Democratization Enabling Peace?
The Resolution of Civil Conflicts in Southeast Asia

Terence Lee, PhD
Associate Professor
Department of Political Science
Faculty of Arts and Social Sciences
National University of Singapore
E-mail: terence_lee@nus.edu.sg

WORKING DRAFT
PLEASE DO NOT CITE WITHOUT PERMISSION
COMMENTS WELCOME
Introduction

Recent scholarship on political liberalization and East Asian peace (Acharya 2010; Goldsmith 2014) have suggested that democratization, rather than being a recipe for violent discord, has lessened the potential for inter-state conflict. Far less well understood, however, is the impact democratization has on intra-state conflicts in East Asia. Specifically, does political liberalization, that is, the transition from authoritarianism to democracy, result in the resolution of civil conflicts?

Amitav Acharya (2010) has offered several testable hypotheses why democratization could be peace promoting, albeit from an inter-state perspective: First, leaders of the newly democratizing state are more likely to focus on internal consolidation and economic development to fulfil promises made during democratization, and hence more inclined to end costly internal conflicts. Second, with increasing rule of law in the domestically, this could lead to greater rule-based interaction and increased likelihood of negotiations among protagonists. Third, because the ruling elites in democratizing states are likely to give a higher priority to enhancing its international legitimacy than to regain territory forcefully, the more likely they are to seek the pacific settlement of disputes. Fourth, due to the struggle during democratization, and in an effort to win respect from the international community, newly democratizing states are more likely to subject themselves to international mediation and arbitration, bringing an end to costly conflicts.

Do these causal processes apply in an intra-state context? Using the democratizing experience of 1986 Philippines (Mindanao), 1998 Indonesia (Aceh), and 1992 Thailand (the South provinces), this paper aims to evaluate to what extent, the Acharya’s (2010) purported pacific forces of democratization is relevant for our understanding in the resolution (or lack thereof) of civil conflicts in Southeast Asia.

This paper argues that democratization and the accompanying process of increasing rule-of-law in the transitioning state, could lead to the enactment of legislation for political and
economic decentralization and the devolvement of authority to the sub-state units. The process of fiscal and political decentralization leads to the development of norms and protocols for intra-state dispute resolution, which in turn offers a mechanism for post-war credible commitments among the warring parties. The study illustrates these in the cases of Aceh (2005) and Mindanao (1996), and the paucity of such mechanisms in Thailand.

Democratization and Interstate Conflict

Perhaps the most acclaimed theory in international relations is that of democratic peace. However, despite the pacifying effect of a democracy on interstate relations, we know that there is no guarantee that this path towards democratic consolidation will run smoothly. Indeed, while the democratic-peace hypothesis has been well accepted, there is always the prospect that the processes of democratization may trigger political violence.

Mansfield & Snyder (1995a,b, 2002, 2005), drawing on Huntington (1968) have suggested that democratization can lead to increasing mass mobilization, which then triggers violence if the political institutions are not prepared to accommodate this level of participation. Domestic institutions are thought to have a critical influence on leaders’ decisions to initiate or escalate disputes. In stable democracies, shared decision-making powers between the executive and legislature (Morgan & Campbell, 1991; Maoz & Russett, 1993) effectively constrain leaders in their ability to initiate conflict. Furthermore, assuming that incumbents want to maintain office, the higher domestic political costs for foreign policy failure in democratic states should make them more likely to initiate only those disputes they can win (Lake, 1992; Bueno de Mesquita et al., 1999) and less likely to back down once they have issued a threat (Fearon, 1994). As Mansfield & Snyder argue, “in newly democratizing states without strong parties, independent courts, a free press, and untainted electoral procedures, there is no reason to expect that mass politics will produce the same impact on foreign policy as it does in mature democracies (Mansfield & Snyder, 1995: 22).” Indeed, because of weak institutional structures, leaders of democratizing tend to be less constrained, and may resort to diversionary foreign
policies to increase their popular support: Again as suggested my Mansfield and Snyder, “weak participatory institutions create both the motive and opportunity for political strategies that heighten the prospect for international conflict (Mansfield & Snyder, 2002: 532).”

The democratization-interstate conflict hypothesis is not robust. Scholars have found both a negative and no relationship between democratization and international conflict (O’Neal & Russett, 1997; Thompson & Tucker, 1997; Enterline, 1998; Narang & Nelson, 2009). The literature has also demonstrated that not all transitioning states are expected to be conflict-prone. Instead, state that stall prior to democratic installation, or “incomplete transitions,” are especially dangerous (Mansfield & Snyder, 2002).

Ward and Gleditsch (1998) similarly differentiate between types of transitions, arguing that ‘rocky’ transitions, that is state that suffering many reversals, should be unlikely to lead to the creation of institutions that can constrain a leader’s actions. Ward and Gleditsch (1998: 59) also reveal precisely what aspect of democratization may reduce the probability of interstate war - shared power between the executive and legislature, each largely staffed by officials pressured by public opinion. In short, the propensity of conflict in democratizing states is tied to their inability to create executive and legislative institutions that can constrain each other, which is similar to some institutional arguments for the democratic peace (Morgan & Campbell, 1991; Reiter & Tillman, 2002).

Democratization and Civil Wars

Like interstate war, several studies have found that intermediate levels of democracy may provoke intra-state conflict (Hegre et al. 2001). Hegre et al. (2001) find a curvilinear relationship between the level of democracy, as measured by the Polity Index, and the outbreak of a civil war. The authors argue that many democratization efforts fail to result in complete transitions and thus get stuck in the middle range of the democracy scale. Their focus here is on anocracies or “semi democracies” which are “partly open yet somewhat repressive,” in contrast to “institutionally consistent democracies and stark autocracies (Hegre et al. 2001, 33, 35).
Anocracies, because they possess inherent contradictions as a result of being neither democratic nor autocratic, are partly open yet also moderately repressive, a combination that encourages protest, rebellion, and other forms of intrastate violence. Repression leads to grievances that induce groups to take action, and openness allows for them to organize and engage in activities against the regime. These institutional contradictions point to political incoherence and consequently encourage civil conflict (de Nardo 1985; Francisco 1995; Muller and Weede 1990). Gleditsch (2002) similarly confirms that anocracies are the most conflict-prone, but in addition, he is able to demonstrate that the changes themselves may lead to conflictual situations.

It should be noted that the focus of these previously discussed studies is on the link between democratization and civil war onset and not conflict termination. What about the effects of democratization on intra-state conflict resolution?

Jartad (2008) and Höglund (2008) argue that democratization, in the form of increased political contestation and participation, could provide new channels for groups within society to express discontent. This opening up of political space may result in additional channels through which violence can be instigated and organized, hence making conflict resolution more difficult.

Democratization may threaten the interests of elites, raising political expectations, while at the same provoking resistance, often forcibly, by those whose power and position it threatens" (Cawthra and Luckham 2003: 6). The elite may feel threatened by the peace accord and the peace itself. So-called “spoilers” pose a particular problem: those actors who are not satisfied with the emerging peace and therefore are intent on disrupting the implementation of a peace agreement (Stedman 1997). Dissatisfaction with a peace agreement may stem both from fear about what the peace will bring and from the extreme positions held by some sectors within society. The following causal logics are particularly germane.

(a) **Elections:** in states still struggling for security and political consensus, democratization in the form of elections could induce conflict via increased contestation and polarization.
Candidates competing for votes emphasize their differences rather than their common ground. Likewise, during an election campaign the constituencies are mobilized, enhancing already high levels of polarization. While conflicts are most often managed peacefully in consolidated democracies, this feature can have severe effects in democratizing societies where weapons abound and people remain polarized. Differences rather than similarities are brought to the surface to win votes. Moreover, in campaigning the use of military metaphors is common: “the parties wage ‘campaigns,’ employing ‘strategies and tactics’. Party faithful are called ‘cadre’, and areas with many Supporters are known as ‘strongholds’ or ‘citadels’” (Rapoport and Weinberg 2001b: 31). The rhetoric used during the war is easily available to be made use of in an election campaign to mobilize voters for support. As the movement toward democracy involves changes and shifts of power, this increases the risk of use of violence by those who lose or fear losing power and by those that feel that they should gain more.

(b) Media: within a democratizing context, there is a risk that the liberalization of media can lead to the creation of irresponsible media outlets of negative and nationalistic propaganda (Paris 2004; Snyder 2000; Snyder and Ballentine 1996). This newly liberalized media could thus create a political environment conducive to polarization and violence, and hinder conflict resolution.

(c) Security Sector: profitable economic activities that funded the violent campaigns during the civil wars of the guerillas or rebels during the conflict now become networks of organized crime with these groups going underground.

Peace-Enhancing Democratization in Civil Conflicts

This paper argues that scholars have failed to consider a number of mitigating factors that may check the destabilizing consequences of democratization. This section discusses some of the peace-enhancing logics of democratization. I begin first by laying out some of the key
obstacles inhibiting the peaceful resolution of conflicts. I then explain how the process of democratization could overcome these difficulties.

Bargaining failures arising from asymmetric information is perhaps the most widely cited explanation for the inability to resolve civil wars. This information asymmetry stems from incomplete knowledge (Fearon 1995, 2004) about the:

- Intent/ motivations of the warring parties;
- Information about the relative strengths of the combatants – what they know about each other's armaments, quality of military personnel and tactics, determination, geography, political climate, and the relative probability of different outcomes;

The other generally well-accepted set of explanatory factors determining the likelihood civil war resolution, and also related to the problem of incomplete information, concerns the lack of enforceable credible commitments (Walter 2002). Conflict termination is difficult in this regard because with incomplete information, one side faces an incentive to renege once a settlement is reached. A civil war is thus more likely to occur when there are limits to conflict resolution and contract enforcement.

This paper proposes democratization has logics that are peace-enhancing logics that could overcome the above obstacles towards resolving civil wars. The following logics are offered in this paper:

1. **Internal Consolidation**: The rulers of a newly democratizing state are likely to focus on key domestic priorities such as political consolidation and economic reconstruction (especially if it has been under long and ruinous authoritarian rule). New leaders are unlikely to seek war making or fulfill nationalist agendas. The new governments will tend to focus on economic development, elections, and fulfilling legislative agenda. This is typically to fulfill promises made during the struggle for democracy. Waging war would be regarded as costly.

2. **Rule of Law**: Democratization can lead to an increase of “rule of law” in the country. This could be potentially peace enabling as it could lead to rule-based interactions among the
warring parties, and consequently to developing of dispute resolution mechanisms, processes. These could even concrete government plans for regional autonomy, devolvement of economic and political authority.

3. **Domestic Transparency:** With democratization and the freeing of the press and access to information, this could potentially create more transparency in ways beneficial to peace building. The intent, capabilities of the warring parties, especially that of the newly democratic government, would be readily available and mitigate problems of information asymmetry, and hence reduce suspicions.

4. **Regional/International Socialization and Pressure:** With democratization the ruling elite could like according a greater priority to maintaining and enhancing its regional and international legitimacy. Particularly for countries emerging from long-standing authoritarianism, there will be pressures to remain a ‘democratic nation’ and avoid the derogatory labels of authoritarian regime or ‘dictator’). For countries that had experienced long-term economic malaise as result of authoritarianism, ensuring regional and international legitimacy would be a way to ensure access to foreign aid and investment, important to fulfill the leaders’ domestic agendas.

5. **Openness to Regional/International Mediation:** As a corollary to the earlier point, democratizing states in order to preserve their newly found reputations, are more likely to subject themselves to international mediation and arbitration. This could be a significant peace-enabling step towards the resolutions of civil conflicts.

The subsequent sections test (qualitatively) the above logics in three cases of democratization in Southeast Asia (see table below): in Indonesia following the collapse of Suharto’s authoritarian rule on the civil war in Aceh; in the Philippines and the impact of democratization after the ouster of Marcos on the conflict in Mindanao; and the effect of political liberalization after the end of military rule in Thailand on the Islamic insurgency in Southern Thailand.
**DEMOCRATIZATION IN SOUTHEAST ASIA: KEY DATES AND EVENTS**

|             | June 1992: Fidel Ramos becomes first popularly elected president in post-Marcos era |
| Thailand:   | May 1992: Anand Panyarachun replaces the Suchinda military regime  
|             | September 1992: Chuan Leekpai comes to office after elections  
|             | July 1995: Banharn Silpa-archa comes to office after elections  
|             | Nov 1996: Chavalit Yongchaiyudh comes to office after elections  
|             | Nov 1997: Chuan Leekpai returns to office after Chavalit’s resignation  
|             | Feb 2001: Thaksin Shinawatra comes to office after elections |
| Indonesia:  | May 1998: Collapse of Suharto regime, replaced by Habibie  
|             | June 1999: First post-Suharto parliamentary elections  
|             | October 1999: First post-Suharto presidential elections (indirect) – Abdurrahman Wahid comes to power  
|             | July 2001: Megawati Sukarnoputri comes to power after Wahid is impeached  
|             | October 2004: Susilo Bambang Yudhoyono becomes Indonesia’s first popularly elected president |

**Aceh (Indonesia)**

The civil conflict in Aceh was a conflict fought by the Free Aceh Movement (GAM) between 1976 and 2005, with the goal of making the province of Aceh independent from Indonesia. A peace agreement was reached in August 2005, 7 years after the collapse of the more than 3 decade long rule of retired general Suharto.

**Internal Consolidation**

(a) Political Consolidation and Elections (Crouch 2010)

Post-Suharto presidents, B.J. Habibie, Abdurrahman Wahid and Megawati were concerned with maintaining legislative support and staying power. With the passing of the law permitting the formation of political parties, other political elites were primarily preoccupied with 1999, 2004 and 2009 parliamentary and presidential elections.

Habibie (1998-99) was an “accidental” president who lacked a strong political base outside the discredited New Order regime and had been thrust unexpectedly into a position for which he was inadequately prepared. He did not come to power with the backing of a consensus within the political elite and broad popular support but through his selection as vice president by
a president. Habibie was very vulnerable to challenge from rival elements of the New Order regime, especially within the military. The focus of his attention was on staying in power.

Abdurrahman Wahid’s (1999-2001) accession was built on a complex series of deals with other party leaders and the military. Cabinet positions, especially those entailing wide scope for patronage distribution were divided among the parties roughly according to their contribution to the president’s election. The result was that the cabinet lacked political coherence and soon aggravated by the president’s erratic behavior. Regime marked by key sackings (e.g. Hamzah Haz, Wiranto, senior PDI-P and Golkar ministers). Aggravated military because of his intervention in military command appointments. Alienated virtually all political parties (except his own) that had voted for him in October 1999 and was impeached.

Megawati Sukarnoputri (2001-2004) did little to overcome the lack of coherence of the previous government. Lack of presidential leadership as Megawati seemed content to reign rather than rule. She espoused no clear vision or policy framework and provided little guidance in settling disputes between ministers. Seemed to lack full understanding of complex issues and some former ministers even claimed that she often showed little interest in policy matters. Draft presidential decisions were often delayed for months awaiting her signature. As president, Megawati rarely attempted to provide public explanations of the goals and achievements of her government except when she read from a script on formal occasions.

Susilo Bambang Yudhoyono’s (2004-2014) election brought to an end the ‘transitional nature’ of Indonesia’s politics that began in 1998. Yudhoyono’s personal popularity had risen sharply following his exit from Megawati’s cabinet. He had benefited from his high media profile in the earlier cabinets when he had often explained government policies to press and television audiences— a task that was routinely neglected by both the previous presidents. By 2004, Yudhoyono had become one of Indonesia’s best-known political leaders. Unlike his three predecessors, none of whom served the normal five-year term defined by the constitution,
Yudhoyono’s convincing victory and the constitutional amendment regulating presidential dismissal assured him of a full term.

(b) Economic Development

Following 1997 Asian Financial Crisis, post-Suharto governments set out to reform the economy in accordance with the conditionality of IMF. The IMF policies comprise macroeconomic stabilization policy and economic restructuring policy centring on the reform of the banking and corporate sectors. This was led by the Indonesian Bank Restructuring Agency (IBRA, or Badan Penyehatan Perbankan Nasional, BPPN). IBRA was established under the jurisdiction of the minister of finance in early 1998 in line with the IMF prescription. The main tasks of IBRA were to firstly restore banks’ financial health by taking over their irrecoverable loans and to restructure the banking sector, and secondly to dispose corporate debts to domestic banks that were transferred to IBRA. IBRA’s work concerned not only the post-crisis reform process of the banking and corporate sectors, but also included the process of dismantling the micro-economic structure formed under the Suharto regime.

(c) Legislative Reforms:

The fall of Suharto and the ensuing process of democratization ushered in significant changes to the legislative authority of Indonesia's supreme sovereign body, the Majelis Permusyawaratan Rakyat (MPR) or People's Consultative Assembly:

- The President's authority to make laws was removed. The Dewan Perwakilan Rakyat (DPR) or People's Representative Council now “holds the power to make statutes,” while the President merely has the right “to present Bills to the DPR,” a right he shares with all members of the DPR. Legislative bills have to be “debated by the DPR and the President to reach joint agreement.”

- The DPR now has influence in the appointment of ambassadors and the granting of amnesties.

- The restriction of future Presidents to two five-year terms
Creating of a distinction between external defence, on the one hand - this remains the responsibility of the TNI (Tentara Nasional Indonesia, Indonesian National Army) - and, on the other, internal security, law enforcement and maintenance of public order - handed to the Indonesian Police Force or Polri (Polisi Republik Indonesia), separated from the military to form a civilian organization.

The power to regulate the TNI and Polri has been handed to the legislature. Appointing and dismissing the TNI commander and Polri chief, now require DPR approval rather than being the sole prerogative of the President.

Establishment of the Regional Representatives Council (the Dewan Perwakilan Daerah or DPD) with the power to submit laws to the DPR on issues relating to regional autonomy, center-region relations and financial balance and natural resource management, in addition to the right to submit considerations to the DPR on the state budget and draft laws relating to tax, education and religion. DPD members are to be elected from each province at the general election and must sit once a year.

Members of the DPD constitute one third of the numbers of the DPR. non-elected members will be replaced entirely by the DPD.

Creation of a General Election Commission (KPU, Komisi Pemilihan Umum) was established as a body independent of government, now no longer under the control of the Minister for Internal Affairs.

Establishment of a State Audit Body (BPK, Badan Pemeriksa Keuangan), a Constitutional agency that is 'free and independent'.

Rules Based Democratization and Decentralization

Indonesia witnessed perhaps the ambitious raft of legal infrastructure reforms ever attempted. Within 4 years of Suharto’s resignation, Indonesia’s authoritarian legal and political systems were dismantled. Some highlights of the legislative reforms follow (Lindsay 2002):
• Inclusion of Universal Declaration of Human Rights in Constitution

• Law No. 35/1999 (the so-called Satu Atap or ‘one roof’ Law) moved jurisprudence of the courts to from the Ministry of Justice and Human Rights. The Ministry of Justice has historically had authority over judicial appointments, promotions and dismissals, as well as court finances, under Law No. 14/1970. This is a relationship resented by the courts and one that has naturally bred political subservience to the government and created opportunities for corruption. The Supreme Court—rather than the Ministry—now controls the organizational, administrative and financial affairs of the general courts, the religious courts (Pengadilan Agama), the military courts (Mahkamah Militer) and the administrative courts.

• The merging of the Ministry of Human Rights was merged into the Ministry of Law and Legislation, creating the Ministry of Justice and Human Rights. The new Directorate-General of Human Rights Protection now has key role as the secretariat for the National Ran-HAM (Rancangan Hak Azazi Manusia), or National Human Rights Plan of Action, which is a multi-agency, whole-of-government coordination process, involving 18 ministries, the armed forces, the Attorney-General, BAPPENAS (the National Development Planning Agency), KomnasHAM, three commissions, including the Ombudsman Commission, and other state agencies. It aims to manage Indonesia’s compliance with the international human rights conventions.

• The creation of National Law Commission (KHN) in February 2000. Most significant of this is the establishment, the Ombudsman Commission, which has the authority to receive complaints about the judiciary; a power held by no other Ombudsman in the internationally (Lindsey 2004).

The most significant set of rules-based reforms that had direct bearing on the path towards peace building was the passage legislation for decentralization, which provided the administrative and fiscal framework of a process that changed the very foundation of Indonesia’s
conception as unitary nation-state. Accelerated mainly because of the anti-Jakarta sentiments in many regions outside Java and with the then ruling Golkar party trying to maintain its power bases in the outer islands by supporting regional autonomy. Regional autonomy was located at the level of districts and municipalities, while the power of the provinces was dismantled.

Choi (2009) and Mietzner (2007) note that with decentralization, political powers and fiscal authority were significantly devolved to the intermediate and lower levels of government. Local elites from have risen to political prominence through local elections. Some of these political leaders were known for their past or present association with pro-independence groups. Some local politicians were in fact former independence fighters who had been jailed in the past.

**Openness to Mediation/Arbitration**

ASEAN’s non-interference principle as embodied in the diplomatic culture of the “ASEAN Way” prevented the regional body or its member countries to intervene in state-internal issues such as that of civil-conflicts. ASEAN played virtually no role during Indonesia’s process of democratization to assist in the resolution of the Aceh conflict.

**Domestic Transparency**

Despite the slew of legislative and legal reforms, democratization in Indonesia saw undependable enforcement of these institutional changes. Daniel Lev wrote presciently shortly before his death: ‘Parliament . . . and the People’s Consultative Assembly . . . have generated formal statutory and constitutional changes, always easier to promulgate than to enforced (Lev 2005a: 3, emphasis added). For Lev, the problem rests with the pervasive debasement of state institutions and professional norms as a result of decades of authoritarianism, which includes the New Order’s predecessor, Sukarno’s Guided Democracy regime (1959–65) (Lev 2005b: 83). One prominent illustration would be that no senior military officer has been successfully prosecuted by the Human Rights Courts (Virgoe 2008).
International and Regional Legitimacy/ Pressure

Following the breakdown of the Cessation of Hostilities Agreement between the Indonesian government and the Free Aceh Movement (GAM) in 2003, the international community had reduced its involvement in the search for a resolution of the Aceh issue. Many diplomats who had worked hard to achieve the accord were deeply disappointed over GAM’s role in its failure, and had therefore hardened their stance vis-à-vis the rebel movement.

When the Government of Indonesia launched its military campaign in 2003, there were few protests from Western states; instead, they implicitly acknowledged Indonesia’s right to fight an armed insurgency against its territorial integrity. There was thus no pressure on Indonesia, and especially incoming president Yudhoyono to resolve the conflict in Aceh.

However, the tsunami of December 2004 changed this dramatically. In the weeks that followed the tsunami, Aceh was rapidly transformed from “North Korea into Woodstock” The province’s capital, Banda Aceh, hosted Jehovah’s Witnesses, the Scientology Church, missionaries from the Middle West of the United States, Catholic nuns from Italy, adventurers from all over the world, and – most importantly – the multi-billion-dollar aid organizations of Europe, Australia, Japan and the United States. Foreign militaries helped their Indonesian counterpart to handle the logistics of aid distribution, leading to the biggest influx of foreign troops into Indonesia since the Dutch invasion in 1945.

With foreign governments and donors committing around US$ 5.5 billion to the reconstruction of Aceh (Masyrafah and McKeon 2008: 5–6), and Indonesia in no position to reject this offer, foreign diplomats sought assurances from Jakarta that the humanitarian aid could be disbursed without conflict-related security interruptions. Western governments were also under pressure from millions of private donors to ensure that new infrastructure built with their money would not be destroyed in the next round of armed conflict. In short, the previously missing international pressure was now a crucial factor driving the solution of the Aceh problem.
The involvement of international forces catalyzed the Helsinki negotiations and gave the talks additional credibility.

Indonesia agreed to the European Union’s appointment as the main international supervisor of the peace accord, with extensive powers to settle disputes between the two conflicting parties (Lahtensuo 2006). There was also an underlying understanding that the continuation of the foreign-funded reconstruction process in Aceh depended on the successful conclusion of the peace accord. While never stated in such terms publicly by the EU, it would have been unthinkable to carry on with the aid program after a potential breakdown of the agreement and another military offensive. Thousands of foreign aid workers were on the ground in Aceh, and they would have been forced to evacuate had fighting between Jakarta and GAM resumed, and already-committed money would no doubt have been frozen or withdrawn. Thus the presence of international aid organizations in Aceh not only established informal mechanisms of supervision over the peace process, but it also served as a constant reminder to both sides that the failure of the peace agreement would unequivocally lead to the withdrawal of foreign aid (Mietzner 2012).

Mindanao

The insurgency on the southern Philippine island Mindanao is rooted in a long history of resistance by the Muslim Bangsamoro people against the Philippine government. In 1969, political tensions and open hostilities developed between the government and Moro Muslim rebel groups, triggered by the Jabidah massacre of 1968, in which 60 Filipino Muslim commandos were killed while on a planned operation to reclaim the eastern part of the Malaysian state of Sabah. In response, University of the Philippines professor Nur Misuari established the Moro National Liberation Front (MNLF), an armed insurgent group that was committed to establishing an independent state in Mindanao. Over the following years, the MNLF splintered into several different groups, including the Moro Islamic Liberation Front (MILF), which wanted to establish an Islamic state within the Philippines.
Internal Consolidation
(a) Political Consolidation and Elections

Following the ouster of the Marcos regime, the reorganization of the governmental structure at all levels was the first priority item in the Aquino administration’s political agenda. None of Marcos' political supporters were spared from the “house cleaning” efforts of Aquino and her political advisers. The broom that swept Marcos out of power also pushed out parliamentarians in the national assembly, governors in provincial capitals, and mayors in municipalities and chartered cities.

The post-Marcos ruling coalition under Aquino was described by Speaker Ramon Mitra, Jr., was rife with “much in-fighting” and more interested in “positioning themselves for political advantage.” David Wurfel noted that Aquino had no idea of public policy-making due to her inexperience and naïveté and that she had "no clear goals . . . beyond a return to constitutionalism.” The bottom line in her years of opposing Marcos following the assassination of her husband was his ouster but not being a politician, she had “distaste for backroom deal making” and was not obviously a “strong leader "(Villanueva 1992). During her presidency, the Aquino administration was beset by coups – six plots in total, with the December 1989 attempt, which nearly toppled her government.

Building on the foundations laid for the Philippines' recovery by Aquino administration, the next post-Marcos president Fidel Ramos, moved swiftly to consolidate these gains and accelerate economic reform. Until Ramos' election the Philippines was often tagged the "sick man of Asia". However, largely due to the government's reforms, growth went from 0.5 per cent in 1991 under the Aquino administration to 7 per cent in 1996. Exports soared 29 percent in 1995 and a further 16.6 percent in the first nine months of 1996. Wide-ranging economic liberalization along with its political reforms paved the way for Philippines to emerge from the shadows of the Marcos era, and reintegrated the economy with the rest of the world (Ringuet & Estrada 2003).
(b) Economic Development:

The economy received the most under the Ramos administration. At his inauguration, the president, under the banner of “Philippines 2000” – issued a rallying cry to join the ranks of the newly industrializing countries by the end of the century. Under the Ramos administration, a slew of measures for economic liberalization, privatization and infrastructural development were initiated (Hutchcroft 1999). “Specific enactments were crafted to remove growth-restricting policy distortions, decentralize authority and resources, jump-start the anemic sectors and liberalize the protectionist trade, telecommunications and other economic activities (Ringuet & Estrada 2003).” Notable outcomes under the Ramos administration, from these economic reforms:

- Creation of the Subic Bay Metropolitan Authority (SBMA) through the Bases Conversion and Development Act of 1992, following the closure of the U.S. military bases at Clark and Subic Bay.
- Enactment of the Special Economic Zone Act was enacted by the Ramos government in 1995, which made way for the development of the Philippine Economic Zone Authority (PEZA).

(c) Legislative Reforms:

Within a few months of the Aquino administration, she had convened a Constitutional Commissions to draft a new constitution. The new constitution was passed after a plebiscite in 1987. This new constitution:

- Imposed regulations on the legislators, stipulating that senators can serve a maximum of only two consecutive terms and House members can serve no more than three consecutive terms. With these term limits, the Philippines became possibly the only country that limited the terms of congressmen.
• Sectoral representation in local government councils and party-list elections for 20 percent of
  the members of the lower house (the remaining 80 percent of which were to remain under
  the single-member district plurality system of pre-martial law democracy).

• Strengthened and augmented the content of the Bill of Rights. It stipulated the rights of
  Filipinos, incorporating requirements (Yu 2005).

Rules Based Democratization and Decentralization

The Philippines saw visible steps towards rules-based legislation for political and
economic decentralization, which had direct bearing on the path towards peace building, in
Mindanao, following the end of the Marcos regime. The constitutional commission Aquino
formed came up with a draft of a new Philippine charter, which provided for the creation of an
autonomous region in "Muslim Mindanao" through an organic act to be passed by Congress and
subject to a plebiscite in the proposed region.

In January 1987, the Filipino government and the MNFL signed the Jeddah Accord in
Saudi Arabia, agreeing to hold further discussions on a “proposal for the grant of full autonomy
to Mindanao, Basilan, Sulu, Tawi-Tawi and Palawan.” Subsequently, Corazon Aquino signed into
law the Autonomous Region for Muslim Mindanao (ARMM) Organic Act (Republic Act 6734).
The 1987 Accord provided for the establishment of an autonomous Muslim enclave in the
Southern Philippines based on the understanding that the region would remain “an integral and
inseparable part of the national territory of the Republic of the Philippines.” Autonomy was
guaranteed in the following areas (Quimpo 2000):

• The administration of justice through a separate sharia court and legal system that was to
  be based on Islamic laws.

• ARMM given the power to create its own sources of revenues and to levy taxes, fees and
  charges.

• The protection of the domain and the ancestral lands of indigenous cultural communities
  contained within ARMM.
• Law and order — ARMM given the power to establish its own police force which was to be supervised by the Regional Governor but under the overall control and administration of the National Philippine Police Force.

• Education – ARMM given the right to establish and support a complete and integrated system of quality education appropriate to the needs and aspirations of the people in the region.

The most substantive devolvement of political authority came during the latter years of the Aquino regime through the passage of the Local Government Code (LGC) of 1991. The LGC provided for a greater allocation of internal revenue collections to local governments, more taxation powers, and financial autonomy. Most significantly, the LGC institutionalized the participation of civil society organizations in the policy-making process at different levels of local governance. These reforms have served to attract more progressive and competent leaders who challenge the traditional control of local politics by established political clans (Rivera 2002)

Openness to Mediation/Arbitration

Like Aceh, in the Philippines, ASEAN’s non-interference principle as embodied in the diplomatic culture of the “ASEAN Way” prevented the regional body or its member countries to intervene in state-internal issues such as that of civil-conflicts. ASEAN played virtually no role during Philippines process of democratization to assist in the resolution of the Mindanao conflict.

Domestic Transparency

Several steps were taken by the Filipino government in the post-Marcos period under Aquino and Ramos to communicating intent in ways that were beneficial to peace building. For a start, the "People power" revolution of 1985 opened for the first time, the possibility of a political compromise. Moro groups joined forces with the anti-Marcos opposition in support of regime change. A communiqué issued after a general meeting of the MNLF leadership in Mindanao in March 1985, for example, reported “a resolution that mujahideen were ready” to “establish channels of communication and cooperation with opposition groups so as to hasten
the downfall of the Marcos regime,” which contributed in great part to the climate of trust that would allow peace talks to resume following Aquino’s accession to the presidency (Betrand 2000). Under the Aquino administration:

- September 1986: President Aquino, breaking with protocol, met with Misuari, who had just come back to the Philippines, in his home province, Sulu in September 1986.

- November 1986: Compromise 60-Day Cease-fire Agreement forged, with the signing of the “Memorandum of Agreement on a Preliminary Cease-fire” and the “Memorandum of Agreement on Safety and Immunity Guarantees.” National Cease-fire Committee (NCC) set up to monitor accord. Subsequently, seven regional and fourteen local cease-fire committees were established.

- February 1987: An amnesty package for “rebel returnees” was announced.


Under Ramos:

- Initiated concurrent peace talks with representatives of almost all of the armed rebel groups in the country, not only the groups in Mindanao but also Communist Party of the Philippines-New People's Army (CPP-NPA).

- Repealed the Anti-Subversion Act in September 1992, legalized the communist party and released prominent political detainees.

- Created the National Unification Commission in September 1992 to supervise the administration's peacemaking efforts.

International and Regional Legitimacy/Pressure

Like Aceh, the civil conflict in Mindanao was also subject to international efforts to peace building. This international assistance mainly came in the form of the Organization of Islamic Countries (OIC). The OIC accepted the MNLF as observer in 1977 and thus gave the separatist movement international recognition and political leverage. The initial set of peace negotiations between the MNLF and the Philippine government in the 1970s were facilitated by the OIC and mediated by one of its member state Libya (Lingga, 2007, 47-49). The OIC has the “trust factor” for the MNLF and MILF, and the “fear factor” for the Philippine government in terms of leverage over OIC member-countries as petroleum exporters and as employers of Filipino and other overseas labor. (Rupprecht 2014, 98).

Following the end of Marcos regime, the OIC pressured the Aquino government’s lack of adherence to the 1976 Tripoli Agreement, reminding it that the settlement was a binding international accord, and reiterated the OICs support for the MNLF as the sole representative of the Bangsamoro people. The OIC’s actions emboldened the MNLF, who subsequently campaigned for full membership in the OIC. The MNLF aspired to follow in the footsteps of the Palestine Liberation Organization, which was accepted as a full member of the OIC even though it was not a sovereign state.

The Aquino government had to scramble to prevent the MNLF from gaining full membership. Aquino's emissaries explained how the autonomous region being set up in "Muslim Mindanao" was in keeping with the letter and spirit of the Tripoli Agreement. Exploiting the split in Moro movement's ranks, they stressed that the government was willing and prepared to talk peace but only with a unified Moro panel consisting of representatives of the three Moro rebel groups. The Aquino government's efforts eventually worked. The OIC "deferred the issue of the MNLF's membership, allowing time for the Philippines to sign into law the Autonomous Region of Muslim Mindanao (ARMM)."
Southern Thailand

Separatist violence in the Malay-Muslim provinces of Yala, Narathiwat, and Pattani in Thailand’s south is not new, with a history that goes back nearly half a century. These Malay-Muslim provinces were part of the former Sultanate of Pattani, which also included the neighbouring parts of Songkhla Province (Singgora), and the northeastern part of Malaysia (Kelantan). These territories were conquered by the Kingdom of Siam in 1785 and, except for Kelantan, has been governed by Thailand ever since. The effort to draw southern Malay Muslims into the national Thai family has been singularly unsuccessful. During the 1960s, 1970s, 1980s, and 1990s, Pattani, Yala, and Narathiwat existed as zones of dissidence characterized by, if anything, only sullen submission to Bangkok’s rule, and marked by low-level separatist violence in the region.

Internal Consolidation

(a) Political Consolidation and Elections:

The end of military rule and the post-May 1992 aspirations for change faded fairly quickly. Once political instability no longer represented a threat to Thailand’s globalized economy, big business lost its passion for politics and focused instead on making money. Similarly, broader middle-class support for reform waned once there seemed to be no political threat to continued urban prosperity (Pasuk & Baker 2014, 254-257). The elections of September 1992, July 1995, September 1996 and January 2001 and the ensuing parliamentary agendas were emblematic of internecine struggles among the political elite.

(b) Legislative Reforms (Kuhonta 2008):

The Constitutional reforms proposed and passed in 1997 were not helpful to peace building. Legislative changes instead ushered in the political ascension of Thaksin Shinawatra, the prime minister widely accepted to have caused the upsurge in violence in Southern Thailand. The 1997 Constitution was spurred by the events of May 1992. The “People’s Constitution” as it was known (because of the drafters’ direct engagement with the public), sought to structure a
democratic system that would consolidate a strong check-and-balance system, strengthen political parties, and uphold political, social, and economic rights. A fully elected Senate, a party list system, and the creation of numerous independent watchdog agencies were key elements of this new Constitution. The mainstay heart of the political reforms necessary for creating accountability through a check-and-balance system was the formation of numerous independent agencies, serving as watchdogs of the state – the Election Commission, the National Counter Corruption Commission, the Constitutional Court, and the Administrative Court.

The Constitution writers were focused on weakening the stranglehold on power of provincial strongmen. The route to power for these MPs was to gain control of a ministry, which would ensure the necessary revenues through kickbacks or commissions on development projects. This would grease the political future of the individual and his faction.

The way to gain a ministry was to control a large number of members in one’s faction and thereby hold hostage the government, based on the raw power of numbers. If the leader of the governing coalition refused to address the demands of a faction for a particular ministry, that faction would often cause havoc for the coalition by reneging on its support of the government or eventually defecting en-masse to another party. The Constitution’s drafters believed that this cycle of holding a government hostage for purely personalistic purposes could be stopped by breaking the link between the executive and the legislature.

The first step was to prohibit cabinet members from remaining MPs. Cabinet members could now not funnel patronage to their factions. Cabinet members would also be more beholden to the prime minister than to fellow faction members because—shorn of their parliamentary seats—the ministers could be sent into political oblivion if the prime minister dumped them in a cabinet reshuffle.

What the Constitution drafters’ did not expect was how Thailand’s wealthiest businessman (Thaksin) would use his capital to build a massive party machinery that would be capable of buying out the numerous factions in the lead-up to the first elections held
under the new Constitution (2001), ballooning his Thai Rak Thai (TRT) party into a electoral mammoth. After winning almost half the seats in the 2001 elections, it went on to gobble up three medium-sized parties: Seritham, New Aspiration, and Chart Pattana. By 2002, TRT had established a grand coalition—unseen in previous governments. The TRT government was no longer under the constant threat of factions pulling out and ending its term in power. Thaksin went on then to stamp his authority on the composition of the cabinet. As factional leaders could now not make their demands, Thaksin took full advantage of his executive powers and appointed party list MPs as cabinet members and by his second term, a cabinet of largely non-MPs (27 of the 35 cabinet ministers were non- MPs).

Rule of Law

Despite a commitment to decentralization enshrined in the 1997 constitution, local autonomy has been given short shrift. The 1997 constitution mandated a more decentralized and participatory structure in which government institutions at all levels are intended to operate in a more transparent, accountable, and responsive fashion. Chapter 9 of the new 1997 constitution called for the rationalization of the assignment of administrative functions across central and local administrative jurisdictions and the creation of a decentralization committee to oversee implementation of new parliamentary enabling acts. Nine different laws and policies serve as base for decentralization efforts, including (Chandra-nuj 2006):

- National Decentralization Act of 1999, establishing the roles and responsibilities of the National Decentralization Committee
- Provincial Administrative Decentralization Act
- Tambon Administrative Decentralization Act
- Municipalities Act
- Upgrade Status of Submunicipalities to Full Municipalities Act
- Change the Status of Bangkok Metropolitan Administration Act
- Change the Status of Pattaya City Act
- Master Plans and Procedures of Administrative Power Act
- Establishing a Centralized Personnel Body of Permanent Officials of Local Administrative Organizations Act

During the period of Thai democratization, there was hesitation in the implementation of decentralization, mainly due to the ambivalence on the part of central government officials about the goals of decentralization, particularly in the south (Chandra-nuj 2006). Decentralization was never seriously implemented because of the long held belief that the Thai state is organized around a centralized administrative structure (in Bangkok), with tight central-provincial-local relations, patterned on British colonial administrative regimes. This strong centralized state was designed to secure control over outlying rural areas. The communist insurgency and the threat from neighboring communist countries from the 1960s to the 1980s reinforced commitment to strong central control. This pattern, when applied in the south, eliminated the role of traditional elites within local power structures.

**Domestic Transparency**

Democratization in Thailand following the end of military rule in May 1992 did not bring about greater domestic transparency in ways that were supportive of peacebuilding in Southern Thailand. We instead witnessed two inimical steps:

(a) Continued State Penetration

The Malay Muslim population in the southern provinces remains the last major unintegrated non-Thai ethnic group. While there are other cases, the southern provinces are unique in terms of the longevity and resilience of their local resistance to political integration by the state. Forced assimilation efforts by the state have only served to strengthen local resistance, and the population remains largely unassimilated.
In the post-1992 period Thai authorities continued to interfere with Islamic activities at all levels. The central Islamic Council of Thailand became part of the political football in Bangkok politics; similarly, the 1997 Islamic Organizations Administration Act politicized provincial Islamic councils, turning them into proxies for wider national and local power plays (Chandra-nuj 2006; McCargo 2009).

(b) Continued Reliance on Patronage and Cooptation Strategies

Since the early 1980s, an elite compact was agreed between the militants and the Thai state; militants were granted an amnesty, and the Prem Tinsulanond government set up the Southern Border Provinces Administrative Centre (SBPAC), a special security and consultative body to manage the region. Closely linked to the monarchy, the SBPAC crafted a form of social compact with the Malay Muslim elite of the Southern border provinces. Under the terms of this elite ethnic bargain, leading Muslim elites supported the Thai state’s attempts to curb "separatist" political violence, in exchange for which they received due recognition and advancement. By the 1990s the bargain was providing rich pickings, in the form of a generous and dubious system of financial subsidies for private Islamic schools. The owners of these schools were now firmly entrenched as the dominant social elite in the Southern border provinces.

During the more open politics of the 1990s, some Malay Muslim MPs gained ministerial office, while a new tier of sub-district organizations - a kind of elected local council - created greater political space for increased Muslim representation. For instance, the Wadah group made great progress in the Thai political arena by forming a coalition with the Khwam Wan Mai Party (New Aspiration Party) lead by General Chavalit Yongchaiyudh. After the New Aspiration Party was absorbed into Thai Rak Thai Party lead by Thaksin Shinawatra, the Wadah group made great progress in national politics, gaining ministerial posts.

Since its foundation in 1986, five to six Wadah members have been elected by cooperating with a different political party every time. Despite being a small faction, Wadah members obtained important positions such as the President of National Assembly, the Minister of
Interior, the Minister of Transportation and Communication and so on. Wan Muhammad Nor Mata from the Wadah group served as the first Muslim President of the National Assembly and as deputy prime minister. The Wadah group is successful in lobbying on issues concerning Muslims, such as the development of infrastructure in the south, support for Thai pilgrims on the annual hajj, right for Thai Muslim women to wear the hijab and the Islamic Bank.

When Thaksin came to power in 2001, he was frustrated by his TRT Party's inability to win seats in the Democrat-dominated upper South; by contrast, the Southern border provinces, where Yala politician Wan Muhammad Nor Matha’s Muslim Wadah faction was preeminent, offered a window of electoral opportunity. Thaksin set out to incorporate the Southern border provinces into his own network, which meant displacing the Democrat-network monarchy alliance that controlled the region." He did so by normalizing security arrangements in mid-2002, placing the police in charge of law and order, and abolishing the SBPAC. In effect, Thaksin staged a frontal assault on the legitimacy of the palace, unraveling the mode of virtuous rule that had been somewhat successful in curbing an earlier wave of "separatist" violence in the region (McCargo 2009).

International and Regional Legitimacy/Pressure

Like Aceh and Mindanao, the ASEAN Way proved to be a major impeding regional force towards peacebuilding with its emphasis on non-interference. However, the role of Malaysia in Southern Thailand insurgency adds another barrier towards peace.

Thailand’s restive southern provinces share a common border with Malaysia. There is believed to be up to 200,000 people who hold dual citizenship (Thai and Malaysian). Several tens of thousands cross the Thai–Malaysia border daily as part of regular economic activity in that borderland area. In addition, many have relatives living across the border. Clearly, from this perspective, the Thai–Malaysian border is in many respects an artificial one.
A major complication stems from Bangkok’s continued insistence that the conflict in the southern provinces is a domestic problem, even though there are clearly cross-border dimensions which involve Malaysia. Malaysia has long hosted members of southern Thailand’s separatist old guard, some of whom reside in the country while others are permitted to travel to and meet there. The separatist old guards are permitted to reside in and travel to Malaysia, from where they may speak on behalf of the Malay-Muslim population in southern Thailand but without disparaging the respective governments, opinions differ as to the role that Malaysia can and should be allowed to play in the resolution of the southern Thai conflict (Liow and Pattan 2006).

Openness to Mediation/ Arbitration

For Southern Thailand, the OIC plays a less pronounced role. The Patani-Malay separatist movement is not represented in the OIC and the organization exerts considerably less pressure as compared to the Philippines. In 2005, an OIC delegation was invited for an observation and assessment mission to the Patani region and “concluded that unrest in the south was neither the result of religious discrimination against Muslims nor was it rooted in religion itself; instead, it could be traced to culture and historic neglect of the south (Sharqieh 2013, 166).”

Conclusion

This paper has sought to investigate the pacific effects of democratization on intra-state conflicts in Southeast Asia. Specifically, it examines to what extent political liberalization and the end of authoritarian rule could lead to the resolution of civil conflicts. Using three case studies in Southeast Asia – 1986 Philippines (Mindanao), 1998 Indonesia (Aceh), and 1992 Thailand (the Southern provinces) – the study analyses the four peace-enabling causal processes that could unfold as a result of the transition away from authoritarian rule: a focus on internal consolidation and economic development; increasing rule of law and the development of local forms of governance; a priority on enhancing international legitimacy; and an openness to international mediation and arbitration. I find that democratization and the accompanying process of
increasing rule-of-law in the transitioning state, when followed with the enactment of legislation for the devolvement of political and economic authority to the sub-state units, could lead to the resolution of civil wars. The findings of the paper are appended in the table below:

<table>
<thead>
<tr>
<th>PEACE-ENHANCING CONSEQUENCES OF DEMOCRATIZATION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Did the Democratizing Country:</strong></td>
</tr>
<tr>
<td>Sign a peace agreement with domestic insurgent group within its first 10 years?</td>
</tr>
<tr>
<td>Internal Consolidation</td>
</tr>
<tr>
<td>Rule Based</td>
</tr>
<tr>
<td>Domestic Transparency</td>
</tr>
<tr>
<td>Regional/International Pressure</td>
</tr>
<tr>
<td>Openness to Regional/International Mediation</td>
</tr>
</tbody>
</table>

The findings in this study mirrors what has been commonly known as the 'local turn' towards peace-building (Leonardsson & Rudd 2015). The emphases in this approach are on the local context, the local communities and local agencies in the path towards conflict resolution. The notion that local governance and local governments are beneficial to peacebuilding is not new (Lijphart 1977; Cheema and Rondinelli 1983). However, in recent years there has been a rise in literature exploring the claim that carefully designed and well-governed decentralisation can help achieve stability and peace by increasing legitimacy, accountability, inclusion and participation, establishing stable sub-national arenas for citizen-state interaction and bargaining, but only where the sub-national level has sufficient means and autonomy to control resources. In addition to good decentralisation design, the relationship between local and central leaders, as well as having a leadership that permits and promotes peace initiatives, is of crucial importance (Bland 2007; Bracanti 2006; Brinkerhoff 2011; Jackson 2013; Kälin 2004; Schou and Haug 2005).
Much of this line of argumentation builds directly or indirectly on Tiebout (1957) who argues that the decentralized provision of public goods can be an efficient way to resolve conflict in the presence of preference heterogeneity (Sambanis and Milanovic 2014). Apart from efficiency, decentralization is democratizing in that it brings government closer to the people and increase participation (Brancati 2006). In addition to improving the quality of governance, regional autonomy contributes directly to conflict reduction “by making government more responsive to the concerns of disgruntled minorities” and in doing so, “potentially secessionist groups will be encouraged to feel confident of representation and protection for their most vital concerns (Lustick, Miodownik, and Eidelson 2004, 210).” Decentralization therefore implies both formal recognition of the secessionist group by integrating it within a legal framework of peaceful political coexistence (Bakke 2015; Bakke and Wibbels 2006) and likewise offers influence over policy outcomes (Hechter 2000). The provisions of decentralization therefore contribute to satisfying the group’s concern about guaranteeing its physical security as well as the survival of its ethno-nationalist identity (Hannum 1996, 464). In this sense, decentralization and the devolvement of authority helps mitigate the commitment problem that is endemic to state-government relations by making it harder for the state to renege on its promises (Jarstad and Nilsson 2008; Walter 2009).

By way of conclusion, I offer now two reflections on what the paper does not address. First, the essay does not specify when and what part or how far along in the process democratization process do we begin to see the enactment of legislation for decentralization. Finally, the study is agnostic too on the larger question which is whether democratization necessarily to the a push political and economic decentralization, and if so, under what conditions.
Bibliography


