

EuroSEAS Conference, Gothenborg, 26-28 August 2010

Panel on “Perspectives of Security Sector Reform in Southeast Asia”

Panel convener: Felix Heiduk (Visiting Fellow, Weatherhead Center for International Affairs, Harvard University)

Session 1: The past is present? Authoritarian legacies and SSR in Southeast Asia

Aries Ayuson Arugay (University of the Philippines, Manila):

Spheres of Military Autonomy under Democratic Rule and Security Sector Reform: The Philippines in Comparative Perspective

This paper discusses the persistence and steady expansion of the sphere of military autonomy in spite of democratization and how it affects security sector reform (SSR). It argues that SST processes will be constrained, limited, and even undermined so long as the military enjoys significant degrees of political autonomy in three ways. First, a relatively autonomous military will likely define and dominate the framework of SST in a given country. This implies that programs that will reform the military will likely not produce the intended results of democratic civilian control. Second, any gains or positive outcomes generated by transforming the security sector will likely be jeopardized by the military since they have the power to stifle or undermine these reforms. Finally, military autonomy in certain areas such as human rights and security policy hinders the participation of other actors, notably civil society in being able to influence and contribute to SST initiatives.

Using the case of the Philippines, this study seeks to examine these three causal mechanisms that link military autonomy and the prospect for SSR. While there have been efforts to transform the security sector, it remains to be severely limited and dependent on the political will of the government to carry out this project but more importantly, the willingness of the military to be reformed. Given certain constraints, the project will focus on three spheres of military autonomy – budgets, peace and security policy (particularly counterinsurgency policy), and human rights. The paper claims that recent reform efforts undertaken by the military subsumed under the larger ambit of SSR either is silent on, or even worse, erodes democratic civilian control which is critical for democratic development.

Deniz Kocak (Humboldt University, Berlin):

Continuity or Deviance of Beaten Paths? Security Sector Reform in Thailand

The paper argues that a comprehensive Security Sector Reform in Thailand is not possible in the near future. Critical junctures in which attempts for a reform could have taken place were obstructed by inherited shady practices of the Thai Military and by a

factionalized and network-bound officer class. Therefore, a comprehensive Security Sector Reform could only be successfully implemented if political developments in Thailand allow the occurrence of a new critical juncture such as the end of the political turmoil, a national reconciliation, and a thoroughly transition towards democratic institutions. The assumption is that specific events in recent Thai political history serve as critical junctures. These junctures provide the opportunity to alter old paths of policy making and to establish civilian authority over the armed forces. However, such junctures could harden already used practices as well and reinforce them negatively.

By referring to the concept of path dependence it could be argued that the Royal Thai Armed Forces continued to play the role as one of the most influential and powerful organisations in Thailand since the end of World War II. The relative independence of the military from civilian interference and authority is still based on their organizational strength. Furthermore, the extensive involvement in business and informal trade, the networked based connections to politicians, businessmen and dubious leading figures in the provinces as well as the military's partial control of the security- and foreign policy agenda provides important power resources to the officer class.

The paper identifies the 1990s as a critical juncture and missed opportunity to reform the security sector in Thailand for establishing an effective civilian control over the armed forces. The failed coup and the "Black May" incident were followed by the militaries "retreat to the barracks", as some scholars claimed (Samudavanija, 1997). The cheerfully proclaimed "transition"- and reformation phase of Thai politics however, not only faded out the still influential officer caste, but was also struck by the "Asian Crisis" in 1997. Lukewarm attempts to reform the security sector under the struggling government of Chuan Leekpai collapsed completely with the ambitious Thaksin Shinawatra. His incumbency since 2001 was not only marked by a polarization of the Thai political class but also by a "repolitization of the military" (McCargo & Pathmanand, 2005). Thaksin's efforts to personalize the military and to substitute the formal and informal power mechanisms in Thailand led to the various coalitions against Thaksin. The military coup in 2006 was in no way a justifiable act of defending the democratic values of the Kingdom but an successful attempt to restore and preserve the interests of the former ruling elite. Therefore, the Thai military acted on behalf of strategic and influential societal actors against the government (the formal principal). This pattern of Civil Military Relations however, could be classified as "subjective control" of the military (Alagappa, 1988, 2001), and is diametrical to the concept of Security Sector Reform. As long as the existing network-based structures and power games in Thai politics prevail there is no chance of implementing an effective Security Sector Reform in Thailand.

David Jansen (Australian National University, Canberra):

Policing and Internal Security Management in Indonesia

The security sector reform that began in Indonesia with the end of the Suharto era has brought about a withdrawal of the Indonesian military from the internal security sector. In an ironic break with their past, the Indonesian police (POLRI) have been consolidated as the main element of security management in Indonesia today. Despite this reality, the

weight of scholarly interest in security affairs in Indonesia has been disproportionately allocated to the military; while interest in the much more practically significant Indonesian police has languished.

This paper lays out the argument for why the military should no longer be considered an important provider of internal security. Based upon this premise this paper argues that internal security should now be conceived as a function of the police. In explaining how the Indonesian police go about providing security this paper analyses the structure and core functions of the Indonesian police, primarily at the regional level. By pursuing a structuralist analysis we can deduce basic conclusions about Polri's strategy of security management. Indonesia's approach to policing follows a pattern common to other Asian countries. Indonesia maintains a massive, centralised, hierarchical police force which practices a social control intensive model of policing. Broken down into its core elements Polri performs four basic functions. Two of these things make the police similar to all other police forces around the world; patrolling and crime investigation. Yet two other functions make the Indonesian police very different from their western world equivalents. These functions are intelligence collection and guiding/engaging civil society. These functions draw upon the inherent social control tendencies of the Indonesian police. The logical implication of this argument is that the SSR agenda in Indonesia must focus the lion's share of efforts to reforming the Indonesian police.

Session 2: 'Reality check': prospects and perils of implementing SSR in Southeast Asia

Joerg Krempel (Peace Research Institute, Frankfurt):

The Diffusion of SSR Norms in Timor-Leste: The Problem of Missing Functionality and Implementation

The revolt of ex-militaries in Timor-Leste in 2006-2008 has shown that the SSR efforts in this war-torn country do not yet bore the fruits that are needed to provide for longlasting stability and security. Timor-Leste is a representative example for SSR in South East Asia, reflecting all the daunting challenges and problems in the region. It is worth a closer look to examine in detail underlying problems and difficulties which can be found elsewhere. In order to do so one has to go beyond the approach of the "traditional" SSR literature which is mostly looking at the hard issues of SSR. It is often easier to look at policy aspects of SSR than to examine the underpinning institutional and legal matrix of what has to be built in the security sector in post-conflict countries. The legal aspects of SSR are rarely examined even though it is the law that provides for the rules that are to govern the institutional interplay between the various SSR actors. These legal aspects of SSR are to be found in what constitutes the police and military law. More often than not it is the country that is the driving force behind SSR efforts in post-conflict countries (along with other international donors and norm entrepreneurs) that is taken as a legal matrix to be exported. This often results in copied SSR norms that are barely compatible with the legal, political and cultural settings of the "importing" country. Importing alien

norms to please SSR donors is not sufficient to make these same norms work. The copying of alien SSR norms often result in missing functionality or a lack of norm implementation. This process of importing and exporting norms is a very well researched phenomenon. The literature that describes the processes of norm diffusion offers very interesting results as to the mechanisms of diffusion, their necessary conditions and their inherent problems. The time is ripe for SSR literature to look beyond the purely empirical, descriptive and policy oriented approach. The literature on norm diffusion offers useful hints on the underlying processes that are so important in our field of study. In order to do so, one must first examine the laws in a particular country. Taking a legal approach, I will first examine the most important legal aspects of SSR in Timor-Leste, that is to say its military and police laws. I will then examine the mechanisms of norm diffusion that were most important in the case of Timor-Leste. The underlying scope conditions for the processes of norm diffusion will also be examined in order to better understand where the problems of functionality and/or implementation are to be found. Understanding these processes of norm diffusion is only the first (but necessary) step to provide for better compliance of SSR norms. Since no SSR article can end without suggestions, I will try to offer future paths of ensuring compliance in Timor-Leste and beyond.

Paul Chambers (Heidelberg University, Heidelberg):

Security Sector Governance and Civil-Military Relations in the Philippines Today

Democracy is currently in recession across much of the developing world. Civilian control of the military is a sine qua non for democratic consolidation. In the Philippines, the armed forces have played a major role in the country's authoritarian past. Yet despite the advent of democracy, vestiges of authoritarianism have continued to linger. This article analyzes the successes and failures in the efforts of civilians to gain authority over their military, with the objective of achieving consolidated democratic rule. The empirical analysis derives from a conception of civilian control that acknowledges the importance of security sector governance/reform but also distinguishes five areas of political decisionmaking: elite recruitment, public policy, internal security, national defense, and military organization, political recruitment and overall public policymaking, national defense, and internal security. The study shows that in some areas, civilians have made genuine progress in curtailing the influence of soldiers in politics while in other areas the armed forces continue to challenge civilian prerogatives. The ability of the military to continue acting in breach of civilian supremacy reflects a serious impediment to democratically elected authorities' effective power to govern, giving rise to democratic deterioration in the Philippines. The study offers three arguments to account for the continuing resilience of the Philippines military vis-à-vis elected civilians: legacies of authoritarianism, unity in the armed forces (combined with ex-military), the military's vision of guaranteeing internal security and development, and an enhanced role in national defense.

Wilfried A. Herrmann (Human Development Forum Foundation, Bangkok):

SSR in Southeast Asia – Dreams and Reality: Practical Experiences of SSR Implementation in Thailand and Cambodia

The proposed paper is based on the idea, that Security Sector Reform (SSR) is not only a concept for post-conflict or transitional states, which would lead to an unfair stigmatism of these countries (in the Southeast Asian cultural context it is also an important topic) rather it is a general concept about reforming military, paramilitary, police and law enforcement organizations in any country. These reforms are completed via the intensification of a civil–military dialogue with the intention of implementing the concept of “Primate of the Politics”, democratization of the Armed Forces and security related organizations, and fostering good governance.

The cornerstones for SSR in general and in Southeast Asia in particular, are the political and legal frameworks of and for the Armed Forces and security related organizations, transparency issues, rules of engagement in national and international context or missions, as well as budget transparency, which is a very sensitive issue. Related to the legal framework, many of the Southeast Asian forces do not have a proper system of human rights inside the forces let alone the rules of engagement with non-military adversaries or combatants. Therefore, the legal structure inside the Armed Forces, from draft laws (if there is any) about the daily routine through the retirement/resignation of soldiers and their re-integration into civilian life, is essential and needs to be addressed in this context. Additionally, it is important to point out the importance of the civil-military dialogue in the respective societies, its chances but also its limitations and cultural (in the sense of professional culture) obstacles.

The paper will explore the practical experiences of implementing SSR steps in Thailand and Cambodia and will highlight challenges, difficulties, but also opportunities from the practical point of view. Being involved in the SSR area for almost two decades in different countries and various functions/positions, the author of the paper will share inside views and approaches which were successful as well as “forbidden areas” in the first enthusiastic approaches. The necessity of SSR is evident in the whole Southeast Asian region, either on a national or on a regional level. Therefore Dr. Surin Pitsuwan, the ASEAN Secretary General chose this topic as a key element of his work in and for the region, as he pointed out in a recent workshop co-organized between the National Defence Studies Institute of the Royal Thai Armed Forces and the Human Development Forum Foundation, a Thai Civil Society Organization (CSO). As ASEAN SG he understands that many SSR issues are not only national topics, but also have regional relevance. Oversized armies, old fashioned strategies and structures and the problem of good governance implementation are regional challenges, which do not stop at the respective country borders.

Thailand and Cambodia Armed forces’ reputations are greatly stigmatized: coup d’ etats in one country (Thailand) as well as hyper corruption in the other. How one can dare to start SSR programs in this environment? At the very top, academics and CSOs will criticize efforts to reform the forces as efforts to stabilize the (direct or indirect) power over the respective state. But, there are ways of reforming and the aim of this paper is to show some approaches which can work even in a difficult political environment.

