Policies of the Thai State towards the Malay Muslim South

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INSTITUT DE RECHERCHE SUR L'ASIE DU SUD-EST CONTEMPORAINE
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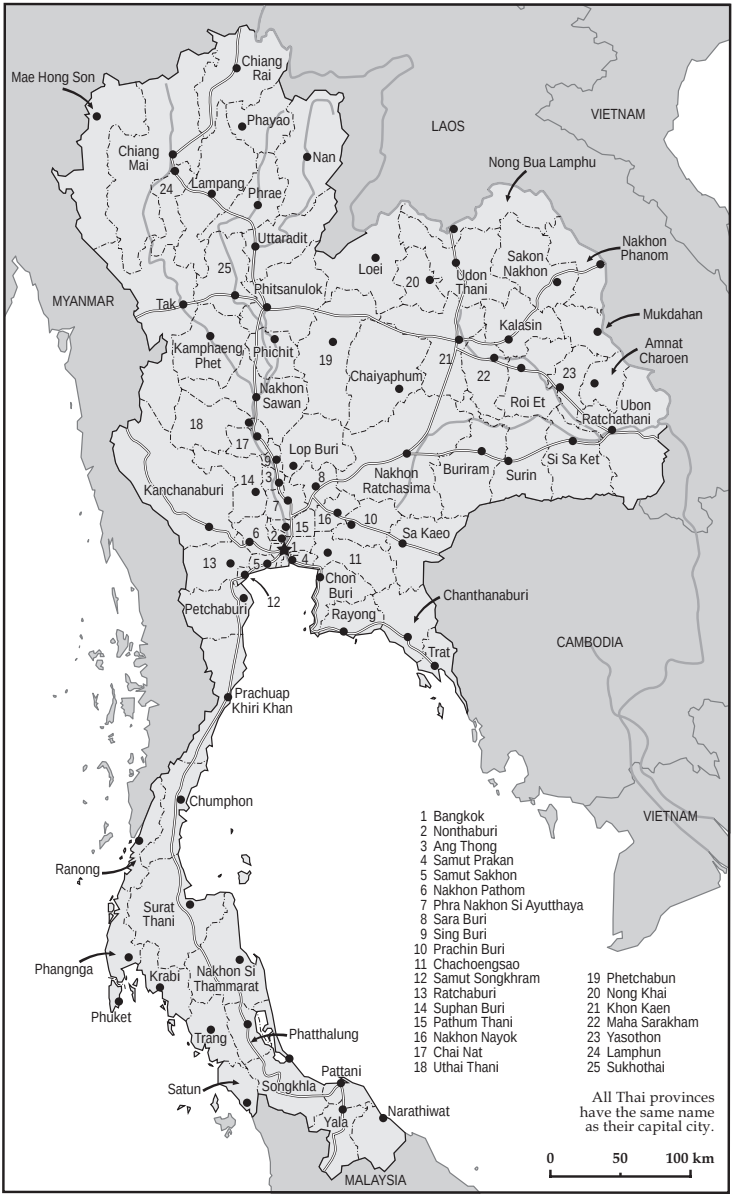
The Authors

Arnaud Dubus has been working in Thailand since 1989 as a correspondent for Radio France Internationale, the French daily, *Libération* and the Swiss daily, *Le Temps*. Arnaud has been following the situation in Southern border provinces since 1993 and has written several Thai cultural books, among which are *Armée du Peuple, Armée du Roi* (with Nicolas Revise, Irasec/L'Harmattan, 2002) and *Thaïlande. Histoire, société, culture* (La Découverte, 2011).

Sor Rattanamanee Polkla is a lawyer working in the Human rights field since 2001. Rattanamanee has been especially involved with justice issues in the Southern border provinces and is the coordinator of Community Resource Centre (CRC), an NGO based in Thailand which is a local partner of the Asian Human Right Commission (AHRC) based in Hong Kong. She graduated from the Faculty of Law at Thammasat University, Bangkok.

Thailand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All Thai provinces have the same name as their capital city.
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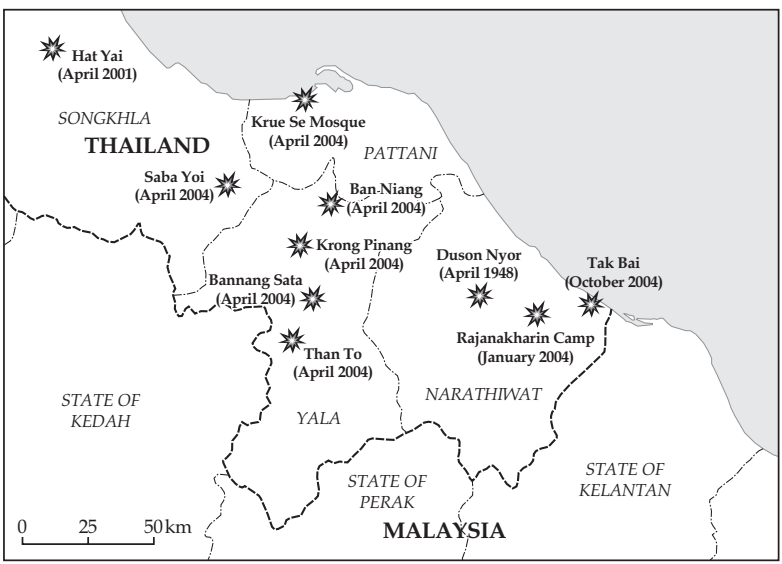
The Southern Border Provinces of Thailand
(Songkla, Pattani, Yala and Narathiwat)

Main Incidents in Southern Thailand



Introduction

It was one of these landmark special programs at the Foreign Correspondents Club of Thailand, on the top floor of the Maneeya Centre Building, in the upscale commercial heart of Bangkok, where Major General Pichet Wisaijorn was the exclusive guest speaker on that evening of November 2009. Many of the journalists, both Thai and Foreign, were present and Khun Roong and the other staff at the bar were working non-stop, dropping pizza here and glasses of dark beer there. Expectations were high. Pichet was the Fourth Army Region commander, which includes the three "problematic provinces" of Pattani, Yala and Narathiwat, plus a few unruly districts in the Songkhla province. Since 2003, thousands of people, rubber tappers, insurgents, traders, school teachers, civil servants, police officers, military personnel and some foreigners had been killed in a maelstrom of violence linked to what was officially called the "separatist insurgency" by the authorities as well as linked to the mafia culture prevailing in this region. The trafficking of women, drug peddling, extortion, smuggling of palm oil and cheap electronic items from Malaysia have always been rife in the deep South. This mafia culture is prevailing in many of Thailand's 77 provinces, but the total breakdown of law and order in the South makes it worse.

Many in the audience were thinking that General Pichet would deliver some answers to the most important questions which have puzzled journalists, businessmen and other residents for years: who leads the insurgency? What are their objectives? How the movement is structured, or is it even structured at all? What is the division of power between the Southern Border Provincial Administrative Committee, the armed forces, the local administration and the central government? Have

there been any attempts to negotiate with the insurgents? But the presentation of Pichet was rather disappointing. What is the direction of their policy? Pichet repeated the royally endorsed recipe: *khao chai, khao teung, pattana* ("understand, reach out and develop"). With its supreme and unquestioned wisdom, this "magic formula" is supposed to throw the listeners in deep awe and reverence.[1] But the mantra had long become a poor PR tool to answer the questions of journalists and diplomats on field visits in *sam changwat pak tai*, the three provinces of the South.

Pichet also spent a large amount of time explaining the virtues of some organic fertilizer which is doing miracles in Southern rubber trees plantations. Then, if trees can grow stronger and faster than anywhere else, why should the Malay Muslims of Southern Thailand be unhappy? What crisis? Everything is getting back to normal thanks to this organic fertilizer and royal wisdom.

That same year, as Thai military were doing strenuous efforts to fertilize the three provinces ungrateful soil, more than 1,000 people were killed, in connection, according to the police, to the insurgency. But things were never that straightforward. For instance, the killing of an old monk and two pagoda's boys in October 2005, in a Buddhist temple in the Panare district of Pattani province, had been presented by the Thai media, especially the TV – all controlled by government and military except the public channel Thai PBS – as an audacious attack against Buddhism by Muslim separatists. Local sources had another explanation: one of the pagoda's boys had a personal conflict with a Malay Youth who was among the raiders. But these factual circumstances were lost somewhere between the Panare Temple and the Bangkok editorial offices. For the average Thai Buddhist, watching the Thai TV channels without questioning the validity of the source, Buddhism was besieged.

Even if we consider that half of the violent incidents are actually crime related and have no actual connection to politics, the number of killed is still staggering: over 4,500 people between January 2004 and

[1] Prawase Wasi, "*สามเหลี่ยมดับไฟใต้, พระราชอำนาจชาติไทย และไฟใต้*" [The Triangle to Extinguish the Fire in the South], *in The Power of the Thai State and the Fire in the South*, Open Books, Bangkok, 2005, p. 267-294.

February 2011, according to deep South Watch; a Pattani-based independent organization monitoring the violence. The question that must be asked is why Pichet, who receives a huge budget to solve the "Southern issue",[2] was speaking about this organic fertilizer and not about the military strategy to counter this wave of political killings? More than merely cynicism, it was probably a desire to project a "positive image", to save face.

It reminds me of a Public Relations Department (basically, the propaganda tool of the government) sponsored trip in the three provinces in 2007. We – a group of around thirty Thai and Foreign journalists – were taken in a red zone, where, according to officialdom, the implantation of militants is the deepest. There, we were given a guided visit of a "sufficiency economy project" in a Malay Muslim village of Narathiwat province where fish ponds, pig dung powered lighting and aromatic rice were creating a harmonious existence. "As you see, said one of the charming and helpful PRD ladies, these villagers are happy. They are used to a simple life, and they just need what is necessary for their daily life. They are not interested in politics". As we were about to leave, one of the Malay villagers summoned his courage and told us, in full view of Thai military officers: "Don't believe them. They are just lying. The situation here is terrible".

The policies elaborated by the Thai State to confront the unrest in the Southern provinces have been based on the perception and assessment of the situation by the central authorities. And, as is often the case, perceptions are creating their own "reality". It is only when we see these policies implemented on the ground that the misconceptions and weaknesses they contain become visible. It is the experiences drawn from these hard lessons that are supposed to be used in order to improve future policies. This study aims at reviewing the policy documents on the South of the successive governments, from 1978 to 2010, and to analyze the implementation of these policies.

In the first chapter, we will expose and discuss the seven demands introduced in 1947 by the local Muslim leader Haji Sulong. Although the history of the troubled relationships between the region and the Thai

[2] The overall military budget for the Southern Border provinces has amounted to 199 billion Baht between 2004 and 2010.

central State goes back much further into the past, this event marked the first time the demands of local Malay Muslims were clearly and formally articulated. This starting point will serve us as a reference for the following chapters and allow us to see how far the central State, in each period, has been able to take into account the local viewpoint. We will also describe the different power structures – political, administrative and religious – relevant to the southernmost provinces. The second chapter deals with the period between 1978 and 1998, when the successive policies concerning the Southern border provinces were elaborated by the Office of the National Security Council (ONSC). The next chapter takes into account the change in approach of the National Security Council in its 1999-2003 policy paper.

After 2003, the National Security Council stopped to write a specific policy document on the Southern border provinces, but only dealt briefly with the issue in its general National Security Policy documents. In parallel, the government of Thaksin Shinawatra took the lead from 2002 in establishing and implementing policies in the South. Thus chapter four is divided in two parts: a first section analyzes the general policies of the National Security Council as well as a confidential assessment document produced by the military in 2006; the second section focuses on policy implementation.

Chapter five will consider the policies after the 19th September 2006 coup d'Etat which overthrew Thaksin, with one section devoted to the administration of military appointed Prime minister Surayud Chulanont and the later section devoted to the government of Abhisit Vejjajiva, formed in December 2008. Finally, in the last chapter, we will review a few initiatives of civil society groups which are trying to contribute to finding a solution to the conflict.

Chapter One

Historical Background and Organizational Framework

1 - The Historical Context and the Seven Demands of Haji Sulong

The seven demands articulated in 1947 by Haji Sulong[3], a respected local Muslim religious leader who studied at Mecca and was on good terms with the democratically minded Statesman Pridi Banomyong (Regent from 1942 to 1946 and Prime minister from March to August 1946), were rooted in long lasting grievances of Malay Muslim leaders vis-à-vis the Thai State. Several scholarly works have reinterpreted the historical setting of these demands, which have acquired a kind of sacred status in the local narrative of the Pattani history. According to one thesis, the demands had not been elaborated on the basis of a widespread consultation with the local residents of the four provinces, but were devised during a meeting of the Islamic Committees of the four provinces – Pattani, Yala, Narathiwat and Satun – and held in Yala. If we go along with this interpretation, it is possible that this apparent lack of consultation somehow reduced the "demands" credibility and that they were more a reflection of the desires of the local elite rather than of the

[3] Omar Farouq, "The Origins and Evolution of Malay Ethnic Nationalism in Southern Thailand", *in* Taufik Abdullah and Sharon Siddique (eds), *Islam and Society in Southeast Asia*, ISEAS, Singapore, 1987, p. 262-263.

local population as a whole.[4] However, even although formulated without the widespread consultation of the local population, the fact remains that these demands were a reaction to an official assimilation campaign and many years of brutal oppression that Malay Muslim villagers suffered at the hands of local government officials, as vividly reported by the British journalist Barbara Wittingham-Jones in October 1947.[5]

The seven demands, which essentially were a request to re-establish an autonomous region for the Muslim South, were:

- The appointment of a person with full powers to govern the four provinces of Pattani, Yala, Narathiwat and Satun. This person must have the power to fire, suspend or replace all local civil servants. This person must be a native of one of the four provinces and must be elected by the inhabitants of the four provinces.
- 80 per cent of all civil servants in the four provinces must be Muslim.
- The Malay language must be an official language alongside the Thai language
- The teaching in primary schools must be done in Malay
- Muslim laws must be recognized and implemented under the aegis of an Islamic court, separated from the civil court where the *qadhi* (Muslim judge) is seating as an assistant.
- All taxes and incomes collected in the four provinces must be used locally.
- The establishment of a Muslim affairs bureau with full powers to manage Muslims affairs under the authority of the governor mentioned in the first point.[6]

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[4] Chaloemkiat Khunthongphet, *ฮะยีสุหลง อับดุลกาเดร์... กบฏหรือวีรบุรุษแห่งสี่จังหวัดภาคใต้* [Haji Sulong Abdulkader… Rebel or Statesman of the four Southern Provinces], *Matichon publishing*, Bangkok, 2547 (2004).

[5] Barbara Witthingham-Jones, "Patani-Malay State Outside Malaya", *Straits Times*, 30th October 1947. The article was partly republished in the monthly analysis bulletin *Focus Asie du Sud-Est*, No. 5, 2nd year, May 2007.

[6] Uthai Dulyakasem, "The Emergence and Escalation of ethnic Nationalism: the Case of the Muslim Malays in Southern Siam", *in* Taufik Abdullah and Sharon Siddique (eds), *Islam and Society in Southeast Asia*, ISEAS, Singapore, 1987.

They were presented on 24th August 1947 by Haji Sulong, on behalf of the Malay-Muslim population of the South to a commission sent by Bangkok to investigate the complains of Malay Muslim about the abuses of power by local government officials.[7] The petition made clear that its intention was not to violate the Siamese constitution but to create better conditions of living for the Malay Muslims. An important point is that these demands were not a set of unilateral requests thrown together by the locals for the government to accept or reject. As shown by political scientist Thanet Aphornsuwan, the "demands" were the result of negotiations between the two sides: the representative of the Thai government (Luang Thamrong Sawat) and Muslim leaders from Pattani.[8] Therefore, the document was based on an initial agreement and sent to the central government for further consideration.

In the historic context of post war Southern Thailand, Pridi Banomyong, a man impregnated with democratic values due partly to his French education in the 1920s at the University of Caen, could have well accepted Haji Sulong's demands, and then tried to deal with the unavoidable military outcry. However, Pridi was worried by the distinct possibility that Southern Thailand would be reunited to Northern Malaya under the British, as Great Britain insisted, after the Second World War, that Thailand should be treated as a defeated enemy. Henceforth, he thought necessary to try to win back the support of the Malay Muslims of Southern Thailand, and he even indicated that he could allow autonomy.[9]

That was, in substance, what Haji Sulong was asking for in the four southern provinces; there was clearly no intention to secede from Thailand. Rather than secession, he favoured political integration with the Thai State by participating in elections. During the 1946 national legislatives elections, he supported Charoen Supsaeng, a Buddhist

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[7] Farouq, p. 262.

[8] Thanet Aphornsuwan, *ข้อเรียกร้อง 7 ประการ ของขบวนการปัตตานี: ความหมายและนัยทางประวัติศาสตร์* [The Seven Demands of the Patani Movement and their Historical Significance], paper presented at the conference "The Phantasm in Southern Thailand: Historical Writings on Patani and the Islamic Word", Chulalongkorn University, Bangkok, 11-12 December, 2009.

[9] James Ockey, "Elections and Political Integration in the Lower South of Thailand", *in* Michael J. Montesano and Patrick Jory (eds), *Thai South and Malay North*, National University of Singapore Press, 2008, p. 133.

candidate, who was elected, winning over a Muslim opponent, and became an MP of Pattani province. Within the Malay Muslim leadership, a different faction saw independence as a possible alternative. This current was led by Tengku Mahyuddin, who, during the Second World War, had organised a resistance movement against the Japanese and the Phibun government in the deep South.[10]

Haji Sulong, the Inspirational Scholar and Activist

Haji Sulong's legacy has been dominating the Southern region for the last 80 years. Even after his brutal death, in 1954, Haji Sulong remained an inspiration for generations of Malay Muslim religious leaders and activists. Born in 1895 in the village of Anak Rhu, in the *monthon* of Pattani,[11] Haji Sulong bin Abdul Kadir belonged to a well off and pious Malay family. After finishing basic religious education in a *pondok* of Pattani, his father sent him, when he was 12 years old, to Mecca to further his studies. Haji Sulong was such a brilliant student in both Arabic languages and religious matters that after finishing his studies, he opened a religious school in Mecca where students from all over the world came to follow his teachings.

During a visit in Pattani in 1927, Haji Sulong was so shocked by the poverty and the pitiful state of the religion that he decided to stay so that he could contribute to a better practice and knowledge of Islam. He first crisscrossed the region as an itinerant Islamic teacher and, after a few years, became so popular that he was asked to open his own *pondok* in Pattani. His religious school opened in 1933, with financial support from Phraya Phahol, the first Prime Minister of the "democratic government" after the overthrow of the absolute monarchy in 1932.[12] His success and the purified form of Islam he was advocating put him at odds with some traditional *toh kuru*, or Islamic teachers. Phraya Ratnapakdi, the last Pattani governor under the absolute monarchy, too, became his foe.

After the war, the relationship between the central State and Malay Muslim leaders, which had deteriorated during the nationalistic regime of Phibun Songkhram, improved despite a few disagreements, as for instance, on the issue of the appointment method of

[10] *Ibid*., p 131.

[11] At that time, according to King Chulalongkorn administrative reforms, the Greater region of Pattani (the current provinces of Pattani, Yala and Narathiwat) was regrouped under an administrative unit called "circle" or *monthon*.

[12] Thanet Aphornsuwan, "Origins of Malay Muslim "Separatism" in Southern Thailand", Asia Research Institute, Working Paper Series No. 32, Singapore, October 2004, p. 16.

Islamic judges. Haji Sulong established, as we have seen, a good relationship with Statesman Pridi Banomyong; both men were from the same generation and shared the same ideas about modern democracy. But despite this friendship, the seven demands introduced by Haji Sulong and the other Malay leaders in April 1947 antagonised the Thamrong government, who was advised by Pridi. All seven points were rejected by the cabinet because "the existing form of government is appropriate; to arrange it into a kind of *monthon* is not suitable since it would divide [the land]".[13] Disappointed and confronted with an increased repression by the officials in the South, Haji Sulong stepped up his campaign on the issue of Islamic judges (the *dato Yuttitam* or *qadhi*) and led a boycott against the appointment of judges by the government. This boycott, and Haji Sulong's close links with exiled leader Tengku Mahyiddin, led the police to suspect him of being a separatist. Furthermore, Phraya Ratnapakdi, Haji Sulong's old foe, returned as the Governor of Pattani after the 1947 military coup. This led to his arrest in January 1948 and to his disappearance in 1954.

The Old Market in Yala city (Photo François May, March 2011)

[13] Ibid, p. 34.

Some issues, mentioned in the demands, were directly connected to religion, like the one concerning the Islamic courts. Islamic laws on family (marriage and divorce) and inheritance had been abolished by the Phibun Songkhram government in 1944. The Islamic judge (*qadhi*), who was seated in the civil courts to advise on matters involving Muslims, had also been suppressed. The consequence had been that no cases were filed by Malay Muslims in Thai civil courts in the South until 1947. Most of the Muslims were simply crossing the border and going to the Islamic courts in the States of Northern Malaya.[14]

The first post war government led by Khuang Aphaiwong, and advised by the Regent Pridi Banomyong, engaged a policy of appeasement and restored the conditions which were prevailing before the Phibun's first government (1938-1944). Friday was again considered as a public holiday. Family and inheritance Islamic laws were restored in 1945. Islamic courts were re-established, but with a judge from the Ministry of Justice sitting alongside the Muslim judge to co-sign the decisions. The following year the *qadhi* was reinstated within the Thai civil court, but as an official of the ministry of Justice (*i.e.* appointed by a non-Muslim), which created tensions with the Malay Muslims leaders, especially with Haji Sulong. Nevertheless, the policy of Islamic patronage led by Pridi Banomyong had smoothen relationships between Southern leaders and representatives of the Thai central State, which made a mutually acceptable compromise look possible, especially after Pridi became Prime minister in March 1946.

Not long after, the tide turned on the advances made in the reconciliation process. Pridi's grip on power was weakened by the waves provoked by the mysterious death of King Ananda Mahidol, killed by a bullet to the head in June 1946. In November 1947, a military coup forced Pridi to leave the country. Accused of conspiracy in a separatist movement, Haji Sulong was arrested in January 1948, three months before Field marshal Phibun Songkhram, the ardent French educated nationalist and mastermind of the assimilationist policies in Southern Thailand, came back to power. For Phibun, the seven demands made by Haji Sulong were equivalent to a call for secession and were contrary to the principle of the indivisibility of Thai territory. From then

[14] Thanet, p. 26.

on, the Southern campaign for autonomy was branded by the central State as "separatism" and Haji Sulong recast as one of the main leaders of this rebel movement. According to political scientist Thanet Aphornsuwan, "separatism was invented and reinforced by Thai authorities to suppress and intimidate regional political assertions of their own aspirations and identities".[15]

The fact that, as explained above, the demands were the result of preliminary negotiations between a representative of the government and local Muslim leaders, strengthen this thesis.

The Case of Satun, a Bridge between the Thai and Malay Worlds

Until the beginning of the 2000s, the province of Satun, on the western seaboard of the peninsula, was clumped together by the Thai central authorities with the provinces of Pattani, Yala and Narathiwat as one of the "problematic southern border provinces". This changed after an upsurge in separatist violence in 2003, as it became obvious that Satun presented, indeed, a very different situation than that of the three provinces of the eastern seaboard.

Historically, Satun was a district of the present day Malaysian state of Kedah, inhabited by people of Siamese origin who had embraced Islam. Separated from the Sultanate of Pattani by the province of Songkhla, it has never shared the glorious past of the Islamic kingdom. Because of intermarriages during many generations, the inhabitants of Satun have a mixture of Thai and Malay blood. But their main distinctive feature is that their socio-cultural universe is dominantly Thai, as shows the fact that they speak the old Thai southern dialect interspersed by Malay words.[16] These Thai Malay Muslims are commonly called "Sam-Sams", a corruption, according to Prince Damrong Rajanuphab, a half-brother of King Chulalongkorn, of "Siam Islam". These historic facts and cultural traits helped the Siamese authorities convince the government of British Malaya to cede Satun to Siam (along with Pattani, Yala and Narathiwat) during the border negotiations of 1908-1909.

[15] *Ibid*., p. 3.

[16] Kobkua Suwannathat-Pian, "National Identity, the "Sam-Sams" of Satun, and the Thai Malay Muslims", *Thai South and Malay North*, Michael J. Montesano and Patrick Jory (ed.), National University of Singapore Press, Singapour, 2008, p. 159.

As the people of Pattani, Yala and Narathiwat, the Muslims of Satun endured the harsh Thai centric and nationalistic cultural policies of the Phibun Songkhram governments from 1938 to 1944, and from 1948 to 1957. Nevertheless, their closeness to Thai cultural habits made it easier for them to adjust their behavior to the imposed standards. There were no separatist rebellions in Satun. An added element is that from the beginning of direct Siamese rule in the 1900s, Satun throve economically under the administration of its governor, Tengku Baharuddin Ku Meh. Hence the involvement of Siam was seen as beneficial to the locals, contrary to the dire poverty which was prevailing in the three provinces on the eastern seaboard at the same time.[17]

Nowadays, 95 per cent of the inhabitants of Satun are native Thai speakers and 70 per cent are Muslims. The "Sam-Sams" also inhabit the northern part of Songkhla province, but the four Southern districts of Songkhla, adjacent to Pattani province, are peopled by Malay Muslims. The case of Satun underlines, starkly, that the main issue at stake in the provinces of Pattani, Yala and Narathiwat is more a broad historic-cultural than a strict religious issue.

The return of Phibun Songkhram and his assimilationist policies quickly renewed tensions in the southern border provinces. Things exploded at the end of April 1948, in the village of Duson Nyor, in Rangae district of Narathiwat province. During two days, a violent confrontation took place between hundreds of Muslims and several police regiments. Between 100 and 400 Malay villagers were killed as well as 30 police officers.[18] This uprising, known in Bangkok as the "Haji Sulong uprising", was followed by a harsh repression campaign, which provoked the flight of between 2,000 and 6,000 Malay Muslims to Malaysia. Haji Sulong, who had been released after four years in jail, was again arrested with his eldest son Ahmad Tohmeena in 1954 and both disappeared, very likely murdered under police custody. Their bodies were never found.

After the Duson Nyor "incident", various Malay political groups of Malaya and Singapore appealed to the United Nations Security Council on behalf of the Malays in Siam. Protests were also forwarded to the UN

[17] Ibid, p. 160.

[18] Arnaud Dubus, "Musulmans malais, Thaïs bouddhistes: vers quelle cohabitation? ", *Musulmans d'Asie*, Cahiers de l'Orient, No. 35, Paris, Third Quarter 1994.

Council of Human Rights and Civil Liberties.[19] International pressure built up and the Bangkok government had to introduce several reforms in the four southern provinces. The freedom of worship was fully guaranteed. Malay language was introduced in primary schools. Some corrupt officials were transferred.

During this whole time, from the immediate post-war period until the 1960s, Malay Muslims politicians were actively participating in national politics. Some managed to be elected as MPs and subsequently raised issues important for the Malay Muslims within the parliament. A few of them were appointed as cabinet members, as for instance, the Satun MP Jae Abdullah Wangputeh who became a deputy-minister of Education in Phibun Songkhram's government in April 1948. He led a mission of local assemblymen and government officials in order to report on the problems in the four southern provinces, with the announced objective of reorganizing the administration in Pattani, Narathiwat, Yala and Satun "according to the wishes of the Muslim population".[20] It shows that a part of the Malay Muslim population was favourable to a path of political integration with the Thai State through a democratic process.[21]

Nevertheless, the cosmetic measures taken by the central government after the Duson Nyor uprising were not sufficient to dispel the deep distrust between the local Malay Muslims and State officials, of which was fuelled by the ultra-nationalistic policies of Phibun Songkhram and the brutal repression which followed the disappearance and likely execution of Haji Sulong in 1954. For some Malay Muslims, the path of political integration was too bitter to swallow under an authoritarian government. The accumulated resentment, and the experience from almost all positions in the provincial administrative structure being occupied by Thai Buddhist officials by virtue of "standard rules" governing the civil service, gave birth to a new pattern of identity assertiveness by the Malay Muslims: the rise of armed guerrilla movements, starting in 1959.

[19] Uthai, 1987, p. 223.
[20] *Straits Times*, 6th June 1948.
[21] Ockey, 2008, p. 124.

Malay muslim girl learning Thai alphabet in a school in Yala province
(Photo Arnaud Dubus, 2005)

Thus, the seven demands of Haji Sulong were dropped out of the successive governments' agenda, and almost slipped out of the public's consciousness within the southern border provinces. Despite this, they are still surprisingly relevant in a political context today. Some of the most recent proposals by civil society to solve the conflict are partly inspired by these demands (see chapter six).

The object of this study, as already said, is to analyze the successive policy papers of the different governments since 1978, and the way they were implemented, if at all. Most of these policy papers skirt around the seven demands of Haji Sulong, either by considering them as irrelevant or by proposing "alternative solutions". The two boldest attempts to progress into the direction of the seven demands – Chaturon Chaisaeng's road map of 2004, and the recommendations of the National Reconciliation Commission's report published in 2006 – were not

implemented and shelved by Thaksin Shinawatra's government. Before reviewing these documents, it is necessary to briefly describe the various power structures which exert an influence on the southern border provinces.

2 - The Administrative, Political and Religious Structure between the Central and the Local Levels

2.1 - The Political-Administrative Framework

The administrative framework to administer the southern border provinces has evolved several times since the end of the 19th century, but was fixed after the overthrow of the absolute monarchy in 1932. What was until then a *monthon* or circle (an administrative region, in this case regrouping the former sultanates) was divided into the four current provinces of Pattani, Yala, Narathiwat and Satun.[22] As in every other province of Thailand, the governor rules over a number of district officers, both are professional bureaucrats employed by the ministry of interior (see figure 1). This bureaucracy is national, and the recruitment is done through examinations managed by the Civil service commission on a national basis. Henceforth, there is no expectation that district officers of one province are natives of that province. Nowadays, all the governors and the vast majority of district officers in the deep South are Thai Buddhists coming from other regions, despite the fact that Malay Muslims represent 80 per cent of the population of the three provinces.[23] The same is often true for the key State organizations. For instance, Malay Muslims represented only 10 per cent of the police force serving in the southern border provinces in 2009.[24]

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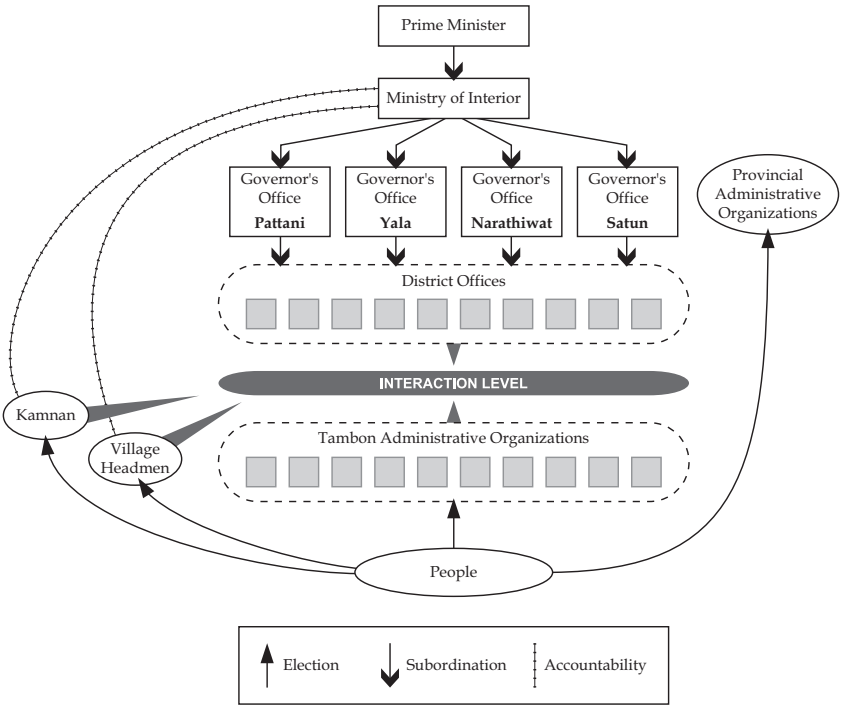
[22] *Ibid*., p. 126.

[23] Andrew Cornish, *Whose Place is This? Malay Rubbers Producers and Thai Government Officials in Yala,* White Lotus, Bangkok, 1997, p 17; One exception to this rule was the tenure of Panu Utairat, a Malay Muslim, who was governor of Pattani from 2007 to 2008.

[24] Mark Askew (ed.), *The Spectre of the South: Regional Instability as National Crisis*, *Legitimacy Crisis in Thailand*, Silkworm Books, Chiang Mai, 2010, p. 237.

Fig. 1 - Political-Administrative Framework



At the sub-district and the village level, the *kamnan* (heads of sub-district) and the *phuyaibaan* (village headmen) have been elected since 1897, becoming then the first elected representatives in Siam. In the southern border provinces, almost all of them are Malay Muslims. A new layer of local democracy was added in 1994 with the election of chairmen to the Tambol Association Organizations (TAO) or Sub-district Association Organizations. Contrary to the hierarchy of *kamnan* and *phuyaibaan*, who are directly answerable to the Ministry of Interior, TAO chairmen are only responsible to their constituents. In the South, TAO chairmen (or *nayok*) are, unsurprisingly, almost all Malay Muslims. Their functions run in parallel with those of the *kamnan* and *phuyaibaan*, creating an intense competition for power at the sub-district level.

According to several informants, this competition accounts for a large part of the violent incidents in the border provinces.[25] In theory, *kamnan* and *phuyaibaan* are responsible for security and the TAO chairmen for the economic development, but this division of duties is not really implemented on the ground.

The appointed bureaucrats, governors and district officers, tend to have very little contact, if at all, with Malay Muslims villagers who speak a language they don't understand and inhabit a world at odds with their own cultural and religious sphere. They rely mostly on *kamnan* and *phuyaibaan* as intermediaries.[26] The position of these elected administrators is a tricky one as they are often viewed by the Malay villagers as "collaborators" with the Thai State. The same is also true for the TAO chairmen, although they don't have to report directly to the ministry of interior. In the context of the resurgence of the separatist insurgency since January 2004, their position became increasingly difficult. If they seem to be too much on the side of the Malay villagers, they are quickly branded as separatists and blacklisted by the military or police. And if they extend enthusiastically a helping hand to the authorities, they are distrusted by their own constituents as having sold out to the Thai State.

Despite the tight framework of the Thai administration, it is noticeable that, at the village level, there has been a strong resilience of the traditional structures of Malay leadership. Such was the conclusion reached by the anthropologist Andrew Cornish after a one-year field research project, in the mid-1990s, in a Yala village:

"The Malay language still flourishes despite strenuous government efforts to make it redundant, and Islamic adherence has only been strengthened by association of the Thai State with Buddhist values. Political power in villages continues to rest with traditional Malay leaders, irrespective of whether they are approved as village headmen by the local administration."[27]

[25] Interview with Pateemoh Itaeda-Oh, director of the NGO Women for Peace, March 2011.
[26] Duncan McCargo, *Tearing Apart the Land*, National University of Singapore Press, Singapore, 2009, p. 57.
[27] Cornish, 1997, p. 111.

Position Holders (1977 – 2011)

Prime minister
1977 – 1980: Kriangsak Chomanand
1980 – 1988: Prem Tinsulanonda
1988 – 1991: Chatichai Choonhavan
1991 – 1992: Anand Panyarachun
1992: Suchinda Kraprayoon
1992 – 1993: Anand Panyarachun
1993 – 1995: Chuan Leekpai
1995 – 1996: Banharn Silapa-Archa
1996 – 1997: Chaovalit Yongchaiyud
1997 – 2001: Chuan Leekpai
2001 – 2006: Thaksin Shinawatra
2006 – 2007: Surayud Chulanont
2007 – 2008: Samak Sundaravej
2008: Somchai Wongsawat
2008 – 2011: Abhisit Vejjajiva

Southern Border Provincial Administrative Center director
1981 – 1982: Charoenjit na Songkhla
1982 – 1985: Anand Anantakul
1985 – 1989: Prakit Utamoh
1989 – 1991: Virote Racharak
1991 – 1993: Niphon Bunyapattaro
1993 – 1997: Visut Singkhajonweerakul
1997 – 1997: Paitoon Boonyawat
1997 – 2001: Palakorn Suwannarat
2001 – 2002: Banyat Jansena
2006 – 2009: Pranai Suwannarat
2009 – 2011: Panu Uthairat

Fourth army region commander
1976 – 1979: Lt Gen Pin Thamsri
1979 – 1981: Lt Gen Jaun Wannaratn
1981 – 1983: Lt Gen Harn Leenanond
1983 – 1986: Lt Gen Wanchai Jittjamnong
1986 – 1989: Lt Gen Wisit Arjkoomwongs
1989 – 1991: Lt Gen Yutthana Yaemphunt
1991 – 1994: Lt Gen Kitti Rattanachaya
1994 – 1996: Lt Gen Panthep Phuwanartnuraks
1996 – 1999: Lt Gen Preecha Suwannasri
1999 – 2001: Lt Gen Narong Den-u-dom
2001 – 2003: Lt Gen Wichai Baorod
2003 – 2003: Maj Gen. Songkitti Chakrabart
2003 – 2004: Lt Gen Pongsak Ekbannasingh
2004 – 2005: Lt Gen Pisan Wattanawongkhiri
2005 – 2005: Lt Gen Khunchart Klaharn
2005 – 2006: Lt Gen Aongkorn Thongprasom
2006 – 2008: Lt Gen Wirote Buajaroon
2008 – 2010: Lt Gen Pichet Wisaijorn
2010 – 2011: Lt Gen Udomchai Thammasarorat

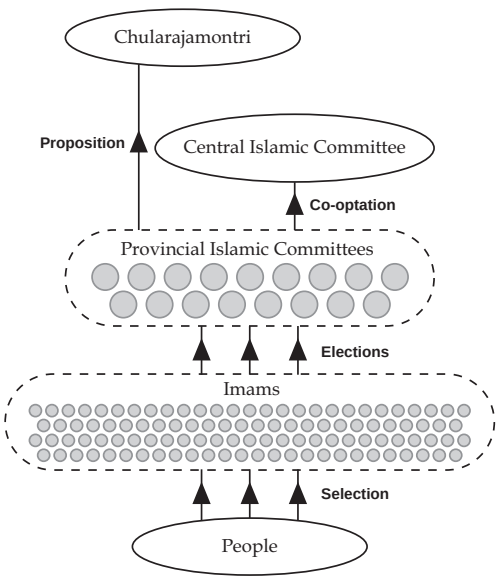
Chularajamontri
1947 – 1981: Tuan Suwansat
1981 – 2007: Prasert Mahamad
2007 – 2011: Sawat Sumalyasak

2.2 - The Religious Framework

A structured network of official religious organizations is established in parallel to the administrative structure (see figure 2). Overall, this network seems to be more democratic, as elections are a prominent feature of the system. At the local level, imams – the official heads of registered mosques - are directly elected by the worshippers of the mosques. As it is frequent that even a small village has several

mosques, often each representing a specific type of Islam, there can be two or even more imams per village. The Provincial Islamic Councils occupy the second level. Until the Islamic Organization Act of 1997, these councils, composed of 30 members, were renewed through a rotation system: when a member resigned or died, the remaining members invited someone to take his seat. The Act of 1997, adopted after a long and tense debate between the New Aspiration party and the Democrat Party,[28] transformed the system: the members of the different provincial councils were elected by the local imams, each of whom could select a set of 30 candidates. McCargo argues that this "gave individual imams considerable influence" and "had the potential to replicate many of the shortcomings of Thai electoral politics, like vote-buying and electoral manipulation".[29]

Fig. 2 - Religious-Administrative Framework



[28] Dubus, 1994, p. 52.

[29] Duncan McCargo, "Co-optation and Resistance in Thailand's Muslim South: the Changing Role of Islamic Council Elections", *Government and Opposition*, Vol. 45, No. 1, Oxford, 2010, p. 99.

The Provincial Islamic Councils have limited and strictly religious powers. They advise the provincial governor on Islamic affairs. They also can intervene to resolve some religious disputes, particularly on divorce and inheritance. They are also the authority that issues *Halal* food certificates. Despite these circumscribed duties, the Islamic council elections became, after the adoption of the Islamic Organizations Act, the object of an intense competition, in which national political parties and State agencies, particularly the military, got involved. Some local politicians, like Den Tohmeena, a former Pattani senator and a son of Haji Sulong, wanted to exert complete control over the Pattani Islamic Council, in order to guarantee the political future of his family. On their side, the military had been frustrated by the passive attitude of the council after January 2004 in light of the violence caused by insurgents. They wanted to get rid of Den's clique, considered as too sympathetic to the separatists. Some other Malay Muslim politicians were also keen to challenge Den's grip on the province. The result of this complex background was that money was widely used by all sides to convince the imams to vote the "right way". In the eyes of Malay Muslim villagers, well aware of the vote-buying, the image of their religious leaders was tarnished. They became, at the same time, stained by the stench of material interests and dirtied by their close association with pragmatic politics.

At the central level, a National Islamic Council is composed of members nominated by the Provincial Islamic Councils. On top of the pyramid is the Chularajamontri, who is "the advisor of the King on Islamic affairs" and also the president of the National Islamic Council. He is appointed by the king on the recommendations expressed by delegates sent by the 29 Provincial Islamic Councils, of which only four are composed of Malay Muslims. Hence, although the Malay Muslims represent the largest proportion of Muslims in Thailand, the Chularajamontri is always a Muslim from Central Thailand. As for Buddhism, the Islamic organizational structure is tightly ensconced in the bureaucratic and the political apparatus of the Thai State. According to McCargo, "the intention here is to nationalize Islam in Thailand,

curbing its dissident tendencies and linking it to the legitimacy of the State, to integrate it into representative Thai political structures".[30]

2.3 - Development and Security: the SBPAC and the CPM Task Force 43

The third organizational framework covering the southern border provinces revolved around the Southern Border Provincial Administrative Centre (SBPAC), an agency created by Prem Tinsulanonda's government in January 1981 in order to attempt to solve the insurgency issue in this area. The inspiration for the setting up of the SBPAC came originally from a report of the National Security Council in 1978 which considered that the government's main problem in the area was a lack of unity, with too many agencies working without coordination, and with overlapping lines of command.[31]

Functionally, the SBPAC was put under the authority the Ministry of Interior and the agency's director was a permanent deputy secretary of the ministry, but at the beginning the SBPAC's director was directly accountable to the commander of the Fourth Army. Two deputy directors representing the police and the army were assisting the director. SBPAC officials were seconded from ministries and department, particularly the Department of Land administration within the Ministry of Interior.[32] Its activities were also supervised by the National Security Council. It was one of the early examples of an inter-agency operating under such an ad hoc framework, but this allowed it to operate "conveniently and quickly".[33] In 1996, the SBPAC was removed from the Fourth Army's

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[30] *Ibid*., p. 95.

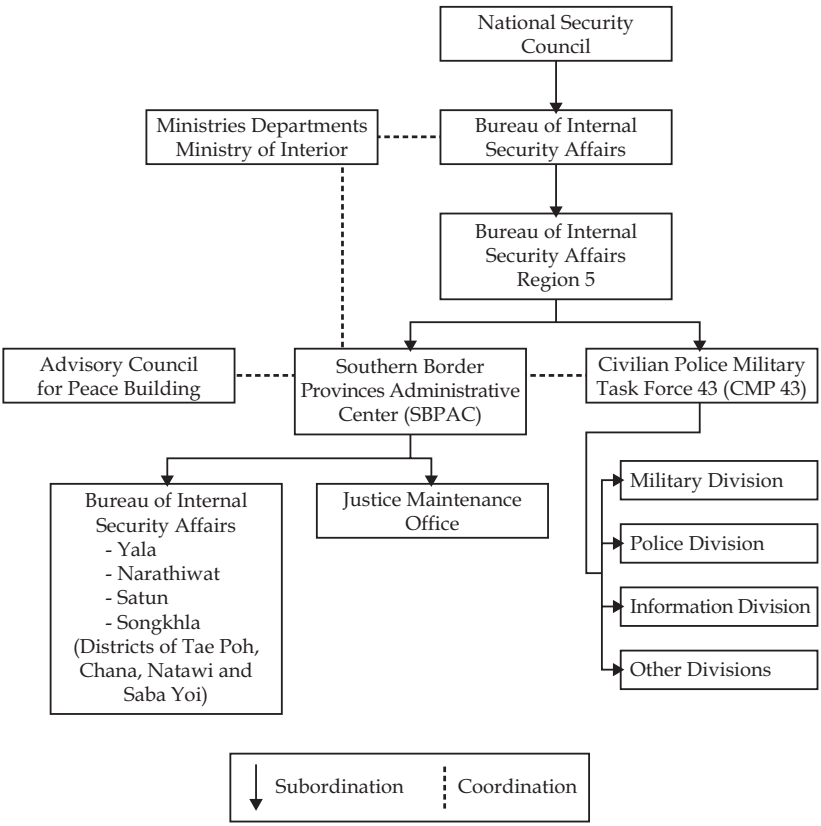
[31] Panomporn Anurugsa, *Political Integration Policy in Thailand: The Case of Malay-Muslim Minority*, PhD dissertation, The University of Texas at Austin, 1984, p. 231-233.

[32] Matt Wheeler, "People's Patron or Patronizing the People? The Southern Border Provinces Administrative Centre in Perspective", *Contemporary Southeast Asia*, Institute of Southeast Asian Studies, Vol. 32, No. 2, Singapore, 2010.

[33] Suthep Damratmani, Sakol Maijaidi and Chatchai Chulapoon, *ศูนย์อำนวยการบริหารสามจังหวัดชายแดนภาคใต้กับปัญหาความมั่นคงของจังหวัดชายแดนภาคใต้* [The Southern Border Provinces Administrative Center and Solutions to Security Problems of the Southern Border Provinces], Faculty of Humanities and Social Sciences, Prince of Songkhla University, Pattani, 1988.

line of command, in order to clearly separate security and political-economic responsibilities (see figure 3).

Fig. 3 - Southern Border Provinces Administrative Center (SBPAC) and Civilian Police Military Task Force 43 (CMP 43)



The SBPAC was placed above the level of provincial administrative officials and, henceforth, was able to oversee their activities. Another strong point of this agency, staffed by officials selected by Prem's entourage, was that it was headquartered in the Southern region (in the city of Yala), which allowed local Malay Muslims to have direct access to it to express their complaints regarding abuses of power by some officials. Assisted by an advisory council of religious leaders and Malay Muslim scholars, the SBPAC did not hesitate to transfer officials out of the area when allegations of wrongdoings were proved true, whether they be policemen, military or bureaucrats.[34] This established a relationship of trust between locals and the agency, which is one of the reasons behind the relative quietness in the region between the mid-1980s and the beginning of the 2000s.

A large part of the activities of the SBPAC were regrouped under the label "socio-psychological measures". They aimed to reduce the alienation of Malay Muslims from the State. According to Wheeler:

> "[These ends] were pursued above all through a heavy schedule of meetings, seminars and trips designed to cultivate relations with local leaders, especially religious leaders. From its inception, the SBPAC sponsored monthly meetings between provincial governors and the presidents of the Provincial Islamic Committees, as well as fieldtrips to Bangkok for local leaders"[35]

The SBPAC also improved the quality of administration by training the officials sent to the southernmost provinces on matters of Malay culture and religion. Overall, one of the main goals of the establishment of the SBPAC was to give a benevolent image of the Thai State to the local Muslims, to project the agency as a symbol of good governance.

An inter-agency unifying the Border Patrol Police, the Rangers (*thahaanphran*) and the army, the Civilian-Police-Military Task force 43

[34] Daniel J. Pojar, *Lessons not Learned: The Rekindling of Thailand's Pattani Problem*, Master dissertation in national security affairs, Naval Post Graduate School, Monterey, California, U.S.A., March 2005, p. 74.
[35] Wheeler, 2010.

(or CPM 43) worked in coordination with the SBPAC. This interagency, created in the 1970s and placed under the authority of the Internal Security Operational Command (ISOC) headquarters in Yala, was in charge of tackling the insurgency through the coordination of the various actors in the security field. The CPM 43 was highly effective, not only in obtaining a good intelligence picture of the insurgents and of their activities, but also significantly decreasing the level of violent incidents.[36]

When Thaksin Shinawatra became Prime minister at the beginning of 2001, he launched a program dubbed "Governors as CEOs", whose main feature was to allow provincial governors to act independently from the Ministry of Interior and run their province as "a business company". He then dissolved both the SBPAC and the CPM 43 in April 2002, asserting authority against the existing networks of power in the region by giving complete responsibility for the security of the region to the police, leaving the Fourth army in the cold. Both decisions proved disastrous as we will see in Chapter Four.

After the coup d'Etat of September 2006 which evicted Thaksin from power, both the SBPAC and the CPM 43 were restored, but under a different organisational arrangement. They were placed under the authority of the Internal Security Operational Command, the key security agency of the country. All budgets, even for development projects without any link to security, had to be approved by ISOC. It was only in 2010, under the Abhisit Vejjajiva government, that the SBPAC got back its autonomy for development projects and its right to transfer misbehaving officials, except military officers (see Chapter Five).

[36] Pojar, 2005, p. 74.

Chapter Two

The National Security Policy (1978 – 1998)

National Security Policy documents are policy papers produced by the Office of the National Security Council (ONSC), a governmental agency founded in 1959 to advise and give policy recommendations to the Prime minister and the cabinet. Modelled on its American namesake, the ONSC was focused, until 1973, on the ways to counter the communist insurgency. Afterwards, the insurgency in the Southern border provinces became one of its top priorities.[37]

Between 1978 and 1998, there were three policy documents elaborated by the Office of the National Security Council concerning the situation in the Southern border provinces and approved by the cabinet, the first one in January 1978, the second one in November 1988 and the third one in June 1994. The philosophy of these three documents was of a common inspiration and there is considerable overlapping between them. Nevertheless, we have chosen to present them separately, in order to better reflect the evolution in the authorities' approach to the southern border issue.

[37] Mark Tamthai and Somkiat Booncho, "National security policies on the southern border provinces, 1974-2003", *in* Chaiwat Satha-Anand (ed.), *Imagined Land? The State and Southern violence in Thailand*, Research Institute for Languages and Cultures of Asia and Africa, Tokyo, 2009, p. 20.

1 - The Policy Documents

1.1 - National Security Policy on the Southern Border Provinces of 1978

The main pillar of the 1978 policy relied on a strong conviction that the focus should be put on education and identification with the Thai society, if one wanted to solve the "Southern terrorism" problem. Thus, the document dwelt on the need to reinforce the learning and speaking of Thai language among the young Muslims and offer them special quotas in order to increase the enrolment in secondary and vocational schools.

Under the headline of "socio-psychological aspect", it said: "[The authorities must] quicken the pace of work to popularize the learning and speaking of Thai among young Muslims. Encourage them to enrol in secondary and vocational schools by offering them special quotas to these institutions"[38]

One of the issues was that many of the young Muslims preferred to go to study in *pondok*, or religious schools, a trend which was seen by the authorities as preventing their assimilation to Thai society. In 1966, the National Security Council had advised the government to prohibit the opening of new *pondok*, and to force all existing *pondok* to register. After that, the Ministry of Education was charged to convert these registered *pondok* into "private schools teaching Islam", by adding secular teachings to the strictly religious curriculum. But this policy had not been very successful as most of the *pondok* evaded registration, and the owners of those who did register were not welcoming to assistant teachers coming to teach secular subjects.

[38] Office of the National Security Council, *นโยบายความมั่นคงแห่งราชาติเกี่ยวกับสามจังหวัดภาคใต้* [National security policy on the southern border provinces], Cabinet resolution, 24th January 1978.

The State Distrust of *Pondoks*

Pondoks, or Islamic schools, are usually the private property of a teacher or *toh kuru*, and have been held in deep suspicion by Thai authorities since the 1950s. In a report to the Ministry of Interior written in 1953 by the governor of Pattani, Chart Bunyarathapan, it was advised that, under no circumstances, would be the right policy to abolish the *pondoks* as "it would badly dishearten many Thai-Muslims, not only in the four southernmost provinces, but also in other provinces, and Muslims in the Federation of Malaya".[39] Nevertheless, this early report already warned against the rebellious potential of the Islamic schools, saying that when the Thai State was declining, as during the Second World War, the *pondoks* can become "units of a religious army", and centers an Islamic insurgency.

In the 1950s, the district officials and the police were already exerting a strict control over *pondoks* and *toh kuru*. But the report by the governor of Pattani recommended a penetration of the Thai standard education into the *pondoks* as well.

This became official policy under the government of Sarit Thanarat with the *Pondok* educational improvement reform of 1961. From religious institutions, the *pondoks* became educational institutions and passed over to the control of the Ministry of Education. The *toh kuru's* were enticed, through government financial assistance, to have their *pondoks* registered with the ministry. The second step was to convert the registered *pondoks* into "Private Schools Teaching Islam" (PSTI) through the introduction of the Thai education curriculum and the teaching of Thai language. At first, this transformation was done on a voluntary basis, but in a second stage, all *pondoks* which refused to cooperation were considered as illegal. By 1970, there were 463 registered *pondoks*. But this participation was not whole-hearted. It was, according to Surin Pitsuwan, a policy of "restrained participation" through which the *toh guru* were only lending symbolic support to the State policy.

The screws were tightened in 1968 by the Thanom Kittikachorn's government. The registered *pondoks* had to relinquish the teaching of Malay and the space of the Islamic curriculum was reduced to accommodate the Thai standard program. The voluntary transformation into Private schools teaching Islam became compulsory, and from 1971 no more *pondoks* could be established.

[39] Thanet Aphornsuwan, "Nation-State and the Muslim Identity in the Southern Unrest and Violence", *Understanding conflict and approaching peace in Southern Thailand*, Imtiyaz Yusuf and Lars Peter Schmidt (ed.), Acts of the seminar organized by Konrad Adenauer Stiftung foundation, ABAC university, Bangkok, September 2006, p. 113-114.

Understandably, the resentment among the Malay Muslims was strong. The most sensitive point was the introduction of the teaching of Thai ethics, which was imbued with Buddhist values. One of the main effects of the educational reforms was to provoke a decline of the *pondoks*, and to push the new generation of Malay Muslims to follow Islamic studies overseas. It also sparked a new round of separatist movements, often launched by these students who went to Egypt, Saudi Arabia or Pakistan.

Lessons were drawn and the policy was modified by an Executive Order taken by Prime Minister Kukrit Pramoj in 1975. In speeches broadcasted on radio and TV in Hat Yai, he indicated: "As for the religious schools or *pondok*, the government will not get involved, influence, modify, or interfere to the effect of turning them into private or other types of schools. When the purpose of the *pondok* is for religious education, the government will support them to focus only on religious teaching. For all other areas of education, whether secondary or vocational studies, the government will establish separate schools"[40]

Accordingly, the policy gave up the campaign to transform *pondok* into private schools, but focused on those who had already registered, with the aim to instil part of the Thai curriculum in their program and particularly to reinforce the teaching of Thai language.

The 1978 cabinet resolution said that it was necessary to "Increase the study of general subjects in the private schools that were converted from *pondok*"[41]

The view was that young Muslims had to go through the Thai education system and be proficient in Thai language if one wanted them to be "good members" of Thai society and to distance themselves from the insurgency movement.

The second pillar of the 1978 policy was to engage the local Muslim leaders in solving the problem of the southern border provinces. The cabinet resolutions stipulated that the government should: "Encourage Thai Muslims to participate in local government and voice their opinion on problems"[42]

[40] Tamthai and Booncho, 2009, p. 31.
[41] Cabinet resolution of the Office of the National Security Council, 24th January 1978.
[42] *Ibid.*

Children in a school in Yala province (Photo Arnaud Dubus, 2005)

The local Muslim leaders did stand up to the challenge of getting involved in local politics, but not without some adverse consequences as we will see in the second part of this chapter. A key element in order to support this policy of engagement was the Executive Order No.8/2524 on the improvement of administration in the southern border provinces, signed in 1981 by the then Prime minister, General Prem Tinsulanonda. This order restructured the responsibilities for the Southern Region by creating two new entities, the Southern Border Province Administrative Centre (or SBPAC) and the Civilian Police Military Task Force 43 (or CPM 43). As already noted in the previous chapter, the former had the responsibility of civilian administration and development work, and played a key role in re-establishing some measure of trust between the local population and the civilian officials with the crucial help of an Advisory committee composed of religious leaders and scholars well respected by local people.

The Civilian Police Military Task Force 43 was put, as already seen, in charge of all security aspects. It brought together the Border Patrol Police, the Rangers and the Thai military, with the objective of better coordinating the operations of various security agencies.

The issue of the despising and brutal behaviour of local officials towards Malay Muslims is another point made in the National policy on the southern border provinces of 1978. It actually figures in all policies concerning the deep South since the time of King Rama V, who, in an 1897 regulation, insisted that the candidates for official positions in the South must possess sufficient knowledge of the local Malay language to be able to communicate with the people and understand their religious beliefs and practices.[43] In 1978, the document insisted on a "careful selection of officials sent to work in the area" and on the need to make sure "they treat Thai Muslims with fairness".

1.2 - National Security Policy on the Southern Border Provinces of 1988

The policy of 1988, which was set for five years (1988-1992) but actually lasted until 1994, was the first to be elaborated under an elected Prime minister. In July 1988, Chatichai Choonhavan, at the helm of the Chart Thai party (Thai Nation party), had won the elections and took over from non-elected Prime Minister Prem Tinsulanonda who had been leading the government since 1980. Despite this important evolution in the Thai political landscape, there were not many changes in the policy towards the southern border provinces. The 1988 National security policy on the deep South is, to a large extent, a continuation of the objectives and policy prescriptions already stated by the 1978 document: promotion of the Thai language among the Malay youth, efforts to increase the number of Malays in the secondary and vocational public schools, better selection of the officials sent to work in the border provinces, and to take into account the views of Malay Muslims leaders in the governments' efforts to solve the conflict.

[43] Ministry of Interior, *พระราชหัตถ์เลขา รัชกาลที่ ๕ ที่เกี่ยวกับภารกิจของกระทรวงมหาดไทย* [Royal letters of the Fifth Reign regarding the work of the Ministry of Interior].

The Crucial Issue of Language

Since the time of Phibun Songkhram, the use of the Central Thai language is one of the most important components of Thai identity, or Thainess. The Thai language, especially in its written form, has an almost sacred status as the national language and the protection of this status is a matter of national security,[44] as tellingly shown by the dual function played by the Border Patrol Police in border areas: protect the country and teaching of the Thai writing system. But when Central Thai acquired the status of national language in the 1940s, it was actually a minority language spoken by roughly a quarter of the population. An so it had to be consolidated against other existing languages spoken on Thai territory (Lao, Khmer, Malay, Southern Thai dialect, Northern Thai dialect, Karen, Hmong, Yao, Lisu, Lahu, etc.).

The Thai language has been the foremost tool to homogenise ethnic groups other than the Central Thais. It had to be imposed to a host of different ethnic groups living on Thai soil, and to take precedence over other Thai dialects and non-Thai languages. Through this process, other languages spoken in Thailand were either suppressed or marginalised, and the space granted to non-Thai cultures to express themselves was closed. This imposition was especially harsh on the Malay Muslims of Southern Thailand, whose language has no linkages whatsoever with the Thai family languages. This imposition was done through the education system, the state administration and the media. No language other than Central Thai can be spoken in administrative offices. In the Malay South, the bizarre situation of a Malay speaking villager and a Malay speaking junior civil servant forced to speak Thai together to conform to the rules has been especially frustrating for many villagers, who, in many cases, do not have a good mastery of Thai.

Studies show that one of the most important causes of conflicts between civil servants and Malay villagers are linked to the use of language. The fact that the government schools and teachers have been one of the main targets of the insurgents in the South is not only because they represent the Thai State, but also because they are the primary vehicle for the imposition of Thai language to the Malay children. A small Malay child, who had been immersed since birth in a Malay language environment, is suddenly thrown into a uniquely Thai cultural context where an unknown language is spoken and where "speaking Malay" is forbidden. The argument that the mastery of Thai language is a necessity for the young Malay Muslims to have a meaningful future in Thailand has a lot of merits, but this brutal cultural jump is often seen in a negative light by Malay villagers.

[44] Graig J. Reynolds (ed.), *National Identity and Its Defenders. Thailand*, 1939-1989, Silkworm Books, Chiang Mai, 1991, p. 9.

There were nevertheless a few new notions introduced in 1988. The first one was the insistence on the importance of mutual appreciation of the respective cultures by the Thai Buddhists and the Malay Muslims. The policy document said that there is a need to "Increase the openness of the Muslims' society and make all sides appreciate cultural differences."[45]

Despite the vagueness of the formulation and the slight about the "lack of openness" of Muslim society, it is important to note that it is the first time the "cultural issue" is mentioned in a policy document, in stark contrast with the policies since 1966 which did not contain any mention of the necessity to respect the religious and cultural identities of the Malay Muslims. It shows that the central authorities were aware that the southern conflict cannot be reduced to a security issue and that its cultural dimension is a major factor.

Another innovation in the 1988 document, was the policy of "quasi-amnesty" aiming to "persuade the terrorists to surrender and join the effort in developing the Thai Nation instead."[46]

This approach had actually already been tested in 1975 under the tenure of Prime Minister Kukrit Pramoj with some successes. The basic principle was to not prosecute individuals who surrendered and were not the object of any incriminating evidence and to prosecute those with arrest warrants, but to give them lenient sentences.[47]

[45] Office of the National Security Council, *นโยบายความมั่นคงแห่งชาติเกี่ยวกับสามจังหวัดภาคใต้ พ. ศ. 2531-2537* [National security policy on the southern border provinces, 1988-1994], Cabinet resolution, November 8th 1988

[46] *Ibid*.

[47] Tamthai and Booncho, 2009, p 28.

Gold shop in Yala city market with the signboard in Thai, Chinese and Jawi writing
(Photo Arnaud Dubus, Octobre 2006)

1.3 - National Security Policy on the Southern Border Provinces of 1994

Between 1988 and 1994, Thailand had gone through turbulent political times. Prime Minister Chatichai Choonhavan had been overthrown by a military coup d'Etat in February 1991, and in May 1992 the military shot into a crowd of demonstrators opposing the appointment of Coup maker General Suchinda Kraprayoon as Prime minister. Finally, revered King Bhumibol Adulyadej saved the day by admonishing both Suchinda and the main leader of the demonstrators, Chamlong Srimuang, to drop their mutual hostility. Suchinda resigned. At the time of the writing of the 1994 policy, the Prime minister was Chuan Leekpai, the leader of the Democrat Party, which had narrowly

won the elections of September1992. The Democrat Party had its political basis in the upper part of Southern Thailand and had always claimed to have a good knowledge of the deep South. The 1994 security policy on the southern border provinces was the first to place a strong emphasis on economic development as a way to solve the conflict; by increasing the standard of living of Malay Muslims. The idea behind it was that the high poverty level in the border provinces, compared to the other provinces of the Kingdom, was one of the main causes for the unrest. The document insisted on the need to: "promote and facilitate trade and investment in the area, especially by improving transportation, communication and government services".[48]

The awareness and importance of cultural and communication factors was repeated in a more specific manner than in the 1988 policy. The 1994 policy advised the authorities to "Narrow the gap in the use of language in communication between citizens and government agencies by supporting the learning of each other's languages"

It meant that Malay Muslims were not anymore the only ones to be admonished to learn Thai, but local civil servants were, from now on, also supposed to learn Malay.

As in every policy document in the last decades, the 1994 Cabinet resolution articulated in a blunt way the persistent issue regarding the behaviour of local officials towards the Malay villagers, stipulating that, "in terms of government and administration" there is an imperative need to "Reform the civil service in order to make it dependable for the citizens instead of being an institution that creates conditions for social conflicts".

2 - Analysis of the Policies' Implementation

One of the positive aspects of the policy implementation in this period was the SBPAC's success in enhancing the participation of local people in the problem solving, mostly through the advisory committee. Because the SBPAC had the authority to transfer officials out of the

[48] Office of the National Security Council, *นโยบายความมั่นคงแห่งชาติเกี่ยวกับสามจังหวัดภาคใต้* [National security policy on the southern border provinces], Cabinet resolution, 7th June, 1994.

region, including military, who had abused their power and caused trouble with the locals, the villagers came to regard the agency as one of the only forms of recourse against arbitrary conduct and unfair treatment. Between 1978 and 1995, over 100 civil servants were transferred out of the region for bad behaviour, an estimated 80 per cent of them police officers.[49] One of the consequences was that the distrust between public officials and Thai Muslims was significantly reduced.

Interview with Peerayot Rahimullah – Political Scientist, Prince of Songkhla University, Pattani Campus (December 1993)

Malay Muslims of southern Thailand are culturally Malay and politically Thai. The development programs of the government are not successful, because locals suspect that they are part of a policy of imposing Thai values. Not only do they want us to become Thai, but if possible, they want us to become Buddhist. The *pondoks* constitute a defensive reaction.

The authorities do not realise that they have to respect the borders. For instance, they don't seem to understand that a State Buddhist ceremony, or a ceremony where one has to adore a picture of the King, is against Islamic principles.

Henceforth, the policy of the Special Economic Zones has not been successful. The authorities chose Songkhla as the center for this program, with Yala, Pattani and Narathiwat as satellites towns. They thought that the Muslims would go to work as unskilled workers in the factories of Songkhla, but the Malay Muslims preferred to cross over to Malaysia and to work in Kelantan.

The government just does not understand the reality of what the Southern people want. I ask you for a buffalo, and you give me a goat. To develop this area, the government has to understand Islam.

Until the 1970s, the Muslim scholars did not want to become civil servants; they saw it as a betrayal. Muslim parents did not want to send their children to Thai schools, because the curriculum was impregnated by the Thai cosmology. In my case, I had to sing Buddhist chants every morning at school, and in the evening I was studying *jawi*[50] at the *pondok*.

[49] James Ockey, "Elections and Political Integration in the Lower South of Thailand", *in* Michael J. Montesano and Patrick Jory (ed.), *Thai South and Malay North*, National University Press of Singapore, Singapore, 2008, p. 147.

[50] Malay writing system, mostly using the Arabic alphabet.

But since then, Muslims have understood that if they don't follow this path, they will lose everything. They started sending their children to Thai schools, to take jobs in the civil service and to participate in politics. They realised that they had to work within the system. This was facilitated by the fact that, at that time, the authorities became less authoritarian.

Despite the SBPAC's achievements, there was not much improvement in the quality of civil servants sent to the border provinces, or in their understanding of the local context. The habit of sending officials to the South as a punishment after these officials had committed a fault in some other provinces remained.

Given this situation, it is understandable that one of the main demands of the Malay Muslims, at the end of the 1980s and at the beginning of the 1990s, was the desire for a much higher number of local Muslims serving in high ranking civil servants position in the southern border provinces.[51] This was made difficult by the way the Thai bureaucracy is conceived. "From the point of view of the government, the bureaucracy is a national bureaucracy, and there should be no expectation that its official in the lower South – *or any other region* – should come from that region", notes Ockey.[52] In the southern border provinces, as in other provinces, low ranking civil servants usually come from the local population, but it is not the case for high ranking administrators. This does not usually create a problem in most of the country, but it does in the deep South, where it is crucial for the officials in strategic positions to have not only a deep knowledge of the situation, but also to understand the Malay Muslim viewpoint. Andrew Cornish, who did a one-year field research in the mid-1990s on the rubber economy in Khala, a village of Yala province, showed how this lack of knowledge was hindering the implementation of government development project: "Most government workers have little or no knowledge of, or interest in, Malay language or culture [...]. At the Yala head office, none of the civil servants were able to speak Malay. [...] All

[51] Paul Handley, "Wind from the South", *Far Eastern Economic Review*, 9th August 1990.
[52] Ockey, 2008, p. 147.

extension workers in Yaha district were Thai. Nobody showed an inclination to learn Malay beyond acquiring a handful of simple expressions".[53]

At the time of the 2001 elections, of the 44 district officers in the Malay Muslim provinces, only seven were Muslims; of the 318 assistant district officers, 77 were Muslims. The proclaimed will to have local Muslim leaders participating in the search for a solution to the southern issue should have logically begun by listening to their demands, but instead the path chosen was to impose or suggest to them the forms of "participation".

Interview with Surin Pitsuwan – MP for the Democrat Party, Deputy Foreign Minister (January 1994)

Because of the cultural, religious and linguistic differences, the integration process for the Southern provinces has been more difficult than for other regions. The government has tried to open this integration process.

The Malay Muslims have widely responded in terms of participation to national politics and presence in the Thai schools.

To the question of the low presence of Malay Muslims in the civil service, my answer is that those who make the policies are more important than those who implement them. The road to participation is much more popular among Malay Muslims than the road to conflict. As wrote Jean-Jacques Rousseau, politics is the key of everything. I believe that most of the issues can be solved through political means.

In the past, the Muslims were attracted to religious studies, because they saw it as the only way to preserve their identity. Today, many opportunities have opened up. Their identity can also be preserved by becoming a lawyer or a medical doctor.

It is important to develop human resources in the context of the Indonesia-Malaysia-Thailand Growth Triangle, because if the Thai-Malay Muslims are not prepared they will be marginalised. Technical and scientific training must be reinforced. The government is trying to establish a curriculum which will reflect the local cultures.

There are still some separatists, because some Muslims are still suspicious about the integration policy of the government. They think they can still exert pressure on the system to obtain a better deal. I am sure that, at the end, we will find a neutral accommodation with the separatists. We have to persuade them.

[53] Cornish, 1997, p. 17, 28 and 35.

The integration into national politics proved less problematic than the integration into the national bureaucracy. Despite an upsurge in separatist violence, especially with the advent of the Pattani United Liberation Organisation (PULO) after 1976, Malay Muslim politicians continued to be actively involved in local and national politics, responding well to the stated policy of "engaging Muslim leaders". In 1986, Pattani MP Den Tohmeena founded the "Wadah faction", regrouping prominent Malay Muslim politicians in order to gain leverage and obtain cabinet seats. Since then, the Wadah faction has joined different parties and several of its members – Den Tohmeena, Areepen Utharasint, Wan Muhammad Nor Matha – became deputy-minister or even minister and promoted a Malay Muslim agenda within the government.[54]

From the 1980s onwards, political competition intensified at the local level, with the positive effect that Malay Muslim local politicians could counterbalance Bangkok appointed civil servants. But there was also some less welcome consequences. One of the results of the "engagement policy" has been to undermine the respect of the villagers for the traditional leaders, like the imams, who were now "challenged by headmen, *kamnan* (sub-district chiefs) and sub-district council chairs, all of whom were now elected".[55] The loss of prestige of the imams, as well as the increasing rivalries between imams from different mosques and with local politicians weakened the traditional structures of leadership in the village. One of the consequences is that some villagers became more prone to listen to the advocates of violence.

On the security front, the insurgency was drastically weakened by the policy of amnesty aiming at "persuading terrorists to surrender and join the effort in developing the Thai Nation instead". After an initial attempt by the Kukrit Pramoj government in 1975, this policy was implemented in earnest by Prime Minister Prem Tinsulanonda and army chief General Harn Leenanond, starting from 1980 under the banner of the *Tai Rom Yen* campaign (Peaceful South). The strategy combined an intense military campaign against the die-hard insurgents, measures to win hearts and minds of the Malay Muslim population, including, if

[54] Ockey, 2008, p. 146.

[55] "A Crisis of Leadership in Malay Muslim Society?", paper presented by Duncan McCargo, East West Center Washington workshop, Pattani, October 2006.

possible, militants and economic developments projects in rural areas. In 1986, then army chief General Chaovalit Yongchaiyud pursued this effort with his *Harapan Baru* ("New Hope") strategy. Although at first the approach was less successful than against the communist guerrillas, it began to be effective after a few years.[56] From the mid-eighties, insurgent groups were not any more able to launch large attacks on the authorities, and turned towards banditry.

The development programs were used by the government as a strategy of penetration into the Malay heartland.[57] But, as shown by Cornish, there was a strong resilience from Malay communities, resulting in a flurry of small acts of "everyday resistance" to minimize the encroachment of the Thai State.[58] This was made easier by the fact that the development projects were designed by the high ranking civil servants who had no knowledge of the structures of village level Malay communities, and thus could not imagine how to adapt the projects to the local conditions.

One concrete achievement on the economic front was the establishment, after 1993, of a Joint economic development project between Indonesia, Malaysia and Thailand (Indonesia-Malaysia-Thailand Growth Triangle). The project brought an increase of economic investment in Southern Thailand, but its effect vanished after the 1997 Asian economic crisis.

[56] Ockey, 2008, p. 145

[57] Jacques Ivanoff, with Igor Besson Noparat Baroongrugsa *et al*, "*The Golden Forests. Report of an Anthropological, Socio-economic and Technical Survey on Rubber Plantations in the Provinces of Patani, Yala, Narathiwat and Songkla (Southern Thailand). April 1988-December 1989*", Vol. 3, Pattani, Prince of Songkhla University-IRAC-CeDRASEMI, 1991.

[58] Cornish, 1997, p. 117.

Chapter Three

The National Security Policy (1999-2003)

1 - The Policy Document

1.1 - Overview

The National Security Policy for the Southern Border Provinces (1999-2003) is a broad policy document assessing the impact of previous policies on the situation in the Deep South and giving guidelines for the coming five year period. It was produced in 1998, when Khachadpai Burapatana was secretary-general of the ONSC. In it, there is an assessment of the situation in the deep South, defined here as including five provinces – Pattani, Yala, Narathiwat, Songkhla and Satun. Another section articulates a "vision for the resolution of security problems in the Southern Border Provinces". Cultural and religious issues and the positive value of cultural diversity are discussed.

The third section goes down one level towards the ground and addresses the actual policy to be implemented by government agencies in the South. Cultural diversity comes up again with "local wisdom" and the importance of all public and private concerns being addressed to contribute to solving the problems.

The conclusion put the 1999-2003 policy, defined by the ONSC, in perspective with the previous policies followed since 1978 and also elaborated by the NSC.

The process by which this policy document was devised by the NSC differed markedly from the process used for previous policies. At the

end of the 1990s, an informal think tank was established within the National Security Council, gathering some academics around Mark Tamthai, an expert on peace studies. This committee was put in charge of "changing the paradigm" of the National Security Policy on the southern border provinces through taking into account the views of the local population and taking some distance with the usual focus on the state security. Quite a few people within the National Security Council were not so happy with the encroachment by academics on their turf. Despite this reluctance, the advisory committee played the key role in elaborating the 1999-2003 National Security Policy on the southern border provinces.

According to Mark Tamthai, the starting point of the policy was no longer "what would make the State strong in the South?", but "what would make people in the South feel safe?"[59] Accordingly, this also requested a change in the way the policy was devised; "In order to find out what caused people in the area to feel insecure, afraid, uncomfortable, and distrustful of the authorities, the people had to be consulted. Therefore, a new process that involved the people in the policy decision was added, resulting in meetings between officials and the people, and joint efforts to draft policy proposals."[60] The 1999-2003 policy was the result of wide consultation with government agencies, local agencies and seminars held by public, private and citizen sectors. Those academics involved visited scores of villages and met with different actors from rubber tappers to military officers and religious leaders. Two closely related reasons were found to explain the feelings of insecurity the Malay Muslims harboured: the near impossibility to protest against unfair treatment by government officials because of the fear of being accused of separatism; the confusion made by officials between the demand of their democratic rights by the local people and an alleged sympathy for the separatist movement.[61]

[59] Interview with Mark Tamthai, April 2011.
[60] Tamthai and Booncho, 2009, p. 39.
[61] *Ibid.*

1.2 - Detailed Analysis

The tone is given in the introduction of the policy document, signed by Khachadpai Burusapatana. It says that the "people in the region should be able to live as Muslims in Thai society in peace and unity". This very simple mention is highly significant in that it had never figured in any previous policy documents on the South.

The document proper starts with a diagnosis: until recently Thai society considered that cultural diversity was a weakness, an impediment to social development. This attitude is rooted in the concept of Thainess, which implied that all residents of Thailand, whatever their ethnic and cultural background, should behave according to the same cultural standard, built around the reverence for monarchy, the use of the standard Thai language and a set of recognized social norms. The policy does not directly challenge the concept of Thainess, but calls for "All people to realize the value of cultural diversity, as a source of power and wisdom which helps create security, peace and sustained development."[62]

Cultural diversity must be seen as a strength, not a weakness. Further down in the document, under the "policy section", the theme of acceptance of cultural diversity is reiterated: "Build up awareness and understanding for all concerned so that they appreciate the value of cultural diversity as a strong point of the society and a creative power for problem solving and development, enabling them to work together when a problem arises or when danger is near."[63]

These excerpts show clearly that the National Security Council had gone way beyond the passing references to the necessity of "appreciating cultural differences" mentioned in the 1988 and 1994 policy documents. Here, the acceptance and celebration of "cultural diversity" became key instruments for problem solving in the southern border provinces. The expression is repeated eight times in the 1999-2003 policy document.

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[62] Office of the National Security Council, *นโยบายความมั่นคงแห่งชาติเกี่ยวกับสามจังหวัดภาคใต้* [National Security policy on the southern border provinces], Cabinet resolution, 7th September 1999.
[63] *Idem.*

The second strong theme of the 1999-2003 National Security Policy for the southern border provinces is the one of "full participation" of all actors involved. Contrary to previous NSC policies which were centred on the needs of the central state, the 1999-2003 policy is clearly people-centred, as stipulated in the document: "The policy focuses on the development of people in society as the centre for the solution of all problems by creating and developing the people's potential."[64]

The document sets as an objective "the development of the participation of all [...] to take part in development and problem solving, especially public disorder and narcotics problems". This includes the people, as well as "agencies under central administration, local administration and at the community level".

Military patrol in Yala city market (Photo Arnaud Dubus, October 2006)

[64] *Idem.*

The document rightly recognizes the importance of the drug issue. This is hardly a new problem; it has been around for a long, long time. And if it is worse in the South than in some other provinces, it is because of the proximity of the Malaysian border but also because of the highest level of corruption among the civil servants sent to the South. Several informants working at the village level and who preferred to stay anonymous affirmed that a sizable number of police officers are heavily involved in drug trafficking.[65]

Some other paragraphs are relevant, like the one stipulating that the policy of "Politics Leading Military" should be continued. This slightly ambiguous expression, devised by Prime Minister Prem Tinsulanonda in 1980, was part of the Thai military doctrine during the cold war and used to affirm the importance of civil operations and development projects in order to quell the communist insurgency.[66] In the 1999 Cabinet resolution, it grants the leadership of the Southern policy to the civilian government. This is certainly a step in the right direction in a country where the military have a disturbing tendency to meddle in politics, but it also opens the opportunity for the military to get involved in various development projects in order to "win the hearts and minds" of villagers and even militants – thus lies the ambiguity.

At the environmental and economic level, the document stipulates the need "to protect and safeguard the way of life of the people in the area, including their livelihood and the conservation of forest resources, mangrove forests and native coastal fishery."[67]

This paragraph shows an understanding that the tensions in Southern Thailand, as well as in Southern Philippines, are often triggered by resentment over the exploitation of local natural resources by large external conglomerates. This is particularly true as far as fisheries are concerned as this economic activity is traditionally a crucial source of income for Muslim villagers.

The document mostly gives broad guidelines to frame the work of various government agencies and ministries concerning the southern border provinces, but these guidelines are of crucial importance,

[65] Interviews, March 2011.
[66] Askew, 2010, p. 246-248.
[67] Cabinet resolution, 7th September, 1999.

especially for budgetary reasons. All projects proposed by a ministry or a government agency have to be related to the content of the NSC policy on the south in order to obtain a budgetary allowance from the central government. The change of paradigm in the NSC policy caused a repositioning of a number of projects in the South, but also the discontent of some high ranking civil servants whose projects did not fit the new policy.

2 - Analysis of the Policy's Implementation

The more open political atmosphere in the wake of the adoption of the "people's constitution" in 1997 and the attempts by government agencies to better diagnose the roots of the unrest in the Malay South, led to an improvement of the situation. Some positive changes were done within the education system, albeit the use of Malay language in government schools was still banned.[68] Overall, Malay Muslims felt that their voice could be better heard than before, through their representatives, within the political system. The active membership of the insurgency movement continued apparently to decrease and the government encouraged local politicians to participate more actively in national politics.

By the turn of the century, many analysts assessed that the newly found peace was there to stay. Overall, when Thaksin Shinawatra came to power at the beginning of 2001, the situation had steadily improved. It all changed for the worse at an amazing speed due to one key policy of Thaksin's at the provincial level: "Governors as CEO programs."[69] Governors were supposed to be more decisive without bothering about bureaucratic guidelines or the supervision of the Ministry of Interior.

[68] International Crisis Group, *Southern Thailand: Insurgency, not Jihad*, May 2005, Brussels.
[69] Pojar, 2005, p. 73.

The Reemergence of the Insurgency at the End of the 1990s

At the end of the 1990s, most security agencies and civilian authorities considered the separatist militants in the southernmost provinces a spent force and had drifted towards extortion and banditry. Then, almost no observer was aware that a patient work of indoctrination was under way since the mid-1990s, mostly through the efforts of religious leaders, in order to launch a new round of the struggle to "liberate the Land of Patani".

The recruitment of the new generation of militants took place mainly in the private Islamic colleges, and, more marginally, in the *tadikas*[70] and in the *pondoks*. Some *ustadz*[71] were spotting physically fit and disciplined students and inviting them to join discussions sessions on the history of Pattani and the Malay culture, as well as prayer sessions. The students who seemed passionately revolted by the story of the oppression of Malay Muslims at the hands of the Thai Buddhists were drawn further into the movement. At some point, they were invited to join a *supoh*, or swearing ceremony, during which they committed to devote themselves to the "liberation the Islamic land" from the presence of Buddhists.

The Thamma Wittaya Islamic School of Yala was one of the main recruitment centers. According to one informant, no less than 200 religious teachers there were actively indoctrinating students.[72] Different separatist movements were represented in the school, but the Barisan Revolusi Nasional-Coordinate (or BRN-C) was the most prominent. The *ustadz* involved in recruitment were avoiding troublemakers, petty criminals and drugs users and preferred to target youths who appeared pious and were coming from "good families". Thousands of youths were recruited in this way from the mid-1990s. Some underwent basic military training and others were trained for sabotage operations. The effects of this up and coming new generation of militants became more and more visible at the beginning of the 2000s. In 2001, there were 50 violent incidents linked to the insurgency; 75 in 2002; 119 in 2003 and over 1, 000 in 2004.[73]

Eventually, these new militants were asked to establish their own cell in their own locale. Little by little, these cells began to function autonomously, without strict coordination from the insurgency leaders based in Northern Malaysia. To the point that, when the leaders began showing an interested in negotiations with the Thai State, they could not restrain their cells on the ground. According Human Rights Watch researcher Sunai Pasuk, "the leaders in Malaysia have created monsters who do not listen to them any more".[74]

[70] Extracurricular Islamic schools, teaching on weekends.
[71] Islamic teachers.
[72] McCargo, *Tearing apart the Land*, p. 148.
[73] International Crisis Group, *Southern Thailand: Insurgency, not Jihad*, May 2005, Brussels, p. 16.
[74] Interview, 2005.

Border Patrol Police protecting a school in Narathiwat Province
(Photo Arnaud Dubus, 2005)

This new mindset led, as we will see in the next chapter, to the dissolution of the Southern Border Provincial Administrative Centre (SBPAC), the agency under the responsibility of the Ministry of Interior, who had overall administrative authority over the southernmost provinces. Despite its vital role as a link between the local Malay Muslims and the government, the SBPAC presented itself a number of weaknesses. Because of corruption and central government neglect during the 1990s, the intelligence capacity of SBPAC and CPM 43 was lessened and they were unable to spot the emergence of new militant groups from the mid-1990s.[75] The co-optation of Muslim leaders by the

[75] Mark Askew, "*Conspiracy, Politics and a Disorderly Border: The Struggle to Comprehend Insurgency in Thailand's Deep South*", Institute of Southeast Asian Studies, Singapore, 2007, pp. 50-53.

SBPAC, while closing the gap between Muslim elites and high ranking government officials, also led to a loss of credibility of these leaders among the Malay villagers. The new generation of militants exploited this gap.[76]

An added element was the state policy that violence was a legitimate means to resolve issues like personal conflicts or drug trafficking in the South, as later graphically illustrated by the "war on drugs" at the beginning of 2003. It created an environment where "violence became the only way to settle conflicts", which also had a deep influence on the local youth.[77]

These first missteps were compounded by further poor judgment by the administration. In 2002 and 2003, the number of killings of government officials in the South rose to fifty, a toll not seen since the beginning of the 1980s. But the administration insisted that criminal gangs were the culprits and refused to acknowledge a resurgence of the insurgent movement. It is only after a daring raid by insurgents against a military camp in Narathiwat province in January 2004 that the government began to recognize that Thailand was again confronting separatist activity.

[76] McCargo, 2009, p. 9.
[77] Tamthai and Booncho, 2009, p. 41.

Chapter Four

The South under Thaksin Shinawatra's governments (2001-2006)

1 - The Policy documents

1.1 - The National Security Policy (2003 – 2006)

Interestingly, the ONSC did not produce a specific policy document concerning the Southern Border provinces for the next period from 2003-2006 (the period during which the NSC policy would be implemented by government agencies was reduced from five years previously to four years).

Why decide not to publish a policy document on the South? The reason could be that, reflecting the general mood in the country at the end of 2002, the government decided that the situation in the deep South was not serious enough to warrant a specific policy document. The coming to power of Thaksin Shinawatra after the January 2001 elections had heralded a new era in Thai politics. At the end of 2002, the vast majority of the country was under the charm of Thaksin, one of the first Prime Ministers to implement his campaign promises: social security; such as universal health care, the village fund, the suspension of farmer's debts.

For many politicians, even the most seasoned ones like Nakhorn Sri Thammarath MP for the Democrat party and former Foreign minister Surin Pitsuwan, considered that the 'Southern issue' was on the way to

being solved. In an interview in mid-1990s, Khun Surin told us "The Malay Muslims are being integrated to the Thai society through their parliamentary representatives; they are becoming partners in the social contract."[78]

Such an apparent misreading of the situation by such an intelligent academic and politician is rather puzzling. But maybe, Khun Surin was, by then, more used to Bangkok political circles than to those in the Malay villages of the deep South.

This illusion that everything was on the right path in the South would explode towards the end of 2003, when the violent incidents became more and more frequent and more political in nature. Between the end of the separatists insurgencies at the beginning of the nineties and the new wave of militantism from 2002-2003, there were only sporadic incidents, mostly extortion by former separatists fights of local businessman. The most serious incident happened in 1993 when thirty government schools were torched during the night, for reasons still unclear. Some Thai Media implied strongly that General Chaovalit Yongchaiyudh, at the time a minister in Chuan government, had a hand in the wave of schools burning.[79] At the end of 2003, it became difficult to deny the rise of violent militantism in the southernmost provinces. From then on, Thaksin's government took the Southern policy directly into its own hands and the NSC was not responsible anymore for dealing with the issue. Policies were directly designed by the government.[80]

General Outlook

This policy document is cohesive and straight to the point. This might have been down to the influence of General Winai Patiyakul, a brilliant military officer, who was secretary-general of the NSC at the time. Additionally, there was a cell of academics established within the

[78] Dubus, 1994, p. 56

[79] *Manager Magazine*, October 1993

[80] Duncan McCargo, "Thaksin and the resurgence of violence in the Thai South. Network Monarchy Strikes Back?" *Critical Asian Studies*, No. 38, Editions Routledge, 2006.

NSC, centered on Mark Tamthai, at the end of the 1990s, of which was fully operative in 2002 when the NSC policy was elaborated.

Interestingly, there is not, even once, a specific mention of the tensions in the Southern border provinces, as if there were no problems there. But as the document was written in the wake of the terrorist attack against the World Trade Towers in New York on 11th September 2001, the whole text is imbued with the thinking that the Kingdom is not immune from the terrorist threats and that government agencies have to prepare themselves for a possible strike. At the time the document was written it was known that the terrorist organization Jemaah Islamiya, composed of Malaysian, Indonesian and Singaporean, was also showing an interest in Thailand, particularly at the Southern provinces. We will see in the next section what approach the NSC has taken towards the "terrorist threat" in this policy document.

The document also explains clearly that its content is simply a "strategic framework of operation for safeguarding national interests" to serve as guidelines to governments agencies in their specific field of work.[81]

Detailed Analysis

The document does not outline intricate details of implementation, but does emphasise some important points.

The "democratic notions" which appeared in the 1999-2003 NSC paper for the Southern borders were further expanded upon in the 2003-2006 policy paper. The importance of cultural diversity and participation of all public and private concerns – but also for the first time, "the people" – in national affairs are duly mentioned. In a paragraph at the end of the document, the authors stipulate the necessity of eliminating "power exploitation" and the importance of accepting "human rights" – even if it is easier written than implemented. It is worth noting the effort to integrate such notions which are usually given little consideration by security agencies. The document goes even further by stating the necessity for the bureaucracy to show efficiency, transparency and

[81] Office of the National Security Council, *The National Security Policy 2003-2006*, December 2002.

accountability in their actions. Recognising that there is a serious problem with the despising and corrupt attitude of Thai bureaucrats towards the common man is an important first step to begin to work on solving the issue. This problem with bureaucrat's attitude is especially acute in the Southern border provinces, but the policy document does not mention this.

We must also have some useful clarifications about what is guiding the Thai authorities in their security policy. It is driven by mostly two objectives: protecting national interests, which is rather obvious, but also "maintaining the honour and dignity of the country within the international community". This touches the question of the "image of the country" outside the borders, which is a very sensitive topic in the Kingdom. There are many ways to maintain the dignity of the country on the international scene. One way is to be brave and tell the truth even when that truth is embarrassing for the country in question. Another way is to hide the truth when that truth is not positive for the country, so that the "image and dignity" of the country cannot be affected. Thailand has traditionally opted for the latter in the past. But is it a good strategy? Hiding the truth will never work for long and the "good impression" given through lies will not last. If a country wants to be a cohesive and united nation, it surely cannot be built on half truths and manipulation of historical facts.

An interesting sentence further says that Thailand "must be respected for (its) position (on the international scene)" and "be independent in pursuing her own foreign policies". Concerning the relationships with the "superpowers", Thailand, said the document, must "avoid any exclusive commitment, but choosing opportunities, issues, and forums to play appropriate roles on the basis of national interests". It is interesting because it give a sense of the kind of duality Thailand is facing while acting of the international scene. Thai authorities are acutely aware of what we can call the "foreign gaze", *i.e.* the international opinion on its actions. They want to be respected, considered as a responsible member of the international community. At the same time, Thailand follows a cautious middle path, always sitting on the fence, always balancing its relationships for its best interests and not taking many "principled positions" – as clearly shown, for instance, by the total lack of involvement of the successive Thai government in the Khmer

rouge trials in Cambodia. As often, Thailand wants to have one's cake and eat it too. Overall, there is a lack of critical self-assessment among Thai decision makers; Thailand, and they, are "never wrong".

Going back to the issue of the Southern border provinces, two paragraphs in the document seem relevant. The first one, which is under the section "Overview of Situations Affecting National Security", says aptly that the majority of the problems in Thailand come from "unbalanced development" which produced a "widening gap between the rich and the poor", and concludes: "This has become a major factor contributing to problems such as narcotics, dark influence and crimes syndicates, corruption, and social conflict". This diagnosis is true in most of Thailand's provinces, as well as in the Southern border provinces at the time the report was written. Two additional elements, contributing to the social breakdown in the South, should be added: the cultural conflicts between Malay Muslims and Thai Buddhists, and the rise of a kind of hatred of everything "Thai" or "Siamese" among a sizable part of the educated young Malay Muslims – a cultural and xenophobic hatred under a thin veneer of a religious war.

The second one deals with the terrorist threat. The text says that the policy aims "to prevent and counter all forms of terrorism, by giving importance to solving the root cause of the problem". It is certainly a wise policy. Sadly, there is a time when a situation has festered so long that even looking at the roots and trying to cure deep wounds is not enough, because it is just too late. And in 2003, the situation in Southern Thailand seemed to have reached that level.

1.2 - Confidential Policy Document (June 2006)

A confidential document, *Developments in the Southern Provinces of Thailand*, written in June 2006 by the Thai army provides both an assessment of the situation in the South and a review of the government's programs being implemented there. This document is not an official document per se, but was given by the Thai army to some diplomats in order to brief them on the situation. This four page document contends that the root issues in the region are "socio-economic problems", which are exploited by the rebels notably through "distorting religion", in order to benefit

their own political interest. Thus, the document asserts, a number of measures aiming to improve the educational system and to stimulate economic growth in the region should help appease tensions and solve the situation. It is interesting to note the repetition in most official documents of the notion that the Southern border provinces are under-developed and in need of strong economic stimulation, although the reasons why this potentially very rich region has not benefitted from its natural resources are never explored.

As former policy documents stated, the text also recognizes the lack of good understanding between government officials and local residents as a key factor of the instability in the region. To cope with this issue, only officials "sensitized to the unique characteristics of the region" are being sent to the three provinces and "cultural awareness programs" have been initiated.

Following the international criticisms against the government handling of two major incidents – the Krue Se mosque massacre in April 2004 and the Tak Bai massacre in October 2004 (see further down: "The attack on the network monarchy") – the Thai army commits to prevent a recurrence of such incidents and to follow international standards in crowd control techniques. The document specifically mentions the setting up of a special "Riot control company" based in the South, but this unit seems to have been extremely discreet so far.

The economic stimulation package is being centred on the establishment of a "*Halal* food industry", a policy which makes sense but which does not seem to have been forcefully implemented, and on the provision of low interest loans.

It is, again, striking that the political dimension of the Southern issue is not even mentioned, and the cultural aspect is glossed over with the same jargon previous used in policy papers over past decades. Among the educational initiatives listed in the document, one item deals with the government will to promote Islamic studies at state primary schools. It further says that the government encourages local schools to teach Malay and the region's history. From our field observations, the second of these latter initiatives has never been implemented. It would also be interesting to know which version of the "region's history" the government would want to encourage.

2 - Analysis of the Policies' Implementation

Highly distrustful of the bureaucracy and imbued with a know-it-all attitude, Prime Minister Thaksin Shinawatra was not the kind of leader to let policy documents limit his field of action. Thus, it is not surprising that there has been a gulf separating the content of the policy documents and the real policy implemented on the ground by the government and its local representatives. Very reactive, impetuous and opportunistic, Thaksin continually shifted his policy on the South, sometimes promoting harsh measures and sometimes playing on a policy of appeasement. Three main thrusts can be discerned during this period: the will of Thaksin to dismantle the "old power networks" associated with the monarchy in the South, the adjustment of Thaksin's policy after he was confronted by this network monarchy and the impact of the emergency decree.

2.1 - The Attack against the Network Monarchy

The thesis that the upsurge of violence in the three provinces since 2003 is more a reflection of a political struggle at the national level, than a factor of long standing historical grievances in the region has been exposed by Duncan McCargo in a landmark article.[82] The argument is attractive, because it allows us to build a cohesive narrative of the events both at local and national levels between 2003 and 2006 around Thaksin's campaign to take down the political networks built over the previous decades by Privy Council Chairman Prem Tinsulanonda in the Southern region. This showdown at the national level was not sufficient by itself to explain the resurgence of the insurgency in 2003-2004 – new militants' networks had been developing since the mid-1990s – but, both local and national conflicts fed onto each other.[83]

[82] McCargo, 2006, p. 68.
[83] Askew, 2010, p. 236.

Interview with Dr Kadir – Chairman of the Alumni Association of Southern Muslim Students Who Have Studied in Pakistan (Yala, November 2006)

Thai universities only accept 1,000 candidates from the three southernmost provinces for business bachelor diplomas. Those who are not selected go to study abroad. Currently, few are going to study in Pakistan. The majority go to study in Indonesia, Egypt and Saudi Arabia, because some universities there, as for instance Al Azhar University in Cairo, are giving scholarships.

Those who study religion go to teach in *pondoks* when they come back. They are not trying to transform the mindset of the students. The dominant form of Islam here is Hanaffi. Some may bring a Wahabi influence, but it does not alter the foundations of localised Islam.

Some who come back from Egypt, and who are not involved in militant activities, find themselves automatically registered on the black lists. The non-Muslim government thinks that someone must have brain-washed them. Nobody has brain-washed me. The new World Order considers Muslims who follow their religion negatively and classify them as extremists.

I can compare the situation for the Muslims in Southern Thailand to a glass of water where you drop one drop after another for 20 years. One day, the water overflows out of the glass. If you oppress Muslims, they turn towards their religion. Don't force them to turn towards their God, because God has already prepared the answer for them.

Local people in Southern Thailand believe in the *toh kuru* (*pondok* owner). When the Rajahs were chased to Malaysia, the *toh kuru* became the new leaders. They have a lot of influence over the population. If the government wants to solve the issue, it must speak to the *toh kuru*. There are three main directions if you want to solve the issue at its roots: give autonomy, particularly for the choice of leaders; stop destroying Malay culture and preserve it; and support Islam and Islamic education.

Since his time as a Prime minister in the 1980s, Prem Tinsulanonda had built a power network in the Southern region, relying on a carefully crafted compromise between the local elites and the representatives of the central State. As already mentioned in chapter one, the key agency managing this compromise was the Southern Border Provincial Administrative Centre (SBPAC), who had established good communication channels with the Muslim leaders of the region. These leaders could access to important positions in the Islamic Provincial Councils or as district officers if they renounced to support calls for autonomy and

showed compliance to the demands of the central State and the SBPAC. The Fourth army, in charge of the Southern provinces, was another key partner in the deal: it was given carte blanche to oversee the security of the area and left to manage its own affairs, including the "taxation" of the illegal border trafficking. Local politicians, most of them under the Democrat party, were encouraged to compete for participation in national politics and advised not to vocally support calls for autonomy. Since the amnesty proposed by Prem in 1981, this consensus helped to maintain a relative calm in the region, until 2002-2003.

According to McCargo's argument, Thaksin wanted to wreck this consensus because he considered the region as emblematic of the "old power networks". In his campaign to reduce the symbolic power of the monarchy, Thaksin chose to strike at the heart of the system. "Thaksin and the forces he commanded were not directly responsible for all – or even most – of the violent incidents that erupted in the South from January 2004 onwards. Nor was this violence directly initiated or inspired by Prem, or by forces loyal to the network monarchy. Rather, national level tensions between the competing networks of Thaksin and the palace provided a context and background for the renewed southern violence, creating a space in which other forces could emerge and operate", argues McCargo.[84] The overall objective of Thaksin was to replace this network monarchy with a new and more efficient mode of leadership based on the concept of the CEO politicians allied with big businesses.

To take down the deeply entrenched power network overseen by Prem, Thaksin proceeded to send his own men to the Southern region and to identify the key representatives of the network monarchy so that they could be transferred to other positions. The first to be pushed out was a key man of Prem, Palakorn Suwannarat, the head of the SBPAC. Under heavy criticism from the minister of Interior Purachai Piumsomboon, Palakorn resigned in July 2001.[85] As a sign that the network monarchy understood Thaksin's intentions, Palakorn was immediately elevated as a member of the Privy Council. Thaksin also sent one of his classmates at the preparatory military academy, general

[84] McCargo, 2006, p. 68.
[85] Wheeler, 2010.

Songkitti Chakkabatr, as deputy-leader and then leader of the Fourth army. After a study of the situation, Songkitti reported to Thaksin at the beginning of 2002 that, in his view, there was no real insurgency in the South and the situation was normalized. According to him, most of the conflicts and sporadic incidents in the three provinces were linked to "conflicts of interest" or to local political rivalries.

Drawing information garnered in this assessment, Thaksin took two measures which were the first big blows for the network monarchy: he dissolved the SBPAC in April 2002 as well as the Civilian Police and Military Task Force 43, the inter-agency unit in charge of coordinating the security forces operations in the region. The dismantling of these two organisations, which had patiently built communication channels with local leaders including former insurgents and presided over a period of twenty years of relative calm, appears, with hindsight, as major a contributor as any in helping to strengthen a new militant movement.

The stint of general Songkitti at the helm of the Fourth army was rather disastrous as it provoked serious conflicts within the unit. Moreover, Thaksin wanted to break the hold of the Fourth army, considered as loyal to Prem, on the region and handed over the responsibility for security to the police. The police chief, General Sant Sarutanond, adopted the strategy of sending police officers from Bangkok to the three provinces. Their brutal behaviour (illegal arrests, extrajudicial executions) and their interventions in the Southern political microcosm were equally harmful, fuelling the resentment of local Muslims and cutting all intelligence sources for the authorities.

2.2 - Reaction of the Network Monarchy and Thaksin's Adjustment

As soon as February 2004, King Bhumibol Adulyadej referred to the deteriorating situation in the South and admonished Prime Minister Thaksin to implement the three royal principles of "understanding, reaching out and development". On the 4th of January, a daring raid of Muslim militants on an Army base in Narathiwat, during which several military were killed in cold blood and the stock of weapons stolen, had

attested the re-emergence of an armed movement against the "Buddhist central State".

Thaksin's reaction was to entrust, in March 2004, one of his brightest deputy-Prime minister, Chaturon Chaisaeng, to investigate the situation in the South and elaborate a set of proposals to improve it. After having consulted more than a thousand persons, including local Muslims, security personnel, civil society groups and religious leaders, Chaturon came up with a wide ranging plan, proposing to lift martial law, to immediately transfer back to the capital the Bangkok police officers dispatched in the South, to stop all state extrajudicial killings and to offer an amnesty to anyone in the conflict who had not committed criminal offenses. For the first time since the 1999-2003 NSC policy, a plan elaborated by a representative of the central State clearly took into account the viewpoint of the Malay Muslims and tried to strike a balance between the interests of the State and the rights of the locals to be protected from abuses by security forces. Perhaps for this very reason, Chaturon's proposals were heavily criticized by Thaksin's allies, most notably by Army chief general Chetta Thanajaro. Viewed as too liberal, the plan was shelved and quickly forgotten.[86]

In a tragic irony, the first serious incident since the re-emergence of violence with the January 2004 raid occurred a few days after Chaturon's plan had been shot down. In a dramatic development, reminiscent of the fighting between Malay villagers and police officers in Duson Nyor exactly 56 years before,[87] 130 militants, mostly teenagers armed with machetes along with a few adults with guns, attacked several police stations and military outposts across the three provinces and in some districts of Songkhla. The reaction of the security forces was merciless: at the end of the day, 107 of the raiders laid in their blood, as well as five soldiers and policemen. Known as the Krue Se mosque massacre – the main showdown took place in this 18th century Pattani mosque – the incident became emblematic of the ruthless approach of the security forces: some of the young attackers, in Saba Yoi district of Songkhla

[86] McCargo, 2006, p. 57.

[87] Chaiwat Satha-Anand, "The Silence of the Bullet Monument. Violence and "Truth" Management, Dusun-nyor 1948, and Kru-Ze 2004", *in* Duncan McCargo (ed.), *Rethinking Thailand's Southern Violence*, National University of Singapore Press, Singapore, 2007.

province, were found with a bullet hole at the back of the head, having clearly been executed after their arrest.[88]

Interview with Rawseedee Lertariyaponkul – President of the Young Muslim Association of Thailand (May 2006)

Before Thaksin's government, soldiers were coming to the southern communities to implement vocational projects, but now they speak only about security. The only project the military are promoting is to send youth groups to re-education camps in Ayuthaya, so that they "change their ideology". But this is of no benefit for the development of the young people who have no jobs. These young people are caught between drugs and insurgency.

Many of the people in the villages, especially teenagers, are into drugs: before it was heroine, now marijuana and amphetamines are prevalent as well some anti-cough medicine containing codeine. These drugs are coming from the border town of Sungai Kolok. Young people go there to work and when they come back to the village, they are addicted. After, they become involved in trafficking; they climb onto the train for Sungai Kolok in the morning and come back, with the drugs, in the evening. We call them *klum mot dam* (the black ants). Many of them have died from Aids.

The Aids situation is frightening. The Southern people are not recognising it yet, but we know what it is like because we are working with infected groups in 552 villages. Men contract the virus through drug addiction and they infect their wives. We are trying to distribute information to the young people, but they are often illiterate. Most of them stop the school at grade 6, and they live one day at a time.

These young are different from those involved in the insurgency. The young insurgents have studied in private Islamic schools. They received a good education and are considered as "good children" by their parents. They have been changed through an ideological teaching brought by some outsiders. These outsiders spot the potential recruits at the school, but they cannot propagate the ideology openly within the school. Even these young insurgents do not seem to know clearly who has taught them this ideology.

[88] Arnaud Dubus, "Thaïlande: le Sud et la gestion de la crise", *L'islamisme à l'assaut de l'Asie du Sud-Est*, Cahiers de l'Orient, No. 78, Paris, Second Quarter 2005, p. 63-65.

The Krue Se Mosque in Pattani, where took place the confrontation between militants and military in April 2004 (Photo Arnaud Dubus, 2005)

At the end of the year, a second bloody incident confirmed that all pretences to an accommodating approach of the conflict had been dropped. In October 2004, a demonstration by villagers outside a police station in Tak Bai district of Narathiwat province turned into a tragedy. First, the military shot into the crowd killing seven of the demonstrators, then they arrested hundreds of them, piled them up in military trucks and carried them towards Inkayuthborihan military camp in Pattani. When the trucks arrived six hours later at the camp, 78 demonstrators had perished, asphyxiated. Thaksin himself had taken control of the operation early on and did not express any regrets after the tragedy was known. For him, the Muslim villagers had died because "they were weakened by the Ramadan fasting". In the view of the local Muslims,

the Krue Se and Tak Bai massacres were the modern equivalents of the Duson Nyor incident: a sign of the cruelty of the State towards them.[89]

In front of the breakdown of peace and order in the South, the network monarchy felt the need to react. King Bhumibol, and especially Queen Sirikit, have always had a strong interest in the region; as if these provinces, relatively recently integrated, needed to be reminded regularly that they belonged to the Thai nation. In February 2005, not long after the triumphal re-election victory of Thaksin, general Surayud Chulanont, former army chief and Privy Counsellor, spoke about the "festering wound" in the South which threatened to become a "malignant tumour". He reported that while Muslim religious teachers had been arrested on suspicions of masterminding attacks, none of the military involved in the Tak Bai massacre had been arrested. Advocating an equal fairness in the judicial system, he also criticised a zoning plan, launched by Thaksin, according to which areas in the South would receive developments funds according to their level of loyalty to the central State. Privy Counsellor Surayud's very specific criticisms against a seated Prime minister – something unseen so far – were followed by similar statements by Prem Tinsulanonda, Chairman of the Privy Council, and by Kasem Wattanachai, another Privy Counsellor. The network monarchy wanted its voice to be heard and Thaksin was strongly advised not to ignore it.

Thaksin's response was to choose a steadfast partisan of the traditional power network, former diplomat and former Prime Minister Anand Panyarachun, to chair a National Reconciliation Commission (NRC), whose membership was mostly composed of established Bangkok elites and local Muslim leaders associated with the former SBPAC. With the help of academics, politicians, civil society groups and security experts, the NRC engaged in a grand effort to analyze the root causes of the unrest and the ways to solve it. It was, in a way, a reproduction of Chaturon's initiative but on a much grander scale and with apparently more guarantees of the government's consideration as Thaksin had committed to implement all NRC's proposals "without conditions".

[89] Senate Committee on the Southern border issue, *พระราชอำนาจชาติไทย และไฟใต้* [The Power of the Thai State and the Fire in the South], Open Books, Bangkok, 2005, p. 181-221.

The report that the NRC remitted to the government in June 2006, is a remarkable document for its frankness about the causes of the unrest and for his creative proposals to put an end to it.[90] Trying to diagnose the roots of the unrest, the NRC makes a distinction between structural causes that can be found in other rural provinces – like poverty, brutal competition for natural resources under pressure from external economic forces, injustices at the hands of the state officials and weaknesses in the judicial process – and issues which can be easily instrumentalised to justify the use of violence, like "differences in religion, ethnicity, language and understanding of the history". For the first time, an official organization recognized that the causes of the uneasiness in the Southern border provinces were not only rooted in "socio-economic problems", but were due to injustice at the hands of officials and, moreover, that cultural and historical factors could play a role. "Religion, the history of Pattani and Malay ethnic identity are used to legitimize the use of violence", stated the report.

The NRC's Proposals on Language Policy and Educational Reform

Among its recommendations, the NRC suggested that the Pattani-Malay language (or local Melayu) be made "a second working language", which meant that it could be used, alongside standard Thai, in government offices in the southernmost provinces and that all documents in these offices should be written in both Thai and Malay. This proposal was rejected right away by Prem Tinsulanonda, the chairman of the Privy Council. Nevertheless, it is interesting to delve into the debates and reflections which have taken place within the NRC on language policy and educational reform before the remittance of the report in June 2006.

The language policy in Thailand has been based, since the beginning of the 20th century, on security concerns. First, standard Thai was imposed on all ethnic groups in Thailand in order to have a culturally homogenous nation in face of the external threats, local languages (Kam Muang and Thai Yai in the North, Melayu in the South, Northern Khmer in the lower Northeast) were repressed because of their association, in the eye of the central State, with potential secession. The argument, within the NRC, was that the language policy should now be freed from these security concerns as they can no longer be justified.

[90] National Reconciliation Commission, *เอาชนะความรุนแรงด้วยพลังความสมานฉันท์ รายงานคณะกรรมการอิสระเพื่อความสมานฉันท์แห่งชาติ* [Winning over the violence by the power of reconciliation], June 2006.

As Gothom Arya, a former member of the NRC committee and the Director of the Mahidol Research Center for Peace Building, wrote:

> "The goal of language policy should be outward looking so that as many languages as possible are learnt by children with, of course, a fluency in the national language. Another goal should be to facilitate the learning of children in other subjects. Another policy could be to encourage cultural diversity by encouraging minority groups to keep their identity and culture through the preservation and development of their language"[91]

One of the issues discussed was the writing system for Pattani Malay (local Melayu) – a necessity if it becomes a working language. The *Jawi* system, based on the Arabic alphabet, but also using some Urdu and Persian letters, is used to write classical Melayu for religious texts. It has to be slightly modified to be used for local Melayu, but some local Malay scholars did not want to alter the *Jawi* system. No consensus was reached on this question.

One of the most daring proposals on educational reform was that bilingual education should be applied in the South. Studies show that the Malay children of the South are handicapped in school by the fact that the medium of instruction (*i.e.* Thai) is different of their mother tongue. Their results are much lower than those of pupils whose mother tongue is Thai, not only in languages, but for also for scientific subjects too. The idea, therefore, was to use both Pattani-Malay and Thai as medium of instruction. This NRC recommendation was not implemented. Romanized Malay (or Rumi) has been introduced to government schools, but only for religious instruction or as a foreign language alongside English and Chinese.

Advocating a political solution to the issue, the report said that "defeating the violence requires for the most part political measures that aim to rearrange the relationship between the State and the people, as well as between the majority and the minority both in the southern region and throughout the country". It was the clearest ever mention of the need for political measures to address the issue, but the vague formulation did not seem to indicate a specific framework. Surin Pitsuwan, former Foreign Affairs Minister and a member of the NRC,

[91] Gothom Arya, "Local Patriotism and the Need for Sound Language and Educational Policies in the Southern Border Provinces", *Understanding Conflict and Approaching Peace in Southern Thailand*, by Imtiyaz Yusuf and Lars Peter Schmidt (ed.), Konrad Adenauer Stiftung foundation, Bangkok, 2006.

stated that, during the NRC discussions, Anand Panyarachun put aside the mention of the need for an autonomous status for the Southern region. "He felt that we, Thais, need to learn to live besides each other", said Surin.[92]

Going more into the details, the NRC proposed a series of reconciliatory political measures, with the aim to unify the State's approach to the region and to strengthen civil society. The report suggested the establishment of a Peaceful Strategic Administrative Centre for the Southern Border Provinces (PSAC), a kind of new version of the defunct SBPAC, which would be tasked, among others, to recommend the transfer of incompetent government officials out of the area, to end any action of policy by any government agency that conflicts with the PSAC's strategy and to promote the development of an educational system and socio-economic development consistent with the region's culture and religion.

More immediately, the report proposed the setting up of an unarmed Peace Force, called Santisena and comprising civilians, military and police, to keep the existing conflict from worsening. It also suggested that the State "clearly demonstrates that it chooses to engage in dialogue with the militants" and deals decisively with State officials against whom abuse-of-power complaints have been substantiated.

Finally, the document suggested twelve "sustainable reconciliation measures", among which a call to enhance the efficiency of the judicial process based on truth, rule of law and accountability, and a daring proposal of declaring Pattani-Malay "as an additional working language in the southern border provinces to facilitate communications between the people and State authorities".

In the absence of a National Security Council policy paper on the Southern region, the NRC report, written after extensive consultations with all parties involved, was filling a gap and bringing some cohesiveness to a possible new State policy on the South. Three important points were strongly emphasized: the fact that part of the responsibility for the unrest laid with the violent approach of the

[92] Surin Pitsuwan's presentation, at the Seminar "Understanding conflict and approaching peace in Southern Thailand", organized by Konrad Adenauer Stiftung foundation, ABAC university, Bangkok, September 2006.

security forces, the fact that the unfair treatment of the locals by the administration and by the judicial system was also part of the problem, and, lastly, the fact that there was a cultural aspect in the conflict which could not be ignored and had to be dealt with (thus the "working language proposal").

This grand effort at reconciliation was, like Chaturon's plan, pushed aside by Thaksin's administration. Not only did Thaksin impose, in July 2005, an emergency decree which rendered all of the NRC's work meaningless. He also backtracked on his earlier promise to implement without conditions the NRC proposals, by stating that some of them were "conflicting with the imperatives of the security forces".

2.3 - The Emergency Decree and its Consequences

The Executive decree on public administration in emergency situations (or Emergency Decree), imposed by the government on July 19th 2005, adopted an approach totally opposite to the one suggested by the NRC. From then, it became clear that Thaksin never really had the intention of heeding the advice of the "wise men" appointed to the Commission, but merely wanted to diffuse the tensions accumulating between him and the palace.

The NRC members were especially shocked by the imposition of the decree because they were neither consulted nor, even, informed of the coming development. At that point, many members wanted to quit the NRC and it is only at Anand's insistence that the Commission continued its work until the report was written. But for most members, it was by then clear that there could be no more trust between them and the Thaksin's administration.

Written in order to replace martial law, the Emergency Decree, which could be imposed by the Prime minister on any regions for any period of time, was actually very similar to the martial law in terms of content. The main difference was that it did not carry the same stigma as the martial law in the eyes of the international community.

Interview with Patimoh Poh-itaeda-oh – Leader of the NGO Women and Peace Group Based in Yala and Aid Worker for Female Victims of Violence (May 2009)

The women that are most exposed to the violence are the villagers who are working in collaboration with the government, for instance, those who coordinate development projects in the field, or who are leading NGO and associations.

Hundreds of millions of Baht of budget have been allocated for development in the southernmost provinces, but at the village level, we see none of this money, no development at all. This money is blocked at the intermediary level; it never reaches the bottom of the ladder.

Villagers have more respect for the imam than for the local administrative leaders, like the *kamnan* or the chairmen of the sub-district administrative organizations. But even the imams do not dare to say anything about the situation or to call for an end to the violence. Even the Provincial Islamic Council does not dare to do anything about the situation. When villagers become victims of violence, nobody dares to speak, nobody dares to move, because we do not know exactly who is behind the violence, or what their objectives are.

In other countries, if some groups are involved in a violent campaign, they will come out and state publicly their objectives. But here, in the three provinces, we don't know what they want. That is the most frightening aspect.

For us who are working on the ground, it is clear that a solution to the conflict cannot come from an official policy elaborated at the top. You need first to ask the locals, the villagers what they want, and you need to involve them, to ask them to participate. The State has to take into account the proposals of the locals. But most of the time, the government representatives are giving us orders: you must do like this, you must do like that…

You have to recognize that locals in the South are very sensitive because of the past history. They have been oppressed for a long time. The government representatives must understand that it is now time to listen to the locals and the villagers, and to let them actually participate towards an appeasement to the conflict.

The most problematic clause in the decree was section 17 which grants enforcement officers immunity from prosecution for any action committed in the line of duty. During a televised debate with Thaksin in July 2005, NRC chair Anand Panyarachun said that this section was being perceived by the southern Muslims as granting officials "a license

to kill."[93] Given the frequent habit of security forces to act brutally outside of the limits of the law, this impunity clause was almost a justification of blatant violations of human rights like the Krue Se and the Tak Bai massacres. Indeed, section 16 of the decree suspended the jurisdiction of the administrative courts to prosecute human rights violations by officials. In the terms of a group of Thammasat university academics, the effect of these sections was to "completely destroy accountability".[94]

Pictures of militant suspects at a military checkpoint on the road from Pattani to Yala
(Photo François May, March 2011)

[93] Televised discussion between Thaksin Shinawatra and Anand Panyarachun, *การสนทนาพิเศษ "การสร้างสันติสุขใน ๓ จังหวัดชายแดนภาคใต้ ,"พระราชอำนาจชาติไทย และไฟใต้* [Peace building in the three southern border provinces, The Power of the Thai State and the Fire in the South], Open Books, Bangkok, 2005, p. 123-151.

[94] International Crisis Group, *Thailand's Emergency Decree: No Solution*, Brussels, November 2005.

Another worrying clause was section 12, which allows the police to hold suspects in "places other than a police stations, detention centre, penal institution or prison". In a country where mistreatment and torture of prisoners is common, secrets places of detention are a clear threat to the rights of the suspects. Nevertheless, the decree did show a progress compared to the martial law on one point: suspects could be arrested without charges for renewable periods of thirty days, but a judge warrant was deemed necessary.

Opposition against the decree was strong, not only among the NRC members, but also on the parliament's opposition bench. Democrat party leader Abhisit Vejjjajiva argued that the decree violated the spirit of the 1997 constitution and opened the way for abuses by the authorities. The Democrat party's deputy Secretary-General accused the government of perpetuating a culture of impunity and of turning a blind eye to abductions and extrajudicial killings. After being elected Prime minister in December 2008, Abhisit Vejjajiva seemed to have revised his stance and used the emergency decree repeatedly during the Red Shirt demonstrations of 2009 and 2010.

A block of shop houses totally destroyed by a car bomb attack
in Yala city market in March 2011 (Photo François May, March 2011)

Interview with Mansour Saleh – Malay Muslim Intellectual in Yala (May 2009)

Since the start of the reconciliation policy (with the NRC in 2006), there has been no change concerning the promotion of Malay language. The Malay people are the majority of the population here, but the main media is publishing and broadcasting in the national language: Thai. Less than 10 per cent of the media are using Malay. This has provoked a crisis because the young Malay generation cannot speak Malay well, as they are more influenced by the Thai language. It is considered as a success from the government's viewpoint, but it upsets the local Malay here.

Another problem comes from a program promoted by some Malay elites, which is supported by some NGOs in Bangkok, to teach Malay writing through the use of Thai alphabet. We try to inform the young generation that this is indirect assimilation. The young also want to learn Malay, but there is no promotion campaign.

In many private schools run by Muslims, Malay, Thai, English and Arabic are taught, but in the government schools they still close the door to Malay language. The government is beginning to worry about this, because it is realising that there are fewer new students coming into government schools.

The proposal of the National Reconciliation Commission on adding Malay "as a second working language" has not been implemented. We ask the government, how is this democratic? The majority is ruling, but the minority must have their rights protected. We have no freedom of language. Now we use radio programs to promote Malay language, with frequencies allocated by the Mass Communications Authority of Thailand (a government agency). We promote both the local Malay dialect and standard Malay, because we believe that our young generation must have a good connection with the 300 million speakers of Malay in the world.

Once the Thai historian Nidhi Eoseewong told me that, according to the central State view, Islam has a place in this Kingdom, but the Malay identity has none.

Another root of the conflict concerns the administrative structure. There has been no change compared to the past. The government does not open the space for self-determination under Thai laws. Self-determination does not mean autonomy; it is just a means that our people could exert some checks and balances on the government. So far, the policies are all coming from the top, and our side is just supposed to implement them.

The main impact of the decree was to totally destroy any trust left between the security forces and Muslim villagers. The military had pushed for the inclusion of the section on legal immunity because they had been publicly embarrassed and called into account for the Krue Se and the Tak Bai massacres. With these new guarantees, they felt emboldened.

Black lists of suspects, based on weak intelligence, were established and the suspects were called to "voluntarily surrender". Dozens of reports of extrajudicial killings emerged in the months following the imposition of the decree. In the absence of conclusive evidence, most locals considered, as a first assumption, that the gunmen were members of the security forces. This led to a number of tragic incidents, like the kidnapping and subsequent brutal killings of two marines in September 2005 who were accused by residents of Tanyong Limoh, a Narathiwat village, of having shot two villagers. Three weeks earlier, 131 Muslim villagers of two villages in Narathiwat had taken refuge across the border in Malaysia, claiming that they were afraid of executions by the Thai security forces and of unfair treatment at the hands of the authorities.

Thus, despite the strenuous efforts by the NRC to take a more balanced approach to the Southern issue and to try to integrate both the interests of the central State and Southern Thai Muslims, Thaksin's government reverted to a pure "security approach" under a blanket of impunity. The gulf between both sides became so wide and the distrust so deep that it became an apparently insurmountable task to find ways to re-establish some kind of peace and harmony. By destroying a key part of the traditional order in the South of the country, Thaksin had entered into a showdown with the beneficiaries of this order: the military, the palace, the bureaucracy and the established elite. The coup of 19th September 2006, which evicted him from power, was partly motivated by the will to stop Thaksin of attempting to create a new order, subservient to himself and his cronies, in the South.

Chapter Five

The South after Thaksin's Government (2006-2010)

1 - Surayud Chulanont's Government (2006-2007)

1.1 - The Policy Documents

The Coup of 19th September 2006 put an end to Thaksin Shinawatra's government and to his policy of open confrontation in the South. Immediately after his appointment, General Surayud Chulanont, the new Prime minister, announced a new policy for the Southern border provinces. He said that the unrest was rooted in the "historical injustice" done to the local people and that only a solution to this issue would appease the tensions – a strikingly new language from the mouth of an official of the Thai government. He also announced an end to the controversial policy of "black lists" implemented by Thaksin, a process whereby suspected militants were arrested on the basis of blacks lists established by the military and supported by weak intelligence.

Nevertheless, the Southern issue was barely mentioned in the policy documents published by the new government. The Policy Statement of the Council of Ministers of 3rd November 2006 devoted only two lines to the topic, saying that the "critical issue" of the South had to be solved following the royal advice "understand, empathize and develop."[95] In the same way, the Briefing on Policies and Directions of

[95] General Surayud Chulanont, Policy Statement of the Council of Ministers, 3rd November 2006.

the Ministry of Defence of 6th November 2006 brandished the royal mantra, gave the overall responsibility for the region to the Internal Security Operational Command (ISOC, headed by army chief and Coup leader Sonthi Boonyaratglin) and reestablished the Southern Border Provincial Administration Center (SBPAC) and the Civilian-Military-Police task force or CPM 43.[96] Remarkably, there was no mention at all of the National Reconciliation Commission's Report despite the fact that the army chief, General Sonthi Boonyaratglin, had given vocal support to the NRC under Thaksin's government.

These policies statement were followed by two Prime Ministerial orders, 206 and 207, which framed in more details the approach of the coup-installed government concerning the southern border issue. It recognized that mistakes were made by the state and that it was necessary to change tack in order to rehabilitate the state authority and legitimacy in the eye of the Malay Muslims. According to Marc Askew, a new "officially sponsored conciliatory text" appeared, "centered on the imperatives to promote 'justice', 'participation' and 'peaceful means'" [97] and development under the royally endorsed concept of "sufficiency economy".

Prime Ministerial Order 207 dealt specifically with the re-establishment of SBPAC. The new SBPAC presented key differences with the one dissolved by Thaksin in 2002. First of all, it was under the authority of ISOC and needed its approbation for all programs, budgetary decisions and disciplinary sanctions against civilians or police officials (military were excluded from SBPAC's scope). In theory, SBPAC was in charge of the development sector and ISOC in charge of security issues, but the military were very keen on being also involved in development in order to improve their image.

The force of the old version of SBPAC was its ability to transfer officials who were causing troubles with local people. Moreover, the networks of communications which had been established formerly over a long period between the SBPAC and local religious authorities as well as with Malay community leaders had been annihilated by Thaksin's destructive policies. CPM 43, in charge of coordinating the work

[96] Briefing on Policies and Directions of the Ministry of Defence, 6th November 2006.
[97] Askew, 2010, p. 238.

between the Border Patrol Police, the Rangers and the military, was also put under the aegis of ISOC. The result of this change was to take away the power in the region from the hands of the police and of civilian administrators to give it to the army.

On the 2nd November 2006, Surayud Chulanont made an historic trip to Pattani, where he addressed a large assembly of local religious and community leaders. On behalf of the Thai State, he presented his excuses for the way the officials had behaved in the past. The atmosphere in the C.S. Pattani hotel's ballroom where he pronounced the speech was buoyant. Because of the new language used, many in the audience were feeling that a turning point had come. Despite, or maybe because, of this reconciliation speech, the violence caused by insurgents increased notably in the following months in number and intensity, with a wider use of bombs over 15 kilograms. In parallel, the militants' propaganda focused on denouncing this reconciliation policy as a devious scheme to deceive local Malay Muslims.

1.2 - Analysis of the policy's implementation

From the beginning, the new policy promoted by Surayud was hindered by the need to take into account the views of the conservative elements within the security forces and the bureaucracy, but also the opinion of a large part of the Thai population which supported a harsh approach in the South and had never contested Thaksin's brutal policies. In March 2007, bypassing cabinet's approval, army chief and Coup leader Sonthi Boonyaratglin appointed military officers as deputy-governors in the three provinces.

Despite the obstacles, Surayud took a few steps to try to diffuse tensions. A number of suspects under detention were released under bail. Negotiations were tentatively engaged with two historic militant movements, the PULO (Patani United Liberation Organisation) and the BRN-C (National Revolutionary Front-Coordinate).[98] As a Coup installed

[98] The PULO is an armed group that emerged in 1968 with the objective of creating an independent Islamic state; the BRN-C is an off-shoot of BRN, a movement created in 1961 in reaction to the policy of secularization of education in the South and with the aim of

government, Surayud's government did not have to worry about its political future and, thus, would have been able to push the reconciliation policy further, at the risk of discontenting a part of the population. But he chose to play safe, maybe because some tragic incidents, like the death in January 2007 of Juling Pangamoon, a Buddhist teacher who had been beaten, and subsequently died, by villagers and militants at a school in Narathiwat in May 2006, made it almost impossible to justify more meaningful concessions.

On the key issue of delivery of justice on past abuses, there was no progress despite the clear recommendations made by the NRC. No military officers were brought to trial for either the Krue Se or the Tak Bai incidents. 42 million Baht was given to the victims' families under the express condition that they gave up all possibilities of judicial pursuits.[99] It was the umpteenth illustration of the impunity of security forces in the recent Thai history.

Despite the strictures imposed by ISOC, SBPAC was able to launch a large number of development projects – from students scholarships and justice programs to "quality of life" projects – under Surayud Chulanont's administration and then under his elected successor Samak Sundaravej. It gave some content to the new discourse on reconciliation and justice. The obligation to be under the yoke of ISOC for budgetary matters was nevertheless both an irritant and an impediment for SBPAC officials. Another obstacle was the insecurity prevailing in rural areas, which penalized civilian officials more than the military for the projects implementation. As a consequence, SBPAC officials were quite reluctant to get in touch with villagers on the field, and most seminar and workshops were organized in towns and district centers.[100]

creating an independent republic of Pattani; more geared towards military operations, BRN-C appeared in 1984 after a split within BRN.

[99] International Crisis Group, *Southern Thailand: The impact of the Coup*, Brussels, March 2007.

[100] Askew, 2010, p. 246.

Interview with Phra Prasob – Buddhist Monk at Khok Ta Temple, Sungai Padi District, Narathiwat Province (May 2009)

Forty years ago, 80 per cent of the people here were Buddhists and 20 per cent Muslims. Now, the proportion is reversed, Buddhists are less than 20 per cent. At that time, we were able to elect our leaders, but now the choice is in the hands of Muslims. Most of the Buddhists were coming from outside of the border provinces. They were coming from Songkhla, Pattalung, Nakhon Sri Thammarat or Trang. Most of them worked as civil servants. After the violent incidents started in 2004, many of them decided to go back to their native province. In the last five years, around half of the Buddhists left the area. The Buddhists who are staying here are those who have nowhere to go.

There are other factors explaining the departure of Buddhists. The Muslims are better educated than before and can access the civil service. Also, when the government launched the family planning campaign thirty years ago, Buddhist families followed the advice, but the Muslims didn't, as they considered family planning against Islam.

Concerning the violent incidents, I think that the apparent calm is very precarious. We [Buddhists] are trying to help each other, to look after each other's shops. Last month, just before Thai New Year, a bomb exploded in Sungai Padi market and two houses were burnt down. Everyone is trying to limit their travelling and avoid going to risky areas. Equipment stores cannot deliver their goods. It is a way for the insurgents to put pressure on them [Buddhists] by jeopardizing their means of living.

At the beginning of the unrest in 2004, soldiers had been posted in most of the temples to protect them. But, for us, we refused to have soldiers within our compound, because if we associate closely with the enemy of insurgents we will become ourselves a target. Of course, as long as the soldiers are here, we're protected. But they usually leave after six months or one year, and then, we would become quite vulnerable. In the same way, we don't want soldiers to accompany us for our morning round to receive the alms from the faithful, because it would increase the risks of attacks. Some have accused us of refusing to cooperate with the government.

The wealth of recommendations made by the NRC served as an inspiration for the more conciliatory policies of Surayud, but was not implemented as such. One of the key recommendations of the NRC – to "declare Pattani-Malay as an additional working language in the southern border provinces to facilitate communications between the people and state authorities" – had been shot down by Prem Tinsulanonda,

Chairman of the Privy Council. As a staunch defender of Thainess, he estimated in a speech in 2006 that such a thing was "impossible because Thai is the language of all Thai people."[101] Nevertheless, there was an attempt to include the teaching of Malay language at the kindergarten and primary levels. But the idea was not to upgrade the knowledge of their Malay native language for the children, but rather to "have an efficient teaching method of the Thai language for children using Malay language in their daily life". And thus, a curriculum was designed to teach Thai by using standard Malay (*i.e.* the Malay language used in Malaysia, which is different from the Pattani Malay). In any case, the Buddhist teachers felt quite uncomfortable about having to use Malay and giving more space to Malay culture and identity. The scheme was never really implemented.

Overall, despite a change in tone, the policy of Surayud's government did not fundamentally alter the situation. The wave of optimism which prevailed immediately after the ousting of Thaksin quickly vanished. Malay Muslims and State officials were as far from each other as they ever were. The argument that Thaksin was the root of all evils in the South – an argument advanced, for instance, by former Thai foreign minister Surin Pitsuwan – was preposterous.

2 - Abhisit Vejjajiva's government (2008-2011)

2.1 - Policy Statement

Upon taking office in December 2008, Abhisit Vejjajiva pledged to reclaim the policy on the Southern insurgency from the hands of the military, by allowing the SBPAC to operate independently from ISOC. He used the old ambiguous cold war expression "Politics leading the military" to label his policy. The ambiguity is that under this policy in the 1980s the military got heavily involved in development work both in Northeastern and Southern areas. And since then development has become part and parcel of the "security forces duty". So, it was not clear

[101] "Prem disagrees with proposed use of Malay as official language", *The Nation*, 25th of June 2006.

if this "Politics leading military policy" was really giving the upper hand to civilian authorities or rather enlarging the scope of military influence.

Interview with Ahmad Somboon Bualuang, Academic,
Former Member of the National Reconciliation Committee,
and Former Sub-District Council Chairman in Pattani Province (March 2011)

The military are not interested in solving the situation in the South, because as long as there is instability here, they can obtain more budgets. When one incident happens, they can write a proposal to get a new budget, though they already have secret budgets. They got many tools to tackle the insurgency, like the balloons and the GT 200 bomb detectors. These tools are useless to solve the problem here.

I don't think the new repartition of responsibilities between SBPAC (in charge of development and justice) and military (in charge of security) can improve the situation. I think the government people made the separation, because they need to use the 1.2 billion Baht budget for 2011 to prepare the elections. If this budget would be controlled by the military as before, it could not be used to prepare the elections. I know that 10 per cent of all development projects are used to pay civil servants. So the SBPAC cannot help solve the problem in the South, but it can help the government to prepare the elections. The story here is not about separatism, it is about corruption, because there are so many budgets that are flowing down to the South.

One of the big issues is justice in the education system. 20 years ago, only 2.5 per cent of our southern students graduated with a bachelor degree. 10 years ago, the figure was only 3 per cent: a progression of 0.5 per cent in ten years. But the General Secretary of the SBPAC, Panut Uthairat always says that SBPAC sent 200 students to further their studies in Egypt and Indonesia. We have 70, 000 students who graduate each year from high school and want to go to universities. The Rajabhat institutes can only receive 10, 000 of them. The others have to cross into Malaysia or go to Indonesia to further their studies.

There has been no progress concerning the promotion of Malay language at primary and secondary level. The education ministry only organises, as an informal experience, two hours per week of Islamic studies with Malay language in 42 schools of Yaha and Bannang Sata districts of Yala province. The promotion of Malay language is important because Thailand will become a member of the Asean community in 2015. There are 300 million Malay speakers in the Asean community. Why does the government not promote the three southern provinces as a centre of learning of Malay language for the whole country?

A key point of Abhisit's policy was to free the SBPAC from the yoke of the ISOC and to give to the civilian agency the power to transfer officials, civilians and police officers, without ISOC approval. In his policy statement, he committed to set up a Southern Border Province Administrative office "as a permanent organization", under the rubric "Urgent policies to be implemented in the first year."[102] Abhisit also declared that he wanted to prioritize issues of justice by "applying a stringent and just judicial process to perpetrators" as well as of economic development. He said that the Southern border provinces will be "designated as special development zones which will receive support from low-interest soft loans, special tax preferences and promotion of *Halal* industries."[103]

Overall, the new Prime Minister was clearly concerned not to let security concerns hijack the whole policy on the southernmost provinces.

Workers unloading rubber sheets in Yala market (Photo François May, March 2011)

[102] Abhisit Vejjajiva, Policy Statement of the Council of Ministers, 30th December 2008.
[103] *Ibid.*

At the level of structural political reforms, Abhisit took a bold step in June 2009 when he said that he was willing to talk about a special form of local governance. But as we will see, his subsequent actions did not match his words.

One of the policies which was implemented at the beginning of 2011 was the "quasi-amnesty" policy initiated by the military in the four districts of Songkhla province, where the emergency decree has been lifted and replaced by the Internal Security Act. Section 21 of the Internal Security Act allows ISOC to drop criminal charges against an alleged offender if the confesses and agrees to undergo a "re-education training" of up to six months. This policy resembles closely to the one implemented at the beginning of the 1980s by the government of Prem Tinsulanonda in order to weaken the communist insurgency. As seen in chapter two, there was also an amnesty policy implemented rather efficiently with the southern insurgents in the 1980s, but it was not coupled with a re-education stint.

2.2 - Analysis of the Policy's implementation

Despite his efforts, Abhisit could not fully implement his pledges because his fragile government badly needed the support of the military in light of the Red and Yellow shirt's political challenges. He was trapped by a paradox: how to reinforce the hand of the civilian authorities in the deep South when those authorities depended fully on the military to maintain themselves at the top of the state?

The military strongly resisted the plan to strengthen the power of the SBPAC and make it independent from ISOC. Under the leadership of Lt General Pichet Wisaijorn, they established a number of major show case projects in order to assert their crucial role in development. Pichet established a demonstration farm opposite the Sirindhorn military camp in Yala, where he was very keen to bring visiting foreign dignitaries. "This army publicity was an attempt to affirm the military expertise in development, and indirectly perhaps, to contest the government's claims that civilians could do better."[104]

[104] Askew, 2010, p. 248.

Up to the vote of the SBPAC's bill, ISOC had insisted in having control over most of the projects, such as the village development funds project or the jobs creation schemes, even as these projects were, actually, implemented by the SBPAC. For instance, SBPAC gained just 13 per cent of budgeted programs for the year 2009.[105] This desire to exert ultimate authority over this flow of funds was a key reason why the military did not want to let the SBPAC acting independently. The huge budget for the South – 199 billion Baht overall from 2004 to 2010 – had somehow created what the International Crisis Group calls an "industry of insecurity."[106] As the Indonesian army in Aceh before the tsunami of December 2004, the Thai military did not have strong incentives to bring about a peaceful solution of the Southern conflict because of their keen interests to continue receiving the flow of funds. At the same time, local people consider that they benefit little from this financial flow. The SBPAC bill aimed to break this unwholesome dynamics.

Another sensitive point was the section of the SBPAC bill stipulating that SBPAC's secretary general could discipline and transfer misbehaving civilian officials, including police officers but excluding "serving soldiers, prosecutors, Islamic judges and judges". The expression "serving soldiers" embarrassed the military because the rangers, of which there are a large number deployed in the South, are not technically considered as regular soldiers even if they are hired by the army. The military pushed vigorously and successfully for a change in the wording of the section – putting the term "the military" instead of "serving soldiers."[107] The end result is that the military, in the South as in other parts of the Kingdom, are exempt from review by civilian authorities. This privilege granted to the military encourages impunity. Abhisit's administration had to make some other key changes to the bill so that the military drop their opposition.

[105] Askew, 2010, p. 249.
[106] International Crisis Group, *Southern Thailand: Moving Towards Political Solutions?*, Brussels, December 2009.
[107] International Crisis Group, *Stalemate in Southern Thailand,* Brussels, November 2010.

Despite these alterations, the bill, which was passed by the parliament in November 2010, delineates clearly the responsibility of the military and the SBPAC. The army's role is limited to the security aspect while the SBPAC is responsible for development and justice, which is a blow to the military who wanted to keep the control of the large budget devoted to development.

The Abhisit's government has followed suit on his pledge to focus on development in the region. 63 billion Baht have been allocated for a four-year special development plan. While the focus on development, if effectively implemented, is welcome, one of the dangers is that it gives the impression that pouring money on the South is the way to resolve the conflict. It must not occult the fact that the core issues are linked with the respect of Malay cultural identity, language, political participation and justice.

On the issue of justice for Human rights abuses, Abhisit's government was less forthcoming. Two judicial rulings fuelled the feeling of unfair treatment among the local Malay Muslims. Regarding the Tak Bai incident, a court ruled that the security forces had acted in line with their duties and in a justified manner. On the case of Yapha Kaseng, an imam who died while under detention by the military, the court recognized that the cause of the death was physical abuse by military officers "which left him with broken ribs and a ruptured lung while in custody of officers who were carrying out their duties". Five soldiers were transferred out of the region, but none were prosecuted.

The delivery in November of an arrest warrant for a ranger suspected of being implicated in a massacre in June of the same year of ten persons at the Al Furqan Mosque was seen as a small positive step: it was the first arrest warrant delivered against a member of the security forces (and against a Buddhist) since 2004. But the police dropped the charges against this ranger in August 2010, further strengthening the feeling of unbalanced delivery of justice in the Southern border provinces.

The quasi-amnesty policy, initiated by the military, reflects a certain lack of imagination in confronting the Southern insurgency. This old "political tool", which had been used thirty years ago with the communist insurgents and southern separatists, has been dusted off and put to use again. The reliance on re-education to help solve the Southern

issue is indicative of a rather narrow analysis of the conflict: there is no real basis for the Malay Muslims' demand for a better recognition of their cultural identity and their yearning for some level of political autonomy, but the problem is that they have not yet well understood the goodness of Thainess, and all the benefits of being assimilated in the Thai way of life. This policy worked well in the 1980s, with the communist insurgents who were, for most of them, urban Thais, as well as with the southern separatists who were then organized as guerrillas groups living in the jungle. The amnesty allowed them to "come home". But it remains to see if the recipe will be as effective for the new generation of militants who are living among the villagers and are, so to say, already at home. According to Abdullah Asis Tade-In, an advisor to the Young Muslim Association of Thailand, those surrendering to the authorities are not militants, but rather people who are on the black lists of suspects established by the security forces.

As with previous governments, Abhisit's administration has never had an official policy of negotiating with Southern insurgents. But there have been, at least since 2005, unofficial contacts between representatives of the Thai State and leaders of some militant organisations, as for instance, the talks mediated by former Malaysian Prime minister Mahathir Mohammad on Langkawi Island. One of the difficulties in this process is to determine the exact level of control these organisations – most of them created decades ago and based overseas – have on the militants on the ground. In 2010, negotiations between Thai State representatives and leaders of the PULO and the BRN-C made some progress, and both organisations – regrouped under the umbrella of the Pattani Malay Liberation Movement or PMLM – signed an agreement in January of that year to foster a joint commitment to the search for a political process. In June 2010, these two organisations, as a gesture of goodwill, declared a one-month unilateral cease-fire in three districts of Narathiwat province. Despite the declared truce, a few violent incidents happened in these districts, and the Abhisit's government considered that there was no certainty about the level of control the PMLM asserted over the militants. Negotiations were suspended for some time, but, according to one well informed source, resumed after a while.[108]

[108] Interview, April 2011.

Interview with Abdullah Asis Tade-In – advisor to the Young Muslims Association of Thailand (YMAT), March 2011

The relationship between Malay villagers and government officials is still bad; there is still a lot of distrust. The authorities say that the people are becoming more cooperative with them, but the number of violent incidents shows that the situation is not better.

One of the main problems is that high ranking civil servants posted here are coming from other provinces, such as Nakon Sri Thammarat or from Pattalung. Very few of them come from the region. It is for this reason that we are asking that these officials are removed from the region. This would improve relations [between locals and the government].

The "amnesty" policy is not really meaningful, because there are no real surrenders: the people who "surrender" are not real militants; they are just people who are on the "black lists" of suspects. There is no case against them. They just come back home. They left because they were afraid. If the government policy was clear, the thousands of people who have fled to Malaysia would come back. But now, these people are still afraid that if they come back, they would not receive fair treatment.

The frequency of violent attacks and incidents has decreased, but their intensity has increased. There is a clear meaning. The insurgents want to strike the security forces harder and deepen the gap between the Malay people and government officers. They also want to put in evidence the inefficiency of the security forces. For instance, in Yala, there are many soldiers and military checkpoints, but the insurgents are still able to organize attacks and car bombings. There are now around 30,000 or 40,000 soldiers on the ground, but they cannot solve the security issue.

The government never had a clear policy of negotiating with the insurgents, but there were some sporadic contacts with PULO acting as the intermediary. PULO clearly said it was supporting negotiations, but we know that PULO has no control on the situation on the ground, because they are based overseas. However, I do still think PULO can play a role as an intermediary, a bridge. If the government would have a clear policy on negotiations, it could coordinate with PULO.

Drug trafficking is a big issue as the teenagers are consuming a lot of drugs. That is why the government has adopted a stronger repression policy. In a way, the drug issue is linked to the security issue, but I don't think that up to 50 per cent of the violent incidents are linked to drug trafficking. Some people are wondering how so many drugs can come in the area as they are so many security forces – police or military. It raises some suspicions. I don't think there are many links between insurgents and drug traffickers. Actually, the drug trafficking is linked more to politicians. Politicians and drug traffickers are joining forces.

The same overly cautious approach of Abhisit's administration left avenues for a rethinking of the political relationship between the Southern regions and the Central State unexplored. Despite an early mention of his interest for a "special form of local governance", Abhisit quickly had to comply with the view, held by the military but also by a majority of the Thai population, that any kind of autonomy granted to the three provinces would be a breach of the sacred principle of the Thai unitary state. Even a status of "Special administrative region" with elected governors (as in Bangkok and Pattaya) is considered as unthinkable. Given the nationalistic pressures of the Yellow shirts on Abhisit's government concerning the contested temple of Preah Vihear, on the Thai-Cambodian border, it is understandable that the Prime minister is not willing to give more fodder to his new political enemies. At the same time, it is clear that without recognizing the failure of the assimilation of the Malay Muslims and the need for a status granting them some kind autonomy at the local political level, the process of reconciliation cannot begin. The Thai State cannot consider the three Southern provinces in the same manner as other provinces of the Kingdom.

Chapter Six
The Civil Society Perspective

In a country where changes in the power structure are most often limited to a competition between different elite groups, the rising of the civil society movement in the mid-1990s and especially in the wake of the 1997 constitution has been a major political and social phenomenon. The interests of the bureaucratic-military alliance vis-à-vis the interests of the few, that are led by politicians, was suddenly disturbed by the apparition of new actors, more reflective of people needs. After a lull at the beginning of Thaksin's administration, these civil society groups have been playing a larger role and have been extremely active in the southernmost provinces. Less constrained by national ideological imperatives and more aware of the "reality on the ground", their contribution to building a peaceful compromise in the region cannot be ignored. To illustrate this contribution, we have chosen to present two examples of activities by civil society groups.

1 - The Strategic Non-Violence Commission

As we have seen in Chapter three, an informal advisory committee to the National Security Council had been set up at the end of the 1990s, in order to try to change the approach of the NSC regarding the southern border issue. This committee included a few academics – among them Mark Tamthai – who deeply influenced the content of the 1999-2003 NSC policy on the South.

When Thaksin became Prime minister, he decided to make this committee more visible and more official. It became the Strategic Non-Violence Commission, which was operating with the support of the Office of the National Security Council, but was only accountable directly to the Prime minister, not to the Secretary General of the NSC. This Commission used its power to push through many regulations in order to appease the tensions in the South, such as the obligation for all officials sent to the border provinces to undergo training on conflict regulations. The Commission was disbanded in 2007 under the government of Samak Sundaravej.

When Abhisit came to power at the very end of December 2008, he wanted to revive the Commission, but not as part of the official government structure. The Strategic Non-Violence Commission became a think tank of a very new kind in Thailand, financed by the Thai Research Fund. Its role was not to propose policies or to contribute new data, but rather to give critical advice about how to "strengthen processes" in order to help this or that proposal actually being accepted by the different parties and implemented. "Our work now is about analysing some new directions which are taking place and to make suggestions to policy makers. We are more interested in the process than in the substance. For instance, several propositions have been done on "local governance", we are trying to give advice about how to make them go forward so that they are not killed from the beginning", says Mark Tamthai, deputy-chairman of the Commission.[109]

For instance, regarding the peace talks taking place between insurgents and representative of the Abhisit Vejjajiva's government, the Commission suggested that the dialogue should not take place only between the movement and the government, but also between the movement and civil society groups. Concretely, the Commission asked the government not to black list the members of civil society groups who enter into contact with insurgent leaders. Another suggestion dealt with the advisory council of the SBPAC, after the passing of the 2010 law. The Commission insisted that the advisory council should also have decision making powers; otherwise its role would be viewed as useless.

[109] Interview with Mark Tamthai, April 2011.

The overall philosophy behind the setting up of this new think tank is that proposals for a solution to the conflict are well known, and have been for decades: autonomy, decentralization, language policy, political participation etc. Therefore, the issue is not so much to find new ideas, but rather to help these existing initiatives progress. The Commission is also adamant that the most legitimate interlocutors of the authorities must be the people of the southern border provinces themselves, and not academics from Bangkok or Muslim elites for the South. According to Mark Tamthai, the better way to know if we are progressing towards a solution is not to examine the monthly average of violent incidents, but rather to see if "there are more pieces being put in place, little by little, which will help achieve a solution". "Contrary to some other conflicts, I don't think this conflict will end by the different parties signing an agreement, but by things being better in the South and by a change in the government's attitude", he says.

2 - A Proposal of "Special Local Governance"

Proposals of a reframing of the political relationship between the southernmost provinces and the central state have been steadily presented as a possible way out of the Thai-Malay conflict. The earliest instance was the "seven demands of Haji Sulong", and, as we have seen in chapter one, it was devised by a committee of local leaders without much consultation of the people.[110] But since 2009, several new proposals for a change in the political framework have been done either by political parties or by civil society groups. Among these proposals, one has been promoted by 23 groups of the civil society, active in Southern Thailand, and supported by the King Prajadhipok Institute (KPI); it appears a promising initiative. This proposal has been conceived

[110] Chongchai Wongtanee, *ถอดรื้อวาทกรรม "ข้อเรียกร้องฮัจยีสุหลง": ความขัดแย้งอันเนื่องมาจากอคติการตีความคำร้องขอแห่งประวัติศาสตร์ยุคปัตตานี* [Conflictual interpretations of Haji Sulong Pattani historical demands], paper presented at the conference "The Phantasm in Southern Thailand: Historical Writings on Pattani and the Islamic Word", 11th-12th December 2009, Chulalongkorn University, Bangkok.

after extensive consultation of the local residents in the three provinces through workshops and focus groups in 2009 and 2010.

The main idea is to implement a "special type of local governance" for the three provinces, following the model already in place in Bangkok and Pattaya. It means a direct election for governors and the establishment of people's assemblies. In one of its version, the proposal would borrow the concept of *monthon* or "cluster of provinces" implemented under King Rama V during the administrative reform at the beginning of the 20th century. Pattani, Yala and Narathiwat would be regrouped in one entity managed by one elected governor. A council of religious leaders would advise both the governor and the people's assembly, also directly elected, on matters which have religious implications. In another version, each of the three provinces would have its own elected governor.

Alongside this administrative reform, the educational system would also be restructured with the introduction of a bilingual system, using Thai and Malay. Malay would become an official language, in parallel with Thai, and both languages used throughout primary and secondary levels.

At the time of printing of this paper, the proposal had not been fully finalised yet. Dr. Srisompob Jitpiromsri, dean of the faculty of political sciences at the Prince of Songkhla University, Pattani Campus, who has been an advisor to the civil society groups, explained that the proposal will be presented under the banner of decentralization, and not of autonomy, as this latter term is often confused in the Thai language with independence.[111] Even then, there could be a strong reluctance from the authorities, especially the military, to accept the initiative. "Some military and other conservative groups see decentralization as contrary to the idea of the monarchy; they confuse unitary state and monarchy", says Dr Srisompob Jitpiromsri. After having been disseminated through a campaign of information, the proposal, endorsed by 10,000 signatories, should be forwarded as a bill to the parliament after the June 2011 elections.

[111] Interview with Dr Srisompob Jitpiromsri, March 2011.

Conclusion

Until 1999, government policies towards the southernmost border provinces have been constructed in order to force change, so that the Malay Muslims would adapt themselves to the general model promoted by the Thai society. Thai language was heavily promoted and Malay children enrolled in government schools. The local Malay language was marginalized, and the establishment of media using the vernacular discouraged. *Pondok* were suspected of colluding with insurgents against the Thai state. The overall objective was to make the state feel "safe" by bringing a culturally different portion of the population into the fold.

A change intervened in 1999, when, under the influence of a group of academics working within the National Security Council, cultural diversity began to be seen not as an impediment but as an opportunity to make the country stronger. From then, changes were not only planned to take place among Malay Muslims, but also among government officers representing the state in the southern region, and beyond, among the Thai Buddhist population. Such a complete attitude reversal takes a long time to crystalize, because cultural prejudices and behavioral patterns are resilient. The first steps taken in this direction can appear as very limited: an introduction of a few hours of Islamic teaching in primary schools, possibility of choosing Rumi Malay as a foreign language in secondary schools, attempts to increase the participation of the Muslim local elites in the decision making processes etc.

The basis of the new policies is not yet completely clear. Will the state just give some ground in order to appease the tensions, but stay strongly focused on an obstinate defense of the one hundred year old imagined national ideology, Thainess? Or is it ready to open its arms and accommodate a part of the national community which is radically

different from the population group emblematic of Thainess? Do the state and Thainess have to be transformed in order to integrate Malay Muslims? Or do the Malay Muslims have to changes themselves in order to accommodate Thainess? If we rely on the 1988 NSC policy document, which said that there was a need to "increase the openness the Muslims' society", the burden seemed to more on the Malay Muslims side.

But it is not a one-way road. There has been an interesting research, led by Kritiya Archavanitkul, Deputy-Director of the Institute for Population and Social Research of Mahidol University, studying ways to evolve Thainess so that it could become more relevant to today Thailand.[112] Dr Kritiya concludes that "The imagined Thainess, if we refer to bibliographical sources, appears as a large and diverse concept, from history [...] to arts, culture, language and daily way of life, but at the same time this wideness sometimes reflects a certain narrowness, an imagination which is closed on itself and create frustrations for those different. This is a question we have to ask ourselves today."[113]

There seems to be an excessive focus on the standard language in the conception of Thai identity and Thai nationalism. This tends to lead to a narrow and fragile basis to unite people living in a shared territory and to the banning of more inclusive values as foundations of the country unity. As Ernest Renan said in his speech "What is a nation?":

> "This exclusive consideration of the language [...] has its dangers and inconveniences. When it is exaggerated, one closes oneself in a determined culture, given as national; one limits oneself, one shuts oneself up".[114]

Other than remodeling Thainess to make it more open and more flexible, a restructuring of the political arrangements between the southern border provinces and the central state is a possible path to explore. What do the Malay Muslims want? The various surveys point to

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[112] Kritiya Archavanitkul, Kulapa Wajonsara, Parichart Patrapakorn, Saichol Satayanurak and Solot Sirisai, *จินตนาการความเป็นไทย* [Re-imagining Thainess], Institute for Population and Social Research, Mahidol University, Bangkok, 2008.

[113] *Ibid.*, p. 170.

[114] Ernest Renan, "Qu'est ce qu'une nation?", conference given at La Sorbonne University, 11th March, 1882.

a desire that their cultural identity be respected at all levels: customs, language, arts and religion, way of life. A degree of political autonomy, under whatever label (in order to preserve sensibilities), would be a way to create a sufficient space for the Muslim population of the deep South to live the way they wish to without derogating to the Thai constitution. Therefore, the choice for the Thai Buddhist and the Malay Muslims can be seen as choice between sharing a common destiny together with an understanding of mutual tolerance and respect, or taking some political or administrative distance from each other and avoid making the effort of putting oneself into question.

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