindanao, were allowed to participate in CP programs.

In 2014, the Philippine government and the MILF signed a Comprehensive Peace Agreement on the establishment of the Bangsamoro Autonomous Region. This peace process demonstrates that DDR is not linear; reintegration support for the former MILF fighters was provided before their complete disarmament (Makinano and Lubang, 2001; Lara Jr., 2012).

The British Council, a non-profit agency in the United Kingdom, conducted a CP project from 2015 to 2018 to improve the capabilities of the soon-to-be-established Bangsamoro police. A Manila-based partner NGO, Security Reform Initiatives (SRI), recommended including MILF supporters as participants of the CP program. SRI is an advocacy NGO that promotes SSR/SSG in the Philippines. When the Armed Forces of the Philippines entered a partnership with *Bantay Bayanihan*, a network of community-based groups and NGO under Benigno Aquino III's administration (2010–2016), SRI worked a secretariat role of the network.

The British Council and SRI, together with local NGO staff and community volunteers, conducted focus group discussions to ensure that the CP project is relevant to the contextual reality of the target areas (British Council, 2016). The process revealed that residents living in MILF-dominated areas were at risk of violence when they show some sympathy and appreciation for the armed groups. For example, one informant confessed that “CP is great, but I thought that educating the police alone would not calm down the violence as long as there were armed members in the community” (Anonymous, 2018, author's personal communication, February 26, 2018).

From the second year onward, 50 police officers in Parang Municipality, Maguindanao, were trained by a British expert on CP. They learned how to treat residents, properly operate police stations, standardize service provision, consider religion and culture in dealing with constituents, and handle seized weapons. The relationship between MILF, other rebels, and the police was a crucial problem. For example, when traveling to remote areas on duty, police officers usually do not wear uniforms in order to protect their personal safety because some rebel members start firing the gun when they see the police. However, a daily informal communication mechanism between the rebels and the police allows the police to inform the rebels of travel schedules in advance, for example, sending a message that “I will visit you tomorrow, but I will not do any harm,” thus helping to alleviate any conflict. It may sound strange that police care for such armed groups; however, such coordination is essential. The mayor of Parang Municipality confirmed that after the implementation of the CP program, both the police law enforcement capabilities and the trust of the residents toward the police improved.

It may also seem odd that one of the largest visible fruits of the project was not the reduction of crime or conflict but rather the development of a list of requests from residents to the police (British Council, 2016). When the author conducted on-site research in February and March 2018, there was no testimony that crime or armed conflict had decreased. Improvement in the relationship among the police, residents, and some of the rebels was seen as an achievement. While such an

approach is hardly adopted by donors as it is time-consuming and the project outcome is difficult to visualize, it is widely welcomed by the local government, police officers, and local residents, including the rebel supporters, and creates momentum toward seeking a common purpose and means to maintaining peace and order.

### **Conclusion: Southeast Asian SSR and pathways of the irregular forces**

This chapter discusses the localization of SSR programs in the Philippines, Thailand, and Indonesia. Although these programs have been criticized as undermining institutional reform to ensure civilian control, they have achieved a certain level of success in terms of sensitizing state and non-state stakeholders to the need to share common purposes on how to maintain community security and local order in the long term.

In Southeast Asia, states suffer from the absence of shared long-term perspectives on how to sustain peace and order. Local populations are receiving benefits from insurgency groups and militias in areas where the state cannot deliver full public services. Insurgency groups fill this vacuum and control certain territories by providing rebel governance in some areas.

Although the Philippines, Indonesia, and Thailand have received security assistance from and implemented SSR programs funded by external entities, there has been no significant confrontation between global/exogenous and local/indigenous actors in the SSR process. Without major external pressure, the SSR programs were highly localized, process-oriented, clientelistic, flexible, and inclusive, leading to both positive and negative consequences to stable security governance. This is in contrast to the conventional approach to SSR, which concentrates on the formal arrangements of the state institutions and attempts to strengthen mechanisms of civilian control, parliamentary accountability, and professionalization of the police. Some SSR dialogues and programs, such as CP, therefore have been permitted by irregular forces.

It shows that SSR/SSG has never been a driving force to disarm, demobilize, or restructure irregular forces. It rather benignly ignored the illegitimate violence exercised by the armed groups. As discussed in Chapter 2, there are diverse pathways of different irregular forces in Southeast Asia; however, the state-driven or donor-driven SSR/SSG does not determine the pattern of their fate.

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## 9 Conclusion

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### **What do we know about irregular forces: Roots, varieties, and relations to the state security apparatus**

Many of the irregular forces covered in this book are local formations, originally existing at the village level in response to local threats or as simple stand-ins for police that are mainly absent in many peripheral areas. The pro-government militias in Thailand's Deep South, the martial arts groups (MAGs)/ritual arts groups (RAGs) in Timor-Leste, and the Pancasila Youth, which were pro-Suharto gangs in Indonesia, were once loose organizations that, over time, gained more robust structure and expanded network as a result of deliberate state efforts. They were either made into auxiliaries of the state army or brought into its ambit for operational collaboration against state enemies. The Pancasila Youth under the Suharto-regime and militias in Indonesian-controlled Timor-Leste were closely linked to the army and were directed against the opposition. Gangs in Indonesia as well as the pro-government militias in Thailand's Deep South were initially utilized to suppress communist groups and suspects employing violence in demonstrations and killings and confiscation of party assets. These groups were later transformed into neighborhood watch associations, acting as informal security guards with strong links to the army command. The MAGs and RAGs in Timor-Leste, which are locality-based, borrow from the same playbook. Composed of university students, elites, and poor youth, they have been organized by the Indonesian occupying authorities as a way to reign in the young population and undertake dirty jobs. In Thailand, the government organized auxiliaries and militias under bureaucratic control of the military and police to subdue a separatist insurgency in the Deep South. In the Philippines, the militias were routinely mobilized against Muslim secessionists and communist rebels.

This umbilical cord between irregular and statutory forces varied widely in terms of formality. On the informal scale, during the 2006 troubles in Timor-Leste, statutory forces distributed firearms to irregular forces acting as proxies to those in the power center. Pro-government militias in Thailand's Deep South were used by the army as local listening posts against Muslim separatists and as places to stash weapons. Village defense volunteers were directed by the district chief and received orders from the army's intelligence center. Since 2014,

pro-government militias have been integrated into district-level protection units alongside auxiliaries and led by an army officer to whom civilian district officials *de facto* report. The number of pro-government militias continues to swell as the Thai national government increasingly relies on them rather than on regular forces. Similarly, in Timor-Leste, the MAGs/RAGs were absorbed into community policing councils effectively embedding them in a cooperative arrangement for local public safety. In the Philippines, the national government intermittently “recycles” irregular forces into auxiliaries, shifting policy from formal absorption (as in the case of private armed groups-turned-civilian volunteer organizations) to declaring them illegal. Often, the government simply turns a blind eye to local authorities’ “peace and order” groups or “peace-centered community,” which are actually private armies or armed retinue of local commanders. Regardless of their grey classification, the government tolerated their existence (i.e., not become targets of law enforcement) and/or actively utilized these groups to provide local security.

In terms of resource profile, village-based militias draw from the same recruitment and financing pool as rebel groups. Overlapping memberships, fluid identities, licit and illicit incomes characterize these groups. A conflict-affected environment drives recruitment in general to irregular forces, as do kinship and ethnic identities. In the Philippine Bangsamoro area, clan relations and victimization from clan wars underpin recruitment into private armies and organized crime. Similarly, militias in Thailand’s Deep South have targeted recruitment among villages with Buddhist populations and those with family members killed by Muslim insurgents. Local Pancasila Youth groups and MAGs/RAGs in East Timor were natural magnets for poor rural people seeking jobs or access to illicit incomes, whether extortion, racketeering, or kidnapping from which high returns are expected.

### **What happened to them? Pathways**

Irregular forces in Southeast Asia thrive under changing political environments that offer a variety of incentives for organizational evolution. Democratization in Indonesia and Timor-Leste provided fertile ground for new violent entrepreneurs to emerge, resulting in rivalries for control of territory. While such instability largely subsided in 2000, the initial effect was to take away membership from existing irregular forces such as Pancasila Youth. But the same also offered opportunities for formal political participation as Pancasila Youth was transformed into vote-getting machinery for political parties, later becoming its own political party. While Pancasila Youth’s ill reputation resulted in a lackluster performance in the polls outside of Java island, politicians look to Pancasila Youth as a counterpoint to Islamic conservative groups. As with ex-leaders of the Armed Forces for the National Liberation of East Timor (FALINTIL), high-profile Pancasila Youth members individually ran for and were elected into office, some even given ministerial and top positions in parliament. This unprecedented political access in turn enabled the organization to secure government

projects and provide jobs to its members, thus continuing its clientelist role. For Timor-Leste, the proximity of veteran groups to ex-FALINTIL politicians enabled support for and finally legal backing for securing pensions and symbolic recognition.

The organizational adaptation for many of the irregular forces compelled a shift toward non-violent resources (money, network, and popularity) as coercion becomes less important in democratic politics. The objectives and means of sustaining the organizations have also shifted toward the electoral arena. Alongside, the irregular forces leveled up, that is, extending their influence from local politics to national politics as their membership grew. From an organization in the Suharto-era comprising thugs, hoodlums, and delinquents given mandate to organize nationally, Pancasila Youth membership roster changed to professionals and law graduates with established local branches. Its funding base, drawn from both licit and illicit business activities, expanded accordingly. By having their own in local elective posts, irregular forces gain access to the government budget, permits, and concessions. Underpinning this organizational growth is a recruitment strategy premised on cadres engaging in security business and construction, which then are used to offer jobs to the unemployed casual workers and delinquents. Membership is also extended to politicians, bureaucrats, and entrepreneurs. In so doing, the irregular forces recast their images no longer as those of thugs, hoodlums, and human rights violators, but a legitimate nationwide organization focused on students and women, with a nationwide registry and a growing corpus of local political figures into their roster. Key to this resource base widening is their linkages with like-minded external actors, particularly leaders in parliament, national ministries, and political parties, which also ensures policy concessions that extend benefits to their members (e.g., veterans' pensions, symbolic recognition).

But the organizational transformation into normal politics has been uneven or had it been an easy ride for many groups. Some, like FALINTIL veterans and some MAGs/RAGs in East Timor, followed a political party track early on by acting as vote machinery for existing parties, forging an alliance with another party, and then later establishing their own. Others simply remained an irregular force, with individual members joining the government and later acting as brokers between the government and their followers. Formal ties with the parliament and informal ties with irregular force members underpin patron-client links. The move toward formalization (i.e., becoming a party) is also subject to shifting policy treatment by the government. Government accommodation of preferred outcomes makes independent party creation unnecessary (as in the case of Pancasila Youth in Indonesia) while government crackdowns on the armed segment of the irregular force push party formation as a way to ensure the survival of the organization (as in the case of MAG K-7 in East Timor). The RPA-ABB and MILF in the Philippines formed political parties with a clear goal of capturing political power in the local/regional government, while keeping their armed wings, which the government simply ignored or actively used in fighting other enemies. Irregular force-turned-political parties face a daunting

challenge from an intergenerational leader shift. As older veterans give way to younger recruits, it is not certain whether they can muster sufficient appeal to garner votes.

The irregular forces covered in this book show surprising adaptability to changed political milieus. The trajectories of these Southeast Asian irregular forces indicate that they do not entirely shed their organizations' violent nature even while they participate in non-violent political processes. In many cases, the "armed" segment of the organization is retained although increasingly less salient to the group's image or functionality. Philippine rebel groups MILF, MNLF, and RPA-ABB, which have standing peace agreements with the national government, have evolved in such a station, in the absence of a definitive normalization or DDR program. RPA-ABB transformed into a community defense group in areas they control in Negros Island, some individual members reportedly working as private armed groups for powerful landowners. It even formed the Abang Lingkod party list, which won seats in the 2013 House of Representatives elections. The MILF meanwhile became part of Joint Peace and Security Teams (with military and police) and have been involved in several joint operations with the former, particularly against the ISIS-linked terrorists. At the same time, it formed the United Bangsamoro Justice Party in 2014, ahead of the scheduled Bangsamoro Autonomous Region for Muslim Mindanao (BARMM) elections presumably in 2022. MNLF units in the areas of Basilan and Sulu in Mindanao have also provided operational support to government forces in anti-terror operations, while at the same time participating in schemes to implement government infrastructure projects in conflict-affected areas.

The one case where the pathway goes in a reverse direction, that is an intensification of the armed component of the organization, is the pro-government militias in Thailand's Deep South. With the intensification of the national government's armed campaign and the army's stronghold in Thai politics, pro-government militias are increasing in number and becoming more formally integrated into the army's counterinsurgency plan down to the village level. Unlike in previous dispensations where pro-government militias were under competing command-and-control structures (various ministries, district versus army), them being placed in village protection units directed by an army officer lends to their more systematic utilization for counterinsurgency operations. The village militias and private armies in the Philippine communist and Bangsamoro theaters do not exhibit these tendencies, as many retain their pragmatic and informal links to the military and still are able to maintain a modicum of independence in terms of their internal structure and resource base. Their fluidity, which rests for the most part on the government's wishy-washy policy stance toward them and opportunities dangled before them in pursuit of "peace" (i.e., inclusion in reintegration benefits, participation in government projects implemented at the local level) invests militias and private armies with more diverse pathway options. While militias and private armies in the Philippines' Bangsamoro area are not directly covered by any of the peace agreements (targeting MILF and MNLF which are signatories), their ability to operate is affected by these political developments.

## Ways forward

This book puts forward a new understanding of the diverse nature of irregular forces and offers practical solutions on how states and donors can work with them in a more inclusive and flexible manner. The book illustrates pathways of transformation as organizations, premised on a different understanding of their use of violence. Whereas prior literature tended to consider them as “spoilers” or simply “bad people,” which should be weakened, dissolved, or rehabilitated, we found a more optimistic scenario.

Legalization and institutionalization of such forces are not effective solutions to soften their violence. The better way is to focus on the increasing possibility of their accountability by working with state and other non-state actors. Their experience in each society may strengthen their adaptability to the changing environment.

They are often considered stakeholders in security governance in the national and local contexts. This book argues that, despite and indeed because of the existence of the variety of irregular forces, both elected political elites and security sector institutions were able to foster pragmatic policies and arrangements for counterinsurgency, provision of public goods, and control of social violence. In Thailand, for instance, the police and military highly depend on statutory paramilitaries for frontline combat operations. In Indonesia, the governing elites, particularly President Jokowi, have been supported by the political machinery of the non-state gangs and militia.

Legitimacy does not matter as it is hard to define in which context violence by non-state actors is allowed or justified. Legitimacy questions highly depend on the local context. The Thai paramilitary is legal and they are clearly under the command and control of either the Ministry of Defense or the Ministry of Interior. However, such a structural diagram does not guarantee that their activities are appropriate. They commit human rights abuses on the ground and few local media/NGOs expose such wrongdoings. Their abuse of the community is hardly made public and punished. It is just convenient for state agencies to subcontract such dirty works to lower-ranking ill-trained paramilitary members. The same applies to Indonesia. As Okamoto argues, categorizing organizations and groups based on whether they are legal or illegal can be misleading, as many operate within a grey zone of permissibility. Indonesian gangs show that there are organizations that are “illegal and permissible” groups whose existence as well as operations and/or businesses are illegal and involve violence and/or extortion, but their organizations and business are tolerated by the state. Given this, the more important issue is not whether or not they are legitimate but rather how they can be transformed into more accountable partners to the state and community. The book tries to map out the pathways for such transformation of the irregular forces.

There were acknowledged limitations to the studies. First, it is not realistic to expect irregular forces to bear accountability to the same degree as state security forces. While they can be made answerable for their actions through

pressure from their communities and from external actors from which they derive their legitimacy, such does not come with legal sanctions, given their informal nature. They remain out of legal reach. Second, the studies did not include an inquiry into the factors leading to the irregular forces' positive transformation, that is, toward less violent and more accountable behavior. There are many factors affecting the fortune of the irregular forces; it is impossible to identify what is the driving force toward the path of moderation without statistical analysis.

However, the cases suggest that the irregular forces themselves have adapted to the change of political environment. They are much more open and flexible than the images described in previous studies. In peacebuilding literature, the roles of local NGOs are highly valued—they discipline the community members and rehabilitate “bad people” to be good citizens. The cases of the irregular forces in the book illustrate more varieties in the transformation processes. Some leaders and organizations proved their quick adoption to newly introduced institutions such as electoral reform and change of leadership. They are not passive actors who are mere subjects of reform. They have been proactively adjusting their organizational behavior to be more accountable partners of the state, NGOs, and community members. Many opportunities remain in working with those actors more effectively and transparently.

This new understanding of the shifting nature of irregular forces can be considered in other countries where security governance is substantially supported by non-state violent groups. The more experience irregular forces gain in collaborating with government agencies, the more incentive they may have to be more accountable and transparent.

## Final thoughts

Our research also provides practical solutions both to the state agencies and foreign/external actors who are engaged in security governance in Southeast Asia.

First, to the state, the book can suggest that the future security sector reform and governance (SSRG) *with* irregular forces should be designed in line with accountability, not institutionalization. For instance, the paramilitary in Thailand does not need institutional reform. What is absent is an oversight mechanism to make them answer for their actions on the ground. The cases of Mindanao, the Philippines, show that it is still possible that the police, military, and local government bodies build confidence with different armed groups.

Second, to the external actors such as foreign state agencies and international NGOs, a more inclusive SSRG approach is recommended. It is not feasible to exclude them from donor-funded projects such as capacity building for the security sector. Chapter 8 demonstrates that SSRG with irregular forces as governance stakeholders is feasible and practical. In Mindanao, the British Council led a pilot project of community policing, including the MILF in training/workshops. There are very few examples that act like this. While the MILF officially asks the embassies of Western countries, for instance, to accept their “study visit” to the

capital to learn from the good practice of community policing, it must be difficult for the Western police agencies to accept MILF visitors because they are not legitimate. However, this book suggests a more generous evaluation of their positive transformation. Even though they are still non-state, irregular, and armed, they can contribute to society as seen in the different pathways.

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