

**A Theory of Interest Convergence: Explaining the Impact of  
US Strategic Support on Southeast Asia's Human Rights  
Situation, 1992-2013**

A Dissertation

Submitted in Partial Fulfillment of the Requirements  
for the Degree of Dr.rer.pol.

to the Department of Political and Social Sciences  
of the Freie Universität Berlin

by

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November 19, 2014

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**Final Defense Date:** 12<sup>th</sup> February 2015

### **Dissertation Abstract (English)**

*Does foreign aid impact the human rights situation in recipient countries? If so, how, and under what set of conditions, does it transform the human rights situation in aid recipient countries? This dissertation develops a new theory that explains the relationship between foreign aid and human rights norm compliance in recipient countries. In particular, this study examines the impact of United States' strategic assistance (bilateral aid and public diplomacy) on the human rights situation in Thailand and the Philippines from 1992 to 2013. Using process-tracing and natural experiments (comparative method), this study reveals that the confluence of political interests and policy preferences of a donor country (e.g. US) and the recipient state's domestic political elites, together with the recipient government's strength of domestic authority, is an important determinant of variations in human rights compliance over time.*

### **Dissertation Abstract (in German)**

*Hat Entwicklungshilfe Auswirkungen auf die Menschenrechtslage in Empfängerländern? Falls ja, wie und unter welchen Bedingungen kann Entwicklungshilfe die Menschenrechtslage in Empfängerländern verändern? Die vorliegende Dissertation entwickelt eine neuartige Theorie, die den Zusammenhang zwischen Entwicklungshilfe und dem Einhalten von Menschenrechtsnormen in Empfängerländern zu erklären sucht. Dabei widmet die Studie den Auswirkungen der strategischen Unterstützung durch die Vereinigten Staaten (bilaterale Hilfe und öffentliche Diplomatie) an den Menschenrechtslagen in Thailand und den Philippinen, in den Jahren von 1992 bis 2013, besondere Beachtung. Durch die Methode des Process Tracing und über natürliche Experimente (Vergleichsverfahren) zeigt die Studie, dass das Zusammentreffen von politischen Interessen und Präferenzen eines Geberlandes (z.B. denen der USA) und denen der politischen Eliten des Empfängerstaates, in Kombination mit dem Grad an innenpolitischer Autorität der Empfängerregierung, über den Lauf der Zeit wichtige Determinanten für Abweichungen in der Einhaltung von Menschenrechten darstellen.*

## TABLE OF CONTENTS

<b>1</b>	<b>INTRODUCTION</b> .....	<b>1</b>
1.1	The Research Puzzle and the Principal Argument.....	7
1.2	Theoretical and Practical Relevance of the Study .....	9
1.3	The Dissertation from Here .....	12
<b>2</b>	<b>A THEORY OF INTEREST CONVERGENCE: EXPLAINING THE RELATIONSHIP BETWEEN FOREIGN STRATEGIC SUPPORT AND HUMAN RIGHTS</b> .....	<b>13</b>
2.1	Introduction .....	13
2.2	Revisiting the Empirical Puzzle .....	14
2.3	Theoretical Framework, Arguments, and Key Hypotheses .....	14
2.4	Independent Variable: Convergence of Interests (Foreign Strategic Support and Regime Strength of the Recipient Government) .....	18
2.5	Outcome Variable: Type and Magnitude of Human Rights Abuses .....	22
2.6	Constant Domestic Conditions and its Reinforcement Effect .....	23
2.6.1	Restraint of State Security Agencies in Intervening in Civilian Politics .....	24
2.6.2	Ineffective Judiciary .....	26
2.7	Causal Mechanisms and Social Processes .....	28
2.7.1	Strategic Localization of Security Discourses .....	29
2.7.2	Resource Mobilization: The Impact of Purpose-Driven Foreign Assistance .....	34
2.7.3	Selective Political Repression and Intended Human Rights Violations .....	37
2.7.4	Erroneous Counter-Terror Policing and Collateral Human Rights Violations .....	39
2.8	Counterfactual Cases: Foreign Intervention and Human Rights Outcome .....	40
2.9	Limitations of Rival Explanations .....	43
2.9.1	Economic Interests .....	43
2.9.2	Norm Socialization .....	45
2.9.3	State Capacity .....	46
2.9.4	Other Domestic Conditions: Civil Wars and Electoral Politics .....	47
2.10	Caveats and Clarifications .....	49
2.11	Mode of Investigation and Approach .....	51
<b>3</b>	<b>PHILIPPINES DURING THE PRE-WAR ON TERROR PERIOD (1991-2000)</b> .....	<b>55</b>
3.1	Introduction .....	55
3.2	General Overview of the Human Rights Situation in the Philippines and US Foreign Policy .....	56
3.3	Philippine Government's Strategic Localization of Pro-Human Rights Discourses and Resource Mobilization .....	70
3.4	Two Types of Human Rights Abuses in the 1990s .....	82
3.4.1	Violations as Unintended Consequences of Regular Police and Military Operations .....	83
3.4.2	Violations as Consequences of Socio-Economic Programs .....	85
3.5	Analysis: Stronger Human Rights Protection in the 1990s .....	91
<b>4</b>	<b>WAR ON TERROR PERIOD IN THE PHILIPPINES (2001-2009)</b> .....	<b>99</b>
4.1	Introduction .....	99
4.2	Post-9/11 Human Rights Situation in the Philippines .....	100
4.3	Strategic Localization of Security Discourses: Legal Political Opposition as Targets of State Violence .....	104
4.4	Resource Mobilization: The Influx of US Counter-Terror Aid .....	120
4.5	Intervening Factors: The US-led War on Terror and Domestic Politics in the Philippines .....	127
4.6	Selective Political Repression against 'Enemies of the State' .....	133
4.7	Collateral Consequences of US-Philippines Counterterrorism .....	141

4.8	Analysis: The Human Rights Problem During the War on Terror Period.....	147
<b>5</b>	<b>POST-WAR ON TERROR PERIOD IN THE PHILIPPINES (2010-2013) .....</b>	<b>155</b>
5.1	Introduction .....	155
5.2	Human Rights Situation and US Strategic Support .....	157
5.3	Strategic Localization of Human Rights Norms: From Counter-Terrorism to Stronger Human Rights Protection.....	164
5.4	Domestic Politics and the Aquino Administration's Policy Priorities.....	180
5.5	Patterns of Human Rights Violations.....	185
5.5.1	Pre-meditated abuses .....	185
5.5.2	Collateral and unintended violations.....	190
5.6	Analysis: The Decline of Human Rights Violations .....	193
<b>6</b>	<b>THAILAND DURING THE PRE-WAR ON TERROR PERIOD (1992-2001) .....</b>	<b>199</b>
6.1	Introduction .....	199
6.2	Overview: Human Rights Situation and US Foreign Policy in Post-Cold War Thailand (1992-early 2001) .....	200
6.3	US and Thai Governments' Shared Expectations for Stronger Human Rights Protection in Thailand.....	203
6.4	Domestic Politics and Policy Priorities: Towards a Pro-Human Rights Agenda.....	220
6.5	Patterns of Residual Human Rights Abuses .....	232
6.5.1	Violations as Outcomes of Regular Policing Operations.....	232
6.5.2	Unintended Violations Emerging from Individual Security Agent's Collusion with Particular Private and Civilian Government Actors.....	237
6.6	Analysis: Explaining Stronger Human Rights Protection in the 1990s.....	242
<b>7</b>	<b>THE US-LED WAR ON TERROR AND HUMAN RIGHTS IN THAILAND (2001-2006) 249</b>	
7.1	Introduction .....	249
7.2	Overview: Human Rights Situation and US Foreign Policy in Post-9/11 Thailand (2001-2006) .....	250
7.3	US Foreign Policy Discourses and Bangkok's Strategic Localization of the Post-9/11 Threat.....	253
7.4	Resource Mobilization: US Counter-Terror Assistance and the Expansion of the Thai Armed Forces' Activities.....	268
7.5	Intervening Factors: The US-led War on Terror and Domestic Politics .....	279
7.6	Patterns of Human Rights Violations in Post-9/11 Thailand.....	289
7.6.1	Selective Political Repression of Thaksin's "Enemies of the State".....	289
7.6.2	Collateral Consequences of Bangkok's Counter-Terrorism Policies .....	298
7.7	Analysis: Explaining the Post-9/11 Human Rights Deterioration .....	303
<b>8</b>	<b>CONCLUSION .....</b>	<b>307</b>
8.1	Summary of the Findings .....	308
8.1.1	Thailand and the Philippines in the 1990s .....	308
8.1.2	Thailand and the Philippines after 2001 .....	310
8.2	Theoretical and Policy Implications .....	314
8.3	Future Research.....	318
<b>9</b>	<b>APPENDIX.....</b>	<b>320</b>
<b>10</b>	<b>BIBLIOGRAPHY .....</b>	<b>321</b>

## List of Figures

Figure 1.1 US Foreign Assistance and Physical Integrity Rights, 1976-2003 (Table)..	4
Figure 1.2 US Foreign Assistance and Physical integrity Rights, 1976-2003 (Graph).	4
Figure 1.3 US Foreign Aid (military and economic) to the Philippines and Thailand, 1990-2012 (in constant 2012 US Dollars) .....	5
Figure 1.4 Political Terror Scale, Philippines and Thailand, 1990-2012.....	5
Figure 1.5 Political Terror Scale in Southeast Asia, by Historical Period.....	6
Figure 1.6 Top 10 Recipient Countries of US Economic and Military assistance, in 2012, in US\$ billions (Source USAID Greenbook Website) .....	7
Figure 2.1 Typology of Expected Relationships: Interest Convergence and Human Rights Outcomes.....	18
Figure 2.2 Explanatory Model: Interest Convergence and Human Rights Outcomes.	29
Figure 2.3 Counterfactual Thought Experiment .....	41
Figure 3.1 US Military and Economic Assistance to the Philippines Per Historical Period (in millions, USD).....	57
Figure 3.2 Physical Integrity Rights Index, Philippines In Various Historical Periods .....	58
Figure 3.3 CIRI Human Rights Index, Philippines – Detailed Graphical Presentation .....	59
Figure 3.4 Political Terror Scale In Various Historical Periods in the Philippines (5=strong human Rights Protection, 0=Weak Human Rights Protection) .....	59
Figure 3.5 Approximate Average Number of Political Killings Per Year in the Philippines/ Per Presidential Administration (Source: See Appendix) .....	60
Figure 3.6 Year-By-Year Statistics of Physical Integrity Rights Violations in the Philippines (Source: See Appendix).....	61
Figure 3.7 Local Data on Enforced Disappearances in the Philippines Per Presidential Administration .....	62
Figure 3.8 Number of Journalists Killed Per Presidential Administration in the Philippines .....	63
Figure 3.9 Physical Integrity Rights Index – Philippines - Per Historical Period .....	63
Figure 3.10 CIRI Index Of Political Killings in the Philippines, 1981-2011 .....	64
Figure 3.11 Number of Incidents of Physical Integrity Rights Violations 1988-1998 (Source: Hernandez & UBarra) .....	66
Figure 3.12 US Economic and Military Aid to the Philippines, 1988-2010.....	66
Figure 3.13 US Military Aid to the Philippines .....	67
Figure 3.14 US Economic Aid to the Philippines.....	67
Figure 3.15 Number of CASES Filed at the Anti-Corruption Ombudsman and the Amounts Involved, 1990-1995+++ <i>Data from Batalla (2000)</i> . .....	87
Figure 3.16 Net Satisfaction Ratings of Philippine Presidents, May 1986- August 2012 (Source: Social Weather Station) .....	95
Figure 4.1 US Military Aid to the Philippines 1992-2012.....	101
Figure 4.2 US Economic Aid to the Philippines 1992-2012 .....	102

Figure 4.3 Combined US Economic and Military Aid to the Philippines 1988-2010 .....	102
Figure 4.4 Political Terror Scale of the Philippines, 1993-2010 .....	103
Figure 4.5 Average Number of Political Killings Per Philippine Presidential Administration .....	103
Figure 4.6 Public Approval of US Counterterrorism Approach .....	112
Figure 4.7 Peaceful Approach vs. Military Solution - Philippine Survey .....	113
Figure 4.8 Public Awareness and Perception on the Philippines' Participation in the US-led War on Terror .....	113
Figure 4.9 Perceptions on The Various Forms of Philippines' Support for The War on Terror .....	113
Figure 4.10 Degree of Anxiety Over Probability of Attacks in the US and the Philippines .....	114
Figure 4.11 Public Awareness of the Philippines-US Mutual Defense Treaty.....	114
Figure 4.12 Comparative Study of Filipinos' Net Trust in Selected Countries, 1994-2011 .....	115
Figure 4.13 Net Satisfaction Ratings of Philippines Presidents, May 1986 – September 2009 .....	131
Figure 4.14 Davao Death Squad Victims – Reasons Given for Executions and the Number of Incidents .....	138
Figure 4.15 Various Kinds of Collateral Human Rights Violations, 2001-2010.....	146
Figure 5.1 Human Rights Violations Statistics According to the Philippine Military, 2010-early 2013 .....	159
Figure 5.2 US Economic and Military Assistance to the Philippines, 1992-2012 ....	160
Figure 5.3 US Economic Aid to The Philippines, 1992-2012 .....	160
Figure 5.4 US Military Aid to the Philippines, 1992-2012.....	161
Figure 6.1 US Military Aid to Thailand, 1980-1999 .....	202
Figure 6.2 Total US Economic and Military Aid to Thailand, 1981-2000.....	202
Figure 6.3 Two Historical Periods of Thailand's Human Rights Situation - Comparison in Terms of US Aid and Human Rights Violations .....	203
Figure 6.4 List of Major Southeast Asian NGOs with a Regional Focus.....	213
Figure 7.1 Thailand's Political Terror Scale, 1990-2012 .....	251
Figure 7.2 Total US Economic and Military Aid to Thailand, 1990-2012.....	252
Figure 7.3 US Military Aid to Thailand, 1980-1999 .....	252
Figure 7.4 Survey of the Thai Public's Perceptions on Corruption in the Thai Justice System (Source: Warsta 2004) .....	288

## Abbreviations

**AFP** - Armed Forces of the Philippines

**ASEAN** - Association of Southeast Asian Nations

**ASG** - Abu Sayyaf Group

**CHR** - Commission of Human Rights of the Government of the Republic of the Philippines

**CTIC** - Counterterrorism Intelligence Center – (Established by the US Government in Bangkok, Thailand)

**DOJ** - Department of Justice - Government of the Republic of the Philippines

**DP** - Thai Democrat Party

**IB** - Infantry Battalion of the Armed Forces of the Philippines

**JI** - Jemaayah Islamiyah terror group

**KAMP** - Kalipunan ng mga Katutubong Mamayan ng Pilipinas (Coalition of Indigenous Communities in the Philippines)

**MCC** - Millennium Challenge Corporation

**MILF** - Moro Islamic Liberation Front

**NBI** - National Bureau of Investigation - Philippines

**NHRC** - National Human Rights Commission - Thailand

**PA** - Philippine Army

**PAF** - Philippine Air Force

**PNP** - Philippine National Police

**SBPAC** - Southern Border Province Administration Center - Thailand

**SONA** - State of the Nation Address of the President of the Republic of the Philippines

**TRT** - Thai Rak Thai party

**UNHCR** - United Nations High Commissioner for Refugees

**US** - United States

**USAID** - United States Agency for International Development



## Acknowledgements

*Ad majorem dei gloriam.*

This project has benefited from the constructive comments and academic support from many individuals and institutions. First and foremost, I am extremely grateful to have Lora Anne Viola as my advisor. She was very generous in providing very helpful suggestions, was always ready to assist, and was instrumental in teaching me how excellent research begins with a probing mind and a clear question. I am deeply grateful for having her as my PhD advisor. I value her excellent supervision as well as her constructive and prompt feedback on my work. Moreover, I am very thankful to Susan D. Hyde, my second dissertation committee member, who generously provided her time and support in improving this project and graciously welcomed me during my one-year fellowship at Yale. Her perceptive insights and constructive criticisms greatly improved the project. My gratitude also goes to Thomas Risse, who agreed to be my third dissertation committee member and provided helpful comments especially during the early stages of the project. Prior to starting my PhD, I thank Roland Czada, my advisor during my MA studies, for his guidance, as well as Ulrich Schneckener and Ralf Kleinfeld for the academic support during my studies in Osnabrück.

Beyond my dissertation mentoring committee, my PhD research immensely benefitted from the constructive criticisms, comments, and moral support from several other individuals. I acknowledge here the input and support from scholars who provided helpful advice and intellectual support: Ben Cashore, Ellen M. Immergut, Julia Adams, Andreas Schedler, Emilie M. Hafner-Burton, Shannon Blanton, Margit Mayer, Nuno Monteiro, Stathis Kalyvas, Jay Ulfelder, Alex Debs, Lee Jones, Jeff Bridoux, David Milne, Matt Hill, Peter Barberis, Randall Newnham, Marian Döhler, Trinidad Osteria, Duncan McCargo, Eric Batalla, Francisco Magno, Carolina Hernandez, Andreas Ufen, Rosa Babel Calilung-Teehankee, and Julio Teehankee. I am also thankful to my respondents from the field for providing me additional primary data, especially Sunai Phasuk of the Human Rights Watch Southeast Asia and Maj. Gen. Domingo Tutaan of the Armed Forces of the Philippines' Human Rights Office.

This research was made possible by the generous funding from the German Federal and State Governments' *Deutsche Forschungsgemeinschaft* (DFG) Excellence Initiative Scholarship, the Fox International Fellowship at Yale University, and the Research and Travel Grant Award from the MacMillan Center for Area and International Studies at Yale University. I am also indebted to the staff and the administration of the Graduate School of North American Studies (GSNAS) at the Freie Universität Berlin (FU Berlin), the Macmillan Center for Area and International Studies at Yale University, and the Jesse Robredo Institute of Governance at De La Salle University-Manila for institutional support. At the FU Berlin, I thank Gabi Bodmeier, David Bosold, and Katja Mertin. At Yale, I acknowledge Julia Muravnik for her administrative support, Allison and Joe Fox, and the institutional support of the MacMillan Center courtesy of Ian Shapiro and Nancy Ruther. This project also benefitted from the assistance of the staff as well as the excellent resources of the Sterling Memorial Library, Center for Science and Social Science Information (CSSI), Law School Library of Yale University as well as the University Library of De La Salle University-Manila. At Yale, I thank Antonio Malabag of the Law School Library and Melanie Maksin of the CSSI for guidance. In Southeast Asia, I thank Jesus Macalinao and Henpritz Montalvo for their assistance in collecting hundreds of newspaper articles and primary documents.

I thank my fellow graduate students within and beyond the FU Berlin and Yale for the intellectual support and the friendship. I thank Flavio Prol, Curd Knüpfer, Aaron Bartells-Swindells, Laura Saenz Rodrigues, Burak Tansel, Idan Barir, James Parisot, Lionel Beehner,

Suparna Chaudhry, Nick Anderson, Michael Weintraub, Jiyong Jou, Kai Thaler, Will Nomikos, Gregor Hintler, Peter Baum, Fabian Eckert, Carina van de Wetering, Elise Roumeàs, Amrita Nandy, Marisol Ruiz, Michael Kalin, Michiel Foulon, Andrés Vargas Castillo, Shawn Fraistat, Michael Blaakman, Mayumi Shimizu, Jacqueline Ignatova, Tarik-Abou Chadi, Nick Bouchet, Vera Altmeyer, Julien Pomarede, Maurice Stierl, Chris Rossdale, Giulio Pugliese, Jan Seifert, Tobias Hinterseer, Alisa Zomer, Marc Venhaus, Philipp Reick, Winnie Chen, Wolfgang Gründinger, Ari Cushner, Stefan Thierse, Francisco Antonio, and Mary Grace Velasco. Many of them read various parts of this dissertation, shared helpful comments, and provided the needed moral support.

This project began as a conference paper that I presented at the Rothermere American Institute at the University of Oxford in mid-2011. At Oxford, I am thankful to David Milne, who encouraged me to expand that conference paper. After learning that I ditched a scholarship from Sidney Sussex College at the University of Cambridge for GSNAS Berlin, David encouraged me to apply for a Fox Fellowship, which he received a few years earlier as a former Cambridge PhD student. I am thankful for his continued support. Moreover, this project benefitted from the helpful comments from participants of various events: MIT-Harvard-Yale Workshop on Political Violence; Manchester Metropolitan University's Politics Workshop; University of Heidelberg Spring Academy in American Studies; FU Berlin Kennedy Institute Politics Workshop; Humboldt Universität zu Berlin Comparative Politics Colloquium; De La Salle University-Manila's Joint Seminar of the Yuchengco Center for East Asia and the Political Science Department; International Studies Association Conference in Providence, Rhode Island (2013) and in Toronto, Canada (2014); University of London's Institute for the Study of the Americas; Fox Fellowship at Yale Research Seminar; Yale International Relations' Student Workshop; GSNAS Graduate Conference 2013; Yale International Political Economy Student Workshop; *Deutsche Vereinigung für Politische Wissenschaft* -FoJuS Conference in Hannover; the Whitney Center in Connecticut; the 2014 research workshop organized by Lora Viola at the GSNAS; and the 2014 Falling Walls Lab in Berlin.

Finally, I thank my family — my father, Cesar, my mother Annie, and my sister Nica, who provided the love and support that I needed to work on this project.

All errors in this work are my own.

*Salvador Santino F. Regilme Jr.* / New Haven, Connecticut | June 5, 2014

# 1 INTRODUCTION

## Chapter 1

*“Everyone has the right to life, liberty and security of person”*  
Article 3, Universal Declaration of Human Rights (UDHR), 1948

*“Human rights is the soul of our foreign policy, because human rights is the very soul of our sense of nationhood.”*

US President Jimmy Carter during the 30<sup>th</sup> Anniversary of the UDHR, 1978

*“Our aid is work for the American people.”*

Rajiv Shah, head of USAID, 2009-present (<http://borgenproject.org/poverty-quotes/>)

Does foreign aid impact the human rights situation in recipient countries? If so, how, and under what set of conditions, does it transform the human rights situation in aid recipient countries?<sup>1</sup> These questions are important not only to social scientists; instead, those questions are also compelling concerns in global governance. Understanding the political consequences of foreign aid is all the more significant especially if we take into account the plight of thousands, if not millions, of victims globally who die every year from extra-judicial killings, torture, enforced disappearances, and the like.

Indeed, as the first epigraph cited above reminds us, the United Nations General Assembly explicitly articulated in 1948 the importance of universal human rights norms, which have been invoked, adopted, and, at certain times, criticized by national governments and other transnational actors. The second and third epigraphs, meanwhile, unequivocally declared that US foreign policy, including its foreign aid programs in other countries, is foundationally built upon human rights values and the interest of the American people.

If human rights norms have been universally accepted as important goals in statecraft and diplomacy, then it is essential to know whether US foreign aid really

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<sup>1</sup> In this study, I only refer to physical integrity rights or the freedom of the human person from extrajudicial killings, enforced disappearances, physical harassment, and torture. Particularly, my definition of human rights pertains to “a central core of rights- the right to life”, or the “right to be free from extrajudicial execution and disappearance and the freedom from torture and arbitrary arrest and detention” (Risse and Sikkink 1999, 2-3).

produce its intended outcomes in recipient countries.<sup>2</sup> To be sure, one of those envisioned outcomes of foreign assistance, at least for the US, is stronger human rights protection in aid recipient countries — a policy goal that became even more important since the end of the Cold War (Meernik, Krueger, and Poe 1998; Cingranelli and Richards 1999). Furthermore, for many human rights victims, especially in countries that receive large amounts of foreign aid from Western countries, it is important to know whether such external assistance has a causal relationship with the varying levels of domestic state repression in the Global South.<sup>3</sup> Because of these important considerations, the relationship between foreign strategic support and the human rights situation in recipient countries merits a systematic investigation.

The causal relationship between foreign aid and human rights situation in recipient countries is a relatively understudied topic in contemporary social science literature. Nonetheless, recent studies attempted to investigate such issue, and it thereby produced some interesting yet inconclusive findings. For instance, donor countries are believed to be highly influential in solely determining the amount and purpose of foreign assistance that it will provide to recipient countries depending on the latter's human rights record (Hafner-Burton 2014, 278-279; Demirel-Pegg & Moskowitz 2009). There is some evidence, however, which shows that the US government regularly provides economic assistance to recipient governments that implement high levels of state repression (Cingranelli and Pasquarello 1985; Lai 2003; Petras 1997). A more important issue, nonetheless, is whether foreign assistance impacts the severity of state-initiated human rights abuses in recipient countries. On that regard, the scholarly literature is unsettled regarding the purported direction of the causal relationship between foreign aid and human rights. As Emilie Hafner-Burton (2014, 279) rightly contends, “the precise effects of foreign aid or its conditionality on human rights” are still unknown, primarily because “most research has explored the effects of aid on development, or more broadly, good governance”. Whereas a recent study points out that aid from the European Union strengthens

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<sup>2</sup> The US is the world's biggest giver of foreign assistance, providing much more substantial amounts of aid than the next runners-up, Germany and France. (Debusman 2011). For a more critical review of foreign aid, refer to Qian (2014, 1), who argued that “foreign aid is often determined by the objectives of donor countries rather than the needs of recipient countries”.

<sup>3</sup> See William Robinson (1997) for an empirically grounded discussion on democracy promotion and other forms of Western political intervention upon the domestic politics in the developing world.

human rights protection, other studies suggest that US aid can, in fact, undermine human rights (Lee 2011; Sikkink 2004; Callaway and Matthews 2010).<sup>4</sup> While previous studies have already examined if and how human rights situation in recipient countries influence foreign aid allocations of the US government (Neumayer 2003; Cingranelli and Pasquarello 1985), we have yet to examine in what ways US foreign aid impacts the human rights situation in recipient countries.

In view of such lacuna in the scholarly literature, the contemporary social science literature has yet to provide a more theoretically driven examination of the causal relationship (if there is one) between foreign assistance and human rights situations in recipient countries. Hence, this study offers a theory that examines whether US strategic support impacts the human rights situation in partner countries.

Using a global data-set on US foreign aid and human rights abuses, figures 1.1 and 1.2 illustrate the “the average amount of economic and military aid, in millions of dollars, allocated at each level of personal integrity abuse” (Callaway and Matthews 2010, 81-82).<sup>5</sup> Most importantly, the illustrations reveal that “there is an inverse, or negative, relationship between foreign assistance and human rights”, whereby “higher levels of aid, relative to GDP, are associated with lower levels of security and subsistence rights” (Callaway and Matthews 2010, 81). Such results apparently support the conventional wisdom held by many practitioners and policy-makers, who uphold that foreign aid has a negative impact on human rights in recipient countries (Petras and Veltmeyer 2002; Engel 2014).

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<sup>4</sup> The study by Callaway and Matthews (2010) is arguably the first and only political science research to date that directly addressed the question whether US aid impacts human rights situation in recipient countries. Even so, the research did not provide a coherent theoretical framework that specifies the causal mechanisms and the conditions in which those two variables could be linked with each other.

<sup>5</sup> Refer to appendix for a detailed explanation of the Political Terror Scale (PTS). Whereas the PTS classifies worst violator countries with a “5” while the most compliant country with a “1”, Callaway and Matthews (2010) classified grave violators with a “1” (e.g. contemporary North Korea), while a country that scored “5” as the most compliant (e.g. contemporary Switzerland). Callaway and Matthews (2010) used US aid data from the USAID Greenbook.

US Foreign Assistance and Physical Integrity Rights, 1976-2003						
		Political Terror Scale				
		1	2	3	4	5
Average amount of US Aid for a given country with a particular PTS level, 1976- 2003 (Historical Dollars year 2000, in millions)	<i>Economic Aid</i>	99,23	125,91	110,14	41,76	13,08
	<i>Military Aid</i>	40,19	101,71	71,89	52,79	5,41

Figure 1.1 US Foreign Assistance and Physical Integrity Rights, 1976-2003 (Table)

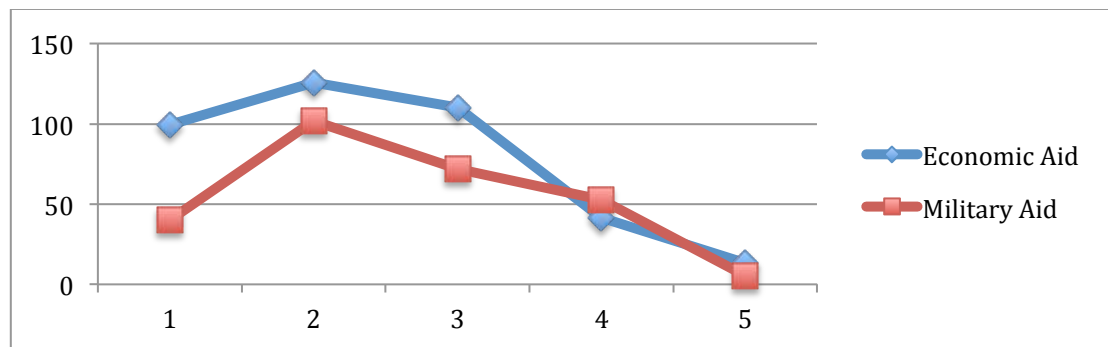


Figure 1.2 US Foreign Assistance and Physical integrity Rights, 1976-2003 (Graph)

How did the aforementioned global trends in US foreign aid vis-à-vis human rights fare in comparison at the regional and national levels? As I will discuss in detail in Chapter 2, this study uses Southeast Asia as an empirical laboratory, whereby I investigate the hypothesized causal relationship between US strategic support and human rights compliance in Thailand and the Philippines over time. Just to provide a quick preview, however, total amounts of US aid over time, especially from 1990 until 2012, evidently co-vary with the severity of human rights violations in Southeast Asia, particularly its largest states, Thailand and the Philippines. In particular, both countries recorded a relatively high amount of foreign aid and severe human rights situations at the beginning of the 1990s. Yet, it was noted that the remaining years during that decade recorded a dramatic decline of US aid together with a substantial improvement in human rights. After the Bush administration designated Southeast Asia as the “second front” in the War on Terror (Gershman 2002; Sidel 2007), the

total amount US foreign aid to the Philippines and Thailand remarkably increased together with a further deterioration in the human rights situation in those Southeast Asian countries.<sup>6</sup> In other words, the total amount of US bilateral aid to Thailand and the Philippines appears to be positively correlated with the severity of state-initiated human rights abuses in those two Southeast Asian countries.

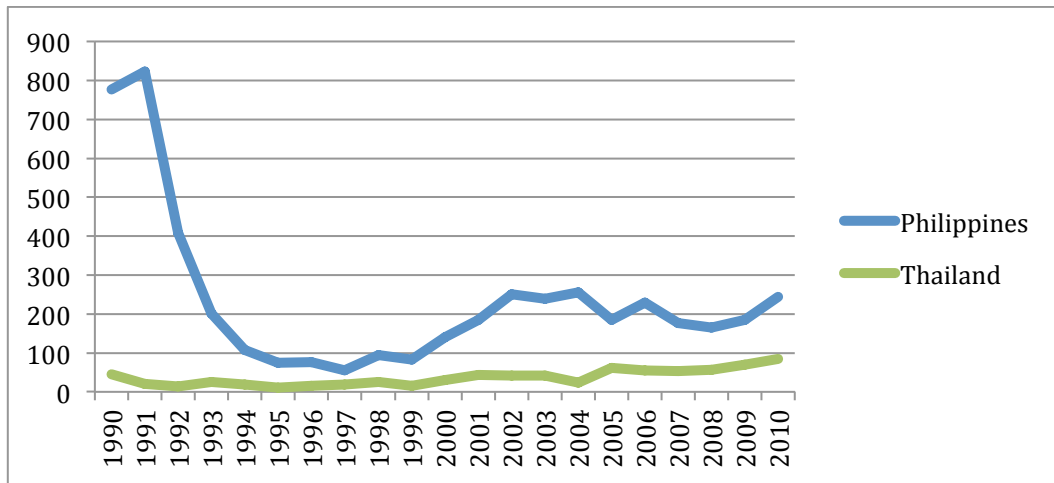


Figure 1.3 US Foreign Aid (military and economic) to the Philippines and Thailand, 1990-2012 (in constant 2012 US Dollars)

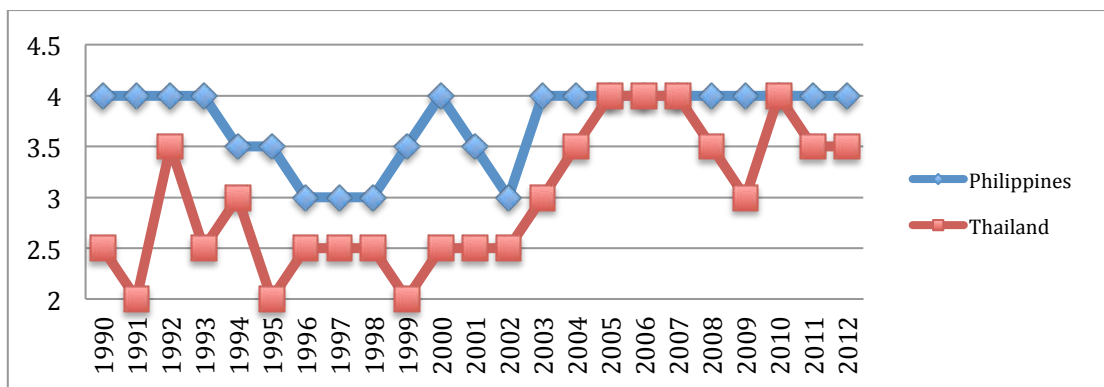


Figure 1.4 Political Terror Scale, Philippines and Thailand, 1990-2012

<sup>6</sup> As shown in figure 1.3, the sudden increase in post-9/11 US foreign assistance in the late 1990s also coincided with the sharp increase in state repression during that period — a development that was largely triggered by a short-term counter-insurgency effort funded by the US government. See, for example, the discussion in chapter 3 on the Estrada administration’s short-term military campaign in Mindanao, an effort that was supported by the Clinton White House.

	1976-1991 (Cold War)	1992-2001 (Post-Cold War)	2002-2009 (Post-9/11)
Philippines	3,6	3,5	3,9
Thailand	2,7	2,6	3,4
Composite Average (all Southeast Asian countries)	3,3	3,3	3,6

Figure 1.5 Political Terror Scale in Southeast Asia, by Historical Period

Furthermore, the apparent direct relationship of US aid with the level of human rights compliance is not unique to the Philippines and Thailand. In fact, many top recipient countries of US foreign aid are widely known for their brutal and widespread human rights violations (refer to Figure 1.6). For instance, Pakistan, which received US military aid amounting to 95.7 million USD in 2002 (from a meager amount of 1.2 million USD in 2000), has been experiencing a deteriorated human rights situation since the early 2000s — an outcome that many observers believed to be driven by the post-9/11 US counterterrorism aims. In particular, Amnesty International USA (2014) reported that: “since 9-11, individuals suspected of having links with “terrorist” organizations have been arbitrarily detained, denied access to lawyers, and turned over to U.S. custody or to the custody of their home country in violation of local and international law” (Amnesty International USA 2014). Similarly, as one of the largest recipients of US assistance since 9/11, Kenya is also experiencing a deterioration of its human rights situation. For instance, Human Rights Watch (2013a & b) noted that “Kenyan police went on a 10-week rampage, torturing, raping, assaulting, extorting, and arbitrarily detaining at least 1,000 Somali and Ethiopian refugees and asylum seekers and Somali Kenyans” — in which all of these targeted refugees were publicly branded as terrorists (Human Rights Watch 2013b). Moreover, various international NGOs confirmed that torture is very much widespread in contemporary Afghanistan, Uganda, Iraq, Jordan, and Pakistan — all of which are now the world’s top recipients of US aid (Wickham 2014). Indeed, a quick look at the list in figure 1.6 reminds us of a widespread public perception that many of these countries experienced an increase in state repression and human rights violations after receiving counterterrorism oriented US assistance.



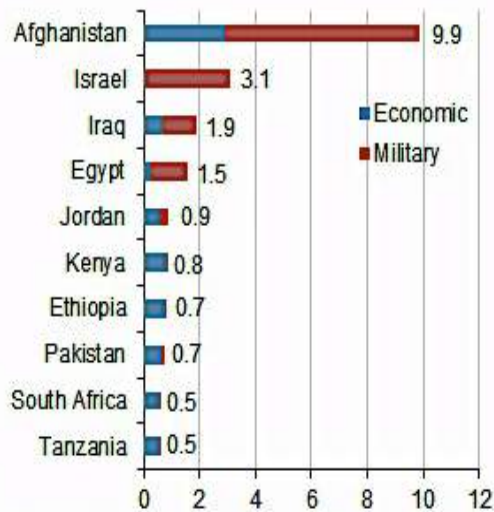


Figure 1.6 Top 10 Recipient Countries of US Economic and Military assistance, in 2012, in US\$ billions (Source USAID Greenbook Website)

## 1.1 THE RESEARCH PUZZLE AND THE PRINCIPAL ARGUMENT

Motivated by the apparent correlation between US aid and the level human rights deterioration as shown earlier, the central theoretical questions that frame this study are: does foreign aid, or what I call foreign strategic support, transform the human rights situation in recipient countries?<sup>7</sup> If so, how, and under what constellation of conditions (transnational and domestic), does foreign strategic support impact human rights?

Essentially, those questions aggregate several others, which are more empirically specific. In this study, I focus on the variation in human rights situation in Southeast Asia vis-à-vis the varying strategic purposes and amounts of US aid over time, particularly from the early 1990s to 2013. On that regard, I raise the following questions: Did the varying purposes and the amount of US strategic support affect the fluctuations in the severity of state-initiated human rights violations in Southeast Asia (Thailand and the Philippines), particularly over various recent historical periods? If it did, under what conditions did US strategic support had an impact on the domestic human rights situation? How did the local political conditions in the partner countries

<sup>7</sup> In chapter 2 I explain in detail my conceptualization of “foreign strategic support”. In brief, foreign strategic support includes actual amounts of financial aid and material support as well various forms of non-material assistance that can be seen through political support and public diplomacy.

of the US matter in the variations in human rights practices in the Southeast Asian region? Or, did transnational conditions solely determine the causal influence of foreign strategic support on human rights situation? If both transnational and domestic conditions are crucial here, how did the external factors causally interact with domestic conditions in a way that impacted the transformations in the human rights situation in Thailand and the Philippines over various time periods? Considering those questions, I systematically trace the relationship and patterns of interactions between US strategic support and the human rights situation in Thailand and the Philippines in two ways: (1) during recent historical time periods *within* each of those countries, (2) and *between* the two countries.

Why did I focus on Southeast Asia? Although chapter 2 further explains this study's research design and approach, let me provide some important but brief remarks on the rationale for zooming into Southeast Asian cases. One of the key reasons for using the two aforementioned Southeast Asian countries has to do with their similarities rather than their differences. Both countries are the two longest surviving electoral democracies in the region to date.<sup>8</sup> Although Thailand was never colonized by a Western power in contrast to the Philippines, both countries are signatories of a Mutual Defense Treaty with the US, thereby holding their relations with its most powerful donor country almost "constant".<sup>9</sup> Moreover, both countries belong to the same world region, and they therefore share a supposedly large set of similar political, economic, and security challenges over time (Katzenstein 2005; Buzan and Waeber 2003). But, what exactly is the principle behind choosing similar cases? The main point is really about assessing the causal relationship (Tarrow 2010, 243-244). With its paired comparative studies of Thailand and the Philippines, this study produces "'causal-process analysis' in contrast to the 'data-set observations' that are the basis of correlational and regression analysis" (Brady and Collier 2004, 277 cited in Tarrow 2010, 243). In other words, by beginning the comparison with "common foundations", this study is "less likely to overlook unseen variables that

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<sup>8</sup> Since 2006, Thailand experienced a regression of democracy, with several episodes of military coups overturning an elected central civilian government. Notwithstanding, Thailand remains one of the few in the Asia-Pacific region to have the longest experience with electoral democratic procedures. In fact, it was in 1932 when the country became a constitutional monarchy headed by an elected prime minister.

<sup>9</sup> As a former colony of the US, the Philippines is the first country in Asia to have a mutual defense treaty with the US (1951), while Thailand signed its defense treaty with the US in 1954. Other mutual defense treaty allies of the US in the Asia-Pacific are the following countries: Australia and New Zealand (1952); South Korea (1953); and Japan (1954).

might better explain the outcome under consideration” (Go 2011, 20). In short, the study isolates the potential causal impact of other variables except for the hypothesized relevant factors that I consider in this study.

Presented with such research puzzle, I develop a new theoretical account of human rights norm compliance vis-à-vis foreign aid, and I probe its plausibility in a wide range of Southeast Asian cases.<sup>10</sup> In brief, as I will discuss further in chapter 2, I argue that the convergence of shared interests of donor and recipient countries, together with the strength of the donor government’s domestic authority, primarily shape the ideational purposes and implementation patterns of foreign aid programs as well as domestic policies in ways that can either bolster or undermine human rights compliance in recipient countries.<sup>11</sup> Compared to previous research on the topic, this study, which emphasizes the role of ideational factors in explaining the political consequences of foreign aid, is indeed unique to the extent that “the central factor overlooked in the literature on aid is ideational: ideas about goals and purposes of aid policy shape its formulation and implementation” (Van der Veen 2011, 2).

To be sure, investigating the causes of the variations in human rights situation in Southeast Asia over time does not only enrich our knowledge about this relatively understudied world region, but also enrich our theoretical knowledge about human rights, democratization, and foreign aid. This is especially so because I herein develop a new and original theory that addresses the relationship between human rights norm compliance and foreign assistance. In this way, “region and theory are best treated as forces in combination rather than opposition” (Kuhonta, Slater, and Vu 2008, 12).

## 1.2 THEORETICAL AND PRACTICAL RELEVANCE OF THE STUDY

In this study, I contribute to the emerging social science literature on human rights norm compliance as well as the political consequences of foreign aid. Thus, I would like to call attention to four significant attributes of my approach in studying

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<sup>10</sup> For a discussion on “plausibility probe” in comparative case studies, refer to Van Evera (1997, 105) and Eckstein (1992, 149-150).

<sup>11</sup> I agree with the theoretical arguments of John M. Owen IV on his argument about how ideas shape the actions and strategies of political actors in forcibly changing the regimes in other territories. Particularly, Owen IV argued that he considers “ideas as causal, as structures that heavily condition actors’ options, but as consequences as well of large, dimly understood social and material changes” (2010, 9).

the empirical puzzle. First, one of the principal implications of my argument is that a given state's level of compliance with specific norms, such as human rights, may not be solely determined by intra-national factors alone. On that regard, I propose a new theory that explains how and under which combination of transnational and domestic conditions variations in human rights norm compliance emerge — over historical time and among various countries. On that front, this study contributes to an emerging research agenda in political science that seeks to investigate the linkages of domestic and extra-national factors in producing local political change (Gourevitch 1978; Krasner 2010; Hyde 2011; Chaoidoin, Milner, & Pang 2014; Cashore and Bernstein 2011; Regilme 2014a; Schmitz 2004).

Second, my account of norm compliance actively integrates rationalist, constructivist, and historical-institutionalist insights into one coherent theoretical approach to human rights norm compliance. In this study, I uphold that patterns of state behavior in developing countries (e.g. human rights norm compliance and domestic repression) are best explained by assessing the interaction between ideational factors and strategic-instrumental motivations both by extranational and domestic actors. In other words, as I discuss in detail in the next chapter, my theory is synthetic because I draw insights from relevant but quite distinctive paradigmatic approaches in the study of International Relations and concepts on civil-military relations, political violence, and judicial politics from the sub-field of comparative politics.<sup>12</sup>

Third, this study is both a theoretically driven and empirically rigorous investigation of norm compliance. In theoretical and methodological terms, the existing political science literature about foreign aid and human rights compliance in recipient countries is dominated by large-N empirical studies. Although they advance our very limited understanding on the topic, these large-N studies arguably rely on what Mearsheimer and Walt (2013, 435) call “simplistic hypothesis testing”, “which emphasizes discovering well-verified empirical regularities” (p. 428). Because of that, large-N studies are arguably unable to provide a coherent explanatory framework (or the “the big story”) (Mearsheimer and Walt 2013, 435-436), which satisfactorily traces the causal process or mechanisms through which foreign aid and human rights

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<sup>12</sup> For a more detailed discussion on synthetic theories in International Relations (IR) research, refer to Sil and Katzenstein (2010), Reus-Smit (2011), and Cornut (2014). For an example of synthetic approaches to IR, refer to the important work of Viola (2008) on membership in international institutions.

are related. Thus, I offer an overarching theoretical explanation on the relationship between human rights compliance and foreign assistance. Besides, this study differs from previous research with regard to human rights in Southeast Asia, whereby much of the International Relations literature in the region is mostly atheoretical (Acharya and Stubbs 2006, 126).<sup>13</sup> Furthermore, this comparative study is a timely response to recent calls in the scholarly literature for “careful, regionally disaggregated scholarship” that focuses on other regions other than Latin America (Carlson and Listhaug 2007; Hafner-Burton and Ron 2007, 382; Sikkink and Walling 2007). This is precisely because much of the influential qualitative scholarship on human rights compliance has been focusing on Latin America, whereby the findings derived from that region may not hold true in other regional contexts, including Southeast Asia.

Fourth, this investigation is motivated by the goal of theory building. Notably, prospective critics may assume that this study falls short of rigorous scientific testing because of the limited number of cases that I consider. One should note, however, that my core goal is to construct a comprehensive framework that will specify the conditions and mechanisms through which foreign strategic support impact the human rights situation in recipient countries. While my analysis and evidence in this study are only limited to Southeast Asia, the hypotheses that I developed are generalizable enough to the extent that future research can readily test them by using other cases from various time periods and world regions and by using other social science methods.

Finally, the sheer significance of the loss of human lives in Southeast Asia resulting from state repression merits a more systematic investigation as to its causes. Besides, citizens and political leaders of donor countries clearly have a stake in knowing whether their taxpayers’ money is being spent prudently and as intended. In fact, in 2008 alone, the total amount of foreign aid provided by the wealthy nations, including the United States and other European countries, amounted to more than 100 billion USD. That amount alone suggests that an investigation into the political

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<sup>13</sup> In an influential volume on Southeast Asian politics, Tuong Vu, Dan Slater, and Erik Kuhonta (2008) advocate for a “dual-engagement” in the study of the region. This means that more theoretically engaged studies on the region is needed, and such outcome is both beneficial to the sub-field of comparative politics as well as area studies.

consequences of foreign aid is not only important for academic reasons, but also a compelling policy concern in regard to global governance.<sup>14</sup>

### 1.3 THE DISSERTATION FROM HERE

This dissertation is divided into three parts. Part 1 refers to this introductory chapter, which explains the research puzzle and the significance of this study. The first part also includes the forthcoming chapter — chapter 2, which outlines the theoretical groundwork that guides my investigation of the relationship between US aid and human rights. By “theoretical groundwork”, I refer to a detailed discussion of the main arguments, concepts, definitions, and the hypothesized causal mechanisms that link US strategic support with recipient countries’ human rights situation. Moreover, the next chapter explains in detail the approach and the methods that I employ in my comparative case studies of Thailand and the Philippines.

Next, the second part is composed of five empirical chapters, whereby each chapter investigates the relationship between the human rights situation and US strategic support during a specific historical period. In particular, chapters 3, 4, and 5 deal with three time periods of human rights situations in the Philippines (pre-9/11, post-9/11, and the post-war on terror, respectively), while chapters 6 and 7 focus on Thailand’s human rights situation (pre-9/11 and post-9/11, respectively).

Finally, part 3 is composed of the concluding chapter. In the last chapter, I summarize the key empirical findings from the previous substantive chapters and present their theoretical implications in the wider academic study of human rights practices and foreign aid. I also outline therein some prospective paths for future research, and I assess the broader policy implications of my arguments.

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<sup>14</sup> Thus, I support Robert Keohane (2007, 708-709) when he rightly argues that: “We do not study international relations for aesthetic reasons, since world politics is not beautiful. If we sought scientific rigor, we would have pursued careers in experimental disciplines. Instead, we are motivated by normative questions, often asked urgently in the wake of disasters.”

## 2 A THEORY OF INTEREST CONVERGENCE: EXPLAINING THE RELATIONSHIP BETWEEN FOREIGN STRATEGIC SUPPORT AND HUMAN RIGHTS

### Chapter 2

*Theories play an indispensable role in any science. A theory is a mental model designed to make sense of reality: to describe and explain or predict what we observe. Theories do this by proposing logical analogies for empirical relationships. When we can see parallels between observed sequences and logical consequences, we feel that we understand.*

-Michael Coppedge (2012, 49)

#### 2.1 INTRODUCTION

This chapter introduces a new theory that explains the relationship between foreign strategic assistance and the human rights situation in recipient states. With the goal of explaining variations in human rights compliance in post-Cold War Southeast Asia, I call my proposed framework a *theory of interest convergence*,<sup>15</sup> whereby I consider the confluence of policy preferences and shared expectations of donor and recipient countries as well as the level of domestic authority of the recipient government as the main independent variables.

The chapter is organized as follows. First, I re-introduce the central questions that comprise the research puzzle. Second, the chapter presents my theoretical framework and hypotheses that underpin my empirical case studies of the human rights situation in Thailand and the Philippines. Next, I present a conceptual discussion with regard to the convergence of policy preferences and interests of donor and recipient governments (independent variable) as well as the variations in human rights situation in recipient countries (dependent variable). Such discussion will be followed by an explanation of how and why constant domestic conditions in recipient countries — weak judiciary and corrupt coercive apparatus — produce human rights abuses even in the absence of terror-oriented policy convergence of donor and recipient governments. Subsequently, the chapter provides a more detailed explanation of the four discrete causal mechanisms that link policy convergence with variations in human rights outcomes: (1) strategic localization of discourses; (2) resource mobilization, which includes purpose-driven foreign aid and internal

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<sup>15</sup> The influential legal scholar and critical race theorist Derrick Bell (1980) apparently first used the term “interest-convergence theory” in the context of the US Supreme Court’s 1954 declaration that the state-mandated racial segregation of public schools was unconstitutional.

resources of the recipient state; (3) selective political repression; and (4) erroneous policing and military operations. The detailed presentation of my theoretical framework closes with a discussion of a counterfactual thought experiment, which seeks to strengthen the plausibility of my theoretical explanation as well as to present the implications of my arguments. Finally, the concluding sections of this chapter include an assessment of rival explanations, remarks regarding the limitations of my theory, and the methods as well as the approach that I employ in this study.

## 2.2 REVISITING THE EMPIRICAL PUZZLE

As shown in Chapter 1 and will be demonstrated in detail in the forthcoming empirical chapters, US bilateral aid appears to be positively correlated with the number of claims of state-induced human rights abuses in recipient countries. In view of such empirical context, I ask the following important questions: Did post-9/11 US strategic support affect the deteriorating human rights situation in its key partner countries in the so-called War on Terror? Did the substantial shift of US policy on bilateral aid and public diplomacy, particularly from its pre-9/11 focus on democracy and economic development to a post-9/11 emphasis on counter-terrorism, cause the increase in human rights violations in America's strategic partner countries? If it did, under which constellation of conditions did US strategic support have an impact on partner states' human rights practices? How did US foreign policy transform the human rights situation in partner states? Indeed, these questions are motivated by the empirical puzzle in which the amount of US military and economic aid correlates with the severity of state-initiated human rights violations from the early 1990s until 2013.

## 2.3 THEORETICAL FRAMEWORK, ARGUMENTS, AND KEY HYPOTHESES

My main argument states that the convergence of political interests and policy preferences of a donor country (e.g. US) and the recipient state's domestic political elites, together with the recipient government's strength of domestic authority, is an important determinant of variations in human rights compliance over time. Shared expectations by domestic political elites and the donor country for stronger human rights compliance generate local policies and purpose-driven foreign aid programs that are supportive of such shared interests. In contrast, shared interests in bolstering counterterror goals result in domestic policies and foreign assistance programs that



permit the escalation of state repression, which in turn, engenders human rights violations.<sup>16</sup> The strategic purposes, as they are widely shared by the elites in the donor and recipient states, influence to what extent domestic policies are supportive or detrimental of human rights norms. As I show later in the chapter, “convergence” in this sense can be empirically assessed by the strategic purposes and amounts of US foreign aid and the political motivations of the recipient and donor governments. Thus, my theory challenges conventional wisdom, which apparently implies that material resources (e.g. foreign aid) have inherent properties that make it either “good” or “bad” for recipient countries.<sup>17</sup> Instead, I underscore the causal power of the convergence of donor and recipient governments’ shared expectations and strategic purposes about the use of foreign strategic support.<sup>18</sup>

The relationship between foreign strategic support and human rights norm compliance in recipient countries can be summarized with the following key hypotheses that I probe in this study:

1. US strategic support for primarily militaristic purposes, combined with the weak authority of the recipient country’s central civilian government, is highly likely to lead to an *increase* in human rights violations.

1.1 Recipient governments are likely to use foreign aid and external political support in order to consolidate its power through the systematic repression of violent and peaceful political opposition.

1.2 A weak judicial system and a corrupt coercive apparatus (military and police), as constant domestic conditions in recipient countries, reinforce the further deterioration in human rights situation.

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<sup>16</sup> Contrary to our wishful thinking that there must be a way not to trade off state security over individual rights, De Mesquita and Dickson (E. B. de Mesquita and Dickson 2007, 365) insightfully explain that: “Governments face trade-offs that inform their counterterror choices. On the one hand, governments need to engage in some form of counterterrorism to preserve their security. Doing so in a nonrepressive way may simply be technologically infeasible or too costly from the government’s perspective. On the other hand, governments also bear costs for repressive counterterror. When counterterror imposes hardship on an aggrieved population, support for continued violence is likely to increase both because the opportunity costs of violence decrease and because the people conclude that the government is not concerned with their welfare...”

<sup>17</sup> See for example the discussion in the influential article of Alesina and Dollar (2000), which provides a comprehensive overview of the canonical economics scholarship on foreign aid. The dominant economics literature primarily focuses on the material aspects of aid, thereby disregarding the ideational context and the strategic purposes that underpin foreign assistance programs.

<sup>18</sup> Alexander Wendt convincingly argued (1995, 75): “in sum, social structures are real and objective, not “just talk.”...But this objectivity depends on shared knowledge, and in that sense social life is “ideas all the way down””.

2. US strategic support for a diverse range of policy goals, combined with the strong authority of the recipient country's central civilian government, is highly likely to lead to a *decrease* in human rights violations.

2.1 A recipient government with strong domestic authority is highly likely to limit the use US strategic assistance and internal state resources in the violent repression of *unarmed* political opposition.

2.2 Residual human rights violations are still likely to emerge because of the corrupt coercive apparatus and a weak judicial system.

If the convergence of interests of donor and recipient governments fundamentally shape human rights outcome in recipient countries, then how exactly did such shared expectations emerge? As my case studies reveal, prospective aid recipient governments take an active role in strategically adapting to the interests of two important stakeholders: (1) donor governments<sup>19</sup> and (2) the recipient country's domestic public<sup>20</sup>. Using such logic of adaptation, recipient states strategically reframe and interpret political discourses and its policy preferences in light of the interests of its domestic public and the prospective donor government — an ideational process that I call strategic localization, which I discuss later in the chapter. Most importantly, purpose-driven foreign strategic assistance and the level of domestic authority held by recipient governments shape the patterns of domestic state repression, which in turn, fundamentally influence the human rights situation in recipient states.

On that regard, the logic of strategic adaptation to the policy preferences and interests of donor governments and the recipient country's domestic public borrows the insights from Robert Putnam (1988), particularly on his two-level metaphor of domestic-international interactions. The central principle behind Putnam's two-level games is that an "executive negotiating a deal with foreign country is playing two interacting games that have to be balanced: a domestic game to secure ratification of a final deal, and an international game to secure the best possible deal" (Beach 2012,

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<sup>19</sup> Foreign aid is one of those "international benefits", which "are frequently targeted toward states possessing valued characteristics" (Hyde 2011, 9). While Hyde (2011) argues that welcoming international electoral observes in one's country is a "benefit-seeking signal", it appears that such is the case also with recipient government's strategic localization of discourses in order to secure foreign aid.

<sup>20</sup> See, for example, the work of Jarrod Hayes (2012; 2013) on constructing national security threats by securing the acceptance of the public in democratic societies.

180; Milner 1997, 34-35). Theoretically, Putnam's two-level game in inter-state diplomacy suggests that the success of bilateral negotiations is indicated by the voluntary adoption of a particular norm "in a manner recognized as legitimate in both international and national political processes" (Winn 2009, 188).

Using the two-level logic of diplomacy, my empirical case studies demonstrate how a recipient government strategically adapts to the policy preferences of its own domestic public and its prospective donor country. As shown in chapters 4 and 7, the emergence of a terror-oriented focus of Southeast Asian governments was enabled by the alignment of policy preferences of the Bush administration, the Thai and Philippine governments, and the Thai and Philippine domestic publics. At the inter-state level, the Arroyo and Thaksin governments made a strong case that the terror threat in the US is strongly linked to the armed Islamic insurgencies in southern Thailand and Mindanao in the Philippines (Banlaoi 2010; Sidel 2007; Singh 2007), which in turn, motivated the Bush administration in providing large amounts of counterterror assistance. At the domestic level, the overwhelming public support for increased militaristic responses to the 9/11 threats facilitated US-Southeast Asia relations that focused on counter-terrorism (Lopez and Crispin 2003).

In contrast, chapters 3, 5, and 6 provide evidence that shows that the confluence of non-militaristic and pro-human rights policy preferences of the US and Southeast Asian governments in the 1990s paved the way for a decrease in human rights violations in Thailand and the Philippines. I demonstrate that pre-9/11 Thai and Philippine governments, which enjoyed strong domestic authority, took an active role in strategically localizing discourses that sought (1) to respond to the emerging political demands of their domestic public and (2) to complement US government's strategic purposes.

The table below (Figure 2.1) presents my empirical cases and shows my theoretical expectations between interest and policy convergence and human rights compliance in recipient states. As shown in the table below, variations in the convergence of policy preferences and interests of donor and recipient governments can be assessed through the amount and purpose of foreign aid (foreign strategic support) as well as the domestic motivations of recipient government (based on domestic authority). The specific permutations of shared expectations and policy preferences produce a particular human rights outcome at a given time period.

<b>Typology of Expected Relationships: Interest Convergence vis-à-vis Human Rights Outcomes in Recipient Countries</b>						
<b>Independent Variable (Convergence of Donor and Recipient Governments' Interests)</b>				<b>Dependent Variable (State-Initiated Human Rights Violations)</b>	<b>Key Explanations</b>	<b>Empirical Cases</b>
<b>(Transnational) Foreign Strategic Support</b>		<b>(Domestic) Strength of the Aid Recipient Regime</b>		Type and Magnitude of Human Rights Violations		
Foreign Resource Allocations (Material)	Powerful Donor Government's Strategic Purpose (Ideational)	Regime Strength (Recipient Country's Central Civilian Government)	Domestic Motivations of the Central Civilian Government			
<b>More foreign aid</b>	Comprehensive range of security interests (less militaristic, more democracy- and human rights-oriented)	Strong Authority (political support from a wide range of influential sections within and beyond the state)	Perceived political legitimacy rests on openness and human rights compliance/ wide range of militaristic and non-militaristic interests	<b>Less Human Rights Violations</b> ( <i>Minimal Number of Collateral Violations and Absence of Statewide/Intended Violations</i> )	Residual effects of domestic political conditions (corrupt judiciary and lack of professionalism military/police agencies)	Post-War on Terror Philippines (2010-2013)
	Counterterrorism/militaristic	Weak Authority (political support from a very limited range of influential sections within and beyond the state)	Perceived political legitimacy rests on undermining political opposition (Regime Consolidation)	<b>More Human Rights Violations</b> ( <i>Large Number of Collateral and Intended Violations</i> )	Convergence of domestic and international actors' counterterror-oriented interests	Post-9/11 Philippines (2001-2009) and Thailand (2001-2006)
<b>Less foreign aid</b>	Comprehensive range of security interests (less militaristic, more democracy- and human rights-oriented)	Strong Authority (political support from a wide range of influential sections within and beyond the state)	Perceived political legitimacy rests on openness and human rights compliance/ wide range of militaristic and non-militaristic interests	<b>Less Human Rights Violations</b> ( <i>Minimal Number of Collateral Violations and Absence of Statewide/Intended Violations</i> )	Convergence of domestic and international actors' pro-human rights interests	Pre-9/11 Philippines (1992-2000) and Thailand (1992-2000)

Figure 2.1 Typology of Expected Relationships: Interest Convergence and Human Rights Outcomes

## 2.4 INDEPENDENT VARIABLE: CONVERGENCE OF INTERESTS (FOREIGN STRATEGIC SUPPORT AND REGIME STRENGTH OF THE RECIPIENT GOVERNMENT)

How exactly does the confluence of interests of donor and recipient governments lead to the deterioration or improvement of human rights situation? In this study, I conceptualize “convergence of interests” as the degree in which donor and aid recipient governments substantively agree on the principal themes of their bilateral policy agenda. Such confluence of interests shapes the recipient government’s domestic policies and the actual use of foreign assistance. Although “policy convergence” is indeed a complex idea (Holziger and Knill 2005), I only refer

to two essential and useful elements of such concept: (1) “convergence of *policy goals*, a coming together of intent to deal with common policy problems”, and (2) “*policy content*, defined as the more formal manifestations of government policy statutes, administrative rules...and so on” (Bennett 1991, 218; emphasis by the author).<sup>21</sup> In other words, the convergence of expectations of donor and recipient governments can be meaningfully conceptualized in terms of donor and recipient governments’ shared intentions and actual policy outcomes in aid recipient countries.

As shown in figure 2.1 above, interest convergence is an aggregate concept, which consists of two distinct empirical concepts: (1) foreign strategic support that consists foreign aid as the material component and the donor government’s strategic purpose as the ideational component; and (2) the domestic motivations of the recipient government, which are primarily influenced by the strength of its domestic authority. Indeed, the convergence of policy preferences and interests varies across my cases in terms of its substantive content. In particular, chapters 4 and 7 present evidence that policy convergence and shared expectations of the American and Southeast Asian governments were oriented towards counterterrorism and military security<sup>22</sup>; in contrast, chapters 3, 5, and 6 demonstrate that policy preferences were less militaristic.

In this study, I refer to foreign strategic support instead of foreign aid. The latter only refers to the material resources given by a donor country, while the former is an aggregate term that includes the material resources, political support, and other forms of a donor country’s non-material influence upon the partner government. Hence, foreign strategic support is a comprehensive approach to inter-state diplomacy. It includes various practices ranging from public diplomacy (ideational-discursive)<sup>23</sup> to bilateral aid intended for military, economic, and political purposes (material). External assistance includes, among many other things, the following: financial aid; joint military and police training exercises; intelligence sharing; lending of military

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<sup>21</sup> Policy and interests are used in this section interchangeably precisely because shared expectations of political actors can be meaningfully observed through actual public policies.

<sup>22</sup> I borrow here the notion of military security according to Buzan, Waever, and de Wilde (1998, 50): “the military security agenda revolves largely around the ability of governments to maintain themselves against internal and external military threats, but it can also involve the use of military to their existence”.

<sup>23</sup> As Lora Viola (2008b, 22) notes, “diplomacy is the quintessential tool of modern statecraft. It is the means, short of force, through which foreign policy is negotiated and executed.”

equipment; military advice; joint operations with local forces; civil society development programs; public infrastructure programs, among others.

On the other hand, how do we conceptualize the strength of the recipient government's authority? Considering the influence of foreign strategic support, I maintain that the weak domestic authority of the recipient government increases the likelihood that it will resort to a systematic and violent repression of *all* forms of political opposition — a strategy that I call regime consolidation. Such strategy refers to the need of the central civilian government to strengthen domestic political support and to narrow political dissent from various state agencies (especially from the military and the police) and the broader society.<sup>24</sup> It also pertains to the central government's expected ability to demand political cooperation from most, if not all, of the competing yet influential factions within the state-society nexus. When the perceived strength of the central civilian government's leadership is weak, regime consolidation becomes a compelling political objective. In contrast, if domestic authority is considerably strong, then the central government is highly likely to only repress violent forms of political opposition. Indeed, the tendency to opt for violence as a way to repress non-violent opposition increases in conjunction with two conditions: (1) *transnational*: an exogenous military crisis (e.g. 9/11 attacks, or a protracted conflict as the Cold War); and, (2) *domestic*: a protracted low-intensity conflict or an ongoing civil war (armed communist rebellion in Mindanao, Philippines; armed secessionist groups in southern Thailand; or the fight against the armed FARC in Colombia)

The level of domestic authority of the recipient country's central government can be seen through four empirically observable attributes. The first aspect pertains to the public perceptions with regard to the government's domestic authority.<sup>25</sup> If most of the elites and civil society groups perceive that there are several equally (or almost equally) strong and viable contenders for political leadership that the incumbent faces,

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<sup>24</sup> See for example the landmark work of Bueno de Mesquita et.al. (2005). The authors consider "political survival as a necessary, but not a sufficient condition for leaders to achieve other personal objectives" (p. 23).

<sup>25</sup> My notion of authority is similar to the influential legal scholar Daniel Bodansky's concept on the "justification of authority" (Bodansky 1999; 2008). Accordingly, "authority has popular legitimacy if the subjects to whom it is addressed accept it as justified" and that "the more positive the public attitudes about an institution's right to govern, the greater its popular legitimacy" (Bodansky 1999, 601). Accordingly, authority is conceived in its pure empirical sense as the concept seeks to capture the necessity of support from those who are governed by the claimants of the authority. In short, it is not a question of "all or nothing but of more or less" (Bodansky 1999, 623).

then the central government is considered weak. Second, the issue of timing of the leader's ascendancy to power vis-à-vis the socio-political context is also important. Leaders who were recently installed amidst sudden economic crises, political scandals, or early phases of political transition (e.g. authoritarianism to electoral democracy) are most likely to be perceived as weak. Third, when leaders were installed through dubious electoral procedures or extra-legal methods (e.g. military coups, impeachment, acts of civil disobedience), the leadership strength of the central civilian government is highly likely to be fragile. Fourth, a weak civilian government is present when its elected top leader only won because of a small majority of the electorate. While these four aspects were all present in varying degrees in post-9/11 Philippines and Thailand, the mere presence of at least one of these qualities suggests the weakness of the civilian government's leadership.<sup>26</sup>

How exactly does a weak recipient government engage in the violent repression of *both* armed and unarmed opposition? First, the elected incumbent with a highly contested claim for leadership is highly motivated to consolidate her or his regime. It does so by gathering political support within the state, particularly the military and the police agencies and by violently eliminating political dissidents and non-supporters (de Mesquita and Smith 2009; de Mesquita et al. 2005; Hafner-Burton, Hyde, and Jablonski 2014). Such strategy is very common in new democracies facing an armed non-state rebellion while receiving substantial amounts of foreign aid. Specifically, partner recipient states still face threats from various warring elite groups, which sometimes resort to violence, despite these countries' formal transition to procedural democracy (Boix 2003; Higley and Gunther 1992).

Second, weak civilian regimes employ the military and police agencies in systemically repressing political dissidents and peaceful opposition members. In the sample of cases that I examine in this study, it appears that a politically adventurous military institution is always prone to misusing foreign strategic support, and such is likely to be the case in many new democracies. In these countries, the state's military and police agencies have been crucial in wielding "considerable political power" due

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<sup>26</sup> I must add, however, that popular support is not a matter of numbers of supporters as purely determined by opinion polls. In the absence of reliable opinion polls that regularly 'measure' the public's satisfaction of their leaders' performance, cultural context plays a key role in determining which specific domestic constituencies are important in the over-all assertion of political authority and survival of the regime. Examples of these constituencies include the monarchy (in the case constitutional monarchical societies), the military, the leadership of traditional political parties, and even the business elites.

to its “authoritarian past” (Croissant, Kühn, and Lorenz 2012 p.viii). After several years since democratic transition, the military and police agencies in such polities have yet to fully institutionalize democratic control and a rigorous system of accountability and professionalism across its bureaucratic ranks.

In the case of the Philippines, I show in the empirical chapters that the then Vice-President Arroyo assumed the presidency in 2001 through an elite- and middle class-driven revolution that toppled a highly popular President, who was caught in the midst of a corruption scandal (chapter 4). Similarly, in Thailand (chapter 7), Thaksin antagonized the highly influential elite groups (business elites, the Bangkok-based middle class, and the Thai royalty) because of his populist politics that included radical redistributive policies (cheap healthcare, agrarian reform, and village funds). This endemic problem of perceived weak authority remained quite consistently during these leaders’ tenure starting from their rise to power a few months before the 9/11 attacks until the end of their tenure as heads of their own national government.

## 2.5 OUTCOME VARIABLE: TYPE AND MAGNITUDE OF HUMAN RIGHTS

### ABUSES

In my theory, I classify state-initiated human rights violations into two types, which are primarily based on the recipient government’s motivations in implementing domestic political repression. First, collateral violations emerge as result of a process that I call “erroneous intelligence and policing practices”, which pertain to an aggregate state behavior that include regular policing and military operations that target armed rebels.<sup>27</sup> Second, intended human rights abuses emerge as outcomes of a process that I call “selective political repression”, which is an aggregate state behavior that includes violent practices against peaceful political dissidents.

Empirically, I measure human rights outcomes in my cases not only in terms of the estimated number of reported abuses incurred by state agents (magnitude), but also in terms of types. Thus, a particular time period (e.g. pre-9/11 Thailand) may have a relatively low number of human rights abuses, whereby there is a minimal number of both intended (due to relative absence of selective political repression) and collateral abuses (due to erroneous policing and military operations). Theoretically, it

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<sup>27</sup> This study does not consider the state-initiated deaths of individuals or actors who are self-confessed “terrorists” (in the sense of their explicit commitment to the actual use of violence to advance certain political ends) as a human rights abuse.



is also possible for a specific polity to have a human rights outcome at a given time period, when collateral abuses are relatively rare but the number of intended violations are extremely high. Such scenario, however, was not observed in the sample of Southeast Asian cases included in this study. To be sure, the variations in human rights outcomes across my cases are presented earlier in figure 2.1, whereby I clearly specified the estimated magnitude and type of human rights abuses incurred at a given time period.

## 2.6 CONSTANT DOMESTIC CONDITIONS AND ITS REINFORCEMENT EFFECT

As I argued in the previous sections, long-standing domestic conditions, such as a weak judiciary and a corrupt coercive apparatus (military and police agencies), facilitate the occurrence of state-initiated human rights abuses regardless of the extent and substantive content of a foreign strategic support program or the strength of the central government's domestic authority. When donor and recipient governments converge on a less militaristic and pro-human rights agenda, residual human rights violations still emerge precisely because of such constant domestic conditions in recipient countries — a scenario that I clearly illustrate in chapters 3,5, and 6 (pre-9/11 Southeast Asia and post-War on Terror Philippines). In the next two sub-sections, I provide a detailed conceptual discussion about constant domestic political conditions and human rights. While such constant conditions have to work with other variables (i.e. policy convergence of donor and recipient governments) in order to produce their transformative effects on human rights outcomes, the longstanding political factors are still important because, as Paul Pierson (2004, 10) argues, “the institutional ‘rules of the game,’ and even citizens’ basic ways of thinking about the political world will often generate self-reinforcing dynamics”. In the universe of cases covered here, I show that residual violations still emerge even in the supposedly desirable scenario, that is, when donor and recipient states converge on a less militaristic bilateral policy agenda and the recipient government enjoys strong political authority. In other words, enduring political consequences, such as human rights violations, may still occur precisely because of a given set of unchanging institutional arrangements in a given polity.

### 2.6.1 RESTRAINT OF STATE SECURITY AGENCIES IN INTERVENING IN CIVILIAN

#### POLITICS

The tendency of the state's security apparatus in interfering in civilian politics is operationalized here in terms of two empirical attributes. First, borrowing Huntington's (1957; 1995) concept of "objective civilian control", I am concerned with how far and to what extent can the agents of the police and military institutions manage their propensities to intervene in civilian politics (Cohen 1997; Huntington 1957; Nielsen 2005). In contrast to a highly interventionist armed forces, the officers and agents of a more politically disengaged security apparatus consistently display "expertise, responsibility, and corporateness" (Cohen 1997; Huntington 1957; Nielsen 2005). Second, interventionist tendencies can be assessed based on the state security agents' level commitment to the rule of law, that is, the national constitution and international law that guarantee, at the very least, the physical integrity rights of the citizens in territories under its control.

To be sure, a highly interventionist state security apparatus displays several distinctive patterns of political behavior. The first pattern pertains to the direct involvement of state security officials and agents in local or national politics either as full-time politicians or political appointees in top civil service positions. Second, the armed forces' recent historical record of coups and insurrections also suggest strong interventionist tendencies. Both of these qualities demonstrate the unnecessary political activism within the military and police agencies that make it vulnerable to the whimsical ambitions of civilian politicians. Indeed, as chapters 3 through 7 show, Thailand and the Philippines clearly demonstrate such persisting tendencies for political adventurism within the state security establishment, especially the armed forces, which in turn, contribute to the generation of human rights abuses.

The sudden influx of foreign strategic support, especially the highly fungible counterterror aid, can trigger rent-seeking activities amongst state security officers.<sup>28</sup> For sure, the states' armed forces and police agencies also have their own institutional

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<sup>28</sup> See for example the study by Djankov, Montalvo, and Reynal-Querol (2008). Using panel data for 108 countries in the period 1960-2009, the authors show how windfalls of foreign aid are positively correlated with the increase in rent-seeking activities by state institutions together with the expansion of several government agencies that capture the aid inflows. Refer also to other related studies and accounts such as Boone (1996), Maren (1997), Remmer (2004), Svensson (2000), and Kimenyi and Mbaku (1995). Remmer (2003, 77), for instance, calls such relationship between aid and government expansion as a "flypaper effect" that "systematically generate incentives and opportunities for the expansion of government spending".

problems, which motivate state agents to kill peaceful political opposition and unarmed civilians in return for huge amounts of counter-terror aid that can be used not only for repression but also to reap rent. During periods of aid influx, state security agents are likely to convert public resources into private gains, which then aggravate the commission of human rights abuses.<sup>29</sup> I show that this is indeed true in my case studies on post-9/11 Philippines and Thailand. Indeed, the extent of political corruption within the military and police agencies may be reinforced by the sudden influx of foreign strategic support.<sup>30</sup>

In its co-optation with the central government (or even private individuals, as I demonstrate in pre-9/11 Southeast Asia), state security agencies seek to fulfill two main tasks: (1) kill or “neutralize” armed non-state rebels and (2) repress/eliminate peaceful political opposition. Because of the low compensation of its agents and its pervasive culture of institutional corruption, the military and police agencies easily acquiesce to the political ambitions of the incumbent civilian leader. Determined to strengthen her/his rule, the incumbent diverts foreign assistance to coercive agencies in order for the latter to implement repression against all forms of political opposition.

Above all, the co-optation between the authority-seeking central civilian government and a corrupt state security establishment is perceived as mutually beneficial to both parties. First, such deal is expected to consolidate the central government’s regime by buying off the support of the armed agencies and by repressing peaceful political opposition. Second, the deal provides expedient financial benefits to the military and police institutions through external aid, thereby inadvertently facilitating the corrupt ends of its badly compensated actors and rent-seeking officials. Third, the discretionary nature of foreign bilateral aid increases the probability that recipient state actors could misuse it, especially when donor and

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<sup>29</sup> Military aid is usually classified as a confidential item in the recipient government’s budget plan. Thus, “the secrecy surrounding defence outlays gives rise to corruption” because “there is less transparency in government operations in the defence sector, than in other sector” (Gupta, de Mello, and Sharan 2001, 752-753).

<sup>30</sup> Foreign aid can either have good or bad effects on the political situation of its recipients. In any case, the underlying assumption here is that foreign aid, when it is given during a security crisis, has a high propensity to be misused for its unintended purposes especially when recipient countries have an embedded behavioral pattern of bad governance systems under the veneer of electoral democratic standards. For further discussion on aid and its consequences, see Barratt (2004), Bauer (1969), Bermeo (2008, 2011), Bräutigam and Knack (2004), Jablonski (2014), Knack (2004), Kono and Montinola (2009), Nielsen et al. (2011), Poe (1990), Savun and Tirone (2011), Shleifer (2009), Svensson (2000), and Trisko (2012).

recipient governments converge on a militaristic bilateral agenda, whereby administrative discretion is usually exercised.

### 2.6.2 *INEFFECTIVE JUDICIARY*

How does an ineffective judicial system facilitate human rights abuses? By “ineffective judiciary”, I refer to three empirical qualities of the state’s justice system: (1) the propensity of judicial courts and state prosecutorial services to be easily subjected to external pressures (lack of judicial independence);(2) institutional inefficiencies in the bureaucratic management of case investigation, prosecution, and adjudication (judicial inefficiencies); and, (3) the lack of adequate and timely laws with regard to human rights protection (or a sort of legal vacuum).

Notably, the institutional autonomy of the judiciary from external political pressures and partisan politics is important in deterring prospective state violators in deviating from the state’s human rights commitments.<sup>31</sup> This is because judicial independence promotes a “constitutional culture, which teaches state actors that the legal bounds of the system cannot be transgressed for the achievement of partisan political gains” (Larkins 1996, 607). The central idea here is that the courts must act as a “neutral third”, which is important “for the principled enactment of justice” as well as ensuring that its “judges should not be used as tools to further political aims nor punished for preventing their realization” (Larkins 1996, 608-609). By ensuring that courts are “politically insular” (Fiss 1993), suspected violators from the military and police agencies would be deterred from bribing courts in order to get favorable legal decisions.

In contrast, a weak judiciary indirectly facilitates military and police agents in violently coercing political dissidents without, or at least very minimal, consideration of an immediate legal reprisal. Because legal remedies are almost absent (due to the institutional deficiencies of the judiciary, ineffective state-sponsored prosecutorial services or a “legal vacuum”), most victims of human rights violations and their families find it impractical to rely on the judiciary. Furthermore, a weak judiciary is likely to accede to the demands of the central executive government that can provide

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<sup>31</sup> The following institutional qualities are indicative of judicial independence: (1) guaranteed terms of office; (2) finality of decisions; (3) exclusive authority on decisions based on competence; (4) bans against exceptional or military courts; (5) fiscal autonomy; (6) separation of powers; and, (7) merit-based selection of judges (Keith 2002, 196-197).

some covert yet effective pressures to derail, if not to hinder, the prosecution of state actors accused of abusing their powers.<sup>32</sup>

Indeed, supporting the emerging literature on the “justice cascade” (Sikkink 2011; Sikkink and Kim 2010) and the “justice balance approach” (Olsen, Payne, and Reiter 2010), I maintain that there are two principal reasons why judicial institutions play an important role in promoting human rights compliance.<sup>33</sup> First, as I show in chapter 5 (post-‘War on Terror’ period in the Philippines), when new governments fail to promote a “justice balance approach” (Olsen et. al. 2010), residual human rights violations can still persist, although at a very limited magnitude compared to the extent of abuses committed when donor and recipient governments converge on a militaristic agenda.<sup>34</sup> Indeed, the human rights prosecutions of high-ranking officials deter prospective human rights violators (Orentlicher 1991) precisely because they “demonstrate the willingness, capacity, and effectiveness of courts in challenging impunity” (Olsen et. al. 2010, 997). The human rights trials of political and military leaders function as the “most effective insurance against future repression” because it “inoculates the public against future temptation to be complicit in state-sponsored violence” (Orentlicher 1991, 2543). Second, when donor and recipient governments converge on a non-militaristic agenda, a substantial number of human rights

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<sup>32</sup> For example, the case of the Guantanamo military commissions, which was created by the US Military Commissions Act of 2006, shows that the lack of judicial independence undermines the timely and impartial enactment of justice. Consequently, the lack of an independent and effective judiciary can invite more state actors to abuse their powers without having to worry about legal prosecution. For instance, UN Human Rights Special Rapporteur Philip Alston (2010) highlighted the importance of an effective justice system in transitional societies that just went through a human rights crisis. Empirically informed by his official investigations in post-crisis periods in Nigeria, Kenya, and Guatemala, Alston (Alston 2010, 363) keenly observes that: “Prosecution services are generally understaffed and under-resourced, and they too are often available to the highest bidder. Once the courts get involved, corrupt judges can let people off, or find them guilty of much lesser offences, or simply delay trials for long enough that the case lapses, either in law or in practice.”

<sup>33</sup> See for example the emerging research agenda on the “justice cascade” (Sikkink 2011), and the impact of judicial prosecutions upon the protection of human rights. Kathryn Sikkink and Hunjoon Kim (2010, 940) argue that “human rights trials are not only instances of punishment or enforcement, but also high-profile symbolic events that communicate and dramatize norms. It is thus difficult to separate these normative and performative aspects of prosecution from its material punishment and enforcement effects” (Kim and Sikkink 2010, 940). In a cross-national and original dataset of human rights prosecutions in transitional countries from 1980 to 2004, Sikkink and Kim (2010, 939) contend that “human rights prosecutions after transition lead to improvements in human rights protection”.

<sup>34</sup> This is based on an empirical test conducted by Olsen et.al. (2010) of the Transitional Justice Data Base Project (TJDB) data on “five transitional justice mechanisms – trials, truth commissions, amnesties, reparations, and lustration – for all countries in the world from 1970-2007” (p. 991). The researchers found out that two combinations of these mechanisms optimize the probability that the human rights situation and prospects for democratic deepening will be improved. These two combinations may either be (1) trials of high ranking and amnesties or (2) the two aforementioned mechanisms plus truth commissions. For a more detailed discussion on this topic, please refer to Olsen et. al (2010).

violations are still being committed as collateral consequences of the state's ordinary policing activities and not because of targeted killing of unarmed civilians.

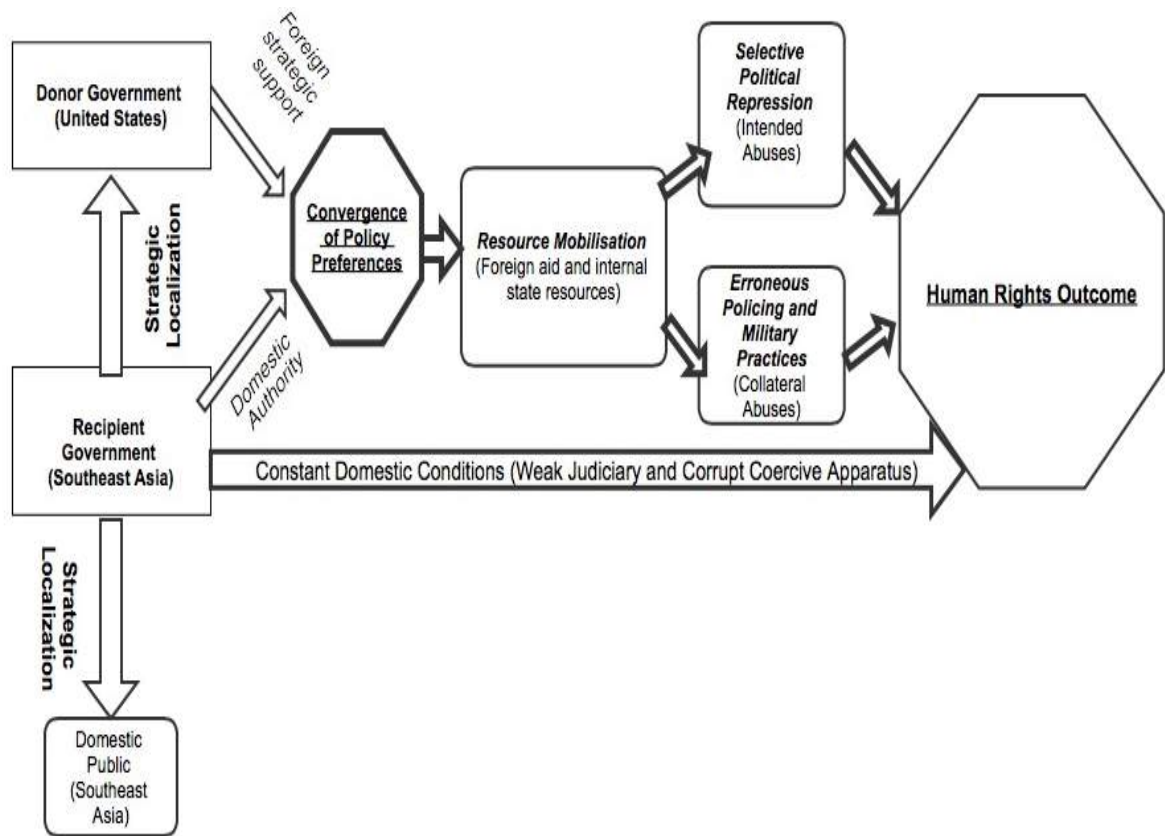
## 2.7 CAUSAL MECHANISMS AND SOCIAL PROCESSES

How can foreign strategic support and the domestic authority of aid recipient governments jointly affect human rights outcomes in recipient countries? This section explains in detail the four transformative social processes<sup>35</sup> through which the independent variable exerts causal influence on the outcome variable. These four processes are the following: (1) strategic localization; (2) resource mobilization; (3) selective political repression; and (4) erroneous policing and military operations. It is important to note, nonetheless, that such processes “should be conceptualized as insufficient but necessary parts of an over-all mechanism” (Beach and Pedersen 2013, 30). Such “mechanism” is illustrated in figure 2.2 below, whereby I visualize how the convergence of policy preferences (foreign strategic support and level of authority of the aid recipient government) influences human rights outcomes in recipient countries. The diagram below sketches the theoretical arguments presented earlier and illustrates the direction of relationships of causal mechanisms that link policy convergence with human rights outcomes.

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<sup>35</sup> If one refers to the contentious politics literature (Mc Adam, Tarrow, and Tilly 2001, 25-26), then we can classify my four causal mechanisms into different types of socio-political processes: ‘strategic localization’ as a cognitive mechanism; ‘resource mobilization’ as an environmental mechanism; ‘selective political repression’ and ‘erroneous policing and counterterror practices as relational mechanisms.

Figure 2.2 Explanatory Model: Interest Convergence and Human Rights Outcomes



### 2.7.1 STRATEGIC LOCALIZATION OF SECURITY DISCOURSES

Strategic localization is a concept that refers to various political tactics employed by the aid recipient government in order to capture the support of two important stakeholders: (1) its own domestic public (2) and the (prospective) the donor country. As I show in the empirical chapters, the substantive focus of discourses being “localized” can either be militaristic (post-9/11 period) or pro-human rights/less militaristic (pre-9/11 period).

The strategic localization of discourses has two basic attributes. First, it is called strategic because a given coalition of state actors (elected civilian officials, military, police, local politicians) re-defines a specific transnational security discourse or norm (e.g. democracy, human rights, military security) in order to advance a set of political interests. Localization is not a mere domestic internalization and redefinition of international human rights norms; instead, it is strategic, because domestic actors invoke and redefine such norms “to further their own particularistic interests in domestic policy debates” (Acharya 2009, 16; Cortell and Davis 1996, 453). With the support of a “winning policy coalition” (Risse 1995, 25), the central civilian

government expects that ‘repackaging’ a transnational security discourse will strengthen its political authority both within and beyond the state apparatus.<sup>36</sup> Indeed, the underlying assumption here is that the state leaders’ primary goal is political survival (de Mesquita et al. 2005). As I show in my case studies, the reinterpretation of emerging transnational norms in order to suit the local context is a more effective way of persuading intended audience instead of a simplistic importation of transnational norms and ideas into the domestic context.<sup>37</sup> Second, it is called localization because it emphasizes the active role of ‘norm-takers’ (aid recipient states) who are confronted with the “contestation between emerging norms [international] and existing local beliefs and practices” (Acharya 2009, 4). Most importantly, domestic political actors, in this context, strategically localized international discourses (or discourses from the prospective donor government) in order to achieve two main goals: (1) capture foreign assistance in accordance to donor’s aims and (2) to justify the influx of aid to the recipient government’s domestic constituency.

My concept of strategic localization is indeed very similar to Amitav Acharya’s notion of “constitutive localization” (Acharya 2009), which is an interactive “process that enables norm-takers to build congruence between the local and external norms” (Acharya 2009, 4). In this process of localization, external or emerging international norms (e.g counterterrorism and military security), which could be inconsistent at first with existing local beliefs and conventions, are eventually accepted by the public and the elites after undergoing some alterations to their meaning and scope. As my case studies demonstrate, Southeast Asian governments and their national security agencies preferred strategic localization because, as Acharya (2009, 15) argues, “norm diffusion strategies that accommodate local sensitivities and contexts are more likely to succeed than those seeking to dismiss or supplant the latter”.

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<sup>36</sup> The underlying assumption here is that examining the influential political actors’ speeches, policies, and pronouncements — collectively called “discourses” — reveal the strategic purposes of governments.

<sup>37</sup> In contrast to normatively driven explanations of norm emergence (Finnemore and Sikkink 1998), Susan Hyde (2011) argues that norms emerge because of rationally driven calculations of actors involved. Similarly, I maintain that domestic actors recast international norms into local terms not primarily because of a normatively driven conception of ‘good’ and ‘bad’, but rather a strategic calculation of their respective political interests.



My notion of “strategic localization”, however, differs from Acharya’s “constitutive localization” because I emphasize that the elected central government and its other allies redefine external norms as a political strategy, whereby the foremost goal is to enhance political authority and promote regime survival. Whereas Acharya seems to assume that “ideas do matter” while apparently undermining the importance of material interests, my notion of strategic localization recognizes that local actors redefine external norms because of an underlying instrumentalist perspective. On that regard, Sikkink and Finnemore (1998,913) rightly contended that “frequently heard arguments about whether behavior is norm-based or interest-based miss the point that norm conformance can often be self-interested, depending on how one specifies interests and the nature of the norm”. In other words, my notion of strategic localization of security discourses is a synthetic concept because it integrates the logics of appropriateness and consequences into one causal process (Goldmann 2005; March and Olsen 2006). Hence, I acknowledge the causal power of strategically localized discourses to effect concrete political change, but I still recognize the underlying instrumentalist perspective that political actors consider on why and how they alter or embrace international norms. Indeed, if “human rights today are legitimated by their origins in transnational consensus-building processes and packaged by translators into local cultural terms” (Merry 2006, 180), then it is also possible that local actors reinterpret international security threats and militaristic policy preferences in light of the domestic security and political contexts. In short, domestic actors localize external norms in order to make them more appealing to their intended local recipients and transnational stakeholders.

In my theory, strategic localization is a more nuanced form of securitization. In international relations literature, the process of ‘securitization’ occurs when a given issue attains the status of security (Jetschke 2010, 47; see also Hayes 2012, 6). In particular, securitization is composed of three important steps: (1) the designation of an existential threat by an actor, (2) the actor’s assertion that such threat requires “emergency action or special measures,” and (3) the acceptance of such designation by a critical mass of the relevant public (Buzan et al. 1998; Jetschke 2010). Notice here that the relevant actors such as the transnational and domestic elites primarily initiate the act of securitization, and the ultimate success of deploying specific causal beliefs, ideas, and various justifications depends on whether the public “accepts” such framing. It is through securitization that the state re-defines the security problem, the

“problematic” actors that need to be undermined by the state, and the policies required in order to fulfill the newly defined goals of the state in light of the given security problem.<sup>38</sup>

Considering my case studies and borrowing some insights from discursive institutionalism (Schmidt 2008), I contend that the policy shift from human rights protection to a counter-terror emphasis<sup>39</sup> (and vice-versa) occurs in two important spheres. The first pertains to the “coordinative discourse” involving government policy elites in the US and its partner Southeast Asian countries’ policy circles, while the second refers to the “communicative discourse” that refers to how policy actors communicate with the general public. For instance, the empirical evidence from post-9/11 Southeast Asia demonstrates the shift in the policy emphasis from human rights and democracy to a militaristic version of national security. Specifically, the 9/11 attacks influenced the cognitive understandings of US and Southeast Asian policy elites at the central civilian government and the state’s military leadership about the security threats that their countries need to address. Thus, dominant perceptions about the 9/11 attacks influenced the thinking of US and Southeast Asian policy elites, who were led to believe that liberal democracies are facing an unprecedented threat, and that the only appropriate response was to launch a ‘war on terror’ that basically required a more militaristic approach. This shift in coordinative discourse happened in varying periods of time in post-9/11 Philippines and Thailand. To be sure, the public’s reaction towards the government’s diagnosis of the security threat also impacted the relative success of the intended policy focus on counter-terrorism.<sup>40</sup>

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<sup>38</sup> Securitization involves the creation of new causal and normative beliefs, ideas, arguments, and the like through a process called “discourse”. In short, “securitization”, — or strategic localization more precisely in this study— is “a process rather than a singular event” (Hayes 2012, 67; see also Stritzel 2007). These discourses function as action-oriented set of directions in which political actors can act upon (Goldstein and Keohane 1993). Elites and key stakeholders use their material resources and socio-political privileges in order “to create, challenge, change or amend existing meaning structures, potentially establishing new discursive hegemonies in history” (Stritzel 2012, 551). That is to say, they create and reinforce new public discourses in order to justify their chosen political actions, and, in many cases, to create new norms within the society. State actors and elites use various discursive tools in order to strategically interpret specific events as “key moments of change” (e.g. 9/11 attacks), thereby requiring significant policy and institutional changes, and using the available “political opportunity structures” to strategically pursue their aims (Hay 2006, 58-59).

<sup>39</sup> Selective political repression (or the systematic violence imposed upon civilian targets) does not necessarily mean, however, that human rights norms do not exist. Indeed, they were only undermined, albeit temporarily. As Kratochwil and Ruggie (1986, 768) rightly argued, “neither the violation of norms, nor, in special circumstances, even their “nonexistence,” necessarily refutes their validity”.

<sup>40</sup> On that regard, Vivien Schmidt (2008, 309) describes how context-sensitive framing of the discourse made it possible for the shift to be widely tolerated by the larger society despite the ensuing resistance from some sectors within it: “discourse may intersperse technical and scientific arguments with more

Nonetheless, how exactly does the transnational security environment stimulate a change in the nature of policy-relevant ideas held by the political elites and the broader public? First, the large-scale changes in the security environment, as in the case of the 9/11 attacks or the end of the Cold War in the early 1990s, facilitate the transformation in the substantive content of “causal ideas” that underpin a donor country’s foreign policy as well as its partner states’ domestic policies (Goldstein and Keohane 1993).<sup>41</sup> Policy elites recognize that the material reality has dramatically changed because of a perceived transformation in the security environment with predicted far-reaching consequences. Significant transformations in the transnational security context promote a perception of political uncertainty, which in turn, requires a fundamental change in the policy priority. This is because status quo policy paradigms are perceived as highly untenable, and for many stakeholders, the status quo policies are causally responsible for the emergence of the changes or problems in the security environment.<sup>42</sup> Second, a change in “principled ideas” also matters here, whereby political actors rethink the fundamental values (e.g. human rights, democracy, military security) in which foreign aid programs and domestic policies are based upon.

How do political actors promote changes in discourses and ideas through strategic localization? More often than not, political actors offer new “diagnostic justifications”, which refer to the descriptive and normative statements by politicians and policy-makers about their own understandings of the nature of the political problem (*diagnosis*) and the policy goals and actions needed to address such problem (*justification*). Second, political actors engage in coalition building, which involves the formation of transnational and domestic alliances amongst state and non-state actors, who will then promote the new narratives and discourses that emphasize either military security or a more diverse range of interests. This process generates strategic

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generally accessible narratives that fit together the specialists’ arguments with accounts of events, emblematic cases, and even doomsday scenarios to generate compelling stories about the causes of current problems, what needs to be done to remedy them, and how they fit with the underlying values of the society”.

<sup>41</sup> In Keohane and Goldstein’s terminology (1993, 16), causal ideas in foreign policy “reduce uncertainty”, while principled ideas “enable people to behave decisively despite causal uncertainty”. See Keck and Sikkink (1998, 27) on how causal ideas are important in campaigning on an issue. Refer also to Stone (1989, 282) who argues that “causal ideas” constitute the “core substance of the transformation of difficulties into political problems”.

<sup>42</sup> International security crises, in this context, facilitate changes in status quo policy paradigms (e.g. post-9/11). In International Relations literature, various prominent scholars have their own conceptions of such “crises”: “ideational collapse” (Legro 2005); “circumstances of reflection” (Philpott 2001); and “ideological crisis” (Owen IV 2010).

partnerships amongst key stakeholders, who form “winning policy coalitions” (Risse 1995, 25) that can publicly support such newly created norms. These coalitions advance new norms because they have a perceived benefit in doing so.

Considering post-9/11 Southeast Asia, I refer specifically to the perceived threat of non-state terrorism. It generates the policy shift away from human rights protection and democratization towards military security. In the empirical chapters, I demonstrate that the shift to military security was highly contentious especially in some factions of the domestic civil society network in Thailand and the Philippines. Nonetheless, the evidence from the region shows that the “vagueness” or “ambiguity” (Howorth 2004; Schmidt 2008, 311) of the discourse of the US-led war on terror also contributed to the credibility of a military-oriented domestic policies of aid recipient government as well as foreign aid programs.<sup>43</sup> Such ambiguity of the counterterror discourse permitted Southeast Asian policy elites to strategically localize the ‘war on terror’ discourse based on the intricacies of the domestic security situation, which made it more resonant with the domestic public. Strategic localization of security discourses subsequently allowed aid recipient governments to easily select some non-violent political opposition actors as targets of counter-terror policies. On that account, the empirical cases illustrate that Thailand and the Philippines each had their own radically different ways of when, how, and to what extent they strategically cooperated with the US after 9/11.

In contrast, as I show in detail in chapters 3, 5, and 6, political elites and government officials in the Philippines and Thailand strategically localized emerging discourses on human rights and non-militaristic policy concerns in order to accomplish two goals. The first refers to the goal of obtaining pro-human rights US strategic support, and the second addresses the need to justify domestic policies that promote non-militaristic concerns.

### *2.7.2 RESOURCE MOBILIZATION: THE IMPACT OF PURPOSE-DRIVEN FOREIGN ASSISTANCE*

We can only assess the impact of foreign assistance and domestic material resources on recipient states’ domestic politics if their strategic purposes and intended

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<sup>43</sup> Ambiguity, in this study, means that the US government granted its allies in the war on terror a certain level of discretion in defining their own respective targets for counterterror operations.

outcomes are clearly revealed. Such argument is based on a fundamental idea that the “meaning and effects” of “material power and interests” ultimately “depend on the social structure of the system”, or more precisely, the shared expectations and ideas of relevant stakeholders in any given policy issue (Wendt 1999, 20). Empirically, foreign aid’s impact on recipient state’s human rights situation can be evaluated if we are able to demonstrate whether such external assistance was intended for militaristic or less militaristic purposes. In other words, it is not enough to show the amount of foreign aid; instead, it is crucial to assess its intended purposes vis-à-vis the actual use by and allocation of such material resources in recipient countries.<sup>44</sup> Indeed, the forthcoming empirical chapters assess how the amount and the strategic purpose of US aid facilitated the prevailing tendencies of the recipient government with regard to the use of state repression.

What happens then with foreign aid and domestic resources when shared expectations of donor and recipient governments converge on military security and counterterrorism? In such scenario, enormous material resources are then channeled into recipient state’s coercive apparatus, that is, the military and police agencies. Material support includes joint military training exercises, military advisory, military equipment, intelligence sharing, joint military strategy planning, counter-terror training, and surveillance technologies, among others. The military and police agencies use such resources and newly learned counterterror techniques in order to implement a more extensive scale of policing and military operations. Such is the case especially in developing countries with state security agencies that are highly dependent upon a powerful patron country, as it has been with US relations with the Philippines and Thailand.<sup>45</sup> In such subset of developing countries, police and military operations require tremendous amounts of resources that include manpower, intelligence funds, and political support that are usually not existent if not for the support of a more powerful donor country. Thus I show in my case studies of the Philippines and Thailand that their post-9/11 governments required substantial resources in order to effectively respond to their own internal threats, and the only

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<sup>44</sup> In general, donor countries give foreign aid for a number of reasons. Maurits van der Veen (2010, 9-13), for instance, notes seven broad frames relevant to foreign aid policy: security, power and influence, wealth, enlightened self-interest, reputation, obligation, and humanitarianism.

<sup>45</sup> For a detailed discussion on Thailand and the Philippines and their respective state capacities, see Crone (2011), Fineman (1997), McCoy (2009).

way to acquire the necessary resources was to seek US assistance.<sup>46</sup> On the other hand, in chapters 3, 5, and 6, I provide evidence that US strategic assistance complemented the Thai and Philippine government's domestic policies that sought to bolster economic development and human rights, which consequently undermined military security — an outcome that led to an improvement in the human rights situation.

Furthermore, when donor and recipient governments converge on military security, the goal of foreign strategic support is to primarily bolster the police power capabilities of the recipient state, particularly the institutional capacities of the military and the police agencies.<sup>47</sup> This happens through two important steps. First, a powerful donor country and its weaker allied states forge a bilateral security cooperation, wherein the latter is given wide administrative discretion in defining the targets of state repression. This policy leeway is given to partner states (and eventually to its state security agencies) by a powerful donor country because of the high political uncertainty that emerges in view of the security problem, thereby “calling into question the ‘existing rules of the game’” (Acharya 2009, 16; Ikenberry, Lake, and Mastanduno 1988, 234).<sup>48</sup> Second, the donor and recipient governments justify the sudden bolstering of the counter-terror agencies based on a perceived climate of “clear and present danger”, thereby requiring some exceptional repressive measures (Steinmetz 2003; Wheeler 2003; Zenko and Cohen 2012).<sup>49</sup> In this case, even economic development-oriented projects such as public infrastructure and other economic development initiatives are subsumed under the central goal of addressing the perceived domestic threats that appear to be crucial to military security.<sup>50</sup>

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<sup>46</sup> As the research of Bueno de Mesquita and Smith (2007, 279) shows, the “United States is most likely to give aid to nations with small coalition political systems and low levels of government resources”.

<sup>47</sup> Charles Tilly (2003, 41) hypothesizes that regimes differ in two ways that substantially impact the “character and intensity of collective violence” within their territories. One of these ways refers to “governmental capacity” which refers to the “means the extent to which governmental agents control resources, activities, and populations within the government’s territory”. Accordingly, capacity varies from “almost no such control (low) to nearly absolute control (high).

<sup>48</sup> See for example Epstein and O'Halloran (1994). Using game theory, the authors argue that the level of bureaucratic discretion increases as events becomes more uncertain.

<sup>49</sup> Nick Jorgensen (2009, 388), for example, cites various ‘exceptional’ acts committed by security forces. He refers to examples of legislation that “provide security forces with extensive powers of arrest, detention, and surveillance; in addition, these acts provide legal cover and immunity from lawsuit or prosecution to any agent of the state who has acted according to the provisions of those acts”.

<sup>50</sup> Indeed, referring to key Western donor countries, Carol Lancaster keenly observed that (2007, 14): “During the Cold War and again with the “war on terror,” aid for development has been regarded as a

In contrast, when donor and recipient governments converge on a less militaristic and more diverse range of bilateral interests, the military and police agencies in recipient countries are then tasked by the central government to cooperate with civilian development agencies. Consequently, the recipient state's coercive apparatus becomes less preoccupied with violent repression. When the recipient government enjoys strong political authority, domestic state repression is likely to be limited only to armed non-state targets.

Moreover, two basic concepts about the nature of material resources help us better understand its role in the execution of human rights violations. Particularly, I borrow the concepts of "strength" and "breadth" of material resources by Aveni (1978). *Strength* refers to the extent of relationship of the state's coercive apparatus to the elected civilian leaders as part of a "winning policy coalition" that supports state security over human rights protection (or human rights over military security). *Breadth*, meanwhile, involves the extent of political support and material resources that are needed to successfully execute the shared interests of donor and recipient governments as well as its constitutive domestic agencies. Material resources enhance the capacity of the military and the police in pursuing its legitimate institutional mandate of undermining the threat posed by armed rebels, and when the recipient government's authority is weak, repression would most likely involve peaceful political dissidents as additional targets. In contrast, when donor and recipient governments converge on a diverse range of militaristic and non-militaristic issues (pre-9/11), foreign aid and domestic resources are primarily allocated amongst coercive and civilian state agencies, thereby decreasing the capacities for state repression — an outcome wherein less human rights violations are likely to emerge.

### 2.7.3 SELECTIVE POLITICAL REPRESSION AND INTENDED HUMAN RIGHTS

#### VIOLATIONS

Selective political repression pertains to the statewide and systematic identification and physical harassment/killing of all forms of political opposition, including peaceful political dissidents. It emerges when the aid recipient government promotes strategically localized discourses that brand both violent *and* peaceful

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means of dampening the social discontent that can strengthen the temptations of communism or feed terrorist impulses."

political opposition as security threats. When donor and recipient countries converge on a militaristic policy agenda and the recipient government has a weak domestic authority, selective political repression includes the use of external (foreign aid) and internal material resources in order to escalate political violence against armed and unarmed dissidents. Such tendency to repress political opposition is consistent with a basic assumption in governance, that is, as John Owen IV (2010, 48) notes, “rulers by definition possess the apparatus of the state and all being equal we would expect them to use it to consolidate their power over time by reducing domestic ideological opposition” (2010, 48).

Also, selective political repression refers to the systematic and intended patterns of violent practices of the armed agencies of the state. Police and military agents identify, harass, and kill non-violent and innocent civilians whose political advocacies and actions are perceived to be against the interests of the central executive government, the security apparatus of the state, and their non-state allies (e.g. provincial landlords, local elites, private business actors, among others). With the support and direct command of the high-ranking officials of the military, police, and the central civilian government, rank-and-file state agents target opposition members and subject the latter to brutal techniques of physical and psychological harassment, and at times, killing them. The various specific practices of selective political repression include the following: extrajudicial killings (and even frustrated attempts of such); torture; rape; illegal arrests; destruction and/or divestment of private property; forceful restriction or violent dispersal of mass gatherings; imprisonment; forceful use of civilians in police/military operations as guides; violation of domicile; and, forced eviction or demolition of residence, among others.

Whether such repression would include non-violent political dissidence primarily depends on the recipient government’s level of domestic authority. Hence, selective political repression is likely to be absent when the recipient country’s central civilian government enjoys strong political authority within and beyond the formal state apparatus. Because of such strong authority, the central civilian government is highly likely to tolerate peaceful political opposition. In this scenario, the regime’s toleration of peaceful opposition is consistent with domestic demands for open political competition, which in turn, bolsters more the authority of the ruling regime.

As I demonstrate in the empirical chapters, selective political repression is often supported by a set of newly made counter-terror laws and policies that serve



three principal functions. First, it provides state actors with a broad leeway in formulating the criteria for what constitutes a security threat, thereby easily enabling them to identify peaceful yet openly critical civil society actors as potential targets. Second, it imposes violent repression and legal penalties against armed and unarmed political dissidents.<sup>51</sup> Third, it allows the comprehensive expansion and restructuring of the national security apparatus in order to effectively implement the first two functions. Taken together, these three tactics are aimed to strengthen a weak civilian regime's political rule and to satisfy the rent-seeking impulses of the military and the police.<sup>52</sup>

#### 2.7.4 ERRONEOUS COUNTER-TERROR POLICING AND COLLATERAL HUMAN RIGHTS VIOLATIONS

Erroneous intelligence and policing practices refer to the unintended consequences of intensified counter-terror operations targeting violent, non-state, armed actors.<sup>53</sup> The endemic institutional problems within the military and police agencies include the lack of stringent accountability checks from civilian state agencies that are institutionally predisposed to protecting civilian interests from state coercion (e.g. ombudsman offices or national human rights commissions).<sup>54</sup> Consequently, institutional defects permit state security agents with “good intentions” to *accidentally* subject innocent individuals into brutal policing techniques. Most importantly, because the actual practice of counterterrorism is not a “perfect science”, false intelligence can inadvertently lead to the physical harassment and killings of

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<sup>51</sup> In his seminal article on the nature of norms, Robert Axelrod (1986, 1106) argues that “norms often precede laws but are then supported, maintained, and extended by laws”.

<sup>52</sup> Policing and other forms of repressive practices of the state can be viewed either in terms of neutrality or political partisanship – a binary opposition that must be viewed as a matter of degree. In a politically partisan form of policing, the civilian regime and the armed state agents “transform into criminal enemies those who publicly criticize the state”, or more commonly known as “dissenters” who “believe they can lawfully advocate radical change through the spoken word and achieve it through public persuasion” (Brodeur 1983, 512; see also 2007, 28).

<sup>53</sup> Refer to Merton (1936), which is a standard work on unanticipated outcomes of purposive social actions.

<sup>54</sup> Stathis Kalyvas argues, for example, that “overall, it is fair to surmise that political actors frequently fail to discriminate between the guilty and the innocent” (Kalyvas 2006, 180-192). For instance, in 2003, the Colombian military arrested and detained hundreds of individuals in various provinces based on very few denunciations, while “seventy-four people were arrested in the small town of Cartagena del Chaira on the strength of a single denunciation by a man who many locals accused of malice” (Semana 2003 cited in Kalyvas 2006, 188).

innocent individuals wrongfully accused of being armed dissidents.<sup>55</sup> Such erroneous practices mostly occur in the following situations: operations in conflict-prone areas; military-induced displacements; destruction of private property; use of public places (e.g. schools and churches) for military purposes; “honest” mistakes in distinguishing combatants from non-combatants, among many others.<sup>56</sup> One must note, however, that even in advanced Western democracies (i.e. powerful donor countries such as the US and the collateral deaths of civilians due to drone attacks), collateral human rights abuses are quite unavoidable.<sup>57</sup>

When donor and recipient states converge on a diverse range of policy issues (less militaristic), collateral violations still emerge as residual effects of corrupt state security agencies and an ineffective judicial system. As I show in my comparative case studies of pre-9/11 Thailand and the Philippines, collateral violations emerged when some individual police officers and military agents coopted with private businessmen and local politicians to harass some peaceful activists (e.g. environmental activists against massive commercial projects).<sup>58</sup> Such residual human rights abuses emerged in the 1990s precisely because of the enduring defective qualities of the coercive and judicial agencies of the Thai and Philippine states.

## 2.8 COUNTERFACTUAL CASES: FOREIGN INTERVENTION AND HUMAN RIGHTS

### OUTCOME

Should we expect less human rights abuses in the absence of a militaristic foreign strategic assistance from the US government? What would the human rights

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<sup>55</sup> Intelligence failure, according to Jervis (2010, 2), “is a mismatch between the estimates and what later information reveals”. Jervis diagnosed several reasons why these failures emerge: “they do not formulate testable hypotheses and so often rely on beliefs that cannot be falsified, leave crucial assumptions unexplicated and unexamined, fail to ask what evidence should be present if their arguments are correct, ignore the diagnostic value of absent evidence, and fail to employ the comparative method and so assert causation without looking at instances in which the supposed causal factor was absent as well as at cases in which it is present”(p.3).

<sup>56</sup> Much earlier, Hannah Arendt already identified this sense of randomness in the commission of human rights violations during conflicts: “while the results of men’s actions are beyond the actors’ control, violence harbors within itself an additional element of arbitrariness; nowhere does Fortuna, good or ill luck, play a more fateful role in human affairs than on the battlefield” (Arendt 1970, 4).

<sup>57</sup> A clear example of this is the case of Rizwaan Sabir, a graduate student at the University of Nottingham in England, who was held under secret police custody for nearly a week and was even subjected to “psychological torture” (Curtis and Hodgson 2008). Under the legal provisions of the UK’s Terrorism Act, Sabir was charged with illegally downloading a “copy of the al-Qaida training manual from a US government website for his research into terrorist tactics” (Curtis and Hodgson 2008).

<sup>58</sup> See for example Mark Duffield’s (2007) seminal work on the post-Cold War emphasis on economic development as part and parcel of “human security” and its detrimental outcomes.

situation in recipient countries look like when terror-driven foreign assistance is given to a recipient country, where the ruling regime holds strong political authority? In the table below, I map out the implications of my arguments by presenting the probable human rights outcome in each of the four scenarios, whereby a given type of foreign aid and the strength of the recipient regime’s domestic authority both vary. The goal of this counterfactual thought experiment is to “understand the conditions under which generalizations are likely to hold and some of the reasons and dynamics by which those conditions change” (Lebow 2010, 5).

Figure 2.3 Counterfactual Thought Experiment

<b>Counterfactual Thought Experiment</b>			
		<b>Recipient States (Thailand and the Philippines)</b>	
		<i>Strong political authority</i>	<i>Weak political authority</i>
<b>Donor State (United States)</b>	<i>More counterterror foreign aid</i>	<b>COUNTERFACTUAL 1</b> <b>More collateral abuses, less/very minimal intended abuses</b>	FACTUAL (post-9/11) Collateral and intended abuses are both pervasive
	<i>Less/without counterterror foreign aid</i>	FACTUAL (pre-9/11) Less/very minimal collateral abuses and less/very minimal intended abuses	<b>COUNTERFACTUAL 2</b> <b>Less/very minimal collateral abuses and more/moderate number of intended abuses</b>

Theoretically, if recipient countries have been traditionally dependent on donor countries’ political and material support, then the sudden and substantive changes in the purpose and the amount of foreign strategic support are likely to have a substantial transformative impact in recipient state’s capabilities and policies with regard to domestic repression. In particular, stronger counterterror support is likely to lead to more collateral human rights abuses, while a recipient regime that enjoys strong domestic authority is most likely to use such external assistance only against the repression of armed rebels.

Indeed, the transformative consequences of terror-driven US strategic support to Thailand and the Philippines are illuminated by envisioning the absence of any form of counterterror intervention from the US government.<sup>59</sup> Both countries have

<sup>59</sup> For a detailed discussion on the use of counterfactual cases to strengthen causal arguments, refer to Fearon (1991), Morgan and Winship (2007), and Tetlock and Belkin (1996).

been highly dependent on the US government in terms of military assistance, trade, and even external and internal legitimacy of their own elected central governments (Goh et al. 2012; Hagelin 1988; Hamilton-Hart 2012). In fact, “American power enriches power holders in each state [Thailand and the Philippines, and three other Southeast Asian states] and helps them guard against domestic opponents”, and such has been the case since the end of the 2<sup>nd</sup> World War (Ciorciari in Goh et.al. 2012). Hence, without US support, the post-9/11 Philippine and Thai governments might have encountered more serious difficulties in providing convincing normative justifications for state repression of armed and unarmed political opposition. This is because Southeast Asian governments would be unlikely to successfully justify increased state repression to their own domestic public without the political support of the US government. In fact, since the end of 2<sup>nd</sup> World War, the US has been “widely viewed as a benign power in Southeast Asia, its presence welcomed rather than feared despite the many violent, selfish, and unwise things it has done over the years” (Nathan 2012; see also Hamilton-Hart 2012). The absence of counterterror foreign assistance in countries with very weak central governments is likely to lead to less collateral abuses because of the limited scale of coercive operations against armed rebels (*counterfactual case 2*). Such scenario means that the weak regime would most likely resort to repression of peaceful political opposition — an outcome that could lead to a low to modest number of intended human rights abuses. In the absence of foreign aid, the recipient regime is likely to fully maximize its domestic resources to quell peaceful political opposition.

In contrast, imagine instead that the post-9/11 regimes in the Philippines and Thailand enjoy a relatively strong domestic authority (*counterfactual case 1*) and receive enormous amounts of terror-driven foreign aid from the US government. As shown in the table above, we can expect that collateral human rights abuses resulting from increased counterterror operations would still be staggeringly high. One should note, however, that intended human rights abuses would have been absent or at least very minimal because a strong regime is likely to limit its domestic repression only against violent forms of political opposition.

## 2.9 LIMITATIONS OF RIVAL EXPLANATIONS

Indeed, the social science literature on human rights compliance is theoretically rich and empirically grounded (Cardenas 2004; Hafner-Burton and Ron 2009; Landman 2005; Regilme 2014b). The majority of existing work, however, on the causes of human rights violations and compliance in developing countries focuses on two causal pathways: (1) violations emerge because of transnational or international factors and (2) violations result from purely domestic factors. In view of these literatures, I examine the most influential strands of such scholarship, deduce from each strand what it has to say about the causes of compliance with or deviations from human rights norms, and extrapolate some insights from each perspective in order to explain the variations in the human rights situation in Southeast Asia. In particular, I critically examine four rival explanations: (1) economic interest; (2) norm socialization; (3) state capacity; (4) and involvement in civil wars and electoral politics. The first two alternative explanations primarily refer to transnational factors, while the latter two represent the domestic politics-oriented explanations. Most importantly, my own theory of interest convergence provides a more comprehensive explanation of the fluctuations in human rights compliance in Southeast Asia over time compared to solely considering any of the rival explanations as presented below.

### 2.9.1 *ECONOMIC INTERESTS*

Economic and financial transactions between developed and developing countries are proposed as causal variables that shape the variations in human rights practices in various countries. William Meyer, for example, suggests that the higher amounts of foreign direct investment, US economic aid, and foreign debt have a positive correlation with the level of civil and political rights in the Third World (Meyer 1996; 1998). This finding is supported more recently by a statistical study, which posits that the increase of foreign direct investment correlates with an improvement in human rights situation in recipient countries (Hafner-Burton 2009; 2005). In contrast, in a study that covers 131 countries from the years 1981 to 2003, Abouharb and Cingranelli (2007; 2009) conclude that the structural adjustment programs recommended by the World Bank and the International Monetary Fund have devastating consequences for the economic and social rights of people in the developing world. Such externally imposed programs are considered to be responsible

for the increase in the number of incidents of torture, civil conflict, extrajudicial killings, disappearances, political imprisonment, and systemic disregard for workers' rights (Abouharb and Cingranelli 2007; 2009). Scholars have also hypothesized that a sudden and severe decrease in foreign aid ('negative aid shocks') increases the likelihood of an armed conflict, which in turn, has profound implications for the states' human rights practices (Nielsen et al. 2011). In other words, the economic interests of more powerful countries substantially affect the domestic human rights situation of developing countries (Danaher, Berryman, and Benjamin 1987).

The "economic interest" explanation offers us valuable insights on how extra-national variables could impact state's human rights practices. Rigorously employing the most innovative quantitative methods, the studies in this cluster provide us a broader perspective about how external material interests could have some significant consequences in the domestic politics of developing countries. Such literature, nonetheless, is not clear *how* exactly Western economic policies induce rank-and-file state agents in committing extrajudicial killings and torture. It is plausible that economic policies can have more direct and obvious impacts on the "second generation of rights" such as economic and social rights of the citizens in developing countries but not necessarily (and directly) that of personal integrity rights such as freedom from political harassment and undue political coercion.

The evidence from Southeast Asia does not suggest that the World Bank or international trade has a direct relationship either with the perceptions of individual state violators or with that of the state's civilian and military leadership with regard to human rights norms. Indeed, the Southeast Asian cases suggest that the human rights crisis after 2001 reflect a more politically motivated story, rather than a predominantly economics-oriented explanation. Notably, even the 'negative aid shocks' hypothesis (Nielsen et. al. 2010) does not specify under which conditions do aid shocks generate armed conflicts. As the forthcoming chapters show, the evidence from Southeast Asia does not demonstrate that global and domestic economic factors have a powerful and direct role to play in inducing the human rights problem after 2001. During the 1990s, the evidence from the region confirmed that economic interests only played a role in human rights compliance to the extent that they were couched in a non-militaristic US foreign policy that supported pro-human rights reforms of the Thai and Philippine governments.

### 2.9.2 *NORM SOCIALIZATION*

The most influential strand of scholarship under this category is that of the “spiral model” of human rights change (Risse, Ropp, and Sikkink 1999; 2013), which posits that states’ compliance with human rights norms is primarily produced by international pressures from transnational actors (Checkel 2000; Risse, Ropp, and Sikkink 1999; 2013). Such body of work strengthens the argument on the “boomerang effect” of transnational human rights movements, whereby domestic pro-human rights actors overcome structural constraints imposed by norm-violating states through building coalitions with transnational human rights networks (Keck and Sikkink 1998). The states’ compliance with emerging human rights norms is achieved through “argumentation”, whereby states and non-state actors reciprocally communicate amongst each other, consequently imbibing human rights norms and fostering international cooperation towards an improved human rights situation in the developing world (Cardenas 2004; Risse 2000). The increased internalization of human rights norms also coincides with “institutional embeddedness”, which is the process through which domestic actors imbibe international human rights norms through institution-building at the transnational level (Keohane, Moravcsik, and Slaughter 2000). In this way, successful human rights compliance occurs when there is a “cultural match” or “normative fit” between domestic and transnational regimes’ understanding of human rights (Cortell and Davis 1996; Cardenas 2004). A quite different perspective, meanwhile, points to how states imitate their neighboring countries as they all internalize human rights values through a process of “regional contagion of international norms” (Simmons 2000; 2002). Finally, with regard to human rights violations, Sonia Cardenas argued that “the greater any apparent threats to national security, the pro-violations constituencies, and the more deeply entrenched the rules of exception, the less likely that any actor can transform readily a state’s interest in breaking international norms” (Cardenas 2007, 31).

Even so, norms alone do not fully explain why domestic actors deviate from their human rights commitments. At the very least, the strategic-instrumental motivations affect how domestic actors in the field understand interstate norms and commitments on human rights in light of their domestic political considerations. To be sure, norms and ideas have to be juxtaposed with actual material interests, both of

which determine the implementation patterns of public policies, which in turn, affect human rights compliance.

If indeed “there is no turning back” (Shor 2008, 17) for states that have already institutionalized human rights, as the spiral model implies, why is it then that the Philippines and Thailand experienced a severe human rights problem when their governments joined the US-led War on Terror after 2001? Compared to the rest of the region, both countries have relatively strong international and domestic legal commitments to human rights and have been the only electoral democracies in Southeast Asia since the 1990s. As I show in chapters 3 and 7, Thailand and the Philippines have a high degree of socialization into the “international human rights regime”, as illustrated by the expanding civil society and the introduction of constitutional human rights guarantees since the 1990s (Clarke 1998; Guan 2004). Hence, we expect that they are more likely to accede to human rights norms; yet, the opposite occurred after 9/11. Relying merely on the degree of norm internalization by state actors as the main explanatory factor appears to be inadequate in accounting for the deterioration of the post-9/11 human rights situation.

### 2.9.3 STATE CAPACITY

Another strand of the literature points to how states with a problematic human rights record can be explained by the lack the “institutional capacities” to consistently put its human rights commitments into practice. The emergence of scholarly interest on “state capacity” has been stimulated by the seminal volume *Bringing the State Back In* by Dietrich Rueschemeyer, Theda Skocpol, and Peter Evans (1985). Inspired by the aforementioned publication, the current social science research has “now widely recognized that state institutions exert considerable influence on a wide variety of outcomes including economic growth, human development, civil conflict, international security, and the consolidation of democracy” (Hanson and Sigman 2011, 1). A deteriorated human rights situation is not an exception with regard to the range of outcomes that are considered as pure offshoots of the state’s institutional shortcomings.<sup>60</sup>

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<sup>60</sup> Such state-centered explanation was examined empirically in the case of African countries where states are considered as “lame Leviathans” that rely on patrimonial-administrative normative beliefs and practices instead of a human rights-oriented rule of law (Callaghy 1987). Accordingly, states with stronger institutional capacities have a better performance record on measures of human rights protection because they are able to effectively police private actors as well as prosecute their own



My theory recognizes the explanatory power of state capacities by highlighting the importance of enduring domestic political conditions. Nonetheless, I argue that, at least in the case of Southeast Asia's new democracies, state capacity is just an intermediate part of a multi-variate process that triggered a spike in the number of reported violations in the region after 9/11. Empirically, in Thailand and the Philippines, an ineffective judicial system and a corrupt coercive apparatus remain as constant domestic conditions, at least from the 1990s until the present. If indeed state capacities remain largely unchanged since the transition to democracy in the early 1990s, then there could be other more plausible factors that can productively explain the fluctuations in the type and magnitude of human rights abuses from the early 1990s to 2013.

#### *2.9.4 OTHER DOMESTIC CONDITIONS: CIVIL WARS AND ELECTORAL POLITICS*

Other recent studies, meanwhile, hypothesized that the deterioration in personal integrity rights situation in many developing countries can be explained by the presence of an armed conflict (Davenport 2007; Gartner and Regan 1996; Poe and Tate 1994; Poe, Tate, and Keith 1999). Accordingly, states respond to armed non-state actors through violent political repression, which then contributes to the sudden proliferation of human rights violations (Davenport 1995). Analogously, in times of security crises, states invoke a military security-oriented agenda, whereby they impose “domestic rules of exception” (Cardenas 2004) and rigorously implement “rules of exclusion and discrimination” of political dissidents. In this scenario, the “members of the coercive apparatus and coercive domestic economic elites” form the coalition that support state-initiated human rights violations (Cardenas 2004, 223). Recent sociological work even suggested that transnational terrorism stimulates state repression, which in turn, causes the spike in human rights violation at a given country (Shor et. al. 2014, 3).

The “civil war-oriented explanation” is quite a promising causal explanation, but we must consider that many new democracies have faced civil wars of various sorts for such a long time — even after democratic transition. This is particularly true

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agents against potential abuses (Demirel-Pegg and Moskowitz 2009). The lack of state capacity is symptomatic of the patrimonial patterns of the exercise of power despite the introduction of procedural democratic norms (Marsh 2006).

for present-day Thailand (armed secessionist rebels in the south) and the Philippines (armed communist and Islamic rebels). Yet, the severity of human rights violations fluctuates over time. To be sure, all the covered time periods in the Philippines and Thailand have a nominal presence of civil war, which means that it cannot explain the variations in the levels of human rights violations over time. Furthermore, transnational terrorism cannot fully and exclusively explain the variations in human rights violations because it is endogenous to the phenomena of state repression and human rights abuses in post-9/11 Philippines and Thailand.

Moreover, the “use of state-sponsored repression” as an “electoral tactic” is also worth considering here (Hyde, Jablonski, Hafner-Burton, 2014). Such explanation hypothesizes that “the countries most likely to experience increases in political repression surrounding elections are precisely those places in which the incumbent government is threatened by an organized and potentially powerful opposition” (p. 31). The authors argue that states intensify the use of political violence “during (and immediately surrounding) elections” when they recognize that the political opposition poses a strong challenge against the incumbent, and that the violent repression of such challenge will have minimal detrimental ramifications (Hyde, Hafner-Burton, Jablonski 2014).

The “electoral tactic” hypothesis appears to be a good explanation for variations in state repression, which in turn, affects patterns of human rights abuses. Nonetheless, elections in Southeast Asian democracies have always been violent anyway (Human Rights Watch 2003; Mckenna 2006; Patino and Velasco 2004; Sidel 2004; Wurfel 1977). This is true before and after democratic transition, as well as during all the time periods covered in the study. This is especially so in conflict-prone areas, where the authority of the central government has constantly been contested since the formal establishment of the state after the end of Western colonialism in the case of the Philippines or the centralization of the Thai state’s powers in Bangkok in 1932. The theory and empirics here, however, agree with the argument that “incumbent’s fear of losing power as the result of an election” is important in “her decision to use election violence” (Hafner-Burton, Hyde, & Jablonski 2014, 149) to the extent that this is just one of the many considerations that led state actors to engage in human rights violations. Indeed, most of the claims of human rights abuses after 9/11 in Thailand and the Philippines came from conflict-prone areas, where the country-specific operations of the US-led War on Terror were primarily concentrated.

Because human rights abuses occur even if it was not election season, the “electoral tactic” hypothesis cannot fully account for the Southeast Asia’s human rights situation from 1992 to 2013. In other words, the post-9/11 human rights problem in Thailand and the Philippines was systemic and persistent during the regimes of Thaksin and Arroyo, respectively, rather than instantiated episodically because of elections.

## 2.10 CAVEATS AND CLARIFICATIONS

My theory raises several important issues that require a more elaborate clarification. First, the explanation I present here is a midrange, multivariate, and inductive theory that helps us better explain the empirical puzzle. The theory recognizes the causal linkages and entanglements amongst transnational and domestic conditions in order to build a unified explanatory framework that addresses the relationship between foreign aid and human rights in recipient countries. Although the theory’s plausibility is empirically probed using cases from Southeast Asia, the theory can also be tested in other cases from other world regions and historical periods.

Essentially, it is difficult to certainly trace how state violators used specific forms of US aid as they committed human rights abuses. Such was the case especially during the immediate post-9/11 years, when national security was always invoked in order to conceal the state policies that undermined peaceful political dissent. Indeed, gathering reliable and accurate information directly from key decision-makers from the US and Southeast Asian governments is nearly impossible due to the contemporariness and sensitivity of the topic. Nonetheless, informed by careful analysis of different sources of openly accessible data, I present a causal story that best explains the variations in the level of human rights protection during various time periods in Thailand and the Philippines. In particular, I cross-verify empirical facts from various documentary sources from a diverse range of actors or organizations with nominally different motivations (e.g. human rights NGOs, government commission reports, and media sources).<sup>61</sup>

Another important disclosure is that this study focuses on the macro-political strategies of various important political actors (Southeast Asian elected officials, US government officials, provincial politicians, military and police officers, civil society leaders) rather than the individual motives and impulses of the specific human rights

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<sup>61</sup> See for example the discussion on data triangulation in Bickman & Rog (2009, 573-574)

abusers (Kalyvas 1999, 246; Tilly 1975, 512). The key reason for such macro-focus is obvious: internal motivations of individual abusers “are usually hard to discern” (Tilly 1975, 512 cited in Kalyvas 1999, 246). Pieces of evidence that indicate the strategies of political leaders, meanwhile, are much more accessible and reliable. For sure, police officers, soldiers, and paramilitary agents perpetrate human rights abuses based on a variety of personal reasons. More often than not, however, such individual motivations are transformed, activated, or reinforced by political leaders (and the broader socio-political environment), who provide the resources and the strategy through which these individual agents act.<sup>62</sup> Hence, this makes a focus on political actors who hold leadership positions a more reliable approach.

On the other hand, I used various paradigms in the study of politics and harnessed their own explanatory powers in order to build a comprehensive and unified theory of human rights compliance. For instance, my theory of interest convergence presents strategic localization as the initial causal mechanism. Such mechanism is indeed a derivative concept from the constructivist International Relations literature (Buzan, Waever, and de Wilde 1998; Dessler 2005; Risse 2000; Wendt 1999) and more recently in comparative politics (Bell 2011, Hay 2006, Hay and Rosamond 2002, Schmidt 2008). As an ideational process, “strategic localization” also works jointly with more materially oriented causal processes such as “resource mobilization”, “erroneous policing” and “selective political repression”, all of which demonstrate how “rational actors” strategically pursue their material interests. In other words, the theoretical explanation here is synthetic or integrative, rather than just a mere defense of either a material interest-centered explanation or an ideationally oriented causal theory.<sup>63</sup>

Finally, my theory predicts that terror-oriented US strategic support, which is given to countries such as those in Western Europe and the rest of the advanced democratic world (e.g. Japan, Australia, New Zealand, Canada), is most likely to be

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<sup>62</sup> Barnett argues that “security policy is itself two-faced: it is concerned with the construction of strategies vis-a-vis foreign threats and with the construction of strategies for mobilizing societal resources as well” (1990, 531).

<sup>63</sup> Thus, the “intellectual stance” that underlies my theory is that of “analytical eclecticism” that “supports efforts to complement, engage, and selectively utilize theoretical constructs embedded in contending research traditions to build complex arguments that bear on substantive problems of interest to both scholars and practitioners” (Sil and Katzenstein 2010, 411). Hence, I evade the messy paradigmatic debates, and instead focus on how certain elements from several paradigms can help me build a theoretical explanation that can allow us to better construct a plausible story in which US strategic support generates variations in recipient state’s human rights practices.

used solely for the purpose of targeting armed rebel groups, rather than using it systematically for violently curbing peaceful political dissent. Such is likely to be the case because of their governments' strong domestic authority, professionalized coercive agencies, and effective judicial systems. Violations, however, can still emerge as outcomes of erroneous policing practices rather than the systematic targeting of legitimate political dissent. Thus, the number of state-initiated human rights violations in advanced democracies, which were once confronted with the post-9/11 terror threat, would be less compared to new democracies. In polities with effective judicial systems and highly professionalized coercive agencies (e.g. advanced Western democracies), human rights abuses usually occur without any explicit mandate and material support from the highest ranks of both the civilian government and the state's coercive apparatus.

## 2.11 MODE OF INVESTIGATION AND APPROACH

I employ a comparative-historical approach (Goldstone 2003; Mahoney and Rueschemeyer 2003; Slater 2010) in probing the plausibility of my theory in a wide range of empirical cases from Southeast Asia. This approach is defined as “part of a long-standing intellectual project oriented toward the explanation of substantively important outcomes”, and it is characterized by a “concern with causal analysis, an emphasis on processes over time, and the use of systematic and contextualized comparison” (Mahoney and Rueschemeyer 2003, 6). In particular, I employ process tracing as a “strategy of causal assessment” (Mahoney 2003, 363-365), which pertains to the identification of the relevant causal mechanisms that establish the relationship between explanatory variables with the dependent variable. It also “consists of analyzing a case into a sequence (or several concatenating sequences) of events and showing how those events are plausibly linked given the interests and situations faced by groups or individual actors” (Goldstone 2003, 47).

Furthermore, the following empirical chapters employ “theory-guided process tracing” (Beach and Pedersen 2013, 33) in order to demonstrate if and how my proposed theory of interest convergence works in my empirical cases. In doing so, I uncover the “complex form of causality the outcome flows from the convergence of several conditions, independent variables, or causal chains” (George and Bennett 2005, 212). In particular, this study probes the plausibility of my theory by

marshaling and analyzing the empirical evidence vis-à-vis the specifications of my theory.<sup>64</sup> Through a systematic comparison of the human rights situation in two countries over time, “the cause-effect link that connects independent variable and outcome is unwrapped and divided into smaller steps”, and thereafter, I look for “observable evidence for each step” (Van Evera 1997, 64).

Why exactly does this study focus on Southeast Asia? Considering that Thailand and the Philippines are the only two longstanding electoral democracies in the region, my investigation is based on the logic of comparison that highlights “specific sets of cases that exhibit sufficient similarity to be meaningfully compared with one another” (Mahoney and Rueschemeyer 2003, 8). As mentioned in the previous chapter, both countries exhibit a wide range of macro-political and socio-economic qualities that undermine the possibility that potential independent variables, except the ones proposed here, could account for variations in human rights situation over time. In fact, both countries are located in the same regional security environment; classified as middle-income and electoral democratic countries; and have maintained a mutual defense treaty with the United States since the end of the 2<sup>nd</sup> World War. Both countries provided crucial contributions to the US strategy of containing communism in the Asia-Pacific region during the Cold War era (McMahon 1999), and they also functioned as the core states in Southeast Asia as the “second front” in the US-led War on Terror (Gershman 2002; Sidel 2007). In other words, Thailand and the Philippines are two similar political systems in many other respects, except for the variations in the amount and purpose of US strategic support, the level of domestic authority of their central governments, as well as the level of human rights compliance in various time periods. Such case selection strategy is important for investigating chains of cause and outcomes. Thus, the case selection in this study follows an important rule of the comparative method or the “natural experiment” approach to causal analysis. As James Robinson and Jared Diamond contend, “the natural experimenter should at least attempt to minimize the effects of

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<sup>64</sup> My motivation for employing process tracing is distinct from the approaches employed in the influential works of Skocpol on her investigation on social revolutions (Skocpol 1979, 170-171) and Luebbert (1991) on the political origins of regimes in Europe (Luebbert 1991). These two prominent works used process tracing to eliminate rival causal factors. In contrast, I use process tracing to support the most plausible causal explanation (Mahoney 2003, 363-365; Collier and Collier 1991) that can account for the variations in human rights compliance in Southeast Asia in various time periods.

individual variables other than those of interest, by choosing for comparison systems that are as similar as possible in other respects” (2012, 265).

Aside from comparing the patterns of political repression between Thailand and the Philippines, my empirical analysis also includes *within-country cases*, whereby I examine the variations in human rights situation in each country over time.<sup>65</sup> Thus, I examine two historical periods pertaining to US-Thailand bilateral relations and three pertaining to the Philippines. These historical periods are the following: post-Cold War, pre-9/11 (1991-2001), War on Terror (2002-2009), and post-War on Terror (2010-2013).<sup>66</sup> Furthermore, let me state that, in these two countries — Thailand and the Philippines — I use a particular historical periodization that makes the War on Terror (post-9/11) as the focal reference point. The case studies on the Philippines allows me to control for other factors as rival explanations, particularly because the country is able to maintain an electoral democratic system since the end of the Cold War until the present period. In contrast, the case on post-9/11 Thailand only refers to the time period from 2001 to 2006, because the country experienced a democratic reversal in 2006 followed by several intermittent military take-overs until the present.

With regard to my primary sources of empirical data, I relied on unclassified documents from national governments and international organizations such as the United Nations as well as media statements of government officials.<sup>67</sup> The study also referred to a wide range of secondary sources that include the following: news articles from leading international and domestic newspapers based in the US and Southeast Asia; human rights reports from reputable international organizations such as the Human Rights Watch and Amnesty International and domestic human rights NGOs in

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<sup>65</sup> Similar to the landmark study of Dan Slater (2005; 2010) on the dynamics of elite politics in Southeast Asia, this study applies a “longitudinal, variable-based ‘process-tracing’” within each of the country cases. In this way, the method aids in examining if the temporal order of events as well as the perceptions and behavior of relevant actors confirm or falsify the causal arguments proposed herein (Slater 2005, 24-25).

<sup>66</sup> Although the ‘war on terror’ has arguably continued even under the Obama administration (Priest and Arkin 2011), US foreign relations with Southeast Asia from 2010 until the present have dramatically shifted to a more comprehensive palette of policy concerns including the rise of China, economic development, and human rights promotion (Clinton 2011; Sutter 2009).

<sup>67</sup> See for example the important work of Stathis Kalyvas (1999) on the logic of massacres in the Algerian civil war. In his study, Kalyvas aimed to “check the plausibility of a tentative thesis” and to “check how a phenomenon such as large-scale massacres of civilians can be gainfully approached from a rationalist perspective” (245). Such goal was acceptable because of the difficulties in obtaining evidence (“scarce, unreliable, fragmentary, and incomplete”). Despite these difficulties, Kalyvas insisted on the political importance of civil war violence. If that is so, then such justification may also be warranted in examining the logic of human rights abuses in Southeast Asia.

Southeast Asia; and policy briefs as well as academic analyses from academics and area specialists.

Compared to other countries in the developing world, Thailand and the Philippines have a relatively abundant primary literature and secondary sources written by area specialists. Such an advantage facilitates good comparative political work because theoretical arguments can be easily accounted for using a variety of empirical sources.<sup>68</sup> Cross-validating empirical facts in a wide but a carefully selected variety of open sources from various organizations and various stakeholders renders more explanatory leverage and reliability.<sup>69</sup> This is because such method allows the researcher to effectively verify the accuracy of supposed empirical facts from various sources from different actors and institutions with nominally different motivations. Such method increases our level of confidence in the reliability of a given observational data.

In closing, this chapter explained in detail the theoretical arguments that explain the relationship between foreign strategic assistance and the variation in human rights situation in Southeast Asia. Most importantly, I argued that shared interests of donor and recipient governments, combined with the level of domestic authority held by the recipient government, transform the human rights situation in recipient countries over time. In the forthcoming empirical chapters, I demonstrate how my theory explains the variation in human rights practices in the Philippines and Thailand in various recent historical periods. The empirical part of this study begins with chapter 3, which probes the plausibility of my theory using the evidence from US-Philippine bilateral relations vis-à-vis the human rights situation in the 1990s.

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<sup>68</sup> Notably, Theda Skocpol argued that: “the work of comparativist only becomes possible after a large primary literature has been built up by specialists. Only then can the comparativist hope to find at least some relevant material to each topic that must be investigated according to the dictates of the comparative, explanatory argument that he or she is attempting to develop” (Skocpol 1979, xiv-xv).

<sup>69</sup> I do not cite data from my *exploratory* interviews and discussions during my fieldwork in Southeast Asia; instead, I refer to data from published and openly accessible documents. Such approach was done because of two reasons. First, all of my preliminary interviews refused to be cited except for Sunai Phasuk, a senior researcher on Thailand for Human Rights Watch New York office (Sunai Phasuk 2013). Second, citing only the open-access sources promotes the security of the interviewer and the interviewee. Besides, solely relying on interviews with relevant stakeholders in the US and the Asia-Pacific is not an optimal and reliable strategy in researching a fairly recent (and even ongoing) social problem such as human rights violations. It is not optimal because of the time and resource constraints for this project, and it is not perfectly reliable because, as Charli Carpenter (2012, 368) argues, “interviewing is never objective and interview data never entirely accurate”. Even so, this is not to say that relying on open-source documents is perfectly reliable.



### 3 PHILIPPINES DURING THE PRE-WAR ON TERROR PERIOD (1991-2000)

#### Chapter 3

##### 3.1 INTRODUCTION

The main goal of this chapter is to examine why and under what combination of transnational and domestic conditions did the relatively strong human rights protection emerge in the Philippines during the 1990s. My central argument is that the pro-human rights and less-militaristic approach of US strategic support, together with the strong political authority of the Ramos and Estrada administrations, reinforced the emerging domestic political norms in the Philippines that called for stronger human rights protection and democratization. The convergence of the shared expectations of American and Filipino government elites as well as the domestic public in the Philippines resulted in two key domestic policy patterns, both of which were supportive of stronger human rights protection: (1) low priority status for domestic armed counter-insurgency, thereby resulting in less collateral human rights violations, and (2) a generally tolerant political atmosphere for peaceful political opposition, which eliminated the need for a policy of selective political repression. In effect, such domestic policies, which were bolstered by pro-human rights US strategic support, generated stronger state compliance with human rights norms.

This chapter will unfold in five parts. First, I provide a general assessment of the human rights situation vis-à-vis America's foreign policy goals and bilateral aid to the Philippines. Next, I compare the emerging post-Cold War expectations of American and Filipino political elites and the broader domestic public that generally favored stronger human rights protection. This section traces the process through which the post-Cold War Philippine government strategically reframed and reinterpreted US foreign policy discourses on human rights, democracy, and economic development in ways that suited the domestic political context. Third, I demonstrate that such pro-human rights political agenda was realized in the domestic policies of the central government in Manila as well as the ways in which US aid was

used. Consequently, I characterize the types of human rights violations that emerged during this period. Finally, the chapter concludes by comparing the empirical evidence from pre-War on Terror Philippines from the theoretical expectations dictated by my interest convergence framework.

The empirical evidence from the Philippines during the pre-War on Terror period shows the following principal findings. First, the human rights violations resulting from selective political repression were nearly absent, while the number of violations, as collateral consequences of regular policing measures, was quite substantial. The latter was especially the case in the late 1990s, when the Estrada administration declared an “all-out-war” against communist rebels<sup>70</sup>.

### 3.2 GENERAL OVERVIEW OF THE HUMAN RIGHTS SITUATION IN THE PHILIPPINES AND US FOREIGN POLICY

This section shows that the severity of human rights violations co-varied with the amounts of US military and economic assistance. Particularly, the extremely high amounts of US aid (mostly military) during the Cold War period coincided with a high number of human rights abuses committed under the authoritarian regime of Philippine President Ferdinand Marcos.<sup>71</sup> The concurrence of the fall of the Marcos leadership in the late 1980s vis-à-vis the eventual end of the Cold War in the early 1990s were followed by a sharp reversal in both US aid (military and economic) as well as the over-all number of human rights violations in the Philippines. Thus, figure 2.1 below illustrates the drastic decrease of combined US military and economic aid to the Philippines since the Cold War ended. Whereas the US government provided aid that amounted to 1 billion USD from 1993 to 2001, the Philippine government

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<sup>70</sup> This pre-9/11 counter-insurgency campaign was financially supported by the US in terms of military equipment and political support. Nonetheless, the extent of material and political support during the pre-9/11 case was very limited compared to the post-9/11 context. See Quimpo (2001, 271).

<sup>71</sup> See for example the discussion of Linantud (2008, 648-650). Accordingly, President Marcos rejected communism and liberal democracy in favor of a “corporatist-developmental model”. Such an approach resulted in the employment of US military aid to beef up the military and consolidate the rule of Marcos.

received generous financial aid from the US amounting to almost 5 billion USD in the previous period.

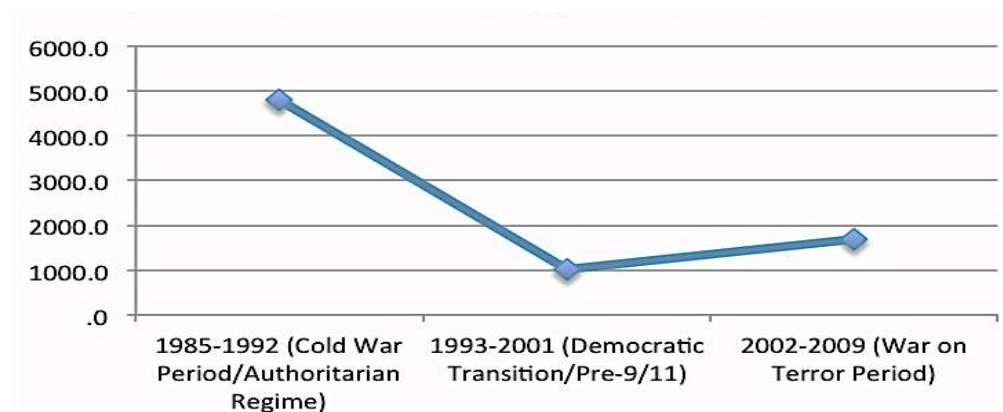


Figure 3.1 US Military and Economic Assistance to the Philippines Per Historical Period (in millions, USD)

Similarly, the number of human rights violations in the Philippines decreased. While it is true that the Philippines is worse in terms of the severity of human rights violations compared to many advanced Western democracies, it is not correct to assume that there is no variation in terms of the pervasiveness of the violations over time. The following statistical tables below clearly show the fluctuations in the magnitude of physical integrity rights violations in recent historical periods in the Philippines.<sup>72</sup> In particular, the human rights situation in the Philippines was more severe during the War on Terror period (2002-2010) than the preceding decade (post Cold-War period, 1992-2001), and the difference between the two periods was clearly substantial. In fact, the human rights situation dramatically improved in the 1990s compared to the Cold War period under President Marcos. Nonetheless, the only key disagreement between the international and domestic sources is on the severity of violations during the Cold War period (1970s to early 1990s) and the War on Terror period (2002-2010). Both the PTS scores and the CIRI Index suggest that the magnitude of human rights violations in the Philippines was worse during the War on Terror period than the Cold War period, while various domestic sources clearly indicate the opposite finding.<sup>73</sup>

<sup>72</sup> See appendix for a more detailed discussion of the data sources.

<sup>73</sup> Even so, it is most likely that domestic sources are more reliable primarily because of two reasons. First, both the CIRI and the PTS datasets rely on coding of various country reports, while the domestic

The following points present some of the key findings and insights about the patterns of violations in recent historical periods in the Philippines based on international and domestic datasets:

1. Based on the CIRI dataset (Figures 3.2, 3.3, and 3.4), the magnitude of physical integrity rights abuses during the term of Gloria Macapagal Arroyo/War on Terror period was worse than the Marcos regime during the Cold War period. During the War on Terror period, the former was slightly better in terms of disappearances, political killings, and harassment of media personnel. In the same dataset, the War on Terror period was worse than the Cold War period in terms of the prevalence of torture, while the extent of political imprisonment remained quite the same for both periods.

PHILIPPINES, Physical Integrity Rights Index, SOURCE: CIRI					
TIME PERIOD	DISAPPEARANCES	POLITICAL KILLINGS	IMPRISONMENT	TORTURE	SPEECH
Martial Law Years; 1981-1986	0,667	0,167	0,000	0,333	1,167
Democratic Transition Years; 1987-1991	0,600	0,000	0,200	0,400	0,800
Post-Cold War; 1992-2001	0,900	0,600	0,200	0,400	1,600
War on Terror; 2002-2011	0,900	0,200	0,000	0,000	1,300

Figure 3.2 Physical Integrity Rights Index, Philippines In Various Historical Periods

*Philippines' Physical Integrity Rights Index In Various Time Periods*

*0=No respect; 8=full respect*

*Source: CIRI Human Rights Index*

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sources are based on local actors' actual documentation of specific instances of violations. In other words, we should be more confident that domestic sources are more reflective of the reality on the ground than the data presented by international sources. Second, the work of civil society organizations and human rights activists were extremely limited during the Cold War period in the Philippines. Press freedom and open criticism against the policies of the authoritarian regime of President Ferdinand Marcos were heavily repressed. Thus, it is likely that the data on violations during the Cold War period in the Philippines are just conservative estimates, and that the number of various types of human rights violations could have been much higher. Refer to appendix for a more detailed discussion. See also the appendix for a detailed explanation of the datasets used in this study.

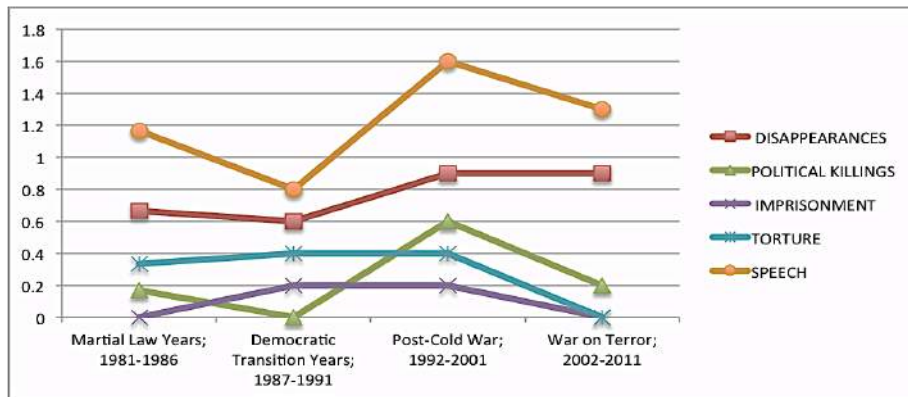


Figure 3.3 CIRI Human Rights Index, Philippines – Detailed Graphical Presentation

Years 1976-1992 (Cold War)	Years 1992-2001 (Post-Cold War)	Years 2002-2009 (War on Terror)
3,6	3,4	3,9

Figure 3.4 Political Terror Scale In Various Historical Periods in the Philippines (5=strong human Rights Protection, 0=Weak Human Rights Protection)

- As shown in figure 3.5 below, local human rights data from Philippine civil society groups (see appendix) suggest that enforced disappearances were pervasive during the War on Terror period, with a recorded number of 300 cases, compared to less than a hundred cases during the previous ten years. In other words, domestic sources reveal a 200 percent increase in human rights abuses in the War on Terror period compared to the previous historical period.

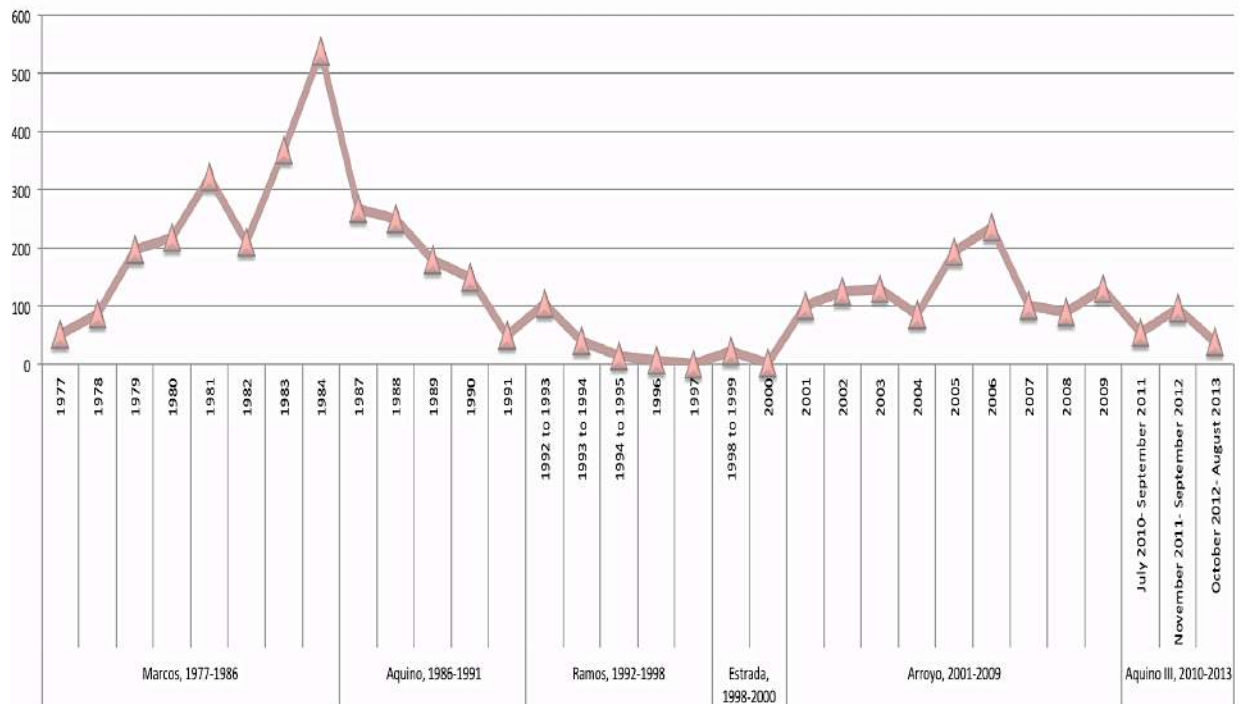


Figure 3.5 Approximate Average Number of Political Killings Per Year in the Philippines/ Per Presidential Administration (Source: See Appendix)

- As shown in figure 3.6 below, the human rights situation during the post-War on Terror period (2010-2013) considerably improved compared to the previous period, and that the former was comparable to the improved human rights protection in the post-Cold War period in the 1990s. The annual rate for political killings in the post-War on Terror period was 63, compared to 132 in the War on Terror period. Similarly, the annual rate of reported disappearances decreased from 22.8 to 4.3 (see figures 3.5 and 3.6; refer to figure 3.6 for a more detailed statistical report from 1977 to 2013).

Year by Year Statistics of Physical Integrity Rights Violations in the Philippines / Data Consolidated by the Author - Santino Regilme					
World Historical Period	Philippine Presidential Administration	Extrajudicial killings/ "Salvaging"	Approximate Average Number of Killings per year	Number of Enforced Disappearances	Approximate Average Number of Disappearances per year
Cold War Era	Marcos, 1977-1986	51	261	17	77,1
		86		10	
		196		48	
		218		19	
		321		53	
		210		42	
		368		145	
		538		158	
	Aquino, 1986-1991	267	179	52	72,8
		249		141	
		179		83	
		149		60	
		49		28	
		104		14	
Post-Cold War Era (Pre-9/11)	Ramos, 1992-1998	40	33	4	4,6
		14		4	
		7		1	
		0		0	
		0		0	
	Estrada, 1998-2000	23	12	12	14,0
		1		16	
		1		16	
Post-9/11 Era	Arroyo, 2001-2009	100	132	8	22,8
		124		10	
		130		11	
		85		23	
		194		32	
		235		78	
		100		30	
		90		9	
		130		4	
		Post-War on Terror Era		Aquino III, 2010-2013	
96	4				
38	6				

Figure 3.6 Year-By-Year Statistics of Physical Integrity Rights Violations in the Philippines (Source: See Appendix)

4. Local sources recorded a slight increase in the number of enforced disappearances in the year 2000 (Asian Federation Against Involuntary Disappearances 2007; Clarke 1998, 190; Silliman 1994, 107), while the number of disappearances suddenly declined in 2001.<sup>74</sup> Such an increase in disappearances might be reasonably attributed to the short-term local counter-insurgency campaign of the Estrada administration, which enjoyed a relatively modest political support from the US government. Nonetheless, the number of

<sup>74</sup> Refer to the appendix for an explanation on data sources. Data sources include the annual reports from the local human rights NGO network called KARAPATAN.

disappearances consistently increased since 2002 and reached a peak in 2005 and 2006, coinciding with a turbulent electoral and post-electoral scandals faced by the Arroyo administration in mid-2000s. The number of disappearances substantially decreased in 2008 until 2010, corresponding with the growing human rights advocacy in the country and political pressures from the US government (see Figure 3.7).

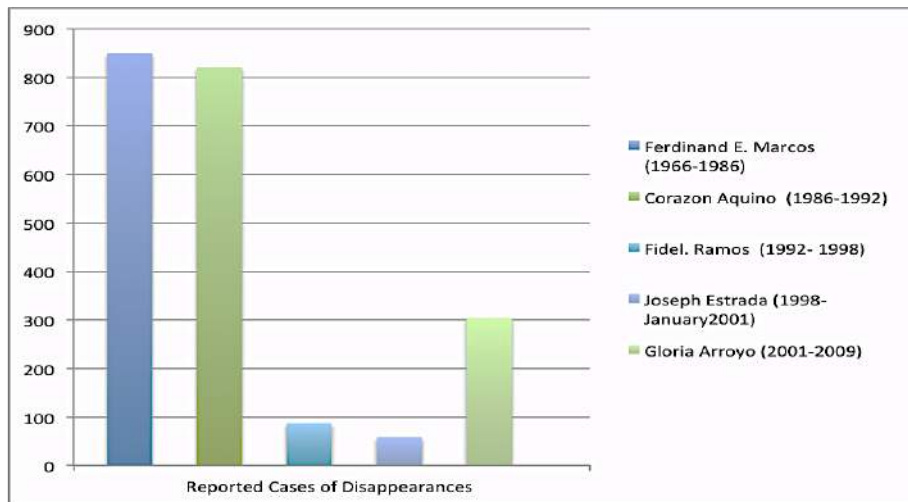


Figure 3.7 Local Data on Enforced Disappearances in the Philippines Per Presidential Administration

(Source: Asian Federation Against Voluntary Disappearances / [www.afad-online.org/statistics/find\\_stat.htm](http://www.afad-online.org/statistics/find_stat.htm))

- As illustrated in figure 3.8 below, the total number of politically motivated killings of journalists and media workers during the War on Terror period was extremely high, with a total number of 78 victims. Such number exceeds the total number of reported killings of journalists in *all* recent historical periods prior to the 9/11 attacks, particularly from 1986 to 2001.



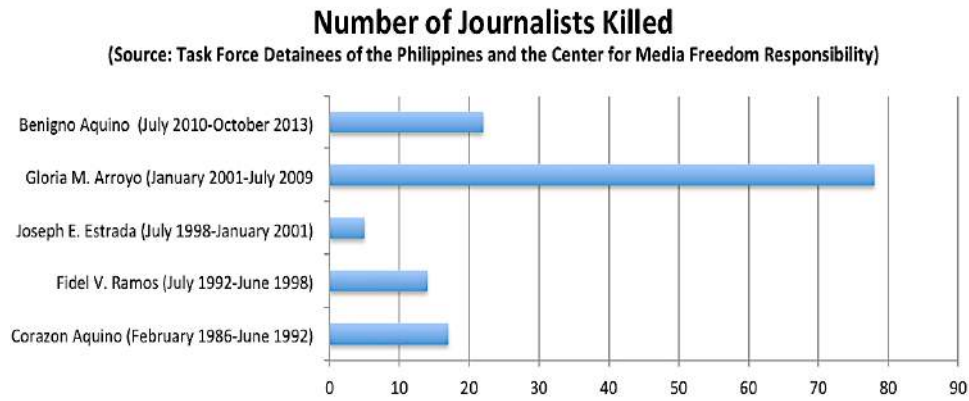


Figure 3.8 Number of Journalists Killed Per Presidential Administration in the Philippines

6. Finally, the CIRI dataset (figures 3.9 and 3.10; see appendix) indicates that the 1990s fared better in terms of the Philippine government’s protection of physical integrity rights of its citizens than the previous period. The number of political detentions and physical torture in the 1990s apparently did not change compared to the War on Terror period. On a more positive note, when compared to the Cold War years, the post-Cold War period (1990s) recorded notable improvements in press freedom and the number of enforced disappearances and political killings declined.

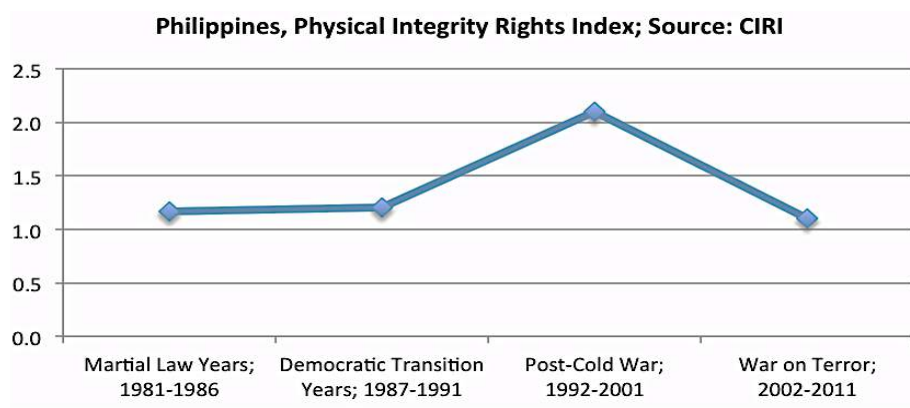


Figure 3.9 Physical Integrity Rights Index – Philippines - Per Historical Period



Figure 3.10 CIRI Index Of Political Killings in the Philippines, 1981-2011

In sum, the above-mentioned empirical trends demonstrated that the human rights situation consistently improved from the late 1980s up to the late 1990s, at levels much better than the situation in the two decades of Martial Law (1972-1986). Hence, what was the domestic political context in the 1990s whereby stronger human rights protection emerged? Did the US government’s foreign policy change in response to the domestic Philippine public demands for democracy and stronger human rights protection? If so, what exactly changed in US foreign policy in the Philippines?

The end of the Cold War in the early 1990s coincided with the emergence of influential liberal democratic Filipino politicians, who consistently opposed the authoritarian regime of Philippine President Ferdinand Marcos. Both of these events were followed by important domestic political reforms that effectively enabled stronger human rights protection. In particular, after the peaceful demonstrations that toppled the US government-supported leadership of Ferdinand Marcos (1972-1986), electoral democracy was finally restored in 1986 (Robinson 1996; Villegas 1987). It was the year when an overwhelming majority of the national electorate elected President Corazon Aquino (1986-1992). Consequently, the 1987 Freedom Constitution guaranteed Filipino citizens the most fundamental human rights while peaceful political opposition was widely tolerated both by the legal system and in actual practice. Hundreds of political prisoners, mostly mainstream opposition members and communists, were finally released. Warrantless arrests and extrajudicial killings became less pervasive. All of these significant developments continued up to

the presidential terms of Fidel Ramos (1992-1998) and Joseph Estrada (1998-2001).<sup>75</sup> Whereas 7,500 victims reportedly died because of state-initiated enforced disappearances and extrajudicial killings at any given year during the Marcos era, the number of killings was dramatically reduced to less than 300 in the 1990s. Consequently, the Philippine state's commitment to the protection of physical integrity rights of its citizens dramatically improved in the post-Cold War period.<sup>76</sup>

Whereas the Political Terror Scale (PTS) average of the Philippines for the years 1992 to 2001 was only 3.5, the human rights situation substantially worsened since 9/11 at the scale of 4.0 for the period 2002 to 2009.<sup>77</sup> While the increase in 'political terror' is not extremely substantial at all as the PTS Data suggests, such an interpretation of the data is indeed inaccurate. In fact, there is a large consensus among local scholars and activists alike that human rights abuses during the term of President Arroyo (2001-2010) were far more abusive and widespread than the pre-9/11 period (1992- early 2001). In particular, less than 300 extrajudicial killings and enforced disappearances were reported during the presidential terms of Ramos (1992-1998) and Joseph Estrada (1998-2001), compared to a conservative estimate of 1500 cases during the Arroyo regime. Finally, the Task Force Detainees of the Philippines (TFDP 1998) reports that the average number of cases of politically motivated imprisonment was reduced from 20,523 in 1986 to only 2,459 in 1991, and the numbers consistently decreased since then until 2001.

As the bar chart (Figure 3.11) below shows, the number of human rights violations in 1988 was dramatically reduced by 50 percent in 1998. Such improvement coincided with the international community's emphasis on human rights protection and democracy promotion, together with a significant reduction of physical integrity rights violations in the Philippines. Thus, in the words of Blas Ople, one of the country's most prominent foreign policy thinkers, "the Philippines, like other

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<sup>75</sup> Fidel Ramos is a former Defense Minister during the Martial Law period. Ramos eventually retracted his support for President Marcos, his second cousin, in the eve of the EDSA Revolution in 1986. Fidel Ramos won the national elections in 1992 with a narrow plural majority of 23% of the total votes. Recipient of a full US government scholarship, he earned his undergraduate degree from the WestPoint Military Academy and a master's in engineering from the University of Illinois.

<sup>76</sup> Weismann summarized the human rights situation in the 1990s (1994, 252): "Human rights are improving by certain traditional standards and political space in Manila is widening. [T]he Ramos administration has improved respect for human rights in ways that traditionally receive the most international attention: torture, extrajudicial killings, political imprisonment, and warrantless arrests have declined."

<sup>77</sup> See appendix for a complete explanation of the PTS score ratings.

states in its Asia-Pacific neighborhood, welcomes the stability brought about by the end of the Cold War” (Ople 1994, 33). Indeed, one of the elements of this sort of stability is an improved human rights record for the country.

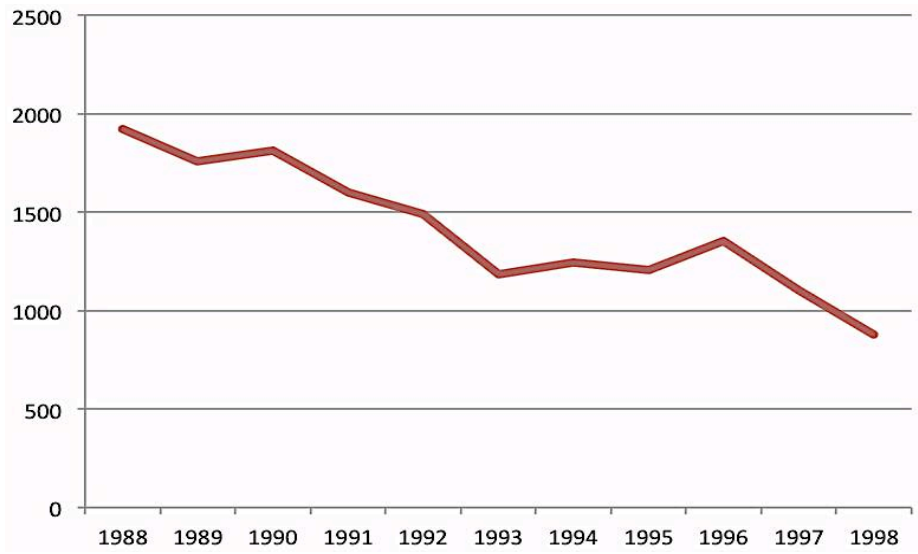


Figure 3.11 Number of Incidents of Physical Integrity Rights Violations 1988-1998 (Source: Hernandez & UBarra)

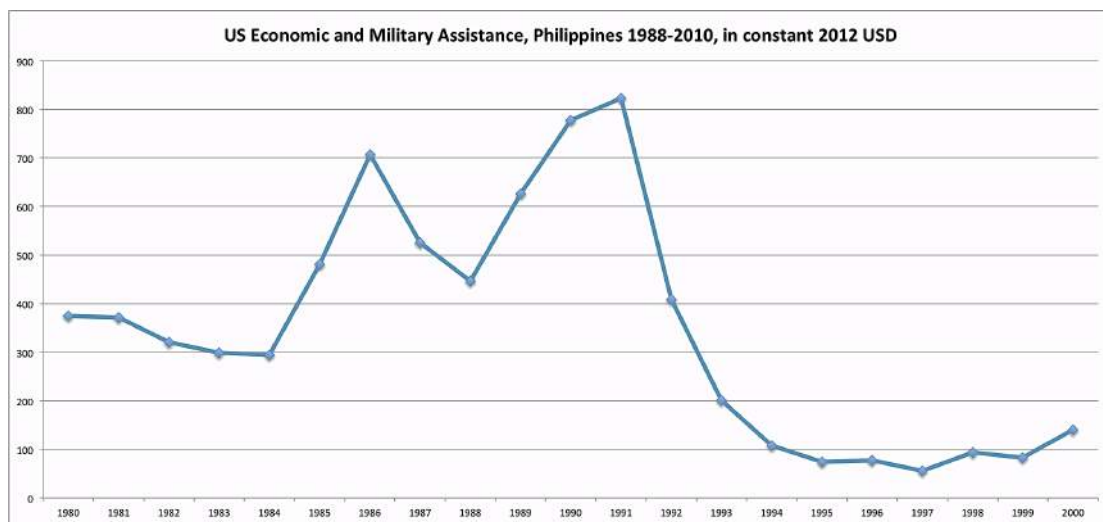


Figure 3.12 US Economic and Military Aid to the Philippines, 1988-2010

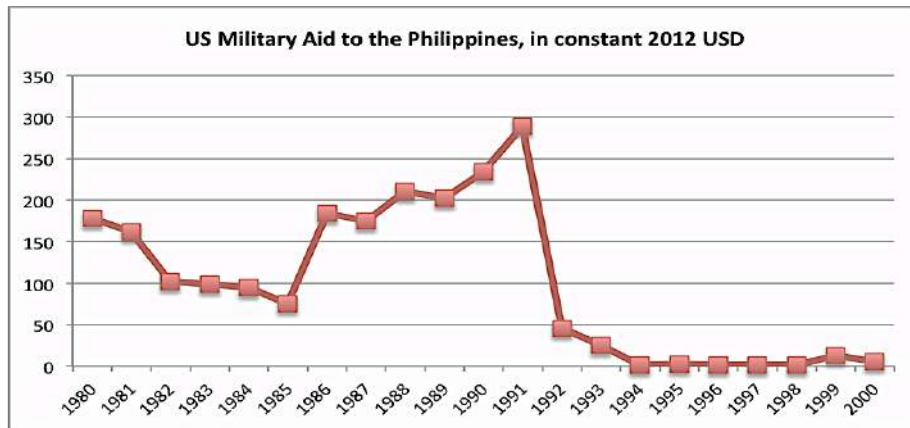


Figure 3.13 US Military Aid to the Philippines

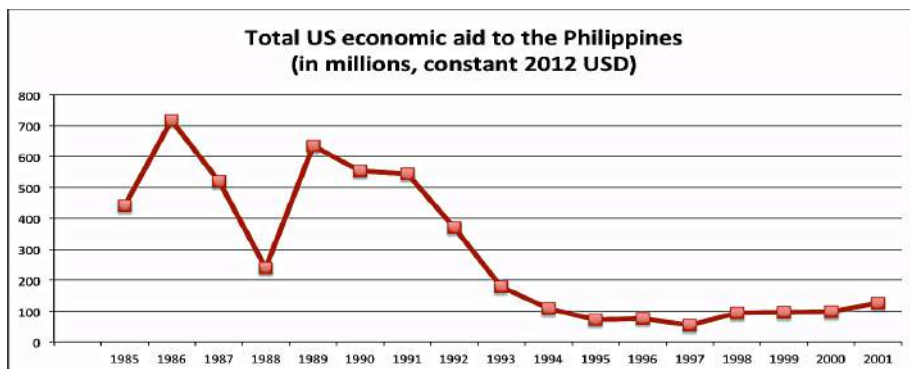


Figure 3.14 US Economic Aid to the Philippines

Notably, the substantial reduction in the number of human rights abuses coincided with the dramatic decrease of US military and economic aid to the Philippines (see Figures 3.12, 3.13, and 3.14). Whereas US military aid reached as high as 300 million USD in 1991, the amount plummeted to a meager 50 million USD in 1992, and bilateral economic and military aid continued to be in extremely low levels since then until 2001. The same trend is true for US economic assistance that reached as high as 636 million USD in 1989, which consequently dropped to as low as 55 million USD in 1994. These reductions in US aid suggest that the “with the end of the Cold War, Washington’s strategic interest in the Philippines has sharply diminished” (The New York Times 1992, 16). Such foreign policy shift became more pronounced when the US government was forced to remove in 1992 to 1993 all of its military bases in northern Philippines (Clark Air Base and Subic Naval Base) primarily because of the overwhelming vote from the Philippine Congress and

insistent protests from activists all over the country (Cooley 2008, 80-82).<sup>78</sup> In other words, the aggregate amount of US aid dramatically decreased, especially that of military assistance

The apparent loss of US military strategic interest in the Philippines can be attributed to several key factors. First, with the end of the Cold War, the US emerged as the most powerful country in the world, marking a position of “unprecedented preponderance” (Waltz 2000). In the Asia-Pacific rim, the perception of a near absence of a communist threat and a considerable challenger to the US explains why military assistance needed to be reduced at a minimum. Consequently, the American public’s relative lack of interest in foreign policy issues at that time was consistent with the Clinton administration’s focus on domestic issues, except for a foreign policy agenda advocating human rights, democracy promotion abroad, and economic interests (Brinkley 1997). In fact, the American public’s support for military affairs, foreign aid, and international multilateral institutions such as the United Nations and the World Bank “declined steadily throughout the 1990s” (Walt 2000). Hence, President Clinton’s administration reduced US engagements abroad at a minimum, with democracy and human rights diplomacy left as the centerpiece of US bilateral relations with the Philippines.

Shifting from the militaristic agenda that characterized much of the Cold War, US foreign policy in the 1990s skewed more towards human rights and economic diplomacy, and can be seen in several important ways. For instance, during the first visit of Philippine President Fidel Ramos to the White House, the newly elected US President Bill Clinton heralded what they called “a new partnership” that moved away “from the once-dominant issues of aid and military security” (Briscoe 1993b). To be sure, President Ramos’ visit to the US marked a series of trend in the 1990s when high-ranking Filipino government officials aggressively invited American investors to come to the country, which clearly indicated a focus on political-economic diplomacy. Specifically, the Ramos administration promoted an image of the country that is uniquely positioned in the Asia-Pacific region and suitable for investment and trade

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<sup>78</sup> It widely believed that the Philippine military base was the largest US base overseas with a permanent population of around 15,000 people in the 1990 and an area of 37 square kilometer. The pullout of US bases marked the end of a long-term military presence that started in 1898 when the country was acquired by the US government from Spain.

due to its relatively democratic characteristics when compared to its neighbors in the region. In his official visit to the US in 1993, Ramos argued that “Asian security depends not on military power but on the economic stability, technical capacity, and social cohesion of each country”, and he contended that the US bases in the Philippines “only belonged to the Cold War era” (D. Briscoe 1993a; Rosenthal 1995). In the same occasion, Clinton highlighted that the post-Cold War US foreign policy in the Philippines should then be founded on “a renewed partnership, based on our long historical association, our shared values, our expanding trade and our investment links, our bilateral security cooperation and our common dedication to democracy and human rights” (Associated Press 1994; Briscoe 1993a&b).

The post-Cold War US foreign policy shift towards economic affairs and other non-militaristic policy goals was not unique to the Philippines at that time. Instead, such change also reflected the emerging American policy paradigm that gained traction in the early 1990s.<sup>79</sup> Thus, in one of his key speeches during the 1994 Asian tour on free trade, US President Clinton contended that bipartisan support for the most important executive policies “was used to apply to national security defined in military terms [during the Cold War]; today [post-Cold War/1990s], it applies to national security defined in economic terms” (Clinton 1994). While the US commitment to military security and political stability remains, Clinton maintained that the “balance of our (American) relationship with Asia has tilted more and more to trade”.<sup>80</sup> Thus, the emergence of an economic-centered foreign policy did not necessarily require huge military aid to Asian countries unlike the Cold War era. Such policy shift ultimately explains why military aid was dramatically reduced during the

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<sup>79</sup> In *Activists, Alliances, and Anti-US Base Protests*, Andrew Yeo argues that the eviction of US bases in the Philippines in 1992-1993 marked an “all-time low” in US-Philippine relations to the extent that the US “downgraded its political and military relations with Manila”(Yeo 2011, 154). Likewise, political scientist Frank Cibulka claims that “the withdrawal of the US military facilities from the Philippines in 1992 dealt a severe blow to the country’s military capability through deprivation of the US military aid” (Cibulka 1999, 115). This may be true to the extent that a minority of Washington’s policy-makers was disappointed of the Philippine Senate that voted for the removal of the bases. Yet, such an observation unjustifiably downplays the role of the broader developments brought by the Cold War; that is, the growing public disinterest for military affairs, while support for economic and development policy priorities became more prominent.

<sup>80</sup> In an effort to renew stronger military ties, the US and Philippine governments signed the first Visiting Forces Agreement (VFA) in 1998 which guaranteed occasional and temporary access of US military forces in the country for joint training and exercises. Thus occasional joint US-Philippines military exercises ensued, albeit in dramatically reduced frequencies, even in the 1990s – despite the marked loss of Philippine military significance in the eyes of US foreign policy-makers. The VFA agreement was renewed for the second time in 2003 in response to the 9/11 attacks.

1990s. It was during this period that US public diplomacy to the Philippines and Asia fostered economic multilateral trade forums such as the APEC and numerous US-funded programs on civil society development and human rights promotion in the Philippines. In so doing, the US government substantially reduced monetary assistance to the Philippine armed forces and police agencies all throughout the 1990s (McCoy 2009), which heavily constrained the scope and scale of its combat operations. Such aid reduction posed a limitation in the operations of Philippine state security agencies and substantially reduced the probability that collateral violations will be committed, and as a consequence, generated a low number of state-initiated human rights abuses in the 1990s.

Indeed, the reduction of US aid to the Philippines reflected a meaningful shift in the policy priorities of the Clinton administration. Whereas the Cold War period emphasized the strategic military interests of the US government, the White House in the 1990s focused more on economic development issues, human rights protection, and democracy promotion as the key priorities of American bilateral relations with the Philippine government.

### 3.3 PHILIPPINE GOVERNMENT'S STRATEGIC LOCALIZATION OF PRO-HUMAN RIGHTS DISCOURSES AND RESOURCE MOBILIZATION

This section provides empirical evidence on how the post-Cold War Philippine government reframed US foreign policy themes on democracy, human rights, and economic development in ways that were more sensitive to the local political context. The evidence here shows that the post-Cold War Philippine presidential administrations, especially the Ramos administration, promoted domestic policy discourses that highlighted a more diverse set of non-militaristic issues. Accordingly, such themes figured prominently in the central policy agenda of the Philippine government, particularly towards its strategic public diplomacy with the Filipino public and its official interactions with the US government. These discursive themes signified the key policy priorities of the post-Cold War Philippine government. As I explain later in this section, such themes were translated into concrete and



transformative public policies, which reinterpreted external human rights norms in ways that speak to the nuances of post-Cold War Philippine context. In this way, the Philippine government adopted US foreign policy discourses on human rights and democracy in ways that were also supported by the broader Filipino public.

The central point here is that the domestic pro-human rights agenda was the Philippine government's strategy of winning the support of two important constituencies. First, the domestic public pushed for democratic openness in the 1990s as a collective response to the persistent abuses during the two-decade Martial Law that only ended in the late 1980s. This made a strong incentive for elected national governments and local politicians in the 1990s to be more determined in advocating stronger human rights protection. Second, as I have shown in the previous section, the US government in the 1990s shifted its foreign policy priorities toward non-militaristic priorities. This was even more evident in US-funded programs that sought to expand civil society activities. Also, US-Philippine bilateral relations heavily focused on non-militaristic concerns that clearly undermined the role of the Philippine military and police agencies, which are historically known as perpetrators of human rights abuses during the Cold War. Taken together, these two crucial sources of pressures for stronger human rights protection shaped the political expectations of the elected Philippine governments in the 1990s.

One of the more prominent ways through which the Philippine government reinterpreted emerging international human rights norms was to craft a policy agenda that linked long-term national economic development with democratization and stronger human rights protection. The process of reinterpretation practically meant that the policy discourses of pre-9/11 Philippine presidents — in particular, Fidel Ramos (1992-1996) and Joseph Estrada (1998-2001) — were substantively focused on non-military concerns. During the tenure of President Ramos, dominant domestic policy discourses were couched under the rubric of “Philippines 2000” — an ambitious socio-economic strategy that aimed to catapult the country as a newly industrialized economic powerhouse (Briscoe 2004; Briscoe 1993a; Schirmer 1997). The strategy included one of the most ambitious industrialization and socio-economic development programs in the country's political economic history, and it highlighted policy goals such as privatization and de-monopolization of the transportation

systems, communications industry, and other utility services. Notably, the underlying assumption in the “Philippines 2000” strategy was that long-term economic development could only flourish when democratic openness and stronger human rights protection are in place. In response to the policies of the World Bank and IMF and due to the political influence of the US government, the Ramos presidency also increased sales tax from 4% to 10% in order to boost state capacity for non-militaristic public services and warmly welcomed the influx of foreign investments (Bello et al. 2004). This type of state resource allocation highlighted the prevailing importance of civilian economic development over militaristic affairs.

Following the US and the Filipino public’s growing expectations for sustained economic growth vis-à-vis democratic openness, the Philippine government sought to promote the country as one of the most vibrant economic and tourist destinations in Asia. Consequently, the Ramos administration boasted the government’s democratic and human rights reforms in order to attract American investments. In an important official visit of President Ramos to the US in 1993, most international and local media accounts reported that the Filipino president won the admiration of many economic and political elites in Washington, DC and beyond (Crisostomo 1997 p.xiv). Such event occurred amidst the disappointment of some US policymakers following the 1992 pullout of American bases in the Philippines (Kirk 2005). Consequently, the Philippine government received around 2.5 billion USD worth of new American investments, “mostly in power generation, in response to a new political stability and economic reforms for which Ramos can honestly take credit” (Crisostomo 1997, xiv). Instead of employing a military affairs-focused diplomacy, the Philippine government in the 1990s was much more interested in attracting economic investments from the US instead of military aid and counter-terror assistance.

The Philippine and American governments’ bilateral agenda on trade and economic development led to concrete and positive outcomes on that area. This shows how internal security threats became a non-salient policy concern during this period. As such, President Ramos unveiled his grand strategy as “development diplomacy” (Pattugalan 1999; Tible-Caoyonan 1994), which resulted in a dramatic increase in

exports of Philippine products to the US and elsewhere.<sup>81</sup> It is not surprising to note that Ramos holds the record for the largest number of official trips abroad while in office in comparison to his predecessors from the 1930s until 2013. With the US as his most frequented country, Ramos prioritized not only economic matters in his meetings with government officials, but he also religiously organized large-scale meetings with CEOs and members of various chambers of commerce in several key parts of the US.<sup>82</sup> The importance of economic diplomacy in the 1990s was undeniable, and as a respected public intellectual in the country argued

By the end of 1995, Ramos the salesman-President had made some 20 foreign visits at which he made earnest sales pitches for the country. One of the highlights of the series of selling missions was his 14-day trip to the United States in November 1993. That proved to be the largest single factor that encouraged American investors to pour huge amounts of new capital to the Philippines, according to former U.S. Ambassador John Negroponte (Crisostomo 1997, xiii).

The Philippine government's non-militaristic policy strategy reflected the overall Filipino public sentiment at that time, in which 85% of the respondents from a national sample asked in a survey in 1993 believed that the government must prioritize job security, economic growth, and democratic openness (Sandoval, Mangahas, and Guerrero 1998). New policy paradigms such as the long-term vision of the Ramos administration called "Philippines 2000" and the "development diplomacy" strategy represented key government responses to growing domestic and international political demands for non-militaristic policy priorities (Acop 2006; Lobo 1999; Ramos 1995; 2010).

Furthermore, the strong appeal of democratization and the post-Cold War human rights agenda inspired Filipino elites and the public to discard military security as a principal policy goal. Thus, the Ramos administration made the "economy his

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<sup>81</sup> Next to Japan, the US was the top trading partner of the Philippines during the 1990s. Based on US government statistics ([www.census.gov](http://www.census.gov)), the period from 1991 to 2001 recorded an average import value for goods of around 9 billion USD per annum, while the average for the period from 1985 to 1991 was only 2.7. The same trend can also be said in the exports from the US to the Philippines.

<sup>82</sup> Based on my own calculations from the data provided by the Official Gazette of the Republic of the Philippines (<http://www.gov.ph/presidential-trips/the-foreign-trips-of-the-presidents/>), the following are the average number of official visits of Philippine presidents during their respective terms: Ramos (1992-1998) – 69 trips = 17 per year; Estrada (1998-2001) – 20 trips = 6 per year; Arroyo (2001-2010) – 127 trips = 14 per year;. USA is the most visited country for all these aforementioned Presidents.

chief priority” (Reid 1992). In response to the widespread human rights abuses during the Martial Law period, the Philippine government in the 1990s established and empowered the Commission on Human Rights (CHR), an independent government agency created by the 1987 Freedom Constitution. With a focus on civil and political rights, the CHR’s central role is to execute independent investigations of all reported violations committed by state actors. Explaining an important regional trend toward a national institutionalization of human rights norms, political scientist John Ciorciari noted that “at the start of the post-Cold War period, only the Philippines had a national human rights commission” in the Asia-Pacific region (Ciorciari 2012, 705). The establishment of such commission reflected the serious commitment of the elected governments in the 1990s to push for stronger human rights protection. In his widely televised speech to the Philippine Congress in 1995, President Ramos argued that the path to development should be through democracy and human rights and not authoritarianism (Ramos 1995):

*Development—we are often told—has a price that must be paid by those who want it. In the past, because we had been unwilling to pay that price, our nation could only falter and decline. Today we are a more capable people—and a more capable country because these past three years. We have paid a substantial down payment on development. The reforms we have dared to carry out; the hardships we have endured; the gains we have won—all these will reap benefits of progress. Again and again, over these three years, we have shown ourselves—and the world—that the Filipino can succeed in the struggle for development, carry ambitious programs to their conclusion, and succeed, not by taking the authoritarian road but by democratic consensus and collective effort. (Emphasis mine)*

Indeed, the Ramos administration’s “strategic localization” or reinterpretation of international human rights norms as a necessary determinant for long-term economic development proved not only appealing to the domestic public. Instead, such careful contextualization of human rights also paved the way for the influx of US aid that aimed to pursue non-militaristic policy goals. Starting in 1994, Clinton’s foreign aid package to the Philippines almost eliminated military aid, and US policy explicitly classified all forms of US aid as “sustainable development” funding, which focused on the “enhanced management of renewable natural resources” and other projects that were supportive of democratic deepening such as support for NGOs

(Tira-Andrei 1994). For example, in 1994, the total amount of US aid to the Philippines was worth around 72.6 million USD (combined military and economic aid), and that amount was broken into several components that were all reflective of this new focus on sustainable economic development and democracy agenda: “\$15,504,000 to support broad-based economic growth; \$7,334,000 to build democracy; 26,131,000 to stabilize population growth; \$12,683,000 to protect the environment; \$1 million to continue the international military education and training (IMET) program, an amount that is allocated for the use of non-governmental organizations operating in the Philippines” (Tira-Andrei 1994, 11). Such transformative shift in US foreign policy reinforced the pro-human rights agenda of the Philippine government during the 1990s (Inter-Press Service 1992; Morea 2008).

Following those developments, the Philippine armed forces and local police agencies underwent a dramatic transformation in its role in pursuing national development. This shift made the military and police units less engaged in the battlefield, resulting instead in a more intense and supportive involvement in civilian state activities. Acknowledging the military’s important function in peace and development, President Ramos promoted the view that civilians play a crucial role in promoting political stability within their communities, and that the military and police must closely work on local civilian development projects such as the building of public infrastructures, sports programs, and even health missions. Together with other civilian government agencies and NGOS, the Philippine military coordinated several other non-combat-related government programs. In his 1997 State of the Nation Address, President Ramos explained the new work approach that the AFP and the PNP imbibed since the end of the Cold War (Armed Forces of the Philippines 1997):

Developmental activities encompasses non-traditional activities conducted by the AFP independently or in coordination with other government agencies and units, non-government organizations (NGOs), and people's organizations (POs) within its capabilities intended to promote the general welfare and well-being of the members of the military organization and their dependents, reservists and retirees, and the community; and to contribute to nation building and national growth. These activities consist of socio-economic upliftment; search and rescue, relief, and rehabilitation; enhancement, protection, preservation and conservation of

natural resources and environment, and civil works. (Armed Forces of the Philippines 1997, Letter of Instructions 14/97)

Hence, the Philippine government promoted an “integrated approach” as the armed forces and police agencies’ new institutional paradigm. Such an approach stood in contrast to the previous period’s dominant paradigm in which state security agencies were tasked to be solely engaged in counter-insurgency against armed rebels during the Cold War. An integrated approach meant that economic and political development could be achieved through a partnership between the state (military and police) and the civil society. Such policy framing was a significant departure from the discourses and actual policies that were long implemented during the Cold War years by the Philippine and US governments. Thus, President Ramos explained his new policy paradigm (Radyo ng Bayan Quezon City 1992) by offering a diagnostic justification that implicated non-militaristic factors as the main cause of armed rebellion — a diagnosis that sought to justify non-militaristic approaches to non-state armed violence:

*I will intensify this integrated approach because the problems that gave rise to insurgency, cessation (secession) and military rebellion, did not come out of military conditions. And so, if we can alleviate poverty, which is one of the major causes of insurgency or rebellion, if we can distribute, through devolution, decentralization and democratization, the goodies in this country for a greater proportion of our people, then that will be part of the approach. If we can also improve education, information, thereby eliminating ignorance, which is also a major cause of insurgency, secession and rebellion. The military will be there only in support. (Emphasis mine)*

Moreover, the adoption of international human rights norms in the 1990s by Filipino domestic elites led to concrete political reforms that were all supportive of stronger human rights protection. On that regard, specialists of Philippine politics Eva Lotta Hedman and John Sidel summarized these important reforms (2000, 57-58):

*Indeed, in the aftermath of the Cold War and the demise of the CPP/NPA [Communist Party of the Philippines/New People’s Army], the 1990s saw the effective reassertion of civilian elected officials’ authority over the military as well as the reorientation of the military to an essentially new role. With the abolition of the Philippine Constabulary and the creation of the Philippine National Police (PNP) under the Department*

of the Interior and Local Government, police personnel as well as policing functions were removed from the AFP's military chain of command.<sup>120</sup> Thus *the AFP itself has now been relegated to a relatively limited role, battling residual pockets of the Maoist and Muslim insurgencies in the remote hinterlands and detaining Chinese fishermen in the remote disputed area of the Spratly Islands in the South China Sea.* Finally, with the end of the Cold War and the Philippine Senate's vote to block the renewal of the Military Bases Agreement in 1991, the US military presence in the archipelago has been substantially diminished if not entirely eliminated, and the AFP has been left with far greater responsibility for external defence than ever before in Philippine history. (Emphasis mine)

Following the end of the Cold War, the Ramos administration publicly promoted and adopted human rights protection, economic development, and political stability by the inclusion of left, right, and centrist parties into mainstream politics. Such unprecedented political initiative successfully integrated former armed communist rebels into peaceful mainstream politics. With the strong political support from the Clinton administration, the Ramos administration expanded the political space for competition in the country. With the backing from the Philippine Congress, President Ramos successfully repealed a law that banned communists and left-wing groups from forming political parties that were eligible for electoral party competition. Such policy allowed non-mainstream political parties to “compete freely, openly and peacefully in the political, economic and social arena instead of them following the path of armed struggle” (The Toronto Star 1992). Moreover, Ramos and Estrada also extended the post-1986 Aquino-era political amnesty to former communist rebels of the New People's Army (NPA) and even broadened the scope of eligibility to other armed rebel groups. The Ramos administration, just within a month in office, repealed Republic Act 1700 or the Anti-Subversion Act, which formed the legal basis for the violent repression of even unarmed communist party members and sympathizers. In an unprecedented move, the government also established a ‘National Unification Commission’ that was responsible for “open peace talks with the rebels” and pushed for an extensive “review of all cases of suspected rebels” (Human Rights Watch 1993). Notably, around 20,523 individuals were held captive during the six-year term of Aquino (1986-1992), particularly when the national elections and constitutional guarantees of civil liberties were reinstated. Yet, the time period under President

Ramos “saw the diminishing number of political prisoners” and there were only around 2,549 political prisoners held — a significant 87% decrease in the number of detainees compared to the previous period (Task Force Detainees of the Philippines 1998). Parallel to the shift in US foreign policy towards economic prosperity through trade and democracy promotion initiated by Clinton-led US government, President Ramos explained his main policy agenda (Ramos 1998 p.xi):

My first concern, on assuming the Presidency in June 1992 had been to deal with endemic instability by *bringing the three armed dissident groups back into the political mainstream*. I offered an honorable truce to the mutinous young officers who had mounted seven coup attempts against my predecessor, former President Corazon C. Aquino; initiated peace negotiations with Muslim separatists in the southern island of Mindanao; proclaimed a general amnesty for the Communist guerillas of the “New People’s Army”; and legalized the Communist Party, which had been banned for almost 50 years. (Emphasis mine)

Eventually, the political reconciliation with former armed rebels and highly critical political opposition was intensified with the ratification of the Party List System Act or Republic Act No. 7941 in March 1995. This landmark bill mandates the proportional representation of marginalized groups (peasants, labour unions, urban poor, women’s rights movements, ethnic communities) in the election of members from a certain percentage of the total number of seats in the House of Representatives. Such innovation in the electoral system facilitated a smoother integration of hard-core social democrats and former armed rebels to mainstream politics. This meant that the central government was determined in accommodating non-mainstream politics, particularly the leftist parties and marginalized interest groups, many of which became eventual targets of extrajudicial killings in the post-9/11 presidency of Gloria Arroyo. Even some highly critical legal scholars and civil society members conceded that the reforms introduced in the 1990s should be welcomed as positive developments: “the restoration of elite democracy brought about a formal restoration of political rights and a widening of the democratic space” (Holden 2009, 381). In sum, with the political support from the Clinton administration and the domestic public, the Ramos-led Philippine government effectively made the legal structures much more congenial to democratic openness and peaceful political opposition.



Despite the minimal US military aid, bilateral military assistance from the White House to the Philippines was primarily allocated to projects that aim to promote human rights consciousness among the members of the Philippine military and police. The transnational and domestic discourses on human rights inspired the implementation of actual domestic policies, which mandated the military and police agencies to take up non-combatant duties in support of the non-militaristic agenda of the US and Philippine governments. For example, the pre-9/11 governments of Aquino, Ramos, and Estrada implemented the “*Unlad-Bayan*” (“Develop the Nation”) programs within the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP). Those programs involved three types of projects. The first referred to confidence-building strategies that initiated regular dialogues between the armed state agencies and the civil society groups about human rights. The second pertained to community service programs that “focused on providing direct services to communities...that were once strongholds of communist insurgents” (Hernandez and Ubarra 1999:47). It included health care and medical mission programs, road and infrastructure development, among others, that seek to restore public support for the Philippine military and the police through highlighting the state security agencies’ role in local community development. Third, it also introduced inter-agency cooperation in which the military and police agencies were tasked to take up other civilian policy tasks under the leadership of other civilian cabinet departments. Such tasks included can be grouped into following policy themes: “(1) infrastructure development, (2) human resource development, (3) crisis management, (4) reserved force utilization, (5) humanitarian and social services, (6) environmental activities, and (7) livelihood opportunities and income generating projects” (Hernandez and Ubarra 1999:47). According to the study of the Development Academy of the Philippines and the Philippine government’s Commission on Human Rights (CHR) (Hernandez and Ubarra 1999), the 1990s witnessed the growth of US-supported programs that instill human rights consciousness among the members of the military. Specifically, the report underscored the effectiveness of these programs:

*Even those who have not gone through any formal training with the CHR have been made aware of society's concern for these rights through the media. But prior to their training, some respondents saw human rights as a political instrument of insurgents or as a creation of the media. But on the whole, human rights education has succeeded in instilling some*

*amount of consciousness and positive regard for human rights. This is particularly true among the military respondents who say they are now careful in observing human rights. The military... seems to be more aware of the importance of human rights advocacy. According to one respondent, the military is presently reorienting itself to become more respectful of human rights since it realized how human rights violations work against the military's counterinsurgency campaign...(Hernandez and Ubarra 1999:42-43) [emphasis mine]*

Furthermore, the Ramos administration, with the substantial USAID assistance to local civil society groups, encouraged the establishment of human rights organizations and other civic organizations. As early as 1993, the US Congress allocated 40 percent of its total aid to the Philippines for purely democracy promotion-oriented projects through the Multilateral Assistance Initiative (Human Rights Watch 1993). Most of these important developments were sustained until the late 1990s. With the financial support that came from the USAID democracy promotion projects, “the Aquino and Ramos administrations provided limited-period amnesty and financial assistance to former communist rebels” (Arcala Hall 2006, 4). Accordingly, through the “rebel-returnee” programs, the Clinton administration, in partnership with the Philippine government, “funded livelihood projects for cooperatives” operated by ex-rebels.<sup>83</sup> In 1994, for instance, such social programs benefitted “an estimated 39,000 ex-rebels”, who “have received 12,500 pesos for starting a small business, one-time emergency assistance of 4,500 pesos and national health insurance coverage” (Hall 2006, 5). Providing almost 441 million USD from 1995 to 2000, the USAID implemented the Growth with Equity (GEM) Program in Mindanao.<sup>84</sup> Such project provided technical and financial support to families and

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<sup>83</sup> For example, this is called the “Balik-Baril” (Return your firearms) program “which encouraged rebels to surrender their firearms in exchange for seed money to start a livelihood program” (Hernandez 2006, 5).

<sup>84</sup> Based on the official US State Department report in 2002, the GEM Program (1995-2000) helped more than “56,000 farmers double their incomes by producing higher value crops, adopting improved technologies, and selling crops to new and more profitable markets”. Producing almost 77,000 new jobs in Mindanao, GEM also assisted “13,000 former armed combatants and their families” to start on “commercial-level production of hybrid corn, rice and seaweed”. Moreover, around 151 public infrastructure projects were built during this time in Mindanao, while the regional government units in Mindanao dramatically increased its infrastructure budget from 11 percent in the 1980s to around 27 percent in the start of the new millennium.(GEM Program Office, Philippines USAID 2002) (See the GEM program report) The infrastructure projects include the construction of an airport in General Santos City worth 48.6USD million, the 15 million USD expansion of the Makar port, and 63.3 USD million cost of building an “all-weather road network linking 10 towns to General Santos City (Bureau

businesses located in troubled areas of the Philippines in order to boost private enterprise in those regions. Indeed, the policies that aimed at integrating armed rebels in mainstream politics led to significant reductions in the number of counter-terror operations outside of Manila. To be sure, the renowned Filipino scholar on civil-military relations Carolina Hernandez (Hernandez 2006, 5) argued that:

The success of this program [political reconciliation with armed rebels and economic assistance] further diminished the mass base of the communist insurgency as the number of infiltrated barangays dropped from 8,496 in 1988 to just 5 984 by 1993. Further reduction in the coming years enabled the government to scale down the AFP's role in counterinsurgency to a supporting role while the internal security task was transferred to the Philippine National Police (PNP) except in Mindanao, Basilan, Tawi-Tawi, Bicol Region, southeastern Quezon, and the Cordillera Administrative Region. *Having learned from the Marcos regime, civil-military operations during the Ramos presidency were more holistic and developmental in nature as they became integrated into the Social Reform Agenda.*[emphasis mine]

Therefore, the post-Cold War policy aims of the US and Philippine governments coalesced neatly with the Filipino public's preferences for stronger human rights protection. Such dominant preference for non-militaristic policies undermined the scale and frequency of operations in various conflict-ridden regions of the archipelago, which reduced the likelihood of occurrence of collateral human rights abuses.<sup>85</sup>

The political appeal of human rights norms during this period was facilitated by the Philippine government's careful reframing of such emerging norms as crucial to long-term national economic development. Such strategic reinterpretation proved to be appealing to a Filipino domestic public that sought to correct the abuses of the

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of Economic and Business Affairs 2000). Compared to infrastructure projects after 9/11, which were usually aimed for military purposes, post-Cold War projects in Mindanao such as the building of the international airport in General Santos City and the 178 kilometer-road network in the region were implemented primarily for economic development. As US Ambassador to the Philippines Thomas Hubbard said: "The purpose was to try to build an infrastructure that would draw in the private sector... that would draw in the fisheries industry...that would lead to economic development in this region." (The Filipino Express 1997).

<sup>85</sup> The communist armed insurgency (New People's Army) and various Islamic rebel groups such as the Abu Sayyaf Group, Moro Islamic Revolutionary Front, and the Moro National Liberation Front are nominally present before and after the Cold War, until today — albeit in varying degrees of organization strength and manpower.

previous authoritarian regime. Moreover, the commitment of the Ramos administration for democratization and human rights also encouraged the US government to provide political support and material resources that were intended for such purpose. Taken together, such developments generated an improved human rights situation during the 1990s when compared to the Cold War and post-9/11 periods.

### 3.4 TWO TYPES OF HUMAN RIGHTS ABUSES IN THE 1990s

During the 1990s, most of the reported human rights violations can be classified as *collateral consequences* of the government's armed operations against communist and Islamic rebels who refused to join the emerging peace talks in the early to mid-1990s. Except during the short-lived term of President Estrada (1998-2000), the Philippine government did not launch a large-scale national counter-insurgency campaign against various armed rebel groups to the extent comparable to the scale of post-9/11 operations or the Cold War period. Such policy agenda consequently restricted the scope of violent operations of the Philippine military and police agencies. Thus, the reduction in state security agencies' operations lowered the probability that large-scale Philippine military and police operations would lead to more cases of extrajudicial killings, torture, and enforced disappearances. Notwithstanding, a low number of human rights abuses was recorded, and violations can be classified into two types of collateral consequences of state activity: (1) as unintended consequences of regular operations by the military and the police agencies and as (2) indirect consequences of the socio-economic modernization programs initiated by the Ramos administration. Finally, I underscore that there was an apparent absence of human rights abuses resulting from "selective political repression", or a national policy that targets civilian targets and unarmed activists for political killings and physical harassment.

### 3.4.1 VIOLATIONS AS UNINTENDED CONSEQUENCES OF REGULAR POLICE AND MILITARY OPERATIONS

Many human rights violations emerged as a result of individual or small-group mistakes committed by one or several members of the military and police agencies. The range of violations included the following: false identification of ordinary civilians as armed rebels; inability of the government to efficiently process the legal claims of several political prisoners held captive during the Cold War years; claims of torture committed by individual police officers or soldiers; and personally-motivated physical abuses committed by the state-sponsored Civilian Armed Forces Geographical Units (CAFGUs).<sup>86</sup> Since the establishment of the CAFGU in the late 1980s, around 800 legal cases pertaining to human rights violations were filed against its 1001 members as of the year 2000 (Philippine Commission on Human Rights 2000).

In the late 1990s, the Estrada presidency witnessed an upsurge of cases of kidnapping of private wealthy individuals. Based on the reports by the Philippine National Police (PNP), the number of kidnapping cases nationwide increased from 25 in 1991 to a peak of 179 in 1996 (McCoy 2009:454). Thus, in 1999, the Commission on Human Rights (CHR) disclosed that PNP officers “were responsible for almost 22 percent of the human rights violations involving deaths”, while other instances were attributed to the Armed Forces of the Philippines (AFP) and the CAFGU. The problem of crime in the late 1990s, particularly during the term of President Joseph Estrada, was so severe to the extent that daily TV programs were plagued with news about kidnapping incidents of wealthy Filipinos. One of the widely known cases of human rights violations emerging from regular criminal policing operations is the *Kuratong Baleleng* incident (US Department of State 1998).<sup>87</sup> It occurred in 1995 when PNP General Panfilo Lacson apparently commissioned the brutal killings of 11 men suspected of robbery. It took almost four years before Lacson faced a court trial,

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<sup>86</sup> Established by President Aquino in 1987, the CAFGU is an auxiliary army unit of the AFP. Reservists and army volunteers largely comprise CAFGU forces. They act as a para-military support force for the AFP in communities that are infiltrated by armed communist or Islamic secessionist rebels.

<sup>87</sup> The *Kuratong Baleleng* was an organized crime group involved in several illegal activities. It was widely believed that the group was established by the AFP in Mindanao in the mid 1980-s in order to fight communism in the region. As a para-military group, *Kuratong Baleleng* was also involved in other illegal activities such as drug trafficking in order to gain huge profits for its individual members.

in which he and his colleagues were eventually acquitted.<sup>88</sup> Indeed, Lacson's acquittal was largely seen by the Filipino public as the failure of the judicial system to exact justice even to the most powerful state officials. Furthermore, the *Kuratong Baleleng* incident demonstrated that shared expectations of the elected Filipino officials and the US government about human rights protection were not enough to obliterate all state-initiated human rights abuses. The incident illustrated the nature of many violations that occurred in the 1990s, when there was an absence of a deliberate national policy of killing non-combatant civilians. Furthermore, the *Kuratong Baleleng* incident indicated that regular police operations were inevitably vulnerable to unintended outcomes such as the inadvertent killings of civilians, thereby contributing to the statistics on reported human rights violations. Despite the numerous US-sponsored programs on judicial reforms (Blair and Hansen 1994; Messick 1999) and a Philippine government that was committed to strong human rights protection, the domestic legal justice system remained largely inaccessible to many victims of reported violations (US Department of State 2000). Such an institutional frailty in the justice system enabled some erring military agents and police officers to continue with their abusive actions regardless of the shifts in strategic policy goals of the central civilian government.

Notably, the marked expansion in criminal policing activity during the late 1990s most likely contributed to the increase in PTS scores from 3.0 in 1998 to 4.0 in 2000. While there was indeed an absence of a national government program that promoted the killings and harassment of unarmed civilians, the Estrada administration tasked the military and police provincial units to increase the scale of their offensive operations against these suspected kidnap-for-ransom groups. In fact, the decision of President Estrada to carry an all-out war against armed civilians was not only limited to ordinary criminal syndicates in Metro Manila but also to other armed groups in the provinces including those in the conflict-ridden Mindanao island in the southern region.<sup>89</sup> Reacting to this surge of kidnapping incidents that even escalated to a

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<sup>88</sup> Quite ironically and perhaps as a reflection of the problems in the judicial system, it is interesting to note that Panfilo Lacson eventually became successful in Philippine national electoral politics, where he served as Senator from 2001 to 2013.

<sup>89</sup> Such policy action was triggered by a kidnapping spree that was started by the Abu Sayyaf Gang (ASG) in the late 1990s. The victims were several Western tourists who spent their vacation in southern Philippines. Shortly after the 9/11 attacks, the US and Philippine governments re-classified

diplomatic crisis, Estrada vowed to “crush the kidnappers and reduce them to ash” (Spillius 2000).<sup>90</sup> Consequently, the number and scale of combat operations increased in southern Philippines. In fact, it was widely believed that even the US Special Forces assisted in the operations (Kirk 2005; McCoy 2010). Because of the secrecy of the operations and the extremely limited access of domestic and international media to many remote conflict zones, one can only surmise that such operations led to the accidental killings and physical injuries of ordinary residents in Sulu and Basilan islands in Mindanao.

### 3.4.2 VIOLATIONS AS CONSEQUENCES OF SOCIO-ECONOMIC PROGRAMS

Some human rights abuses emerged as unintended consequences of the ambitious socio-economic modernization programs<sup>91</sup> that were aggressively implemented by the Ramos administration. To a large extent, the US government promoted these neoliberal economic development programs (Andrei 1999; Bello et al. 2004; D. Briscoe 1993a; Tira-Andrei 1994; Weissman 1994) in many developing countries including the Philippines. Yet, its collateral costs included the forced displacement of thousands of citizens from their original settlement with the aim of converting their residential lands into highly profitable commercial spaces. The provincial or local governments, in many cases, deployed local police and military units when communities resisted these projects. The commercial projects were publicly sold either as economic development initiatives that usually resulted from public-private partnerships or as strategic economic ventures between the Philippine

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the ASG not only as a criminal syndicate but also as a terrorist group, with purported connections to the regional network *Al Jama'iyah Al Islamiyah* that is supported by the Al-Qaeda.

<sup>90</sup> See for example the various kidnapping incidents involving some Europeans and Americans as victims of the Abu Sayyaf Group (ASG), most especially the May 2000 incident that even involved some high-level diplomatic talks between the Philippine government and the respective national governments of the victims. The hostages were taken from a Malaysian island resort to Sulu islands in southern Philippines, a region that is known for “piracy, smuggling and general lawlessness” (McCarthy 2000). In April 2000 the ASG captured 50 individuals in Basilan island and even demanded the government in Manila to ask US President Clinton “to release Yousef, the World Trade Center bomber currently serving a 240-year sentence in the U.S.” – a request that Philippine President Estrada easily dismissed (McCarthy 2000).

<sup>91</sup> See for example the detailed sociological accounts of Walden Bello (2007) and Robinson (1999) with regard to the US-supported neoliberal economic programs in the 1990s and how these external interventions affected the domestic politics in the Philippines.

government and American MNCs and local companies (Bello et al. 2004; Kelly 1997; Shatkin 2000). In the process of implementing such projects in poor areas, companies and firms surreptitiously contracted some groups of the military and police units in forcibly displacing local inhabitants, which sometimes led to violent encounters between civilians and armed state agents. Such incidents demonstrated that even well intentioned socioeconomic development programs could inadvertently lead to human rights violations.

As I show in this section, the corrupt tendencies within the military and police units to connive with private interests even thrived during a period when shared expectations on human rights vis-à-vis economic development dominated. By cooperating with private businessmen, some police and military officers resorted to violent means of silencing political dissent by ordinary civilians detrimentally affected by various commercial projects. Most of the victims, who often came from a financially poor background, were unable to file a case in domestic courts primarily because of the exorbitant costs of legal services.

Notably, the observations of collateral violations emerging from the implementation of socio-economic programs were abundant both in the rural areas and in Metro Manila. Thus, a good example that illustrated the violent implementation of socio-economic programs was the Public Estate Authority (PEA) - Amari Development Corporation deal in the mid-1990s. The project included the government's sale of reclaimed lands in the Manila Bay to Amari Corporation, with the aim of establishing luxurious real estate development projects. Private security men and government police forces violently relocated thousands of poor families from Manila Bay's fishing communities. A large sector of the Filipino public conceived the project as "immoral, illegal, and grossly unconstitutional state venture" (Corpuz 2003). In fact, in 1998, the Ecumenical Commission for Displaced Families, a local NGO, documented seven forced displacements in Metro Manila because of the government's action to demolish houses in Manila Bay. Such demolitions affected the lives of around 15,876 individuals in 2,646 families, as government agents physically harassed many of those civilian residents during the relocation process (Corpuz 2003). There is no evidence, however, of a national government-sanctioned policy that explicitly and directly allowed violent demolitions by local police units. Based on the



cultural norms in the country, it is highly likely that those police officers involved in violent demolitions were secretly contracted by private firms, with some form of consent or latent support from the provincial or local government. As the data below show (Figure 3.15), the police and the local governments garnered the largest number of formal cases of corruption filed in 1995, involving huge amounts of money amidst a boom in economic development and decentralization in governance during the 1990s.<sup>92</sup> Thus, it is not surprising to see that many police officers were likely involved with private businessmen in violently repressing peaceful resistance from ordinary civilian residents who opposed the large-scale commercial ventures in their areas. The aforementioned examples suggested that the increasing shared expectation for rapid economic development inadvertently encouraged local governments and even their respective police units to facilitate covert business activities even at the expense of the physical integrity rights of the financially poor people.

Bureau	No. of cases	% of total	Amount involved (In Million Pesos)	% of total	Ave. Amt/Case
Philippine National Police	621	17.2%	1,204.06	33.9%	1,938,898.55
National Police Commission	5	0.1%	0.01	0.0%	2,400.00
Municipal governments	1,941	53.7%	745.83	21.0%	384,248.84
Provincial governments	393	10.9%	443.61	12.5%	1,128,776.08
City governments	275	7.6%	457.88	12.9%	1,665,018.18
Barangay	339	9.4%	680.98	19.2%	2,008,775.81
DILG	9	0.2%	13.41	0.4%	1,489,777.78
Bureau of Fire Protection	24	0.7%	1.48	0.0%	61,666.67
Others	5	0.1%	0.16	0.0%	32,000.00
<b>Total</b>	<b>3,612</b>	<b>100.0%</b>	<b>3,547.41</b>	<b>100.0%</b>	<b>982,117.11</b>

Source: Office of the Ombudsman, Inter-office Memorandum, 15 December 1995.

Figure 3.15 Number of CASES Filed at the Anti-Corruption Ombudsman and the Amounts Involved, 1990-1995+++Data from Batalla (2000).

Amongst the many sectors affected by large-scale economic development agenda in the 1990s, indigenous tribes were arguably the most detrimentally affected. To be sure, the collateral human rights abuses as immediate outcomes of the proliferation of commercialization and economic development projects were not limited to urban areas such as Metro Manila. In the rural areas, private companies

<sup>92</sup> This is based on the data cited in Batalla (2000). The data contain some statistical information on cases filed in *Sandiganbayan*, a special judicial court with jurisdiction on criminal and civil cases pertaining to graft and corruption involving government officers and employees. It was during the time of Ramos when the Local Government Code was passed in 1992, which promoted more autonomy for local government units in order to boost effective governance and economic development in their respective regions (Batalla 2000).

contracted some members of the local military and police units in order to provide security to powerful business actors, while commercial construction projects were being undertaken. Filipino police officers and soldiers stationed in rural areas tended to harass unarmed local residents, who were against massive commercial projects in the areas. In the process, state agents have undermined indigenous peoples' rights. Although it was in the mid-1990s that the landmark Indigenous Peoples' Rights Act (IPRA) was enacted, the physical harassment and killings of people from indigenous communities persisted, most of which resulted from the dramatic proliferation of economic development projects. Calling the government programs as "development aggression", the indigenous communities lost their ancestral lands in an unprecedented magnitude in favor of large-scale economic development projects that were first seen in the 1990s (Bauzon 1999, 263). Such economic projects included the building of hydroelectric dams, mining operations, and private real estate projects brought by increased foreign direct investment from the US. For instance, in April 1993, the Bugkalot Tribe in northern Philippines opposed the construction of a 300-megawatt dam near their communities because the project was expected to "submerge 3,600 hectares of their land and displace 18,000" members of their tribe (United States Department of State 1994). The permanent displacement of the tribal groups from their ancestral lands was enforced with threats of physical violence from the local police and the companies' private security groups. Yet, the project itself was part of a comprehensive socio-economic policy of the Ramos administration that aimed to resolve the decades-old energy crisis. Without an explicit official mandate from the central command of either the police or the military, some private firms contracted some military and police officers, a deal that also gained some latent support from several provincial governments. Similarly, in Bukidnon province in central Mindanao, local police units accidentally killed two members of the Higaonon indigenous tribe as well as a local civilian and injured three others including an eight-year old girl. The incident occurred in 20<sup>th</sup> July 1997, when local security forces cooperated with the provincial police units "in the course of forcibly removing" the Higaonon tribe "from lands that they claimed as ancestral domain but to which a powerful local family also laid claim" (US Department of State 1998). The initial aim was to remove more than 600 members of the tribe from these contested lands. Police officers claimed that the killings were accidental, and some members of the tribe were also armed during the demolition incident.

The aforementioned instances of armed encounters between state security forces vis-à-vis the indigenous people established the finding that the human rights abuses occurred unsystematically and without the deliberate intention of the central government in Manila, lest to say the US government. Compared to similar armed encounters between the indigenous peoples and local state actors after 9/11, the incidents that occurred in the 1990s exhibited a central police and military command interested in investigating their local units for possible abuses.

Because many of the collateral violations emerging from economic commercialization projects occurred in rural areas, indigenous peoples became easy targets of state repression. Such incidents of repression occurred despite the landmark political reforms that sought to improve the plight of indigenous communities. In fact, with the political support of the US government, the Philippine government ratified the Indigenous Peoples' Rights Act in 1997 that legally recognized the ancestral claims of these tribes to their lands and created the National Commission on Indigenous Peoples (NCIP), an autonomous government agency that is responsible for policies promoting the welfare of these marginalized groups. Since the inception of the NCIP, the US government started funding many local NGOs that promoted the welfare of indigenous tribes and even provided financial support for various grassroots organizations that function as critical political voices that called for stronger protection of the indigenous communities. The growth in the 1990s of such NGOs, functioning as effective deterrence against state abuses, was unprecedented. In the words of USAID Mission Director Patricia K. Buckles in October 1999 during an annual conference for funding partners, the country is an "NGO superpower" and that "the amazingly rich and diverse experience of civil society organization in the Philippines now benefits not only Filipinos, but also people beyond the country's boundaries" (Racelis 2000, 162). Towards the end of the 1990s, NGOs, many of which were funded by the USAID, substantially contributed to "redefining the content of politics" because "topics that would once have been deemed inappropriate for legislation— rape, other violence against women, the rights of indigenous people — have now become subjects of debate and successful parliamentary legislation" (Racelis 2000, 171). That being so, the shared goals among US and Philippine officials for stronger human rights protection were realized when local human rights NGOs — many of which received USAID grants — contributed to a "large, highly

organized, and politically prominent civil society” (Silliman and Garner 1998, 13). In effect, these organizations consistently pressured police and military agents to tolerate peaceful political opposition.

Furthermore, the USAID and other private US-based organizations (e.g. The Ford Foundation and the Asia Foundation) significantly aided the proliferation of vigilant civil society organizations, especially those that advanced the interests and rights of marginalized groups (Andrei 1999; Briscoe 1993a; Cruz 1993; Fisher 1999; The New York Times 1992b). For instance, between the early until the mid-1990s, “the number of registered NGOs in the Philippines grew by 160 percent” (Clarke 1998 xxvi), and a large number of civil society groups expanded their activities because of the seed funding provided by USAID and various forms of US government funds channeled through other American NGOs (e.g. The Asia Foundation) operating in the country.<sup>93</sup> To illustrate this, in Cebu, the second largest city in the archipelago, the Ramon Aboitiz Foundation Incorporated (RAFI) emerged as a key player in the local civil society sector when it received substantial USAID funding that financed the construction of a “purpose-built six-story building to house other NGOs and to host NGO conferences and training seminars” and numerous capacity-building workshops for other smaller NGOs that promoted human rights and private economic entrepreneurship (Clarke 1998, 137). Such local organizations complemented US foreign policy in the Philippines on human rights promotion and democratization by aiding the expansion of the local civil society.

Had this human rights-oriented strategic support from the US and the emerging norm for greater human rights protection been absent, we could expect that the scope and extent of violations would be much higher. In effect, these important post-Cold War legal and political developments guaranteed the protection of marginalized people’s interests and provided a congenial space for open political opposition. With

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<sup>93</sup> According to the account of Mary Racelis (2000, 172-173), the USAID in the Philippines differentiates the work of NGOs engaged in “democracy-through-governance” and others that are preoccupied with “democracy-through-development”. While the former refers to aid primarily aimed with governments as target recipients (such as Commission on Human Rights and other agencies), the latter is designed to funding and supporting projects that bolster civil society through community organization and other socioeconomic activities. The USAID redefined the Philippine landscape of state-civil society relations particularly by providing huge amounts of financial support to “coalition-building programs among basic-sector groups like fisher folk, the urban poor, indigenous people, women and children working in the informal sector, coconut farmers, and microfinance groups” (Racelis, 173).

financial and political support from the US government, domestic policies by the government in Manila substantially deterred potential abuses by making it more difficult to extensively implement systematic repression of peaceful political opposition.

### 3.5 ANALYSIS: STRONGER HUMAN RIGHTS PROTECTION IN THE 1990s

In view of the empirical context in the Philippines during the 1990s, why did the pre-9/11 context show a much lower number of human rights violations compared to the Cold War period and post-9/11 years? Indeed, the Philippine human rights situation in the 1990s can be productively explained by my theory of interest convergence. In particular, the case demonstrated the confluence of shared expectations and interests of the US and Philippine governments towards non-militaristic policy priorities especially on democratization, human rights, and economic development. In order to secure the political support of the Clinton administration and the Filipino domestic public, the Philippine government under President Ramos strategically reinterpreted stronger human rights protection as a necessary element of a government strategy for long-term economic development. Such framing proved to be appealing to the broader Philippine society. This was especially the case because the country just began its transition to democracy in the late 1980s after the collapse of the two-decade authoritarian leadership of President Marcos. On the part of the US, the Clinton administration began shifting its focus on trade and democracy promotion as foreign policy priorities in the 1990s. In other words, the strategic localization of human rights norms in light of the Philippine context in the 1990s increased the credibility of the reformist agenda of Ramos and facilitated the influx of pro-human rights US strategic support to the Philippines. Consequently, the Philippine government, with the support from the Clinton administration, optimized all domestic policies and state agencies in ways that made human rights and economic development at the forefront of the national agenda. In contrast to the Cold War and post-9/11 periods, the Philippines in the 1990s did not have an official policy that castigated peaceful political opposition as targets of state repression; instead, the Philippine government widely tolerated unarmed opposition and integrated former armed rebels into mainstream politics. Also, several US-funded

programs in the country complemented the domestic policy transformation favoring human rights norms. In effect, such domestic policies and US strategic support jointly bolstered stronger human rights protection in the country.

One must note, however, that the changes in shared expectations among Filipino and American political elites emerged as reactions to dynamic changes in the Philippine society and global politics in the 1990s. At the transnational level, the end of the Cold War provided an impetus for the Clinton administration to focus on promoting democracy and American economic interests abroad.<sup>94</sup> As a result, the US government no longer had to heavily rely on militaristic policy options in order to combat the “domino effect” of the spread of communism — a threat that was considered to be largely inconsequential in the 1990s. At the domestic level, a strong domestic disdain against violators emerged in response to the widespread human rights violations committed by the US-supported Marcos regime.<sup>95</sup> In the eyes of the Filipino public, the images of the end of the Cold War and the eventual collapse of the Marcos regime in 1986 bolstered the significance of human rights and democratic procedures in national governance (Montiel 2006, 173; Magno 1987). Pro-democratic and human rights-oriented policy agendas of Filipino reformist politicians gained more traction especially with the end of the Cold War. Such was the case because anti-Marcos politicians justified how the end of the Cold War meant a boost for the human rights agenda, while undermining the political appeal of authoritarian regimes. In other words, the Filipino domestic public interpreted the end of the Cold War in the 1990s as a powerful historical justification for open democratic regimes and stronger human rights protection as important domestic political priorities. For reformist politicians (such as the Liberal Democratic Party and other anti-Marcos political parties that emerged in the 1990s), the strategic interpretation of international events was useful for their own political interests because such interpretation undermined the authority of the cronies of Marcos (Thompson 1987). Such actions demonstrated how

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<sup>94</sup> Refer to a detailed discussion of Brinkley (1997) on Clinton’s “democratic enlargement” paradigm and the US government’s foreign policy strategy in the 1990s.

<sup>95</sup> The support from the US government to the authoritarian Marcos regime was crucial to the survival of the Marcos regime. As Chenoweth and Stephan (2011, 168) correctly observed, “Marcos agreed to leave power only after the US government made it clear that it would no longer provide the massive amounts of military and economic aid that kept his regime in power”. Similarly, De Castro (1999, 122) noted that 90% of the total operations and maintenance budget of the Philippine military prior to 1992 came from US assistance, either through loans or grants.

Filipino domestic elites interpreted the end of the Cold War in ways that sought to delegitimize the appeal of Marcos cronies and authoritarian forms of governance.<sup>96</sup>

How did policies emerging from the convergence of US and Philippine governments' shared expectations bolster human rights? The human rights situation in the Philippines during the pre-9/11 period shows how domestic politics and US foreign policy reinforced each other in ways that were contributive to human rights improvement. At the domestic level, the late 1980s and the early 1990s witnessed an expanding civil society movement.<sup>97</sup> During this period, a new cadre of younger and pro-liberal democratic politicians became more prominent and influential in mainstream national and local politics, while the human rights agenda was first explicitly introduced in the 1987 constitution.<sup>98</sup> Following the fall of the two-decade old dictatorship of Ferdinand Marcos in 1986, several important political developments effectively addressed an emerging domestic political demand for stronger human rights compliance. Civil society movements in the early 1990s kept the elected governments of Corazon Aquino, Fidel Ramos, and Joseph Estrada more compliant with human rights norms. At the international level, the US in the 1990s had a growing domestic political coalition, which supported democracy and human rights promotion as a general strategy for promoting international stability and American interest (Russett 1993).

Indeed, human rights protection emerged not only as mere policy rhetoric. In fact, it was integrated in the core policy reform agenda of the Armed Forces of the Philippines, the Philippine National Police, and other state security units — agencies that were heavily implicated in the human crisis during the Martial Law and post-9/11 eras. Such development was shown in a comparative case study by Rosalie Arcala Hall (2006), who examined civil-military relations in 20 “military frontline” villages in Panay Island in central Philippines. Accordingly, during the Cold War, Philippine

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<sup>96</sup> Similarly, Marcos also reframed the Cold War and the threat of international communism by positing any form of domestic rebellion in the Philippines in the 1970s and early 1980s as detrimental to national security. In doing so, Marcos and his cronies justified statewide extrajudicial killings and enforced disappearances in order to uphold national security, while also consolidating his political rule. See the discussions by Chenoweth and Stephan (2011, 147-171) and Boudreau (2004, chapters 6 and 8).

<sup>97</sup> Referring to the late 1980s, Villegas (1987, 203) noted that the “increased democratic space in the country has allowed the proliferation of political groups”, which were crucial in making the state more accountable to its supposed human rights commitments.

<sup>98</sup> Thompson (1996, 197) rightly observed that, “the Philippines owed its entry into the club of new democracies to the victory of “moderate” politicians over armed opponents in the race to bring Marcos down”.

military units focused on conducting “more offensive operations” by terrorizing the community (Hamilton-Hart 2010, 121; McCoy 2006, 75-78).<sup>99</sup> Such approach was dramatically different in the 1990s, when soldiers and local residents, particularly those in conflict-prone areas, received intensive human rights training and awareness programs conducted by the Commission of Human Rights and USAID-funded civil society groups.

Certainly, the aforementioned domestic and transnational developments reflected the two-level logic of shared expectations amongst US officials and political actors and the domestic public in the Philippines. Stronger human rights protection was an outcome of the confluence of interests of key domestic political constituencies in the Philippines and the US. This meant that the convergence of interests of US and Filipino political elites generated local policies and fundamental constitutional initiatives that were all supportive of human rights. As such, William Robinson (1996,138), in his studies on the post-Marcos regime in the Philippines, rightly observed: “mass constituencies pushing diverse programs of popular democratization contended with the efforts by the United States and much of the elite”. In effect, these US and domestic programs and policies bolstered the fast-tracked improvement of human rights in the Philippines in the 1990s.

Why and how did the Philippine government, especially the Ramos administration, decide to widely tolerate peaceful political opposition — a policy stance that was clearly absent during the Cold War and post-9/11 periods? The elected central civilian government’s strong authority, which was derived from its commitment for democratic openness and human rights, played a key role here. In the 1990s, the Ramos and the Estrada administrations consistently enjoyed high satisfaction ratings compared to their successor post-9/11 administration of Gloria Arroyo. As shown in figure 3.16 below, public satisfaction can be a good indicator for politicians to gauge public perception of their leaders’ political authority. On that regard, the Ramos and Estrada administrations had a relatively weak incentive to

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<sup>99</sup> US involvement in the expansion of state repression in the Philippines during the Cold War is well documented. As Hamilton-Hart (2010, 121) explains, the “CIA maintained close ties with Philippine military, police and intelligence personnel, at a period when the use of torture and extrajudicial killing by these agencies was particularly high, even by the standards of authoritarian regimes.”



extensively repress legal political opposition in order to secure the perceived stability of their leadership.

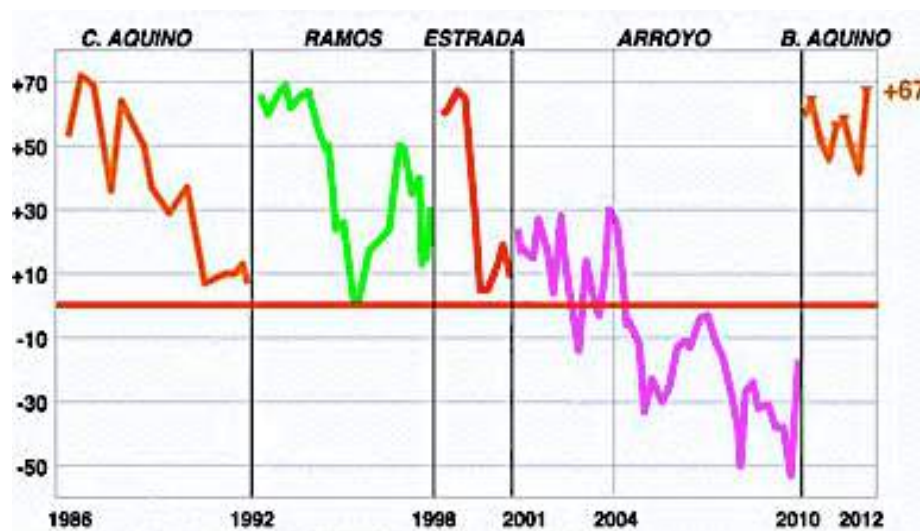


Figure 3.16 Net Satisfaction Ratings of Philippine Presidents, May 1986- August 2012 (Source: Social Weather Station)

Consequently, the Ramos and Estrada administrations did not perceive a need to contract the military and local police units in the violent harassment of unarmed political opposition. Whereas the political opposition was violently repressed during the tenure of President Marcos (Cold War era) and President Gloria Arroyo (War on Terror period), President Ramos embraced a different approach (Clarke 1998, 179):

Tension between the government and human rights (NGOs) is a necessary element in the democracy we are trying to build. We in government must learn to realize that they are not the enemy.. I [want] to see both government and NGOs to work closely together...[with] more openness between us (and) more empathy with one another's situation.

Second, the post-Cold War US foreign assistance to Philippines, albeit dramatically reduced, was then redirected to the building of state institutions and agencies that were perceived as supportive of human rights, democracy, and economic development. Together with numerous USAID-funded projects for Filipino human rights organizations, the Philippine government's innovative institutional reforms included the creation of the Commission of Human Rights, National Council of Indigenous Peoples, and human rights and women's welfare desks in various

provincial police offices, among others. The creation of such pro-human rights agencies and the US government's assistance for the expansion of a vigilant human rights and civil society network in the Philippines most likely contributed to an overall reduction in the total number of reported violations.

An important puzzle that the pre-War on Terror Philippine case raises is about the persistence of some abuses despite the influx of pro-human rights US strategic support and a human rights-oriented central government in Manila. In other words, why did some residual human rights abuses emerge? The empirical evidence from this period suggested two important empirical insights with regard to the patterns of abuses. First, some erring police officers and military agents committed abuses precisely because of the individual financial motivations (e.g. bribery by private firms) and other financial reasons (McCoy 1999) brought by the rapid economic growth in the 1990s. Second, many human rights abuses, which were committed during the 1990s and the decades before that, have yet to be effectively addressed in the country's judicial system.<sup>100</sup> These two points illustrated an apparently entrenched condition in the Philippine bureaucracy — a persistently corrupt culture in the justice system as well as the police and military agencies (Agabin 2012). Based on a survey conducted last December 2000, 72 percent of the Filipino respondents “called the amount of corruption in the government to be very large or somewhat large”, with the judiciary and police/military agencies appearing on top of the list (World Bank 2001 p.i-ii). The survey revealed that around 50 percent of the total number of respondents expressed distrust of the Supreme Court, 47 percent for the Supreme Court and local judges, and 55 percent for the police institution. Indeed, “the proportion of Filipinos who believe that most or many judges can be bribed remained unchanged at 57 percent from April 1997 to December 1999, the corresponding percentage for lawyers increased from 60 percent to 65 percent during the same period” (World Bank 2001, ii).

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<sup>100</sup> An illustrative example of the entrenched inability of the Philippine judicial system can be seen through the failed compensation of the estimated 7,000 human rights victims of the Marcos regime. Instead of the Philippine Supreme court taking the responsibility, human rights claimants had to resort to the courts of State of Hawaii (where Marcos fled to in 1986) in order to receive their compensation. As Jerry Orcullo, one of the leaders of an NGO on political detainees ('Selda'), argues: “Mas maayo pa ang hustisya sa Hawaii kay sa ato dinhi sa Pilipinas” (The justice in Hawaii is better than ours here in the Philippines).” See Managbanag (2014).

Although the elected administrations of Ramos and Estrada throughout the 1990s enjoyed a relatively strong political authority within and beyond the state, the commission of human rights abuses persisted because of some erring police officers and soldiers. This only reflected the institutional inertia of some pockets of the state security apparatus to go with the tide of stronger human rights protection. As Bernardo Villegas, a Harvard-trained economist and one of the country's foremost public intellectuals, opined: "We thought our institutions were so strong that it no longer really mattered who was president... now we realize there's a limit to that" (Frank 2000). Indeed such limitations referred to the institutional deficiencies within the Philippine military and the Philippine National Police, in which some of their individual officers and rank-and-file agents still succumbed to corrupt practices.<sup>101</sup> Such tendencies can be seen in several instances, whereby police officers and soldiers stationed in rural provinces connived with private investors in order to secure some commercial projects, many of which were heavily resisted by local residents. Facing peaceful resistance from local residents, these soldiers and police officers responded with violence, largely because of the financial incentives offered by wealthy private investors. Because many of these rural residents were financially disadvantaged, many of these abuses did not prosper as legal cases in the judicial system.

As expected, the reduced amounts of US military aid in the 1990s engendered the limited scale of operations of state security agencies. In order to implement large-scale counter-insurgency operations, the Philippine military has traditionally been relying on the funding from the US government. Thus, when US military aid to the Philippines eventually dried up in the 1990s, the frequency and scale of military combat and police operations against armed rebels subsequently diminished.

In closing, this chapter presented and analyzed empirical evidence from pre-9/11 Philippine human rights situation vis-à-vis the transformation in the purpose and scale of US strategic support. The evidence confirmed the central tenet of my theory of interest convergence: the conjugation of the donor and recipient countries' shared expectations and strategic purposes fundamentally shape the ways in which domestic

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<sup>101</sup> See for example the theoretical literature on path-dependence, increasing returns, and institutional inertia Pierson (2000; 2004). Empirically, refer to the following works for a detailed historical-institutionalist discussion on the Philippine military: Hernandez (1995; 2006), Hernandez and Ubarra (1999), McCoy (1999), Pobre (2000).

policies can either promote or undermine human rights. In the case of the Philippines in the 1990s, the confluence of strategic interests of American and Filipino officials toward stronger human rights protection together with the Philippine government's strong political authority optimized US strategic support and local political reforms in ways that widely tolerated peaceful political opposition and promoted other non-militaristic policy goals. Furthermore, I established that the Philippine government's strategic reinterpretation of human rights as crucial to long-term economic development facilitated the influx of pro-human rights strategic assistance from the US government as well as transformative domestic policies that widely tolerated peaceful political opposition. Moving forward, the next chapter will probe the plausibility of my theory of interest convergence based on the empirical evidence from the Philippines' human rights situation during the War on Terror period, from the years 2001 to 2009.

## 4 WAR ON TERROR PERIOD IN THE PHILIPPINES (2001-2009)

### Chapter 4

#### 4.1 INTRODUCTION

The main goal of this chapter is to examine how and under what combination of transnational and domestic conditions did the severe human rights deterioration emerge in post-9/11 Philippines from 2001 to 2009. The principal finding in this chapter is that terror-oriented strategic support from the US government bolstered the regime-consolidating tendencies of President Gloria Macapagal Arroyo and her political allies as well as the institutional deficiencies of the Philippine state. In particular, the weak political authority of the Arroyo administration and the terror-oriented policy discourses of American and Filipino officials resulted in two transformative policy patterns. The first pattern referred to Filipino government officials designation of a high priority status for domestic counter-insurgency against armed Islamic and secessionist rebels, which facilitated an increase in collateral human rights violations. The second pattern, meanwhile, pertained to a highly selective employment of state repression upon unarmed civilians deemed as ‘state enemies’, as exemplified in the widespread killings of legal political opposition members, critical media personnel, and unarmed activists. The two policy patterns exemplified how Filipino and American policy elites’ shared expectations on the importance of counter-terrorism led to concrete domestic policies that resulted in both collateral and intended human rights violations in the Philippines. Thus, my main argument posits that the conjugation of terror-oriented policy aims of the US and Philippine governments from 2001 to 2009, together with the weak authority of the Arroyo administration, escalated domestic state repression in the Philippines, which in turn, led to the proliferation of intended and collateral human rights abuses.

On that regard, the main argument and the causal explanations unfold in five parts. First, I provide a general characterization of the human rights situation vis-à-vis America’s foreign policy goals and bilateral aid to the Philippines from 2001 to 2009. Next, the chapter examines the shared policy expectations of American and Filipino

political elites as well as the broader Filipino public in light of the post-9/11 security context. Third, I demonstrate that the terror-oriented agenda was realized in the various domestic policies strategically crafted by the Philippine government led by President Gloria Macapagal-Arroyo. Consequently, this chapter provides an analytical survey of the types of human rights violations that emerged during this historical period. Finally, I conclude by explaining the theoretical implications of the empirical evidence from post-9/11 US-Thai counter-terror cooperation.

## 4.2 POST-9/11 HUMAN RIGHTS SITUATION IN THE PHILIPPINES

In contrast to the improved situation in the 1990s, the human rights situation in the Philippines deteriorated from 2001 to 2009. In the 2000s, domestic human rights groups recorded a staggering number of 700 summary executions of unarmed civilians by state agents under the Arroyo administration (Karapatan 2009). Based on other sources, around 300 cases of “enforced” or “involuntary” disappearances were reported from 2001 to 2010 (Asian Federation Against Involuntary Disappearances 2010). Such number is substantially higher compared to the previous decade, marking a notable 109 percent increase after 9/11. Notwithstanding the conflicting reports of various organizations as to the exact number of human rights violations reported during this period, there is an undisputable consensus among local and transnational human rights groups, domestic public, and scholars alike that the Arroyo presidency was the worst in terms of human rights protection since the end of the Cold War (Katigbak and Parreno 2002, Conde 2009, Curato and Arugay 2010, Wilson 2010). In the 2007 official report to the UN Human Rights Council (Francia 2007, 16; Alston 2007a, 16; Alston 2007b), UN representative Philip Alston reported that, from the years 1986 to 2002, the number of journalists “killed averaged between 2 and 3 per year” in contrast to the years from 2003 to 2006 when “the number killed averaged between 7 and 10” (Alston 2007a, 16). In addition, the UN reported that “some killings had been perpetrated to prevent journalists from exposing information related to the crimes and corruption of powerful individuals”, (Alston 2007a, 16) most especially local and national politicians supportive of Arroyo.

The illustrations below present a key transformation in the human rights situation in the Philippines from 2001 to 2009. Figures 4.1, 4.2, and 4.3 demonstrate the fluctuations in the amount of US bilateral aid to the Philippines over time. Figure 4.1 shows the sudden drop of military aid following the end of the Cold War in the early 1990s, and these levels of aid were maintained at the minimum until 2000. After the 9/11 attacks, the amount of US military aid skyrocketed from less than 10 million USD in 2001 to almost 75 million USD in 2002. High amounts of US aid were maintained throughout the decade since 2002, which greatly exceeded the minimal average amounts of aid recorded in the 1990s. In contrast, figure 4.2 below illustrates that the amounts of US economic aid to the Philippines remained constant or almost unchanged throughout the 1990s and even after 2001. Hence, figure 4.3 shows that combined amounts of US economic and military aid dramatically decreased in the 1990s compared to the Cold War period, but it increased substantially after 2001. Notably, the data initially suggest that US strategic purpose of providing aid to the Philippines after 2001 was orientated towards militaristic goals.



Figure 4.1 US Military Aid to the Philippines 1992-2012

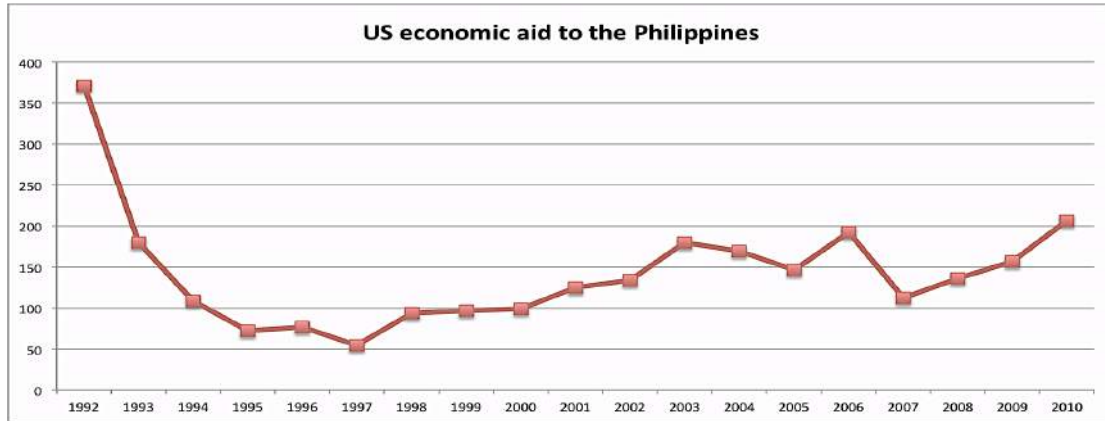


Figure 4.2 US Economic Aid to the Philippines 1992-2012

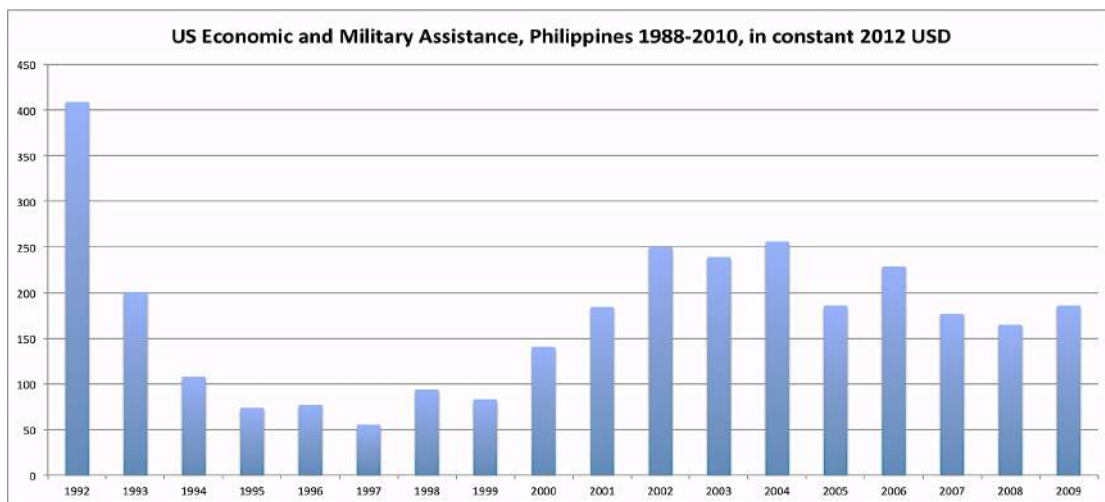


Figure 4.3 Combined US Economic and Military Aid to the Philippines 1988-2010

Meanwhile, figures 4.4 and 4.5 as presented below, illustrate the changes in the severity of human rights violations in the Philippines over time. Figure 4.4, in particular, reveal that the over-all human rights situation deteriorated after 2001 when compared to the improving situation in the 1990s. By looking into the average number of political killings recorded per year, figure 4.5 uncovers the pattern of repression, whereby the high numbers of political killings were recorded during the Cold War and the War on Terror periods.





Figure 4.4 Political Terror Scale of the Philippines, 1993-2010

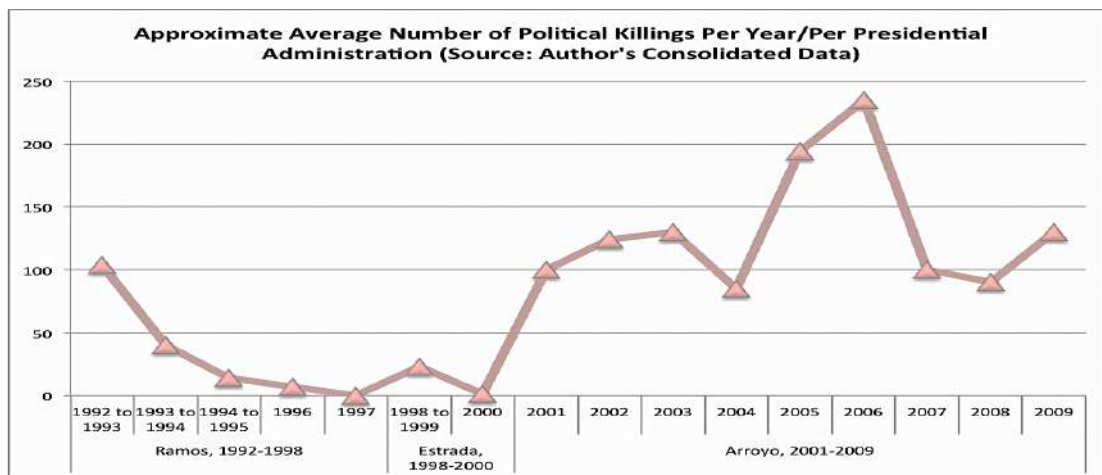


Figure 4.5 Average Number of Political Killings Per Philippine Presidential Administration

Data Sources: Clarke (1998, 190), Silliman (1994, 107), and reports from the Asian Federation Against Voluntary Disappearances, International Association of Peoples' Lawyers; Families of Victims of Involuntary Disappearances, and KARAPATAN.

The preceding empirical observations raise several important questions. In particular, what were the factors that led to this exercise of publicly shaming and labeling political opposition members as “enemies of the state”? Did the US-supported counter-terror operations in the country contribute to the deterioration of human rights situation? Following my theoretical framework, I analyze how US counter-terror strategic support and the domestic politics in the Philippines in the 2000s contributed to the human rights deterioration after 9/11. Specifically, the empirical evidence illustrates that the Philippine government under the leadership of

President Arroyo re-interpreted terror-oriented discourses in ways that suit the internal security situation in the Philippines. This strategy bolstered the political appeal of the US-led counterterror policy agenda in the eyes of the Filipino public. Yet, the Arroyo administration's reinterpretation of the Bush administration's terror-oriented discourses provided the Philippine government some normative justifications that sought to defend the violent repression of unarmed political opposition and peaceful political critics. Such strategic localization of international terror-oriented discourses facilitated the influx of US military support and other financial resources — all of which were intended for counterterrorism. As the empirical evidence shows, the influx of massive amounts of terror-oriented US material resources expanded the scope and frequency of the Philippine military and police operations, thereby generating an increase in the number of collateral violations. Finally, the empirical analysis suggests that the Philippine government's sudden shift to counterterrorism, as an overarching policy emphasis, was politically possible because of the two-level public support from the American and Filipino public — an outcome that generated by the Arroyo administration's strategic localization of emerging post-9/11 security discourses.

#### 4.3 STRATEGIC LOCALIZATION OF SECURITY DISCOURSES: LEGAL POLITICAL OPPOSITION AS TARGETS OF STATE VIOLENCE

After the 9/11 attacks, the Philippine government actively reframed and localized international counterterror discourses, mostly emanating from the US government, in order to advance two main goals. The first aim was to secure US support so that domestic armed rebels groups in the Philippines can be curbed, and the second objective was to secure the support of the Filipino public for increased state repression (Sidel 2007, Soliven 2003, Jaymalin 2003, Holden 2009). Consequently, the US and Philippine governments' policies converged toward counterterrorism as the foremost priority. On the part of the US government, assisting Southeast Asian allies, especially the Philippines, was a crucial component of the war on terror because homegrown terrorist groups especially in the Mindanao region were

purportedly linked with the Al-Qaeda network (Sidel 2007, Simon 2002).<sup>102</sup> On the part of the Philippine government, the influx of US counterterror assistance was perceived as an effective way to finally curb armed rebel groups in the country (e.g. communists and Islamic secessionist groups) and a viable opportunity to escalate violent repression against peaceful political opposition.

Despite the convergence of interests of the US and Philippine governments on counterterrorism that aimed to *only* eliminate armed rebels, the Arroyo administration liberally redefined later on the targets of such increased state repression (Quimpo 2007, Bowman 2004, Franco and Abinales 2007, Rodriguez and Balce 2004). Whereas both the US and Philippine governments publicly agreed that armed non-state rebels were the primary targets of counter-terror operations, the Arroyo administration added that the left-wing political opposition and vocal critics of the state must be violently repressed.<sup>103</sup> Such strategy persisted, especially in the first few years, through frequent public justifications of the Arroyo administration that the left-wing political opposition constituted a grave threat to state security.

Indeed, the strategic reinterpretation of international security discourses involved the ideational process of identifying local state enemies in the context of the US-Philippine War on Terror. The Arroyo administration, even as early as 2002, already hinted that the US-led war on terror against armed Islamic rebels ought to be implemented by also including leftist political opposition parties as targets (Capulong 2002, Sy and Villa 2004, Amnesty International 2006b, Sales 2009). Such strategy conflated terrorists with peaceful activist groups that were critical of government policies.<sup>104</sup> In the absence of credible evidence, the Philippine government purported

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<sup>102</sup> Some pieces of evidence suggested that the Philippine government actively lobbied in Washington, DC to convince the Bush administration that terrorism in Southeast Asia is fundamentally linked to and supported by the *Al-Qaeda* terror network (Guevarra 2007). Moreover, the minority view amongst scholars of Southeast Asia upheld that the link between Al-Qaeda and regional terror groups were fabricated (Sidel 2007).

<sup>103</sup> In 2008, US Senator Barbara Boxer (Democrat from California) convened a hearing conducted by the US Senate Committee on Foreign Relations – Subcommittee on East Asian and Pacific Affairs. The hearing was about withholding the promised military aid to the Philippines because of the human rights crisis in the country. The hearing was a direct outcome of lobbying and vigilant protests of US-based Filipino-American civil society groups, especially those based in California. It was only in 2010 that the US government finally decided to withhold the aid, and it was only amounting to 2 million USD worth of military assistance (Karapatan 2009; Olea 2009; Philippine Star 2007).

<sup>104</sup> I only consider left-wing political party members, political opposition, critical activists and the like as the “unarmed civilians” being targeted by the military and the police. I *do not* consider self-confessed members of the CPP-NPA (Communist Party of the Philippines – New People’s Army)

that leftist political opposition has been aiding armed rebellion (Amnesty International 2006b, Davao Today 2007, Romero 2007). The Philippine military designated key members and sympathizers of leftist political parties as fundamental security threats, while the Arroyo administration tolerated the Philippine military's vigorous public shaming of peaceful political dissidence. Such process occurred despite the fact that the law recognizes leftist political parties as legitimate political organizations. In fact, many of the biggest left-leaning parties have consistently fielded its candidates for "party-list positions" in the House of Representatives (HR) since 2001.<sup>105</sup> These parties enjoyed significant political support from the public as indicated by the consistent success since the first party-list elections in Congress started. Whereas the 1990s witnessed an ambitious program of granting political amnesty against communist rebels and widening the political space for competition, post-9/11 domestic politics overturned such positive developments by violently undermining political opposition.<sup>106</sup> As such, in responding to two social democratic members of the Philippine House of Representatives, who disclosed that a US army soldier killed a local and unarmed tribesman in the midst of counterterror operations in Mindanao, President Arroyo vehemently responded (Calica and Villanueva 2002):

Let me serve a warning: we shall not relent in the fight against terrorists and criminals hiding behind the veil of human rights advocacies or other seemingly, deceptively legitimate political advocacies... One, we will not validate your propaganda by engaging in human rights violations. Two, many of you commit human rights violations yourselves.<sup>107</sup>

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"victims of human rights violations". In addition, the members of its purported unarmed wing called the National Democratic Front (NDF) can be considered as human rights "victims" if only because the they advocated peaceful political opposition using electoral democratic rules. My assessment stands in opposition with the prominent US-based Filipino-American critical theorist Epifanio San Juan who claims that the CPP-NPA "has not, as a policy and generally in practice, engaged in terrorism or acts of terrorism by deliberately targeting civilians" (Asian Federation Against Involuntary Disappearances 2010; San Juan 2007). I dispute San Juan's argument because CPP-NPA members are widely known as armed rebels, who publicly advocate the violent overthrow of the electoral democratic government.

<sup>105</sup> The following are examples of organizations qualified for party-list elections: *Bagong Alyansang Makabayan* (New Patriotic Alliance); Nation First; *Kabataan* (Youth) Party-list; *Gabriela* Women's Party; and *Anakpawis* (Toiling Masses, electoral wing of the radical labour union movement); and, *Kilusang Mayo Uno* or (May 1 Movement, or a less radical labor union movement).

<sup>106</sup> Until now, the Philippines remains as one of the very few countries in the world that has an armed communist insurgency.

<sup>107</sup> While there were indeed some "purges" or killings of members of the CPP-NPA (Communist Party of the Philippines-New Peoples' Army) by their own peers during the Marcos regime in the 1980s, such occurrences became so rare, if not totally absent, after 1986 when electoral democracy was finally restored.

Notably, many Philippine government officials upheld the belief that members and officials of left-leaning political parties were transferring their “pork barrel funds” to the rural-based communist armed insurgent groups – particularly, as members of the Communists’ Party of the Philippines and the New People’s Army (CPP-NPA).<sup>108</sup> Nevertheless, there is an absence of credible evidence supporting such claim.<sup>109</sup> Yet, the Philippine government used such fabricated narrative as an excuse for human rights violations in the face of criticisms from transnational civil society networks (Alston 2008). Moreover, President Arroyo even asserted how state repression would be used in order to curb all forms of political opposition:

The war on terrorism does not distinguish between ordinary terrorists and those espousing a political ideology... We will wage war against criminals, terrorists, drug addicts, kidnappers, smugglers, and those who terrorize factories that provide jobs. (Capulong 2002)

To her advantage, President Arroyo enjoyed wide administrative discretion from the Bush administration in using US strategic support for domestic counterterrorism. Such administrative leeway was especially true during the first few years of the US-led counter-insurgency campaign in the Philippines, starting from the immediate weeks after 9/11 until 2005. To a large extent, this was the case because of her immediate and unconditional endorsement of Bush’s post-9/11 policy responses.<sup>110</sup> It appeared that the Philippine government was given some form of autonomy in determining the scope of domestic security threats that needed to be eliminated (Bush and Arroyo 2001 a,b; Laude 2002; Romualdez 2003; Soliven 2003). In exchange for such autonomy, Arroyo offered the US government the unconditional

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<sup>108</sup> Each Filipino senator receives 200 million pesos (3.7 million euros) annually, while a member of the House of Representatives gets 70 million pesos (1.3 million euros) as discretionary funds (Merueñas 2011).

<sup>109</sup> It is widely believed that these left-wing political opposition members cut off their formal personal relations with the armed CPP-NPA in the late 1980s, just after the fall of Marcos. See for example the account of (Quimpo 2008)

<sup>110</sup> Gloria Macapagal Arroyo is the daughter of Diosdado Macapagal, who served as the Vice-President of the Philippines from 1957-1961, and subsequently as President from 1961-1965. The Macapagal political clan is generally regarded as a pro-US elite faction in Philippine politics. Yale-educated Filipino constitutionalist Pacifico Agabin clearly illustrates Diosdado Macapagal’s affection for the US (Agabin 2012, 12): “Macapagal, who was a CIA informant when he was vice president, reversed Garcia’s (previous president) Filipino First policy and instituted import liberalization measures, to the delight of importers enabling the ruling class to maintain their lavish lifestyle even if everyone else had to suffer. His decontrol program, which abolished foreign exchange controls, actually started the International Monetary Fund (IMF) control over our economic policies, as our foreign debt grew four times from US\$ 150 million in 1962 to US\$ 600 million three years after that”.

use of military bases and the hosting of US military advisors to assist the AFP (Armed Forces of the Philippines) in domestic counterterror operations (Simon 2002).<sup>111</sup> On the 2<sup>nd</sup> October 2001, barely a month after the 9/11 attacks, President Arroyo immediately announced in international media that her government was “prepared to go every step of the way” with the US in the war on terror. Even during the first few hours after the 9/11 attacks, Arroyo immediately telephoned Bush and promised that the Philippine government will “help in whatever way we [Philippine government] can to strengthen the global effort to crush those responsible for this barbaric act.” (Bhattacharju 2009). Quite unprecedented compared to the immediate reactions of other Southeast Asian governments that have authority over a significant Muslim constituency, Arroyo offered almost everything to the US government: “intelligence, logistical help, and the use of Philippine air space” (Landler 2001, A5).

In response to Arroyo’s “unequivocal” support for the ‘war on terror’ (Gonzalez 2001b, 1), the US government, on 29<sup>th</sup> September 2001, requested the Philippine Department of Foreign Affairs in using local airspace “whenever it needs” during this “war”. The Arroyo administration offered “blanket authority” for all American military vessels, aircraft, and transport facilities to use Philippine territories for “refueling and other purposes” except for building a long-term military base (Gonzalez 2001b, Talosig 2001a,b,c; Clapano 2003). Bush sternly responded that Arroyo enjoys full US support “in any way she suggests in getting rid of the ASG [Abu Sayyaf Gang]” (Today 2001). Because of the extensive personal ties of Arroyo in the US foreign policy establishment, the Philippine government enjoyed tacit tolerance in its war against unarmed political opposition and government critics.<sup>112</sup>

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<sup>111</sup> Arroyo is the first Asia-Pacific leader to express support to prospective US military-oriented responses to terrorism, particularly referring to the probability of using facilities in the Philippines for the US military. She made a strong case for intensified US-Philippine security cooperation during the celebrations for the 50<sup>th</sup> anniversary of the Mutual Defense Treaty (MDT) between the US and the Philippines. This was the reason why the official state visit of President Arroyo to the White House on November 2001 was publicly sold to the media not only within the framework of the MDT but how such treaty is indispensable at that time given the levels of terror threat to both countries (Bush and Arroyo 2001 a,b; Guinness 2001; Lehrer and Arroyo 2001; Locsin 2001; Agence France Presse 2003).

<sup>112</sup> The US-based Center for Public Integrity reported (Guevarra 2007) that the Philippine national security adviser Norberto Gonzales signed in 2005 a contract with the Washington law and lobbying firm Venable LLP. The goal was to pressure the White House in providing additional military aid to the Arroyo government, including the massive counter-terror training of the PNP and AFP officers. The ultimate objective of Gonzales, according to the US Justice Department records, was to secure 800

Despite the protests from leftist movements against renewed US interventions in Philippine politics, the Arroyo administration attempted to justify a terror-oriented US-Philippine bilateral cooperation by leveraging on various narratives that seemed sensible and appealing to the broader Filipino and American public spheres. In particular, the Arroyo-led government, together with the Filipino elites and middle-class, promoted the idea that the sudden influx of American financial aid after 9/11 could be the most effective panacea for centuries old armed conflict between the Muslim minority in southern Philippines and central authorities in Manila. In fact, the Philippine government heightened the security threat in the country by consistently referring to the Islamic rebel group Abu Sayyaf Gang' abduction stint in May 2001 until early 2002 of the Burnham couple — US citizens who spent some time in Mindanao as Protestant missionaries. In so doing, the Arroyo administration successfully linked internal security threats to the broader international terror problem. In the view of the US government, such discursive strategy of the Arroyo administration solidified the purported importance of the country in the global war on terror.

Similarly, the Arroyo-led government used the rhetorical strategy of linking counterterrorism with an anti-poverty policy agenda — a combination of two goals that resonated strongly amongst rich and the poor Filipinos — in order to win the support of the broader public for counterterrorism. To commemorate the 50<sup>th</sup> year of the Philippines-US Mutual Defense Treaty, Arroyo visited the White House last November 2001 in order to hold talks with Bush with regard to the unprecedented intensification of US-Philippine military relations since the end of the Cold War. During such meeting, Arroyo emphasized that the “‘war on terror’ should be parallel to the ‘war on poverty’” (Capulong 2002, Philippine Star 2006, Arroyo 2002). Such discursive framing clearly demonstrated how the Philippine government ‘localized’ the external discourse of counterterrorism to suit the Philippine context, where widespread poverty remains a key concern. In a country where poverty is endemic, policy discourses, which posited militaristic approaches to counter-terrorism was crucial to economic development, proved to be very appealing even for those in the far-flung areas where low-intensity conflicts persist. To improve the credibility of the

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million USD worth of loan for military equipment. The timing of the contract signing was interesting because Arroyo confessed in 2005 in national TV that she cheated during the 2004 elections. This was a crucial time when the perceived strength of Arroyo's leadership was on an all-time low.

counter-terror strategy, starting from late 2001 to early 2004, the Arroyo administration consistently emphasized that the “war on terror” is also a “war on poverty”, most especially in dealing with the local media and interactions with US government officials (Agence France Presse 2003, Sy and Villa 2004). Such discursive linkage illustrates how the Arroyo administration deemed it more strategically effective to make international terrorism much more acceptable to the domestic public. This linkage of poverty to terrorism is a clear example of strategic localization of international terror-oriented discourses. Such localization of counterterror discourses made the Arroyo administration’s policy discourse more attuned to the US government’s “winning-hearts-and-minds” strategy. Even in 2002, amidst vociferous outcry from the unarmed political left that opposed the growing presence of US forces, the SWS survey revealed that 81% of the total respondents believed that US military forces were indispensable in the Philippine government’s fight against domestic terrorism (Social Weather Station 2001, Lagniton 2002).

Meanwhile, the possibility of a comeback of US military forces in the Philippine archipelago met some serious resistance. In response to highly contentious questions with regard to the prospects of deploying US army forces in southern Philippines and whether the constitution would allow such option, US President Bush made this reply during the 2001 visit of Philippine President Arroyo to the White House:

I’m willing to listen to President Arroyo; I’m willing to work with her in any way that she wants to. We’ve had a discussion about Abu Sayyaf. *She’s got a clear vision about how to fight Abu Sayyaf, and I’ll let her speak for herself.* But the Philippines are a great ally. They’re close friends, and *we will cooperate in any way she suggests* in getting rid of Abu Sayyaf and other threats. (emphasis mine) (Bush and Arroyo 2001 a&b; Locsin 2001).

Indeed, President Bush’s statement reflected Washington’s unwavering belief in Arroyo’s abilities in addressing the domestic security threat. The above-mentioned statements of Bush and Arroyo attested to two important transformations in the belief-systems of security policy-makers in both Washington and Manila at that time. The first was about the change in the causal ideas, particularly, that the human rights-oriented policy paradigm in the post-Cold War had to adapt to the unprecedented



security challenges of the post-9/11 security context. Whereas US-Philippine bilateral relations in the 1990s revolved around projects that sought to advance democratization and economic development, the post-9/11 era witnessed a dominant causal idea that enhancing the state's military and police agencies in the name of counter-terrorism would be the only way to make their bilateral relations more responsive to the security challenges at that time. On that regard, President Bush already hinted that civil liberties must be sacrificed in the war on terror in order to protect US interests and that of its allies (as cited in Jervis 2005, 49):

The United States is under attack. And at war, the President needs to have the capacity to protect the national security interests and the safety of the American people.

Meanwhile, the second shift occurred in the content of principled ideas that justified the new counter-terror partnership between the US and the Philippines. The statistical surveys and empirical illustrations (see Figure 4.6 to 4.13) presented below demonstrate the change in the principled-based belief systems among Filipino elites and the broader public (Gunness 2001, Montemayor 2001, Egco 2001). In terms of the coordinative discourse, policy-makers in Manila and Washington embraced the belief that human rights and liberal democracies can only persist if and only if states can effectively use its military and police agencies in repressing, if not totally eliminating, violent and armed non-state actors (Acop 2006). In other words, the military and police agencies of the state must be harnessed, while undermining the importance of non-violent means (e.g. civil society and economic development initiatives) in curbing the terror threat. Such compromise appeared to be the only way in advancing the long-term security of liberal democratic societies and its fundamental beliefs such as human rights. That being so, the dominant communicative discourse, or the interactive dialogue between the Filipino and American policy-makers and the public, advanced the idea that the human rights values were somehow negotiable in light of the terror threat (San Juan 2007, 164). As reflected in the SWS surveys, the Philippine public's anxiety about the possibility of a terror attack in the country and the need for US assistance in counter-terrorism strongly suggest the effectiveness of the Arroyo administration's strategic reinterpretation of human rights norms. Such reinterpretation of human rights is best understood when one refers to Rosemary Foot, who explains how state security

became an appealing priority in post-9/11 Southeast Asia, most especially in the Philippines (Foot 2005, 418) :

the security of the state and quite frequently of the political regime itself are privileged over that of the individual. This order of priorities is attributable to the presence of many intrastate conflicts in Asia, which reflect the disjuncture between territorial and ethnic boundaries. Moreover, because of this disjuncture such conflicts have potentially negative effects on relations with neighboring states, giving rise to an enduring perception that external and internal threats are inextricably linked.

### Public Approval of US Counter-terrorism Approach

“Because of this, the U.S. government has taken military action and other kinds of actions to combat international terrorism. In general, do you approve or disapprove of the U.S. government's actions since September 11, 2001 to combat international terrorism or don't you know enough to give an opinion? (SHOWCARD)” – (Social Weather Station, 2001)

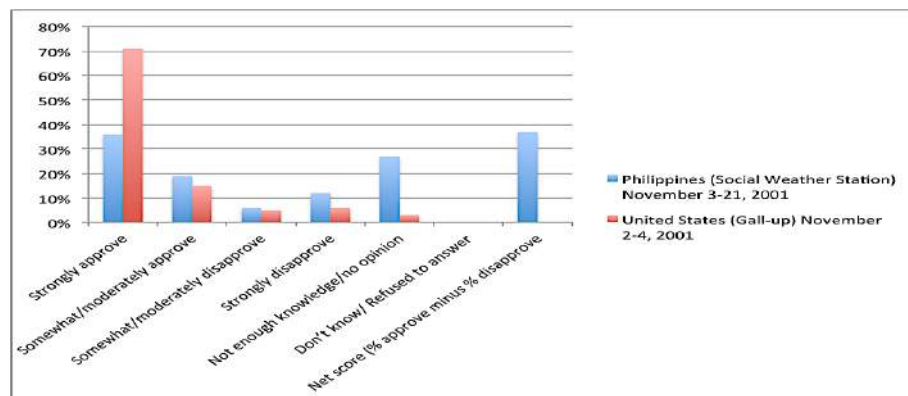


Figure 4.6 Public Approval of US Counterterrorism Approach

### Peaceful Approach vs. Military Solution

“Do you think the United States should have continued to look for a peaceful solution before attacking Afghanistan, or did it do enough?” (Social Weather Station, 2001)

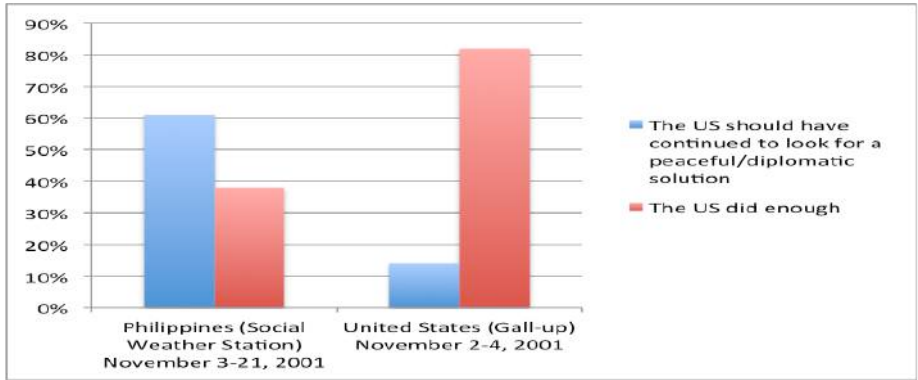


Figure 4.7 Peaceful Approach vs. Military Solution - Philippine Survey

**Public Awareness and Agreement With Philippine President Gloria Macapagal-Arroyo’s Support to the US in Its War Against Terrorism**

“Pres. Gloria Macapagal-Arroyo quickly declared that the Philippines supports the U.S. in its war against terrorism. Did you know this before or only now?” (Social Weather Station, 2001)



Figure 4.8 Public Awareness and Perception on the Philippines' Participation in the US-led War on Terror

**Form of Support that the Philippines Should Consider in the War Against Terrorism**

“In supporting the war against terrorism, should the Philippines do the following, or should it not? (Base: 46% who agree with Pres. Arroyo's declaration of support)” (Social Weather Station, 2001)

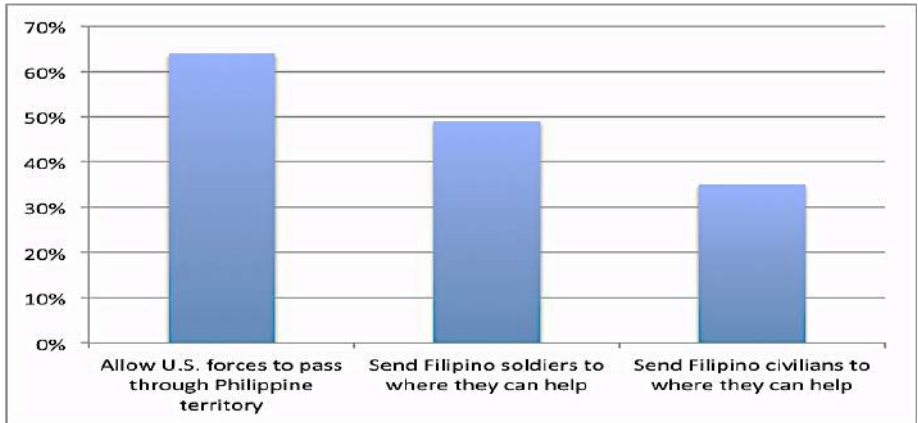


Figure 4.9 Perceptions on The Various Forms of Philippines' Support for The War on Terror

### Degree of Anxiety over Probable Terrorist Attacks in the US and the Philippines

“How concerned are you about the possibility of a major terrorist attack in our country? Are you...(SHOWCARD)?” (Social Weather Station, 2001)

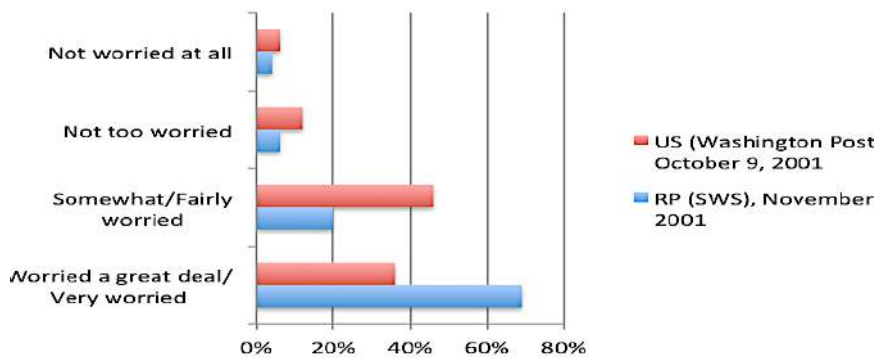


Figure 4.10 Degree of Anxiety Over Probability of Attacks in the US and the Philippines

### Public Awareness of the Philippines-US Mutual Defense Treaty

“Are you aware that the Philippines and the U.S. already have a Mutual Defense Treaty, according to which an attack on one of them is also an attack on the other?” (Social Weather Station, 2001)

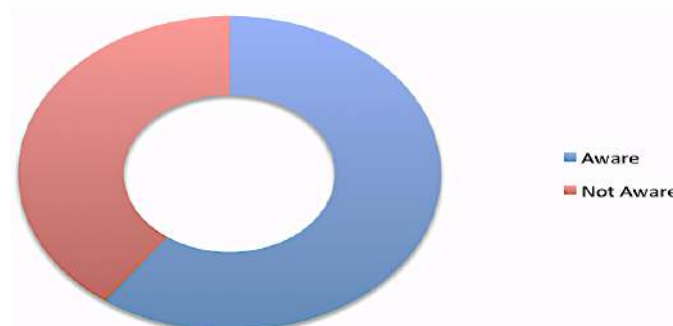


Figure 4.11 Public Awareness of the Philippines-US Mutual Defense Treaty

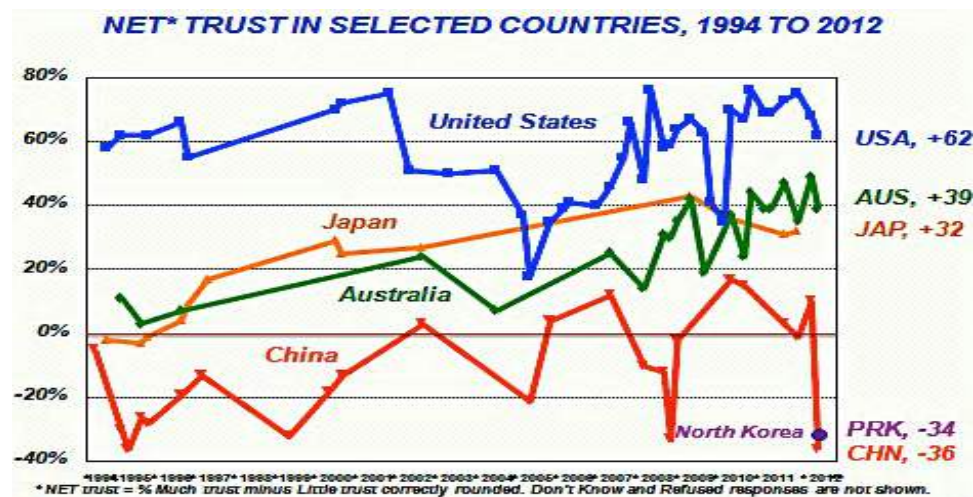


Figure 4.12 Comparative Study of Filipinos' Net Trust in Selected Countries, 1994-2011

Source: Social Weather Station 2011, <http://www.sws.org.ph/pr20120813.htm>

As shown in the data presented above, the Philippine government capitalized on the looming fear of the Filipino public in reaction to the 9/11 attacks in the US. In this way, the Arroyo administration found it easier to sell US-Philippines counterterror cooperation to the Filipino public by linking domestic security threats to international terror networks. A terror-oriented public diplomacy was helpful to the Philippine government's attempts to justify militaristic policy options as necessary in order to counter internal security threats. In effect, the Filipino public seriously considered US-Philippine counter-terror cooperation as indispensable and timely in neutralizing local armed Islamic rebels.

After linking internal security threats to international terrorism, the Arroyo-led government affirmed that human rights must be subservient to public security, if only temporarily. Such was the case especially when she introduced the notion of a "strong republic" or *Matatag na Republika* (Albert-Corpuz 2002, Dimond 2006). The notion of a strong republic refers to Arroyo's long-term policy strategy that aimed to promote a robust national security apparatus that was primarily focused on counter-terrorism and upholding domestic security.<sup>113</sup> Referring to the increased counter-

<sup>113</sup> In hindsight, Arroyo's notion of Strong Republic reminds many Filipinos of the former Filipino dictator Ferdinand Marcos long-term developmental strategy called 'Bagong Lipunan' (New Society). Notably, both regimes enjoyed sizable amounts of financial aid and political support for administrative discretion from Washington. On that regard, Arroyo's Strong Republic marks "three significant thrusts of the regime: 1) the grand comeback of U.S. Special Forces through *Balikatan* exercises and the Mutual Logistics and Support Agreement (MLSA); 2) the open use of repressive measures against

terror policing practices vis-à-vis the systematic and statewide harassment levied against non-violent political dissidents, President Arroyo hinted that human rights must be treated as subservient to public security: “at stake in this war is the very life of society, the very possibility of basic rights and liberties, which have been under attack for too long” (Arroyo 2002). Such sentiment was evident in Arroyo’s 2002 State of the Nation Address (SONA) speech, which was delivered before the joint sessions of Philippine Congress. She explicitly anchored her long-term policy strategy of a “strong republic” upon the notion of a “war on poverty”. That being so, President Arroyo pointed out the symbolic and material gains of her country’s participation in the global war on terror (2002):

As a result of our decisive action after September 11, the Philippines is now a recognized player in world affairs. The President of the Philippines was the first head of government to emphasize the interconnection between the war against terrorism and the war against poverty. Now, nations large and small now embrace this interconnection. We have gained powerful allies in our domestic war against terrorism. I am certain that our increased international visibility will continue generating capital inflows for the Philippines. Where we have fallen short of achieving what we intended, it has not been from misdirection or a lack of trying. After all, it has really been only one year and a half.

Emerging shortly after 9/11, the prevalent public discourses about the severity of the terror threat substantially transformed public perceptions in the US and the Philippines on several relevant issues. Based on a comparative survey of the Social Weather Station (Philippines) and the Gallup Poll (US) surveys for the last quarter of 2001 (Social Weather Station 2001), 69% of the Filipino population claimed that they were “very worried” (while an additional 20% were “somewhat worried”) about the possibility that a terror attack might occur in the country, which is a remarkable finding because Filipinos appeared much more distressed about the security climate after 9/11 than Americans themselves (36% very worried, 46% somewhat worried; October 9, Gallup). In the same SWS survey (2001), 71% percent amongst the Filipino respondents claimed that “US attacks on Afghanistan” were “acts of self-

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critics and perceived foes; 3) and the all-out implementation of neo-liberal policies at the expense of domestic industries" (Jetschke 1999, Albert-Corpuz 2002). To a large extent, this discursive framing on ‘Strong Republic’ was persistently used as an ideational cover-up to harass and kill non-violent political dissidents and civilians amidst the post-9/11 US-Philippine counter-terror cooperation.

defense” and not “acts of terrorism”. Accordingly, 82% of the total number of American respondents believed that the Bush administration maximized all the diplomatic options before it launched a military-oriented approach. Moreover, 64% amongst Filipino respondents believed that the Philippine government ought to “allow US forces to pass through” the archipelago, while nearly half of the total number of respondents think that Filipino soldiers and civilians must provide assistance in the US-led war on terror.

In principle, the above-mentioned survey findings suggested that intensified military responses to counter-terrorism were largely acceptable to the Filipino public. Such findings demonstrated that the Filipino public held a quite favorable view of the US despite the growing international outcry against the US-led War on Terror. The survey suggested the high tolerance of the Filipino public, at least in the early 2000s, for increased state repression. Furthermore, the survey findings indicated that the counterterror-oriented US-Philippine bilateral relations had enough support from the Filipino public — notwithstanding the emerging detrimental consequences to human rights (Yujuico 2011, 62):

Even after the Bush administration sullied world opinion of the United States, the Philippines still regarded it favorably. In a BBC World Service poll conducted after George W. Bush’s re-election in 2004, 63% of Filipinos viewed his victory as conducive for world peace and security – the most in a sample of eighteen nations.

The Bush administration’s designation of the Philippines as a “major non-NATO ally” contributed to a quite strong domestic political support for a militaristic policy agenda of the Philippine government (Garamone 2003, Pamintuan 2003, IBON Foundation 2005). The designation provided a sense of legitimacy to Arroyo’s counter-terror policies that were already beginning to have had its collateral damages to human rights as early as 2002.

Furthermore, Filipino and American security officials invoked the necessity of “emergency actions” or “special measures” in order to heighten the threat perception of international-domestic terrorism. One of the concrete examples of special counterterror measures was the campaign for a counter-terror law that suited post-9/11 realities. Inspired by the USA PATRIOT Act and strongly encouraged by the

Bush administration, the Philippine government enacted in 2007 its own version of a counter-terrorism law called the Human Security Act (HSA) (see also Dollaga 2007, Jha 2007, Romero 2007, Rauhala 2010, Eadie 2011). The HSA considers acts of terrorism as one of the most severe legal violations that an individual can commit within the Philippines' territorial boundaries. The new law permits preventive detention and arrests of suspects without a writ of *habeas corpus*. Strangely enough, the HSA identifies twelve acts of violent yet relatively 'ordinary' crimes against individuals such as piracy, murder, arson, kidnapping, and rebellion as "acts of terrorism". Such law made it easier for the military and police agencies to invoke a legal justification for violently targeting unarmed political opposition members. Consequently, the HSA makes the evidentiary requirements for ordinary crimes considerably low, which made it easier for the police and the military to frame political dissidents as 'terrorists' (Jha 2007, Abaya 2007). Surprisingly, even the Supreme Court (SC), led by a key Arroyo ally Chief Justice Renato Corona, upheld the constitutionality of the HSA in 2010, almost a year after the presidency of Arroyo. The US Embassy in Manila publicly supported the ratification of the HSA in 2007 under the impression that it can finally give more leeway for US and Filipino security forces to conduct effective anti-terror operations (Laude 2004, Jha 2007). In fact, the HSA, together with other anti-terror laws, was widely perceived to "stifle legitimate public dissent, suppress progressive militant groups and political parties, and prepare the way for an all-out authoritarian rule conceivably worse than the criminal Marcos dictatorship that People Power overthrew in 1986" (San Juan 2007, 164).

Moreover, other post-9/11 laws in the country made it easier for the police and military agencies to kill and to physically harass unarmed political opposition and government critics. Such laws aided the Arroyo administration to effectively promote a sense of political uncertainty to the wider public's perception. In doing so, the Philippine government prioritized counterterrorism through the legislation of laws that permitted increased state repression. For instance, on February 24, 2006, Arroyo placed the entire country under a "state of emergency" through Presidential Proclamation (PP) 1017, ironically at the same day when the entire nation was commemorating the 20<sup>th</sup> anniversary of EDSA revolution that toppled the authoritarian regime of Ferdinand Marcos (Arroyo 2006, Pangalangan 2011). The PP 1017 was the first formal government document since the end of Martial law in late



1980s that castigated the non-violent political left as cooperating with armed insurgent groups, which paved the way for an escalated level of violent repression against all forms of political opposition. Widely perceived by the Filipino public as anomalous in a liberal democracy, Arroyo's PP 1017 was reminiscent of Proclamation 1081, the official government policy in the 1970s that formally established Martial Law under Ferdinand Marcos. To rebut claims that PP1017 was an attempt to regress from the democratic reforms in the 1990s, Arroyo capitalized on the purported security threat posed by legal political opposition:

over these past months, elements in the political opposition have conspired with authoritarians of the extreme Left represented by the NDF-CPP-NPA and the extreme Right, represented by military adventurists – the historical enemies of the democratic Philippine State – who are now in a tactical alliance and engaged in a concerted and systematic conspiracy, over a broad front, to bring down the duly constituted Government elected in May 2004... hindering the growth of the economy and sabotaging the people's confidence in government and their faith in the future of this country;...constitute a *clear and present danger to the safety and the integrity of the Philippine State and the Filipino people*. (Arroyo 2006; emphasis mine)

The statement above clearly implicated peaceful activists and even actors of the legitimate political opposition as collaborators of the armed insurgency. Arroyo characterized the opposition as a “clear and present danger” to her “strong republic”. By comparing the threat of international terrorism and its link with the domestic security problems, the Philippine government sought to establish that the post-9/11 period was an appropriate time to define freely their own ‘terror threats’, to justify the intensification of police and military operations, and to legislate policies that undermined the credibility of armed and unarmed political opposition.

Indeed, the Arroyo government's strategic localization of external discourses on counterterrorism facilitated the influx of terror-oriented US strategic assistance as well as the escalation of state repression in the Philippines from late 2001 through 2009. Triggered by Arroyo's strategic localization of the Bush administration's discourses on international terrorism, the conjugation of shared interests of the US and Filipino government officials in counterterrorism generated the influx of US

counterterror assistance and domestic resources toward the Philippine state security agencies.

#### 4.4 RESOURCE MOBILIZATION: THE INFLUX OF US COUNTER-TERROR AID

*When I first became President in 2001, I inherited a commitment of military assistance from the U.S. of \$1.9 million only.... Today, that American assistance to our military support is now \$400 million and still counting.* - President Gloria Macapagal Arroyo, March 2004 (World Policy Institute 2005).

The sudden influx of large amounts of US counterterror assistance as well as the renewed political support to the Philippine government expanded the scope and scale of counterterror operations in the Philippines. Without terror-oriented US support, it would be very hard for the Philippine military and the police agencies to implement widespread counter-terror operations in the manner that they were conducted during the War on Terror years (Philippine Star 2003a). To a large extent, the role of US aid becomes more significant when one looks into the severe budgetary constraints of the Philippine police and the military. Thus, the annual operating budget of the Philippine National Police and the Armed Forces of the Philippines, as allocated by the central civilian government, only goes to salaries of their personnel. In other words, the post-9/11 US aid funded the unprecedented expansion of counterterror operations in the country from 2002 to 2009. If not for US aid, it is likely that the extent and scope of counter-terror operations could have been much more limited, thereby decreasing the probability of the occurrences of human rights abuses. As such, Richard Jacobson, a prominent security risk analyst of Asia-Pacific, described the budgetary constraints of Philippine military and police agencies:

The AFP has very limited funds; in fact, an overwhelming majority of its military budget goes to personnel salaries and allowances, rather than defense capability upgrades. In addition, the 1987 Constitution prohibits the government from allocating more funds to the military than for education. In the proposed 2014 budget, PhP255.2 billion (\$5.9 billion) was earmarked for the Department of Education and another PhP31.9 billion (\$742 million) for state universities and

colleges; a mere PhP81.8 billion (\$1.9 billion) will go to the Defense Department and the AFP combined. (Jacobson 2013)

Indeed, the post-9/11 influx of US aid increased the counterterror capacities of Philippine military and police agencies, ranging from training exercises, joint combat operations, and additional military equipment.<sup>114</sup> In fact, the Arroyo administration reported that the US-funded military modernization program included the ‘Squad Automatic Weapons Acquisition Project’, worth around 122 million PhP (2.8 million USD) (Philippine Presidential Management Staff 2003) . The project enhanced the Philippine military’s combat capacities and increased the number of troop deployments in the southern provinces (Mindanao) and other communist rebel-infested regions in the northern Luzon (Philippine Presidential Management Staff 2003). Moreover, the Arroyo administration reclassified some US military assistance and regular Philippine government funds as “intelligence funds” in order to evade stringent government audit (Olea 2004). Because of the influx of post-9/11 US aid, the national security agencies’ operating budget increased, as shown by a marked 35% increase of 2 billion PhP (45.7 billion USD) in 2003 to 2.7 billion PhP (62.7 billion USD) in 2004. The top three biggest recipients of US aid were all Philippine state security apparatus’ constituent agencies — all of which were heavily implicated in commissioning the killings and disappearances of armed and unarmed targets of the AFP and the PNP (Olea 2004):

1. Intelligence Service of the Armed Forces of the Philippines (ISAFP), 265 million PhP (6 million USD);
2. Philippine National Police Intelligence Service, 352 million PhP (8 million USD);
3. National Intelligence Coordinating Agency (NICA), 258 million PhP (5.9 million USD)

The strategic use of these external resources included two important aspects: (1) the adoption of a “total-offensive approach” (Caballero-Anthony 2003; Holden 2009; Jaymalin 2003; Sidel 2007; Soliven 2003) among all the units of the police and the

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<sup>114</sup> See for example the detailed report of Alston (2007b, 16; 2007a), Amnesty International (2002), and Francia (2007, 16). Such accounts revealed that, in 2002, US forces trained around 5,000 Filipino soldiers, mostly in Basilan Island in southern Philippines. Aimed for counterterrorism, US training assistance to the rank-and-file soldiers of the Philippine armed forces in 2002 alone was worth 22.4 million USD. In the same year, the US government spent around 1.3 million USD for sending Filipino military and police officers to the US military schools for specialized training in psychological operations in counterterrorism.

military, whereby national security is consistently invoked even in regular criminal policing operations, and (2) the re-orientation and subordination of traditional non-military projects (e.g. socio-economic development initiatives) under a more compelling strategic priority of counter-terrorism.<sup>115</sup>

In effect, the US aid program and the central policies of the government in Manila were reoriented towards promoting a militaristic notion of state security. Such dynamic reorientation of the Philippine government's policy priorities can be seen in two ways. First, the Arroyo administration entrenched a "high-policing" orientation in both the armed (police and military) and civilian agencies (social welfare, public infrastructure, health) of the state. Using such an approach, the central government implemented intensive coordination and optimization of institutional capabilities and resources of all state agencies in curbing, repressing, or eliminating perceived internal security threats. The Arroyo administration tasked the Philippine military and police to merge and to optimize their intelligence-gathering capabilities for a more coherent counterterror strategy. At least in the early years of the war on terror, Arroyo was given a free hand by the US government in determining who and what constituted a "security threat" (Sy and Villa 2004). The Arroyo administration, with the financial and political support of the Joint United States Military Assistance Group to the Republic of the Philippines (JUSMAG), created a "multiagency counterterrorism task force" that was comprised of 34 Philippine government agencies responsible for security, socio-economic, and political work portfolios as well as US military officials (US State Department – Office of the Coordinator for Counterterrorism 2005). The goal of the JUSMAG was to harmonize most state policies, US counterterror assistance, and cabinet departmental portfolios all under the office of President Arroyo. The JUSMAG spearheaded the implementation of various humanitarian activities and socioeconomic development projects such as the building of road, bridges, and other forms of public infrastructure in conflict-ridden areas such as Basilan, Palawan, Zamboanga, and Batanes (Briscoe 2004; International Coordinating Secretariat in Utrecht IBON Foundation 2007; Shalom 1977; Sidel 2007; Simon 2002; Walley 2004). Even these civilian policy portfolios of the state were then redefined as

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<sup>115</sup> Accordingly, the police and the military are tasked to consider both armed rebel groups and "white-collar crimes" as targets of counter-terrorism. This makes it easier for the government to target anybody who seems politically detrimental to the authority of President Gloria Arroyo. See the discussion of Caballero-Anthony (2003).

subservient to post-9/11 counter-terror aims, particularly by ensuring that these civilian projects went to conflict-prone areas such as Mindanao.

Furthermore, thousands of Filipino military and civilian security officials participated in US-funded joint military exercises, war games, counter-terror training seminars, and military professional education exchanges to the US within the framework of the International Military Education and Training (IMET) Program (Mogato 2002, Capie 2004, Cruz De Castro 2004, Balana 2009). As early as July 2002, American and Filipino military officials, who convened the US-Philippines Mutual Defense Board, conceived a “Five-Year Work Plan” that guaranteed “increased and sustained counter-terror cooperation” (De Castro 2004, 202). It is highly possible that such resources and capacity-building support from the US were not only directly used in targeting armed rebels, but also in the systematic killings of left-wing political opposition members. In fact, most incidents of human rights abuses occurred in conflict-prone areas such as in Mindanao as well as communist-infested regions in northern Philippines where most, if not all, of US counterterror assistance was allocated (Docena 2007a&b). Notwithstanding, Philippine National Defense Secretary Eduardo Ermita contended that the unprecedented amount of post-9/11 US military aid was a “testament to the Philippines’ leading role in the Southeast Asian war on terrorism,” and that “all these gains are seen in the context of stronger Philippines-US relations ... because of a common threat which is terrorism” (Philippine Star 2003b). Providing more details about the gains of US-Philippine security relations from 2001 to 2004, Ermita enumerated the significant components of US aid (2004, 200):

Another significant achievement of the Macapagal-Arroyo administration is the rebuilding of Philippines-US defense alliance. The Philippines has been declared a major non-North Atlantic Treaty Organization Alliance (NATO) ally, which makes possible the flow of greater amounts of military assistance. Among the tangible benefits of this defense alliance were: excess defense articles (EDA) continually delivered since 2001; 60,000 pieces of M-16 rifles; 8 UH-1H helicopters fully refurbished; one fully refurbished C-130B; 333 units of reconditioned 2-1/2 ton trucks; one medium class cutter; two 82-ft point class cutters; one cyclone class patrol vessel; international military education and training (IMET), of which the Philippines is the world’s second – and Asia’s largest- recipient; counter-terrorism training modules, with a

funding of 25 million USD in 2002 and 30 million USD in 2003, to train and equip three AFP light reaction companies as elite-front-line troops comparable to the world's best; donation of two million worth of medical equipment...and donation of 25 million USD worth of training and equipment to three AFP engineering brigades capable of constructing infrastructure in conflict zones.

Notably, some evidence suggested that many of the counter-terror operations conducted from 2001 to 2009 were not only decided and planned by the Arroyo administration. Instead, the US Pacific Command (PACOM), a unified combatant command under the US armed forces and the US Defense Department responsible for the Pacific areas, also provided “extensive and tactical command advantage over the Armed Forces of the Philippines (AFP)” (International Coordinating Secretariat in Utrecht and IBON Foundation 2007, 74). After 2001, America's stronger strategic leadership over the Philippine military was manifested through various organizational instruments jointly headed by the Filipino and American security officials.<sup>116</sup>In effect, such joint leadership initiatives “strengthened the US hand over the AFP, the police and paramilitary forces to make them more compliant with America's military objectives in the Philippines and in the region as a whole” (International Coordinating Secretariat in Utrecht and IBON Foundation 2007, 74).

Evocative of the Bush administration's Operation Enduring Freedom and exclusively financed by US bilateral aid, *Oplan Bantay Laya* (Operation Security and Freedom) was the official name of the Philippine government's internal security campaign against violent and non-violent political opposition (Corpus 2010, Del Rosario-Malonzo 2010, Lucas and Shahshahani 2014). It was part of the US-led global war on terror, which was carried out in various conflict-prone territories such as Afghanistan, the Horn of Africa, and Central America. The Philippine military and police vigorously fought in all conflict-prone areas of the Philippine archipelago, while the Arroyo administration publicly justified such combat activities as a “neutralization campaign” against communism and other purported Islamic terrorists. In defiance to the US State Department's guidelines that only armed rebels were to be targeted by the military and the police, the Arroyo administration branded progressive

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<sup>116</sup> Created after 2001, the joint leadership bodies of US and Filipino officials included the following: Joint US Military Advisory Group (JUSMAG); the Defense Policy Board (DPB); Security Engagement Board (SEB); and the Joint Defense Assessment (JDA).

and non-violent organizations, which were critical of specific government policies, as terrorists (Corpus 2010, Lagman 2012). In fact, an official Philippine military document specified the criteria for targeting individuals and organizations as part of the Philippine military's "order of battle" (IBON Foundation 2006)

A person can be classified as actively involved if he/she satisfies any two of the following indicators:

- i. Exerts maximum degree of influence in the group (the term 'maximum degree of influence' means that the person is a ranking officer of the organization such as president, chairperson, secretary...);
- ii. Engages in activities beyond the concern of the sector
- iii. Involved in fund raising activities of the 'local communist movement'
- iv. Involved in recruitment drives for the underground movement
- v. Participates in symposia, lectures, teach-ins and other activities designed to mobilize the audience<sup>117</sup>

That being so, the Ibon Foundation, an independent Filipino socio-economic think tank, opined that the above-mentioned criteria was used to systematically target peaceful yet politically active actors from the civil society (Corpus 2010, 13):

Thus a peasant organization that, for instance, calls for a genuine agrarian reform program and is involved in rallies against charter change can be classified as "communist-influenced" or a "communist front", and be included in the military's order of battle. Likewise, a church-based organization that advocates for human rights and joins mass actions calling for the ouster of President Arroyo can be tagged as "communist-influenced" or a "communist front".

The second aspect of transformation in policy priorities was the re-orientation of traditional non-military projects — e.g. socio-economic projects such as infrastructure development, public health projects, and humanitarian/civilian operations — toward the principal policy paradigm of counter-terrorism (Banlaoi 2010, 80-81). Most USAID humanitarian and civilian projects were allocated in Mindanao, where armed Islamic rebels have been waging insurgency for the longest time (Philippine Star 2003b, Natsios 2006). Such shift was shown by the sudden

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<sup>117</sup> In the 2008 report to the UN, Special Rapporteur for Human Rights Philip Alston discovered that "in a leaked order of battle provided to him—the authenticity of which he had no reason to doubt—hundreds of prominent civil society groups and individuals were listed as members of organizations that the military deemed illegitimate". (Human Rights Watch 2012).

allocation of at least 60 to 70% of post-9/11 US economic and military development aid to the less populated but conflict-prone Mindanao, whereas before 2001 it was only 30-40% (Today 2001, Casino 2007). Consequently, in exchange for Arroyo's support for the global war on terror, the US government (International Coordinating Secretariat, Utrecht and IBON Foundation, 74-75; Emphasis mine):

has increased military aid to the Philippines by 1,111 percent. *The military aid in the form of grants and loans has been used by the Arroyo government for its counterinsurgency program leading to the escalation of human rights violations and crimes against humanity, even as parts of the military assistance were also funneled to buy more weapons of mass destruction from US arms manufacturers. The increase of US military aid to the Philippine government including its military modernization program is also based on the Major Non-NATO Ally Agreement (MNNA) which is accorded to governments that have shown unrelenting support to the US' wars of aggression contrary to the Filipino people's rights to national sovereignty and self-determination.*

Indeed, the majority of post-9/11 US aid was largely reconfigured to suit the shared counterterror goals of the US and Philippine governments. Such resources could have been used instead towards policies that intend to bolster human rights outcomes in ways similar to what happened in the 1990s. On that regard, Herbert Docena enumerated some of the instances whereby development aid was solely used for military purposes (Docena 2008):

The frequent deployments also create openings for the US military to tailor local infrastructure to future needs. In General Santos City, the US constructed a deep-water port and a modern civilian airport, and built one of the country's best roads to connect them. At Fort Magsaysay, where US troops routinely deploy for training, the local airport was renovated and its runway strengthened to handle the weight of C-130 planes. In Basilan and Sulu, also US training venues, the US Agency for International Development has built roads and ports that allow huge ships to make berth.

Moreover, even the US-based think tank Center for Strategic and International Studies “describes the civil engineering and humanitarian projects of US troops in the country as linked to the counterterrorism mission” (Del Rosario-Malonzo 2010, 54). Similarly, the Manila-based IBON Foundation asserted that “it is thus unsurprising



that engineering projects such as roads, airfields, and wharfs are structurally designed to accommodate large vessels and aircrafts used for US combat operations here and abroad” (Del Rosario-Malonzo 2010, 54) instead of serving the local community’s daily needs. Such reorientation of development aid stood in contrast to the situation in the 1990s, when it was evenly distributed to various regions in the Philippine archipelago, devoid of any overarching military strategic considerations.

Hence, terror-oriented US strategic support contributed to the expansion of counterterror operations of the Philippine military and police agencies in ways that produced the spike in collateral and intended human rights abuses. Particularly, there were two ways in which US strategic support facilitated the proliferation of intended and collateral human rights violations. First, the subjugation of civilian and economic development projects under a counter-terror strategy increased the scale of targeted repression by the police and the military. In effect, the instrumentalization of regular civilian and economic projects funded by the US toward counter-terrorism increased the probability that state agents would commit collateral human rights abuses. In contrast, a lower probability for collateral damage might have occurred if not for the reorientation of ordinary government projects toward counterterrorism. Second, as the evidence in this section demonstrated, Philippine police and military agents harnessed US military equipment and counter-terror training in order to effectively harass legal political opposition and critical activists.

#### 4.5 INTERVENING FACTORS: THE US-LED WAR ON TERROR AND DOMESTIC POLITICS IN THE PHILIPPINES

What exactly motivated the Arroyo administration in its systematic repression of peaceful political dissent? In reference to the domestic politics in the Philippines, why did the executive branch suddenly decide that the post-9/11 period was an opportune time to kill and to harass legitimate political opposition that was once tolerated during the pre-9/11 era? My principal point in this section is that the decision to kill and harass legal political opposition, aside from armed rebels, was triggered by the perceived weak authority of President Arroyo. Because of the need to

assert her authority over the broader society amidst increasing political opposition to her leadership, President Arroyo contracted the military and police agencies in order to conduct systematic killings and physical harassment of both armed and unarmed political opposition. Such cooptation between the central civilian government and the central command of the Philippine armed forces and the police was enabled by a highly ineffective judicial system. In other words, there were three domestic political conditions that facilitated the use of US strategic support and other domestic resources in ways that targeted both armed rebels and peaceful political opposition: (1) the weak authority of the Arroyo regime; (2) the persistence of the AFP in intervening in national politics; (3) and the relative absence of an efficient and credible justice system.

The main reason why the post-9/11 Philippine government included legal political opposition as a target of killings, thereby diverging from the expectations of the US government, was because of the logic of regime consolidation. Particularly, President Arroyo attempted to strengthen her rule and to assert her political authority by undermining both armed and unarmed political opposition. The logic of regime consolidation gained resonance because of the pervasive doubts with regard to the authority of the Arroyo administration. In the pre-9/11 period, the heads of the executive branch enjoyed wide public support and relatively strong allegiance from the military and broader society.<sup>118</sup> In contrast, Arroyo became President in 2001 without strong public support and trust from a fragmented military leadership. As a former Vice-President during President Joseph Estrada's term (1998-2001), Gloria Arroyo succeeded Estrada through an elite- and middle-class-driven revolution in late 2001. Many Manila-based economic elites and members of the middle class staged a revolution in the midst of the highly contested impeachment trial of Estrada

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<sup>118</sup> Fidel Ramos (1992-1998), a former WestPoint-trained military officer, enjoyed a considerable electoral majority win during the 1992 presidential elections. Given his military background, he received a relatively strong political support from the military and the police. Meanwhile, Joseph Estrada (1998-early 2001) won the presidential elections by a landslide victory of 40% of the total number of votes, compared to the next high-ranking candidate, who only had 15%. Estrada enjoyed widespread public support from the military by continuing the interrupted AFP modernization program that was plagued by intense political opposition from the Philippine Congress during the Ramos era. In response to strong demands by the AFP, Estrada "made a major policy shift" favoring "weapons upgrade and acquisition" that only focuses on increased threat from China's increased military activities in the West Philippine Sea (or South China Sea) (Cruz De Castro 1999, 132).

conducted by the joint sessions of Congress.<sup>119</sup> Joseph Estrada was accused of spearheading a large-scale corruption scheme, whereby he spent taxpayers' money that sustained his luxurious lifestyle. Such corruption scandal consequently triggered a formal impeachment process conducted by the Philippine Congress. When the proceedings seemed to produce a favorable outcome for Estrada, anti-Estrada protests in the style of the 1986 revolution emerged. Since Arroyo's inauguration as President in 2001, small-scale violent and non-violent protests emerged that persistently casted doubt with regard to Arroyo's leadership and political credibility (Bernas 2007).

In other words, the above-mentioned circumstances triggered President Arroyo to pursue two important goals during her entire tenure: (1) to win the political support of the military and other state security agencies in order to prevent potential coups, (2) and to weaken armed and unarmed political opposition that could undermine her authority. In realizing these two goals, the Arroyo administration provided rewards to various key factions within the Philippine military and police establishment in order to subvert the possibility of a military take-over or a political defection (Gloria 2011, Gloria 2013, Curato and Arugay 2013, Corvera 2003a). In fact, President Arroyo appointed 12 generals to the position of chief-of-staff of the AFP during her 10-year term, "subsequently shifting them into civilian posts after retirement", thereby indicating an "increase in military influence on political institutions since 2001" (Mietzner 2011, 5-6; Arugay 2011). In return, the state security establishment had been formally contracted, albeit covertly, by President Arroyo in killing and harassing legal political opposition. Because of their strong support base for left-wing politics especially outside of Manila, the social democratic-oriented and communist organizations became the immediate targets of killings and physical harassment by the police and the military. To a lesser extent, incumbent local leaders, who were formally allied to President Arroyo, targeted their own respective political opposition

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<sup>119</sup> Estrada's (or commonly known as 'Erap') electoral success was largely attributed to overwhelming support from the working class and the rural voters. Estrada was a famous action movie star before entering national politics. In the Philippine political discourse, Estrada is widely known as "*Erap para sa mahirap*" or "Erap as an advocate of the poor people". In contrast, Arroyo's bulk of political support before becoming the President in 2001 came from Manila-based elites and middle-class. As the daughter of former President Diosdado Macapagal (1961-1965), Gloria Arroyo served as a professor of economics and holds a PhD in economics. She used to be a former classmate of US President Bill Clinton at Georgetown University. Because of such social and educational background, Arroyo's supporters generally came from the upper- and middle-class.

challengers. Indeed, media critics, student activists, and sympathizers of left-wing politics became clear targets of violent state repression.

To illustrate the weak political authority of the Arroyo administration, the figure below (figure 4.14) shows the year-by-year satisfaction ratings from the Manila-based Social Weather Station (Social Weather Station 2010). It conveys that Arroyo, on average, was considered to be the least liked President since the return of electoral democracy in 1986. Notably, Arroyo's highest public satisfaction rating was recorded in 2001, yet the rating at that time was comparably very low relative to her predecessors' record. In 2004, national presidential elections were held, and Arroyo was elected by approximately 1 million votes ahead of her challenger – the only year in which President Arroyo enjoyed a very high rating compared to all the years of her presidency. Nevertheless, such peak eventually dipped to negative satisfaction ratings when it was revealed that Arroyo's 2004 electoral success was made possible through collusion with a high-ranking elections commissioner, who was tasked to artificially produce 1 million votes. Arroyo, in fact, conceded to such wrongdoing, yet she managed to remain as President.<sup>120</sup> Thus, President Gloria Arroyo's public satisfaction record suggested that her hold to political power was tenuous, which motivated her and her allies to increase state repression of all forms of political opposition.

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<sup>120</sup> The authority of the Arroyo regime was badly tainted especially in June 2005 when the “Hello Garci” scandal broke out. The scandal began when an audio recording of a phone conversation between Arroyo and the Commission on Elections (COMELEC) Commissioner Virgilio Garcillano (“Garci”) was released to the public and the media. It was a conversation between Arroyo and Garci that occurred several months before the 2004 presidential elections. The incumbent President Arroyo asked Garci to manipulate the national election results for the presidency, particularly by ensuring that she should have at least one million lead of votes against her nearest rival. Eventually, the actual results in the 2004 elections indicated a 1 million lead against Fernando Poe, Jr (FPJ), a very popular movie star and was thought to be well-loved especially by the masses. On June 27, 2004, a teary-eyed Arroyo appeared on national television and acknowledged that it was her voice on the audio recording but denied that the 2004 elections were rigged. Ironically, she apologized and was known, since then, with her famous line: “I am sorry”.

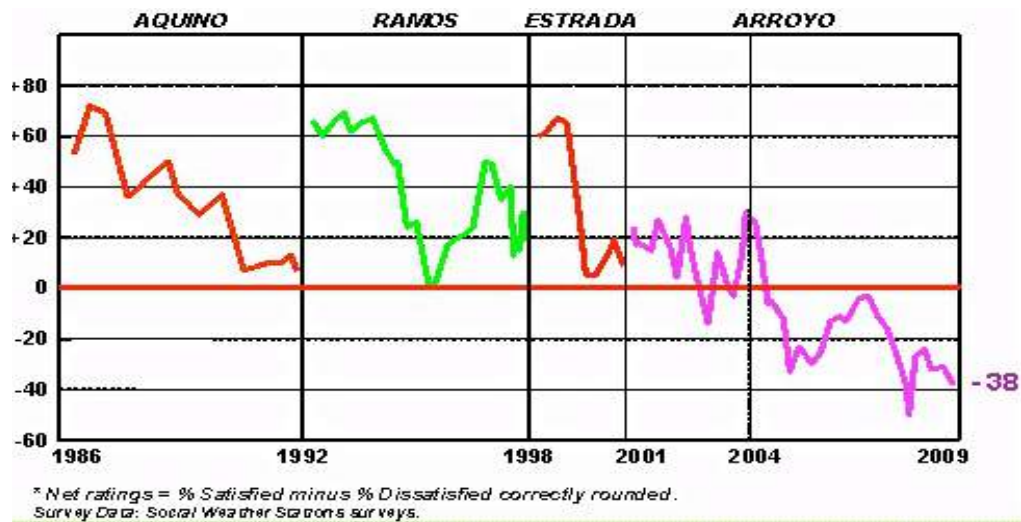


Figure 4.13 Net Satisfaction Ratings of Philippines Presidents, May 1986 – September 2009

Another enabling domestic political condition was the lack of restraint of the military to engage in civilian politics. In the case of the Philippine state, two enduring institutional qualities remain obvious: (1) the consistent meddling of the military and police actors in national and local politics; and (2) the severe infighting and persistence of conflicting factions within the Philippine military, thereby demonstrating the lack of coherent institutional leadership and professionalism (McCoy 1999; Arugay 2011; Pobre 2000; Abinales 2005). Regarding the first empirical point, the post-World War 2 AFP has consistently asserted its crucial role in the political survival of elected Presidents. Considering the politicized nature of the armed forces, the Arroyo administration rendered political favors to the most important actors within the military leadership.<sup>121</sup> Such tactic most likely motivated the police and the military in implementing the violent repression of peaceful political dissidents. Specifically, the Arroyo administration used large amounts of intelligence funds (largely from US aid), wide administrative discretion in implementing wide-scale counter-terror operations, as well as high-profile cabinet positions within the civilian government to lure the influential military and police commanders in leading the government's repressive practices against armed and unarmed opposition

<sup>121</sup> The coercive agencies of the state are extremely important in regime survival. See for example Chenoweth and Stephan (2011) who extensively discussed that shifts of loyalty in the military are crucial in the success of civilian resistance to the regime in power. They argued that the state's security forces provide the "most important pillar of support" for any ruling regime within a society (p. 46). See pages 157-184 for a more thorough discussion about the role of Philippine military in national politics.

(Corvera 2003a and b). Moreover, President Arroyo's tenure holds an unprecedented record of having the largest number of cabinet officials and high-level diplomatic posts assigned to retired military and police officers (Adriano 2009). Thus, the propensity of the military to meddle in civilian politics easily facilitated the political deal of President Arroyo with the state security establishment in order to implement the violent crackdown of political opposition.

Furthermore, state violators apparently had been relishing the fact that legal penalties against their repressive policing practices can be easily avoided. First, this means that external political pressures easily influence the judicial system. The 2012 report by the Heritage Foundation's Index of Economic Freedom Report shares some of its keen observations on the Philippine justice system (Ordinario 2012):

The rule of law remains uneven, and the legal framework is deficient in independence and efficiency. The cumbersome court system and loose regard for contracts continue to be causes for concern. The judiciary is nominally independent but susceptible to political interference. Despite some progress, government anti-corruption efforts have been too inconsistent to eradicate bribery and graft effectively.

Second, the judiciary has been facing the problem of case congestion. In fact, the government's National Statistical Coordination Board reported that the "judiciary faces serious difficulties in addressing case backlogs, and that additional investments will be required to improve the adjudication process" (Bacani 2013). Accordingly, lower courts have a very high vacancy rate at 24.3% from 2006 to 2009, and that "over a million cases swamped in the lower courts a year also mean that each judge need to handle an annual caseload of 644 cases or about three cases to be resolved each working day" (Bacani 2013). Because of such backlog, most human rights victims had been unable to make a successful legal case in these courts. Because of longstanding institutional defects in the judiciary, state actors willfully implemented the killings and physical harassment of opposition members, while they enjoyed a perceived sense of legal immunity.

Except for the varying levels of perceived political authority of the elected central government before and after 9/11, institutional problems within the military and the judiciary appear to be enduring domestic political conditions. This is why,

during the pre-9/11 period, the relatively satisfactory public satisfaction record of both Fidel Ramos and Joseph Estrada most likely eliminated the need for the central government to implement violent repression of peaceful dissent. Thus, we see that the post-9/11 period was indeed demonstrative of Arroyo's need for regime consolidation, whereby the central government tasked the state security establishment in leading a widespread and violent repression of all forms of political dissidence.

#### 4.6 SELECTIVE POLITICAL REPRESSION AGAINST 'ENEMIES OF THE STATE'

The systematic and state-initiated killings and harassment of unarmed civilians were unprecedented in Philippine politics since the end of the Martial Law regime in 1986. It was only during the tenure of President Arroyo when the central civilian government vigorously, yet surreptitiously, sanctioned the violent repression of civilian targets in addition to armed rebel groups. Thus, this section presents several empirical observations from 2001 through 2009 that depict the nature of human rights abuses at the micro-level. Essentially, these narratives of severe physical harassment and extra-judicial killings of unarmed and legal political opposition members, civil society activists, and journalists illustrate the brutality and pervasiveness of violent harassment employed by the military and the police. Referring to my theoretical model, I call these incidents of abuses as outcomes of selective political repression because they occurred as part of an internal policy of Philippine military and police agencies, whereby legal political opposition became a target of counterterror operations. In other words, Filipino state agents deliberately killed unarmed political dissidents as part of a regime consolidation strategy of the Arroyo administration.

One of the most notable examples illustrating selective political repression is the Maguindanao massacre (Perez and Dimacali 2009; Rauhala 2010; Beehner 2010) that occurred last 23<sup>rd</sup> November 2009. On that day, a convoy of journalists, lawyers, and relatives of Vice-Mayor Esmael Mangundadatu ("Toto") were on their way to support and to cover the filing of Toto's certificate of candidacy for provincial governor in a local Commission on Elections (COMELEC) office in the Maguindanao province. Since 2001, when Arroyo named Andal Ampatuan Sr. as a political ally, the

Maguindanao province had remained to be under the political control of the Ampatuan political clan. Since then, a member of the Ampatuan family occupied almost all key elected positions in the province. According to witnesses and official accounts by various government agencies, Toto's group was on a police checkpoint when a group of around 100 armed people suddenly intervened and took over the lead of the convoy.<sup>122</sup> The Ampatuan clan officially employed these armed men as paid employees of the provincial government. The evidence strongly suggested that the women were raped and sexually mutilated before being killed.<sup>123</sup> In the final tally, 57 unarmed civilians were found to be dead, 30 of those were journalists who wanted to cover the filing of candidacy of the political challengers of the Ampatuan clan.

A few days after the incident, a national government investigation into the Ampatuan's mansion discovered "a big weapons cache consisting of light artillery and heavy infantry weapons (including commando weapons, explosives, and ammunition) as well as military uniforms" (Perez and Dimacali 2009). Moreover, it "uncovered a hidden armory behind a concrete wall, with ammo cases for M-16, M-14, and possibly M-203 rifles also bearing the mark of the United States Department of Defense Arsenal". Most of the items were all brand new and all came from the US Department of Defense. It is widely believed that the new military ammunitions from the US came to the hands of the Ampatuan family because of their close links with the Arroyo administration and the Philippine military. Such scenario is likely because, after 9/11, "most US military assistance goes to military equipment and US military training of local troops", compared to a stark emphasis on non-military concerns prior to 9/11 (Hall 2010, 33).

Essentially, the 2009 Maguindanao massacre revealed that the Arroyo regime most likely used US strategic assistance to buy the political loyalty of local politicians as well as the provincial police and armed forces units. The discovery of US military resources in Ampatuan's private residence points to such conclusion. Local politicians, in turn, marshaled military resources and regional units of the military and police to physically harass and to kill legal political opposition in the rural provinces. Local

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<sup>122</sup> It also appears that the local police unit of the PNP allowed the intrusion of the unidentified group of armed individuals in halting the convoy.

<sup>123</sup> The Time Magazine named the Maguindanao massacre as the world's "single worst attack on journalists ever recorded" (Rauhala 2010).



media reports in Mindanao suggest that the Ampatuans, prior to the massacre, implemented a massive political propaganda that branded the emerging opposition politicians as detrimental to local security. Indeed, such is a clear example of strategic localization of post-9/11 security discourses, whereby pro-Arroyo politicians used counterterror discourses to undermine the credibility of local politicians. The local media also reported that the Ampatuan clan's unprecedented access to various instruments of political violence was a result of Mindanao being named as priority area for post-9/11 counter-terror operations. Such designation of the region as a conflict hotspot facilitated the influx of US aid to the region through the Arroyo-led government based in Manila.

Moreover, the political deal between the Ampatuans and the Malacañang Palace helped President Arroyo in shoring up political support in southern Philippines.<sup>124</sup> It is highly plausible that the Arroyo administration, together with the local police and military units, armed the Ampatuans. Such resource transfers from Manila to the provincial government can be interpreted as part of a political deal of regime consolidation between Arroyo and various military, police, and para-military groups, and local politicians in the country.<sup>125</sup> On top of that, the local media discourses in the Ampatuans' locality also contributed to a sense of artificial legitimacy to the killings of the local opposition (Human Rights Watch 2010b, Rauhala 2010, Zarate 2010). In fact, the Ampatuan family framed their political challengers as "local terrorists", who purportedly threatened the political stability in the province that has been controlled for such a long time by pro-Arroyo politicians. Of course, such carefully contextualized discourse on "local terrorist threats" only gained its resonance after the 9/11 attacks in the US.

Similarly, another example of an attempt of regime consolidation at the local level was the politics of post-9/11 violence in Davao City, where its mayor, Rodrigo

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<sup>124</sup> After the Maguindanao massacre, local media reports widely reported that the Ampatuan political clan was crucial in delivering the landslide victory for Arroyo during the 2004 presidential elections and the senatorial candidates of Arroyo's political party. In 2005, most of these votes from southern Philippines were disclosed as fraudulent, which led to the eventual public apology of Arroyo in primetime national television for committing electoral fraud.

<sup>125</sup> Perhaps this was the case in some of the large cities that are crucial to the electoral success of any national politician. Particularly, the important political clans in some of the cities in northern Philippines (Luzon), central region (Cebu), and the south (Davao City) received substantial financial support from Arroyo especially during elections, in addition to prioritization in the national budget.

Duterte, sanctioned much of the abuses in that city.<sup>126</sup> The mayor is widely known for being in full command for hundreds of extrajudicial killings in the city. For such reason, the *Time Magazine* named him “The Punisher”, while many Filipinos call him the “Dirty Harry of the Philippines” (Zabriskie 2002, Breuil and Rozema 2009, Human Rights Watch 2009). Similarly, Human Rights Watch, Amnesty International, the UN Special Rapporteur Philip Alston, along with domestic civil society groups, were all united in pinpointing their fingers to Duterte for his blatant political and material support for killing suspected criminals, street children, drug addicts, among many others.<sup>127</sup> Although the local government-sponsored death squad in Davao City started even as early as the mid-1990s, both local and international NGOs reported the dramatic increase of killings starting 2001 (Breuil and Rozema 2009).<sup>128</sup> The brutality and pervasiveness of Mayor Duterte’s human rights violations increased since the Philippines joined the US-led War on Terror. As the respected Filipino journalist Carlos Conde keenly noted (2014) :

in 2001-2002, Duterte would announce the names of “criminals” on local television and radio – and some of those he named would later become death squad victims. No one has been successfully prosecuted for any of these murders

Human rights violations under Duterte’s command emerged because the local government effectively hijacked the sensationalized political discourse on public security amidst the ‘war on terror’, which, in turn, could have made the killings a more viable option to a critical mass of Davao City’s population. Notably, the pervasiveness of the killings soared since 2001 to the point that “if you want to kill anybody in the Philippines, now [post-9/11 period] is the best time” (Conde 2005).

The support that Davao City received from President Arroyo was also unprecedented. Particularly, in January 2004 alone, it was reported that “34 people died and the killings were at their worst”, yet “Davao's police force was chosen as the

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<sup>126</sup> With a population of around 1.5 million people, Davao City is the third biggest and most populous city in the country. It is located in the southernmost region of Mindanao, the largest island group in the country, where poverty is endemic and violence appears to be very rampant.

<sup>127</sup> Educated in one of Manila’s finest law schools, Rodrigo Duterte, the city’s mayor since June 2001 (until the present, 2013), has been a loyal ally of Arroyo. He also serves as part of Arroyo’s cabinet, particularly as the “Presidential Adviser on Peace and Order and Security Issues”.

<sup>128</sup> Based on varying reports from the Amnesty International, Human Rights Watch, and local NGOs that all started the statistics in 2001, one can safely placed the number of extrajudicial killings within the range of 500 to 1000 (2002 until 2009).

country's best for 2004" (Conde 2005). Arroyo openly and consistently endorsed Duterte's political leadership and praised his performance in Davao City for strengthening public security amidst a region beset with terrorism. Moreover, "the execution-style killings in Davao City...are openly endorsed by local officials, strengthening the long-running suspicion that the death squads were formed by the government" (Conde 2005). Moreover, local NGOs "conclude from their statistics that at least 16% of the victims in 2001/2002 were minors"; while in 2005, "30% of the 200 victims are thought to have been children" (Breuil and Rozema 2009, 417). In fact, the Philippine Commission of Human Rights concluded that there was "a pattern of selective and systematic extrajudicial killings of 206 individuals accused or suspected of committing various offenses by a vigilante group in Davao City from 2005 to 2009" (Regalado 2012). Gunmen were widely believed to be members of the local military and police units led by retired soldiers, who were then contracted by the local government. At the height of the international uproar against the human rights violations committed in Davao City, Mayor Duterte sternly responded in 2009 (Philippine Daily Inquirer 2012):

If you are doing an illegal activity in my city, if you are a criminal or part of a syndicate that preys on the innocent people of the city, for as long as I am the mayor, you are a legitimate target of assassination

Consequently, the *modus operandi* of the Davao City Death Squad had been replicated in other parts of the country, largely because of the initiatives of local government leaders with strong political alliances with President Arroyo. In particular, the mayor of Cebu City, the second largest city in the country located in the Visayas region, also supported the idea of local government-sponsored 'death squads' under the rubric of counter-terrorism. One can only reckon that President Arroyo's State of the Nation Address during the start of her term in 2001 also branded ordinary criminals and drug addicts as "internal security threats" that must be considered as legitimate targets of counter-terrorism. In 2004, Mayor Osmeña of Cebu City consistently and openly encouraged local police "to be more aggressive" against criminal suspects, while co-incidentally, "death-squad" operations similar to Davao emerged in Cebu. Osmeña proudly confessed that he mandated police officers that "if

you encounter a crime in progress, don't be shy. Pull the trigger and I'll give you a bonus” (Conde 2005).

The table below (Figure 4.15) shows the statistical data indicating the number of extrajudicial killings executed by the Davao Death Squad (DDS) covering the years 2005 and 2006. The data was obtained from the official report to the UN Human Rights Council by Philip Alston, Special Rapporteur on extrajudicial, summary or arbitrary executions, based on his two-week long visit to the Philippines in 2007 (Alston 2009).

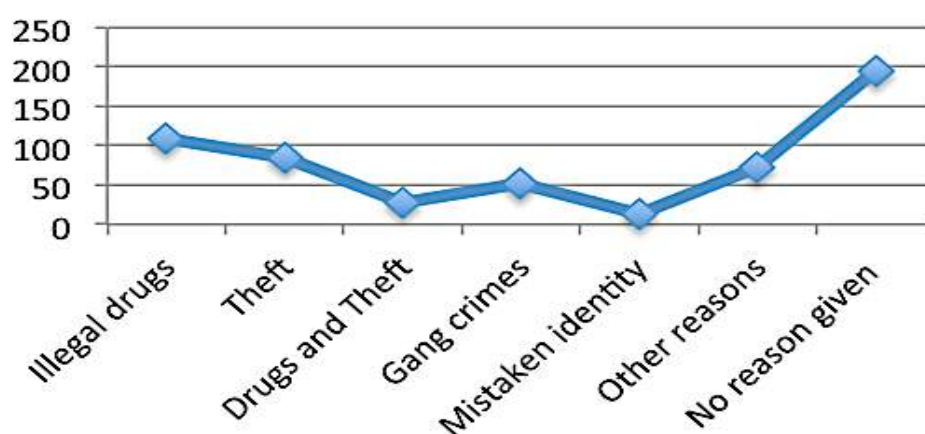


Figure 4.14 Davao Death Squad Victims – Reasons Given for Executions and the Number of Incidents

Data from Alston (2008) covering the years 2005 and 2006. *Note:* DDS here stands for the government-sponsored Davao Death Squad

Indeed, Arroyo’s logic of regime consolidation helps us understand the patterns of repression shown by Davao City’s death squads as well as the Ampatuan massacre incident.<sup>129</sup> In the pursuit of such goal, the Arroyo administration and her local allies in the provinces contracted local police and military in order to kill mostly unarmed

<sup>129</sup> Davao City is one of the biggest cities in the country next to Manila and Cebu City. It is also one of the cities with the biggest number of registered voters and one of the most important cities in southern Philippines, where much of the counter-terror operations were deployed. The strategic importance of Davao City and Mayor Duterte in the political survival of the presidential regime in Manila led one analyst in asserting that: “a presidential aspirant would need his (Duterte) endorsement” (Gonzalez 2005).

political dissidents. Such deal between the central government in Manila and the local provincial authorities had been implemented through two political mechanisms. First, Mayor Duterte leveraged on the post-9/11 discourse on peace and security, particularly on the pre-emptive policy paradigm of counterterrorism. By disregarding the rule of law and human rights norms, local state actors believed that security would be best promoted by violently apprehending ordinary civilians with purported deviant behavior as well as government critics. Second, the Philippine military and police agencies' resources — initially intended to be used against armed rebels — were harnessed by local politicians allied with President Arroyo in order to kill suspected criminals and critics. Indeed, the widespread activities of the “death squads” required tremendous amounts of material resources, and the influx of aid had been contributive to such repressive activities that only boomed after 2001. In return for financial and political support from the government in Manila, Duterte's government facilitated the extensive intelligence gathering of US Special Forces in Mindanao as well as gathering political support for President Arroyo (Regalado 2007).

In summary, there were two key observable patterns of state repression during this period: (1) “the killings were part of the government's plan to rid itself of the opposition parties or those considered to be in opposition to the Arroyo administration” and (2) “that there is a pattern of a sharp increase in the number of killings where there are military detachments” of US-Philippine joint military operations (Asian Human Rights Commission 2006). Thus, these patterns exhibited that the state's increased use of political violence was indeed a double-edged sword: whereas counter-terrorism was explicitly aimed to combat armed rebellion, it was also used to narrow the space for peaceful political dissent. The first pattern referred to such deliberate and intended violent killings as part and parcel of a policy of selective political repression, while the second one pertained to the killings of unarmed civilians as collateral and unintended consequences of regular counter-terror operations by the police and military in conflict-ridden areas.

Notably, the Tokyo-based NGO Human Rights Now (Amnesty International 2006; Davao Today 2007; Human Rights Now 2008; Romero 2007) reported that “the majority of targets are people who are lawfully criticizing governmental policies by means of peaceful measures such as speeches, writing, and mobilizing people”. In an

interview with a high-ranking civil society activist in northern Philippines, Philippine studies scholar William Holden (Arroyo 2002; Calica and Villanueva 2002; Holden 2009) noted that “the more vocal people are, the more vulnerable they become”. In particular, the Tokyo-based NGO Human Rights Now (2008, 17) characterized the profile of these victims:

*Most of the victims of the extrajudicial killings appear to belong to certain groups, all of which have one common characteristic: their involvement in activities that seem to go against the interests of the Arroyo regime. They are human rights defenders investigating and condemning human rights violations allegedly committed by state agencies, students involved in human rights issues, union leaders, members of the political party-list group *Bayan Muna*, religious leaders who promote human rights, and in some instances, innocent bystanders that are later accused of being anti-government agents or members of the NPA. (Emphasis mine)*

An example of the Philippine government’s selective political repression of left-wing activism was the 2006 abduction Karen Empeño and Sherlyn Cadapan, student activists from the University of the Philippines. The incident illustrated the direct involvement of certain units of the Philippine military in the violent repression of organized political dissent and criticism (Philippine Daily Inquirer 2011, US Department of State 2008). Because they were highly visible in grass-roots politics and numerous student protests against the US-Philippines counter-terror partnership, Empeño and Cadapan were kidnapped by government agents, while they were conducting interviews with peasant farmers in northern Philippines for their academic research. Most likely because of their left-wing political beliefs and extremely vocal public criticism of Arroyo’s policies, the students were considered by the state as “enemy combatants” and therefore required “neutralization”.

Indeed, the Empeño & Cadapan example was reflective of the many other instances in which left-wing politics, particularly those of social-democratic or Marxist persuasion, had been violently repressed by the Philippine government. Similarly, in 2003, the Philippine National Police “arrested the publisher-editor of an opposition newspaper on charges of libel, based on allegations of corruption against some of the President’s associates”. Such incident was widely branded by the national media as the “first arrest of an editor since 1986”, the year when the two-decade

authoritarian leadership of Marcos ended (US Department of State 2004a). Thus, even non-leftist political opposition and members of the media fell victims of selective political repression that emerged in 2001.

Such observations of state repression occurred and persisted through two primary strategies. First, the Arroyo administration and the Philippine military publicly justified such massive purges of peaceful political dissidents as “legitimate” by offering a counter-narrative that the targets were surreptitiously aiding armed rebellion in the rural areas. Second, the Filipino police and military used US military resources and advanced post-9/11 counter-terror techniques in order to effectively implement widespread political repression (Laude 2002, Villanueva and Brago 2003).

Indeed, the sustained and systematic identification, surveillance, and killings of civilians required tremendous amounts of surveillance technologies, weaponry, manpower, and political support – all of which were systematic advantages that only emerged because of post-9/11 US strategic support. Particularly, since 2001, the US military trained various elite units of the Armed Forces of the Philippines and the Philippine National Police in advanced counter-terror techniques involving interrogation and torture, while the US government may have given “tacit approval of extrajudicial killings since September 2001” (McCoy 2009, 19). Thus, the military and police could have had a less systematic and limited scope of repression of unarmed political opposition if 9/11 and the subsequent War on Terror did not happen.

#### 4.7 COLLATERAL CONSEQUENCES OF US-PHILIPPINES COUNTERTERRORISM

Because counter-terror operations are never foolproof state practices, many state agents ended up accidentally killing noncombatants under the suspicion that the latter were indeed members of the armed communist movement.<sup>130</sup> The collateral effects of intensified counter-terror operations included the displacement of communities,

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<sup>130</sup> Most of these unintended violations emerged amidst counter-insurgency operations and military deployments in conflict-prone rural areas in “Southern Tagalog, Bicol and Central Luzon; Samar, Leyte and Negros in the Visayas; and North Eastern (Caraga), Southern (Compostela Valley) and North Central Mindanao” (Karapatan 2009, 40).

destruction to private property, and the detrimental psychological effects of military operations to civilian residents living in conflict-prone areas (Foot 2005).<sup>131</sup>

For instance, the 2009 detention of Muhamadiya Hamja is a telling example of a collateral abuse emerging from the government's false identification of a suspected rebel (Philippine Commission on Human Rights 2009, Penney 2011). Residing in a Muslim-dominated neighborhood of Manila, Hamja was erroneously accused by the police as a member of the Abu Sayyaf Gang, the notorious kidnap-for-ransom Islamic rebel group. The suspicion was based on a report from another resident in the village who expected "to win more than \$1000 from the American-funded 'Rewards for Justice' programme, which gives cash prizes to citizens who identify terrorists" (Lehrer and Arroyo 2001, Penney 2011). In an official Philippine Commission on Human Rights (CHR) report (2009), the PNP conceded that the arrest of Hamja was a big mistake. The CHR cited the reasons of Hamja's defense attorney, who asserted that the warrant of arrest was intended to capture "Madja Hamja", whereas her client's name is "Muhamadiya Hamja". Moreover, the same CHR report lamented the fact that Hamja "had also been arrested sometime in 2001 for fifty-two cases of kidnapping and illegal detention but was never identified after the presentation of more than sixty witnesses, leading to the dismissal of the cases against him" (Philippine Commission on Human Rights 2009). In 2009, he was secretly detained by the police, but was later on released upon the confession by the police authorities that Hamja's detention was indeed a case of mistaken identity. The case of Hamja was an example that the policing profession is not an error-proof enterprise. Even with perhaps well-intentioned police and military agents, errors could still be committed,

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<sup>131</sup> Because of the apparent pro-government bias of mainstream news media, the Arroyo administration was successful in deterring any form of news coverage of collateral damages of the US-led operations in Mindanao. Such was the case especially during the first few years since the war on terror began in the Philippines. For example, in 2003 alone, the five Philippine newspapers with the broadest circulation had sixty percent of the news articles that primarily used official government sources (Cole 2006, 62). Moreover, with the frequent emphasis of national media about the gains of counter-terrorism and increased US interest in the country, the horrific plight of thousands of victims from the countryside were almost absent in the public consciousness. Instead, the focus was on the brutality of the government's targets of violence. Specifically, this meant that "most media practitioners used the 'terrorist' label to encompass the actions of guerilla fighters, bandits, kidnapers, arsonists, murderers and terrorists", which consequently "ignored the critical distinctions between the different forms of criminal activity and political violence" (Cole 2006, 63). That being so it is probable that the scope and pervasiveness of these incidents of abuses could have been very limited if not for the substantial amounts of counter-terror aid and the hegemonic dominance of a counterterror policy paradigm in the public sphere.



through which collateral human rights abuses could emanate from. Thus, increased counterterror operations during this period contributed to a high probability that state agents committed erroneous identification of terror suspects, which in turn, led to a high number of collateral killings and injuries.

Furthermore, the destruction of private property and the torture of misidentified suspects in several conflict-prone areas were just some of the unintended consequences of increased counter-terror operations that began in 2001. A good example of this was the joint US-Philippine military operation in Sulu islands, where repeated kidnappings of US citizens by the Abu Sayyaf Gang started since late 2001. The massive surveillance operations and extensive military operations in southern Philippines led to large-scale disturbance of the lives of those living in affected rural communities through forced displacement, undermining of privacy, and destruction of private properties (Docena 2007). For instance, the lives of innocent children were not spared from the far-reaching effects of US-Philippine counter-terror cooperation. In particular, around “423 children-victims of intensified military operations launched by the government” from January to March 2008 were reported to be affected (Children's Rehabilitation Center 2008; Merueñas 2011). In fact, the killings were accidentally undertaken “in cognizance of the all-out war counter-insurgency program of the Arroyo Administration” (Children's Rehabilitation Center 2008). In early 2008, a joint report by the human rights organizations Children’s Rehabilitation Center and *KARAPATAN* revealed that a total of 126,850 children were counted as human rights victims resulting from US-supported AFP operations in Mindanao from 2001 to 2005 (Children's Rehabilitation Center 2008). The aforementioned number already included “580 direct victims, 138 indirect victims, 17 children political detainees, and 126,115 children displaced due to indiscriminate firing, strafing, bombing, destruction and divestment of properties” (Children’s Rehabilitation Center 2008). Moreover, from 2001 to 2005, the same report concluded that “the Autonomous Region of Muslim Mindanao (ARMM) has the highest number of children victims of human rights violations, followed by Central Luzon and Southern Tagalog” (Acop 2006; Children's Rehabilitation Center 2008). Such instances of violations primarily resulted from the numerous military detachments that affected the psychological well being of the children residing in conflict-prone areas. Notably, many of these reported

violations occurred in Mindanao, where US Special Forces operated in joint missions with the Philippine military in several occasions from 2002-2008.

On the other hand, various indigenous peoples' (IPs) groups also felt the far-reaching negative consequences of counter-terror operations. Based on the official 2008 report to the UN High Commissioner for Human Rights by the domestic and transnational indigenous peoples' rights networks (Indigenous Peoples' Rights-Monitor Philippines, Tebtebba Foundation Indigenous Peoples' International Centre for Policy, Philippines, Philippine Indigenous Peoples' Link/PIPLINKS in London, United Kingdom 2008; Quimpo 2008), indigenous communities in the country "are estimated to be around 12 to 15 million, or 15 per cent of the total population" and "they occupy more than 10 million hectares of the total landmass of 30 million hectares". Because all of them live in rural and conflict-prone areas, indigenous people's risk of being accidentally killed or injured by state's security forces during military combat is also high. Accordingly, indigenous communities' claims of human rights violations during this period can be classified into two: (1) innocent indigenous tribal leaders mistaken as direct supporters of either the armed communist movement or the Islamic rebel groups, and the (2) forced displacement of indigenous communities from their ancestral lands due to military deployments in the wake of counter-terror operations. The domestic and transnational human rights networks (Arroyo 2002; Indigenous Peoples' Rights-Monitor Philippines et al. 2008) reported that the 120 individuals from a diverse range of indigenous groups in the country were accidentally killed from 2001 to 2008. Notably, the Lumads of Mindanao and the Igorots of the Cordillera in southern and northern parts of the country, respectively, were the most gravely affected by the increased militarization of their areas. Many members of various indigenous groups were also killed because they were erroneously mistaken as rebels. As an illustration, from 2003 to 2006, four members of the indigenous tribe in the Cordillera region were killed in northern Philippines, whereby the victims were mistaken to be communist rebels. Yet, the victims were using firearms solely for food gathering as they conducted their indigenous hunting practices (Indigenous Peoples' Rights-Monitor Philippines, Tebtebba Foundation Indigenous Peoples' International Centre for Policy, Philippines, Philippine Indigenous Peoples' Link/PIPLINKS in London, United Kingdom 2008).

In other instances, the displacement and loss of lives of indigenous residents were illustrative examples of the collateral consequences of intensified counter-terror operations in many of the rural regions where they lived (Alston 2008; Miller 2008). For example, in late 2007, the Philippine army had intensive military clashes against communist rebels in Surigao del Sur, a northeastern province of Mindanao. This military operation resulted in the forced displacement of around 1500 Manobo indigenous residents, and that an epidemic outbreak of cholera also aggravated the problem in evacuation centers. The problem was so severe that the Philippine Senate called it a “humanitarian disaster” (Senate of the Philippines 2007). While the displacement lasted for almost two months, the Manobos, who eventually returned to their lands after the military clashes, witnessed their homes completely destroyed, including their animal farms.

In many rural areas, the Philippine military was circumstantially compelled to recruit indigenous people as part of the Philippine government’s paramilitary units for two reasons. First, because of the influx of post-9/11 US aid, the Philippine military had the wherewithal to expand its military operations in many places where armed rebel groups persisted. Because of the rugged terrain in many of these conflict-prone areas, the Philippine armed forces had to rely on locals for reliable domestic intelligence and additional logistical support. Second, because of the financially impoverished situation in many of these militarized areas, members of indigenous communities were forced to join the government’s paramilitary units in exchange for money. Notwithstanding this seemingly mutually beneficial transaction, indigenous people were underpaid in their collaboration as paramilitary support forces of the Philippine military, and many of them were coerced to join government forces out of sheer financial motivations or incomplete understanding of the situation. For instance, in August 2009, the Lumad indigenous communities in northeastern Mindanao failed in their plea to the Armed Forces of the Philippines’ 401<sup>st</sup> Infantry Battalion for government forces to leave their ancestral lands. The military deployment in their ancestral land, home to around 1,700 indigenous residents, caused a food blockade in the area as well as the extremely coercive conscription of some Lumad male members to be part of the government’s paramilitary organization (Bulatlat 2009).

Notably, the table (Figure 4.16) below shows the best available statistics to date regarding the number of collateral abuses from 2001 to 2009. The statistical data reveal that close to 1 million people were detrimentally affected by the forced evacuation and displacement from their local residence as a result of the military deployments in their areas.

Mode of Action that Undermines Human Rights Guarantees	Estimated Number of People Affected
Indiscriminate Firing	538,017
Forcible evacuation and displacement	873,482
Food and other economic blockades	84,626
Use of schools, religious and other public places for military purposes	55,388
Illegal search and seizure	53,810
Hamletting	38,616

Figure 4.15 Various Kinds of Collateral Human Rights Violations, 2001-2010

Source: KARAPATAN Annual Reports, see Appendix.

To examine the intensity of US military engagement with the Philippine armed forces, one might look into one of those instances in which the American military stood closely with Filipino troops in conflict-embattled zones.<sup>132</sup> In particular, in November 2002, the Philippine military staged armed combat operations against purported members of the Abu Sayyaf Group. Yet, in reality, their targets were from the MNLF, “a group whose peace agreement with the government has frayed but which is not tagged a “terrorist group” by either Manila or Washington”, at least until November 2002 (Docena 2007, 14).<sup>133</sup> Thus, there was a mistake in the identification of the targets. Nonetheless, the AFP launched such military operations with the assistance from the US Special Forces covertly stationed in Mindanao. According to testimonies from residents in Sulu islands in southern Philippines, US Special Forces

<sup>132</sup> The post-9/11 joint military trainings between the US and the Philippines were called Balikatan (shoulder to shoulder) exercises. Officially these regular visits of the American forces were intended to be military trainings, but it is quite well known to many in the country that US forces were directly involved in actual operations against Islamic rebels in Mindanao.

<sup>133</sup> This refers to the Moro National Liberation Front (MNLF), which was founded by Nur Misuari in the 1960s. It advocates for the establishment of a “*Bangsamoro*” land in Mindanao, southern Philippines. Before 9/11, the Philippine and US governments as well as the UN Security Council Reports never classified the MNLF as a “terrorist group”. This is because of the group’s commitment to ongoing peace negotiations with Manila about the terms of political autonomy of Mindanao.

troops were leading combat operations together with the Philippine military officers. Such incident demonstrated that the US military forces based in the Philippines had a more direct role with the commission of collateral violations in few instances such as when

They were seen aboard military trucks with their Filipino counterparts and in rubber boats, mounting heavy artillery, operating military equipment, removing landmines, or evacuating casualties. Throughout the clashes, a spy plane – which locals claim had been flying over the skies for months – was seen hovering above the area where fighting was ongoing. (Docena 2007, 14)

Hence, the evidence above suggested that joint operations by the US and Philippine armed forces led to some collateral damages, such as the destruction of private properties, physical injuries, and deaths of unarmed civilians. It must be noted, however, that most of the recorded instances of human rights abuses primarily involved Philippine military and police forces only.<sup>134</sup> For example, from January to August 2002, joint American-Filipino military operations against the Islamic terror group Abu Sayyaf Gang (ASG) resulted in the displacement of around 90,000 rural residents in southwestern Philippines and destruction of private properties and residential buildings (Norwegian Refugee Council 2002; Simon 2002). Similarly, from January to September 2005, US-guided Philippine military operations against the ASG and other Islamic rebel groups in southwestern Philippines led to the inevitable displacement of residents, among many other collateral damages (Agence France Presse 2003; Bush and Arroyo 2001a; Gunness and Arroyo 2001; International Coordinating Secretariat in Utrecht IBON Foundation 2007; Lehrer and Arroyo 2001; Locsin 2001).

#### 4.8 ANALYSIS: THE HUMAN RIGHTS PROBLEM DURING THE WAR ON TERROR PERIOD

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<sup>134</sup> Domestic media reports and official government documents rarely mentioned the direct involvement of US military personnel in actual combat operations in Mindanao. In contrast, US sources explicitly mentioned that US forces were involved with Philippine troops during combat operations against Islamic armed rebels in southern Philippines (e.g. The New York Times and two other professional journals of the US Army: Military Review and Special Warfare: The Professional Bulletin of the John F. Kennedy Special Warfare Center and School).

Why did the post-9/11 human rights situation in the Philippines deteriorate to the extent that enforced disappearances, extrajudicial killings, and false detentions, among others, became so prevalent? Whereas left-wing political opposition and unarmed civil society activists were widely tolerated in the pre-War on Terror period, why did the Philippine government suddenly decide unarmed political opposition as targets of deliberate violence by the police and the military? Essentially, I argue that the terror-oriented policy focus of the Bush and Arroyo administrations and the weak authority of the Arroyo-led Philippine government fundamentally shaped the patterns of state repression in the Philippines from 2001 to 2010. While the US and Philippine governments agreed to only target armed rebel groups as part of their joint counterterror efforts, the Arroyo administration diverged, albeit surreptitiously, from such an agreement. Particularly, in her effort to bolster her weak authority, President Arroyo and her political allies used terror-oriented US strategic support in contracting the military and police agencies in systematically killing and harassing both armed and unarmed political opposition. The Arroyo administration's influence in the judicial system also facilitated the perceived sense of impunity of state agents as they committed human rights violations (see Agabin 2012; Bernas 2007).

Considering the empirical evidence presented in this chapter, I maintain that the increase in violations can be attributed to two transformative policy patterns, both of which were instigated by the influx of counterterror assistance from the US government. First, the Philippine government included left-wing political opposition, critical journalists, government critics, and local political opposition as targets of violence by the military and the police. Because of her perceived weak leadership, President Arroyo used US counter-terror assistance and political support in order to gain the political support of the military and police officers, most especially the Armed Forces of the Philippines. In particular, the military and police gained in this deal by having more discretionary intelligence funds, acquisition of modern equipment, and counter-terror training sponsored by the US government.<sup>135</sup> In return,

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<sup>135</sup> The influx of post-9/11 US counter-terror funds and assistance to the AFP and the PNP provided a lot of rent-seeking and corrupt opportunities for the military and the police. See the detailed accounts of Bhattacharji (2009), and Gloria, Rufo, and Bagayaua-Mendoza (2011). One of the highlights of corruption in the military as result of this "aid shock" was the eventual suicide of Arroyo's Department of Defense and former AFP Chief-of-Staff Angelo Reyes because of corruption charges attributed against him. In the words of a prominent Filipino political scientist and former activist Nathan Quimpo: "Corruption in the Philippine armed forces and police has plagued the fight against terrorism. At the

President Arroyo temporarily secured the political support of the military, while contracting the latter to undermine political opposition by violently harassing or even killing not only armed rebels but also legal political opposition.<sup>136</sup> Hence, “Arroyo’s embrace of the United States and the acquisition of US aid increased her standing vis-à-vis the armed forces”, and “as counterinsurgency operations grew, Arroyo became less inclined to challenge military prerogatives in internal security, and as such, gained the support of many soldiers” (Chambers 2012, 154; see also: Clapano 2003; M. Gonzalez 2001a; Talosig 2001a; 2001b; 2001c). Worst, the ineffective judicial courts and the enormous financial and non-monetary costs involved in the prosecution of suspected military and police violators provided the military and police officers a sense of immunity from any form of legal punishment. In effect, the selection of legal political opposition and activists as targets of US-funded counterterror operations in the Philippines substantially contributed to the increase in human rights violations after 9/11. This process of deliberately killing and harassing peaceful political opposition is what I call “selective political repression” – a unique and transformative process that only occurred after 2001.

Second, with the funding and political support from the Bush administration, the Philippine government expanded the scale of counter-terror operations against armed Islamic and communist rebels, which consequently generated a build-up in the number of collateral deaths and injuries of civilians in conflict-ridden areas. Thus, Manila’s support for Washington’s War on Terror “essentially opened channels for increased US military assistance” that empowered the military and the police “to gain the upper hand in its fight against local Islamist terrorist and secessionist groups” (Morada 2003, 228; see also: Arroyo 2002, Capulong 2002, Philippine Star 2006). In other words, the long-standing armed domestic insurgency problem was no longer an exclusive concern for the Philippine government; instead, it was incorporated in the global US-led War on Terror through the Arroyo administration strategic localization

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height of the Abu Sayyaf kidnappings, the Philippine media frequently reported the collusion of soldiers with terrorists, selling them guns and ammunition and getting cuts from ransom payments” (Quimpo 2007, 8). See also Gonzalez (2001b, 1) and Rivera (2005).

<sup>136</sup> Southeast Asian politics expert Paul Chambers (2012, 139) argued that the Philippine military continues to challenge civilian supremacy to the extent that it has the “tendency to act as national savior, with the ability to make or break governments”. My analysis of the evidence also concurs with the assessment of Chambers (2012, 129) that the US-led War on Terror made the “counterinsurgency operations grew, Arroyo became less inclined to challenge military prerogatives in internal security, and as such, gained the support of many soldiers”.

of post-9/11 security discourses. In effect, extensive counterterror operations in post-9/11 Philippines generated an increase in collateral violations. For instance, ordinary civilians were mistaken as terror suspects, thereby leading to an increase in the number of erroneous detentions. Non-combatant civilian residents in Mindanao, central Luzon, and other conflict-prone rural areas of the archipelago were killed, injured, or sometimes psychologically harassed. These abuses occurred while Filipino soldiers and agents of US Special Forces were stationed in their communities as part of the widespread counter-terror operations against armed Islamic rebel groups. In other instances, schools, homes, and private property of ordinary residents were destroyed, while government forces were engaged in combat operations against armed Islamic rebels in Mindanao or communist rebels in rural areas in Luzon and Visayas islands. Such aforementioned incidents are outcomes of processes that I collectively call “erroneous intelligence and policing practices”. Because there is an absence of evidence that pointed to a deliberate intention of involved American and Filipino military forces to just kill or harass unarmed residents in conflict-ridden areas, the increase in human rights violations after 9/11 can be partially attributed to these collateral consequences of counter-terror operations.

Hence, the deterioration of human rights situation in post-9/11 Philippines was an outcome of entanglements between US foreign policy and Philippine domestic politics. Using the two-level metaphor of diplomacy (Putnam 1988), I refer to the political developments in the US (external/transnational) and the Philippines (domestic) after the 9/11 attacks. At the external level, the American public widely supported the Bush administration’s war on terror and the various forms of increased US military engagements with other allies (Gershkoff and Kushner 2005, Landau 2004). This domestic public support enabled the Bush administration to provide enormous amounts of terror-oriented material support to allied countries. At the domestic level, the Arroyo administration launched its increased armed operations against armed rebels in the south based on normative justifications that hinge upon the post-9/11 perceived threat of international terrorism. Notably, the Filipino public widely supported US assistance to the Philippine government’s counter-terror agenda.<sup>137</sup> In other words, the terror-oriented US-Philippines bilateral agenda

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<sup>137</sup> The Manila-based Social Weather Station (SWS) conducted a nationwide survey on the 3<sup>rd</sup> to the 21<sup>st</sup> November 2002, and revealed that 84 percent of the respondents approved any form of counter-



emerged precisely because of the convergence of American and Filipino public support for such policy focus.

Yet, an interesting empirical puzzle remains. Why exactly did the Filipino public instantly support US military assistance? I contend that the overwhelming public support for US military assistance to the Philippine government emerged because of the Arroyo administration's careful framing of international terrorism as closely linked to the long-standing internal security threats in the country. Using my theory of interest convergence, I called such an ideational process the "strategic localization of international counter-terror discourses". It involved two key elements. First, the Arroyo administration persistently promoted the idea that Islamic armed rebel groups in Mindanao are directly linked to Al-Qaeda and other pan-Islamic terror networks that were responsible for the 9/11 attacks. Furthermore, the Arroyo administration also framed legal political opposition, most especially the social democratic-oriented political parties, as 'front' organizations of the New People's Army, the country's armed communist rebel group. Second, building upon such diagnosis of the security threats, the Arroyo administration established the case that the only way to address such domestic security threats was to seek counterterror assistance from the US government (Bhattacharji 2009, Guevarra 2007).

As a result, the promotion of these carefully localized terror-oriented discourses, emphasizing the domestic salience of the terror threat, enabled the influx of US aid that expanded the scope of counterterror operations in the Philippines. Such strategy of public diplomacy led to two far-reaching policies that generated human rights violations: (1) the proliferation of collateral damages due to a dramatically increased scope of the Philippine military's offensive operations in southern Philippines, and (2) the recasting of legal and unarmed opposition as domestic security threats. In other words, strategically localized discourses did not stop at the level of public debates and

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terror assistance from the United States (16 percent disapproved). See appendix for notes on SWS data. Moreover, based on the Pew Research Center (2014) Global Indicators Database, the Philippines consistently ranked number one in the list of countries that have a favorable attitude toward the US. In the 2002 survey, shortly after the 9/11 attacks, 90 percent of the respondents from the Philippines expressed a favorable view of the US. Similarly, 85 percent of the respondents had a favorable view of the US based on the 2013 survey. In both instances, the percentage of respondents from the Philippines who have a favorable view of the US is much bigger compared to the percentage of respondents from the US itself.

discussions. Indeed, such discourses were realized into concrete and transformative domestic policies that generated a boom in human rights abuses starting in late 2001.

Conclusively, the evidence during this period showed that the 9/11 attacks and the global US-led War on Terror transformed the shared expectations amongst Filipino political elites, the Philippine state security establishment, and the wider public regarding how much governmental power can be exercised by the state in order to uphold public security vis-à-vis human rights. Capitalizing on the political uncertainty triggered by the 9/11 attacks vis-à-vis the long-standing domestic security problems in the Philippines, the Arroyo administration disregarded human rights protection as a fundamental policy consideration in order to implement two goals: (1) to uphold public security by targeting armed rebellion, and (2) to consolidate her rule by contracting the AFP and the PNP to violently crush legal political opposition. Both of these goals required a sustained and well-funded counter-terror campaign primarily implemented by the police, military, and state-sponsored military forces.

If the US government had not provided terror-oriented to the Arroyo administration, would the Philippine government have targeted both armed and unarmed civilian targets? On that regard, it is interesting to note that the emerging consensus amongst local scholars and opinion-makers suggested that the post-9/11 counter-terror campaign against peaceful and armed political opposition was largely an outcome of domestic politics (Rivera 2005, Chambers 2012, Quimpo 2006, Franco and Abinales 2007). Accordingly, even without the involvement of the Philippines in the US-led War on Terror, it is still likely that the Arroyo administration might have had resorted to targeting both armed and unarmed opposition in order to strengthen her political rule. Yet, such diagnosis is only partially true for two reasons. First, the widespread counter-terror operations in the Philippine require willing and well-funded military and police agents. In conducting their counter-insurgency campaigns or even in undermining political opposition to support the incumbent President, the Philippine armed forces and the police would require at least the latent political support of the US.<sup>138</sup> Without US support for Arroyo's leadership, neither a counter-insurgency

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<sup>138</sup> See for example the account of Robinson (1996), especially the chapter on the Philippines. US support was crucial during the time of Marcos, when massive violations were being implemented by the military. Yet, because of the growing domestic protest against the regime in the 1980s and the eventual pullout of support of the US for Marcos, the AFP eventually revoked their support for the dictator and its highest military officers even joined the 1986 revolution.

campaign against armed rebels nor extrajudicial killings of legal political opposition would be possible. This is precisely because regular government budget allocated for state security, as I mentioned before, is only allocated to the salaries of the military and police personnel. This means that any form of large-scale counterinsurgency efforts would normally require enormous funding in which the Philippine state normally does not usually have. Second, the perception of an emerging political uncertainty after 9/11 was widely shared by the US and the Philippine political elites as well as the public-at-large. This made it easier for President Arroyo to sensationalize the threat of both armed and unarmed political dissidence, and consequently justify well-funded counter-terror operations, which were sold to the public by highlighting the overriding importance of public security over human rights. In other words, the Arroyo administration's unprecedented marshaling of resources to the military and the police was only made possible because of terror-oriented US strategic support. As a matter of fact, foreign assistance is crucial to the Philippine military that the US government substantially funded almost all of the post-World War 2 counter-insurgency campaigns against communist, Islamic, and other secessionist armed rebel groups.<sup>139</sup> In other words, if counter-terror operations were not that widespread and well funded as it were after 2001 because of US support, it is highly likely that human rights violations — whether deliberate or collateral in nature — could have been much lower.

In closing, this chapter confirmed my theoretical expectations, as set out in Chapter 2. Specifically, increased terror-oriented foreign strategic support will lead to human rights deterioration if both the donor and recipient governments' interests converge on a counterterror agenda as well as when the recipient government has a weak domestic authority. Moreover, the aid recipient government's decision to include unarmed political opposition as targets of violence depended on the perceived need of the central civilian government to assert its political authority and consolidate its rule over the broader population and also within the state apparatus (especially the military). Indeed, the evidence in this chapter demonstrated that the post-9/11 Philippine government used terror-oriented strategic assistance from the US government in undermining the influence of peaceful opposition and in increasing the scale of domestic counterterror operations, both of which resulted in a spike of

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<sup>139</sup> See for example the accounts of Pobre (2000), Shalom (1977), Blum (2004, 38-43).

collateral and intended human rights abuses. Finally, the longstanding institutional defects within the state security apparatus and the Philippine judiciary facilitated the further deterioration of the human rights situation during this period. Moving forward, the next chapter analyzes how US strategic support led to positive outcomes in human rights protection in the Philippines from 2010 to 2013.

## 5 POST-WAR ON TERROR PERIOD IN THE PHILIPPINES (2010-2013)

### Chapter 5

#### 5.1 INTRODUCTION

The main objective of this chapter is to examine how and under what set of transnational and domestic conditions did the relatively stronger human rights protection emerge in the Philippines during the post-War on Terror period (mid-2010 to 2013).<sup>140</sup> Using my theory of interest convergence, I explain in this chapter why the minimal number of residual human rights violations still transpired during this period, notwithstanding the convergence of the US and Philippine governments towards a pro-human rights agenda vis-à-vis the strong domestic authority of Philippine President Aquino. As this chapter demonstrates, the case of the Philippine human rights situation from 2010 to 2013 shows an intriguing empirical puzzle: particularly, an increase in US bilateral aid coincided with a substantial decrease in the number of human rights violations.

My central argument is that the pro-human rights and less-militaristic approach of US foreign policy under the Obama administration reinforced the emerging domestic political norms in the Philippines, whereby the newly elected government and the public demanded stronger human rights protection and democratization. The convergence of the shared expectations of the American and Filipino political elites together with the strong authority of the elected government in the Philippines resulted in two key domestic policy patterns: (1) low priority status for domestic counter-insurgency that resulted in a decrease in collateral human rights violations, and (2) a domestic policy that widely tolerated peaceful political opposition. Notwithstanding, residual state-initiated abuses persisted because of the ineffective judicial system and the corrupt practices of some agents in the Philippine state security establishment.

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<sup>140</sup> The Obama administration did not completely abandon the counterterror agenda especially in other parts of the world, particularly in the Middle East.

As I demonstrate in detail in this chapter, the sudden shift of Philippine domestic politics toward a pro-human rights agenda in the late 2000s coincided with the Obama administration's departure from his predecessor's counterterror agenda — at least in the case of US foreign policy in the Asia-Pacific. Such convergence of shared interests emerged due to the Philippine government's strategic reinterpretation of emerging international demands for stronger human rights protection amidst the surge of counterterrorism since 2001. In this process, the Philippine government led by President Benigno Aquino III, whose electoral success was largely based on a campaign agenda of good governance and human rights, justified the shift to human rights protection in two important ways. First, the Aquino administration actively sought for human rights-oriented and non-militaristic bilateral aid from the White House based on a “diagnostic justification” that pinpointed government corruption as the root of poverty, economic underdevelopment, and human rights deterioration — a paradigm that he called as *Aquinomics*, in contrast to a more militaristic notion of *Matatag na Republika* (“Strong Republic”) by Aquino's predecessor, President Arroyo. Second, in view of such diagnosis of the problem, the Aquino administration justified that US strategic support must be primarily reoriented toward non-militaristic aid, most especially by lobbying for a 500-million USD worth of Millennium Challenge Grant from the US government. In that way, the US government acceded to such demand because of the Obama and Aquino administrations' shared interests on a human rights-oriented agenda in the Philippines. Similarly, the Filipino public supported such policy shift in reaction to the human rights crisis that emerged in the previous period. As I show later in this chapter, the political success of the Aquino administration's human rights agenda relied on the strategic contextualization of human rights norms in light of the domestic political challenges in the Philippines.

This chapter will unfold in five parts. First, I provide a general assessment of the human rights situation vis-à-vis America's foreign policy goals and bilateral aid to the Philippines from 2010 to 2013. Next, the second section analyzes the emerging expectations of American and Filipino political elites and the broader domestic public, who generally favored stronger human rights protection. Third, I demonstrate that such human rights-oriented and non-militaristic bilateral agenda was reflected in the domestic policies of the central government in Manila as well as the aid programs of the US government. Consequently, the chapter examines the patterns of human rights

violations that emerged during this period. Finally, the chapter concludes by presenting the theoretical implications of the empirical evidence from the Philippines during the post-War on Terror period.

## 5.2 HUMAN RIGHTS SITUATION AND US STRATEGIC SUPPORT

The human rights situation during the tenure of Philippine President Benigno Aquino III (July 2010 – 2013) substantially improved compared to the conditions during the tenure of President Arroyo (2001-2010). Notwithstanding such development, domestic human rights groups still perceived the period quite problematic, and the situation was in no way comparably better than that during the 1990s. Specifically, the annual rate of 63 extrajudicial killings for the period of July 2010 to August 2013 was substantially lower than the annual rate of 132 incidents recorded during the term of President Arroyo (2001-early 2010). Yet, both rates recorded after 2001 were still dramatically higher than the rate for the pre-9/11 period (1991-early 2001), which was pegged at around 22 killings per year. In fact, the post-War on Terror period (2010-2013) registered a striking decline in the annual rate of enforced disappearances, with only around 4 incidents per year, or a total of only 13 incidents for three years. Even so, the post-War on Terror period's annual rate of enforced disappearances was still comparatively higher to the annual rate of 4.6 from 1992-1998, or a total of 21 reported incidents. Although it was during Arroyo's tenure that a deteriorated human rights situation was recorded, the Aquino administration, nonetheless, received reports of abuses committed by some police officers and military soldiers, who were involved in "80 cases of torture, 608 cases of illegal arrest, and more than 30,000 forced evacuations" (Oreta, Salvador, and Tolosa 2012, 10).

Despite the remarkable improvement in human rights compliance since President Aquino took office in mid-2010, domestic civil society groups actively demanded legal justice for human rights victims and a more committed judicial prosecution of state perpetrators.<sup>141</sup> In a similar vein, Human Rights Watch Asia

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<sup>141</sup> The official statistical report from the Philippine military and various domestic human rights NGOs indicated that the number of human rights abuses have substantially declined since President Aquino

Director Brad Adams made the following insightful observations in his 2013 public letter addressed to Philippine President Aquino (Human Rights Watch 2013b):

*The number of serious human rights violations by the military has significantly declined since you took office in 2010. Nevertheless, the victims of killings and enforced disappearances, which numbered in the hundreds in the previous decade, have not obtained justice and few perpetrators have been prosecuted. Despite your promises of reform and accountability, a damaging climate of impunity persists within the military and other state security forces... The public rhetoric on human rights by senior military officers has improved since you took office, but this has not resulted in better military cooperation with investigating authorities or comprehensive internal investigations of implicated military personnel. Further, the military continues to deny outright the vast majority of allegations of soldiers participating in extrajudicial killings and enforced disappearances of leftist activists, environmentalists, and clergy. Your government has yet to successfully prosecute a member of the military for an extrajudicial killing or enforced disappearance. Some officers implicated in serious abuses have instead received promotions. (Emphasis mine)*

In view of the statements above, one should note, however, that there was a shared consensus among human rights groups and Philippine government officials that stronger human rights protection indeed transpired since President Aquino took office in 2010. Yet, the challenge of securing legal justice for the human rights victims during the tenure of Arroyo emerged as one of the most important political challenges during the post-War on Terror period.

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took office in 2010. The only disagreement lies in the actual number of incidents of disappearances and extrajudicial killings. See for example the Philippine military's report on figure 5.1.



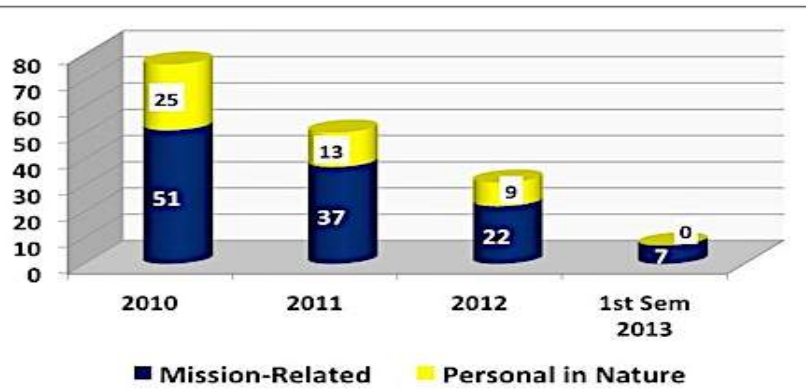


Figure 5.1 Human Rights Violations Statistics According to the Philippine Military, 2010-early 2013

Source: Fonbuena (2013) (image snapshot of the actual public presentation of the Armed Forces of the Philippines regarding the human rights violations).

Supporting the findings of local human rights groups, the Armed Forces of the Philippines noted a decline in the number of human rights violations committed by its officers. The bar chart (figure 5.1), as shown above, illustrated the noticeable pattern of decline in the number of violations committed by AFP officers and soldiers. Accordingly, the number of abuses classified as collateral damages of regular military operations can be found in the blue-colored part of the bar graph (Figure 5.1), while abuses committed by military agents out of personal reasons were captured statistically in the yellow-colored part. Informed by my theory of interest convergence, I considered these two categories of violations classified by the Philippine military as sub-types of what I collectively call as collateral human rights abuses resulting from erroneous policing and intelligence practices — a subject that I discuss later in the chapter. Moreover, the data from the Philippine military also revealed that there was an absence of human rights abuses resulting from selective political repression, primarily because neither the Aquino administration nor the Armed Forces of the Philippines’ leadership had an official policy of killing legal political opposition and unarmed activists during this period.

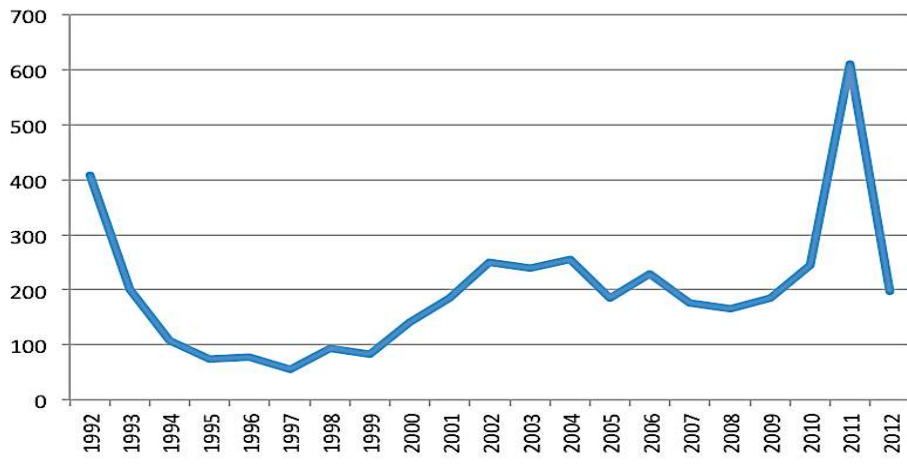


Figure 5.2 US Economic and Military Assistance to the Philippines, 1992-2012

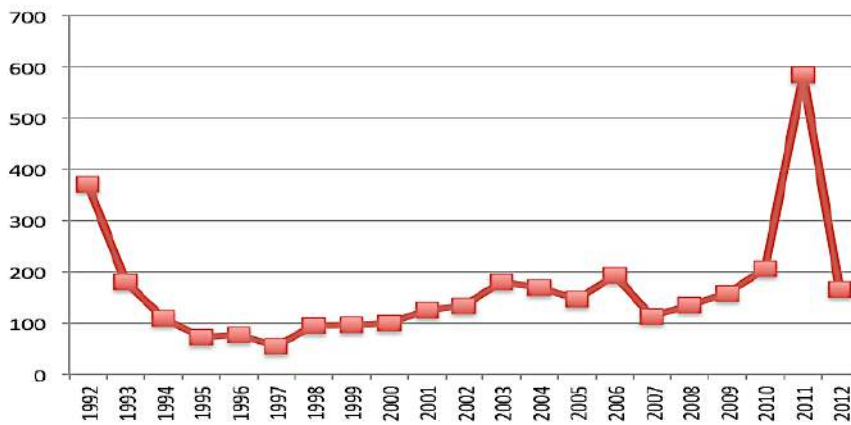


Figure 5.3 US Economic Aid to The Philippines, 1992-2012

On the other hand, the USAID Greenbook (Figure 5.2) showed a substantial increase in the average annual amount of US aid to the Philippines, with 151 million USD per year (2001 to 2009) to 396 million USD (2010 to 2011). Particularly, the increase in total US aid can be largely attributed to US economic assistance (figure 5.3), which rose from 244 million USD in 2010 to 611 million USD in 2011. Much of the aid for this period came from the “compact aid grant” of the US government-funded Millennium Challenge Corporation (MCC).<sup>142</sup> Unlike other forms of US assistance, MCC funding is normally given to specific countries based on a given set

<sup>142</sup> In contrast to the Arroyo administration that lobbied for counterterror aid in the US Congress a few weeks after the 9/11 attacks, the Aquino administration focused instead on having more economic development and human rights-oriented US aid. Particularly, the Aquino administration hired in 2010 the influential Washington DC-based law firm Covington and Burling LLP “to help win a reported \$439 million Compact with the Millennium Challenge Corporation” (Jaleco 2010).

of indicators that seek to measure recipient countries' performance in economic and democratic governance. The provision of an MCC grant to the Philippine government revealed that US-Philippine bilateral relations clearly shifted towards the promotion of good economic and political governance during the post-War on Terror period. In some ways, winning the MCC grant was also an outcome of the Aquino administration's strategy of adapting to the interests of the Obama administration. Whereas the previous period recorded a boom in US military aid to the Philippines due to counter-terror objectives, the Obama administration promoted objectives such as good economic and democratic performance, especially by tying such goals in the MCC grant as well as other forms of political pressures for the Aquino government to uphold its human rights and anti-corruption agenda. Because of Aquino's reformist policy agenda, the Philippines qualified for the MCC aid that aimed to "reduce poverty through economic growth" primarily by combatting government corruption (Millennium Challenge Corporation 2010). In the words of the MCC's CEO Daniel Yohannes, "the Filipinos have articulated a clear vision to improve the quality of their lives through a technically, environmentally and socially sound plan" (Jaleco 2010). More particularly, the aid was used in three key projects from 2010 to 2014, with around 434 million USD in total value:

The MCC Compact grants will invest \$54 million in computerizing and improving the tax collection activities of the Bureau of Internal Revenue; some \$120 million will go to livelihood- and quality of life enhancing projects in the country's poorest barangays; and \$214 million will be spent for the construction and repair of 220 kilometers of roads that cut across the most marginalized communities of Samar Island and link it with the rest of the archipelago. (Jaleco 2010)

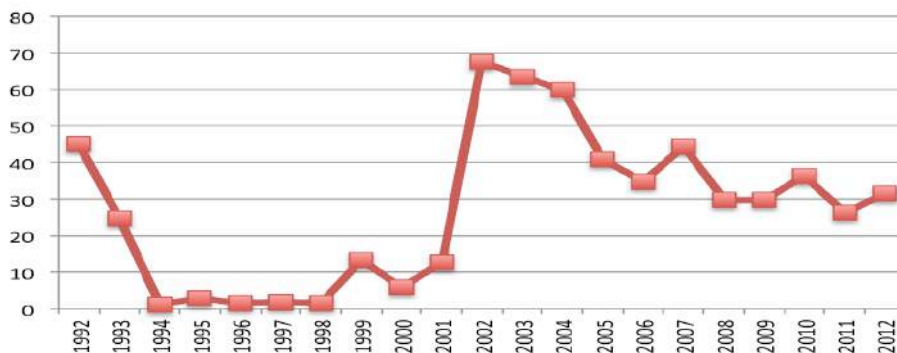


Figure 5.4 US Military Aid to the Philippines, 1992-2012

Furthermore, figure 5.4 reveals an approximate 50 percent decline in the amount US military aid from 2009 until 2012. Nonetheless, one should note that US military aid to the Philippines increased from 12 million USD in 2011 to 30 million USD in 2012, while the Philippine Department of Foreign Affairs confirmed that the US government forecasted an increase to 50 million USD in 2013 (Lucas, Shahshahani, *Foreign Policy in Focus* 2014). Notably, from late 2010 to 2013, US military aid was primarily intended to modernize the Philippine navy and other units of the armed forces in order to deal with the growing Chinese military presence in the highly disputed Spratly islands. Consequently, the US government increased the frequency and the number of ship visits and joint military training (especially navy) to the Philippines as a form of political showmanship in the Pacific region. Such development was seen as a response to increased Chinese naval activities in the South China Sea/West Philippine Sea (Clinton 2011). Taken together, all these key policy changes illustrated a definitive shift to an external security-oriented focus of the Philippine military, which clearly abandoned an internal counterterror-focus that dominated during the war on terror period. In effect, such reorientation in the strategic focus in the Philippine military dramatically reduced the number of combat operations levied against internal security threats (e.g. Islamic and communist armed rebel groups), which led to substantial decreases in collateral and intended human rights violations. To a certain extent, the military aid was also intended to support a very limited scale of domestic counter-insurgency operations against armed communist and Islamic rebels (De Jesus 2014).

As I show in detail in this chapter, there were two important political trends that emerged during the post-War on Terror period. First, the amount of US foreign assistance to the Philippines substantially increased, while human rights situation generally improved. In particular, the reported number of human rights violations — whether they are intended or unintended — was remarkably low from 2010 to 2014 compared to the previous period. Second, the improvement in human rights situation during the War on Terror period can be attributed to two key developments: (1) the widespread government toleration of unarmed political opposition, thereby leading to a minimal number of violations, and (2) the relatively moderate number of collateral damages due to ongoing counter-insurgency operations against armed rebels.

Whereas the pre- and post-9/11 periods showed a pronounced co-variance between US strategic support and the severity of human rights violations, the post-War on Terror period shows a very intriguing puzzle: Why did human rights situation improve despite the increase in US foreign assistance during the post-War on Terror period? Was US strategic support causally responsible for the improvement in human rights in the Philippines? If so, which aspects of US foreign policy influenced Filipino political actors to pay more respect for human rights? To what extent did domestic politics generate the emergence of a better human rights situation?

In view of those questions, my empirical analysis of the post-War on Terror period proceeds into four parts. First, I present evidence on how American and Filipino political elites have intentionally shifted their policy priorities from internal security to external security - that is, from domestic counter-terrorism to a more comprehensive range of priorities with a focus on the “rise of China” threat. Such transformation in policy priorities redirected the Philippine government efforts and resources away from counter-terror operations against domestic armed rebels, which resulted in a decline in collateral human rights violations. The second part, meanwhile, explains that the improvement in human rights compliance emerged partly because of the Aquino administration’s reformist agenda that widely tolerated peaceful political activists, especially the members of the leftist political opposition. Such reform meant an *absence* of selective political repression, or a statewide policy that condemns peaceful political opposition. Focusing on the long-standing corrupt tendencies within the state security establishment and the inefficiencies within the judicial system, the second part of the chapter demonstrates why some violations persisted despite the shift toward a bilateral policy paradigm that privileged stronger human rights protection. Next, I present some illustrative examples that characterize the patterns of repressions and human rights violations and differentiate their main characteristics from those incurred during the War on Terror period. The final part of the chapter summarizes the main findings from the case of the Philippines during the post-War on Terror period and I analyze how the evidence fares in comparison to my theoretical expectations.

### 5.3 STRATEGIC LOCALIZATION OF HUMAN RIGHTS NORMS: FROM COUNTER-TERRORISM TO STRONGER HUMAN RIGHTS PROTECTION

Why and how did the Philippine government reinterpret and persuade the US government and the domestic public that shifts to stronger human rights compliance and to a wider range of non-militaristic policy priorities were indeed warranted? In this section, I argue that the Aquino administration actively reinterpreted international human rights norms vis-à-vis the domestic political context in order to accomplish two key goals. The first pertained to the need to attract substantial amounts of US bilateral aid and to secure political support from the Obama administration. Meanwhile, the second referred to the domestic Filipino public that persistently sought to restore stronger human rights protection amidst the failures of previous administration. Particularly, the Aquino-led government reframed the country's security imperatives by highlighting the importance of the "rise of China problem", thereby forcing the Philippine military to focus more on external security rather than internal security concerns. This rhetorical strategy that focused on the "rise of China problem" systematically undermined the perceived importance of domestic counterterrorism. In effect, such strategy attempted to justify the downsizing of the Philippine military and police agencies' combat operations against domestic armed rebels and legal political opposition. Moreover, by discursively linking government corruption with material poverty and human rights violations, the Aquino administration successfully persuaded the US government with regard to the need for economic and development aid that were contributive to stronger human rights protection. Similarly, such discourse that pinpointed corruption as the main factor for the human rights crisis in the previous regime became an appealing policy agenda to the domestic Filipino public.

Indeed, perceptions of security threats and the policy priorities vary depending on the political predispositions of the donor and recipient governments. Certainly, the ascendancy to power of US President Obama in 2009 and Philippine President Benigno Aquino III in 2010 marked a transformation in the substantive focus of US-Philippines bilateral relations. Moreover, the case of the post-War on Terror period shows that the Philippine government clearly shifted its policy agenda away from

internal counterterrorism strategies in response to intense public criticisms against the Arroyo administration's human rights practices (Mertus 2008). Whereas a decade of the Bush presidency was stringently focused on counter-terrorism, the Obama administration reoriented US foreign policy to Asia towards the "rise of China" problem and the promotion of human rights and good governance in the Philippines (Landler 2012; Obama 2013; Sutter 2009). Consequently, the range of America's security interests in the Asia-Pacific expanded to a host of various policy priorities ranging from maritime security, territorial disputes (e.g. South China Sea dispute), nuclear proliferation in the Korean peninsula, the rise of China as an economic power, counter-terrorism, democratic governance, and human rights protection. In the end, the US-Philippines bilateral policy agenda reflected the Philippine government's central policy agenda; that is, counterterrorism was just one of the many other militaristic and non-militaristic policy priorities during the post-War on Terror period.

There were many ways in which the US government leveraged on policy discourses that explicitly undermined the importance of counterterrorism in its relations with the Asia-Pacific region, especially with the Philippine government. While the Bush administration focused too much in the Middle East and Southeast Asia as the primary fronts in the US-led War on Terror (Singh 2007), the Obama administration focused on a wide range of security concerns in the Asia-Pacific region. For example, US State Department Secretary Hillary Clinton (2011) contended that "the future of politics will be decided in Asia, not Afghanistan or Iraq, and the United States will be right at the center of the action". Yet, such statement is no way reflective of a policy stance that upheld an exclusively military-oriented engagement of the US government to Asia. In fact, Secretary Clinton clarified that counterterrorism was just one of the many components of a new US strategy in the post-War on Terror period:

Strategically, maintaining peace and security across the Asia-Pacific is increasingly crucial to global progress, whether through defending freedom of navigation in the South China Sea, countering the proliferation efforts of North Korea, or ensuring transparency in the military activities of the region's key players. (Clinton 2011)

Even Tom Donilon, US President Obama's National Security Advisor, implicitly conveyed that counter-terror policies should comply with important international norms, thereby boosting the human rights rhetoric in the post-War on Terror period (Donilon 2011):

*Security in the region requires that international law and norms be respected, that commerce and freedom of navigation are not impeded, that emerging powers build trust with their neighbors, and that disagreements are resolved peacefully without threats or coercion...Asia Pacific will be more secure and prosperous when nations uphold the values that are universal. It is no coincidence that our closest allies in the region are strong democracies. Our common values are a fundamental source of strength, which is why America partners with growing democracies... (Emphasis mine)*

Just right after it was reported that China overtook Japan in 2011 as the world's second largest economy next to the US, President Obama launched a series of high-profile visits in the Asia-Pacific region (Barboza 2010; Morrison 2013, 1). In particular, Obama gave a speech in Hawaii, Australia, and Indonesia where he articulated clearly the new defense posture and foreign policy strategy of the US. In contrast to Bush, who defined Southeast Asia's importance in terms of its strategic contribution to the global counter-terror campaign, President Obama argued that the War on Terror was indeed over, at least in the Southeast Asian front. He also argued that US foreign policy should be focusing on a more diverse set of policy priorities in the region (Obama 2011):

I'd like to address the larger purpose of my visit to this region our efforts to advance security, prosperity and human dignity across the Asia Pacific. *For the United States, this reflects a broader shift...the United States is turning our attention to the vast potential of the Asia Pacific region.* In just a few weeks, after nearly nine years, the last American troops will leave Iraq and our war there will be over. In Afghanistan, we've begun a transition -a responsible transition -so Afghans can take responsibility for their future and so coalition forces can begin to draw down. And with partners like Australia, we've struck major blows against al Qaeda and put that terrorist organization on the path to defeat, including delivering justice to Osama bin Laden. *Here, we see the future. As the world's fastest-growing region -and home to more than half the global economy -the Asia Pacific is critical to achieving my highest*



*priority, and that's creating jobs and opportunity for the American people. With most of the world's nuclear power and some half of humanity, Asia will largely define whether the century ahead will be marked by conflict or cooperation, needless suffering or human progress. (Emphasis mine)*

Indeed, the emerging importance of the “China problem” was mutually shared by the US and Philippine governments. Particularly, their bilateral security cooperation since 2010, specifically on issues of military affairs, focused on maritime security in the South China Sea/West Philippine Sea. Because of the widespread perception that China is becoming more aggressive in asserting its claims over the disputed islands in northwest Philippines, the Obama and Aquino administrations mutually agreed in August 2011 “to focus their efforts on the development of a framework for increased bilateral and multilateral security and maritime domain awareness” (De Castro 2012, 2). Accordingly, the maritime security-oriented strategy included the following: “1) a US rotational presence in the Philippines to assist the AFP [Armed Forces of the Philippines] in developing its own capability for territorial defense; 2) to increase bilateral maritime security activities; 3) development of joint-use maritime security support facilities; 4) improved bilateral information sharing; 5) coordinated and integrated maritime security initiatives between US Pacific Command and the AFP” (De Castro 2012, 2). Indeed, the widespread change in public and elite perceptions of the international security environment was reinforced by US State Secretary Hillary Clinton’s speech during her 2011 official visit in Manila (Cheng 2011):

*We recognize that our long mutual defense treaty and alliance relationship with the Philippines has to be updated and brought into the 21st century. And that will require working with the Philippines to provide greater support for external defense particularly maritime domain awareness, defensive ones, and maritime boundaries. (Emphasis mine)*

The above-mentioned statement from Clinton showed how the very core of shared expectations between the US and the Philippine governments dramatically changed toward a more expansive range of policy priorities other than combatting armed domestic insurgency. Indeed, the Obama and Aquino administration’s perception of military security focused on “interoperability in humanitarian assistance, as well as in the areas of disaster relief, maritime security, and maritime domain

awareness” (Filipino Reporter 2012). Such transformation in policy priorities was driven by two key factors. First, the long-standing foreign policy challenges, including the ensuing domestic insurgency faced by the US military in the War on Terror in Afghanistan and Iraq, made it difficult to justify continuing armed interventions and military assistance in other countries. Second, the human rights problem during the war on terror compelled the Obama administration to imbibe a policy rhetoric that was more sensitive to human rights norms.

Similarly, US foreign policy discourses that focused on other socio-economic issues other than counter-terrorism were matched by similar public pronouncements by Philippine President Aquino. In fact, President Aquino promoted three significant policy themes and goals in 2010 until 2014: (1) the prospect of a final peace agreement with Islamic rebel groups and the end of the armed conflict in Muslim Mindanao; (2) a strong and unconditional pledge for human rights; and, (3) the importance of other socio-economic priorities such as good governance and equitable economic development.

First, the sustained commitment of the Aquino administration in finally forging a peace agreement with the Moro Islamic Rebel Front (MILF) reduced the frequency of armed encounters between the military and the rebels. Starting in 2010, the Aquino government began forging a peace agreement with the MILF. In early 2014, the MILF agreed to fully disarm all its members (around 12,000) and to prepare them in integrating to civilian life. In return, the government in Manila pledged to provide autonomy to a new administrative region to be called *Bangsamoro* in Mindanao and the southern islands, where majority of the Filipino Muslim population live. The success of such peace agreement was partly attributed to President Aquino’s pledge for more equitable economic development in the region. In particular, President Aquino explained that the agreement “means that hands that once held rifles will be put to use tilling land, selling produce, manning work stations and opening doorways of opportunity for other citizens” (Whaley 2012). To a large extent, the political momentum towards reaching an agreement was fuelled by the promise for sustained financial assistance from the US government. In fact, the USAID, in cooperation with the local government and civil society groups, committed to fund and to lead in the implementation of various economic development projects in southern Philippines. It

was in such context that US State Department Secretary John Kerry quickly congratulated the Philippine government for “concluding negotiations toward an historic, comprehensive agreement” as “both sides are moving closer to the vision of a just and peaceful solution as outlined in the October 2012 Framework Agreement on *Bangsamoro*” (Espejo 2014).

Furthermore, the eventual dissolution of paramilitary forces, often contracted by the Philippine armed forces for domestic counterterror surveillance and and combat, has always been the key goal of elected governments since the return of electoral democracy in 1986 (Sidel 1999; van der Kroef 1986). On that regard, the Philippine Interior and Local Government Department reported that the Aquino government “has dismantled almost half of the private armies in the southern island of Mindanao” (Human Rights Watch 2012b).<sup>143</sup> On the 25<sup>th</sup> January 2014, the Philippine government and the Moro Islamic Liberation Front (MILF), one of the key rebel groups that were subjected to US-Filipino counter-terror operations shortly after 9/11, signed a peace agreement that “lays out the process of decommissioning the MILF’s armed forces” and “delineates a maritime territory for the future autonomous entity” (Alipala and Rosauro 2014). As a result, the “Muslim rebels agreed to disband guerrilla forces, surrender weapons, and rebuild their communities while the government gives them self-rule with wider powers to control their economy and culture” (Reuters 2014). Demonstrating the shift from a counter-terror discourse to a non-violent approach in tackling political dissent, President Aquino welcomed the peace agreement and exhorted: “Let us exchange our bullets for ripening fruit, our cynicism for hope, our histories of sorrow for a future of harmony, peace, and prosperity” (Reuters 2014). With promises of substantial USAID funding and political support for the eventual establishment of the autonomous Muslim region, the US State Department Secretary John Kerry expressed that (Santos 2014):

The US Government congratulates the Government of the Philippines and the MILF for concluding negotiations toward a historic, comprehensive peace agreement. This agreement

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<sup>143</sup> This was seen as a step forward to stronger human rights protection because many of the state-sponsored local armies have been implicated in many abuses, especially in areas infested by either armed communist or Islamic rebels during the War on Terror period. For a detailed historical discussion on the long-standing armed non-state rebellion in the Philippines, refer to McKenna (1998) on Islamic rebel groups and Chapman (1988) on the armed communist movement.

offers the promise of peace, security, and economic prosperity  
now and for future generations in Mindanao

Indeed, the disarming of the MILF rebels and their integration in civilian politics represented one of the most important outcomes of a shared security consensus between the Philippine and US governments towards non-violent approaches to armed political dissent. Whereas violent political dissent was addressed by heavily armed counter-insurgency operations in the previous period, the post-War on Terror government in Manila turned to peaceful resolution of long-standing armed conflicts. Indeed, the disarming of the Islamic rebels in Mindanao demonstrated that Filipino politicians in the Mindanao region harnessed the power of emerging pro-human rights and non-militaristic policy discourses in order to mobilize political support and external resources for pro-human rights policies including the peace agreement with the rebels.

Notably, the prospects of sustained financial assistance and political support from the US government lent credibility to Manila's offer for peace to armed rebels in Mindanao. Without the actual promise of sustained USAID funding in Mindanao's development and the commitment of the Aquino government, it would be very hard for the MILF and its other allied rebel groups to surrender their arms for the sake of a peace agreement. Such counterfactual scenario is considerably plausible because of two key reasons. First, the US government's guarantee for long-term financial assistance provided political credibility to the Aquino-led government's vision of peace in Mindanao. The Muslim population in southern Philippines has been historically doubtful of the willingness of the central government in Manila to invest in sustained funding for long-term development plans. Second, the transformation in US and Philippine governments' shared expectations about the intended outcomes of their bilateral relations can be vividly seen in the Aquino government's unconditional pledge for stronger human rights protection. As a son of the leading political opposition figure during the authoritarian period under Marcos, President Benigno Aquino III launched his electoral campaign in 2009 and early 2010 based on a policy platform that highlighted the importance of strong human rights protection in the context of an emerging democracy such as the Philippines. Notably, Aquino's electoral success depended on a reformist policy platform that highlighted the importance of human rights and good governance. Similar to Obama who capitalized

on the shortcomings of his predecessor in terms of human rights compliance, Aquino used his personal background to boost his credibility as a human rights advocate (Aquino 2010):

I grew up in an era where human rights were often violated. My father, together with many others, was a victim. Our family and their families were victims too... We know more than anyone that the blatant disregard of liberties will only bring us further into the dark.

Furthermore, the official policy discourses of Washington and Manila during the post-War on Terror period rarely focused on themes such as terrorism, national security, and military security — topics which were often the buzzwords invoked by any high-ranking official in either the White House or the Malacañang Palace in Manila from late 2001 to 2009. In contrast to US Ambassador to Manila Kristie Kenney, who was often silent about the human rights abuses during the War on Terror period, US Ambassador Harry Thomas was vigorous in expressing US government's support for the human rights initiatives of the Aquino administration. During the 63<sup>rd</sup> Anniversary of the Universal Declaration of Human Rights, US Ambassador Thomas expressed the following statement in support of Aquino's human rights record (T. G. Santos 2013):

The Aquino family has long championed human rights, and I am pleased that this administration has continued that tradition and has proven to be a staunch ally in efforts to promote human rights...The United States welcomes the Philippine government's commitment to pursue justice for all victims of extrajudicial killings and hold perpetrators accountable for such heinous acts that contradict the core values of the Universal Declaration of Human Rights

Third, the Aquino government leveraged on a narrative that promoted “issues such as weak governance and poverty... as structural deficits that can be overcome through the collaboration of state and non-state actors” (Curato 2013, 8). More concretely, such narrative meant that the Aquino government consistently promoted a credible diagnostic justification in support of its human rights agenda, whereby government corruption was identified as the root of poverty, human rights violations, and other social ills. Hence, Aquino's appealing election campaign slogan reflected clearly such message: “*Kung walang kurap, walang mahirap*” (If there is no

corruption, then there is no poverty). Such paradigm, which discursively linked human rights abuses with government corruption and economic stagnation, is now widely known in the national media as “*Aquinomics*”, “which equates good governance with good economics” (Curato 2013, 8). Since Aquino took office, all government agencies are now required to publicly share their operational budgets, financial statements, procurement strategies, and bids for outsourced projects, most especially some of the biggest expenses in the Philippine military and police agencies<sup>144</sup> (Official Gazette of the Government of the Republic of the Philippines 2012). That being so, it is no wonder that such transformative discourse on good governance was widely attributed to be the cause of the impressive economic growth recorded in 2013 at 7 percent. Even a prominent Southeast Asian politics expert Ernest Bower agreed (Bower 2012):

*He staked his credibility on a fight against corruption, good governance, and poverty alleviation. He is delivering on his promises. The Philippine economy is surging toward high growth despite the global slowdown. The Philippine Stock Exchange hit its all-time high in May, the peso has risen to almost its strongest exchange rate since 2008, and exports are projected to expand 10 percent this year.*

Moreover, a quite unprecedented level of political support from the US government to Aquino’s leadership complemented the Philippine government’s discourses on good governance and equitable economic growth. In contrast to President Arroyo, who was much more focused on internal counter-insurgency measures, President Aquino won the admiration of American political and economic elites, which resulted in the influx of enormous amounts of US bilateral aid solely intended for good governance reforms. As early as the first year of Aquino’s term, US Ambassador to the Philippines Harry Thomas advised the Philippine government that “there is a serious interest on the part of investors who want to know what’s in store for them if they invest in the Philippines” (BBC 2010). In 2010, for instance, Aquino’s short visit to the US “has generated \$2.4 billion in new investments for the Philippines” and a “commitment of at least 43,650 new jobs in the next three years,

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<sup>144</sup> Arroyo’s use of military intelligence funds became more apparent during the first year of the Aquino administration. In 2011, the Harvard-educated retired military general and Philippine Defense Secretary Angelo Reyes, a close ally of Arroyo, committed suicide in an apparent admission of guilt in corruption cases.

including some 4,500 in construction-related jobs and because of the multiplier effect we estimate 200,000 more jobs to benefit our country” (Filipino Reporter 2010). Such economic success was complemented by the Obama administration’s almost half-billion worth of Millennium Challenge Corporation (MCC) compact grant, which funded various USAID projects on good governance, private entrepreneurship, and various bureaucratic reforms.

In contrast to the previous period, US strategic support during the term of Philippine President Aquino was intended mostly for economic livelihood projects, civil society activities, and other non-military initiatives in conflict-prone regions such as Mindanao. Such milestone was part of the bilateral ‘Partnership for Growth’ program, which was known for “catalyzing joint effort to promote anti-corruption and rule of law, improved fiscal performance and regulatory quality and inclusive fiscal growth.” (US Department of State 2012). Reminiscent of the close bilateral economic trade relations in the 1990s, the Obama administration also fast-tracked the trade dialogue with President Aquino through the “Bilateral Trade and Investment Framework Agreement and the importance of expanding bilateral trade in key agricultural products of interest to both countries” (Filipino Reporter 2012). American and Filipino government officials invested on large-scale economic and good governance programs in Mindanao and elsewhere in the country. Because the goal was to disarm rebels and to provide them guarantees of long-term economic opportunities, most US-funded programs and domestic policies during this period were non-militaristic in nature, thereby decreasing the pervasiveness of collateral human rights abuses.

On the other hand, judicial reparations for the human rights victims also emerged as a key priority of US-Philippine bilateral relations in the post-War on Terror period. In fact, “the US has made some effort to address the problem of extrajudicial killings in the Philippines by providing assistance to the Philippine Commission on Human Rights, training investigators and prosecutors, and supporting judicial reform” (Human Rights Watch 2013c). Pro-human rights US strategic support was also complemented by various domestic human rights reforms such as the enactment of a law that will mandate the compensation of all human rights victims using 11 billion Philippine pesos (245 million USD) worth of recovered ill-gotten

wealth from the Marcos family. Most importantly, on December 2012, Philippine President Aquino signed the Anti-Enforced Disappearance Act or the *Desaparecidos Law* that imposes a maximum term of life imprisonment and the denial of any prospective presidential amnesty for any state actor who is convicted of committing enforced disappearances.<sup>145</sup> Convicted high-ranking officers and rank-and-file agents are subjected to the same penalties. In fact, all new high-ranking appointments in the military and police have to be vetted based on their previous human rights records. As commander-in-chief of the military, President Aquino also established the Human Rights Office within the Philippine Armed Forces, headed by a senior rank General who leads independent investigations with regard to all internal human rights complaints forwarded by newly installed human rights officers of each regional military command (Tutaan 2012). Similarly, the Philippine National Police (PNP) leadership assigned each of its units all over the country an independent human rights desk officer. The PNP leadership also implemented the widespread distribution of human rights handbooks among various regional commands and regularly conducted refresher courses on human rights and the role of the police. In sum, such important and unprecedented reforms within the Philippine national security establishment positively influenced the pro-human rights attitudes of many soldiers and police officers that were previously still attuned to a counter-terror paradigm.

Furthermore, the Philippine government enacted some unprecedented measures that aimed to promote judicial remedies for human rights victims. For instance, the Aquino administration allocated substantial government resources in prosecuting the suspects in the 2009 Maguindanao massacre. The Aquino government also initiated the investigation into the former Supreme Court Chief Justice Renato Corona's financial record, which led to his eventual impeachment over corruption charges. This was an important political move particularly because Corona, a former chief-of staff

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<sup>145</sup> One of the most important provisions in this law was the prohibition of the military and police agencies' drafting of an 'order of battle' (see Chapter 4). The order of battle includes a list of targets that the Armed Forces of the Philippines (AFP) used in order to capture and detain them. The AFP arbitrarily drafts the list without any direct command from civilian agencies. Historically, the order of battle was frequently used during the Cold War years when President Marcos led a two-decade authoritarian rule and during the post-9/11 period during the tenure of President Arroyo. In both periods, the AFP received substantial funding from the US government and targeted anybody who was openly criticizing government policies. Notably, the law also sets a guarantee for governments not to nullify the law even during war or security crises. The *Desaparecidos Law* is the first legal instrument introduced in the Asia-Pacific region that imposes severe penalties for state-initiated enforced disappearances (Casauay 2012; Human Rights Watch 2012a; Lagman and Bello 2012).



to President Arroyo, was widely perceived as complicit to the various human rights violations of the Arroyo administration. Thus, pertaining to what happened in the eve of the impeachment trial of Corona in 2010, the narrative below summarizes the influential role of pro-human rights public diplomacy of the US government in the Philippines (Santolan 2012):

Washington gave a conspicuous display of its support for Aquino in the upcoming trial. US Ambassador to the Philippines Harry Thomas met with Aquino's ombudsman to give a check for \$100,000. The money had been seized from the two sons of a Philippine general accused of corruption while they were entering the United States. The money was seized in 2003, on charges of currency smuggling, and not because of corruption allegations in the Philippines. Nearly nine years later, on the eve of a massive impeachment trial, the US embassy held a photo op and gave the money to the Aquino administration. The ambassador stated that the check was "a symbol of the US support for the anti-corruption effort that you are leading (*referring to Aquino*) ... We will continue to work with the Ombudsman in this anticorruption effort".

Notably, the above-mentioned report disclosed a significant shift of the intended public rhetoric of the US government: particularly, from being silent or perhaps complicit with the military and the police abuses during the War on Terror period to being unequivocally supportive of the anti-corruption and pro-human rights agenda of the Aquino government. The Aquino administration's efforts to prosecute government officials and agents sent a clear signal to prospective government abusers that human rights infraction would not be tolerated by the Philippine government.

Similar to the political developments in the 1990s, the Philippine military's comprehensive role in peace and development was reinstated – an important political aim that was systematically undermined during the War on Terror period. Specifically, the military was once again mandated to be equally responsible both for assisting in the civilian government agencies' projects as well as leading regular military operations. In fact, the country's highest ranking military general Emmanuel Bautista, argued that "the Armed Forces of the Philippines (AFP) does not only protect human rights, we also work to uplift human lives" (Romero 2013). Such statement was markedly different from the tone and rhetoric of previous Philippine military chiefs during the War on Terror Period, when they always placed national security over

human rights. True enough, retired Filipino general and WestPoint-educated military affairs scholar Dencio Acop opined that the post-War on Terror period witnessed the reduction in the scale of counter-terror operations partially because the military was then involved in other civilian development tasks (Acop 2012):

The implementation of the various letters of instruction and operational plans on security and development has led to the AFP's significant contribution of its engineer assets toward directly performing what is usually the responsibility of the Department of Public Works and Highways, amounting to not only millions but also billions of pesos in infrastructure projects throughout the country.

Indeed, the pro-human rights initiatives of the Aquino administration were also complemented by other landmark reformist measures taken by other branches of the government, particularly in fast-tracking the investigation and prosecution of suspected human rights violators. During this period, the efficient and sustained investigation of extrajudicial killings was made possible through the creation of a high-profile inter-agency committee that oversees the coordination of various civilian and military agencies within the government. Among many other cases subjected to such fast-tracked investigation and prosecution of suspected violators was the high-profile case pertaining to the disappearance of peasant activist Jonas Burgos, an incident that I discuss in detail in chapter 4. In early 2013 the Supreme Court directed the Armed Forces of the Philippines (AFP) to present documents, albeit confidentially, confirming the whereabouts of military officers involved in the abduction of Burgos. In response, the Philippine military cooperated with the court and the Department of Defense, and the AFP promised that the military leadership “adheres to the Rule of Law in all its undertakings...it is one with the Filipino people in search for truth and justice” (Carcamo and Diola 2013). Determined in leading the investigations of other cases of disappearances and torture, Philippine Defense Department Secretary Voltaire Gazmin emphasized that his agency:

will cooperate and make sure that the people or the personnel needed in the investigation will come out and we will help in (uncovering) the true story of the Jonas Burgos case...We are not hiding them (soldiers tagged in the Burgos disappearance). We will make them available. We will cooperate with the legal system... (Carcamo and Diola 2013)

Considering the substantive changes in the policies and the political discourses during the War on Terror period, why did the Philippine government suddenly abandon the counter-terror discourse? To what extent did US foreign policy discourses affect the policy goals of the newly elected Aquino administration? Did the Filipino public accept and support this sudden shift in policy discourses by the Aquino administration? In view of those questions, the policy focus of the US and Philippine governments shifted from a terror-oriented perspective to a more diverse set of security problems through three important steps. The first step pertained to the process in which American and Filipino elites in the post-War on Terror period perceived that armed non-state rebels should no longer be perceived as urgent and compelling security threats. As such, US President Obama and Philippine President Aquino diversified the range of security issues that defined their bilateral relations since 2010. Many of these issues were predominantly political (good governance, anti-corruption, and human rights protection) and economic (increased bilateral trade, welfare subsidies, and regional economic growth) in nature. Consequently, military-oriented problems that focused solely on domestic insurgency had a relatively low priority. The modest military assistance from the US government was solely focused on maritime security in view of the “China problem”<sup>146</sup>. In other words, influential actors that defined the bilateral security consensus between the governments of the US and the Philippines reframed the military security threat at that time: from communist armed rebels and domestic Islamic insurgents to a seemingly aggressive China. Whereas the Arroyo administration downplayed its importance, non-militaristic political threats such as widespread government corruption both in the executive and judicial branches became prominent in the shared bilateral agenda of the Obama and Aquino administrations. In contrast to the Arroyo administration, which promoted the idea of “Strong Republic” that linked economic security with effective counter-terrorism, the Aquino administration actively framed poverty and government corruption as compelling and urgent security threats. Thus, President Aquino consistently leveraged on a strong pro-human rights rhetoric: “cases of

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<sup>146</sup> The Obama administration’s policy is to provide “enlarged rotation presence” of American forces in the Philippine archipelago, especially in the highly disputed territories in South China Sea/West Philippine Sea (Calonzo 2014). Such policy stance resulted in the signing in April 2014 of an Enhanced Defense Cooperation Act (EDCA) between the US and Philippine governments. The purpose of US military assistance is to contain Chinese naval incursions and not necessarily to engage in combat operations against internal security threats.

extrajudicial killings need to be solved, not just identify the perpetrators but have them captured and sent to jail” (Karapatan Alliance 2010, 2). As a former torture victim during the authoritarian period in the 1980s, the newly appointed Human Rights Commissioner Loretta Rosales confirmed the transformation in the security perceptions of the current administration (Maaten and Sanchez 2011, 15):

As a long-term solution to the killings, torture and disappearances that spiked in the previous administration, the President [Aquino] ordered *careful efforts to achieve a paradigm shift from a militarist/hawkish approach to internal peace and security to one that is 90% political and only 10% military-oriented* (Emphasis mine)

The second step in the shift from counterterrorism to human rights refers to the enactment and implementation of domestic policies that remained consistent to the human rights agenda of the US and Philippine governments. Such domestic policies by the Aquino-led government received strong political and financial support from the US government. For instance, the high-profile anti-corruption measures such as the eventual detention and legal prosecution of President Arroyo and the impeachment of Supreme Court Chief Justice Corona over corruption and plunder charges were key priorities of the Aquino administration (Baviera 2012; Ronas 2013). Even the US Ambassador Harry Thomas publicly supported such political accomplishments, a political gesture that was significantly different from the public diplomacy approaches employed by his American predecessor. Such change in attitude by American diplomats in Manila was truly significant because, during the War on Terror period, US Ambassador Kristie Kenney remained a good friend and supporter of Arroyo even in the midst of a human rights crisis and the 2004 electoral manipulation incident.<sup>147</sup>

Notably, President Aquino’s non-militaristic policy agenda received substantial amounts of financial support through the Millennium Challenge Corporation Grant for the years 2012 to 2016. Reminiscent of the 1990s, the Philippine military played a relatively modest role in terms of its involvement in

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<sup>147</sup> In 2011, President Aquino reacted to the leaked diplomatic cables purportedly written by US Ambassador Kenney as “far from the truth”. Apparently, Kenney described Aquino as a “diffident and unassertive man continuing a political tradition handed on by his parents but not carving his own legacy”. Kenney is known as an avid supporter of President Arroyo notwithstanding all the scandals. See Porcalla (2011).

combat operations during the post-War on Terror period. As such, the Philippine military's primary task was divided into two: (1) a very limited scale of counter-terror operations and (2) the numerous civilian development projects in Mindanao and post-disaster humanitarian assistance elsewhere in the country.<sup>148</sup> On that regard, the prominent civil-military relations scholar Dencio Acop (2012, 105) described the new paradigm in military affairs in the post-War on Terror period:

Aquino's AFP (Armed Forces of the Philippines) is implementing Operation Plan *Bayanihan*, which is a strategy to improve the Philippines' Global Peace Index rating between January 1, 2011, until the end of President Aquino's term in 2016 and to comply with the human rights requirements of international humanitarian law through effective community development programs.

The final step that facilitated the successful policy shift from counterterrorism to human rights was the consolidation of political support of the Filipino public for stronger human rights protection. Such process was clearly evident in a Social Weather Station's national survey (Social Weather Station 2012), which tracked responses from 2010 to 2012 and found that the top three "most important problems in the country" were: economy with 44%, infrastructure with 12%, and social services with 13%. It is interesting to note that "crime" and "security" (military), as policy issues, were rated with very low importance, at 5% and 2% respectively. Such findings stood in marked contrast with the survey results from the War on Terror period when "criminality and terrorism consistently ranked in the top five urgent national concerns in nationwide surveys" (Office of the Presidential Adviser on the Peace Process 2013, 1).

In view of the empirical evidence presented above, I consider two forms of post-War on Terror discourses in which we can see how shared expectations for human rights protection became dominant since 2010: (1) coordinative discourse and (2) communicative discourse. First, coordinative discourse referred to the interactions based on official policy statements and public pronouncements of the officials of both the Obama administration and the Aquino administration. As I show in this section, the official documents and statements during high-level meetings of Filipino and

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<sup>148</sup> For example, the Philippine military played a key role in various areas in the Visayas region affected by Typhoon Haiyan (or Yolanda) in late 2013.

American officials revealed that their governments clearly abandoned a terror-oriented policy paradigm and instead shifted the focus to a wider range of political and economic security problems. In other words, there was a clear conjugation of political interests in undermining the overarching importance of counter-terrorism as the focal point of US-Philippine bilateral relations. Second, communicative discourse pertained to Philippine and US governments' articulation of their policy aims to the Filipino public. Based on the indirect evidence from opinion polls, the Filipino public substantially shifted their policy preferences in 2010 to 2013 by considering non-military security problems as far more important than affairs pertaining to counter-terrorism. Such findings suggested that both coordinative and communicative discourses clearly shifted from a terror-oriented focus in favor of a more diverse set of policy interests that concerned political and economic security threats.

#### 5.4 DOMESTIC POLITICS AND THE AQUINO ADMINISTRATION'S POLICY PRIORITIES

Although the systematic killings and harassment of unarmed political opposition was an official policy during the War on Terror period, the Aquino government widely tolerated left-wing political activism and open public criticism by the media and other non-state actors. Why did the Aquino government tolerate unarmed political opposition, whereas the predecessor government did not? Notwithstanding the influx of non-militaristic strategic support from the US government and the human rights-oriented policies of the Aquino administration, why did some human rights violations persist? In view of those questions, the evidence suggests that the strong political authority of President Aquino in various sectors of the Philippine society made it unnecessary to repress unarmed political opposition, which dramatically minimized the number of intended abuses resulting from a policy of selective political repression.<sup>149</sup>

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<sup>149</sup> Aquino's electoral success can be partially attributed to the support of left-wing political parties in which some of its members were subjected to physical harassment and torture by the Arroyo administration. Aquino won the 2010 presidential elections under a "rainbow coalition" party network that is composed of all opposition parties including left-wing and social democrat parties. Loretta Rosales, the current Human Rights Commissioner under the Aquino administration, is a former Congresswoman during the term of Arroyo. Rosales was often subjected to death threats and

To be sure, the strong political authority of President Aquino can be seen in several important ways. Notably, Aquino won the presidential elections in 2010 based on a convincing electoral mandate with 40% of the total number of votes, or “5 million votes more than the next candidate” (Aquino and Bradley 2010). The record of voter support is quite unprecedented in the country’s recent political history, with one of the highest voter turnout percentage since 1986. Roughly throughout his term as President since 2010, Aquino consistently enjoyed high public satisfaction ratings. In particular, the Social Weather Station survey found in the 4<sup>th</sup> quarter of 2010 that “73% of adults satisfied and 9% dissatisfied with the general performance of the National Administration” (Social Weather Station 2010). Such trend continued from the years 2010 to 2014, with consistently high positive ratings ranging from 50% to 75% at any given quarter during those years. The record stood in stark contrast with Arroyo’s performance from 2001 to 2009, which received a mostly negative quarterly rating, with 20% as the highest in 2001 and -58% in 2008. The high satisfactory ratings of President Aquino suggested the public’s favorable “perceptions of his strong political will in going after his predecessor Arroyo, who stands accused of many wrongdoings committed during her incumbency” (Baviera 2012, 242). Moreover, the strong political authority of Aquino is also demonstrated by the high public satisfaction ratings of his administration’s perceived performance on several key policy issues. In many policy issues, Aquino’s ratings were quite similar to the levels achieved by the Ramos administration throughout the 1990s. As the 2010 SWS Surveys show:

It [Aquino administration] obtained good net ratings on Protecting/promoting human rights (+42) and fighting terrorism (+30). It received moderate net ratings on Distributing lands under land reform (+29), Reconciliation with Communist rebels (+24), Eradicating graft and corruption (+22), Reconciliation with Muslim rebels (+22), Fighting crimes (+21), Ensuring no hunger (+19), and Fighting inflation (+19).

Perceived leadership strength of the central civilian government is indeed important in determining the ways in which US strategic support will be used. Indeed

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harassment because of her leadership role in the *Akbayan* party, or what a former chief-of-staff of the Arroyo administration Rigoberto Tiglao (2012) call as “a small association of mostly armchair revolutionaries who had been living off donations from leftist European NGOs”.

even Aquino apparently realized the importance of the domestic public's political support as a basis of success in resolving any policy issue. Pertaining to the issues of corruption and human rights abuses, President Aquino vowed in 2010 that "as president, we [I] will be in a position to effect the necessary changes," and that "with the backing of the people, I don't think anything is impossible" (Teves 2010). In short, because of Aquino's relatively strong electoral mandate, the need to vigilantly assert political authority by increasing state repression became politically unnecessary. Instead, the very source of Aquino's strong domestic authority was based on his commitment to tolerate peaceful political opposition – a goal that was also shared and supported by the US government and its diplomats based in Manila.

Human rights activists and the families of victims during the War on Terror period demanded for the eventual capture of high-ranking military officials, many of whom commanded the killing spree at the height of counter-insurgency in the Philippines in the 2000s. The demand was explicated in an open letter to President Aquino from Edita Burgos, mother of Jonas Burgos, who was abducted by military agents in 2007 (Inquirer News 2014):

Our hope was anchored on your promise to do what you could 'on the basis of evidence' when I, accompanied by my son, personally pleaded for your help. This was almost four years ago, May 2010... In spite of the unfulfilled Supreme Court order to produce Jonas, no one has been penalized or found accountable

Notwithstanding the Human Rights Commission's report to the Supreme Court that explicitly named Philippine military's Major Harry Baliaga Jr. as the principal suspect of Jonas Burgos, the Armed Forces of the Philippines has yet to surrender its own accused officers to the Supreme Court. Yet, the direct pressures from President Aquino were not enough to compel the military to surrender all of the officers implicated in the various human rights violations. In fact, Aquino issued several directives to the Department of Justice and the National Bureau of Investigation to invest resources in a "focused, dedicated and exhaustive investigation on the Jonas Burgos case ... to ferret out the truth..." (Inquirer 2014). This lack of cooperation from some factions within the military defied the pro-human rights political pressures from the Aquino administration, the transnational-domestic civil



society networks, and the US diplomatic officials based in Manila. The defiance of some pockets in the military leadership to cooperate with the justice system and the Aquino administration can also be seen in its apparent disinterest in surrendering its former high-ranking officers responsible in the extrajudicial killing spree in the 2000s. Specifically, Armed Forces of the Philippines General Jovito Palparan, known as Arroyo's executioner or the *berdugo*, went into hiding after a provincial court issued in 2011 a warrant of arrest for the 2006 killings of two University of the Philippines activists.<sup>150</sup> Despite the direct and consistent command from the Aquino administration and the military leadership, many high-ranking military officers, who were allies of Arroyo, went into hiding (Melo 2007).

The inability to capture erring state agents was largely seen by the public as a drawback in Aquino's human rights reform agenda. Yet, the successful prosecution and indictment of state violators is not only a matter of temporal shifts of shared expectations amongst civilian political elites. Instead, the problem in capturing the suspected violators demonstrates the enduring institutional defects in the Philippine national security apparatus. In particular, within the Philippine military, a culture of protecting their peers, despite continuous deviations from civilian law, was still endemic even in times when human rights norms were gaining ground<sup>151</sup>.

On the part of the judiciary, many legal cases of human rights violations that occurred during the War on Terror period remain unresolved. There were several reasons for this. In the view of the human rights victims' families based in rural areas, the costs of hiring a lawyer, the prospects of retaliatory actions from the local police and military, and the expectation that judicial courts can be bought by bribes were all significant hindrances for upholding justice for the victims. During the post-war on terror period, one of the most serious problems faced by the judges serving in provincial judicial courts was the prospect of being physically harassed or killed by

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<sup>150</sup> Palparan was promoted by Arroyo to a rank of Major General even at the height of extrajudicial killings in 2006 to 2007. He was the commanding officer of several regions in the archipelago where killings were rampant (Lucas, Shahashahani, FPIF 2014). In August 2014, Palparan was finally captured after a three-year manhunt, and he would be subjected to a judicial prosecution. Described as one of the most significant achievements of the Aquino administration, the arrest of Palparan led one prominent news editor to express his optimism that: "He [Palparan] will have his day in court. He will be given fair trial and due process, human rights which he never gave to his tortured victims whose cries of pain and suffering will forever haunt him to the end of his days" (Barcenas 2014).

<sup>151</sup> For a detailed historical discussion on this issue, refer to the work of Alfred McCoy, in which the strong bonds within the Philippine military led him to the conclusion that military officers treat each other as "closer than brothers" (McCoy 1999).

police officers who had been contracted by local politicians. On 28<sup>th</sup> February 2014, for instance, Reynerio Estacio, a regional trial court judge in the southernmost province of Zamboanga, and his wife were killed through several gunshots by local police officers (Cupin and Falcatan 2014; de Quiros 2014). The motives of the killings have yet to be finally determined. Provincial media reports, however, suggested that Estacio's regular judicial rulings did not usually favor local politicians and even castigated the local police for abuses. In response, the newly appointed Supreme Court Chief Justice Maria Lourdes Sereno was quick in condemning the killings (Cupin and Falcatan 2014):

When lawless violence claims one of our own, it wounds us more grievously not only because we would be one good man less but also because the rule of law is diminished by the sheer force of arms.... We will not...let the killing of Judge Estacio remain another statistic due to the judiciary's lack of investigative or law enforcement capacities; within the bounds of our resources, we will look into ways of protecting our judges and looking after their families

Indeed Chief Justice Sereno's words implied a confession on the part of judiciary, that despite its well-intentioned and new leadership, the institution is unable to deal with all cases of human rights violations. In fact, Sereno further confessed that the "judiciary does not have the resources to combat violence against its members but can only rely on the police to protect them". In this context, even US State Department Secretary John Kerry reminded Philippine government officials of the importance of prosecuting the previous regime's violators: "Defending human rights is not some high-minded exercise, it is about accountability, it is about ending impunity." (De Quiros 2014). Thus, even the direct political pressures from the US government, the most influential external donor government of the Armed Forces of the Philippines, did not totally prevent individual abusers within the military from committing violations.

In sum, the process of securing justice for human rights victims was a highly contentious challenge in the post-War on Terror period. Although the Aquino administration introduced several pro-human rights reforms, which enjoyed US strategic support, it appeared that such policy changes were not enough to fully eliminate human rights abuses. Moreover, the bureaucratic problems in the judiciary

persisted, thereby making an efficient and fair delivery of justice to all human rights victims quite an insurmountable task.

## 5.5 PATTERNS OF HUMAN RIGHTS VIOLATIONS

While the human rights situation improved during the time of Aquino, infractions to physical integrity rights were not completely obliterated. How do we make sense or at least classify such violations? On that regard, state-initiated human rights abuses incurred during this period can be meaningfully classified into two: (1) intended outcomes of individual motivations of actors within the military or the police and (2) as collateral violations emerging from ongoing counter-terror operations in a particular conflict-prone area such as the Islamic rebel-populated provinces in Mindanao and the communist rebel-infested regions in Luzon.

### 5.5.1 *PRE-MEDITATED ABUSES*

The first type of human rights abuses incurred during this period refers to premeditated violations resulting from a very limited form of selective political repression, or the process in which state forces deliberately targeted unarmed civilians based on mostly personal-related reasons rather than a broader political goal of systematically undermining legal political opposition.

“Premeditated violations” during the post-War on Terror period have three defining qualities. First, the state agent had prior intention in harassing and killing unarmed civilians. Second, the collective leadership of either the military or the Aquino administration did not directly and explicitly command military and police officers to kill or to harass the unarmed targets. Instead, the motivation for the killing was based on the state agent’s expectation for an individual reward (financial or career-oriented) and other personal reasons. Third, the violations had a political dimension only to the extent that military and police officers abuse their powers, while they or other non-state actors (e.g. businessmen or other ordinary civilians) benefitted.

Indeed, there were numerous instances of selective political repression recorded during the War on Terror period because of a well-funded scheme of domestic repression by the Arroyo-led government. Yet, the Aquino administration did not have a national policy that subjected activists, political opposition members, and government critics to extrajudicial killings and/or enforced disappearances. The empirical evidence from this period suggested that many of the recorded violations of this type were, in fact, borne by individual motivations of particular groups or individuals in the military and police agencies. Individual motivations, in this context, meant that military and police officers killed civilians in return for financial rewards from private companies operating in conflict-prone areas. This was especially the case in which state-sponsored para-military officers (CAFGU) were mandated by the Aquino administration to have the authority in protecting mining activities in various provinces. At least in the perspective of the Aquino administration, this did not mean that state forces should deliberately kill unarmed oppositionists of mining investments. Nevertheless, para-military forces deliberately killed local opposition leaders, who were against the mining ventures. In very few instances, local politicians in the provinces tasked their respective police and military units to kill opposition members and critical journalists.

The pre-meditated abuses can be vividly seen through the individual co-optation of several state security agents with other mining companies in order to violently quell peaceful resistance of local communities. Because President Aquino had an ambitious economic development agenda during this period, American and other foreign mining companies actively began their mining operations in the country, most especially in Mindanao (Holden and Jacobson 2013). Many of these mining sites were located in conflict-prone regions, where either communist or Islamic armed rebel groups have been consistently destroying government facilities or private infrastructures. In response, the Philippine military formed state-sponsored para-military groups in those regions “such as the Special Civilian Armed Auxiliary (SCAA) as force multiplier to secure mining corporations and other similar economic development-oriented projects” (Karapatan 2011,3). Notably, the mining initiatives were just one of the many other economic development projects jointly funded and implemented by public and private agencies. For instance, on April 12, 2011, suspected military agents in Pantukan, Compostela Valley in southern Philippines

shot 49-year old Santos Manrique dead in front of his family. Manrique was a prominent community organizer of a group of small-scale miners, who peacefully lobbied against the new operations of the Philippine company Napnapan Mineral Resources Inc. and its US partner, Russell Mining and Minerals. It is widely believed that such companies paid some form of financial compensation to soldiers, police officers, and state-organized para-military forces designated in its operation sites. Before and after the death of Manrique, the local NGOs “documented several cases of human rights violations such as forcible evacuation, threats, harassment and intimidation, violation of domicile and use of civilians as guide in military operations in the sitios of Anibugan, Ibwan, Oraya, Ayan and Kamarin, all in Napnapan, Pantukan, Compostela Valley” (Karapatan 2011, 3).

Another instance of premeditated violation was the killing of Juvy Capion and her two sons, Jan, 8, and Jordan, 13, in their own residence in Kiblawan, Davao del Sur province in the southwestern part of the country. The case is widely known in the country as the “Tampakan Massacre”, named after the Tampakan mining site. The husband of Juvy Capion was a prominent environmentalist and anti-mining leader, who peacefully advocated for responsible mining in Davao del Sur’s Tampakan gold and copper extraction project, which covered around 23,571 hectares of land and managed by the global mining giant Sagittarius Mines Inc. – Xstrata. The mining project was valued at around 5.2 billion USD (Davao Today 2013). Testimonies from the community indicated that several soldiers from the Philippine Army’s 27<sup>th</sup> Infantry Battalion raided the farm and residence of the Capion family. When some relatives pleaded to the military not to kill the children while the raids were ongoing, one of the soldiers sternly responded: “*mas maayo nga tiwason ang mga bata para wala’y witness* (Better to finish off the children so that there will be no witnesses.)” (InterAksyon 2012). Several days after the incident, the mayor of Kiblawan province Marivic Diamante confessed that the mining company provided a monthly allowance of around 7,500 Philippine pesos (168 USD) to the state-sponsored CAFGU forces and other members of the Philippine Army assigned in the mining sites (Karapatan 2013, 15). While massacres of anti-mining activists were more prevalent and widely tolerated during the time of President Arroyo, the number of incidents during the post-War on Terror period was much lower. In fact, government officials were more proactive in the investigations of the killings, and their public rhetoric tended to be

less tolerant of the military or para-military agents, who surreptitiously connived with the mining companies (Maaten and Sanchez 2012).

Local civil society groups accused some units of the Philippine Army of using the “peace and development” agenda of Aquino as a cover-up for intelligence gathering that sometimes led to physical harassment and intimidation of civilians. For example, Philippine Army soldiers presented themselves sometime in 2011 to their assigned communities in Guinobatan, Albay in southwestern Luzon Island, as members of the “peace and development teams”, which were assigned to conduct preliminary interviews, focused group discussions, and census for the planning of community development projects. These tasks were reflective of a new policy strategy of President Aquino in which military and police operations should be integrated with the over-all economic development strategy in conflict-prone regions. Yet, some military units apparently failed to understand the merits and intended goals of President Aquino’s new paradigm in counter-insurgency. In Albay province, for instance, the Alpha Company of the 2<sup>nd</sup> Infantry Battalion (IB) of the Philippine Army headed by Lt. Basibas had concurrent deployments in 11 communities. From July to August 2011, these soldiers introduced themselves to be conducting a census for the Department of Agriculture in order to determine the area’s most impoverished families, who can qualify for relief packages. Nonetheless, describing what happened after conducting the census, local reports documented that (Karapatan 2011, 1):

the soldiers summoned for tactical interrogation residents they suspected of being supporters of the *pasmado*, a derogatory military term for the New People’s Army (NPA). The residents were “interviewed” one by one inside the detachment and their photograph taken holding a tag with his/her name plus an alias provided by the soldiers. They were made to sign a blank document, which supposedly proved that they were cleared of suspicions of being NPA supporters. Those who refused to have their picture taken were required to report to the camp three times a day. Some victims were coerced into reporting everyday for two weeks without any cause.

Furthermore, American and Filipino soldiers apparently committed some pre-meditated abuses because of some personal reasons. For instance, the mysterious death of Gregan Cardeño on February 2010 illustrated how individual motivations,

rather than a direct and sustained command from the central government in Manila, could explain the abusive actions of military officers. Gregan was a 33-year old interpreter hired by the US troops (Joint Special Operations Task Forces) based in the military barracks of the 103<sup>rd</sup> Brigade of the Philippine Army (PA) in Marawi City in Mindanao. As stipulated in his employment contract, Gregan was supposed to work as a security guard in the PA camp in a town in Maguindanao province, Mindanao. On the 1<sup>st</sup> February, which was his first day of work, Gregan was immediately re-assigned to an American barracks within a PA camp in Marawi City. Three days after reporting for work, unidentified US soldiers brought the dead body of Gregan from Marawi City to Zamboanga City and reported to the Philippine police that the interpreter committed suicide by hanging himself in one of the rooms of the American barracks within a Philippine military camp in Marawi City. Gregan's family, however, did not believe in the US soldiers' claims of suicide. This was because the US and Philippine Army refused to conduct any autopsy, and the testimonies of Filipino soldiers and police did not corroborate well with the story presented by the American soldiers. The story of suicide did not sit well with fact that Gregan's cadaver shows an "enlarged scrotum, the enlarged opening of his anus, a deep wound on the upper right part of his neck, and three injuries on his head" (Abella 2010). During the second day of his work, Gregan called his wife over the phone and said (Abella 2010):

What they are asking me to do is very difficult... If I do not get out of here, this could be the cause of my death...If I ever go home, would you still accept me?

Before the short phone conversation was cut, Gregan told his wife that he was not doing any kind of language translation work and that "those with me are all Americans"<sup>152</sup>. Known as a local Christian pastor in his town, Gregan's personal background did not show any hint of a strong motive for suicide. And because of the physical injuries of Cardeño's dead body, the wife hinted, "they [US soldiers] made

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<sup>152</sup> A private security firm hired Gregan Cardeño on the 30<sup>th</sup> January 2010 as a security guard as stated in the contract, but the firm informally notified him that he would work as an interpreter for the American soldiers in Marawi City. Philippine Army Capt. Javier Ignacio lobbied to the central military command and the private firm for Gregan to be hired as a security guard for the army barracks. Yet, two months after the death of his friend and amidst the national media controversy, Capt. Ignacio was killed by a group of men on his way to an appointment with human rights groups conducting an independent investigation of the death of Greg Cardeño. Before his death, Ignacio was allegedly receiving warnings and was even offered bribe from his superiors in the military in return for his silence about the death of his friend.

him a pet...they probably played with him” and that it was plausible that her husband had been “sexually abused and tortured” (Abella 2010).

In response to the incident, the Aquino administration’s civilian cabinet agencies had been quick in mobilizing independent government investigations of the incident. The Commission on Human Rights (CHR) immediately cooperated with the National Bureau of Investigation (NBI) in conducting a thorough investigation. Yet, such an effort was halted because the military and the local police refused the entrance of the CHR and NBI officials in the joint military barracks of American and Filipino soldiers in Marawi city. It was for this reason that the CHR came up with “inconclusive” findings about Cardeño’s death, and a successful legal prosecution was halted. Of course, the unique legal and social status of American soldiers based in the Philippines privileged the former for not being fully accountable to Philippine government investigations<sup>153</sup>. Such privilege of US soldiers was indeed a major hindrance for Philippine government agencies to conduct a through investigation of the case. Thus, individual motivations of several American and Filipino soldiers can be the most plausible explanation for the death of Greg Cardeño.

### *5.5.2 COLLATERAL AND UNINTENDED VIOLATIONS*

Collateral human rights violations resulted from the physical and psychological harassment as well as the killings of unarmed civilians residing in conflict-prone rural areas, where armed encounters or skirmishes between the military and the armed rebels occurred. Although the number of collateral violations substantially declined since 2010, the US State Department (2013) report still noted that “clashes between the AFP [Armed Forces of the Philippines] and separatist forces as well as incidents

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<sup>153</sup> The presence of the American soldiers in the Philippines was made possible under the renewed 2002 Visiting Forces Agreement (VFA) between the US and the Philippine governments – a binding agreement that emerged as part of counterterror agenda of the US government. This agreement allows US soldiers to temporarily stay in the country to train Filipino soldiers in the context of counter terror operations. Although the scale and frequency of the visits of US soldiers substantially decreased since 2010, joint counter-terror trainings continued in southern Philippines. American soldiers, when accused of violating Philippine laws, have the privilege of still being placed under US government’s custody (e.g. embassy) while the trials are being conducted. As portrayed in the national media based in Manila, the case of Cardeño was framed to be a similar case of the 2007 acquittal of four US marines (deployed to the Philippines based on the VFA) over the charge of a Filipino woman that she was “gang-raped”.



of inter-clan vendetta leading to violence continued in central Mindanao resulted in civilian deaths and the displacement of thousands of individuals”. Human rights violations as collateral effects of regular military operations included instances of the inevitable evacuation of civilian residents in areas where combat operations occur, accidental killings of civilians, and threats of physical harassment of civilians residing in conflict-prone regions in northern and southern Philippines.

One of the most well-known instances of accidental killings purportedly committed by the military was the death of the nationally renowned University of the Philippines biology professor Leonard Co and two of his security officers. They were killed while collecting some seed samples in the forest of Leyte Island in central Philippines as part of their scientific research (Ong and Ingle 2011). Co and his associates were conducting some botanical work as consultants for a private energy firm. Yet, they were “reportedly caught in the crossfire between the troops of the Army’s 19th Infantry Battalion (IB) and communist rebels in Upper Mahiao, Barangay (village) Lim-ao” in central Philippines (Philippine Daily Inquirer 2012). As the Aquino administration was much more keen than his predecessor in pursuing investigations of alleged collateral human rights violations, the Department of Justice (DOJ) and the National Bureau of Investigation (NBI) conducted a joint investigation of the incident for two months and found that the military should not be liable for the deaths of these civilians. The Commission of Human Rights conducted its own investigation and hinted that there was no crossfire between the military and the communist rebels. Local residents suggested that it was plausible that Co and his companions were falsely identified as armed rebels and that government soldiers immediately killed them. Consequently, Justice Secretary Leila de Lima formed a panel of state prosecutors in order to conduct a preliminary investigation for a legal case filed against Army 1<sup>st</sup> Lt. Ronald Odchimar and 37 other soldiers who were suspects in the killing of Leonard Co and two other individuals. This incident indicated a serious error on the part of a handful of soldiers stationed in the areas where Co and two others were conducting their botanical research. In short, it was a failure of government agents to clearly identify armed rebels from ordinary and unarmed civilians.

Because many of the indigenous communities lived in rural areas that were often infested by armed rebel groups, the military sometimes erroneously identified unarmed indigenous peoples as members of armed rebel groups. In the post-War on Terror period, some of these civilian residents were inadvertently killed, while the military was conducting bombing operations. At certain times, various indigenous communities were forced to evacuate their ancestral land domains, and in cases of their peaceful resistance, the military harassed them physically. From 2010 to early 2014, the *Kalipunan ng mga Katutubong Mamayan ng Pilipinas* (KAMP or the Coalition of Indigenous Peoples of the Philippines) “recorded 16 incidents of forced evacuations of indigenous peoples involving approximately 9,754 individuals, including peasant settlers”, and many of such evacuations occurred in several indigenous communities in five major provinces in southern Philippines (Karapatan 2014, 71). An instance of these unintended abuses inflicted against indigenous communities was the incident that occurred on 30<sup>th</sup> August 2013, when some of the Kakanaey people in the Sagada town, Mountain Province in northern Philippines were shocked and physically injured during a bombing raid conducted by the Philippine Air Force 1<sup>st</sup> Division’s Strike Wing as it pursued a group of suspected guerilla forces of the New People’s Army (NPA). Aside from physically injuring some civilians, the bombing operations heavily smashed the farms and water facilities of the indigenous Igorot tribes, an incident that left severe psychological trauma amongst many children.

Similarly, in Agusan del Norte and Surigao del Norte provinces in northeastern Mindanao, the Philippine Air Force (PAF) launched sustained and weekly air and ground-based artillery bombing operations from February to August 2012. PAF agents believed that most of the targets were suspected Islamic armed rebels based in remote mountainous areas. Hundreds of members of the Lumad indigenous community, however, were also living in many areas considered to be military targets. The bombing operations did not only lead to the loss of livelihood of the Lumad people, but caused the massive evacuation of 500 indigenous civilians to a small basketball court in Butuan city, an urban center 50 kilometers away from the indigenous communities’ ancestral domains. While some Lumad adults complained of some physical injuries, many children were heavily affected by the psychological trauma caused by the sustained bombing operations. Faced with the grievances of the

Lumad communities, a spokesperson from the Philippine military unit assigned in those areas argued that (Mascarinas 2012):

We need to conduct these operations in order to [rid] the area of criminal and armed threats. We completely understand the concerns of the evacuees and we are hoping to end the conflict for them to return to their homes soon. We need the cooperation of the people and the different sectors involved.

Meanwhile, as Aquino shifted the national policy agenda from counter-terrorism to economic development, some economic development projects generated some collateral human rights violations. The Aquino administration actively implemented the National Land Reclamation Project in various areas in southern Metro Manila, with a projected target area of 38, 272 hectares of coastline for land reclamation in the areas of Manila Bay, Cebu, Davao, and other parts of Visayas and Southern Mindanao (Karapatan 2014). The land reclamation projects led to some violent evacuations of families living in the affected areas. In some cases, the police forces resorted to violently demolishing the properties of residents as well as physically harassing them. Similar to those instances in the 1990s, many of these police officers received bribes from private firms that were involved in large-scale real-estate projects, in exchange for the speedy relocation of local residents to be facilitated by state security forces.

## 5.6 ANALYSIS: THE DECLINE OF HUMAN RIGHTS VIOLATIONS

The remarkable decline in human rights violations since 2010 can be attributed to two domestic policy patterns. First, the decrease in the scale and frequency of counter-terror operations against Islamic and communist armed rebels led to a lower number of collateral deaths of civilians living in conflict-prone regions. Notwithstanding Aquino's well-intentioned and less militaristic policy strategy, some police and military officers co-opted with private firms and even local politicians in return for some illegal rent. Such cooptation led to the escalation of violence against indigenous communities and peaceful dissenters, which in turn, led to intentionally induced human rights violations. The empirical examples on land reclamation projects

and its effects to civilian resident communities, especially the indigenous tribes, demonstrated the typical instances of intended violations motivated by the rent-seeking motives of some military and police agents.

Second, the Aquino administration widely tolerated peaceful political opposition and integrated peaceful left-wing political opposition into the political mainstream, whereby both strategies were clearly absent in the previous administration's policy agenda. The absence of a central government policy of violent repression of peaceful political opposition substantially deterred state security agents in committing intended human rights abuses. In effect, the police and military agencies committed abuses that were mostly motivated by distinctive individual reasons, instead of the broader strategic political goals dictated by the Aquino administration. The examples such as the death of Gregan Cardeño, the Tumpakan massacre, and the deaths of anti-mining protesters illustrated that the presence of a well-intentioned civilian government does not automatically lead to the obliteration of human rights abuses.

Nonetheless, there are several important questions that remain unanswered: Why did the Aquino administration suddenly decide to integrate peaceful political opposition into the mainstream? What was the role of the US in inducing these improvements in human rights since 2010? Why did human rights abuses persist despite the intended policy outcomes of the Aquino administration and the changes in the purpose of US strategic support?

Stronger human rights protection during the post-War on Terror period in the Philippines can be attributed to two key changes in US-Philippine bilateral relations and the scale of domestic counter-terror operations. First, brought by the Filipino political elites strategic localization of emerging pro-human discourses in the US, the convergence of shared interests and intended policy outcomes of the Obama and Aquino administrations shifted the resources away from counter-terrorism toward a more variegated range of non-militaristic policy interests. Such development undermined the probability of collateral human rights violations precisely because it forced the Philippine state security agencies to shift their resources and attention away from domestic counterinsurgency. Second, the relatively strong political authority of the Aquino administration made violent state repression of unarmed political dissident

unnecessary. Indeed, the relationship between those two aforementioned developments is very much straightforward. The US strategic support during the post-War on Terror period reinforced the pre-existing political inclinations and policy expectations of President Aquino's administration that advocated the improvement of human rights in the country. In effect, the Aquino administration implemented two important policy strategies that led to the eventual decline in the number of human rights abuses: (1) allocate US strategic support and more domestic state resources away from counter-terrorism toward the implementation of pro-human rights policies, and (2) influence the attitudes and cognitive predispositions of the state security agencies that peaceful political opposition should be widely tolerated. Those two tasks contributed to the decline in human rights abuses because pro-human rights US strategic support during this time reinforced pre-existing political inclinations and domestic policies of the reformist Aquino administration.

To what extent did discourses shape the policy priorities of the donor and recipient governments? In what ways did the American and Philippine governments' political discourses contribute to stronger human rights protection? Indeed, the Aquino administration's success in advancing a human rights reform agenda depended on two main tactics of strategic localization of discourses. First, Aquino's policy platform insisted that "government corruption" was the root problem of many social ills in the country, including human rights violations. Such diagnostic justification became so resonant to the Filipino public and the Obama administration. Second, domestic pro-human rights constituency, which enjoyed political support from the US diplomatic mission headed by Ambassador Harry Thomas, leveraged on various prescriptive policy discourses that sought to combat government corruption. Aquino campaigned on a policy agenda that promoted what he and his allies called *tuwid na daan*, a very insightful and catchy phrase in the local vernacular which means "straight path". Aquino's strategic promotion of the "straight path" discourse called for all government officials and employees to act according to public interest rather than private gain. In terms of policy, such political paradigm meant the substantial increase in the salary of all government employees, most especially rank-and-file soldiers and police officers. The desired effect of such policies is to undermine the motivations of police officers and soldiers to be easily contracted by individual politicians and businessmen for private gain (e.g. killings of political

opposition or anti-business activists), thereby lowering the propensity for human rights abuses. In sum, this strategic reframing of human rights abuses, in which they were directly linked to government corruption, became a politically appealing narrative both to the Obama administration and the Filipino domestic public. Consequently, such strategic reframing of human rights norms facilitated the influx of pro-human rights strategic support from the Obama administration as well as the political support of the Filipino domestic public.

Taken together, such domestic and transnational developments reflected the two-level logic of shared expectations amongst US officials and Filipino political actors. Particularly, stronger human rights protection was an outcome of the confluence of interests of key domestic political constituencies in the Philippines and the US. This also meant that the conjugation of interests of US and Filipino political elites, together with the growing Filipino public's demand for human rights reforms, generated local policies and discourses that were all supportive of human rights. On that regard, the first level of negotiation that produced such shared human rights-oriented policy expectation pertained to the bilateral relations between the US and the Philippine governments. In particular, the focus of their relationship emphasized that the perceived diminished threat posed by international terrorism vis-à-vis other security threats required a fundamental shift towards greater human rights protection, democratic reforms, and economic development in the Philippines. On the US side, the election of President Barack Obama and the growing domestic and international uproar against the human rights toll of the US-led war on terror galvanized public and elite support for the White House to take a more human rights-sensitive foreign policy agenda.

The second level, meanwhile, referred to the negotiations and interactions amongst the officials of the Obama and Aquino governments. In particular, Aquino and his Liberal Democratic Party's reformist and pro-human rights agenda strategically realigned their policy discourses and political platforms with Obama's more vigilant stance in upholding human rights. Because of the convergence of pro-human rights interests exemplified at the domestic and international levels, the Aquino administration's human rights agenda emerged. Such an agenda was

concretely realized into various domestic policies and US-funded programs in the Philippines that were all supportive of stronger human rights protection.

Notwithstanding those aforementioned positive changes, residual human rights violations persisted because of the long-standing structural defects of the Philippine state security agencies as well as the judicial system. The endemic culture of corruption in the military and police agencies influenced some of its members to co-opt with private firms and local politicians. The goal of such cooptation was to violently kill or to physically harass peaceful political dissenters, who oppose some of the commercialization projects planned by private non-state firms. Of course, such conspiratorial activities by the individual soldiers and police officers occurred in defiance to the expectations of the Aquino administration and the broader domestic public. Indeed, some state agents during the post-War on Terror period were motivated in committing abuses because of the perceived possibility that none of them would be facing severe legal penalties anyway. While investigations are underway for many cases of violations, only high-ranking politicians and officials such as former President Arroyo, Supreme Court Chief Justice Corona, and other high-ranking civilian executive officials were arrested (Ronas 2013).

In closing, this chapter provided empirical evidence on how US strategic support contributed to the improvement of human rights situation in the Philippines under the leadership of President Aquino. The case of the Philippines under the post-War on Terror period confirmed the theoretical expectations that I laid out in the second chapter of the dissertation. Particularly, I hypothesized that the convergence of donor and recipient government's interests on a wide range of policy goals, together with strong domestic authority of the recipient government, is more likely to generate stronger human rights protection. In such scenario, I still maintain, however, that residual human rights violations would persist because of the intractable defects in the military and police agencies as well as the judiciary. Such theoretical expectation can be clearly seen in the case of the Philippines from 2010 to 2013, when the Obama and Aquino administrations mutually shared a more diverse range of strategic interests other than domestic counterterrorism. Finally, this chapter concluded the empirical analysis of the human rights situation vis-à-vis US-Philippine bilateral relations from 1992 to 2013. The forthcoming chapter probes the plausibility of my theory of interest

convergence using the evidence from US-Thailand bilateral relations vis-à-vis human rights situation from 1992 to 2000.



## 6 THAILAND DURING THE PRE-WAR ON TERROR PERIOD (1992-2001)

### Chapter 6

#### 6.1 INTRODUCTION

Similar to the Philippines in the 1990s, Thailand underwent a transition to democracy and reinstated national elections after several decades of military rule. As I show later in this chapter, during the 1990s, Thailand recorded substantial improvements in human rights protection, whereas the Cold War and post-9/11 periods witnessed a dismal human rights record.<sup>154</sup> What explains the improvement in Thailand's human rights record in the 1990s?

The main goal of this chapter is to examine why and under what combination of transnational and domestic conditions did the relatively strong human rights protection in Thailand during the 1990s emerge. My central argument is that the pro-human rights and less-militaristic approach of US foreign policy reinforced the emerging domestic political norms in Thailand that called for stronger human rights protection and democratization. Initiated by the Thai political elites' strategic localization of emerging international discourses on democratization and political freedoms, the convergence of the shared expectations of American and Thai government elites resulted in two key domestic policy patterns, both of which were contributive to stronger human rights protection: (1) low priority status for domestic counter-insurgency, which generated a decrease in collateral human rights violations; and (2) a generally tolerant political atmosphere for peaceful political opposition, which meant an absence of a nationwide policy of selective political repression.

This chapter unfolds in five parts. First, I provide a general assessment of the human rights situation vis-à-vis America's foreign policy goals and bilateral aid to

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<sup>154</sup> Local human rights group in Thailand only began documenting cases of military and police officers' physical harassment and killings of civilians in the 1990s. Furthermore, the Thai language apparently does not have an exact word for "extrajudicial killings" or "political killings" unlike the Philippines (Filipino) and Latin American countries (Spanish). Instead, incidents of physical integrity rights violations are local recorded if they occur during police riots or single-mass events where state security forces inflict violence upon civilians (Phasuk 2013 personal communication)

Thailand. Next, I examine the emerging post-Cold War expectations of American and Thai political elites and the broader domestic public that generally favored stronger human rights protection. Third, the chapter demonstrates that the convergence of Thai and American policy-makers' on a pro-human rights political agenda resulted in various transformative domestic policies and US aid programs that promoted democratic openness and stronger human rights protection. Consequently, I characterize the types and instances of human rights violations that emerged during this period. Finally, the chapter concludes by explaining the theoretical implications of the empirical evidence from pre-war on terror Thailand.

## 6.2 OVERVIEW: HUMAN RIGHTS SITUATION AND US FOREIGN POLICY IN POST-COLD WAR THAILAND (1992-EARLY 2001)

The human rights situation in Thailand during the Cold War is widely perceived today as worse compared to the conditions in the 1990s and the post-9/11 period. Thailand's role in US foreign policy in the Asia Pacific was important largely in terms of military strategy-oriented reasons, especially during the Cold War and the post-9/11 period (Bamrungsuk 1988; Chambers 2004; Linantud 2008; McCoy, Read, and Adams 1972).<sup>155</sup> In fact, as early as 1953, the US National Security Council decided that Thailand should be an "anti-communist bastion in order to extend US influence — and local acceptance — throughout the whole of Southeast Asia" (Tyner 2007, 190; see also Wah 2000). In this fight against communism, the Thai military implemented widespread extrajudicial killings, torture, and enforced disappearances — targeting especially those who were suspected as communist rebels.<sup>156</sup> During the Cold War period, the Thai military received enormous amounts of covert financial and political support from the US government. Because of that, the Thai government and the military were less concerned about human rights protection during the Cold

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<sup>155</sup> During a 2002 conference sponsored by the Asia Foundation in Washington DC, the most important opinion-makers in US-Thai relations agreed that: "Thailand enjoyed a uniquely positive relationship with the United States because it was viewed as a front-line state in the war against communism, and as such was privy to substantial U.S. military and development assistance." (The Asia Foundation 2002, 1).

<sup>156</sup> The Communist Party of Thailand was active from 1942 until the early 1990s.

War.<sup>157</sup> In fact, the Thai government is widely believed for its culpable role in the genocidal policies of Cambodia's Khmer Rouge that directed and implemented the mass killings of around two million people (Haberkorn 2013; Stockwell 2000).

In contrast, Thailand experienced in the 1990s a significant improvement in its human rights record. During this period, the number of state-sponsored extrajudicial killings and disappearances were very minimal. Most of the abuses were considered as outcomes of individual motivations of state agents, devoid of any support from the central civilian government or the central military command. Such development can be attributed to the relatively strong human rights protection that only started after the infamous Black May incident on 17<sup>th</sup> to 20<sup>th</sup> May 1992, when the Thai police killed around 52 people and physically harassed hundreds of people amidst a protest in Bangkok.<sup>158</sup> Viewed as one of the most violent cases of police abuse in post-World War 2 Thailand, the Black May incident signaled a new dawn in Thai politics because it forced General Suchinda Kraprayoon to resign from his seat as Prime Minister.<sup>159</sup> The resignation marked the end of almost three decades of military rule. In effect, elections were held in September of that year, and it eventually installed Chuan Leekpai, a well-respected civilian politician from the Democratic Party, as the new Prime Minister. As I discuss in detail later in the chapter, during the term of Chuan (1992-1995; 1997-2001), several significant and unprecedented human rights reforms were introduced. Agreeing with domestic and other international human rights groups, Amnesty International conceded that "Thailand has made progress in safeguarding

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<sup>157</sup> The Political Terror Scale (PTS) average for Thailand from 1976 to 1991 was around 3.0, while the post-Cold War period from 1992-2001 was only 2.6. Because of the limited civil society's activities on human rights information gathering, it is highly likely that the human rights situation during the Cold War was much worse than what the PTS score suggests.

<sup>158</sup> Given the shift of US foreign policy towards greater human rights protection, the Bush administration responded to the Black May 1992 incident by publicly criticizing the Thai government and urged Thai officials for a peaceful resolution. The White House also ordered a brief interruption of the joint US-Thai military exercises, but resumed those trainings after Thailand had a national election in September 1992. Notably, a Pentagon spokesperson explained: "We think it makes common sense in a time of problems in Bangkok not to have picture of U.S. forces storming the beaches in Thailand" (Human Rights Watch 1993).

<sup>159</sup> Around 200,000 people peacefully protested against the authoritarian rule of General Suchinda Kraprayoon. In response, the military physically harassed and killed several protesters, resulting in more than 50 casualties and several hundreds of reports of physical injuries. The standoff between the military and the protesters ended when the Thai royal family mediated between those two groups. The royal intervention produced a compromise in which the prime minister needs to be elected by popular majority. The Black May event played a very influential role in redefining national political consciousness in the country, and as Bangkok's prominent political commentator Peter Eng argues: "The 1992 uprising made many educated Thais realize that economic growth without political liberalization can dangerously destabilize the country" (Charles 1996; Eng 1997).

human rights since mass prodemocracy street protests in 1992” (Amorn 1991; Associated Press 1999).

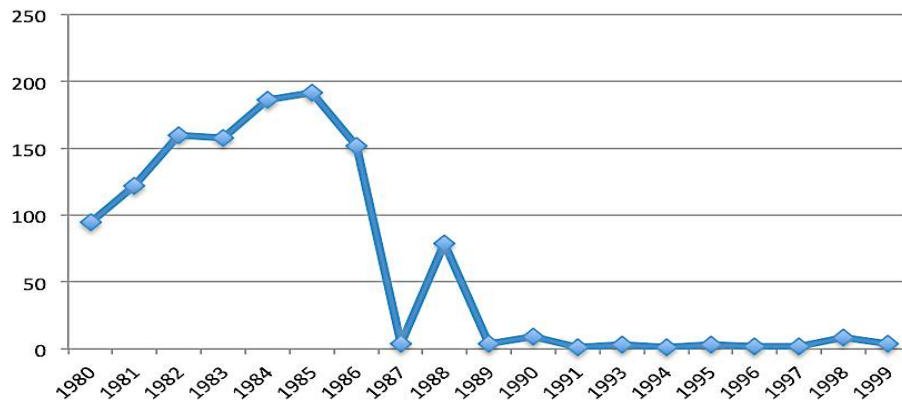


Figure 6.1 US Military Aid to Thailand, 1980-1999

Together with the improvement in human rights situation in Thailand, the amount of US bilateral aid and the purpose of US foreign policy substantially changed in the 1990s (see figures 6.1 and 6.2). In particular, the average amount of annual US military and economic aid in the 1980s was around 150 to 350 million USD, whereas in the 1990s, the average amount plummeted to less than 50 million USD per year. In the 1990s, the priority of the US government shifted toward non-militaristic concerns such as trade, economic development, democratization, and human rights protection.<sup>160</sup>

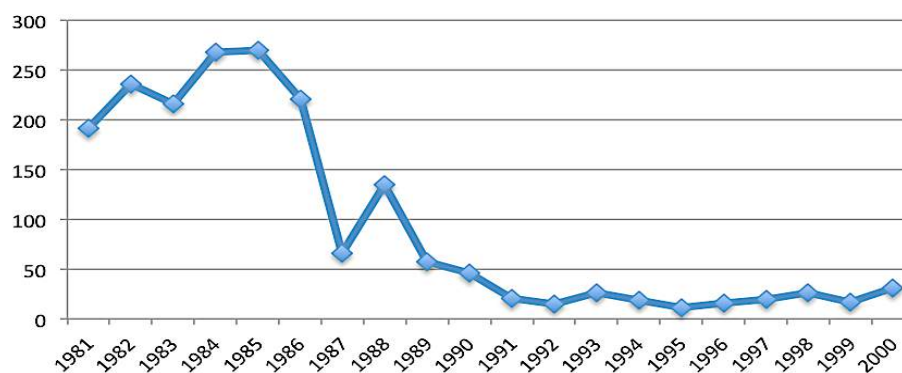


Figure 6.2 Total US Economic and Military Aid to Thailand, 1981-2000

<sup>160</sup> Paul Chambers, an American scholar of Thai politics, noted that “in the post-Cold War world, U.S. policymakers had relegated Thailand to a lesser level of importance”, at least in terms of geo-strategic military significance (Chambers 2004, 460).

Empirical Cases of US Bilateral Relations	Amount of US Military and Economic Aid (Independent Variable)	PTS Score (see appendix)	Magnitude of Intended Violations (Selective Political Repression)	Magnitude of Collateral Violations (Erroneous Policing and Counterterror Operations)
<i>Thailand Case. Post-Cold War: 1993-2001 (Clinton)</i>	202 Million USD	2.4	Low	Low
<i>Thailand Case. War on Terror: 2002-2009 (G.W.Bush)</i>	402 Million USD	3.4	High	High

Figure 6.3 Two Historical Periods of Thailand's Human Rights Situation - Comparison in Terms of US Aid and Human Rights Violations

Thus, as the data above reveal (see figure 6.3), the substantial reduction in human rights violations in the 1990s correlates neatly with the dramatic decrease of US bilateral trade to Thailand.

### 6.3 US AND THAI GOVERNMENTS' SHARED EXPECTATIONS FOR STRONGER HUMAN RIGHTS PROTECTION IN THAILAND

The end of the Cold War in the early 1990s coincided with a dramatic transformation in the substantive focus of US-Thailand bilateral cooperation vis-à-vis the domestic policy priorities of the central government in Bangkok. Whereas the Thai government considered the Cold War era as an opportunity for the “consolidation of anti-communism as the rationale for the maintenance of repressive policies” (Hewison 1997, 13), the post-Cold War period witnessed a remarkable shift in policy priorities oriented toward stronger human rights protection, democratization,

and economic development.<sup>161</sup> Those three aforementioned post-Cold War themes did not only remain as mere policy rhetoric; instead, they reflected the dominant shared expectations of the country's political elites and the general public. In Thailand, the government implemented various specific policies and unprecedented institutional reforms, all of which were supportive of human rights and democratization. As I explain later in this section, pro-human rights sentiments by the emerging Thai politicians and elites in the 1990s can be seen as responses to the end of the Cold War and the 1992 Black May incident in Bangkok. On the part of the US, Renato de Castro (De Castro 2000; Ismartono 1992), a leading scholar of Southeast Asian politics, summarized the important post-Cold War transformations in US foreign policy:

In the second half of 1993, the Clinton Administration outlined an ambitious agenda in the region that included the promotion of US interests in regional security, economic cooperation, and the advancement of human rights and democracy throughout East Asia. This reflected a more comprehensive approach to East Asia as it meant of American interests beyond the Cold War policy of containment...Economic cooperation and the promotion of human rights, reflected the United States' new agenda for the post-Cold War era and mirrored the Wilsonian cum liberal tradition of an earlier stage.

Moreover, the shift from a militaristic and repressive domestic policy towards a more human rights-oriented approach in Thailand was facilitated by the emergence of two types of dominant ideas in the 1990s. The first refers to causal ideas — or the emergence of new ideas, insights, and arguments about cause-effect relationships between the policies and intended political outcomes. In the case of post-Cold War Thailand, the dominant “causal idea” refers to belief that the absence of a looming and compelling security threat from the communist rebels required an abandonment of a militaristic approach to US-Thailand bilateral cooperation.<sup>162</sup> Consequently, such

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<sup>161</sup> As the renowned Thai specialist Kevin Hewison argues, the Thai government during the Cold War era used “the spectre of communism...to tarnish virtually all opponents, including those who called for a constitution and parliamentary forms”. Such domestic political choice for the military “was reinforced internationally by the Cold War, and especially by US intervention in Indochina and its use of bases in Thailand” (Hewison 1997, 13).

<sup>162</sup> Kusuma Snitwongse, one of the most influential Thai public intellectuals, even admitted the noticeable transformation in post-Cold War Thailand-US relations: “The Thai-U.S. relationship has, however, since the Cold War years, changed from one of patron-client to one of equal partnership. The

realization made the policy agendas of post-Cold War Prime Ministers Chuan Leekpai (1992-1995; 1997-2001) and Banharn Silpa-Archa (1995-1996) more orientated towards political openness, stronger human rights protection, and equitable socio-economic development. The emergence of this newly shared expectation can be vividly seen in the joint statement of US President Bill Clinton and Thai Prime Minister Chuan Leekpai (Pathmanand 2001; Tat 1993):

Although the Cold War is over, we have not yet established peace as new regional conflicts have emerged in Asia and elsewhere...We also believe security involves more than just arms and alliances...*Democracy and human rights are components of a broader definition of security.* (Emphasis mine)

Accordingly, such joint statement suggested that military cooperation was never abandoned.<sup>163</sup> Nonetheless, most of the material resources and political rhetoric deployed by Bangkok and Washington in the 1990s were already framed in the language of human rights and democracy — two political goals that were systematically undermined during the Cold War (Phongpaichit and Baker 1995, 125-129). As shown in the statement above, what was distinct in terms of the official policy discourses in US-Thailand bilateral cooperation during the 1990s was the first ever-explicit recognition of human rights and democracy as important tenets of Thai security strategy (King and LoGerfo 1996; Pathmanand 2001).

As official discourses in the US government shifted toward human rights and democracy in the 1990s, how did the Thai political elites embrace and understand such transnational developments? More liberal democratic-oriented and relatively new political parties based in Bangkok pioneered the promotion of human rights discourses in Thai domestic politics and the broader Southeast Asian region. Particularly, Thai political elites reframed and strategically localized the importance of human rights norms by causally linking it to economic growth. Such discursive framing of proved to be appealing to the Clinton administration and the broader Thai

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end of the Cold War resulted in a difference in geopolitical outlook between the United States' global strategic outlook and that of Thailand's regional power balancing outlook and its perception of local threats" (Snitwongse 2001, 205).

<sup>163</sup> Also refer to Wah (2000) for a detailed discussion with regard to the longstanding US influence on the Thai military, even pre-dating the 9/11 attacks. As Chin Kin Wah (2000, 13) rightly observes, "some aspects of the Thai military culture could be driven by a logic and momentum derived from an American strategic culture".

public. During the 1990s, Chuan's government and his highly influential Democrat Party (DP) envisioned a Thai state that was not only firmly committed in guaranteeing human rights to its citizens, but also in establishing itself as a regional exemplar in strong human rights protection. Such political ambition is reflected in the well-known policy slogan of the Chuan administration that promoted the "transformation of the Indochinese battlefields to marketplaces" (Acharya 2003, 382), thereby indicating a clear departure of the Thai state from its hawkish domestic and foreign policies during the Cold War toward a more diverse set of policy aims in the 1990s. Governing the most rapidly growing economy in the region, the Thai government's human rights vis-à-vis economic development agenda can be attributed to several factors such as "economic expediency, or the actual lure of Indochinese resources and markets" and "sheer geopolitical ambition, or to develop a Thai-dominated Southeast Asian heartland as implicit under the government's revival of the traditional Thai Golden Peninsula concept" (Acharya 2003, 382). By imbibing a causal belief that maintaining a hawkish domestic policy agenda undermines economic growth and democracy, the Thai government reconsidered the need to focus on non-military concerns, most especially on promoting equitable economic development and political openness. Thus, it was in the 1990s when Thailand witnessed the "emergence of a liberalizing middle class population actively seeking democratic transformation" (Acharya 1999, 420).

The reformist agenda by Thai political elites and civil society was also strongly supported by US policy-makers, most especially those in the Clinton administration. For instance, US President Clinton's foreign policy rhetoric highlighted the importance of non-military concerns, which were explicated in his landmark speech in 1996 at the Chulalongkorn University in Bangkok (Agence France Presse 1999; Purdum 1996):

The United States and Thailand, for all the distance and differences between us, share a common vision - *the dream of an Asia-Pacific region where economic growth and democratic ideals are advancing steadily and reinforcing one another.* (Emphasis mine)

Such causal belief that associated sustainable economic development with human rights protection became pervasive amongst the most influential political elites



based in Bangkok, most especially the new cadre of young politicians from Prime Minister Chuan's Democrat Party, the Thai monarchy, and the military leadership.<sup>164</sup> With such causal belief, Thai elites considered the disappearance of an armed communist threat and the eventual disintegration of Thai Communist Party in the early 1990s to be reflective of the failures of an authoritarian political culture in sustaining economic development. Indeed, Thailand's leading political scientist Chai-Anan Samudavanija described the post-Cold War reality (Hewison and Brown 1994; Samudavanija 1997):

globalisation is occurring under a New World Order which actively promotes human rights, democracy and environmental protection. The changing role of the United States, from that of benevolent patron to economic competitor demanding trade liberalization, while reducing its security commitments, has directly affected Thailand's military. Questions of human rights, corruption, and the relationship between business and the military have all been highlighted.

Hence, Thai politicians and the Clinton administration leveraged on the causal idea that imbibing a democracy-oriented agenda is necessary in order to enhance the sustainability of Thailand's economy. On that regard, Chai-Anan Samudavanija (1997, 43) remarked that

Economic change...has contributed to the relaxation of state power and the degree of liberalization in matters such as deregulation, privatization, and the internationalization of capital. It seems that *'democracy' has been used, in recent years at least, to prevent a return to the old-style authoritarianism that is seen as an unhealthy political arrangement for growth-oriented economic development.* (Emphasis mine)

With the goal of making Thailand "the center of gravity for economic activities in the region" by fostering democratic governance, Prime Minister Chuan vowed to continue the reforms from the short-lived tenure of Prime Minister Anand (Lehner and Owens 1992):

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<sup>164</sup> The Thai Democrat Party (DP) is known for its liberal democratic and pro-market leanings. It became a dominant force in Thai politics especially in the aftermath of the 1992 Black May incident. This was because the DP spearheaded the protests against the military junta, and thereafter became known for its opposition against all forms of military intervention in Thai politics. For a much longer treatment of this issue, see: Bunbongkarn (1993), Phongpaichit (2004), and Ufen (2008).

We must first begin with the building of confidence among the Thais themselves in the parliamentary process in the democratic system, so they can work, they can contribute, they can resolve their own problems peacefully

Indeed, the Thai civil society and political elites' persistent reminders regarding the abuses of the Thai military during the Cold War amplified the importance of post-Cold War Thailand's commitment to human rights protection. For instance, the role of the Thai military in the widespread authoritarian practices of Cambodia's Khmer Rouge during the Cold War became a historical reference point in which Thai civil society groups persistently used in order to strengthen the appeal of their reformist demands. Furthermore, Thailand's leading human rights activist and a former political prisoner Somchai Homlaor observed that the post-Cold War reality brought tremendous improvements in human rights: "We may not be among the top 10 (nations) in human rights, but compared to other countries in the region, we are much better...(But) more attention will be paid to these as civil society gets stronger..." (Uniyal 2000). Thus, the over-all tone of Thailand's civil society networks' discourse suggested that the country reaped impressive gains in stronger legal protections in human rights, yet more can be done to bring those legal guarantees into actual practice (Uniyal 2000). In other words, influential Thai political elites in the 1990s, most of which were from the Democrat Party, undermined the credibility of the Thai military institutions by castigating the latter as supportive of the Khmer Rouge's genocidal policies in Cold War Cambodia. In so doing, the Thai political elites reframed the political discourses in a way that sought to undermine the overwhelming power of state security agencies, which are historically known for perpetrating human rights abuses.

Since the election of Prime Minister Chuan in 1992, the Thai government's policy rhetoric primarily focused on the importance of human rights and its indispensable role in fostering national economic development. The consistent emphasis on human rights was very prominent in the Thai government's policy discourses. For instance, in response to the 1999 Amnesty International report, which claimed that Thailand was making significant progress in meeting international standards for human rights protection, Prime Minister Chuan's spokesperson argued: "As far as Thailand is concerned, we have been trying very hard...If you look at the

new constitution and the various organic laws, I would say we are giving a lot more emphasis to human rights than in the past” (Associated Press 1999; Cook 2007).<sup>165</sup> In a similar tone, Ministry of Foreign Affairs Deputy Director-General Jullapong Nonsrichai responded to Amnesty International’s annual report on Thailand that highlighted the dramatic improvements in human rights protection, yet noted that: “We are open to any criticism on human rights but sometimes last year’s report did not accurately reflect the situation in Thailand...We admit we have violations from time to time but that doesn’t mean we condone them.” (Agence France Presse 1997; Chachavalpongpun 2011). Such pronouncements from high-ranking Thai officials signified a dramatic change in the attitudes of the Thai government. Although the Thai government was dismissive of its own human rights violations against its citizens during the Cold War, the post-Cold War era witnessed a Thai government that was more proactive in improving its human rights record, more open in discussing the issue with the broader public and a critical civil society.

Notably, the Clinton administration strongly supported a pro-human rights agenda being promoted by the government in Bangkok. This can be clearly seen in several official interactions between Prime Minister Chuan and President Clinton and their respective high-ranking cabinet members. For example, the official pronouncements and even the private bilateral meetings between high-ranking Thai and US officials in the Association of Southeast Asian Nations (ASEAN) and the Asia-Pacific Economic Cooperation (APEC) summits consistently put human rights and economic development at the core of US-Thailand bilateral cooperation (Bangkok Post 1996; Chachavalpongpun 2005; Kendall 1994). Besides, US Undersecretary of commerce for international trade Jeffrey Garten affirmed in 1995 that the US was unprecedentedly determined to focus on trade and investment in Southeast Asia, particularly in Thailand, which was then the most rapidly growing economy in the Asia-Pacific region. Indeed the post-Cold War period witnessed the US government’s newly found economic interest in Thailand, which was then considered as “one of the 10 ‘big emerging markets’ identified by Washington in a

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<sup>165</sup> Due to direct and indirect pressures from the US and other international organizations, the country “took major steps, however, toward instituting a more accountable and transparent political system and became the first country in Southeast Asia to sign the Rome treaty establishing the International Criminal Court” (Christensen and Siamwalla 1993; Human Rights Watch 2001).

new drive to boost US exports and investments” (Agence France Presse 1995; McClincy 2012).

In addition, the US government in the 1990s began linking the strength of its trade relations with Thailand based on the latter’s human rights record. Such conditionality emerged when the Clinton administration identified Thailand right after the Black May incident as a “priority foreign country for special scrutiny by the US Government under Section 301 of the 1988 US Trade Act”, which in turn, made bilateral trade relations dependent upon stronger human rights protection (Bangkok Post 1993; The Economist 2008). Partly in response to US government’s pressure to widen the space for political competition, Thailand’s Interior Minister Sanan Kachornprasart declared in February 1999 that the government was nullifying the law passed in 1952 that sought to ban all communist-related activities (Cooper 1997; Human Rights Watch 1999). In effect, the abolition of such law undermined “security officials’ wide powers of arrest, search, and detention” (Human Rights Watch 1999), which they previously held during the Cold War. Thus, the political influence over civilian politics and the cultural status of the Thai armed forces dwindled significantly. Many Thais believed that such changes in the institutional fate of the military can be attributed to two factors: “US foreign and trade policy and its support of human rights and democracy”, and the “rapidly declining significance of security concerns” (Samudavanija 1997, 53).

Aside from transnational factors, domestic developments in Bangkok also amplified the need to end authoritarian abuses. A critical juncture in pushing for domestic human rights reforms in Thailand was the series of violent encounters between street protesters pushing for liberal democratic reforms and the police. Such incidents of violent crackdown occurred in the early 1990s, culminating in the Black May incident in 1992, when 52 protesters were killed and around 3500 to 4000 activists were temporarily imprisoned by the military. On that regard, Thai political elites reframed the incident as a pivotal point in which the military should be dethroned from power. Moreover, the White House consistently pressured the Royal Thai Armed Forces to stop the violent crackdown of the military against peaceful protests, especially in the critical years of 1991 to early 1992. As Assistant Secretary of State Richard Solomon argued during his testimony at the House of

Representatives East Asian and Pacific affairs subcommittee hearing (Reuters 1991; Thongpao 1997):

Thailand has long been a close friend and ally of the United States and remains so today... It is on that basis that we have and will continue to urge that the process to return democratic government in Thailand be as rapid as possible. The actions taken by the military leaders since the coup are in this direction. It appears that the National Peacekeeping Council recognizes that an early return to democratic, civilian government in Thailand is necessary

In a similar move, the US Department of Defense in 1991 to 1992 postponed all joint military exercises with the Thai military and fervently warned Bangkok against further violent crackdown of pro-democracy protesters (Agence France Presse 1992; International Catholic Migration Commission 2014). The postponement was in response to a series of violent military crackdowns over mass protests in Bangkok in the early 1990s, which eventually ended in the Black May incident in 1992. The postponement of joint military exercises motivated the Thai military to acquiesce to the growing domestic public demands and US government's pressures for democratic civilian control over the state security agencies as well as more democratic and reformist policies. Such concrete policy action from the US government was even supported by tougher American aid sanctions to Thailand, as explained by State Department spokesperson Margaret Tutwiler: "In view of the continuing violence in Bangkok, we have put resumption of economic and military assistance on hold and suspended all combat elements of the (joint) military exercises", while pressuring the Thai armed forces to "refrain from the use of deadly force as a means of resolving the issues that divide the opposition and the government" (Agence France Presse 1992). Such political pressures demonstrated how the US government judiciously used its long-standing influence and ties to the Thai military in order to shift Thailand's politics towards a more pro-human rights agenda. Together with the pressures from the Thai public and the emerging cadre of liberal democratic elites from Bangkok, the political pressures and aid sanctions from the US government eventually displaced the Thai military and state security agencies from the seat of power.

Instigated by the demands of emerging Thai liberal politicians, the political pressures from Washington, nonetheless, signified a much broader shift in US foreign policy in general. In particular, the US government in the 1990s started to maximize the use of aid, economic trade, and military assistance as “levers to promote political pluralism and individual liberties in countries that put greater emphasis on stability and social control” (Richardson 1993). In 1993, just a year after the Black May incident, US Secretary of State Warren M. Christopher proudly asserted that stronger human rights protection is “a cornerstone of US foreign policy” (Richardson 1993). The reason for the shift, according to the US government, was because of the changes in perceptions about the appropriate policies needed in the post-Cold War transnational security environment. As such, US Assistant Secretary of State for East Asian and Pacific Affairs Winston Lord explained that the absence of the Cold War (Richardson 1993):

reduces the pressure to muffle concerns about unsavory governments for the sake of security...Open societies do not attack one another...They make better trading partners. They press for environmental reform. They do not practice terrorism. They do not produce refugees... (there had been) encouraging strides toward more democratic and humane societies in Thailand...

When the 1992 Black May protest ended and was followed by national elections, Thailand’s domestic civil society flourished and consistently became more vigilant against state-initiated human rights abuses. Yet, Thailand’s civil society’s human rights advocacy was not limited to addressing the abuses within Thailand. Instead, Thailand’s emerging civil society reached a new milestone when Bangkok became a focal point for all human rights advocacy network within Southeast Asia. The expansion of the Thai civil society was significant because it demonstrated that the shared expectations for a human rights-oriented agenda were not “cheap talk”. Indeed, the Thai government permitted the expansion of human rights-oriented and other progressive civil society groups and the establishment of regional headquarters offices of various international human rights NGOs in Bangkok. As such, Human Rights Watch (1996) characterized Thailand during the 1990s as a “regional center for international human rights organizations, a place where they could operate with a fair degree of freedom”. The table below (Figure 6.4) shows how Thailand became a

home to many of the most important regional human rights network in Southeast Asia, even surpassing the Philippines that had a much longer exposure to electoral democracy and political openness. In short, shared expectations for stronger human rights protection in Thailand did not stop in the “corridors of power” in Bangkok and Washington, DC; instead, the rhetoric of human rights protection also reverberated in the “streets” through a vigilant civil society network.

<i>Name of NGO</i>	<i>Head office</i>	<i>Main issue areas</i>
Focus on the Global South	Bangkok	Campaign against neoliberal globalisation
Asian Forum for Human Rights and Development (Forum Asia)	Thailand	Promote democracy, human rights and a regional response
ALTSEAN (Alternative ASEAN)	Bangkok	Human rights and democracy in Burma
Asia Pacific Conference in East Timor (APCET)	Sittings varied	Human rights and self-determination in East Timor
Third World Network	Penang (Malaysia)	Campaign against neoliberal globalisation; human rights (social and economic rights)
Towards Ecological Recovery and Regional Alliance (TERRA)	Thailand	Environmental protection issues in Burma, Cambodia, Laos, Thailand and Vietnam
Committee for Asian Women	Bangkok	Women's issues, especially labour
Via Campesina (South East Asia)	Bangkok (?) C/o Assembly of Poor	Peasants, farmers
Coalition Against Trafficking in women in Asia-Pacific (CATW-Asia-Pacific)	Philippines	Women's rights (anti-prostitution and trafficking)
Asian Cultural Forum on Development (ACFOD)	Thailand	Human rights (culture taken into account)
Child Workers in Asia (CWA)	Thailand	Children rights (especially in work)
End Child Prostitution, Child Pornography Trafficking of Children for Sexual Purposes (ECPAT International)	Thailand	Children rights (anti-child pornography)
Global Alliance Against Traffic in Women (GAATW)	Thailand	Women's rights (especially trafficking in women)
Asian Indigenous Peoples' Pact (AIPP)	Thailand	Indigenous people rights
Asia Pacific Forum on Women, Law and Development (APWLD)	Thailand	Women's rights
Asian Coalition for Housing Rights (ACHR)	Thailand	Housing rights
Asian Regional Resource Center for Human Rights Education (ARRC)	Thailand	Human rights education
Coalition Against Trafficking in Women in Asia-Pacific (CATW-Asia-Pacific)	Philippines	Women's rights (anti-prostitution and trafficking)
International Young Christian Students (IYCS)	Philippines	Human rights education

Figure 6.4 List of Major Southeast Asian NGOs with a Regional Focus

Source: (Acharya 2003, 385)

Indeed, the emergence of Thailand as a regional hub for a growing human rights and civil society network had two important consequences. First, these organizations placed consistent and strong political pressures upon the central government in Bangkok to comply with its human rights commitments. This was a crucial development because Thai bureaucrats, the monarchy, and the military largely influenced pre-1990s Thai politics, characterized by a generally robust state apparatus

and a limited space for political opposition.<sup>166</sup> In contrast, the increase in the number of civil society groups in the 1990s made the political discourse in Thailand much more pluralistic and highly competitive. Second, the proliferation of domestic and transnational human rights organizations signified the determination of Chuan's administration to advance national norms of political openness and active civil society engagement.

Finally, the influence of pro-human rights discourses by Thai and American political elites was not only limited to advocating stronger human rights protection in Thailand. Rather, the Thai government, especially during the tenure of Prime Minister Chuan, adopted a more interventionist stance in the various human rights issues in other Southeast Asian countries.<sup>167</sup> Defying the norm of 'non-intervention' in the affairs of other member countries of the Association of Southeast Asian Nations (Acharya and Tan 2006; Jones 2010; 2012; Kohn 1997), the post-Cold War Thai government aspired in becoming a human rights leader in the region. Such political tactic became evident since 1993, when the Thai and US governments jointly promoted human rights norms in Burma. Thus, General Charan Kunlawanit of Thailand's National Security Council explained that (BBC 1993):

The Foreign Ministry's permanent secretary and the prime minister have discussed the Burmese issue with the US representative, Clifton Wharton [US deputy secretary of state]. The permanent secretary has also talked to Winston Lord in June about our support for peace and dialogue between the central government and the minority groups. This is Thailand's role. Once peace materializes, democracy will follow. Second, the world community wants to see Burma adopt Western standards of democracy and human rights. The West wants to raise human rights standards throughout the

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<sup>166</sup> This is exactly why Fred W. Riggs, a leading American political scientist and scholar of Asian politics, characterized Thailand as a "bureaucratic polity", which was the "dominant style of government from the 1930s to about the late 1960s when political power was largely monopolized by the civilian and military bureaucracy" (Acharya 2009; Ferrara 2010). A contemporary adaptation of "bureaucratic polity" is what Duncan McCargo (2005) calls "network monarchy", which suggests that political power operates in network-like interactions with the monarchy at the center (McCargo 2005; Wattanayagorn 1998). Notwithstanding these characterizations, the most significant development in the post-Cold War period was the proliferation of various domestic and transnational civil society groups in Thailand, especially in Bangkok.

<sup>167</sup> On the 20<sup>th</sup> November 1997, Prime Minister Chuan gave a speech to the Parliament and reaffirmed a human rights-oriented Thai foreign policy and the country's firm commitment to human rights. Chuan reaffirmed that one of the key goals of the state is "the participation by Thailand on the international stage in the protection and promotion of democratic values and human rights". (Snitwongse 2001, 192).



world. The rights principle may be the same but standards will differ somewhat.

Norms promoting stronger human rights protection also emerged within the Thai armed forces. Eventually, high-ranking military officers such as General Charan, as quoted above, suggested that the growing shared expectations on greater human rights protection gained traction even in the generally conservative Thai military establishment. Even as early as 1992, Prime Minister Anand already forecasted the indispensable role of human rights and other democratic reforms, which the military institution had to pay attention to: “They cannot go against the trend of public opinion. They cannot go against the global trend which moves towards a market economy and more democratic society” (Girling 1996, 86).

Furthermore, the US government strongly leveraged on the importance of its economic relations with Thailand, particularly by linking sustainable economic growth to stronger human rights protection (Bennet 1998; Manihandu and Sawatsawang 1996; South China Morning Post 1998). In its diplomatic relations with other Southeast Asian countries, the US State Department and its representatives in Bangkok persistently alluded to Thailand as an exemplary model in which economic development and stronger human rights can and should co-exist. Such kind of rhetoric proved to be persuasive especially at the height of the East Asian values debate on human rights, primarily spearheaded by Singapore’s Prime Minister Lee Kuan Yew and Malaysia’s Prime Minister Mahathir Mohammad (Barr 2007; Emmerson 1995; Subramaniam 2010; Thompson 2001).

Even in times of economic crises, the Clinton administration provided financial assistance to the Thai government and promoted political discourses in which good economic governance was attributed to democratic openness and transparency. As Thailand’s second largest trading partner next to Japan, the US government ensured Thailand’s economic survival in the thick of the 1997 Asian financial crisis when the Clinton administration “assembled a package of aid worth about 1.7 billion USD for Thailand, including trade assistance and investment in power projects” (Bennet 1998). Bangkok’s response to such assistance was predominantly positive, to the extent that Prime Minister Chuan acknowledged that his country was “undergoing a period of

financial and economic crisis” and that his government appreciated “the help and support of friends” such as the US (Bennet 1998).

The US assistance to Thailand during the 1997 Asian financial crisis has some important ramifications in fully realizing the shared bilateral agenda on human rights and good economic governance.<sup>168</sup> First, had the Clinton administration not chosen to assist the Thai government, the credibility of the US-supported human rights agenda could have been derailed. Second, had Thailand not survived the economic crisis, the prospects of a military take-over could have been heightened, thereby undermining all the human rights reforms that the American and Thai governments had initiated since 1992.

Even before the crisis in 1997, Clinton’s public diplomacy efforts in Thailand were largely geared toward stronger trade relations with Bangkok as well as human rights promotion (Ungphakom 1993). Indeed, such development marked a remarkable shift from the largely geostrategic security role of Thailand during the Cold War towards a more economic development-oriented agenda in the 1990s. Making US bilateral trading as conditional based on Thailand’s human rights and democratic reforms dominated most of the substantive content of trade negotiations of high-ranking officials from Bangkok and Washington. Indeed, such trend was well documented in various high-profile events such as the Asia-Pacific Economic Cooperation (APEC) summits and many other official meetings of Thai and American leaders in the 1990s. During such events, US President Clinton consistently characterized US-Thai links as part of a “bold new era in relations with the world’s fastest-growing economies” and that the 1990s created “a new voice for the Asia-Pacific in world affairs” that “would help bring down global trade barriers” (Perlez 1999; Purdum 1996; Spetalnick 1993). Similarly, Prime Minister Chuan exhorted that: “the Cold War is over...now is the era of the economic leading the political. I would like to pursue a policy of free trade... strengthen Thai businessmen to compete in the world market” (Cooney 1992). Nevertheless, economic development was not taken independently from other national goals; instead, Thai and American government officials argued that its sustainability should be indispensably linked to a strong commitment to democratic reforms and human rights protection.

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<sup>168</sup> As Larry Diamond and Juan Linz argued, “economic crisis represents one of the most common threats to democratic stability” (Przeworski et. al. 1996, 2).

The emergence of such new human rights agenda was consequential for a substantial reduction in US aid that was earmarked for military purposes — an outcome that systematically undermined the capabilities of the Thai national security apparatus. Likewise, the Thai civilian government did not also allocate much of its domestic resources to the Thai security agencies in ways similar during the Cold War period. In effect, such change in resource allocation mode limited the scale and extent of the Thai military and police agencies' operational activities. Yet, such change was not solely stimulated by an independent decision from Bangkok's elected officials and high-ranking bureaucratic elites. Instead, changes in the substantive focus of US aid also influenced Bangkok's policy priorities. For instance, American resources in the 1990s were largely allocated to non-military concerns such as the improvement of public health, women's rights, education, and the prevention of police abuses upon prostitutes.

As one of the most important problems during the 1990s, prostitution was a key policy area for American and Thai government officials and civil society networks.<sup>169</sup> As Thailand experienced a rapid economic growth and a tourism boom that followed thereafter, the continuous influx of predominantly Western tourists in the country stimulated the expansion of the local prostitution sector, involving mostly young women. Compared to the Cold War and the post-9/11 eras when drug trafficking and prostitution were combatted by the Thai state through extrajudicial killings (Asian Human Rights Commission 2014), the 1990s witnessed an approach that relied less on the military and more on incentive-based policies that aimed to address the root causes of the problem.<sup>170</sup> Indeed, much of this shift in domestic policy was partly shaped by Thai government's motivation to adapt to the US government's interests: in particular, the pioneering public diplomacy efforts and civil society cooperation led by First Lady Hillary Clinton. In a landmark speech delivered in 1996 by First Lady Clinton in Chulalongkorn University, the “war on drugs and the sex industry”, which

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<sup>169</sup> The US State Department Report in 1994 estimated that around 200,000 to 500,000 prostitutes worked in Thailand at that time, many of which were under-aged. Many of these prostitutes suffer from police abuses and various sexually transmitted diseases including HIV/AIDS – issues in which US-Thai cooperation heavily focused on (Greenhouse 1994).

<sup>170</sup> Refer to Asian Human Rights Commission (2014) for a discussion on the case of killings and torture of suspected communists and drug dealers in the southern Thai province of Phattalung during the Cold War.

were usually framed in militaristic terms during the Cold War, took a different approach in the post-Cold War era (Purdum 1996):

Expanding educational opportunities for children, curbing the spread of AIDS and ending the exploitation of young girls in commercial sex industry will not only help individual Thai girls and their families, but Thai society as a whole.

Besides, US First Lady Hillary Clinton vigorously lobbied for a domestic Thai law that specified the terms of imprisonment for all perpetrators of child prostitution, including the financially exploitative parents. Since then, the USAID was pivotal in funding several large-scale projects implemented by American and Thai NGOs operating in Thailand. One of the key policy responses by the USAID, in cooperation with local Thai authorities, was the provision of substantial financial assistance to rural families for them to abandon opium farming and instead embrace crop substitution. Notably, in the years 1997 to 1999, the Clinton administration provided around 1.3 million USD in the crop substitution program. Some of these funds were spent on “an estimated 1,000 educational scholarships” that “were awarded to girls in risk groups in the four provinces of Chiang Rai, Chiang Mai, Lampang and Payao” (Vejpgonsa 1996). In 1999 US Secretary Madeleine Albright visited several rural areas that received USAID assistance and she proudly reported that (Perlez 1999):

local farmers who used to earn the equivalent of 100 USD a year from opium now earn about 1,200 USD...That's stunning. It's not as though they are losing money; they are making money

In addition, the USAID provided substantial funding to many rural-based Thai and American NGOs that implemented vocational training and financial assistance programs that targeted many young women, who were rescued from the perils of prostitution and drug trafficking. The scheme was the well-known “Women for Tomorrow” program funded by the USAID and the US State Department and primarily implemented by Thai NGOs and local government units. Young women enrolled in this program took half-year vocational training classes that provided them the skills needed for employment in the booming formal Thai economy. As the most prominent face of the “Women for Tomorrow Program”, US State Secretary Madeleine Albright, during her 1999 visit in Thailand, vigorously promoted the story

of the 21-year old Chanpen Promsen, a prostitute who turned into a garment factory worker. In a widely televised interview, Albright sat with many young women in a rural village in northern Thailand and articulated how US aid was used to improve the lives of prostitutes and drug victims: “I’m doing things secretaries of state didn’t do...partially because they interest me but more importantly because *they are now elements of American foreign policy...combatting drugs is a job for the Secretary of State...Here (in Thailand) we are saying no to narcotics and saying yes to vegetables*” (Perlez 1999) (Emphasis mine).<sup>171</sup> Indeed, the US and Thai governments’ non-militaristic approach in combatting drug trafficking and prostitution stood in clear contrast to the violent approaches implemented by the Thai government during the Cold War and the Thaksin era in the 2000s. The “Women for Tomorrow Program” showcased a US public diplomacy approach that highlighted economic livelihood as an alternative for women.

To be sure, the non-violent approaches employed by the Thai and US governments in tackling the drug and prostitution problems was in accordance with the emerging human rights norms at that time.<sup>172</sup> The focus on the rehabilitation of young sex workers substantially undermined Thai security agencies’ violent policy approaches toward prostitutes.

Perhaps a more important question is on why and how Thai political elites in the early 1990s embraced the emerging international human rights norms. As I explain further in the final part of this chapter, the logic behind the Thai political elites’ support for human rights norms can be seen as responses to the demands of two important stakeholders in which the new Thai government’s authority emanated from: (1) the growing Thai civil society that pushes for a strong human rights agenda and

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<sup>171</sup> Refer for example to McCoy, Read, and Adams (1972) for a detailed discussion of Thailand’s Police Forces General Phao and his agency’s complicity to massive opium trafficking with the CIA during the Cold War era. In the process, police officers and the military prospered financially for facilitating drug smuggling and prostitution while committing abuses against the sex workers. Cynthia Enloe (1993, 151), in her earlier empirical studies on feminist politics and Cold War-era Thai military, concluded that: “among the investors and managers of Thailand’s large prostitution industry are Thai military officers”. See also the standard works on the CIA/US involvement in Thailand’s Cold War politics by Truong (1990) and Fineman (1997).

<sup>172</sup> Together with Myanmar and Laos, Thailand is part of the “Golden Triangle”, which is a region in Asia that is considered one of the world’s largest in terms of opium production and illegal drug smuggling. *Yaba*, or drug tablets containing caffeine and methamphetamine, is one of the main staple drugs smuggled and consumed by the mass Thai population. For a longer discussion about the links between prostitution, police abuse, drug trafficking, refer to Ford and Koetsawang (1991) and Kulsudjarit (2006).

(2) the US government that linked its foreign aid program and political support for developing countries based on human rights compliance.

Nonetheless, how exactly did the Thai government in the 1990s justify its transformative human rights agenda? The evidence from pre-9/11 Thailand showed that the Thai government localized the importance of international human rights norms according to the nuances of Thai political context. As early as 1992, the emerging pro-human rights government referred to the Black May incident as a watershed for institutionalizing a less politicized and a more pro-human rights Thai armed forces and police agency. Moreover, Thai politicians and government leaders also castigated the Thai armed forces for its active support to Cambodia's Khmer Rouge and its human rights abuses during the Cold War. Thai political elites also promoted the notion that Thailand's economic success — a feat that was unrivalled in the region — can only be sustained by democratic openness and constitutional guarantees of human rights.<sup>173</sup> The political appeal of such link between economic sustainability and strong human rights protection was bolstered especially during the 1997 Asian financial crisis, when Thai and American politicians attributed the crisis to the insufficiency of democratic reforms and political openness carried out in the early 1990s (Bridges 1999; Rodrik 1999). In other words, the Thai political elites' (especially from the Thai Democrat Party) decision to adopt human rights norms was driven by their motivation to seek political support from a growing pro-human rights domestic public and a human rights-oriented government of the United States, Thailand's most important strategic ally.

## 6.4 DOMESTIC POLITICS AND POLICY PRIORITIES: TOWARDS A PRO-HUMAN RIGHTS AGENDA

Shared expectations for stronger human rights protection trickled down into concrete policies and reforms in Thailand. To be sure, American and Thai policy-

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<sup>173</sup> Refer to Uwanoo and Burns (1998) for a detailed discussion of the history of constitutional regime in Thailand, and how the 1997 constitution was distinct because it was couched in the language of democratic and human rights-oriented reforms.

makers' shared interests in pro-human rights agenda did not remain as mere policy rhetoric. Instead, pro-human rights speeches, policy pronouncements, and other forms of official public communication materialized into substantive political reforms that were pioneered in the early 1990s. In other words, the pro-human rights discourses that emerged during this period were not epiphenomenal; rather, such shared expectations were concretely embodied in several fundamental reforms in post-Cold War Thai politics. The pro-human rights agenda that emerged in the 1990s can be seen in several concrete and important political initiatives: (1) constitutional reforms that explicitly guaranteed human rights to Thai citizens; (2) the emergence of independent Thai media outlets; (3) institutional reforms within the military; and, (4) an unprecedented expansion of a diverse civil society. Influenced by political pressures and financial incentives from the US government and the Thai domestic public, such domestic initiatives represented a collective effort between Bangkok's political elites and the Thai government to push for stronger human rights protection in the country.

First, the promulgation in 1997 of a new constitution, or popularly called the "People's Constitution", was widely seen as a huge step forward in integrating the human rights agenda in the core business of the Thai state.<sup>174</sup> Indeed the UN Development Program (UNDP) report in 2000 affirmed the importance of such document: "there has been a major change in Thailand, where the main safeguard of human rights and human development is the 1997 constitution, the country's first democratic one" (Uniyal 2000). Arguing that the reforms in the 1997 charter were not "simply cosmetic", a prominent public intellectual and Thai constitutional expert Vitit Muntarbhorn of Chulalongkorn University hailed the 1997 Constitution: "it is the only one that can claim to be most democratic...in the past there was a reluctance to recognize civil society, but [it is] now being given great recognition" (Uniyal 2000).<sup>175</sup> Although the enactment of the 1997 constitution was the fifteenth time that

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<sup>174</sup> In October 1996, Thailand acceded the International Covenant for Civil and Political Rights, thereby demonstrating its newly founded commitment to greater human rights protection. In 1994, the civilian government of Prime Minister Chuan Leekpai permitted a group of Nobel Peace Laureates to visit Bangkok and campaign for the release of the Burmese leader Aung San Suu Kyi (Human Rights Watch 1994).

<sup>175</sup> As Pongsudhirak noted, the "new Constitution in October 1997 had been the culmination of five years of political reforms designed to exorcise the ghosts of frequent military coups, patronage, "money politics", and vote-buying that long plagued the country's politics of representation." (Pongsudhirak 2003, 277).

a new charter was drafted since 1932, the People's Constitution was unique because of the progressive political guarantees that it provided to all Thai citizens. In particular, the 1997 charter laid "the ground rules for transforming Thailand from a bureaucratic polity prone to abuse of citizen rights and corruption, to a participatory democracy in which citizens will have greater opportunities to chart their destiny" (Klein 1998, 4). The constitution guaranteed all citizens the opportunity to "challenge the power of the state, such as Article 56, which gave people the right to sue the government or state agencies for harming the environment" (McCargo 1998, 27). The 1997 constitution explicitly assured the Thai public of "a high degree of contestation among different interest groups, whose agendas ranged from the deeply conservative to the highly progressive" (McCargo 1998, 10). Driven by the broad-based political support from various domestic and American civil society groups based in the country, the significant reforms in the 1997 constitution "set out to re-engineer the political system in order to reduce the power of the bureaucracy, make politicians more responsive to the popular will, and to undercut old monopolies in business and government" (Pathmanand 2001, 25).

Perhaps the most important institutional reform introduced by the 1997 Constitution was the creation of a permanent 11-member National Commission on Human Rights.<sup>176</sup> The new agency was tasked to "prepare an annual evaluation of the human rights situation for the National Assembly, propose policies and recommendations for amending laws to the National Assembly, promote measures to educate citizens on human rights, and investigate cases of human rights abuse" (US State Department 1999). The new commission appointed three ombudsman officers who were tasked to independently monitor and investigate human rights violations (Human Rights Watch 1998). In other words, the 1997 constitution, driven by the emerging transnational and domestic demand for political openness, exhibited the Thai state's firm and long-standing commitment to tolerate peaceful political opposition and to guarantee the physical integrity rights of Thai citizens. Because of all these reforms, Thailand's most prominent political scientist claimed that the "climax" liberal democratic success story of the 1990s "was the so-called "People's Constitution" of 1997 which catalogued human rights, established a range of new

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<sup>176</sup> See Pegram (2010) for a detailed discussion on the causal drivers of the global spread of national human rights institutions among various countries.



institutions to check the abuse of power, set out roadmaps for decentralization, media reform, and other items on the activist agenda, and even included some provisions for direct democracy” (Phongpaichit 2004, 2).

Second, starting in 1992, the central civilian government in Bangkok had been consistent in introducing landmark reforms that aimed to depoliticize the military. Such development reverberated in the over-all policy agendas of all prime ministers who served Thailand during the 1990s - particularly Prime Ministers Anand (1992), Banharn (1995-1996), Chavalit (1996-1997) and Chuan (1992-1995; 1997-2001). Bangkok’s liberal democratic politicians (mostly from the Democrat Party) justified these progressive reforms by stating that they were necessary in fully democratizing the country, a process that was seen as crucial for maintaining long-term economic stability. Thai political elites perceived such policy choice as beneficial because free and competitive markets, as the politicians claimed, can only flourish in a democratic society that respects human rights. Such perception was reinforced by the 1997 Asian financial crisis in which Thailand was at the epicenter of the regional problem.<sup>177</sup> Indeed, the perceptions of the Thai elite and middle classes about economic growth, democracy, and investments are summarized below (Englehart 2010, 254):

Economic growth in Thailand was based on foreign capital, and created a globalized economy sensitive to the confidence of international capital markets. *A perception that these capital markets favored democratic regimes and political stability changed the political calculus in Thailand, shifting it firmly toward liberal democracy in the wake of the 1997 currency crisis.* (Emphasis mine)

Notably, the process of depoliticizing and reforming the military and the police started after the Black May incident in May 1992, “in which government troops allegedly gunned down scores of demonstrators protesting the appointment of Gen. Suchinda Kraprayoon as prime minister” – and it was generally seen as a “turning point in Thailand’s political history” (Uniyal 2000). And because of the intervention from the Thai monarchy and the growing political pressure from the US

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<sup>177</sup> Thus, widespread belief with regard to the strong link between economic growth and democracy facilitated the relative ease of implementing various human rights reforms especially in the 1990s. In fact, Kittipong Kittayarak, a high-ranking government official from the Thai Ministry of Justice, argued that the “pro-rights, pro-reform Constitution would not have passed the Parliament, had it not been that Thailand was hard hit by economic crisis during that same year” (Kittayarak 2003, 107).

government to stabilize the situation, Suchinda stepped down from power, which was then followed by a landmark national election of a new prime minister and all members of the parliament.<sup>178</sup> As early as 1992, the newly elected Prime Minister Anand compelled the military to apologize for its role in the Black May bloodbath and even started the “complicated process of extricating state companies from military control” (The New York Times 1992a). In order to severely constrain the power of the military, Anand established civilian government agencies in order to regulate contraband trade in the shared borders with Laos, Cambodia, and Burma. The civilian take-over dramatically undermined the longstanding profiteering and rent-seeking behavior of military officers, particularly through “lucrative trading ties to Khmer Rouge warlords, drug lords, and operatives of Myanmar’s thuggish State Law and Order Restoration Council” (The New York Times 1992).<sup>179</sup> Instead of employing the Thai armed forces to violently curb the drug problem, as it was the case during the Cold War and in post-9/11 Thaksin era, the Chuan administration gained “enormous progress” in reducing drug addiction through “drug education and prevention schemes” (Charles 1996).

Another notable reform that sought to undermine the Thai military’s political adventurism was the abrogation of the Internal Peacekeeping Directorate Act, which was a very powerful law that was regularly invoked by military and police officers in order to quell peaceful political protests. On that regard, the majority of the elected members of the Thai Senate and House signed a new law that required the approval of the civilian cabinet members before the military and the police could be tasked to control protests. The Chuan administration “declared the unconstitutionality of the military-backed seizure of “assets””, a political move that sought to professionalize the Thai armed forces by limiting its influence in civilian affairs, including business activities (Girling 1996, 86). As a result of various reforms introduced by Prime

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<sup>178</sup> Refer to Stockwell (2000) for a detailed historical discussion of the modernizing initiatives of the Thai monarchy.

<sup>179</sup> Many Thai citizens believe that the profiteering and entrepreneurial activities of military border commanders were key sources of wealth of the Thai military (Branigin 1992; Manihandu and Sawatsawang 1996). By undermining the military’s control over the borders, the Thai central government minimized the possibility of political adventurism from the state’s armed agencies as well as limiting the propensity for human rights abuses in the borders. The civilian take-over was also part of the anti-drug trafficking agenda, which played a key role in the foreign policy agenda of the Clinton administration. While Thaksin repackaged such agenda into a more militaristic issue (such as the 2003 War on Drugs), the US President Clinton and Thai Prime Minister Chuan largely worked on institutional reforms to combat drug trafficking and its deleterious effects on human rights.

Minister Chuan, military officers seldom provided their unsolicited opinions “on the government’s performance – a striking difference from earlier days” (Girling 1996, 86). Nevertheless, the aim of depoliticizing the military was also reflected in the Thai military’s official documents, thereby demonstrating a sense of institutional internalization of the human rights and democratization agenda.<sup>180</sup> As such, the Thai Ministry of Defense’s *Defence of Thailand* 1994 report clearly stated that (McCargo 2002; Thai Ministry of Defence 1994):

[the] Armed Forces conducts its mission in accordance with the Constitution...a New World Order is emerging with greater emphasis on issues such as democracy, human rights, and environmental conservation. At the same time, the world is entering an information age and there is greater economic competition. All these factors have an effect on our long term planning

Notably, even one of the most prominent military personalities had spoken out in strong support of stronger human rights protection. A good example of this was the call for institutional reforms within the country’s national security agencies by Prasong Soonsiri, the chairperson of the National Security Council in the 1990s. Aside from strongly espousing for reforms within the country, Prasong even called for a more activist Thai foreign policy that promotes human rights in the region (Mallet 1992):

We notice that the world is attaching greater importance to issues such as human rights, democracy and the environment...Thailand has also emerged from a fight for democracy . . . We also wish to see our neighbors in a position that is accepted by the international community but we are not in a position to manage their affairs.

Moreover, the emergence of a new cadre of younger and first-time national politicians since 1992 was also crucial in forming a critical mass of domestic support for an emerging pro-human rights stance in Bangkok. In fact, right after the Black May incident last 1992, a substantial number of these younger politicians were elected to Thailand’s parliament. These new leaders vowed to make democracy, human rights,

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<sup>180</sup> The growing pro-democracy sentiment during the post-Cold War era called for a higher level of professionalism within the military. Such an expectation and the two failed coup attempts in 1991 and 1992 “had lulled Thais into thinking direct army takeovers were a thing of the past” (Amorn 1991).

and equitable economic development as the key goals of the decade.<sup>181</sup> To illustrate such growing sentiment amongst national politicians, Thai Democrat Party's chief of policy planning Savit Bhotiwihok explained immediately after the Black May incident that their "main task will be to strengthen political institutions so we don't go back to the coup-elections-coup syndrome which plagued us in the past" (Ismartono 1992). Likewise, Suchit Bunbongkharn, an influential academic from Chulalongkorn University, commented that the "the May tragedy aroused a new democratic mood among Thais, particularly those living in urban areas. They wanted a more stable democratic government and a withdrawal of the military from politics" (Ismartano 1992). Such statements showed that — aside from the end of the Cold War and the eventual dominance of liberal democracy — the 1992 Black May incident helped foster a more favorable view of political openness and stronger human rights protection.

In sum, the post-Cold War period recorded several significant reforms within the military, which substantially undermined the Thai armed forces' control over civilian affairs. With the passage of the State Administration and Procedure Act in 1991, the Thai armed forces "was downsized and re-engineered with ideas of modern organizational management", which meant that a "great number of generals was reduced through early retirement, and the over-all size of the army trimmed by decreasing the annual recruitment" (Pathmanand 2001, 26). The reduction in the Thai armed forces' organizational size and capacities was largely triggered by the sharp decrease in US military aid starting in the early 1990s, which in turn, weakened Thai armed forces' capacities in implementing actual combat operations.<sup>182</sup>

In addition, the military's control of the Thai national media outlets was also a key target for reform. On that regard, Thai political scientist Ukrist Pathmanand explained that (Pathmanand 2001, 28):

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<sup>181</sup> Many of these politicians come from the Democrat Party that is considered as the biggest winners in party politics during the 1990s. The party espouses a classic liberal and pro-market stance and became one of the most vigorous critics of military intervention in civilian politics. The Democrat Party lost its influence when Thaksin Shinawatra came into power in 1991, but will later on regain its influence in 2006 when Abhisit Vejjajiva replaced Thaksin.

<sup>182</sup> As the Cold War historian Arne Kislenko notes, "for the US, Thailand represented a bastion of anti-communism in a region full of political uncertainty. It also represented a valuable Asian ally in the Cold War, a major "rest and relaxation" (R&R) destination for US servicemen in the region, a model of economic development in the so-called "Third World," and a strategic base from which to prosecute both overt and clandestine operations in Indochina. In fact, by the mid-1960s nearly 80 percent of all American bombing" (Kislenko 2004, 1).

the military's monopolistic control of 221 radio stations and two television stations was perceived to be a danger to the process of democratization. Demands for liberalizing the media increased after Bloody May 1992 when the military junta attempted to suppress news about soldiers shooting demonstrators. These demands eventually led to Article 40 of the 1997 Constitution, which placed electronic media frequencies "in the public domain", under the control of "an independent public organization" charged to operate them "in the best interests of the people

One of the key differences of the Thai central government's policy stance during the 1990s from the Cold War period was its new attitude towards the abuses committed by armed forces personnel. Pioneered by the Chuan administration, public discussions with regard to human rights abuses and corruption became a central aspect of the country's public agenda. As early as 1992, Prime Minister Chuan Leekpai admitted that reforms were necessary in order to adapt to post-Cold War demands for human rights and democratization (Phongpaichit and Piriyaarangsarn 1996, 109):

At the moment we are trying to get rid of officers who may have problems, in particular the transfer of police who in the past may have been involved in buying positions, going right up to the level of minister. That is no longer the case. There is to a certain extent some deficiency in human resources in our police force. But the problem is also the system...that is why we propose to reform the system.

Moreover, such political reforms within the military even gained more traction after the 1997 Asian financial crisis. During that time, the general public and key Thai opinion-makers realized that "it was the 1997 economic crisis that put Thailand irrevocably on the road to political democracy", particularly when reforms were considered as crucial in "leading to better economic development that will benefit people and not just the elite" (Uniyal 2000). Even US President Clinton justified the 1.7 billion USD worth of emergency aid to Thailand in 1997, based on a post-Cold War US paradigm that linked the strength of US trade relations with the level of human rights compliance in partner countries: "Countries like South Korea and Thailand have proven in this financial crisis that open societies are more resilient; that elected governments have the authority to make hard choices in hard times" (Agence France Presse 1999). Such statement exemplified how reforms toward political

openness and greater human rights protection were seen as complementary, instead of being incompatible with the goal of economic development. Notably, Thailand's position on the East Asian values debate was dramatically different from the stance held by other countries in the region where the governments of Singapore, Malaysia, and even Indonesia argued for a very limited role of human rights protection on the political agenda (Bell 1996; Mauzy 1997).<sup>183</sup> In other words, a more active civil society in the 1990s was crucial in persistently pressuring state agencies, most especially the central government in Bangkok, to comply with its human rights commitments (Phongpaichit 2004, 1):

This civil society mobilised people on the streets at critical points — especially in 1992 — but also pressed for a liberal-democratic agenda which included a fully sovereign parliamentary system, protection of human rights, decentralisation of power, media freedom, and more equitable economic policy

Another focal point of domestic political reform was the dramatic growth of civil society's influence over the state's affairs. On that regard, Thai political scientist Pasuk Phongpaichit (2004, 1) explained:

In the mid 1990s, civil society activism began to directly shape government policy: economic planners embraced “people-centred development”; the interior minister, which had refused to accept even the concept of decentralisation a few years earlier, was forced to embrace a dramatic reorganisation of local government; senior activists prepared major reforms of health, education, and social provision.

Indeed, the consensus among keen observers of Thai politics is that “during the 1990s, civil society in Thailand had become stronger and was able to challenge the old socio-political order, while the military was simultaneously tamed” (Pathmanand 2001, 25). In fact, a lot of domestic civil society groups emerged, and many of those groups received funding and technical support from the USAID and other American NGOs. The influence of human rights-oriented NGOs is illustrated by the Thai state agencies' and business community's tolerant attitude toward labour unions. While many countries in the Global South had a business community that was

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<sup>183</sup> For a detailed discussion on the East Asian universalism-relativism debate on human rights, refer to Barr (2007) and Emmerson (1995).

generally disinterested, if not hostile, to labour interests and other social movements, Thailand during the 1990s was dramatically different. As such, “the business community was supportive of the democracy movement that had a large student involvement”, and that policy-making in Bangkok usually involved bargaining that “takes place between the military and institutions of civil society, including political parties” and other civil society and business leaders (Samarasinghe 1994, 16). This was exactly one of the key factors why violent and large-scale suppression of labour unions was almost absent during the 1990s.

To a large extent, the role of the US government in cultivating pro-democracy business groups facilitated Bangkok’s human rights and democratization reforms. As one of Thailand’s most prominent civil society leaders, Parichart Chotiya argued that “the most systematic and substantial program to promote provincial business came from foreign assistance, especially that from the US, which established a programme [sic] to strengthen the role of the private sector” (Chotiya 1997, 257). The role of American assistance to civil society was crucial in promoting entrepreneurship and economic activities in conjunction with human rights and development advocacy functions (Chotiya 1997, 257; Laothamas 1992, 82-83):

the USAID provided funds to improve the performance of provincial chambers of commerce and business associations. The Bureau for Private Enterprise provided a grant to establish the Institute for Management Education for Thailand (IMET), and the Center for International Private Enterprise (CIPE), an organization supported by the United States Chamber of Commerce, assisted Thailand’s National Institute for Development Administration and IMET with provincial networking.

Despite the increasing presence of US economic activity in Thailand in the 1990s, the influence of labour movements over the Thai state increased. In particular, the Chuan government established the Ministry of Labour and Social Welfare in 25<sup>th</sup> November 1993 in which the new agency had 13,000 staff members at that time and a substantial budget of 271 million Thai baht (6.89 million USD). The establishment of the Labour Ministry allowed a wide range of labour movements to be formally heard

in governmental policies (Hewison and Brown 1994, 509).<sup>184</sup> As such, the new ministry was widely seen in the country as a “demonstration of the importance the administration (Thai state) attaches to labour and social welfare” (Leekpai 1993, 98-99) and as “suggestive of a transition from an authoritarian to a more representative regime” (Hewison and Brown 1994, 510). Consequently, this resulted in a much more conducive political climate for labour movements that advocated for workers’ welfare without the fear of violent reprisals from the government. Such positive development was absent when the Thai military junta (or the “National Peacekeeping Council”) systematically and violently repressed labour in the context of the Cold War.

Several scholars of Thai politics even contended that the “the rise of associations in Thailand has been associated with a decrease in clientelism” and has undermined other corrupt practices in the armed forces and the police agencies (Laothamas 1992; Lucas 1997). Amitav Acharya, one of the leading scholars on Southeast Asian international relations, argued that the “domestic forces that affect democratization often derive their strength from international ones, including the effects of globalization and the spread of democratic values” (Acharya 1999, 420). Indeed, one of these local factors included the emergence of a highly critical civil society that substantially weakened an entrenched Thai military and bureaucracy. The Thai civil society’s influence was even bolstered by the 1997 economic crisis that “has put authoritarianism on the defensive and empowered pro-democratic forces” (Acharya 1999, 420). For example, starting in the early 1990s, various civil society organizations became publicly visible in protesting and demanding political reforms, while the Thai armed forces became more tolerant toward civil society advocacies (Cook 2007, 162-163):

a number of groups, mostly from rural areas, converged on Bangkok, as they had done for a number of successive years, to camp in front of Government House. They came in order to demand government solutions to range of urgent problems. Such groups have found it useful both symbolically and politically to proceed to the capital and rally at the centre of power, in order to raise awareness of their plight among media and public, as well as politicians. Ranging from access to land and environmental degradation to inadequate or dam construction, their problems were direct consequences of

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<sup>184</sup> Labour activists were high-priority targets for repression during the Cold War in Thailand because most of them were widely seen as closely associated to the Communist Party of Thailand.



development processes. Many of the groups come from the arid and most deprived northeastern region, although farmers from other areas, and even slum dwellers have sometimes joined in. Throughout the nineties they have become a recognisable feature of the Bangkok political scene in the early part of each year, and are known as the "Forum of the Poor".

Aside from the highly visible grassroots members of the "Forum of the Poor", Thailand's booming civil society in the 1990s was primarily comprised of "disparate members...ranging from affluent professionals to idealistic reformers and hard-pressed labor organizers, are nevertheless united as citizens in pursuit of a democratic society- all the more so when confronting the oppressive character of the bureaucratic polity and its surviving elements" (Girling 1996, 25). Highlighting the abuses of the military, the Black May incident in 1992 "exposed the military – and not civil society – as the divisive factor" in the country (Girling 1996, 20). The Black May incident also inspired the Thai public's sympathy for an emerging oppositionist civil society and served as a rallying point for a more active and peaceful criticism of government policies. Consequently, the 1990s was an opportune period for stronger human rights protection because an emerging civil society was able to push for their interests in the national political agenda. The result of that was crucial because it eventually tamed the authoritarian tendencies of the Thai armed forces and other traditional elites from the 'bureaucratic polity' (Bunbongkam 1991; Rhum 1996; Riggs 1966). Hence, it was in the post-Cold War period that Thailand underwent a "rapid shift from an administrative-centered to an interest-centered government, whereby individuals and groups from various quarters of society have penetrated the State and are increasingly shaping the goods and services it supplies..." (Christensen and Siamwalla 1993, 3). In effect, the Thai state's high tolerance for peaceful political dissent was realized during this period, particularly when "the democratic system ... provides ... equal opportunity to voice opinions and to participate in determining the future course of the country without domination by any one privileged group" (Cook 2007, 168). Hence, the emerging influence and expansion of a Thai civil society bolstered human rights protection at the core of the state's agenda during the 1990s, while the military remained on "retreat in the barracks" (Kocak and Kode 2014; Samudavanija 1997).

## 6.5 PATTERNS OF RESIDUAL HUMAN RIGHTS ABUSES

From 1992 to early 2001, reports of extrajudicial killings, enforced disappearances, arbitrary detention, and other related violations of physical integrity rights were very rare occurrences in Thailand. Such situation was dramatically different from the severe and pervasive human rights violations during the Cold War, when Thailand, then governed by a military junta, became a hub for American military forces (Kislenko 2004; McCoy 1972).<sup>185</sup> While stronger human rights protection was generally observed in Thailand in the 1990s, abuses persisted throughout the 1990s, albeit the number was much lower. Moreover, the abuses were devoid of any direct support from the US government and the central Thai leadership as well as the Thai armed forces' central command. Thus, the infractions of physical integrity rights during this period can be classified into two distinct but not mutually exclusive types of actions carried out by some individuals or small groups of agents within the Thai Royal Police and the Royal Thai Armed Forces. The first type referred to abuses that emerged as consequences of regular criminal policing operations (e.g. prostitution, ordinary crimes, drug trafficking, and the influx of refugees), while the second pertained to human rights violations emerging from police or military encounters with civil society activists.

### 6.5.1 VIOLATIONS AS OUTCOMES OF REGULAR POLICING OPERATIONS

Various significant human rights reforms were undertaken by the Thai security agencies in the 1990s. Except during the 1992 Black May Incident, the Thai military and police agencies conducted their regular operations at a relatively modest scale

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<sup>185</sup> Unlike other post-colonial countries' armed forces that played a big role in the nationalist movement against colonial powers, the Thai military persistently sought to make up for its lack of nationalist credentials. Historically, the Thai armed forces did this by its "1932 overthrow of the absolute monarchy entrenched the military's perception of itself as the guardian of the nation" and investing "largely on domestic enemies, claiming to protect the state and, at the same time, cementing its power network in politics" (Chachavalpongpun 2011, 47). The consensus among Thai scholars suggest that the Thai military's identification of its domestic enemies "was a rather arbitrary and superficial exercise, with the military picking its enemies according to the constantly changing concept of nation-building" (Chachavalpongpun 2005, 58-65)

compared to the Cold War period and post-9/11 Thaksin era.<sup>186</sup> In the absence of a perceived security threat, the Thai armed forces focused on problems such as prostitution, drug trafficking, illegal migration from neighboring countries, and other forms of petty crimes such as theft and robbery. In combatting such problems, the Thai government seriously considered the importance of cooperation amongst civilian state agencies and the military and police forces. Such was the case in framing the aforementioned problems as issues of human welfare, rather than as an issue that required coercive and violent responses by the state. A more human rights- and economic development-oriented US foreign policy also motivated the Thai armed forces to take a more complementary role to civilian state agencies' function.<sup>187</sup> Certainly, US armed forces' engagements with the Thai military and police forces were limited to the annual "COBRA Gold" joint exercises, rather than bolstering the Thai armed forces' weapons arsenal to the extent comparable during the Cold War.

Notwithstanding the aforementioned developments, several individual agents or small groups from the Thai Royal Police or the Royal Thai Armed Forces still committed human rights abuses. Thus, the government's Attorney General revealed that 324 suspects and detainees without final verdict perished in 1995 "while in the custody of government officials" (US State Department 1997b). For instance, many instances of human rights violations emerged because of the unlawful killings of suspected criminals while they were under police responsibility or when the police officers were arresting suspects (Human Rights Watch 2001). In 1995 the Thai Royal Police Force's information center documented 23 suspects who were killed in the midst of police arrests. To illustrate the violent extrajudicial abuses against suspected criminals, in November 1996, Thai news media outlets widely reported the controversial arrest of six suspects of drug trafficking in the central province of Suphan Buri. Despite their peaceful surrender, the six suspects were killed a few moments later (US State Department 1997b). Although the concerned local police command claimed that "they acted in self-defense since one of the suspects attempted

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<sup>186</sup> Reports of enforced disappearances and extrajudicial killings were "very rare" in Thailand since the 1992 Black May incident until early 2001. Instances of physical harassment of peaceful protesters by the police were reported, albeit they were relatively seldom and unsystematic to the extent that the central civilian government strongly criticize such abuses.

<sup>187</sup> The US public diplomacy in Thailand during the 1990s framed drug trafficking, prostitution, and the influx of undocumented migrants as social costs of the rapid economic boom. In particular the US and Thai governments jointly framed these issues as human rights concerns.

to seize a weapon”, other civilian government agency sources “questioned the credibility of the official police explanation” (US State Department 1997).

In contrast to the Cold War period, the 1990s witnessed a much more vigilant attitude of civilian government authorities against abuses committed by the police and the military. Notwithstanding, the Thai armed forces continued to protect their own officers amidst allegations of abuses. For instance, in the 1996 Suphan Buri incident, deputy Thai police director-general Salang Bunnag and seventeen other officers failed to appear in the first hearing session at court. Salang and his team were implicated to be fully responsible for the death of the six drug suspects. Yet, the Thai government prosecutor and senior investigating officer Anothai Bamrunghong confessed that “he had received threatening phone calls” and witnessed several “shooting incidents near his house”, in which he claimed that “both had been carried out by officers involved in the Suphan Buri incident”(Human Rights Watch 1999).

In view of the institutional failures in launching a successful legal case against human rights abusers, Thai Attorney General referred to official government data and concluded that “90 cases of killings by all civil officials (including police and other civilian government officials, such as forestry and district officials) in 1995 resulted in 89 cases being dismissed by the courts” (US State Department 1997). The Thai public, at that time, strongly suspected that intense pressures and death threats from police officers influenced the courts’ decisions.

A lot of the reported violations in the 1990s pertained to police officers’ inappropriate conduct during their pursuit of suspected criminals. For instance, local civil society groups in Bangkok reported that in 1993 alone, members of the Royal Thai Police killed 31 unarmed civilian suspects in the midst of an arrest operation (US State Department 1995). Although it is obviously difficult to determine how many among those deaths were unintended, one of the most widely known incidents was the death in 1994 of the “wife and child of a key witness” in a highly controversial case about “jewelry and precious gemstones stolen by a Thai employee of a Saudi prince” (US State Department 1995).<sup>188</sup> The attempts of the Royal Thai Police Force to cover

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<sup>188</sup> The case that I discuss here refers to the well-known “Blue Diamond Affair” (1989), “an international jewelry heist, captivated the world’s attention because of its unresolved murders, its implication of law enforcement and public officials from two divergent countries, and the resulting diplomatic tensions between Thailand and Saudi Arabia” (McClincy 2012, 182). This is one of the

up the crime of the implicated Thai suspects resulted in subsequent murders of key witnesses and other crime suspects.<sup>189</sup> Because “high-level police involvement is widely suspected in the gems case”, several rank-and-file police officers, one midlevel and two senior police officers, were arrested due to the murders of key witnesses pertaining to the jewelry heist (US State Department 1995).

Another instance of abuse occurred when Bangkok-based police officers killed last 27<sup>th</sup> November 1997 six Thai men who were suspected as methamphetamine drug smugglers. Widely hailed as one of the most notorious incidents of police abuse committed while arresting suspects in the 1990s, such incident demonstrated that the “corruption among police is common, and reportedly includes large-scale bribe taking” (Cooper 1997). According to reports by Amnesty International and other Bangkok-based NGOs, the six suspects already surrendered to the police. Despite the surrender, the police officers fired gun and killed the six suspects. Reports also indicated some procedural irregularities within the Royal Thai Police Forces because the dead bodies of the six men “were cremated without autopsy and the police destroyed evidence of the circumstances by burning down the house” (Cooper 1997). Although the relevant civilian state agencies including the Prime Minister’s office criticized police forces’ misbehavior, the legal cases against them in the judicial courts did not prosper. Similarly, on the 17<sup>th</sup> August 1993, five agents of the Thai Royal Police Force from Ban Pong district in the central Thai province of Rachaburi were implicated in the killing of a vegetable trader, who was apparently beating a traffic light (US State Department 1994). Thailand’s Interior Ministry commissioned an autopsy and initiated an independent investigation into the killing, yet the legal case against the police was eventually (and mysteriously) discontinued in court.

Due to the economic boom in the 1990s and its stable political system relative to its neighboring countries, Thailand emerged as an attractive destination for economic migrants and political refugees. Despite the US government’s continued emphasis to be more lenient with these refugees because of humanitarian reasons,

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most famous scandals concerning the Royal Thai Police Forces’ lack of discipline, professionalism, and “perpetuated corruption” (McClincy 2012, 182). The case resulted in several unexplained murders of three Saudi diplomats to Bangkok, Saudi businessmen, and several other Thai citizens up to the mid-1990s. It is widely believed, however, that the corrupt Thai police forces were involved in covering up the crimes of Thai citizens and even gained some profits as a result thereof.

<sup>189</sup> As The Economist claims, “In Thailand’s most sensational crimes, the prime suspects are often the police.” (The Economist 2008).

some Thai police officers and other government agents violated the physical integrity rights of those foreigners. For example, in 1997 several Thai forestry bureau officials accidentally killed three ethnic refugees from the Karen indigenous minority in the rural hinterlands of northern Thailand. The refugees were apparently mistaken as armed intruders in the Thai borders and that the Thai state agents thought it was appropriate to fire guns (Cooper 1997). In a quite similar incident that occurred last August 1997, border police officers killed two Islamic religious leaders in the southern region of the country as the latter were mistaken as illegal refugees. On January 1998 Thai police officers accidentally killed three unarmed Cambodian children at the border regions in Sa Kaew province, a town thirty miles from the Thai-Cambodia border. In all of these incidents, the central command of the Thai Police Forces as well as the Office of the Prime Minister were quick in condemning the abuses of the implicated state actors.

In the wake of the 1997 Asian financial crisis and the international media hysteria that followed, some evidence implicated police officers and some high-ranking Thai officials as complicit in undermining the freedom of speech of Thai citizens and the media agencies. For instance on July 1997 agents from the Thai Royal Police Forces forcibly entered two American financial brokerage firms based in Bangkok, harassed its employees, and “searched for evidence that those firms had distributed faxes containing inaccurate financial information” (US State Department 1997). Although Prime Minister Chavalit did not have a policy of undermining freedom of expression, the police “had a warrant alleging that these faxes would undermine government stability” (US State Department 1997). Later on, Thai media agencies reported that the incident involved some high-ranking civilian officials and Bangkok-based police officers, who attempted to hinder foreign media in reporting about the Thai government’s failures in the midst of the Asian financial crisis.

In many of these instances of police abuse, it is widely believed that “tea money” (Thai: *ngein chā*) or bribes could have been used by individual government officials or businessmen to contract police officers and other armed state agents for personal gain. Despite all the reforms introduced in the 1990s, some police officers continued to receive “tea money” in order to act as private security agents of high-ranking government officials and even influential Thai business elites. This is most likely the

reason why, in the 1990s, some police officers killed some innocent civilians because they were deemed detrimental in many of these elites' rent-seeking activities that involved "tax evasion, gambling, immigrant trafficking, goods smuggling, and prostitution" (US State Department 1997a). For instance, Human Rights Watch (1994) reported that some high-ranking officials from the Royal Thai Police Force and the Royal Thai Armed Forces "made little effort to stop the trafficking of foreign girls and women, particularly Burmese and Chinese, into Thai brothels where the women faced debt-bondage, physical abuse and conditions akin to slavery". For example, on a raid by the Thai police in 1994, 148 Burmese women were "saved" by police officers from prostitution houses encircled by electrified barbed wire. The Burmese women, however, were transferred afterwards to an immigration detention center in the southern Thai province of Ranong. After two weeks, the local Thai police officers deported fifty-eight of those women to Kawthaung in southernmost Burma, where it was believed that they were subsequently arrested on charges of prostitution and illegal travelling. Many of those women suffered physical intimidation while under the Thai government's custody. Notably, the location and condition of ninety other Burmese women remained unknown. Because Thai police officers "are notorious for their cruelty" and some suspects were routinely tortured even in the 1990s (Thongpao 1997), the deportation (and mysterious disappearance of some of them) of the Burmese women trafficked into prostitution was widely considered as an instance of human rights abuse. Similarly, on January 1997 Thai border control officers killed three minors from Cambodia as "as they were crossing the border from Sa Kaew Province in Thailand to Poipet town in Cambodia" (Human Rights Watch 1998). Although constitutional human rights guarantees were generally granted to all Thai citizens, there seemed to be a lack of government interest in protecting the rights of refugees entering Thailand. As such, in the Sa Kaew shooting incident, "Thai authorities have not clarified the circumstances of these shootings, and no investigation took place" (Human Rights Watch 1998).

#### *6.5.2 UNINTENDED VIOLATIONS EMERGING FROM INDIVIDUAL SECURITY AGENT'S*

##### *COLLUSION WITH PARTICULAR PRIVATE AND CIVILIAN GOVERNMENT ACTORS*

Another type of human rights abuse that emerged during this period pertains to violations committed by state agents against civil society activists and other peaceful political dissidents. Such violations typically occurred during the following instances: environmental advocacy groups' public protests; public expression of civilian government officials' highly critical views against the military; a few disappearances of some civil society activists; and some religious dissidents who challenged some traditional Thai cultural customs. Neither the central government in Bangkok and other civilian agencies nor the central police and military command had an all-out policy of violently repressing political dissidence. Nonetheless, the Human Rights Watch, echoing other civil society groups in Thailand, contended at the time that "human rights groups and other non-governmental organizations are able to work openly in Thailand but know that there can be serious consequences if they go 'too far'" (Human Rights Watch 1993). How far is "too far" for the government to say that violent repression of peaceful dissidence may be disallowed? Giving a determinative response to such question might be difficult, yet we must note that the 1990s was a period when peaceful political dissent was widely tolerated by the Thai government.

A good example that demonstrated how civilian government officials could be targeted for violent repression because of their open criticism against the military institution is the 1992 death threat case of Chulalongkorn University rector Dr. Pradit Chareonthaitawee. Following the Black May Incident in May 1992, Pradit was appointed by the transitional civilian government to chair an independent committee that will investigate the nature of the protests and the whereabouts of the civilian activists (Associated Press 1992; Human Rights Watch 1993). Pradit resigned after receiving a series of death threats from military officers. Suspected agents from the Royal Thai Military issued the death threats to Pradit and other committee members after the said targets publicly criticized the Thai armed forces for killing around fifty protesters during the 1992 Black May incident. Pradit claimed that his committee found evidence that the missing protesters' bodies were stored in a military base somewhere in Thailand. Other civilian officials who openly castigated the military in its violent repression of the Black May protesters also received death threats (Associated Press 1992). Despite recognizing the importance of human rights, some segments of the Thai armed forces' leadership remained defiant in subjecting their



erring soldiers and officials to judicial processes and even open criticism by the public and civilian government officials.

Indeed, policing operations during mass protests could inadvertently lead to an escalation of violence between the police and the protesters. A noteworthy example of this type of violation was the 1993 incident of police abuse in the northwestern province of Kamphaeng Phet (US State Department 1994). In response to severe inflation of food prices, thousands of farmers and other grassroots activists peacefully protested in the main avenues and streets and marched their way to the provincial government building. At that time, the provincial police reported that some farmers violently provoked some policemen, who were then deployed in the area. In response, police officers beat the protesters that led to twenty-five cases of injuries and one death due to severe head abrasions. Consequently, provincial politicians conducted an investigation of the incident, while the victims' relatives did not pursue a legal complaint against the provincial police. Local media reports eventually discovered that all of the victims' families received an amount of around 4,000 USD from the Kamphaeng Phet provincial government. Although provincial government officials denied that such compensation was given, the local government vehemently repudiated the abusive actions of the police.

On the other hand, even though environmental protection became one of the core concerns of post-Cold War US-Thai bilateral relations, some members of the military and police establishments actively engaged in the violent harassment and killings of environmental activists. On October 1995, for example, Winai Chantamano was killed by four local police officers in Satun province, in the southernmost province of Thailand. The police killed Winai due to his consistent opposition to wide-scale privatization of national forest lands (US State Department 1997b). Private investors of the development project were likely involved in commissioning local police officers to execute the assassination.

There were other incidents of political killings whereby local businessmen paid some groups of police officers in order to assassinate civil society activists. The targets were unarmed community activists, who organized peaceful protests against the detrimental social and environmental costs of certain local business activities. The death of Joon Bhoonkkhontod, a farmer and a community activist in the northeastern

Thai province of Chaiyaphum, is a prominent example of this kind of political killing in the 1990s (Committee of Human Rights Organizations in Thailand/CCHROT 1996; US State Department 1997a).<sup>190</sup> Condemned by the police officers and the local businessmen for his political advocacies, Joon was killed on the 22<sup>nd</sup> July 1996 through a gunshot fired by Police Private Anuchet Chagruengklang. The official police report, later on published in *Bangkok Post*, claimed that Anuchet killed Joon “because he resisted arrest...and in the confusion, the gun was fired accidentally”. The arrest was based on allegations that Joon was farming marijuana, although many sources believed that the police planted “three marijuana plants beside his body after the shooting” (CCHROT 1997). Yet, such claim by the police was strongly refuted by accounts and testimonies from the villagers and other neighbors of Jun, including some young women who witnessed the shooting incident and claimed that the police deliberately killed him. In an effort to threaten the women who tried to stop the killing, Anuchet and his accomplice yelled, “Stop or I’ll shoot you”. Notwithstanding the call from Prime Minister Anand for justice, the legal case against Anuchet and his accomplice did not prosper, and the Thai police’s version of the case prevailed in the national media. A similar incident also happened to Thong-in Kaew-Wattha, who was shot and killed in 1996 by two policemen. The police killed Thong-in because of his vigorous public protests against a local chemical treatment plant that emitted toxic waste in a largely agricultural farming-based village. Local community leaders, human rights activists, and civilian government officials believed that “the suspects were hired by a local businessman whose interests were adversely affected by Thong-in’s environmental activism” (US State Department 1997). Despite the main suspect’s explicit admission of the crime, the Thai police considered the case closed and ended its own internal investigation.

Notwithstanding the rapid growth of Thailand’s civil society in the 1990s and the stronger constitutional guarantees for human rights, some Thai government officials abused their official privileges as state officials. This was especially the case

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<sup>190</sup> Joon was a member of the famous “Forum of the Poor”, a nation-wide network comprised of grassroots activists who are committed in advocating the rights and welfare of the most financially impoverished families in rural Thailand. He was known for organizing grassroots-based protests against the setting up of the Pong Khun Phet Dam and for widely publicizing the illegal logging operations that involved the collusion between government officials from the Irrigation and Local Administration and local business tycoons.

when civil society activists protested against massive construction projects that involved public-private partnerships. One may refer to the incident involving the protests in the 1990s against the building of the Yadana gas pipeline from Burma's Andaman Sea to Thailand's Kanchanaburi and Ratchaburi provinces (Earth Rights International 2012; Human Rights Watch 1998). Such example clearly illustrated how some government agents undermined peaceful political opposition in the name of economic interests. There was some evidence that suggested that private companies paid Thai security forces in order to employ some Thai and Burmese citizens in coercive labor. In the 1990s, the Yadana gas pipeline project was "marred by serious and widespread human rights abuses committed by pipeline security forces on behalf of the companies, including forced labor, land confiscation, forced relocation, rape, torture, murder" involving mostly Burmese and some Thai citizens residing in the affected areas (Earth Rights International 2012). In 1996 many Thai NGOs organized regular and wide-scale protests in Bangkok throughout that year against the Thai government's involvement with the project. Many of these NGOs, however, "were closely monitored and, on occasion, restricted by the government" (Human Rights Watch 1998). Another example of repression of peaceful political dissent occurred on May 1996. At that time, Thai intelligence agents imprisoned four Burmese students based in Bangkok for organizing peaceful protests outside the Embassy of Malaysia in Bangkok in order to advocate Burma's denial of membership into the Association of Southeast Asian Nations (ASEAN). Also, some Thai police officers took into custody several Burmese students, who were staging protests during US President Clinton's landmark visit to Bangkok in 1996. The students were imprisoned for almost a year in Bangkok's Special Detention Center, notwithstanding the fact that the UN High Commissioner for Refugees officially classified all of them as "persons of concern".<sup>191</sup>

In some instances, several high-ranking civilian government officials surreptitiously contracted police officers and other agents of the Thai Armed Forces

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<sup>191</sup> It refers to all "persons whose protection and assistance needs are of interest to UNHCR. These include refugees under the 1951 Convention, persons who have been forced to leave their countries as a result of conflict or events seriously disturbing public order, returnees, stateless persons, and, in some situations, internally displaced persons. UNHCR's authority to act on behalf of persons of concern other than refugees is based on General Assembly resolutions." (International Catholic Migration Commission 2014).

in order to undermine opposition forces. Such *modus operandi* is more of an exception in post-Cold War Thailand rather than a norm. Of particular interest in this regard is the case of Trairong Suwannakhiri, Thailand's deputy prime minister, who sent in July 1998 his private administrative assistant and "six gun-toting deputies", most likely from Bangkok's police forces, "to raid the *Thai Post* following its publication of a story describing how he had fled from protesting fishermen during a visit to southern Thailand" (Human Rights Watch 2001; Moeran 2001). Although Trairong's representatives made some threatening remarks to the journalists and even demanded the retraction of the article, the *Thai Post* did not yield to such demand. In a similar incident, *Newsweek* staff members also faced intense pressures from some government agents to retract an article that cited a foreign diplomat who bluntly contended "that Thailand's economic advantages were 'sex and golf' – two hobbies much enjoyed by the Japanese, who now employ Thai and Filipina girls as 'hostesses' in their clubs and bars" (Moeran 2013, 4). One must note, however, that such incidents were in no way reflective of a systematic clampdown of the media outlets. Instead, the incidents were isolated deviations from human rights norms that emerged in post-Cold War Thailand. In fact, Thailand in 1990s was characterized in an official UNDP report as having an "active press" and that it provided "much freedom... and a constructive and critical avenue to monitor the work of state actors and others which have impacts on human rights" (Muntarbhorn 2000, 15).

## 6.6 ANALYSIS: EXPLAINING STRONGER HUMAN RIGHTS PROTECTION IN THE 1990S

What explains the relatively stronger human rights protection in Thailand throughout the 1990s? How did transnational and domestic factors interact in a way that generated the substantial improvements in human rights situation in post-Cold War Thailand? Considering the evidence presented in this chapter, I argue that the confluence of pro-human rights and less-militaristic interests of the Thai and US governments in the 1990s together with the relatively strong domestic authority the elected government in Bangkok produced a lower number of state-initiated abuses.

The Black May incident in 1992 and the eventual end of the Cold War were two pivotal events that transformed the Thai public's perception of the need to moderate the powers given to the national security establishment in order to prevent human rights abuses. Meanwhile, the US and Thai political elites also framed the 1997 Asian financial crisis as a moment to recast economic crisis as a political problem by itself. In particular, Thai government officials in the 1990s promoted the "causal idea" that a sustained and robust economic development depends on stronger human rights protection and greater democratic openness. In other words, the convergence of pro-human rights interests of the US and Thai governments produced domestic policies and foreign aid programs that were all contributive to entrenching human rights compliance within and beyond the Thai state.

At the domestic level, key political constituencies in Thailand promoted the importance of human rights norms during this period. Grassroots activists and the general Thai public expressed their political demands for greater political openness and stronger human rights protection. Even the highly influential yet conservative Thai monarchy ended the 1992 Black May siege by pressuring the Thai military to give way to national elections that would install an elected civilian government. Such move by the Thai monarchy was complemented by political pressures from the US for the Thai military to embrace reforms.<sup>192</sup> These local developments did not occur in isolation from what was happening outside Thailand. Instead, growing political pressures from the White House sustained the political demand for democratic reforms and the introduction of constitutionally guaranteed human rights.

Indeed, the aforementioned domestic and transnational developments reflected the two-level logic of strategic adaptation (through localization of discourses) of liberal Thai politicians and elites to the demands of the Thai public and the Clinton administration. As such, stronger human rights protection was an outcome of the confluence of interests of key domestic political constituencies in Thailand and the US government. This meant that the convergence of interests of US and Thai political elites generated a US foreign aid program, local policies, and fundamental

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<sup>192</sup> Bangkok's leading foreign policy analyst Kusuma Snitwongse affirmed the importance of human rights reforms in post-Cold War US-Thailand relations: "Thai-U.S. relations have also improved because of the credentials of Thailand as a democratic country. The Chuan government used this to the country's benefit in dealing with the West. Prime Minister Chuan and President Clinton established a personal rapport that also helped bilateral relations" (Snitwongse 2001, 207).

constitutional initiatives that were all supportive of human rights. The first level referred to the substantive content and focus of bilateral relations between the US and Thai political elites in Bangkok.<sup>193</sup> In particular, the focus of their relationship was the inter-subjective understanding that the end of the Cold War required a fundamental shift towards greater human rights protection and democratic reforms in Thailand. Such an emerging interpretation also included the belief that sustained economic development can only prosper within the framework of human rights and political openness. On the US side, the election of the Clinton administration, the end of the Cold War, and the exposition of Cold War-related human rights abuses in the Global South galvanized several changes in US foreign policy, which eventually motivated Thai officials to take a pro-human rights agenda. Because “security-driven goals have become less critical and ideological goals more important with the passing of the Cold War”, the US government during the 1990s was “increasingly rewarding democratic states with foreign aid while reducing assistance to strategically important nations” (Meernik, Krueger, and Poe 1998, 64; see also Baldwin 1995). Such change in US strategy in its post-Cold War diplomatic relations also fostered a strong incentive for the Thai government to strengthen human rights protection as a way of maintaining its relations with its long-standing ally. The second level, meanwhile, pertained to the political negotiations between the declining Thai military junta from the years 1990 to 1992 vis-à-vis the reformist political elites in Bangkok, the Thai monarchy, and the growing domestic civil societies who were all open for more liberal political reforms.

Notably, the Chuan administration, strategically localized US policy discourses on democracy and human rights protection in a way that linked domestic political reforms such as stronger human rights protection with sustainable economic development. As the evidence from this chapter illustrated, Thai politicians framed emerging human rights discourses as the foundational requirement for sustainable economic development, especially right after the Black May incident and the years following the 1997 Asian financial crisis.<sup>194</sup> Notably, the horrifying abuses during the

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<sup>193</sup> In the Thai studies literature, reformist Thai political elites during the 1990s usually refer to the monarchy, civilian politicians (mostly from the powerful Democrat Party), civilian bureaucrats, and the leadership of the Thai armed forces.

<sup>194</sup> Throughout the 1990s, civil society leaders and prominent Buddhist personalities in Thailand strategically re-packaged the political demand for human rights in a way that it seemed as a natural element of the Buddhist culture in Thailand (Barratt 2004, 148): “*Just as it is not difficult to find evidence of humanism and in principle support for human rights in modern Buddhism, there is also no*

1992 Black May incident helped civilian politicians and pro-reform movements to call into question the authority of military rule, which increased the political viability of human rights reforms and strengthened the argument for greater democratic civilian rule over the Thai armed forces. Considering the dominant belief that the end of the Cold War meant the end of military rule, Thai political scientist Pavin Chachavalpongpun (Chachavalpongpun 2011, 49) alluded to the effect of images, perceptions, and impressions brought by the Black May incident: “With the massacre of protestors disgracing the military in the eyes of Thai society, the military was subsequently forced to go into ‘hibernation’ throughout the 1990s”.

Most importantly, the discourses and demands for stronger human rights protection were reflected at the policy level. As such, the aforementioned domestic and transnational factors produced two important domestic policy patterns in Thailand in the 1990s. The first referred to the demotion of counter-terrorism, national security, and other militaristic issues as low-priority concerns for the Thai state. Consequently, Thai government officials’ shifted their attention and resources away from counter-terrorism, while the US government reframed its public diplomacy and invested its material assistance towards economic development, civil society expansion, and other non-military concerns. In effect, such developments constrained the coercive capacities of the Thai armed forces, which severely limited the scale and frequency of their combat operations.<sup>195</sup> The contraction in the armed forces in terms of its capacities, operations, and political support from Bangkok and the general public led to a lower number of human rights violations emerging from routine policing and military operations. Second, as militaristic notions of state security became less important, the Thai state widely tolerated peaceful political opposition, which made

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*shortage of evidence that many Buddhists are actively engaged in the quest for human rights, social justice and democracy.* This phenomenon even has its own name: “Socially Engaged Buddhism”, or just “Engaged Buddhism”. It is *based largely on the vaguely left wing, anti-capitalist, anti-authoritarian views of outspoken Buddhist monks...*The best known of these Thai monks are Sulak Sivaraksa (the founder of the International Network of Engaged Buddhists), and Buddhadasa Bikkhu, but other examples include Chai-Anan Samudavanija, Pracha Hutauwatr, and Phra Bodhirak... “ (Emphasis mine).

<sup>195</sup> Thai political scientist Panitan Wattanayagorn described the dependence between US and Thai armed forces: “Like several other developing countries, Thailand has obtained major weapon systems from abroad and has done so in a way that it has become dependent upon a few sources. Most of the weapons acquired in the 1950s were from the United States. Throughout the 1960s and 1970s the country continued to depend upon the USA as a primary source for major weaponry. In the 1980s, the arms modernization programme forced Thailand to rely on particular foreign arms suppliers such as the USA and some European countries” (Wattanayagorn 1998, 232).

open criticism of public policies and government officials relatively safer when compared to the Cold War and post-9/11 eras. In effect, numerous civil society groups proliferated in Bangkok and the number of media outlets increased, which made the public discourse much more pluralistic and adversarial.

Despite all these developments that were all supportive of human rights, why then did some residual human rights violations still emerge? How were these incidents of state abuse different from those committed during the other historical periods of Thailand's political history? I argue that the endemic institutional deficiencies in the Thai armed forces and the judiciary enabled the emergence of many, if not all, of the residual human rights abuses during the post-Cold War, pre-9/11 Thailand. Indeed, the empirical evidence showed that the emergence of shared expectations for a pro-human rights agenda – particularly shared by the Clinton administration, the Chuan administration, the Thai monarchy, and even the general civil society – were not enough in deterring *all* human rights violations. Although such abuses were acts of individual grievances by some state agents, it does not necessarily mean that structural-institutional factors did not have anything to do with the commission of these abuses.<sup>196</sup>

Furthermore, there were two causal pathways through which institutional deficiencies in the armed forces and the judiciary paved the way for individual state agents in committing violations, despite the emerging human rights norms in the 1990s. First, some rogue rank-and-file police officers and soldiers committed human rights abuses without the fear of facing legal penalties. Such tactic meant that, when their subordinates committed abuses, the central armed forces leadership would either deny the institution's responsibility or even secretly condone the perpetrators' actions.<sup>197</sup> Considering that the Thai armed forces has a long history of abuses, some of its officials and soldiers remained dismissive of the emerging post-Cold War

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<sup>196</sup> I classify them as “acts of individual grievance” because they are proximally caused by erroneous policing practices of individual police officers and soldiers. These acts of individual grievance are widely different to the abuses committed during the Cold War and the post-9/11 period. Abuses during security shocks emerged not because of individual motivations (intended or unintended), but because state agents were deferring to a direct, explicit, and sustained order coming from the central leadership of the government to kill unarmed civilians.

<sup>197</sup> This happened by secretly covering up facts to shift the blame from the armed forces to the victims. See for example in this chapter the various instances of violations during regular policing operations. In contrast to the post-9/11 era or the Cold War period when the Thai armed forces openly tolerated the abuses, the Thai armed forces' leadership often openly invoked the human rights commitments of their institution, yet helping their accused colleagues escape judicial prosecution.



human rights norms and continued to view the military as the ultimate arbiter of public interest (Chachavalpongpun 2011; Dragsbaek 2007).<sup>198</sup> In short, a few of these state agents failed to realize an important post-Cold War demand – that the “the point of civilian control is to make security subordinate to the larger purposes of a nation, rather than the other way around” (Kohn 1997, 141). Second, a traditionally ineffective Thai judicial system heightened the prospects for human rights abuses to pass without bringing their perpetrators to justice. In effect, many abusive violators from Thai police and military agencies did not suffer any legal penalties – and, as the evidence suggests, many of these officers even threatened the lives of judges and high-ranking civilian government officials from publicly condemning abusive police officers.

The dominant political expectations for stronger human rights protection, however, were not enough in deterring all types of human rights abuses. Such was the case despite the convergence of US government officials and its diplomats and representatives in Thailand, Thai civilian politicians and bureaucrats, and the broader Thai public toward a less militaristic and more human rights-oriented policy agenda. , Such shared expectations, however, were influential in marshaling material resources, instituting legal and constitutional frameworks, and tolerating peaceful political opposition — all of which were contributive to an improved human rights situation in Thailand in the 1990s.

Finally, the case of pre-9/11, post-Cold War human rights situation in Thailand provided us several theoretical insights about the key drivers of stronger human rights compliance. Informed by my theory and the evidence from Thailand in the 1990s, stronger human rights protection was justified by its promoters through a process of strategic localization of transnational discourses. This means that the widespread local acceptance of a transnational norm depended upon how domestic and transnational actors framed it in a way that it becomes context-sensitive. The case of pre-9/11 Thailand suggests that the high level of compliance with human rights norms was primarily borne out of the Thai government’s consistent and determined localization

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<sup>198</sup> The Siamese Revolution of 1932 converted the Kingdom of Thailand’s governance structure from an absolute monarchy to a constitutional monarchy through a largely peaceful coup’ d etat. Since then, the Thai armed forces have been playing an influential role in Thai politics. Such function of the Thai armed forces was even bolstered during the height of the Cold War when it received substantial amounts of US aid and political support.

of emerging human rights norms, which sought to win the support of the US government as well as the Thai domestic public. While US strategic support shifted from state security to economic development and democracy in the 1990s, the broader Thai society pressured the country's political elites<sup>199</sup> to imbibe human rights, democracy, and equitable economic development as key goals of the post-Cold War period. In short, Thai political elites faced an inevitable pressure to accede to reformist demands because of the sustained political pressures for human rights protection coming from 'beyond' (US) and 'within' (domestic constituency) Thai polity.

In closing, this chapter systematically analyzed evidence from post-Cold War Thailand and established the argument that the confluence of US and Thai political elites toward a diverse range of policy issues together with a strong domestic authority of the central government in Bangkok led to a decrease in human rights violations. In the next chapter, I further probe the plausibility of my theory of interest convergence using the evidence from Thailand during the post-9/11 period, when a deteriorated human rights situation emerged.

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<sup>199</sup> I refer to Thai civilian bureaucrats, the civilian national politicians, the Thai armed forces, and the Thai monarchy. All of them were crucial in wielding the direction of Thailand's national agenda, and there are clearly overlapping relationships of personalities across these sectors.

## 7 THE US-LED WAR ON TERROR AND HUMAN RIGHTS IN THAILAND (2001-2006)

### Chapter 7

#### 7.1 INTRODUCTION

The main goal of this chapter is to examine how and under what combination of transnational and domestic conditions did the deteriorated human rights deterioration emerge in post-9/11 Thailand. Considering the evidence from post-9/11 Thailand, I argue that the convergence of the Thai and US governments on a counterterror agenda combined with the weak domestic authority of Prime Minister Thaksin Shinawatra led to an increase in state-initiated human rights violations. The effect of interest convergence as well as the motivations of the Thai government for regime consolidation jointly triggered the escalation of domestic repression, which in turn, resulted into two transformative policy patterns. The first policy pattern refers to the expansion in the scale and increase in frequency of military and police operations against armed Islamic rebel groups in the southern Thai provinces, which resulted in an increase in collateral human rights violations. The second pattern, meanwhile, pertains to a selective and widespread employment of state repression upon unarmed civilians who were deemed ‘state enemies’ — a process that was vividly seen in the 2003 ‘War on Drugs’. As I discuss later in this chapter, the two policy patterns exemplify how Thai and American policy elites’ shared expectations, which put counter-terrorism at the top of the policy agenda, as well as the regime-consolidating tendencies of the Thaksin government led to concrete domestic policies and US aid programs that jointly generated an increase in collateral and intended human rights violations in Thailand.

This chapter is organized into five parts. First, I provide a general characterization of the over-all human rights situation vis-à-vis America’s foreign policy goals and bilateral aid to Thailand from 2001 to 2006. Next, I examine various policy discourses, which embody the shared policy expectations of American and Thai political elites as well as the broader Thai public in light of the post-9/11 security

context. Third, the chapter demonstrates that a terror-oriented policy agenda was realized in the various domestic policies strategically crafted by the Thaksin administration as well as the programs funded by the US government. Consequently, I provide an analytical survey of the types of human rights violations that emerged during this historical period. Finally, the chapter concludes by explaining the theoretical implications of the empirical evidence from post-9/11 US-Thai counter-terror cooperation.

## 7.2 OVERVIEW: HUMAN RIGHTS SITUATION AND US FOREIGN POLICY IN POST-9/11 THAILAND (2001-2006)

Human rights situation in Thailand under Prime Minister Thaksin Shinawatra (2001-2006) is widely perceived today as substantially worse compared to the situation in the previous decade. In contrast to the 1990s when extrajudicial killings and disappearances rarely occurred, post-9/11 Thailand witnessed a much more widespread and systematic commission of state-inflicted human rights violations. In particular, human rights abuses became much more widespread after 2003, when the Thaksin-led Thai government publicly supported the US-led War on Terror. As I explain later in the chapter, the Thai government actively reframed and contextualized the global war on terror based on Thailand's long-standing internal security threats vis-à-vis the long-term regime consolidation strategy of Thaksin and his *Thai Rak Thai* party.

Furthermore, Thaksin's government focused on a violent crackdown on suspected drug addicts and a large-scale implementation of counter-terror operations against Islamic and secessionist rebels. For instance, the post-Thaksin government reported 1,300 cases of extrajudicial killings during the 'War on Drugs' in 2003 alone, while the Human Rights Watch claimed that the number could have been as high as 2,500.<sup>200</sup> Besides, Thai police officers and other armed forces members killed around

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<sup>200</sup> Local media outlets in Thailand reported that the "three-month climate of fear resulted in 58,000 arrests, 2,274 deaths, and surrenders to authorities by more than 42,000 alleged drug traffickers" (Mutebi 2004, 80)

4, 700 civilians in the southern provinces from 2004 to 2006 when counter-terror operations were officially launched against the armed Islamic insurgents. Notably, the Political Terror Scale score for Thailand increased to an average score of 3.4 for the period of 2002 to 2009, from 2.5 for the period of 1992 to 2001.<sup>201</sup> As the Thai government implemented the US-funded War on Drugs, the country fell from 59<sup>th</sup> place in 2004 to 107<sup>th</sup> out of 167 states in 2005 in the Press Freedom Index of the Reporters without Borders. The proliferation of state-initiated abuses during the term of Thaksin is widely considered as the worst human rights record in Thailand’s recent political history. Figure 7.1, for example, illustrates the substantial increase in the severity of state repression and human rights violations in the 2000s, when compared to the levels recorded in the 1990s.

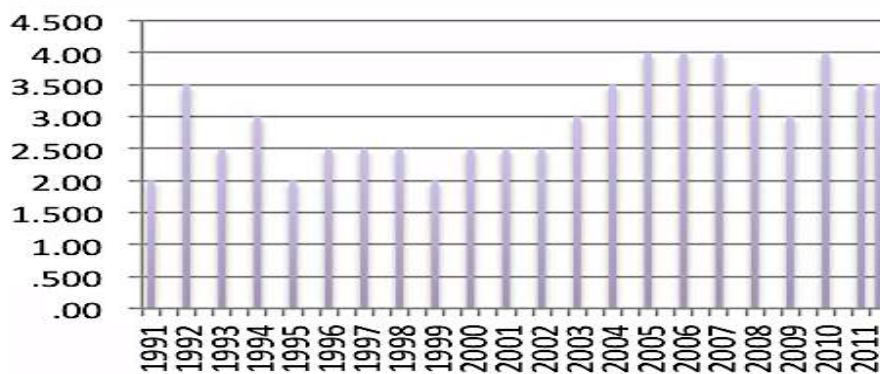


Figure 7.1 Thailand's Political Terror Scale, 1990-2012

During the conduct of Thaksin’s version of the war on terror, Thai government agents violated the rights of “against hill-tribes, the Muslim population in the ‘deep south’, convicts and suspects, refugees, human rights defenders seeking justice, and communities and groups in the midst of environmental or resource conflict” (Connors 2011, 103). Notably, Thailand’s human rights violations during the post-9/11 period were also qualitatively distinct in the 1990s, because the former were “not a discrete abuse of group, time and place — such as the localised killings of over 20 human rights defenders in the last decade — but a nationally mobilised policy by an elected government” (Connors 2011, 104; see also National Human Rights Commission of Thailand 2004). In other words, police and armed forces agents committed human

<sup>201</sup> See appendix with regard to a detailed explanation of the PTS data.

rights abuses in the post-9/11 period in compliance with a systematic and well-funded state policy of Thaksin's government.

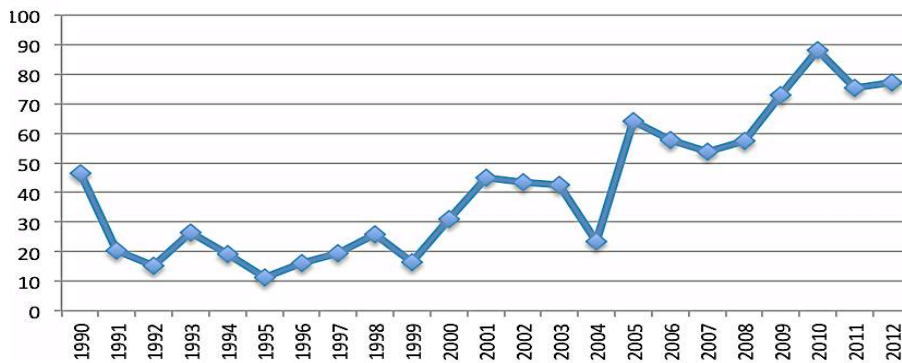


Figure 7.2 Total US Economic and Military Aid to Thailand, 1990-2012

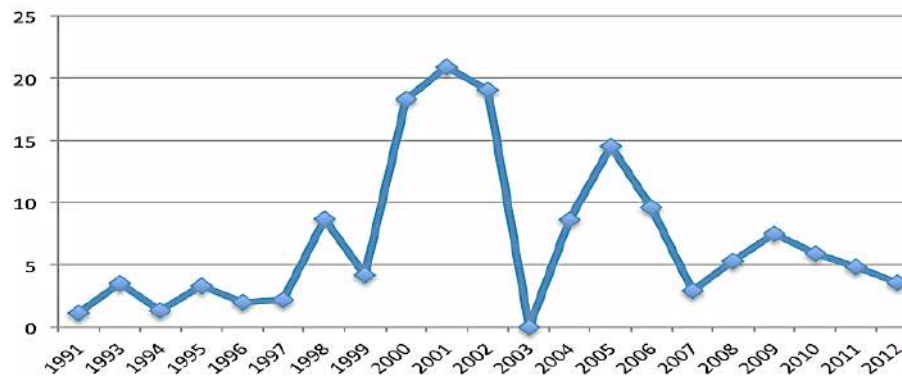


Figure 7.3 US Military Aid to Thailand, 1980-1999

After the 9/11 attacks, combined amounts of US bilateral aid to Thailand increased in the 2000s, at levels much higher than those recorded in the 1990s (refer to figures 7.2 and 7.3 illustrated above). In particular, the amount of US military and economic aid to Thailand doubled from an annual average of 22.5 million USD for the period of 1993 to 2001 to 50.3 million USD for the period of 2002 to 2009. Specifically, the total amount of US aid from 1993 to 2001 was only 202 million USD, an amount that was much lower compared to 403 million USD that Thailand received from the US for the years 2002 to 2009. Thus, figure 7.2, as illustrated above, revealed the dramatic increase of US bilateral aid to Thailand after 2001. As I discuss later in this chapter, the notable changes in the amount of US bilateral aid to Thailand represented a transformation in the over-all purpose of US foreign policy after 2001. Whereas US aid in the 1990s was allocated to a wider range of militaristic and non-

militaristic goals including stronger human rights protection and democracy promotion, US bilateral assistance for the years 2001 to 2004 was primarily geared towards Thailand's own domestic counter-insurgency efforts and the arbitrary policy decisions of Thaksin and his political party.

Thus, as the data above revealed, the deterioration in Thailand's human rights situation in the post-9/11 period correlated neatly with the increase of US bilateral aid. Such empirical observation raised several key questions: Was there a causal relationship between US strategic support and the deterioration of human rights in post-9/11 Thailand? What was the purpose and scope of US strategic support to Thailand? Why did the Thaksin administration decide to cooperate with the US in its War on Terror, albeit quite late in 2003? If US strategic support was responsible for the human rights deterioration, to what extent was it causally relevant? Under which combination of international and domestic conditions did the post-9/11 human rights crisis in Thailand emerge? Who were the targets of state repression during Thaksin's tenure as the Prime Minister? In view of those questions, this chapter provides a theoretically oriented and empirically grounded analysis of the evidence from US-Thailand relations from 2001 to 2006.

### 7.3 US FOREIGN POLICY DISCOURSES AND BANGKOK'S STRATEGIC LOCALIZATION OF THE POST-9/11 THREAT

In understanding the motivations behind Thaksin's decision to participate in the US-led War on Terror, there are two sets of important questions that tease out the process through which Thaksin's government justified the increased scope of repression from 2001 to 2006. The first set refers to the motivations and policy discourses of the Bush administration. In particular, why did the Bush administration decide to include Thailand in the US-led War on Terror? How did the Bush administration react to Thaksin's own counter-terror policy agenda? The second line of inquiry, meanwhile, refers to the Thai government's political discourses and justifications pertaining to its counter-terror policy agenda. Specifically, when and why did the Thaksin-led Thai government join the US-led War on Terror? What were

the main political motivations of Thaksin's government in upholding a terror-oriented national policy agenda from 2001 to 2006? How did Thaksin's administration re-frame his government's own counter-terror policies vis-à-vis the US-led War on Terror? Considering those two sets of questions, this section analyzes the non-material and socio-linguistic strategies used by Thaksin and his allies in order to "localize" the War on Terror in the context of Thailand.

The Thai government's participation in the US-led War on Terror began through a well-timed and careful use of various rhetorical strategies that sought to justify a terror-oriented policy agenda.<sup>202</sup> Compared to the Philippine government that immediately offered unconditional support to the Bush administration, just right after the 9/11 attacks, the Thaksin-led administration delayed its public support to the US government. In fact, it was only in 2003, during the official state visit of Thaksin to the White House, that the Thai government publicly and almost unequivocally supported the Bush administration's War on Terror.<sup>203</sup> Yet, increased US counter-terror aid to Thailand and other forms of increased bilateral cooperation on the counter-terror front began as early as December 2001, thereby preceding the public expression of political support in 2003. Prior to 2003, the "low-key approach to terrorism" of Prime Minister Thaksin Shinawatra "was partly attributable to fear of frightening away the tourist trade, inciting Thai Muslims against him, and provoking an Al-Qaeda-like attack" (Chambers 2004, 468). Although the belated support came in only in 2003 due to the arrest of Hambali, there was a more strategic reason why Thailand attempted to distance itself from Washington's war on terror (The Nation -

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<sup>202</sup> The timing of Thaksin's public support for the War on Terror was a strategic decision. With the primary aim of avoiding antagonism from the Muslim minority in southern Thailand, Thaksin and his other political allies persistently referred to the arrest in 2003 of Riduan Isamuddin or "Hambali" as justification for its counterterror partnership with the US government. In a joint operation in Ayutthaya, 75 kilometers from Bangkok, the Thai police and the CIA captured Hambali on August 2003. Notably, Hambali is known in the intelligence community as the "Osama bin Laden of Southeast Asia" as he was widely believed to be responsible for the 2002 Bali bombings in Indonesia which killed around 200 people, including American citizens. Thaksin rhetorically framed the capture of Hambali as a good justification for formally participating in the US-led War on Terror. Consequently, the majority of the Thai population believed that that increased counter-terror operations were needed at the time. See Singh (2007).

<sup>203</sup> Although the White House agreed not to coerce Thaksin to inform the Thai public about the US-Thailand counterterror partnership, it was widely reported in American news media that the Bush administration was not pleased with Thaksin's "quiet approach" to public diplomacy. Referring to Thaksin, a high-ranking White House official spoke anonymously about sentiments in Bush administration about this strategy of Thaksin: "It is not enough to be with us in the war on terrorism, but you have to trumpet it," explained an American official in Southeast Asia" (Bonner 2003).



Thailand 2001c; 2001a), despite the influx of US aid and numerous counterterror training exercises (Lopez and Crispin 2003):

Thailand's neutral image was part of a deliberate effort to lure terror plotters to Thai soil, say regional security officials familiar with the situation. If Thailand could preserve the perception among suspected terrorists that the country was a safe place to meet and relax, then the CTIC and CIA could monitor their movements without raising suspicion.

Hence, while increased counter-terror cooperation began as early as 2001, which exemplified Thaksin's commitment in quelling armed Islamic insurgency in southern Thailand, the Thai government insisted to initially conceal its role in the US-led war on terror (Chambers 2004).<sup>204</sup>

Notably, both the US and Thai governments recognized shortly after the capture of Hambali in 2003 that it was then appropriate to finally reveal their countries' unprecedented bilateral military cooperation since the end of the Cold War.<sup>205</sup> It was during the 2003 state visit of Thaksin to the White House that US President George W. Bush undermined all other non-militaristic themes of bilateral cooperation. Both leaders, instead, highlighted counter-terrorism as the centerpiece of post-9/11 US-Thailand relations (Bush 2003):

We must fight terrorism on many fronts. We must stay on the offensive until the terrorist threat is fully and finally defeated. To win the war on terror, we must hunt a scattered and resourceful enemy in dark corners around the world. We must break up their cells, shut off their sources of money. We must oppose the propaganda of hatred that feeds their cause. In the nations where resentment and terrorism have taken root, we must encourage the alternative of progress and tolerance and freedom that leads to peace. Nations that choose to fight terror

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<sup>204</sup> Just a few months before the capture of Hambali, CNN announced that Thailand was a "silent partner" in the US-led War on Terror, while Thaksin "refused to confirm or deny the story, telling Thai journalists that Thailand might not need to state an official position". It was only after the capture of Hambali and the 2003 official visit of Thaksin to the White House that the Thai government's public expression of political support to the US emerged. (Chambers 2004, 467)

<sup>205</sup> In an attempt to justify increased counter-terror cooperation with the US, the Thai government referred to the death of what was purportedly believed as armed Islamic secessionist groups in Muslim-populated southern provinces. Bangkok claimed and congratulated the local Thai police officers for killing these their targets in 2003. Yet, even mainstream journalists claimed that "orthodox criminals were involved" rather than armed secessionist groups (Cotton 2003, 163).

are defending their own safety and securing the peace of all mankind.

The remarks of US President Bush identified terrorism as the most compelling policy problem that democratic states ought to address at a more comprehensive and ambitious scale. Referring to a so-called “offensive” approach, Bush underscored increased armed counter-terror operations as an appropriate policy response in the aftermath of the 9/11 attacks. By citing those countries “where resentment and terrorism” transpired as mentioned above, Bush referred to southern Thailand’s long-standing armed Islamic insurgency, which persistently called into question the authority of the elected government based in Bangkok. Referring to states that adopted a predominantly militarized approach to the post-9/11 terror threat, Bush provided normative justifications in support of a bilateral counterterror agenda, particularly by framing US security as dependent upon the cooperation and security as well of American allied countries. On that regard, providing some rhetorical justifications for the War on Terror in the Southeast Asian front, US President Bush stated the following (Bush 2003):

The United States of America has made its choice. The Kingdom of Thailand has made its choice. We will meet this danger and overcome this evil. Whatever is asked of us, no matter how long it takes, we will push on until our work is done. Three months after my country was attacked on September the 11th, 2001, Prime Minister Thaksin came to America and offered Thailand's help in the war on terror. Since then, Thailand has committed military forces outside Southeast Asia for the first time in more than 50 years.

Furthermore, President Bush characterized post-9/11 US-Thailand bilateral relationship to be consensual and mutually beneficial. The statements also displayed a sense of optimism that such bilateral counter-terror cooperation can effectively address the danger brought by international terrorism. Bush also implied that US-Thailand counter-terror operations did not have limits, and such operations will persist until the terror threat is gone.

Meanwhile, Bush also sought to legitimize this militaristic approach to the post-9/11 threat by invoking the long-standing and thriving relationship of the US with Thailand. By designating Thailand as a key non-NATO ally of the US, President Bush

also conferred various sorts of non-material benefits to Thaksin's government and the Royal Thai Armed Forces.<sup>206</sup> Because Thaksin's *Thai Rak Thai* (TRT) party's political support base primarily limited to the rural masses, Thaksin thought that the intensification of US-Thai security cooperation will result in the emergence of stronger support from the once critical Thai monarchy and other political elites.<sup>207</sup> Except for Thaksin's TRT party, most members of the establishment elites, including the monarchy and high-ranking bureaucrats, "see the United States as a relatively benign and stabilizing power", a belief that is "close to axiomatic in foreign policy circles" in Bangkok (Hamilton-Hart 2012, 2). Such dynamics explained why Thaksin and the TRT party, notwithstanding its nationalist and pro-rural Thailand rhetoric, opted to re-engage in a military-centered cooperation with the US government in order to appease these influential and traditionally pro-US elites based in Bangkok.<sup>208</sup> Thaksin's justification for Thailand's role in the global counterterror effort was much more restrained. In particular, Thaksin initially resorted to economic justifications in order to secure the support of the broader Thai public as well as Bangkok's elites.<sup>209</sup> For example, Surat Horaichakul exposed the two main justifications that Thaksin gave to the Thai public, both of which show the *quid pro quo* bilateral relations between the two countries (Horaichakul 2003):

Prime Minister Thaksin Shinawatra later explained why the United States is very important to the Kingdom: "Thailand and the US are allies. When the United States requests help from us, we respond." It is a gesture of hospitality. On another occasion he straightforwardly said: "Let's not forget that the United States is our largest market for Thai goods. We enjoy a trade surplus of 400 billion baht with the United States

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<sup>206</sup> The designation of Thailand as a major non-NATO ally was widely seen in Thailand and in the policy circles in Washington, DC as a political reward given by the Bush Administration to the Thai government for capturing Hambali (Associated Press 2003).

<sup>207</sup> Before Thaksin's ascendancy to power in 2001, Thaksin did not have a genuine interest in rural issues or the plight of the poor" (Phongpaichit and Baker 2008b, 64). In fact, Thaksin is a fourth-generation member of a Chinese migrant family to Thailand and was in deep financial troubles in the early 1990s. He was able to recover and became wealthy when his company reached a monopolistic control in the telecommunications industry.

<sup>208</sup> The initial success of pro-Thaksin coalition was best described by (Doner, Ritchie, and Slater 2005, 352): "Responding to widespread dissatisfaction with the effects of IMF orthodoxy, the Thai Rak Thai/TRT Party won an unprecedented, near-majority victory in the 2000 elections with promises to slow liberalization and increase redistribution".

<sup>209</sup> As the eminent Thai political scientist Chookiat Panaspornprasit keenly observed, "the main political strategies of the coalition government led by the Thai Rak Thai (TRT) during the first two years of the Thaksin administration (2001-2002) have evidently included both the neutralization of domestic challenges and the consolidation of Thaksin's political power base within the Thai polity" (Panaspornprasit 2004, 258).

By providing military aid and other forms of counter-terror assistance to Thailand, Bush highlighted the US government's reengagement with the Thai armed forces in terms of its pragmatic value to international counterterror efforts. As such, Bush remarked the following statements during a 2003 press conference with Thaksin in the White House (Associated Press 2003; Bush 2003):

Thailand pledged to fight the war on terror and that pledge is being honored in full...We're confident in the strength of our alliance and I have acted to designate Thailand a major non-NATO ally of the United States. And we're confident in the character of those who defend us. American and Thai forces serve together and train together and study at military academies in each other's countries. We have come to know and respect one another. Thailand and the United States lie thousands of miles apart. Yet in the ideals we serve, we will always be close. America is grateful for your friendship. We respect the skill and valor of the Royal Thai military. And we're proud to stand by your side in the cause of peace.

In response to Bush during the same press conference, Prime Minister Thaksin Shinawatra immediately remarked that Thailand's designation as a major non-NATO ally of the US signaled that the "military relations" between the two countries "will be more convenient" (Acharya 2003; Associated Press 2003).<sup>210</sup> Such statement alluded to several important benefits to Thailand: access to US-made weapons and funding for various counter-terror exercises and training opportunities between the two countries' armed forces agencies. In effect, the designation of Thailand as a "major non-NATO ally" boosted the Thaksin-led government's domestic authority and amplified the importance of a bilateral military cooperation with the US government.

Moreover, the Thai government's participation in the US-led War on Terror took shape in two ways: (1) quelling the armed Islamic insurgency in the southern province, and (2) addressing the threat of drug trafficking and other forms of social ills that included political opposition members. The first point referred to the publicly agreed policy expectations that the main and sole targets of state repression were the

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<sup>210</sup> Considering that his electoral support in 2001 largely came from rural provinces outside Bangkok, Thaksin campaigned on nationalist and populist policy agenda that tried to diminish US role in the country. The 9/11 attacks in the latter half of 2001, however, became a way for Thaksin to rekindle US-Thailand relationship as a way of appeasing the Bangkok elites and also to capture valuable military resources and other material aid (The Asia Foundation 2002, 3).

armed Islamic rebels in the southern provinces, many of which were perceived as linked to *Al Jemmayah Al Islamiyah*.<sup>211</sup> Second, what was, in fact, notable during the post-9/11 period was the redefinition of the scope of armed state repression by the Thai government. In his aim of entrenching the long-term dominance of the TRT political party and asserting his personal political authority, Thaksin included various categories of “unarmed civilians” who were generally perceived as “undesirable” by the broader Thai society. Accordingly, such “undesirable civilians” became targets of killings, detentions, torture, and other forms of physical harassment.<sup>212</sup> These categories of “unarmed civilians” included suspected drug traffickers, prostitutes, activists, and other political opposition members in the rural provinces. Using the power of words to castigate such unarmed civilians, Thaksin branded them as “dark influences” who are suffering from endemic “social ills” (Dabhoiwala 2003; Kuhonta and Mutebi 2006; Mutebi 2004). This is why the Thai armed forces’ leadership lobbied for Thaksin to articulate to US President Bush the importance of the illegal drugs problem as a compelling security concern. For instance, as one of the most influential figures in the Thai national security establishment, retired general Teerawat Putamanonda told Thaksin during a national security meeting held a month before the latter’s visit to Washington DC in late 2001: “assistance from the US is necessary to combat narcotics. We have to think seriously about how to maintain such help” (The Nation - Thailand 2001b). Because the US and Thai authorities recognized the “huge increase in use in methamphetamine stimulant tablets which Thais call *yaa baa* or crazy pills smuggled in from neighboring Burma” since the late 1990s, even the influential Thai King Bhumibol Adulyadej was seriously concerned of the problem, and therefore “called on the government to take action” without compromising basic rights (Adams 2003, 1). Using the US war on terror as a pretext, Thaksin, at a meeting with other high-ranking government officials on mid-January 2003, “spoke of the necessity to eradicate drug traffickers as a matter of national security” (Connors 2011, 209). These terror-oriented coordinative discourses amongst Thai government officials and political elites exhibited how international

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<sup>211</sup> AJAI is an Al-Qaeda supported network that calls for a pan-Southeast Asian Islamic caliphate. For a detailed discussion on AJAI, see Singh (2007).

<sup>212</sup> Notably, Thaksin had openly articulated his high regard for well-known authoritarian leaders in the region: Malaysia’s Mahathir Muhammad and Singapore’s Lee Kwan Yew. Thaksin expressed that “he would like a parliament like Singapore where an opposition exists to give the state democratic credentials, but where the opposition is too small to have any effect” and exhorted that his TRT party should be “striving to achieve an effective one-party state” (Phongpaichit 2004, 2)

counterterror discourses were “strategically localized” into the Thai context, by linking international counterterror discourses into domestic security concerns such as drug trafficking, prostitution, and the like. In doing so, the post-9/11 Thai government reinterpreted ordinary crimes as matters of “national security”, which lent some credibility to a policy of increased state repression throughout the country.

Although the US State Department criticized Thaksin’s 2003 War on Drugs on its annual human rights report, the White House refrained from directly criticizing Thaksin and the Thai armed forces.<sup>213</sup> For instance, just right after the 2003 War on Drugs that led to more than 2,000 deaths of civilians, Thaksin made an official state visit in the White House in June 2003. During this visit, “President Bush did not publicly mention extra-judicial killings, instead praising the campaign’s success” and it momentarily appeared in international media that the US government was “willing to ignore Thailand’s human rights record in return for closer cooperation against terrorism and Iraq” (Chambers 2004, 472). In fact, Bush referred to the war on drugs as Thailand’s version of an effective counter-terror strategy, thereby contending that Thailand’s connection to Southeast Asian Islamic terrorism was strongly linked to illegal drugs. Such claim came amidst the lack of convincing evidence that illegal drugs and terrorism were, in fact, directly linked. Besides, Bush even praised Thailand as a regional example in the War on Terror in Southeast Asia, whereby he referred to “the enhanced cooperation among ASEAN nations that has helped disrupt terror plots” and the apprehension of “members of the Jemaah Islamiyah (JI) terrorist network” (The White House- Office of the Press Secretary). During the 2003 annual Asia-Pacific Economic Cooperation (APEC) summit held in Bangkok, Bush commended the Thai government for its efforts on the war on drugs as well as the counterinsurgency operations in the Islamic southern provinces (Chambers 2004, 467).

Although the Bush and Thaksin administrations had intensified their counter-terror cooperation shortly after 9/11, albeit covertly, the Thai government neither affirmed nor denied that such kind of cooperation existed when asked by Thai media outlets. In fact, the most explicit admission from Thaksin of such cooperation only

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<sup>213</sup> Specifically, the US State Department told in its 2004 human rights report that the Thai government implemented a “shoot to kill” policy and even condoned murder of unarmed suspected drug dealers and addicts. In response, the Thai government “claimed that many of the killings resulted from dealers fighting each other.” (US Department of State 2003).

came in 2003. Perhaps the careful timing of admission was carried out because of two important reasons. First, the Thai government was careful in not directly castigating the “six million Thai-Muslims, a concentrated and key voting bloc for Thaksin's Thai Rak Thai party” (Chambers 2004, 467). In the view of Thaksin and his allies, the arrest of Hambali in 2003 was an opportune time to justify to the Muslim population that US-Thai counter-terror cooperation was indeed politically necessary. Second, such late admission of cooperation lent some sense of credibility to the 2003 War on Drugs, which was carried out shortly after Thaksin’s state visit to the White House.

Despite the seemingly unconditional political support of President Bush, various transnational and domestic civil society networks demanded for the White House to pressure Thaksin to comply with human rights norms. In response, the White House sent in 2003, shortly after Thaksin’s state visit to the US, “an official letter of reproach” that demanded an explanation for the killings (Chambers 2004, 472). Although the letter cited the US Leahy Amendment that could potentially undercut funding to Thai security forces due to its human rights abuses, US military aid was only cut shortly after the military coup in 2006, when Thaksin was already removed from power. Moreover, US pressures for human rights compliance during the tenure of Thaksin were only channeled through the US Embassy in Bangkok in order not to undermine public support for Thailand’s counter-insurgency operations funded by US aid (Simon 2003).

With the political support and financial aid from the Bush administration, Thaksin launched two types of counter-insurgency operations. The first referred to the war on “several intractable social ills” (Mutebi 2004). On the 28<sup>th</sup> January 2003 Thaksin ratified a law that provided detailed guidelines on leading a “concerted effort of the nation to overcome drugs” (Mutebi 2004, 80). Although it only specified guidelines that primarily dealt only with non-violent approaches such as educational programs and public awareness campaigns against illegal drugs, the law that authorized the war on drugs in 2003 suggested a much more ambitious goal (Shinawatra 2003): “To quickly, consistently and permanently eradicate the spread of narcotic drugs and to overcome narcotic problems, which threaten the nation”. In practice, the law permitted Thaksin’s government to compel all police officers and soldiers to be efficient in killing suspected illegal drug users and traffickers through

the use of attractive financial compensation: “At three baht [US \$0.07] per methamphetamine tablet seized, a government official can become a millionaire by upholding the law, instead of begging for kickbacks from the scum of society” (Dabhoiwala 2003; Human Rights Watch 2004, 50). In justifying the war on drugs, Thaksin characterized all unarmed civilians involved in drug trafficking and use as having “intractable social ills”. In effect, the Thai government provided its armed state agents the permission to kill and to physically harass unarmed civilian suspects who were deemed as “social ills”. As such, there was an implicit attempt to bolster the powers of the Thai armed forces and the police. Reminiscent of Thailand during the military junta period, Thaksin attempted to justify his US-funded war on drugs by borrowing statements from the former head of the Thai Royal Police Force, who was known for leading numerous political assassinations in the 1950s (Human Rights Watch 2004b):

There is nothing under the sun, which the Thai police cannot do, he says. *Because drug traders are ruthless to our children, so being ruthless back to them is not a bad thing. . . . It may be necessary to have casualties . . . If there are deaths among traders, it's normal.* (Emphasis mine)

Meanwhile, the second phase of Thaksin’s war on terror was locally called the “war on dark influences” (เป็นอิทธิพลมืด). On the 21<sup>st</sup> May 2003 the Thai government officially declared that a joint police-military campaign would be launched against “some 15 types of criminal activity: the drug trade, influence peddling to fix outcome of bidding contests, extortion at factories, illegal control of motorcycle taxis and other vehicles for hire, oil and goods smuggling, gambling dens and underground lottery rackets, trafficking in women and children, job scams, smuggling of laborers, tourism scams, hired gunmen, forced debt collection, illegal arms trade, and illegal encroachment on public land” (Mutebi 2004, 81). Strangely enough, Thaksin made frequent travels within the country throughout the period of this campaign against “dark influences”, while promising rural Thai citizens a “country safe from “corruption, flooding, drought, poverty, drugs, and other ‘dark forces’” (Mutebi 2004, 81).

In view of the above-mentioned policies, Thaksin discarded all the human rights reforms introduced in the 1990s and vigorously “called for law enforcement to



be conducted on the basis of an ‘eye for an eye’.” (Adams 2003,1). A few months before the official launch of the 2003 War on Drugs, Thailand’s Interior Minister Wan warned anybody who is involved in illegal drugs, regardless of their nature of engagement, that: “they will be put behind bars or even vanish without a trace. Who cares? They are destroying our country” (Adams 2003, 1). In making the case for the war on drugs, the Thai government characterized illegal drug use and trafficking as the root cause of all other peripheral problems, such as “armed insurgency near border areas, illegal arms trade, vehicle stealing, illegal labour trade, terrorism, and transnational organized crime” (Office of the Narcotics Control Board, Justice Ministry of Thailand 2003, 30). These statements showed how the Thai government strategically persuaded the Thai public by harping on two important messages: (1) anybody who is involved in illegal drugs deserves to be killed or quickly eliminated by the state, and (2) the drug problem in the country is directly linked to terrorism and other problems that destabilize national security.

Notably, several Thai government officials used various sorts of excuses when they faced criticisms pertaining to their abusive use of state repression. For instance, Thai Police Commissioner General Sant Suranont contended that the “police would only fire in self-defense” (Mutebi 2004, 80). Similarly, Thai Interior Minister Wan Mohamad Noor Matha supported such stance when he claimed that the “the police would abide by the law in their campaign against drug trafficking” (Mutebi 2004, 80).<sup>214</sup> Emphasizing the severity of the problem, Thai Defense Minister Thamarak Isarankula persistently defended the killings: “some three million people are methamphetamine-abusers, 5 per cent of the population. If we allow the situation to continue, we may end up a nation of crazy people” (The Nation - Thailand 2003a). In the face of the criticisms from the UN of Thaksin’s human rights record, a Thai foreign ministry spokesperson declared to the media that: “We want the international community to see our side of the story. It’s necessary for the government to take decisive action to deal with the drug problem” (Dabhoiwala 2003). In response, Thaksin derisively asserted that “the United Nations is not my father” (Dabhoiwala 2003). Rejecting local media outlets’ allegations that he designed the counter-insurgency operations in order to gain the respect of Thai elites and the US

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<sup>214</sup> Interior Minister Wan, a few months after the war on drugs, would later on defend the killings: “They [drug dealers and other ‘dark influences’] will be put behind bars or even vanish without a trace. Who cares? They are destroying our country.” (Mutebi 2004, 80).

government, Thaksin urged his critics to be more reasonable: “Just imagine terrorists bombing the houses of people who oppose the decrees and let’s see what they make of that...The government has issued the laws constitutionally” (Asian Tribune 2003). Furthermore, in an attempt to temporarily satisfy his critics, Thaksin established two independent committees that sought to ensure that the rule of law would be observed during counter-insurgency operations (Cheesman 2003).<sup>215</sup> Nonetheless, Thaksin warned that “critics of the campaign should now direct their empathy to our children who are victims of the drug menace, instead of sounding the alarm for falling traffickers” (Cheesman 2003). In the most extreme form of defending the killings, Thaksin justified that “summary execution is not an unusual fate for wicked people” (Phongpaichit 2004, 81).

Thus, the above-mentioned statements clearly showed that Thaksin and his allies were willing to bypass the pro-human rights reforms that the previous governments in the 1990s introduced. Indeed, Thaksin’s government justified such systemic disregard for human rights norms by framing increased state repression as necessary for efficiently wiping out all forms of “social ills”, which included armed rebels, ordinary drug traffickers, and political opposition members. In the words of Thai specialist Paul Chambers (2004, 464), the post-9/11 Thai government “de-emphasized human rights and democratization”, and that led to the adoption of a ‘business-driven’ and ‘pragmatism-over-ideology’ approach that seemed characteristic of a corporate CEO”. This sense of policy pragmatism was translated into state-initiated extrajudicial killings and disappearances of suspected criminals and drug addicts, many of which were just ordinary opposition activists. Notably, towards the end of the three-phase, ten-month war on drugs in 2004, Thaksin proudly remarked that the campaign was a clear success and justified once again its purpose: “to maintain the strong communities and the strength of the people for the sustainability in overcoming the drug problem in every area throughout the country” (Human Rights Watch 2004a).

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<sup>215</sup> The two bodies are the ‘Committee to Examine the Performance of Competent Narcotics Law Enforcement Officials in Drug Suppression’ and, the ‘Committee to Monitor the Protection of Informants and Witnesses in Drug Suppression’. Notably, the committee members did not receive any report from the police and military (Cheesman 2003).

Although many Bangkok-based government officials seemed to fully support Thaksin, criticisms against Thailand's counter-insurgency campaign and its human rights abuses were, in fact, not absent. Yet, such criticisms did not totally hinder Bangkok from persistently defending the political necessity of those 'wars', at least until 2006. For instance, the government's human rights body, an agency founded during the 1990s, strongly criticized the Thaksin administration for its human rights abuses during the 'war on drugs' and the 'war on dark influences'. Right after the two "wars" launched by Thaksin, Pradit Chareonthaitawee, the chief of Thailand's National Human Rights Commission (NHRC), confessed that the Thai government was spearheading widespread human rights abuses and claimed that, as a consequence thereof, "people are living in fear all over the kingdom" (Adams 2003).<sup>216</sup> Pradit also wrote highly critical reports of Thaksin's counter-insurgency operations to the UN Commissioner for Human Rights (UNHCR) in February 2003. In response, Thaksin called Pradit as "ugly" and "sickening". Pradit received serious threats of impeachment from Thaksin's *Thai Rak Thai* political party as well as anonymous phone calls from Thaksin's staff who warned Pradit to "stop speaking to the United Nations or die" (Human Rights Watch 2004a).

Notably, the Thaksin administration usually ignored the criticisms from established political figures. Perhaps one of the most prominent critics of Thaksin's repressive policies was Chuan Leekpai — the leader of the Democrat Party and the long-standing Prime Minister who spearheaded the pro-human rights reforms in the 1990s. He reminded Thaksin that (Connors 2011, 112):

Our country is governed by a democracy not a dictatorship or tyranny...*It is true that in some cases...people have disgust towards drug traffickers because they are a source of much evil in society, but there is no exception to allow arbitrary processes above the law.* Legal powers are capable of handling such people. Even though it may be slow...it is a guarantee for the innocent. (Emphasis mine)

Similarly, the UN and international drug experts condemned Thaksin's war on drugs. These international actors suggested instead on focusing on "supply reduction

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<sup>216</sup> Pradit and other members of the human rights commission received several death threats, but such threats did not hinder them from persistently criticizing Thaksin's government from its persistent human rights abuses.

strategies”. Particularly, these international actors, together with other US-based organizations such as the Human Rights Watch, highlighted the need to “focus on its own military and police, many of whose members allegedly profit greatly from facilitating the smuggling chain from Burma” (Adams 2003, 1). Even prominent public intellectuals in Bangkok voiced their opinions against Thaksin’s localized version of the war on terror. Specifically, Surapol Nitikraipoj, an influential legal scholar from Bangkok’s Thammasat University, criticized how Thaksin’s wars were demonstrative of an authoritarian-style leadership: “The country is just too big to be governed by a lone individual or 36 people” (Asian Tribune 2003). In addition, the organizations of rehabilitated drugs users, many of whom benefitted from USAID-funded programs in the 1990s, critically spoke against the war on drugs. For example, Thai Drug User’s Network’s leader Paisan Suwannawong exhorted the following (Human Rights Watch 2004a):

We believe we are part of the solution, not the problem . . .  
Yet as long as we are seen as criminals in the eyes of our  
political leaders and communities, we can never be healthy.

In sum, Thaksin’s version of the war on terror was carried out amidst widespread discourses of opposition both from international and domestic actors, including the US State Department. The overarching theme of such oppositional discourses against Thaksin pertained to the anti-human rights character of the counter-insurgency operations. Most of these actors exhorted that increased state repression after 9/11 was indeed a regress from all the human rights reforms first introduced in the 1990s. Thus, Somchai Homlaor, a long-time human rights advocate in Thailand, rightly observed that “in many provinces, there are death squads roaming around killing drug dealers”, and because of that “the rule of law and democracy could disappear overnight” (Human Rights Watch 2004a, 3). Even recovering drug addicts expressed their fears of Thaksin’s repressive policies. For instance, the 26-year old Odd Thanunchai from Chiang Mai lamented that: “Why do you have to kill people? It’s better to help drug users find ways to change their behavior instead of killing them. There are not enough graves to bury us all.” (Human Rights Watch 2004a, 1). Critics of the Thai government’s war on drugs highlighted the long-term impact of these human rights abuses to the democratic reforms that were carried out in the 1990s, and they referred to the long-term impacts of the Thai government’s counter-

terror efforts. While the Thai government emphasized the need to sacrifice human lives for the sake of long-term peace and order, Thaksin's critics focused on human rights deterioration as a form of political regression from the reforms in the 1990s.

In the end, however, Thaksin's effective public diplomacy on the drug problem and the successful discursive linkage of illegal drugs with international terrorism lent political credibility to the counter-insurgency operations during this time. In fact, local policy discourses in Bangkok clearly suggested that "Thaksin defined unrest in the borderland (Muslim-majority areas in southern provinces) as a product of underworld collusion (illegal drug traffickers)" (Askew 2007, 9). As a victim himself of death threats of drug kingpins, who were more supportive of the political opposition, Thaksin and his allies persistently portrayed illegal "drug trade and smuggling is [are] linked to the financing of terrorist activities, creating a relationship between terrorists and drug groups operating out of southern Thailand" (Cheow 2003). Such strategy increased the credibility of Thaksin's justification for receiving counterterror support from the US government.

Even though many Thais decried the human rights abuses incurred during Thaksin's tenure, the majority of the population still believed that the illegal drugs problem had to be combatted using repressive measures. Thus, preliminary surveys conducted by independent Bangkok-based opinion polling agencies revealed that "90 percent of the public supported the crackdown, even though 40 percent said they were afraid of being falsely accused, and 30 percent said they were afraid of being killed" (Mydans 2003). Similarly, a 2003 survey conducted by the Bangkok-based Assumption University academics found that 84.2 percent of people living in Bangkok wholeheartedly supported the war on drugs, yet "of those same people, 65.3 percent expressed their fear that corrupt police could frame-up innocent people" (Ilchmann 2003). It was likely that the overwhelming public admission that illegal drug use constituted a national security problem made it easier for Thaksin to deflect criticisms levied against him by opposition politicians and human rights defenders.<sup>217</sup>

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<sup>217</sup> Bangkok-based political analysts noted that "Thaksin's political party, Thai Rak Thai, or Thais Love Thais, believes that Thaksin's tough line will even win votes in other, strongly nationalist, parts of the country that regard southerners as habitual troublemakers" (Cumming-Bruce 2004). Thus, the pre-existing 'cognitive prior' that Muslims in the south were problematic, a view held by the rest of the Thai Buddhist majority even before 2001, was also used by Thaksin and his allies as one of the key

Indeed, the Thaksin administration reframed and localized international counterterror discourses in ways that related them to the nuances of the Thailand's long-standing security situation. In particular, I showed how Thaksin and his allies linked international terrorism with long-standing internal security problems in Thailand such as the armed secessionist movement in the southern provinces as well as the illegal drugs problem. Because of such careful strategic localization of international discourses, the Thai government justified the influx of terror-oriented strategic support from the US government and secured some form of preliminary public support for increased state repression.

#### 7.4 RESOURCE MOBILIZATION: US COUNTER-TERROR ASSISTANCE AND THE EXPANSION OF THE THAI ARMED FORCES' ACTIVITIES

How did terror-oriented political discourses from the Bush and Thaksin administrations manifest in actual domestic policies and foreign aid programs? How did such changes in discourses transform the Thai state's security apparatus as well as the patterns of domestic repression? Essentially, the terror-oriented strategic support from the US government provided the impetus for Thaksin's government to channel unprecedented amount of material resources and political support to the Thai armed forces and police agencies. These resources were necessary in order to widely implement the killings, torture, and enforced disappearances — all of which drove the proliferation of human rights abuses in Thailand after late 2001.

Thus, there are two main points that build on my argument about material resources. The first refers to the wide administrative discretion granted by the Bush administration to Thaksin over the use of US counterterror aid, while the second pertains to the process of how such external material resources and terror-oriented discourses had been utilized to serve the Thai government's own political goals.

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reasons for framing that region as a terrorist hotspot. Such discursive framing facilitated the Thai government's efforts to deflect criticisms from international and domestic human rights activists.

After promoting political discourses that sought to justify Thailand's role in the war on terror, the Bush administration provided Thaksin's government enormous amounts of counterterror financial assistance and other forms of military assistance. The US government granted wide administrative discretion to the Thai government, particularly in identifying specific local threats that can be linked to international terrorism and in using such resources to design counter-terror strategies that would efficiently eliminate or undermine such domestic problems. Notwithstanding all the counterterror-related abuses of the Thai armed forces since 2001, Bush "in a press conference before the Asia-Pacific Economic Cooperation meeting in Bangkok months after Hambali's arrest referred to Thai special branch counterterrorism chief General Tritos Ranaridhwichai as 'my hero' for his role in the sting operation" (Crispin 2008). This only showed how the US government, at that time, was much more concerned with the compelling goal of capturing of terror suspects, even if such an approach systematically undermined US commitment to push its partner countries for stronger human rights compliance.

Such discretion in the use of terror-oriented US aid was given in exchange for Thailand's contribution to the advancement of post-9/11 strategic interest of the US government. For instance, the Bush administration asked the Thai government to regularly cooperate with the US authorities in capturing key Al-Qaeda linked terror groups based in Southeast Asia. In particular, the White House asked Thaksin's government to regularly provide intelligence regarding the whereabouts of the key leaders of Al-Qaeda linked terror groups based in mainland Southeast Asia (The White House - Office of the Press Secretary 2003). Bush also asked Thaksin, towards the end of 2001, to allow the CIA to bring Al-Qaeda suspects from Thailand to the US, to use Thai military bases for the wars in Iraq and Afghanistan, and for Thailand to participate in "Pentagon's new strategy of 'forward positioning', establishing sites where American forces can store equipment and from which they can come and go as needed" (Bonner 2003). Also, the White House compelled the Thaksin administration in persuading the leaders of other ASEAN member countries to engage in US-led multilateral counter-terror intelligence sharing and other forms of military training. One of the landmark initiatives between Bangkok and Washington was the Container Security Initiative, signed by Secretary of Homeland Security Tom Ridge and Foreign Affairs Minister Surakiart Sathirathai. The aim of such an initiative was to protect

commercial shipping against terrorists (The White House- Office of the Press Secretary 2003). In addition, the US government dramatically increased the number of training programs, whereby Thai police and military officers learned the latest and most advanced counter-terror techniques. A large number of Thai military and police officers benefitted from various counter-terror training and assistance programs of the US government through the International Military Education and Training (IMET) program, Foreign Military Financing program (FMF), and Foreign Military Sales (FMS), all of which had increased its program budget since 2001 (Lohman 2011, 3). In addition, Thailand's prominent foreign policy analyst Pasuk Phongpaichit enumerated what the Bush administration directly asked from Thailand in exchange for hefty sums of post-9/11 US aid (Phongpaichit 2004, 83):

First, the administration sought Thailand's pledge never to turn over any Americans suspected of genocide, crimes against humanity, or war crimes to the International Criminal Court (ICC)—something Washington had sought and won from many other countries. Second, Thailand now played an important role in the U.S. Defense Department's new strategy of "forward positioning," in which sites where U.S. forces can store equipment and launch operations are established.

In short, the post-9/11 US-Thailand bilateral cooperation was a two-way street, in which the Thai government had accrued a certain level of political authority and substantial military resources in exchange for its counter-terror assistance to the US government. This *quid pro quo* approach to US-Thailand foreign relations became much more apparent in the post-9/11 period when (Chambers 2004, 476):

A new era of strengthened Thai-U.S. relations has begun. Each country wants something from the other. For the United States, Thailand offers military facilities, token troops, and moral support in Washington's foreign policy endeavors. A close alliance with America offers Thailand a fast track to closer economic ties, the transfer of resources to the state, and assistance against Thai Muslim insurgents.

One of the most controversial post-9/11 bilateral initiatives was the establishment in late 2001 of the US-funded Counterterrorism Intelligence Center



based in Bangkok (CTIC) (Crispin 2008).<sup>218</sup> In fact, around “20 CIA officials are attached to the unit, which has received between \$10 million and \$15 million in U.S. funding” since late 2001 for personnel and equipment expenses (Lopez and Crispin 2003). The CTIC enables efficient and reliable intelligence sharing among the US, Thai, and other Southeast Asian government authorities in pursuit of armed terrorists linked to Al-Qaeda. In effect, this made Thailand the regional hub for all major US intelligence operations, and it also boosted the level of access of the Thai armed forces to technologies and other counter-terror equipment from the US.<sup>219</sup> Moreover, a good summary of the covert yet intense involvement of US agents in Bangkok’s domestic counterterror operations is provided below (Lopez and Crispin 2003):

Working directly with at least a score of U.S. Central Intelligence Agency operatives, the Counter Terrorism Intelligence Center -or CTIC as it is known to a small group of senior intelligence officials in the region privy to its mission and scope -combines key personnel from Thailand's three main security agencies: the National Intelligence Agency; the Special Branch of the Thai police and the elite Armed Forces Security Center. It relies heavily on the CIA for its structure, guidance and funding. Nowhere else in Southeast Asia are U.S. intelligence officials working as closely on the ground with a host government on matters of counterterrorism and intelligence. Thai and U.S. security agents share facilities, equipment and information on a daily basis, say officials familiar with the center's operations

Aside from the CTIC, critics of US terror-oriented assistance to Bangkok also harped on about the intensity of engagement of American armed forces with Thaksin’s war on drugs. For instance, as early as late 2001, the US military already had been “training Task Force 399, a combined force of army personnel and border police, to fight drug trafficking along borders” (The Nation 2001; Chambers 2004). In fact, twenty instructors from the US Special Forces 1<sup>st</sup> Group assisted and led the 200 Task Force 399 officers, most of whom came from the Thai Special Forces and the

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<sup>218</sup> See for example Johnson and Sathirathai (2003) on how the US Embassy in Bangkok neither confirmed nor denied the existence of CTIC despite confirmations from senior Thai military officials and the WikiLeaks revelations. The US Embassy just commented that it was unable to comment directly on “sensitive intelligence matters”.

<sup>219</sup> To illustrate this, the US embassy in Thailand is one the five largest diplomatic missions of the US, both in terms of the size of the building and the number of personnel. Moreover, the CIA and the Drug Enforcement Administration began in late 2001 in using “Thailand as a base from which to monitor neighboring countries such as Burma, Laos and Cambodia” (Lopez and Crispin 2003).

Thai Border Patrol Police based in Mae Rim (Chiang Mai). As a leading historian of drug trafficking, Pierre Arnoud Chouvy asserted: “as it does elsewhere to support its global war on drugs and terror, the United States not only offered technical and financial aid to Thailand’s counter-narcotics programme but also directly improved the drug interdiction capacity of the Thai military by providing it with military equipment” (2010, 112). The US government provided all these military equipment to the Thai armed forces, including state-of-the-art surveillance technologies, combat equipment, Black Hawk helicopters, and night-vision goggles (Montlake 2002). Thus, US-Thai cooperation on the anti-drug trafficking front included intelligence sharing and bilateral education programs on surveillance and other policing techniques. In sum, the evidence confirms that US military resources were indirectly used by the Thai armed forces in order to systematically implement Thaksin’s war on drugs.

Furthermore, the US government provided some leeway for Thaksin in arbitrarily determining the targets and the scope of counter-terror operations in Thailand. Because counter-terrorism became a compelling strategic goal for the Bush administration at that time, the US government indirectly compromised, albeit temporarily, its human rights commitments in its foreign relations with Thailand. Such tolerance for human rights abuses was made possible because the US government knew that a sort of administrative discretion must be given to Thaksin in order to efficiently carry out domestic counter-insurgency operations. In short, Bangkok’s wide administrative discretion on counter-insurgency operations was an inevitable outcome of a *quid pro quo* approach to post-9/11 US-Thailand counterterror cooperation.

As the Bush administration provided financial assistance to the Thai government, Thaksin redirected such external resources towards the police and military establishments primarily for reasons relating to domestic counter-insurgency. In contrast to the 1990s, when the Thai civilian government agencies received much of the US aid for non-militaristic programs, the post-9/11 Thai national security agencies became the largest recipients of the financial assistance from the Bush administration. In the context of the US-led war on terror, the central government in Bangkok “launched an aggressive counterinsurgency campaign expending 63 million USD, almost half of all US aid to Thailand, to expand the police from fifty-one

thousand officers armed with M-16 rifles and an armada of thirty-seven helicopters” (McCoy 2009, 537). Such resources played a crucial role in perpetrating Thaksin’s domestic insurgency campaign against Islamic armed rebels in the south and other unarmed targets during the 2003 war on drugs.

Besides the mere transfer of US bilateral aid to the Thai government, the US armed forces had varying degrees of involvement in the Thai military and police forces’ commission of human rights violations. American government agents’ involvement in human rights violations ranged from training the Thai military and police in counterterror techniques to direct involvement in and cooperation with some bilateral initiatives on anti-drug trafficking. The Bush administration influenced Thai politicians to legislate counter-terror laws, an effort that resulted in the enactment of Thaksin-sponsored laws that made the war on drugs and ‘dark influences’ possible. Thus, on July 2004, “US Secretary of State Colin Powell visited Bangkok to thank Thailand for its backing of Washington’s global anti-terror campaign but also to gauge the level of Thaksin’s continued commitment and press for full passage of the anti-terrorism bills” (Chambers 2004, 467). All joint military exercises between the various armed forces units of the US and Thailand “focused on counterterrorism techniques rather than conventional warfare” for the first time since the end of the Cold War (Lopez and Crispin 2003). This was certainly the case with the ‘COBRA Gold’ Thai-US military exercises that started in the 1990s. Whereas the focus before 9/11 was on peacekeeping and other civilian development functions of the military, post-9/11 ‘COBRA Gold’ training shifted to counter-terrorism, whereby surveillance, torture, and interrogation techniques in rural-based counter-insurgency context became its prominent qualities (Simon 2003). From 2002 until 2006, “several U.S. agencies, such as the Drug Enforcement Administration, the CIA and the military use Thailand as a base from which to monitor neighboring countries such as Burma, Laos and Cambodia” (Simon 2003). These various forms of US government’s involvement with the Thaksin administration clearly suggested that the Thai police and military were not the only ones implementing the ‘war on drugs’. Instead, American officers and high-tech equipment from the US facilitated, albeit covertly, the implementation of increased state repression in Thailand after 2001.

In addition, there were other ways through which the US government had left its mark on the armed insurgency in the southern provinces of the Pattani region. This was especially the case when one considers how Thai soldiers treated armed rebels who were captured after an operation. For instance, “rights advocates monitoring southern Thailand's conflict note a striking similarity between the torture techniques US agents are known to have used against terror suspects held in both Iraq and Guantanamo Bay, Cuba with those now in practice by Thai security forces against suspected Thai Muslim militants” (Crispin 2008). As shown earlier in this chapter, US influence on the conduct of Thai counter-insurgency was not only limited to a mere transfer of resources, but it apparently had reached the point when Thai forces deliberately adopted American war techniques and practices that they learned during bilateral counterterrorism exercises.

On top of that, Thai security agents targeted armed rebels and suspected criminals and drug addicts in a similar way, to the extent that both groups had been instantly subjected to torture, killings, and other forms of repressive measures. This sort of tenacity to deviate from human rights norms intensified especially after Thaksin explicitly “instructed police and local officials that persons charged with drug offenses should be considered “security threats” and dealt with in a “ruthless” and “severe” manner” (Human Rights Watch 2004a, 1-3). The systematic identification, harassment, detainment, and eventual killing of drug suspects or ‘dark influences’ initially started with “blacklists” or “watch lists”. In fact, many pro-Thaksin provincial politicians entered the names of their local political enemies in such lists and implicated these targets as somehow involved in illegal drug trade and consumption even in the absence of credible evidence. The aim was not only to consolidate a given local politician’s authority, but also to strengthen the TRT party’s political power at the national scale (Human Rights Watch 2004a).<sup>220</sup> Such process illustrated how terror-oriented US strategic support was not only limited to the conduct of military operations against armed Islamic rebel groups in the southern

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<sup>220</sup> Thaksin also resorted to several non-violent strategies of political coalition building. In fact, the TRT party absorbed several smaller opposition parties through financial incentives and political compromises. Consequently, this measure solidified the Thaksin’s political control of the House of Representatives. In effect, the TRT party members in legislative branch pushed for counterterrorism laws that were left unopposed, while securing a reliable political coalition and policy continuity during Thaksin’s tenure (Mutebi 2003, 101).

region. Instead, in view of Thaksin and his TRT party's strategic goals, the Thai armed forces used material resources, counterterror techniques, and political support from the Bush administration to efficiently conduct Thaksin's war on drugs. For example, using US military aid, Thaksin's government provided hefty amounts of financial incentives to lure police officers and military agents to kill as many suspected drug dealers as possible. Thus, for each methamphetamine tablet seized, Thai police officers were awarded around 3 Thai baht (USD 0.7).

Meanwhile, towards the end of 2003, Thaksin officially reported that the 2003 war on drugs and on 'dark influences' was a "victory" and "presented cash awards to agencies and officials who had taken part in the campaign" (Human Rights Watch 2004a, 12). The reward ranged from 50000 Thai Baht to 100000 Thai baht (U.S.\$1,275 to \$2,550) for each official "who had been injured in the course of combating the drug trade and children of those killed in the campaign" (HRW 2004, 29 Thailand, Not Enough). Police officers and state security agents, who turned in a "major drug dealer into government custody – 'dead or alive' – received a bounty of one million baht (23,600 USD)" (Ilchmann 2003). Furthermore, in response to pressures from Thaksin, the Interior Minister of Thailand threatened local elected authorities and police officers that their political careers would be jeopardized if they fail to produce the intended results of Thaksin's administration. Thus, the Interior Ministry of Thailand (US Department of State 2003):

instructed local authorities to update "blacklists" of individuals suspected of being involved in illegal drug trafficking, sale, or use and the Prime Minister told the governors and provincial police that those who failed to eliminate a prescribed percentage of the names from their "blacklists," would be fired. The Government threatened retaliation against local officials who did not produce results.

Another important development during this period was Thaksin's centralization of executive powers by restructuring the bureaucratic apparatus. The goal was to efficiently facilitate inter-agency cooperation in the context of the war on drugs and counter-terror operations. In effect, all agencies became directly accountable to Thaksin's executive office. The other goal was to make all the key leaders of Thailand's national security agencies to be politically accountable to Thaksin. Such bureaucratic restructuring made (Kocak and Kode 2014, 91):

the so called retreat into the barracks in the 1990s apparently ended with the “repoliticisation of the military” under Thaksin by promoting his relatives and allies, he not only interfered with the seniority principle of the armed forces, but also aimed at bringing strategic units under his personal command.

Yet, what exactly happened during this large-scale bureaucratic restructuring initiative by Thaksin? Did it have any relationship with the proliferation of human rights violations? The restructuring began in October 2002, when the new fiscal budgeting year commenced in the Thai fiscal calendar. During this time, two important laws were ratified, namely the Bureaucratic Restructuring and the National Administration Acts, “collectively billed as Thailand’s biggest bureaucratic shakeup in more than a century” (Mutebi 2003, 107). Because of the extensive scale and the intended wide-reaching effects of this bureaucratic shake-up, Thaksin named such initiative as a “big bang” bureaucratic streamlining (Painter 2006, 39). Six new ministerial offices and several other departments were created, with many of the civil servant positions were filled by retired high-ranking military officers and active officers who had close relations with Thaksin. For instance, General Chaisit Shinawatra, Thaksin’s cousin, was appointed as an army chief in 2003, while another close relative, General Uthai Shinawatra became a permanent defense secretary. Many other former classmates and friends of Thaksin in the police academy were appointed in key ministerial agencies, which were normally headed by an experienced civilian bureaucrat. Perhaps an even blatant example that showed this unprecedented scale of bureaucratic reshuffling was the appointment of Thaksin’s brother-in-law to the much-coveted position of assistant police chief, thereby bypassing 14 other more senior police leaders (McCargo 2005, 229). In effect, Thaksin intervened “into the army’s internal affairs by promoting his loyalists, two of whom were his own relatives, to key military posts” (McCargo and Pathmanand 2005, 147). Perhaps a more vivid example of how Thaksin and his allies re-politicized the military is the appointment of Chaisit Shinawatra to an army commander in 2003, the same year when the war on drugs and human rights crisis were at its peak.

In other words, the proliferation of cronies in key government and military posts “undermined the professionalism and neutrality among Thai soldiers” (Chachavalpongpun 2011, 46). Thus, Thaksin did not only interfere with the seniority

norm of the armed forces by appointing his relatives and allies to top positions, but “also aimed at bringing strategic units under his personal command” (Kocak and Kode 2014, 91). Consequently, Thaksin gained a unique advantage in efficiently leading the military and police in the counterterror operations, thereby swiftly killing and harassing armed and unarmed political opponents of the TRT party. These examples of politicization of the military and police agencies showed that Thaksin “increased his scope for patronage politics and maneuvered his supporters into key government positions, perhaps to further his stated aim of ruling for four consecutive terms—16 years” (Mutebi 2004, 107). As a result, the Thai state effectively became more militaristic and beholden to the political whims of the TRT party and Thaksin.

In view of my theoretical arguments on resource mobilization, the importance of US military assistance in successfully implementing a far-reaching scale of counter-terror operations in Thailand depended on two key qualities of these resources: (1) ‘strength’, and (2) ‘breadth’. The first point, ‘strength’, refers to the substantial size of the ‘winning policy coalition’ within and beyond the post-9/11 Thai government that supported the bolstering of the Thai armed forces and police agencies. One of the key reasons why it was relatively easy for Thaksin’s political coalition to expand the scope of operations was because of the dual-level support he received at the domestic and international levels. At the domestic level, Thaksin and his *Thai Rak Thai* party won the political support for expanded counter-terror efforts against armed rebels and suspected criminals from various important sectors that are influential in the Thai polity. Specifically, Thaksin won the conditional support of the Thai monarchy. This was the case especially for King Bhumipol, who was quite disapproving of Thaksin’s populist politics, but was still very much in favor of increased US support for counter-insurgency in the southern provinces.<sup>221</sup>

By promising financial incentives to local politicians and police officers in exchange for support on the war on drugs, Thaksin also secured the political loyalties of these important local political actors. Thaksin also launched his ‘war on drugs’ and

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<sup>221</sup> Thaksin and the TRT party implemented various policies that were seen as directly appealing to the interests of the rural population – a strategy that was in marked contrast with previous traditional Thai politicians who were generally focused on appeasing the Thai monarchy and the middle-class in Bangkok. These policies included “rural debt moratorium, the revolving village fund, and the 30-baht healthcare system (per hospital visit), Think Anew and Act Anew” was again put into practice by his declaration of wars on drugs, poverty, shanty towns, and illiteracy” (Panaspornprasit 2004, 257).

increased counter-insurgency operations against armed rebels with an overwhelming support from the broader Thai public. Because of a predominantly Buddhist majority that comprised the Thai population, many were keen on supporting sustained military operations in the Muslim rebel-infested Pattani region. Because of the long-standing problem on drug trafficking, the rest of the Thai population agreed that the Thai government had to take repressive measures against anybody involved in illegal drugs — and this was even the case despite the overwhelming numbers of extrajudicial killings and disappearances thereafter (Mydans 2003).

The second point, on ‘breadth’, refers to the far-reaching influence of US material assistance in the large-scale expansion of the Thai national security establishment. Despite the rapid economic development of Thailand in the past decades, the Thai armed forces still had to rely to the US government for military assistance (Kislenko 2004). This was because of two key reasons. First, there is a long-standing personal and institutional links between the Thai armed forces and the US government, starting from the immediate aftermath years of World War 2. In particular, many of the high-ranking military and police officers received advanced training from various US military training institutions, and even Thaksin, a former police officer, holds a PhD in criminal justice from a US university. These ties created an entrenched expectation amongst the Thai national security elites that the US government would always be there to support Thailand’s internal and external security needs. Of course, the 1954 Mutual Defense Treaty between Thailand and the US reinforced these institutional ties. This sort of institutional dependency of the Thai armed forces from the US government reinforced the belief amongst Thai political elites that its armed forces agencies are indeed structurally, and in fact, inevitably dependent on US assistance. Second, because the US government repackaged much of its military assistance from a conventional warfare focus (pre-9/11) to internal domestic counter-insurgency approach (post-9/11), the Thai government easily channeled counterterror resources to the armed operations that targeted drug traffickers and armed rebels, both of which were branded as terrorists. Without US counterterror assistance, the unprecedented scale of expansion of Thai armed forces counter-terror operations after 2001 would be impossible. As the US State Department confessed in 2006, US government aid to Thailand “strengthens Thailand’s efforts to combat terrorism, narcotics trafficking and other international



crime, and reinforces military cooperation” and the various Foreign Military Financing programs of the Pentagon “boosted the counterterrorism capabilities of Thailand’s Special Forces units” (Lum 2007, 24).

In closing, the influx of terror-oriented resources from the US to Thailand exhibited how “American advisers and Thai autocrats converged in their commitment to building a powerful police force that was mobile, lethal, and amplified with civilian auxiliaries” (McCoy 2009, 537). Although the expansion of the Thai security agencies was a core strategic goal publicly shared by American and Thai officials, Thaksin and his allies opportunistically and covertly used these increased armed capacities to also quell unarmed civilian targets.

## 7.5 INTERVENING FACTORS: THE US-LED WAR ON TERROR AND DOMESTIC POLITICS

Why did Thaksin and his political allies decide to target both armed Islamic rebels in the south and suspected drug users for extrajudicial killings? What was the motivation why Thaksin included suspected drug users and political opposition members, composed mostly of ‘unarmed civilians’, as targets for violent repression? In view of such questions, I contend that the influx of terror-oriented US strategic support to the Thai government reinforced Thaksin’s preexisting motivations to consolidate his political rule and authority in the face of pervasive doubts among some of the crucial sectors of Bangkok’s political elites. By joining the US-led war on terror, Thaksin and his political allies considered increased state repression as a powerful display of authority that would secure the support of Thailand’s traditional elites, many of whom were keen on violently addressing the armed insurgency problem in southern Thailand. These elites included the Thai monarchy and the “royalist elites, sections of the military and many middle-class Bangkokians” (Ünaldi 2014). In fact, Bangkok-based elites were generally hostile to the populist politics of Thaksin and his TRT party that began in the late 1990s.<sup>222</sup> The sentiments of the

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<sup>222</sup> Funston (2002, 306) summarizes the various populist policies that Thaksin’s government implemented throughout its term of tenure: “To the poor, he promised programmes such as 1million baht (US\$22,700) in revolving loans for each village, 30 baht (67 cents) medical visits, a People’s Bank extending loans of up to 15,000 baht collateral-free, a “one tambon (sub-district) one product” scheme

traditional Thai elites based in Bangkok is best summarized below (Funston 2002, 305):

In his annual birthday address to the nation on 4 December 2001, the Thai King adopted a sombre tone. He warned of ego and double standards, and national decline that threatened catastrophe. “The Prime Minister has a long face now after I mentioned catastrophe”, said His Majesty. “But I’m telling the truth, because whatever we do, there seems to be big problems. The Prime Minister may appear to be happy, but deep down inside he’s definitely not”

While he may not have the unconditional political support of Thai king and Bangkok’s elites, Thaksin’s support base was generally from Thais from the rural areas, where the poor people were generally receptive of TRT’s populist rhetoric and policies.<sup>223</sup> Considering that anti-Thaksin elites were generally in favor of the US, Thaksin perceived that a US-sponsored counter-insurgency could provide his leadership much political support from the traditional Thai elites (McCargo 2008). Thaksin and his allies from the TRT party perceived US strategic support to be an indispensable tool in ensuring the long-term political dominance of the TRT party in Thailand.<sup>224</sup> In fact, shortly before 9/11, TRT politicians, led by Thaksin, “came to power promising a war on drugs, and the establishment of a new ‘moral order’” (The Nation - Thailand 2001b, 322). Indeed, Thaksin’s intention to entrench the long-term dominance of his political party pre-existed the influx of post-9/11 US strategic support. When he won the general elections in early 2001, Thaksin confided that “Thailand was moving towards a two-party system”, with his TRT party and the

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for increasing rural production, and a three-year moratorium on farmers' debt repayment to the state Bank for Agriculture and Agricultural Co-operatives. Small and medium enterprises (SMEs) were promised easy credit through their own bank”.

<sup>223</sup> Montesano (2001,176) explained the reasons for the rise of Thaksin in a country that normally favored a candidate who is well-liked by Bangkok elites: “The seemingly inexorable emergence of the new TRT as a contender for power ranked as one of the major stories in Thai politics during the year. Thaksin Chinnawat is arguably the most successful rentier-businessman in Thailand since the late strongman Field Marshal Praphat Charusathian. From furnishing computers to the police department, where he began his career, through cable television, cellular phones, and pagers all the way to satellites, Thaksin has secured a series of exclusive or near-exclusive concessions and enriched himself with the resultant revenue flows. His approach to party building proved disarmingly similar. He was able—through means surely not unrelated to his financial resources—to recruit some 100 serving members of the House into his new party in much the same way that he had accumulated concessions during his career in business. TRT would, ideally, benefit from the resultant flows of electoral support.”

<sup>224</sup> As Southeast Asian specialist Alex Mutebi (2004, 83) noted, Thaksin “consolidated his party’s position ahead of the next general election, the once-mighty Democratic Party—also the country’s oldest—seemed to be in a tailspin”, resulting in the Democrat Party being heavily undermined.

Democrat Party as the two major players (McCargo and Pathmanand 2005, 84). On other occasions, Thaksin confessed that his envisioned “one-party rule is necessary in order to achieve a great leap forward of economic growth into first world status” (Phongpaichit 2004, 4). In addition to policies meant to win the support of Bangkok’s elites, Thaksin also meant to solidify his rule over the rural Thai populations (Chambers 2004, 86):

Thaksin pursued seemingly unorthodox but fundamentally pragmatic policies, consolidated his political position through an unassailable ruling party coalition, and more ominously—at least in some quarters—unabashedly projected a soft authoritarian image tempered by a populist touch.

Many Thai political commentators believed that the long-term strategy of Thaksin was to build a one-party “developmental state” in Thailand, similar to Singapore (Pongsudhirak 2003; Ufen 2008). Indeed, the 9/11 attacks and the eventual participation of Thailand in the US-led war on terror became politically transformative moments, whereby it helped Thaksin to “generate deep emotion and galvanize enormous support for a cause” (McCargo 2008, 15). In order to lay the ground for such one-party state, Thaksin and his political allies’ aimed at narrowing the space for political competition in Thailand (Cotton 2003, 163):

Since the advent of the Thaksin government in 2001, there has been a pronounced authoritarian shift in the character of Thai politics, with the absorption of a number of political parties by the ruling Thai Rak Thai which clearly aspires to dominate the political landscape, restrictions on free comment in the media, and allegations of conflict of interest involving senior government figures.

In fact, Thaksin in 2004 “openly declared that his TRT ruling party will remain in power for the next twenty years.” (Bangkok Post 2003, 1). It is clear that Thaksin and his TRT party’s strategy was to secure their long-term political dominance all over Thailand. As Thithinan Pongsudhirak rightly described it, the “TRT has monopolized the party system, marginalized the opposition, co-opted and coerced the media, extended its controlling tentacles over the military and the police, and shunned the dissenting voices of civil society groups” (Pongsudhirak 2003, 278).

Notably, domestic party politics played a crucial role why Thaksin reframed Pattani, southern Thailand as the hotspot of US-funded counterterror operations in the country.<sup>225</sup> The Thai government's support for the US-led war on terror was not exclusively borne out of the belief that advocated the purported link between separatist rebel groups in the south with international terrorism. Instead, Thaksin's TRT party aimed to win the political support of the upper southern provinces that were long under the political control of the Democrat Party (McCargo 2008, 9). Particularly, Thaksin became prime minister in 2001 with his TRT party's main bulk of support as mainly concentrated in the northern provinces. The power vacuum in the South and the need to eliminate the Democrat Party's dominance in the upper south, a crucial gateway to securing the support from the Pattani region, became key strategic political considerations for the TRT party.<sup>226</sup>

Consequently, Thaksin's government attempted to capture southern Thailand as a potential TRT stronghold mainly through implementing two key policy actions, both of which were casted as a crucial component of the US-led war on terror in Thailand (Jitpiromrsi and McCargo 2008; McCargo 2008; Wheeler 2010). First, Thaksin abolished in mid-2002 the Southern Border Provinces Administrative Centre (SBPAC), an agency established in 1981 and held a reputation for achieving "a degree of success in building confidence in the Thai state among local Malay Muslim leaders" (Wheeler 2010, 208). As a civilian agency that sought to coordinate and to mediate the work of civilian Bangkok officials and local Muslim leaders vis-à-vis the security forces, the SBPAC was crucial in maintaining the relative peace in the south until its eventual dissolution in 2002. By dissolving the SBPAC, regular police forces, headed by Thaksin-appointed commanders, took over the provincial administration of the southern region (Gunaratna and Acharya 2013). Second, in the thick of increasing violence between armed rebels and government forces, Thai armed forces' agents and police officers sought to obliterate Pattani-based supporters of the Democrat Party and the Royal Thai monarchy. As such, "senior police officers loyal to Thaksin moved to eliminate former separatists who had long served as key informants for military

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<sup>225</sup> For a comparative analysis of the secessionist politics in Pattani, Thailand and Mindanao, the Philippines, refer to Bin Che Man (1987).

<sup>226</sup> Mc Cargo (2008,9) claimed that the Democrat Party, a part of what he calls as 'network monarchy', probably had one of the closest relationships with the Islamic Malay political elites in the southern region — at least in comparison to other Bangkok-based political parties.

intelligence, sometimes under the cover of the controversial 2003 war on drugs, an officially sanctioned policy of extrajudicial murder” (McCargo 2008, 9). These two policies reflected a carefully designed political strategy that sought to consolidate Thaksin’s political authority and the long-term dominance of the TRT party, especially in the southern provinces.<sup>227</sup>

Nonetheless, how exactly did Thaksin and his TRT party manage to redirect the entire state apparatus towards an overarching counter-terror strategy? Why and how did the Thaksin and the Thai national security establishment collaborate in widespread counter-terror operations against armed rebels and unarmed political opposition? In order to answer such questions, a historically grounded perspective of the Thai armed forces’ pre-existing institutional dispositions is needed. There were two reasons why the Thai armed forces and police forces co-opted with Thaksin’s counter-terror strategy. First, many rank-and-file Thai police and military agents considered the financial incentives for each recorded killing during the war on drugs and the US rewards for each terrorist captured as attractive incentives. Second, on the part of the high-ranking leadership of state security agencies, the post-9/11 context and the influx of US strategic support reinforced Thaksin’s motivations to employ cooperative military and police generals to cement the TRT party’s long-term political dominance.<sup>228</sup> As the Thai political scientist Pavit Chachavalpongpun explained (Chachavalpongpun 2011, 49):

Thaksin Shinawatra arrived in power in 2001 with a sophisticated yet daunting plan: *to co-opt the military, not to challenge it. The military may have taken a low-profile stance throughout the 1990s, but it had not really withdrawn from politics.* (Emphasis mine)

In other words, Thaksin’s counter-terror strategy empowered some factions of the Thai armed forces that would be willing to implement Thaksin’s repressive

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<sup>227</sup> The second component was the 2003 war on drugs that targeted ‘undesirable’ yet unarmed civilian targets such as suspected drug addicts and purported criminals.

<sup>228</sup> In an effort to expand his influence within the national security establishment, Thaksin employed “inactive senior officers as advisers” (Funston 2002, 312). Around 500 officers made an application, but only 53 got a position. Their functions were “never clearly spelt-out”, except for helping the elected governors of each province to become “CEOs”. Thaksin’s “CEO-oriented” paradigm to public governance, in reality, compels all elected governors to be directly accountable to the Prime Minister (as the CEO). In effect, this makes provincial politics as an extension of Bangkok politics, rather than being more autonomous from it.

policies.<sup>229</sup> Consequently, the military's cooptation with Thaksin's counterterror plan liberated many of the state security agents from "the barracks", which consequently gave them more freedom in intervening in civilian politics. Such prospect seemed to be a very favorable opportunity for high-ranking military and police leaders to regain their political influence that was lost since the 1990s, when the democratic and human rights reforms were first introduced. This post-9/11 phenomenon of the civilian government's cooptation with the military was what analysts of Thai politics called the "Thaksinization of the military" (Chachavalpongpun 2011, 46). By repositioning anti-royalist and pro-Thaksin officers into top offices of national security agencies, Thaksin was able to cement his political authority within the Thai armed forces. Indeed, the loyalty of these pro-Thaksin officers was crucial to the post-9/11 counterterror operations, and as McCargo and Pathmanand explained (McCargo and Pathmanand 2005, 228-230):

In developing his campaigns against narcotics and illegal business, Thaksin was able to draw upon the expertise of a number of military officers well-versed in these issues...Thaksin employed a group of trusted police officers to handle the problem of 'dark influences'. One prominent member of this group was Police Major General Surasit Sangkaong. About a year after he becoming prime minister, Thaksin transferred Surasit from Commander of the Highway Police to Commissioner of the Crime Suppression Division. One of Thaksin's classmates from the Police Cadet Academy Class 26, Surasit has played a central role in the government's anti-drugs campaign. This campaign was widely criticized for the large number of extra-judicial killings it generated, involving the violent deaths of both dealers and manufacturers, as well as numerous mysterious 'silent killings' (*kha tat ton*)

In effect, Thaksin had "deflected the possibility of being forced out of office by coups, a recurrent feature of Thai politics in the 1970s" (Ganesan 2004, 26-27). In return, the Thai armed forces and police agencies regained its power and influence in civilian politics in exchange for killing and harassing Thaksin and the TRT party's political enemies. Such mutually beneficial deal between Thaksin and his TRT party

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<sup>229</sup> Duncan McCargo highlights how the royalist faction of the Thai armed forces, led by General Prem Tinsulanonda (former Prime Minister and President of the Privy Council), was undermined by Thaksin's effort to re-engage the military institutions in civilian politics (McCargo 2005, 499). This military faction is part of a much larger network of elites and bureaucrats who are all loyal to the Thai King Bhumiphol Adulyadev. See also Ivarsson and Isager (2010).

vis-à-vis the Thai armed forces was not a mere outcome of self-interested motivations of Thaksin and his allies in the TRT party vis-à-vis the military officers in order to consolidate their long-term political rule. Instead, Thai armed forces' deep-seated institutional propensity to intervene in civilian politics, a behavioral tendency that was temporarily undermined in the 1990s, facilitated the easy co-optation of state security agencies with Thaksin's political coalition. After 9/11, the Thaksin administration activated such interventionist tendencies of the Thai armed forces through strategic appointments of pro-Thaksin military officers in the leadership cadre as well as through hefty financial incentive schemes, which most likely came from the influx of post-9/11 US foreign assistance classified as confidential and discretionary items in the Thai government budget. Indeed, although critical junctures such as the end of the Cold War temporarily undermined the armed forces' corrupt tendencies, the institutional shortcomings of the Thai armed forces are well entrenched (McCargo 1997, 19):

The main shortcomings of the Thai armed forces were well known: a bloated officer corps abounding in supernumerary colonels and generals; internal factional conflict; inter-service rivalry; lack of military competence; the fanciful world-view of military officers, based on crude Cold War paradigms; excessive politicisation; a strong propensity to stage coups; and, most importantly, a complete inability to recognize its own shortcomings. Despite (or perhaps because of) these failings, the Thai military persisted in seeing itself as the watchdog of civilian politics.

Indeed, there are three main factors why the Thai national security agencies tend to be interventionist in civilian politics, that not even the reforms in the 1990s were able to permanently eliminate such tendencies.<sup>230</sup> First, the Thai armed forces' insistence in intervening in civilian politics was primarily because of its lack of "nationalist credentials drawn from a heroic independence struggle" (Chachavalpongpun 2011, 47). This characteristic of the Thai armed forces stood in contrast to other Southeast Asian countries, which typically had a longstanding colonial experience from which their current armed forces agencies emerged. In fact,

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<sup>230</sup> Despite the reforms in the 1990s, it appears that the military, to some extent, "retained its old self-esteem, a strong grip on broadcast media, and a close association with the palace, while resenting the decline in its budget and public role" (Phongpaichit and Baker 2008a, 20). Indeed, Thaksin's co-optation with the military and the influx of US military aid provided the Thai armed forces several opportunities to engage in civilian politics and undermine democratic governance.

the downfall of the Thai monarchy in 1932 established the Thai armed forces' self-perception as the protector of Thailand's public interests. Second, because Thailand generally did not have a compelling external threat (e.g. colonial power), the Thai armed forces zeroed in on internal security threats as a way of persistently justifying its direct intervention in civilian politics.<sup>231</sup> Third, the Thai armed forces obtain much of its institutional authority and pride from its historically rich relationship with the US government. Such historical relationship is best summarized below (Fineman 1997, 1-3):

US decision to defy the elected government of Thailand and rely on the army was the legacy of twenty-five years of intimate American relations with a corrupt, undemocratic, and often-brutal Thai military. The United States, over that period, provided arms, money, and political support to a succession of military regimes in Thailand, and, in return, those governments backed American diplomacy and collaborated in a variety of military operations...While the military would have interfered in politics whether Thailand maintained an alliance with the United States or not, America's actions strengthened the existing tendency toward repressive military government

In short, the influx of US terror-oriented aid provided the Thai armed forces a promising opportunity to reclaim its powerful influence in Thai politics by judiciously co-opting with Thaksin's regime consolidation strategy. The relative ease of the Thai armed forces to accede to Thaksin's counter-terror agenda was reinforced by what Duncan McCargo calls the "culture of over-promotion" and the proliferation of financial incentives after 2001 (McCargo 2002, 123). Particularly, it was during the post-9/11 period, when there was "the presence of somewhere around 1,400 serving generals in an armed forces whose total strength seems to number about 300,000—an absurd ratio of something like one general to every 215 troops" (McCargo 2002, 124).

Similarly, the serious and persistent institutional problems within the Thai judicial system indirectly permitted Thaksin's repressive policies and hindered the

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<sup>231</sup> Pavin Chachavalpongpun argued that the identification of domestic enemies is an arbitrary and self-interested exercise in which the military continues to pick and choose the threats based on its invoked concept of nation-building and temporal political interests of its high-ranking leaders (Chachavalpongpun 2005, 58-65). In fact, staging a coup is a process through which the Thai armed forces arbitrarily framed the ruling elected government as a security threat to Thailand and as a key challenger to its traditional powers in the Thai polity (Chachavalpongpun 2011, 47).



successful persecution of abusive police and military officers. Specifically, the lack of judicial independence or autonomy within the Thai justice system was a serious institutional hindrance that made the courts susceptible to political pressures. In effect, this lack of autonomy provided viable opportunities for Thaksin's government and the armed forces to implement their repressive operations without the fear of judicial reprisal. This meant that government agents, who were suspected of committing human rights infractions, were not prosecuted in courts. Thai judges often receive death threats right after they accepted cases that directly prosecute erring police officers and soldiers.

To be sure, there are several ways through which the lack of institutional autonomy within the Thai judicial system can be best illustrated. First, the culture of accepting bribery or 'tea money' persists in a lot of judicial proceedings. This illustrates the lack of institutional autonomy of the judicial system, thereby undermining its mandate of upholding a pro-human rights agenda that was initiated in the 1990s. In reality, some Thai armed forces and police officers bribed courts in order to secure an acquittal or dismissal of a case filed against their officers and agents. In some cases, many victims of human rights violations after 2001 were hindered from filing a case against government agents out of fear of reprisal and even the lack of financial means to do so (including the cultural expectation of bribing a judge). In fact, in a 2004 survey, around 30 percent of the respondents who went to court to file a case were requested to provide bribes, in which the requested amounts "were about the same size than the normal court costs" (Warsta 2004, 10). Because of such highly entrenched norm in the Thai justice system, a middleman mediates between the courts and the prosecutors so that a direct interaction between all opposing parties is avoided. Consequently, those who paid bribes are generally unsure if their 'tea money' would have any effect on the final court decision. On that regard, Figure 7.3 presents the survey results about the corruption in the Thai judicial system.

	Percent of households	Number of households		
Total households	100.0	15,878,000		
Total involved in the court cases	7.5	1,181,000		
----- base on all households involved in the court cases (1,181,000) -----				
	Percent of households	Number of households	Average (baht)	Total (bil. baht)
% asked for a bribe	30.7	364,000		
% asked for bribe and amount indicated	17.3	205,000		
?? Average value of bribe			34,531	6.6
?? average court expenses			32,003	
% bribe indicated and case with economic value	8.9	105,000		
?? average economic value				
?? average bribe amount indicated	542,598	19,133		
?? bribe as % of economic value	3.5			

Figure 7.4 Survey of the Thai Public's Perceptions on Corruption in the Thai Justice System (Source: Warsta 2004)

Notwithstanding the overwhelming protests against Thaksin's human rights practices, "courts and independent constitutional bodies were too intimidated by Thaksin's power and wealth to investigate him" (Head 2007). This was because judges are often afraid of death threats casted by the pro-Thaksin soldiers and police officers at that time, thereby undermining the independence of the Thai judicial system from external political pressures.

Finally, my main point in this section is that the relatively efficient and wide-scale implementation of killings and physical harassment of armed rebels and unarmed civilians was made possible through two key domestic factors. First, Thaksin co-opted the Thai armed forces and the police agencies by giving them hefty financial incentives, which mostly came from the influx of US counterterror aid. This made the Thai armed forces directly accountable to Thaksin's strategy of violently repressing all forms of political opposition. Second, Thaksin's terror-oriented politics provided the Thai armed forces concrete opportunities to gain political influence in civilian politics. Of course, the Thai armed forces' co-optation with Thaksin's counter-terror strategy was also insightful of the former's endemic culture of interventionist tendencies in civilian politics. Finally, as the counter-terror operations led to the proliferation of abuses, many government agents were left unprosecuted primarily because of the inability of the judicial system to fully exercise its institutional autonomy.

## 7.6 PATTERNS OF HUMAN RIGHTS VIOLATIONS IN POST-9/11 THAILAND

### 7.6.1 *SELECTIVE POLITICAL REPRESSION OF THAKSIN'S "ENEMIES OF THE STATE"*

This section presents several empirical observations of the deliberate and systematic killings and harassment of unarmed political opposition members, anti-Thaksin activists, suspected criminals, drug addicts, and other unarmed civilians. In contrast to human rights abuses generated by 'erroneous policing' operations that led to collateral deaths and physical injuries, incidents of violations as a result of 'selective political repression' were committed by Thai government agents with a deliberate intention to harass and to eliminate their targets.

The first but perhaps most important example of the Thai government's deliberate and systematic effort to kill and harass unarmed civilians was the 2003 war on drugs. Indeed, the Bush administration's financial assistance and political support for the Thai government was crucial in curbing the longstanding illegal drug problem in Thailand. While the White House was only supportive of non-violent policy measures (drug rehabilitation and awareness campaigns), the Thaksin administration included any suspected drug addict, dealer, or supporter of illegal drugs as targets of counter-insurgency operations. In the published guidelines of the Thai government, the emphasis was on educational programs and public awareness campaigns against the detrimental effects of illegal drugs. In practice, Thaksin's war on drugs concretely meant the systematic identification and killings of anybody who was suspected to be involved in illegal drug trafficking and use in Thailand. As such, using the funding and training assistance from the US government, the Thai government used a "combination of incentives and warnings" in order "to have [the] police eliminate as many suspected drug dealers, by whatever means possible, within three months designated" (Dabhoiwala 2003).

The implementation of the war on drugs in 2003 was a statewide effort that was bolstered by terror-oriented US strategic support. The Thai police, soldiers, and local government officials enjoyed wide administrative discretion in freely determining the suspected drug addicts. Such freehand in the implementation of the war on drugs can be seen, in particular, in the identification of suspected criminals and drug addicts. The process started with the provincial politicians, village headsman, and provincial or town district officers who compiled a list of targets from their geographical areas of responsibilities (Dabhoiwala 2003). This list would then be submitted to the Interior Ministry, which would then passed on the list for approval to the National Command Centre for Combatting Drugs that was headed by Deputy Prime Minister Chavalit Yongchaiyuth, a Thaksin loyalist and a former Commander-in-Chief of the Royal Thai Army. In effect, this system of identifying the targets “left the door wide open for those compiling the blacklists to use them to settle personal grudges or deal with business or political opponents” (Ilchmann 2003). Hence, this process made it possible for all other anti-Thaksin or anti-TRT party local figures to be quickly eliminated through state-initiated killings and enforced disappearances. The arbitrariness of the process of identifying the targets was clearly described by Human Rights Watch (2004a, 23):<sup>232</sup>

Most names are drawn from the results of community meetings, which offered an opportunity for officials with conflicts to enter the names of people unrelated to the drug trade. Relatives and friends of those accused are also lumped into the same category. And ethnic minorities were subjected to stereotyped beliefs that they were also involved in the drug trade.

In order to hide any evidence that could implicate government agents’ involvement in the killings, government authorities did not allow forensic experts and pathologists to conduct autopsies, while gun bullets were reportedly removed from all the corpses (Amnesty International 2003b; 2003a). Finally, based on an independent

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<sup>232</sup> The Thai police and local government agents executed the war on drugs with a high degree of discretion of identifying the targets of killings, particularly by zooming into local political enemies and other anti-Thaksin/TRT advocates. In effect, the result, according to Human Rights Watch (2004, 20), was that the country’s National Human Rights Commission “was deluged with complaints of false arrest, improper inclusion in drug blacklists, and related violations of due process. The NHRC received 123 complaints during the two-week period from February 20-March 7, 2003, compared to twelve complaints during the preceding seven weeks.” See also Panaspornprasit (2004).

study by Pornthip Rohanasunan, Thailand's leading forensic scientist, "more than half of the cases seen by her the [sic] drugs appeared to have been planted on the victims after their deaths — jammed in pockets at unnatural angles" (Dabhoiwala 2003, 13). In its implementation of the war on drugs, the Thai police and other government agents deliberately targeted the local enemies of Thaksin and his allies: "casually planting evidence, mistaken identity, incompetent coronary reports and bureaucratic bungling in the compilation of suspect lists (blacklists) used to target victims" (Connors 2011, 208). Even worse, some local witnesses, who were interviewed by the Human Rights Watch, confessed that some police officers made arrests even when urine tests indicated a negative result for drug use (Human Rights Watch 2004a, 26). For instance, Tai, one of these witnesses, even claimed that:

It looked like the police wanted to make arrests. Sometimes, the police just pick up kids on the road, and even if they test negative, they just take their money and cell phone and threaten them with arrest.

In addition, there were at least two thousand recorded killings during the 2003 war on drugs, and one of the most well-known cases was the death of the nine-year-old boy, Chakraphan Srisa-ard (Mydans 2003).<sup>233</sup> On March 2003, Thai police arrested the father of Chakraphan for allegedly trading 6,000 methamphetamine tablets, while Chakraphan and his mother fled their house in Bangkok for fear of harassment from the police. During this process of escape, Chakraphan, who sat in the back seat of the car, was killed with two gun bullets at his back. Such incident was widely covered in local media outlets, where Chakraphan's uncle, Chlaermpol Kerdungruang, angrily protested to the police (Mydans 2003):

The war on drugs is getting more violent every day. The police kept shooting and shooting at the car. They wanted them to die. Even a child was not spared.

In reaction to the perceived brutality of the police killing of a minor, Charan Pakdithanakul, secretary to the Thai Supreme Court, called to "stop these bloodthirsty police officers" who were responsible for the killings (Mydans 2003). Charan also warned Thaksin and the US government that "an innocent boy killed downtown

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<sup>233</sup> Refer to Amnesty International (2003) for more examples.

surely will affect the country's image, and if attempts are being made to twist the case, Thailand will now become a twilight zone” (The Nation - Thailand 2003b). Likewise, a prominent legal scholar and Thammasat University law professor Somkid Lerpaitoon protested the determination of the killings as a “kangaroo court situation”. Somkid also urged Thaksin and his TRT party that “ignoring the checks and balances in the justice system was sending a bad message to the society and international community” (The Nation - Thailand 2003b). Even worse, the supposedly independent government prosecutors, such as Deputy Attorney General Praphan Naiyakowit, who led the investigation, claimed that the police refused to cooperate by not providing any reports or testimonies to him. In reaction to widespread criticisms, Thaksin defended the police by saying that the killings were made because of “self-defense” (The Nation - Thailand 2003b).

The manner in which the police killed Chakraphan is also very similar to other incidents such as the death of Raiwan Khwanthongyen and her 16-month-old baby, as well as Daranee Tasanawadee, who was shot while her two sons were witnessing the killing (Mutebi 2003). Similarly, on February 2003, the Thai police killed a couple from the rural hinterlands outside of Bangkok, thereby leaving their three children orphans. One of the relatives of the couple reacted to Thai media by saying that the couple “had to die to help make the state suppression records look good” (Mutebi 2003, 21). In all of these aforementioned incidents, there was no direct evidence that implicated the victims as involved in any way with illegal drugs.

In addition, unarmed activists and street protesters also became persistent targets for harassment and killings of the Thai police force. One of the most heavily criticized incidents of police behavior towards unarmed protesters was the Tak Bai massacre that occurred on the 25<sup>th</sup> October 2004 (Albritton 2005, 166; Connors 2011, 105; Pathmanand 2006, 74-75). In the southernmost province of Tak Bai, around 1000 unarmed street activists gathered near the provincial government hall in protest of the US-funded counter-insurgency operations in the Islamic rebel-infested southern region. Government troops, police forces, and other armed provincial government agents stopped the protest and took around 1000 protesters into a nearby military camp. During the mass arrests, government agents deliberately killed around 85 unarmed Muslim protesters, while 78 died en route to the military camp, primarily

because of suffocation and dehydration. Amnesty International summarized the sheer brutality of armed government agents who were involved in the Tak Bai incident (Amnesty International 2006):

the security forces used excessive lethal force during the Tak Bai demonstration, killing seven people by firing directly into the crowd. Moreover the way in which some 1,300 people were transported from the police station to the military base constituted severe cruel, inhuman and degrading treatment. By stacking the men six deep in trucks, the security forces were putting the men in a life-threatening situation which resulted in the deaths of 78 of them.

In response, Thaksin expressed his regrets for the Tak Bai killings, but vigorously defended that the government “had done nothing wrong” (Cumming-Bruce 2004). Thai political analysts generally consider the Tak Bai incident as a key example of the Thai government’s systematic rejection of peaceful political opposition.

Because of Thaksin’s adoption of a counter-terror policy agenda, state-inflicted violence against other minority groups became more prevalent. This was especially so in the case of immigrants and indigenous peoples in Thailand, most of them have already suffered from latent biases against the majority population even before 2001. For instance, on June 2002, Thai police officers stormed into a garment warehouse in Bangkok and imprisoned 11 Burmese civil society activists based on charges of violating immigration laws (US Department of State 2004b). Despite the fact that the UNHCR classified the imprisoned activists as “persons of concern”, thereby conditionally protecting them from further prosecution, the Thai immigration authorities disregarded such status and physically harassed the activists.

Also, Thai police and army officers subjected indigenous peoples living in the hills and mountainous regions of Thailand to extrajudicial killings and enforced disappearances. In fact, local human rights reports indicated that several hill tribe regions of Thailand were subsumed under direct government control. For instance, from 2001 to 2006, many elder tribesmen in the Chiang Rai region suffered physical harassment and torture from the police and other government authorities. Amnesty International (2003b) underscored the increase after 2001 in the number of incidents

of killings and disappearances of rural and environmental activists in various provinces and communities outside Bangkok. Most of these incidents included the killings of individuals who organized peaceful protests against the increase of commercial activities in their communities. For example, on July 2002, a human rights activist, who was lobbying for Thai citizenship of hill tribes people living in the Thai border regions, was also subjected to violent harassment by state security forces (US Department of State 2003). The activist was detained by the Chiang Mai provincial police unit, which had officers who illegally searched the activist's house for narcotics and other prohibited drugs. Local residents believed that the police aimed to stop the lobbying work of the activist on behalf of indigenous peoples who do not hold Thai citizenship. The process of judicial prosecution of implicated police officers was not initiated, despite the separate investigations conducted by the Chiang Mai provincial police and the Bangkok-based National Human Rights Commission.

Moreover, the Thaksin-led government also subjected media outlets to various intimidation techniques. For example, the Royal Thai Police' Special Branch wrote several "letters of cooperation" to various media outlets to be "cautious when reporting sensitive political or social issues" (US Department of State 2004b). The letters compelled media agencies to practice self-censorship, thereby covering only materials that were favorable, or at least neutral, to the Thai government. In contrast to the tolerant attitude of the government in the 1990s, the Thaksin administration systematically harassed various media outlets (Eng 2002; Mutebi 2003; US Department of State 2003). For instance, on February 2002, the government issued deportation threats to the *Far Eastern Economic Review's* foreign journalists, who had penned a piece that was extremely critical of Thaksin and the TRT party (Chambers 2004, 473). Although some influential individuals in Washington such as Senator Jesse Helms and international media outlets (*The New York Times* and *The Washington Post*) decried the threat, the targeted journalist "was ultimately forced to merely apologize for its 'transgression' and Thaksin continued his campaign against the foreign media" (Chambers 2004, 472).

In contrast to foreign journalists operating in Thailand, local press agencies suffered even more brutal persecution from the government. For example, a political scandal, dubbed as the '*Thaksingate*', erupted on March 2003. The scandal was about



the Anti-Money Laundering Office (AMLO), a post-9/11 spin-off government agency directly under Thaksin's supervision, which mandated seventeen banks to supply data concerning all the financial activities of famous journalists and leaders of the biggest Bangkok-based civil society groups. The common denominator among all these targeted individuals were their open and persistent criticisms of Thaksin's repressive policies and the US government's latent support in his regime. When the news about this asset probe became public, several groups filed a case against the AMLO at the Thai Administrative Court. Consequently, AMLO cancelled the asset probe just right before the court mandated a judicial warning to stop the financial investigation. Strangely enough, the AMLO was eventually absolved from any wrongdoing by the courts (US Department of State 2004b), an outcome that suggests the lack of autonomy of the Thai judicial system. Another notable example was the cancellation of several radio and TV programs in which respondents and interviewees often expressed critical remarks about Thaksin and the TRT party. In response to all the repressive measures imposed upon the media, a prominent Thai journalist Suthichai Yoon contended that such incidents "had political influence written all over it" (Eng 2002). Even worst, the newly established AMLO office "probed the bank records of no fewer than 247 prominent Thai journalists and civil society activists for financial wrongdoing" from 2001 to 2003 (Pongsudhirak 2003, 286).

In post 9/11 southern Thailand, human rights activists and researchers were also consistent targets of assassination attempts (Amnesty International 2006). One of the most notable cases of enforced disappearance of a human rights advocate in southern Thailand was the incident involving Somchai Neelapaijit, a well-known lawyer representing Malay Muslims from the south in various terrorism-related cases. The family and friends of Somchai reported him as missing on the 12<sup>th</sup> March 2004, at the height of Thaksin's counterterror operations in the Pattani region (Amnesty International 2006; Kummetha 2014). Similar to the Philippine military's *modus operandi* of turning in civilians into military custody during the tenure of Arroyo, five Thai police officers forced Somchai into a police car in eastern Bangkok. After several years of court trials, the Thai Supreme Court spent only "15 seconds reading the ruling on Somchai Neelapaijit's disappearance" (Kummetha 2014), which finally prohibited all future trials related to the case and acquitted the four defendants (police officers) implicated in the disappearance. The example of Somchai's disappearance

and the judicial process that followed thereafter showcased the entrenched institutional deficiencies in the judiciary. In particular, the Thai Court of Appeals, which was later on supported by a final ruling from the Supreme Court, posited that the “law only recognizes a murder case when there is a dead body” (Kummetha 2014).

Many local informers reported that the Thai police forces stationed in the southern region were responsible for the various assassinations, death threats, and physical harassment of activists. For instance, in early 2005, one human rights activist received a phone call from an unidentified caller and threatened him to stop conducting research on the region, or else he will be killed. Other Bangkok-based civil society researchers and media personnel abandoned their posts in southern Thailand because of the regular issuance of death threats by the police. On that regard, the Amnesty International (2006a) interviewed a young Malay Muslim university student, who confessed that : “Even though I’m a university student I am subject to abuse -what about the villagers? They suffer more...Villagers are constantly losing – they suffer grief, loss, and pain. If you want peace you need to focus on justice and humanity”. One of these local residents, who were most likely killed by the police, was Ibrahim Kayo, an Islamic bus conductor from Pawing Village in Yala Province in the southern region of Thailand (Amnesty International 2006a; Bhumiprabhas 2006). A group of ten police officers captured Kayo from his residence at 2 am on the 8<sup>th</sup> January 2004, and the officers did not reveal any detail about his detention. Consequently, relatives reported the incident to the local police unit; they made repeated visits, but the police dismissed the case. After almost four months, the dead body of Kayo was found in another province in the southern region. Although the post-Thaksin government ruled that Kayo’s disappearance was a collateral result of the violence, which qualified his family members for government compensation, “the family had not received any of the promised compensation” (Bhumiprabhas 2006). Despite the willingness of the Thai National Human Rights Commission to provide the financial compensation to Kayo’s family, the central government refused to release the funds. Notably, Ae Soh, Kayo’s wife, did not file a legal case because of the lack of evidence (police refusing to an investigation) and the belief that the judiciary will not rule out a just decision anyway.

Some human rights victims, who were mistakenly captured as terrorists based on their racial profile (e.g. Thai Muslims in the Pattani region), experienced severe physical harassment from the hands of the Thai authorities. As such, Crispin (2008) keenly observed the plight of these Muslim detainees from the southern region and noted that:

Thai security officials have recently used torture techniques ranging from sleep deprivation, forced nudity, exposure to extreme temperatures and even the threat to release German Shepherd guard dogs on detainees during interrogations. One Thai Muslim detainee was recently nearly killed after he was left naked in a meat cooler for over 24 hours at a military camp in Pattani province, according to one rights group.

One of the well-documented cases of state-initiated assassinations of unarmed Islamic community leaders was Satopah Yusoh, an imam in Narathiwat province in southern Thailand and was killed on the 29<sup>th</sup> August 2005 (International Crisis Group 2005). Local witnesses reported that four government soldiers used automatic rifles to shoot Satopah, who just returned to his residence after leading a religious service at the local mosque. A few hours before the imam was killed, residents witnessed several military helicopters were circling above the local community. After a series of gunshots stopped, immediate family members and relatives helped Satopa to get inside the house. Notwithstanding multiple gunshots, Satopa managed to live for a few hours after the incident, and he revealed that government forces fired the gunshots. Satopa insisted not to call an ambulance because of his fear that he will be taken by the military from the hospital. Local residents and Satopa's family members strongly believed that the Thai military was responsible for the killing and insisted that Satopa had nothing to do with armed rebel groups in the Narathiwat province. Despite the fact that no one from the community called the hospital or the police to report the incident, an ambulance arrived in the community together with ten trucks filled with soldiers. Consequently, the arrival of soldiers reinforced the local residents' belief that government forces were indeed responsible for the killing of Satopah. As one villager bluntly asked, "How could they have known someone had been shot if it wasn't them [the military] or their agents?" (International Crisis Group 2005).

Finally, government officials in several constitutional and independent agencies were not spared from Thaksin's efforts to consolidate political authority. For

instance, Dr. Pradit Chareonthaitawee, a high-ranking member of the National Human Rights Commission (NHRC), received death threats and various forms of political harassment (Mutebi 2003, 105). As one of the most prominent critics of Thaksin within the NHRC, Pradit attributed the proliferation of human rights violations to Thaksin and his instrumentalization of US aid to ensure the long-term rule of the TRT party. In response, Thaksin branded Pradit's behavior "as sickening and questioned his authority" to report the human rights situation to the United Nations. The TRT party spokesman also castigated Pradit and threatened him of impeachment because he was acting "against national interests" (Mutebi 2003, 105). Meanwhile, Pradit consistently received phone calls from an anonymous caller who commanded him to "stop speaking to the United Nations or die" (Mutebi 2003, 105). The harassment incident of Pradit demonstrated that Thaksin's leadership strategy of eliminating political opposition was not only limited to non-state actors. Indeed, even prominent dissenting actors within the government became the targets of harassment.

The foregoing narratives are just some of the many concrete examples of the Thai government's systematic and widespread implementation of state repression. Particularly, the examples showed how Thaksin framed suspected drug addicts, criminals, indigenous peoples, and even unarmed activists as grave threats to national security. By constituting them as such, the Thai government embraced a political strategy in which those kinds of unarmed civilians were casted as security threats that needed to be quickly and violently eliminated. The narratives also suggested that Thaksin's TRT party and its provincial allies primarily commanded such repressive measures, while the agents of the Thai armed forces and the police directly killed and harassed their targets.

#### *7.6.2 COLLATERAL CONSEQUENCES OF BANGKOK'S COUNTER-TERRORISM POLICIES*

Most of the reported incidents of collateral deaths during armed encounters between Islamic armed rebels and Thai armed forces were largely concentrated in the southern region of Thailand. The Islamic minority population of Thailand mainly resides in the southern provinces such as Pattani, Narathiwat, Yala and some regions

of Songkla; they are mostly ethnic Malays and speak the Bahasa dialect.<sup>234</sup> Because of its historically troubled relationship with the central government in Bangkok, the southern provinces have been a hotspot for armed secessionist groups that seek independence from Thailand (Chalk 2001). After the 9/11 attacks, the number of violent incidents executed by unidentified and armed non-state armed groups had dramatically increased. At the peak of its steady increase since late 2001, “political violence in the Muslim majority far South of Thailand escalated sharply after a raid on an army camp there by an unidentified armed group on 4 January 2004” (Amnesty International 2006). In most of these violent encounters between the Thai armed forces and the Islamic armed secessionist groups, “more than 1,000 people have been killed, including both civilians and members of the security forces” (Amnesty International 2006). In response to this surge of violence perpetrated by non-state armed groups in the south, the Thai government deployed “significantly increased numbers of security forces in these provinces and enlarging their powers by enacting new security legislation” (Amnesty International 2006). Operating within the broader legitimating frame of the US war on terror, Thaksin’s government “has put Pattani, Yala, and Narathiwat under special national security legislation and mobilized massive numbers of security and counterinsurgency forces into the south” (Human Rights Watch 2007, 2). In short, the Thai government’s domestic counterinsurgency concretely meant increased operations by the Thai armed and police forces against armed secessionist groups in the southern provinces.

In southern Thai provinces, there were many ways through which civilian residents were killed or injured during this period of intensified conflict between government troops and Islamic rebels. Consequently, many unarmed local villagers in the southern provinces were caught defenseless in the midst of persistent combat operations between government and rebel forces. Specifically, civilian residents, most especially those living in the ‘red zones’, complained about the lack of security protection.<sup>235</sup> Because southern Thailand tends to be inaccessible to many media

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<sup>234</sup> The southern region was part of the Kingdom of Pattani, but was later on ceded to the Kingdom of Siam in the 20<sup>th</sup> Century.

<sup>235</sup> It was on February 2005 when Thaksin’s government disclosed that the southern region “would be divided into red, yellow, and green zones; red zones contained villages deemed to be supporting the insurgents and would be denied government funding” (Storey 2007, 6). Yet, many unarmed civilian residents in the ‘red zone’ did not receive any form of protective security guarantees from the Thai military.

personnel and even high-ranking civilian officials from Bangkok (McCargo 2008, xi), there was a lack of reliable open-source and state-produced intelligence that accurately pinpointed the whereabouts and other personal information of armed secessionist rebels in the southern provinces. Thus, many unarmed civilians based in conflict-prone areas were mistakenly identified as armed combatants. In November 2002, for example, the Thai police detained twenty-five foreigners based on a mere allegation of their involvement in terrorist activities, but many of which were later on released (Cotton 2003, 151). Even former Prime Minister Anand Panyarachun (Amnesty International 2006) confessed in July 2005 that “in 85% of murder cases, the government does not know who the perpetrators were, which shows the government has failed to find the real wrongdoers”. For example, on 13<sup>th</sup> April 2006, Thai soldiers based in the Pattani region “shot and killed two teenagers, reportedly mistaking them for militants” (US Department of State 2007). The Thai army leadership later on conceded its responsibility in the death of the two civilians, and paid some financial compensation (total amount of 25, 500 USD) to the families of the two teenagers. In many instances of killings, residents claimed that government forces perpetrated a lot of these casualties. Although reliable statistical reports on actual civilian casualty do not seem to exist, McCargo (2008, xi; see f/n 8) pointed out the undated statistical document produced by Srisompob Jitpiromsri, a notable scholar of Thailand’s southern politics. Accordingly, the report highlighted the large number of collateral deaths and physical injuries that were generated by the intensified counterterror operations (McCargo 2008, xi):

The southern Thai conflict has been largely invisible to the outside world, little reported in the global media. By the end of April 2008, 3,002 people had been killed and 4,871 injured. There were 1,850 incidents in 2004, 2,297 in 2005, 1,815 in 2006, 1,861 in 2007, and 241 in the first four months of 2008...numbers of shootings never dropped below 40 per months in the four months after January 2004, and often exceeded 80; in seven of these months there were more than 100 shootings. Most people were shot in ones or twos. Bombs, both thrown and remotely triggered, were also commonly used in the conflict.

As such, a critical mass of unarmed civilians were either killed by the Thai armed forces and local police units or the Islamic rebel groups (US Department of State 2007). Even Police Lt. Gen. Chalermdej Chomphunuj, a high-ranking official of the Royal Thai Police Force, later on confessed that “some people might have been mistakenly blacklisted, perhaps due to the carelessness of officials” (Dabhoiwala 2003). Thai police forces’ informers sometimes provided incorrect information to the state authorities. The information was later passed on to police officers and security agents, who then acted on the basis of such. An example of false identification of suspect was the detention of Yarang district’s (Pattani province) Abdul Roh Ning Yaha, who was accused and detained by the local police on the 7<sup>th</sup> February 2003. Abdul was falsely accused of illegally obtaining 300 methamphetamine tablets. Notably, he was widely known in the community as a religious Muslim and was in no way involved in any kind of drug trade. This example showed how the 2003 war on drugs led to some collateral killings of civilians, many of whom were not at all involved in illegal drugs. As Mahakanjana contended, Thaksin’s “brutal campaign against drug dealers in early 2003 caused many southerners to feel that they were particularly favored victims of the extra-judicial killings” (Mahakanjana 2006, 11).

Because many of the collateral abuses occurred in the southern provinces, the Thai armed forces units stationed in those regions also detrimentally impacted the lives of school children. Many of these security forces, particularly from the state-sponsored paramilitary unit called Thai Rangers, chose to establish their temporary camps in school buildings. Consequently, the transformation of civilian facilities for military-oriented purposes disrupted the academic activities of the school children. At its worst, military deployments also attracted Islamic armed rebels in the Pattani region to carry out their attacks in schools, where children were always caught in a potential crossfire between government and rebel forces. As a nine-year old school girl confessed to the Human Rights Watch (Human Rights Watch 2010a): “I am scared.... What scares me is the thought that the school could be attacked because the soldiers are at the school, but that students and teachers would be the ones that get hurt”. Indeed, increased militarization in the southern provinces did not only lead to collateral deaths and physical injuries of civilians, but also undermined the psychological well being of minors.

Capitalizing on international terror-oriented discourses, the Thaksin-led government imposed various emergency legal measures to justify increased state repression. Imposed in 2002, martial law provided the legal justification for increased militarization in the Islamic southern regions. On 19<sup>th</sup> July 2005, Thaksin imposed the Executive Decree on Public Administration in Emergency Situations in Narathiwat, Pattani, and Yala which explicitly stated two controversial provisions: (1) granting law enforcement agents total immunity from judicial prosecution and (2) suspension of the powers and jurisdictions of Thai courts to conduct prosecution of government officials for human rights violations (International Crisis Group 2005). In effect, those legal measures weakened the incentive for soldiers and police officers to take extra precautionary measures in identifying their targets. Although the process of “blacklisting” was used to target unarmed political opponents especially during the 2003 war in drugs, blacklisting was also used in counterterror operations against armed rebels in the southern provinces. In the case of the latter, soldiers and law enforcement agents intended to only capture armed rebels, but the “blacklist” that identified their targets was “often based on weak intelligence and weaker evidence” (International Crisis Group 2005, 1). The Thaksin-led government’s financial incentives vis-à-vis the newly placed national security laws motivated state security agents to take advantage of those monetary benefits in exchange for killing as many suspected armed rebels and drug addicts as possible.<sup>236</sup> Hence, police officers and military agents became more predisposed in meeting those strategic targets, without placing much importance on whether their targets were indeed armed combatants. That being so, states security forces’ unintentionally produced collateral human rights violations.

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<sup>236</sup> The pre-9/11 institutions in Southern Thailand (Civilian-Police-Military Command 43 /CPM43 and the Southern Border Provinces Administrative Centre SBPAC) were more effective in “fostering closer relations and mutual trust between the local community, security forces and government officials” (Nurakkate 2012, 12), thereby contributing to a generally less violent situation in the region (Mahakanjana 2006, 14). In contrast, Thaksin employed a heavy-handed approach to the Muslim south and dissolved the CPM43 and SBPAC, and instead transferred all of the policing and civilian governance functions to the Thai police forces.



## 7.7 ANALYSIS: EXPLAINING THE POST-9/11 HUMAN RIGHTS DETERIORATION

The foregoing empirical evidence from post-9/11 Thailand's human rights situation begs several important analytical questions. Why did the human rights situation in the country substantially deteriorate after 2001? Why did the Thai police and military agencies escalate the level of state repression against armed rebels in the south, thereby leading to collateral human rights abuses? To what extent did US strategic support contribute to the proliferation of human rights abuses in post-9/11 Thailand? In answering those questions, I use my theory of interest convergence to uncover the causal story behind the patterns of increased number of violations in post-9/11 Thailand. Hence, the causal explanation will unfold in four parts. The first step deals with the Thai government's strategic localization of counterterror discourses. In particular, I refer to the Thai government's strategic reframing of political discourses in order to capture terror-oriented strategic support from the US government and the Thai public and key domestic constituencies' support for increased state repression. The second step pertains to the instrumentalization of US counterterror assistance and the Thai state's domestic resources in order to increase state repression, thereby producing two principal policy patterns: (1) selective political repression that targeted civilian targets and (2) erroneous policing practices that produced collateral human rights violations. Consequently, I explain that certain domestic political conditions influenced the Thaksin administration's decision to also include unarmed political opposition members as targets of killings and physical harassment. I also make the case that many of the abusive state agents did not face legal prosecution precisely because of the intractable institutional defects within the state security establishment and the judicial system. These steps will be explained in detail below.

First, why and how did the Thai government reframe international counterterror discourses after the 9/11 attacks? What goals were at stake? In view of those questions, I maintain that the Thai government reinterpreted counterterror discourses, mostly borrowed from the Bush administration, because of two intended effects. The first goal referred to attracting foreign strategic support from the US government, and the second pertained to winning domestic public support for increased state repression in order to combat internal security threats. This process is

what I call the strategic localization of transnational counterterror discourses, whereby Thaksin and his allies argued that the long-standing illegal drug trafficking problem and international terrorism were both linked. The Thai government also maintained that Islamic armed rebel groups in southern Thailand are directly linked to the Al-Qaeda network. Such strategy enabled Thaksin and the TRT party to attract US strategic support to Thailand and also to lay the normative justification for increased repression against armed and unarmed targets. Through strategic localization of counterterror discourses, the Thaksin administration was able to situate the internal security situation in Thailand in light of the US government's strategic goals pertaining to post-9/11 international counterterrorism. This interpretation of the conflict in southern Thailand contributed to a stronger case for the Bush administration to provide substantial counterterror support to Thaksin's government. Similarly, when communicating to the Thai domestic public, the TRT party and Thaksin's political allies depicted the southern Islamic provinces as a focal point where illegal drug trafficking, Islamic terrorism, and transnational criminal activity converge. This strategy of localizing counterterror discourses reinforced the Thai public's pre-existing disfavor of drug addicts and the Islamic minority.

Consequently, the mobilization of US counterterror material resources and political support to the Thai military and police agencies led to two transformative policy patterns. The Thaksin-led government in Bangkok fully sanctioned such repressive policies, while the Thai military and police agencies implemented them at various localities. The first pattern pertained to selective political repression in which suspected drug addicts and criminals were castigated as security threats which need to be killed. As shown in this chapter, the evidence pointed to the possibility that many of these killed or "disappeared" civilians during the 2003 war on drugs were local political opposition members, who were deemed as unfavorable to Thaksin's TRT party. The second pattern, meanwhile, referred to the expansion of the scale and frequency of military and police operations in southern Thailand, where the primary aim was to combat armed Islamic secessionist groups. The escalation of violence between government forces and armed rebels contributed to the spike in the number of collateral civilian deaths in the southern provinces. In many instances, erroneous policing practices and intelligence often generated false suspects (unarmed civilians)

who were killed or physically harassed. In short, these two policy patterns led to the unprecedented increase in state-initiated human rights violations after 2001.

Although the evidence presented in this chapter suggested that the US government was only keen on targeting armed rebels, Thaksin's government eventually opted to include suspected drug addicts, criminals, civil society activists and other unarmed civilians as targets of violent repression. Why did Thaksin and his allies deviate from the US government's intended purpose of counterterror support? I contend that domestic politics played a key role here. First, with the goal of entrenching his political authority, Thaksin and his TRT party co-opted with state security agencies in order to also include unarmed civilians targets of counterterror operations. Particularly, the Thaksin administration re-engaged the military and police agencies in civilian politics through financial incentives and reshuffling of the key leadership posts. In return, military and police agencies effectively implemented its counterterror operations, targeting both armed and unarmed political opposition. Second, by carefully reframing the armed conflict in southern Thailand as a necessary component of the US counterterror strategy in Southeast Asia, Thaksin and the TRT party believed that a "tough line will even win votes in other, strongly nationalist, parts of the country that regard southerners as habitual troublemakers" (Cumming-Bruce 2004). In other words, the 'logic of political survival' motivated Thaksin and the TRT party's participation in the US war on terror and the various security policies that emerged therefrom. Thus, systematic killings and physical harassments occurred especially during the 2003 war on drugs, when state agents attempted to swiftly kill most of these "internal security threats" (Chachavalpongpun 2011, 49-50). Such co-optation by the Thaksin administration and the state security agencies was also seen in other instances of repression, such as the harassment of media personnel and civil society activists.

In conclusion, this chapter systematically probed how my theory of interest convergence productively explained the emergence of deteriorating human rights situation in Thailand after 2001. The case study showed that the confluence of the US and Thai governments' interests on a counterterror agenda together with the regime-consolidating motivations of Thaksin produced transformative domestic policies and foreign assistance program that led to the proliferation of human rights violations.

This chapter also demonstrated that the political acceptability of a militaristic policy agenda in post-9/11 Thailand depended on the Thai government's strategic reframing of internal security threats as closely linked to international terrorism which was a key concern for the Bush administration. I showed that such strategic localization of the external counterterror discourse was a relatively effective political tactic that generated the needed political support from the US government and the Thai domestic public for increased counterterror operations in Thailand. The inclusion of unarmed civilians as targets of the Thai armed forces and the police was driven by Thaksin's logic of consolidating his rule and ensuring the long-term dominance of the TRT party. US strategic support, or the Bush administration's foreign policy discourses on counterterrorism and the counterterror assistance, was crucial in enabling the Thai state security agencies to implement an unprecedented scale of violent operations aimed at eliminating armed rebels and unarmed civilian targets. Moving forward, the next chapter concludes this study by providing an analytical summary of the principal findings and sketching the future direction of research on foreign aid, state repression, and human rights norm compliance.

## 8 CONCLUSION

### Chapter 8

This study has been motivated by two important empirical trends about foreign bilateral relations between a great power and weaker states in the Global South. First, foreign strategic support, which is a composite form of external assistance that includes financial aid and purpose-oriented public diplomacy, varies over time. Second, the variation in the amount and purpose of foreign strategic support, I observed, positively correlates with the severity and extent of state-initiated human rights abuses in partner countries. This study began with such an empirical puzzle, and it proceeded by revisiting the social science literature that addressed the relationship between foreign aid and human rights. On that regard, it appeared that the literature is still in its early phase, and the current studies on foreign aid's political consequences mostly employ large-N, cross-national investigations. Besides, political science research is divided between two camps, with each one of them focusing on a given set of variables to explain variations in human rights norm compliance and domestic repression (Regilme 2014b; Kalyvas, Shapiro, Masoud 2008; Davenport 2007, 2). In particular, the sub-field of International Relations emphasizes extra-national factors, while comparative politics underscores intra-national factors. As I discussed in Chapter 2, previous studies offer inconclusive results with regard to the relationship between foreign aid and human rights, and they often focus on strategic-rational motivations. In other words, the scholarly literature has yet to provide a full theoretical account of the causal processes that link foreign strategic support and human rights norm compliance.

In redress of that neglect, this study developed an innovative theoretical account of the political consequences of foreign aid on recipient country's human rights situation. My theory of interest convergence is synthetic precisely because it integrated constructivist, rationalist, and historical-institutionalist insights into a unified explanatory framework. In other words, I analyzed how ideational factors such as identity, shared expectations, and beliefs interacted with strategic-motivational considerations of donor and recipient governments. Taken together, these ideational and material factors jointly shaped the ways in which foreign strategic support was used in recipient countries.

In addition, this study also showed that neither transnational nor domestic factors exclusively influence the ways in which foreign strategic support impact human rights norm compliance; instead, I show how the interactions of transnational and domestic factors jointly produce variations in norm compliance. In particular, my empirical investigations demonstrated that the convergence of political expectations, interests, and beliefs of donor and recipient governments primarily determine the policy patterns in which material resources (foreign strategic support and other domestic resources of recipient countries) would be used. Also, I provided evidence that the aid recipient government's domestic authority influence whether foreign strategic assistance would be diverted to increase state repression of *all* forms of political opposition. Derived from careful empirical analysis of Southeast Asian human rights situation over time, the aforementioned theoretical insights will be explained further in the forthcoming sections, whereby I compare my theoretical expectations with the key empirical outcomes that I uncovered in chapters 3 to 7.

## 8.1 SUMMARY OF THE FINDINGS

To summarize, the confluence of interests and beliefs of donor and recipient governments, together with the recipient government's level of domestic authority, primarily determine the patterns of domestic repression and the recipient state's human rights practices. Such policy patterns, which are generated by foreign aid programs and other internal state resources, vary depending on elite and public perceptions of security. These perceptions of security, I contend, differ over time. Using the evidence from Southeast Asia, I summarize below the main findings of this study. I organize the presentation of these findings based on historical time periods, instead of summarizing my findings based on chapter sequence. Hence, this section is organized into two sub-parts.

### 8.1.1 THAILAND AND THE PHILIPPINES IN THE 1990s

During periods of relative peace, such as the post-Cold War period in the 1990s, the US government provided strategic support to its partner countries for a variety of non-militaristic goals such as economic development, trade expansion, human rights

protection, and democratization. In chapter 3, I showed that non-militaristic US strategic support to the Philippines in the 1990s reinforced the Philippine government's efforts to institutionalize democratic reforms and human rights protection. In order to justify its transformative pro-human rights policies as well as the influx of non-militaristic US strategic support, the Ramos administration strategically reframed emerging international human rights norms as crucial in ensuring long-term economic development. Such kind of strategic framing of the Ramos administration's goals proved to be appealing to the US government that was starting to adopt at that time a less militaristic foreign policy in the region. By framing human rights as crucial to economic development, the Ramos administration effectively responded to the growing domestic public demand for stronger human rights protection. Domestic political reforms as well as pro-human rights and primarily non-militaristic US-funded programs in the Philippines in the 1990s contributed to a relatively low number of human rights violations. In terms of policy, the Philippine government widely tolerated legal and peaceful political opposition, introduced key reforms to professionalize the military and police agencies, and integrated a lot of former armed rebels into mainstream politics. Notwithstanding, a minimal number of collateral human rights abuses emerged primarily because of erroneous intelligence and policing practices of individual police and military agents. Despite the pro-human rights reforms, the long-standing institutional problems in the judicial system enabled state violators to be free from any form of judicial prosecution.

Similarly, in chapter 6, the evidence suggested that Thai and US government officials and politicians in the 1990s converged toward a bilateral policy agenda that was supportive of human rights and democratization. In particular, emerging young Thai politicians of the Democrat Party strategically reframed emerging human rights norms as extremely vital in sustaining Thailand's rapid economic development. Indeed, transformative local events strengthened the political appeal of a pro-human rights agenda of Thai and American government officials. Specifically, Thai liberal democrats strategically framed the Black May incident in 1992, when Thai soldiers killed and physically harassed thousands of civilian protesters in Bangkok, as a reminder that the authoritarian rule by the military had to be ended in light of the emerging post-Cold War norms of human rights and democratic governance. At that time, the liberal democratic politicians and Bangkok's civilian elites blamed the Thai

military regime's authoritarian practices for decelerating the supposed economic progress of the country.

Also, the Thai government strategically re-interpreted the Asian financial crisis in 1997 as a reminder that human rights and democratization reforms in the country should be further expanded in order to prevent financial crises in the future. Because of a less militaristic US foreign policy stance and the growing political demand for stronger human rights protection, the Thai government introduced transformative political reforms, all of which were highly supportive of human rights. In effect, such reforms gravely undermined the once-powerful role of the Thai armed forces and police agencies in civilian politics and promoted widespread government toleration for peaceful political opposition. Long-standing domestic policy concerns — such as prostitution, illegal drug trafficking, and the Islamic Malay minority in the southern provinces — were addressed with various socio-economic development programs funded and implemented by the US and Thai governments. Such policy approach stood in marked contrast with the militaristic policy stance upheld by American and Thai elites during the Cold War and the post-9/11 periods. Because of such developments, the number of state-initiated human rights abuses in Thailand in the 1990s dramatically decreased. Nevertheless, some collateral human rights abuses emerged because of the prevailing corrupt tendencies in a few pockets of the Thai military and police forces that colluded with individual politicians and businessmen. Similar to the case of the Philippines during the 1990s, most of the Thai state agents, who committed human rights violations, remained free from any form of judicial prosecution.

### *8.1.2 THAILAND AND THE PHILIPPINES AFTER 2001*

In the aftermath of the 9/11 attacks, the US and Southeast Asian governments' policy priorities converged toward a counterterror policy agenda, because of the latter's recalibration of domestic security interests with that of the US government. Such agenda generated two principal policy patterns that facilitated the spike in the number of state-initiated human rights violations. First, Southeast Asian governments reinterpreted counterterror and militaristic policy discourses from the US government in order to castigate both unarmed and armed political opposition as security threats.



Such policy pattern is what I call selective political repression, a process in which state-initiated human rights abuses emerge because of an explicit state policy that implemented the widespread and violent repression of unarmed civilian targets. Second, the convergence of the US and Southeast Asian governments' interests towards a militaristic policy agenda resulted in an expansion in the scale and frequency of counterterror operations, which aimed to violently address the threat from non-state armed rebel groups. Consequently, increased counterterror operations generated collateral human rights abuses resulting from processes that I collectively call erroneous intelligence and policing practices. The decision to systematically harass and kill unarmed political opposition resulted from the need of the Thaksin and Arroyo administrations to consolidate their rule amidst severe problems of domestic political authority. Taken together, the widespread selective political repression and the proliferation of erroneous policing and counterterror practices in the post-9/11 period contributed to the over-all increase in state-initiated human rights abuses in Thailand and the Philippines.

In chapter 4, I marshaled evidence from post-9/11 Philippines. During this period, the Philippine government reframed the long-standing armed Islamic rebellion in southern Philippines as directly linked to the Al-Qaeda network, which was a justification that seemed convincing to the US government and the Filipino public. Such kind of strategic reinterpretation of the internal security situation led to two transformative outcomes intended by the Arroyo administration: (1) the influx of militaristic strategic support from the Bush administration that upheld a strong counterterror agenda and (2) the emergence of Filipino public support (at least initially) for increased military and police repression against domestic armed rebellion of communist and Islamic fundamentalist groups. In addition, the Arroyo administration promoted the policy rhetoric that it was only through militaristic policy options in which national security could be vigorously promoted. Indeed, the strategic reframing of international counterterror discourses was part of the Arroyo administration's policy paradigm called "Strong Republic", which subsumed all other non-militaristic policy goals under the rubric of military security and counterterrorism. In response to persistent challenges to her already weak political authority, President Arroyo sought to consolidate her regime by garnering support from within and beyond the formal state apparatus. Such strategy of regime consolidation was

implemented in two ways. The first method was strategic-motivational in nature, whereby President Arroyo used discretionary counterterror funds from the US government in order to buy the armed forces' political support in exchange for violently eliminating armed and unarmed political opposition. Meanwhile, the second method is ideational-discursive, whereby the Philippine government rebranded legal political opposition, most especially left-wing political parties, as complicit to armed communist rebellion. In that way, the Philippine government attempted to justify the violent elimination of peaceful political opposition parties that were persistent in undermining President Arroyo's leadership. In effect, such developments paved the way for the proliferation of repressive activities of the Philippine armed forces and police agencies.

To be sure, I demonstrated in chapter 4 that the escalation of state repression generated two transformative domestic policy patterns, both of which contributed to the proliferation of state-initiated human rights abuses. First, the Philippine armed forces and police agencies targeted civil society activists, left-wing political opposition leaders, and critical journalists for extrajudicial killings and enforced disappearances. This process is what I call selective political repression. Second, the scale and frequency of regular policing and military operations against armed communist and Islamic rebel groups also expanded. The unprecedented escalation of state repression against armed rebels inevitably led to an increase in collateral killings and injuries of unarmed civilians precisely because of the numerous erroneous policing and counterterror practices that emerged after 2001. In sum, selective political repression and erroneous policing practices generated the proliferation of intended and collateral state-initiated human rights abuses in the Philippines from 2001 to 2009.

On the other hand, chapter 5 offered interesting empirical findings from the Philippines' human rights situation from 2010 to 2013, or the post-War on Terror period. Although the US government was still actively engaged in counterterror operations in many places elsewhere during that period (Priest and Arkin 2011; Ralph 2013), the shared expectations between the Obama and Aquino administrations during this time covered a wider array of bilateral policy priorities — militaristic and non-militaristic in nature. Specifically, bilateral policy concerns shifted from domestic

security (counterterrorism) to external security, with a particular reference to the rise of China as a global power, together with a host of non-militaristic issues such as human rights protection, economic development, and good governance. Consequently, such transformation in security perceptions engendered the downsizing of domestic counterterror operations in the Philippines, which led to a decrease in the number of collateral violations. Above all, the strong political authority of Philippine President Aquino, particularly within the state security establishment as well as the broader society, eliminated the need for selective political repression of unarmed opposition — an important development that obliterated government-sanctioned human rights abuses of unarmed political dissidents. In effect, the modest scale of counterterror operations and the absence of selective political repression during this period generated a relatively low number of state-initiated human rights violations. Notwithstanding, Filipino government officials faced public pressures to prosecute state agents who committed human rights abuses. Indeed, I made the case that residual human rights violations emerged precisely because of the enduring institutional shortcomings of the national security and judicial establishments.

Finally, in chapter 7, I examined the human rights situation in Thailand from 2001 to 2006, particularly during the tenure of Prime Minister Thaksin Shinawatra and his country's participation in the US-led War on Terror. The transformative shifts in security perceptions of the Thaksin and Bush administrations led to a counterterror-oriented bilateral agenda between the governments of the US and Thailand.

Indeed, Thaksin and his allies instrumentalized terror-oriented US strategic support in ways that did not only serve American interest in curbing armed terror groups in the southern Thai provinces, but also attempted in consolidating his regime. Regime consolidation, in the view of Thaksin and his *Thai Rak Thai* party, was needed precisely because they did not enjoy the political support of influential and traditional Bangkok-based elites and the Thai middle class. Because of this problem in perceived weak authority, Thaksin strategically framed the longstanding Islamic armed rebellion in the southern Thai provinces as directly linked to the Al-Qaeda movement and other regional terror networks. In this way, Thaksin facilitated the influx of enormous amounts of US aid and other forms of counterterror assistance to Thailand. By increasing military operations that violently repressed armed rebel

groups, Thaksin aimed to bolster his political authority in the southern Thai provinces, a region that was once a traditional political bailiwick of the rival Democrat Party. By winning the political support of the Bush administration, Thaksin secured some conditional and temporary acceptance from some of the Bangkok-based elites, including the Thai monarchy. Nonetheless, the escalated level of state repression in the southern provinces led to an unprecedented increase in the number of collateral human rights violations. Using terror-oriented strategic support from the US government, Thaksin and his allies launched the 2003 war on drugs that branded unarmed drug addicts, criminals, and many local political opposition members as security threats. During this time, these “socially undesirable” civilians became victims of Thaksin’s policy of extrajudicial killings and enforced disappearances. This policy of selective political repression, or the deliberate and violent killings of unarmed civilians, produced a large number of state-initiated human rights abuses from late 2001 to 2006.

## 8.2 THEORETICAL AND POLICY IMPLICATIONS

This study develops a theoretical framework that brings ideational factors and its interactions with strategic-motivational interests into the study of foreign aid and its political consequences. By spelling out relevant yet previously understudied indirect ways of influence, this study provides us a better understanding on why and how shared interests and political expectations matter. To date, this study is arguably the most comprehensive account of the political consequences of foreign aid in human rights situation in developing countries; specifically, it brought together the interactions between ideational and materialist variables as well as domestic and transnational factors into a unified explanatory framework.

Indeed, my case studies support several important insights that are all confirmatory of my theoretical expectations as suggested by my interest convergence framework. First, the causal link between foreign strategic support and human rights compliance in recipient countries is contingent upon the widely shared ideas and beliefs of donor and recipient governments. In particular, shared ideas and political beliefs — which were largely driven by the recipient government’s strategic localization of discourses — shape the intended purposes and implementation patterns

of (1) external strategic support and (2) the domestic policies of the aid recipient government. This study indeed distinguishes itself from the current literature on foreign aid that often focuses on strategic-motivational considerations of donor and recipient governments. In fact, this study confirms that the relationship between *ideas* (shared policy expectations, beliefs, and intentions) and *material factors* (policies, military aid, economic assistance, internal state resources) is both causal and constitutive. The relationship is *causal* because my case studies affirm that mutually shared political expectations and ideas of donor and recipient governments determine the substantive content and actual implementation patterns of foreign strategic support programs and domestic policies of aid recipient countries. Also, the relationship is *constitutive* because foreign aid, as a material resource, is always embedded upon a much broader and overarching political strategy and purposes of donor and recipient governments. As shown by my case studies, the widely shared ideas and political strategies of both donor and recipient governments shaped the ways in which external assistance was used. In other words, foreign aid *per se* is neither good nor bad for human rights; instead, widely shared ideas about the purpose of foreign aid, together with the perceived domestic authority of the recipient government, influence the recipient state's political behavior in ways that could either undermine or bolster human rights protection of its citizens.

Second, domestic political conditions determine the central civilian government's decision whether external strategic support as well as internal state resources would be used to escalate domestic repression against armed and unarmed political opposition. Specifically, central governments with strong political support from within and beyond the formal state apparatus do not subject their unarmed political opposition members and civil society activists to extrajudicial killings and enforced disappearances. Certainly, the strong political authority of the Ramos-led government in the Philippines and the Chai-led government in Thailand during the 1990s eliminated the need for curbing peaceful political opposition. In contrast, the Arroyo administration in the Philippines and the Thaksin administration in Thailand persistently faced severe challenges to their domestic authority even before 9/11. Such severe problem in political authority motivated the Arroyo and Thaksin administrations to frame the war on terror in such a way that their legal political opposition members and civil society activists could be systematically targeted for

killings. Hence, what do these insights mean for policy-making? For policy-makers, terror-oriented foreign strategic support will have more traction in balancing human rights and public security when it is given to central civilian governments that have strong political support both within the military and among various sectors of the society. In other words, a highly popular central regime obliterates the need to kill or harass legal political opposition. In such scenario, we only expect to have an increase in collateral human rights abuses, but not in the number of intended abuses because selective political repression would be nominally absent. When both the donor and recipient countries' governments share a pro-human rights agenda especially when military security crises are absent, we expect stronger human rights protection even in the presence of a politically adventurous military and an ineffective judicial system.

Third, the case studies of Philippines and Thailand suggest that domestic state repression, especially in the developing world, can still be influenced by the principal strategic interests of the core states of the international system. Indeed, this is an important insight precisely because the contemporary literature on political violence and state repression has been neglectful of the transnational underpinnings of the domestic patterns of state violence<sup>237</sup>. Since the end of World War 2, the highly politicized practice of aid giving from rich to poor countries is now a widely accepted and highly entrenched norm in contemporary inter-state relations (Ridell 2007; Lancaster 2008). Yet, the politics of aid giving, as my case studies reveal, is indeed a two-way street. In order to receive aid, recipient countries strategically reframe the donor government's policy discourses in order to make the former's political interests and expectations appear to converge with those of the donor countries. Whatever those shared expectations and interests are, my case studies show that the convergence of political expectations of donor and recipient governments substantially influence how and to what extent powerful states could indeed shape the level of domestic state repression in weaker countries. In effect, the level of local state repression has tremendous consequences in weaker states' compliance with its human rights commitments.

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<sup>237</sup> This is particularly the case for scholars of comparative politics; for example, see the influential volume by Kalyvas, Shapiro and Masoud (2008). As such, Davenport (2007,2) noted that, "some important aspects are largely peripheral to the core research program and tend to be ignored, such as international influences that are consistently discussed by policy makers, activists, and ordinary citizens as a way to end or significantly reduce state repression".

Fourth, even if shared expectations of the donor and recipient governments converge toward a human rights agenda, residual human rights violations can still persist. Residual abuses emerge because of the long-standing institutional deficiencies within the state security agencies and the ineffective judicial institutions. Indeed, almost all of the state violators during the post-war on terror period in the Philippines have yet to be formally prosecuted in courts, despite the consistent and vigorous pro-human rights rhetoric and policies of the US government and the Aquino administration. The apparent state of impunity sends a wrong message to prospective state violators, who assume that they could easily evade from legal penalties, thereby engendering more residual violations. Thus, in terms of policy implications, my empirical findings suggest that foreign strategic support could still be optimized for human rights compliance when such aid program also supports long-term institutional reforms within the judiciary and the armed forces.

Finally, my case studies illustrate that states are not monolithic entities, and that their influential decision-makers' interests, normative beliefs, and policy predispositions radically change even at such a short period of time. In fact, transformative events, such as the 9/11 attacks in the US, propel influential political actors in Southeast Asia to reconsider their strategic-motivations and normative beliefs such as those pertaining to human rights norms vis-à-vis state/international security. Indeed, this was the case in Thailand and the Philippines during the post-9/11 period. Notably, it was in the 2000s, when seemingly entrenched beliefs about unconditional human rights values, as first institutionalized in the 1990s, suddenly become subservient to military security and counterterrorism. Such insight is important because it refutes the idea that there are indeed nominally “bad” or “good states” when it comes to human rights protection.<sup>238</sup> My case studies on the Philippines and Thailand demonstrated that the dominant counterterror agenda that emerged after 2001 gravely undermined the gains in human rights reforms in the 1990s. Although the US did not explicitly command these two Southeast Asian

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<sup>238</sup> On that regard, prominent human rights scholar Emilie M. Hafner-Burton suggested that reforming the global human rights regime should include the establishment of “an exclusive club of steward states engaged in human rights promotion – to share information, set common standards, and coordinate the use of state power where possible” (2013, 188). Hafner-Burton proposed that these “steward states” — presumably Western states such as the US — must implement a “triage strategy” in which they optimize their resources in specific human rights promotion programs that are proven by evidence to be the most effective. The implicit assumption here is that are indeed “good” and “bad” states when it comes to human rights protection.

countries to systematically undermine human rights after 2001, the evidence clearly indicated that the Bush administration was dismissive of the deteriorating human rights records of the Arroyo and Thaksin governments.

### 8.3 FUTURE RESEARCH

Ultimately, this study calls for further exploration on how my theory of interest convergence explains the variations in human rights practices in other developing regions of the world over various time periods. Indeed, a preliminary and quick survey of contemporary international politics suggests that my theory of interest convergence could potentially explain the logic of human rights violations in contemporary Colombia, Pakistan, Bangladesh, Kenya, and Uganda, among others. Such countries have been receiving enormous amounts of foreign aid from rich Western countries, most especially from the US government, while their human rights situation apparently continues to deteriorate.<sup>239</sup> To be sure, there seems to be a strong preliminary case for future research to apply, to falsify, or even to modify my theory of interest convergence in light of these additional cases outside of Southeast Asia.

The study also invites further research on other related questions and issues. Do periods of transnational security crises always compel both powerful and weaker states to be more willing to sacrifice human rights over public security? Does a recipient country's central civilian government with weak authority always resort to violent repression of both armed and unarmed political dissidence? Under what conditions does an aid donor country step in to restrain its recipient partner country in its human rights violations? Is it possible to still maintain a pro-human rights foreign assistance program even during a period of a transnational security crisis? These are important questions that future studies can systematically assess.

In addition, prospective social science research can also investigate the different modes of "strategic localization of external discourses", or the various tactics through which domestic actors reframe and reinterpret emerging transnational discourses to

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<sup>239</sup> See for example the important work of Branch (2011) on the unintended and detrimental consequences of humanitarian relief aid in Northern Uganda.



suit their political interests. On that regard, a more sophisticated conceptual-typological exercise is necessary to map out various tactics of localization of external norms.

While contemporary human rights literature in political science tend to be macro-oriented as in the case of large-N statistical research, this study focused at the meso-level. That is, I investigated the interactions between extranational and domestic political leaders' beliefs and expectations vis-à-vis the impact of their policy decisions upon state repression and individual human rights. Perhaps the future trajectory of research would focus on the micro-level, whereby one can examine the gap (or the confluence of) between the motivations for norm compliance/deviation amongst high-ranking domestic and international actors, rank-and-file state agents, and non-state actors. By focusing at the micro-level, future research can falsify the various theories of norm compliance produced by macro- and meso-oriented studies.<sup>240</sup>

In the end, this study advances our knowledge about the plausible causal mechanisms through which foreign aid from an apparently well-intentioned powerful country could lead to disastrous and perhaps unintended political consequences in weaker recipient countries. Using the evidence from Southeast Asia, I established that ideas do matter in politics, but only if such ideas are widely shared by important stakeholders, who are willing to make those ideas turn into concrete and transformative public policies.<sup>241</sup>

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<sup>240</sup> I thank Emilie Hafner-Burton for sharing this insight during our meeting at the MacMillan Center, Yale University (September 24, 2013).

<sup>241</sup> Amidst the growing demand for more practically relevant research in International Relations, this study can be seen as a response to Chris Reus-Smit's (2012, 539-540) timely and apt call: "We should re-embrace the field's early practical intent, asking big and important questions about the nature and development of world politics first, and honing our methods second. Making this move will bring questions of practice to the fore, including prospective questions about what actors would do. We cannot address such questions, however, unless we occupy the difficult terrain between analytical and normative inquiry".

## 9 APPENDIX

### Notes on Data

Cross-national data that measure the magnitude of state-initiated human rights violations come from two sources: (1) the Cingranelli-Richards Human Rights Index/ CIRI (Cingranelli 1999), and (2) the Political Terror Scale/PTS Scale (Wood 2010) in which data on the Philippines are available.

For the CIRI Index, “physical integrity rights” is an additive index based on distinctive measures of torture, extrajudicial killings, imprisonments, and disappearances. It is measured from 0 (no government respect) to 8 (with full respect). Meanwhile, specific measures of torture, killings, imprisonments, and disappearances are measured in three levels: 0 means occurring frequently in a given year, 1 means occurring occasionally, and 2 for not occurring at all.

For the PTS Scale, a rating of 5 is the worst in terms of severity of human rights violations. It means that “terror has expanded to the whole population” and a clear example of this is North Korea. A rating of 4 means that “civil and political rights violations have expanded to large numbers of the population”, and that “murders, disappearances, and torture are a common part of life”, while 3 refers to a context where “there is extensive political imprisonment” and that “execution or other political murders may be common”. Contemporary Zimbabwe and Bangladesh typify this level of violence. Meanwhile, the lowest levels of violence are represented either by a rating of 2 (“limited amount of imprisonment for nonviolent political activity” and “political murder is rare”) or 1 (“torture is rare” and “political murders are rare”). Since the start of the PTS rating, Switzerland, Germany, and Sweden have been consistently rated with either a 1 or a 2 in any given year.

Data on human rights violations in the Philippines primarily come from KARAPATAN ([www.karapatan.org](http://www.karapatan.org)), the country’s largest network of human rights organizations. Since the late 1990s, KARAPATAN has been producing an annual report on the human rights situation in the Philippines based on carefully aggregated data culled from local sources. Meanwhile, I use the PTS and CIRI Index to broadly assess the human rights situation in Thailand. Domestic statistical sources on Thailand’s human rights violations are unavailable primarily because of the over-all absence of long-standing “cultural discourses” on enforced disappearances, torture, and the like (Sunai Phasuk 2013, personal communication). This is why the CIRI and PTS Indices were used in the preliminary macro-assessment of Thailand’s human rights situation.

On the other hand, data on US bilateral aid come from the US Agency for International Development (USAID) Greenbook (<https://eads.usaid.gov/gbk>). Annual measures of US military and economic aid from 1946 to 2012 were based on 2012 “constant dollars”, unless stated otherwise.

Finally, data on public opinion surveys in the Philippines come from the Manila-based Social Weather Station (SWS), the country’s largest opinion poll organization. Various opinion polls involving Filipino respondents, as cited in this study, come from the archived statistical summaries of the SWS website unless stated otherwise ([www.sws.org.ph](http://www.sws.org.ph)).

## 10 BIBLIOGRAPHY

- Abaya, Antonio C. 2007. "Extra-Judicial Blah." *Manila Standard Today* 3: A4 (July 26, 2007).
- Abella, Jerrie. 2010. "Family Cries Foul Play in Pinoy's Death Among US Troops ." GMA News Online. <http://www.gmanetwork.com/news/story/186126/news/nation/family-cries-foul-play-in-pinoy-s-death-among-us-troops> (March 10, 2014).
- Abinales, Patricio N. 2005. "Life After the Coup: the Military and Politics in Post-Authoritarian Philippines." *Philippine Political Science Journal* 26(49): 27–62.
- Abouharb, M. Rodwan, and David Cingranelli. 2007. *Human Rights and Structural Adjustment*. Cambridge: Cambridge University Press.
- Abouharb, M. Rodwan, and David Cingranelli. 2009. "IMF Programs and Human Rights, 1981–2003." *Review of International Organization* 4: 47–72.
- Acharya, Amitav, and See Seng Tan. 2006. "Betwixt Balance and Community: America, ASEAN, and the Security of Southeast Asia." *International Relations of the Asia-Pacific* 6(1): 37–59.
- Acharya, Amitav. 1999. "Southeast Asia's Democratic Moment." *Asian Survey* 39(3): 418–32.
- Acharya, Amitav. 2003. "Democratisation and the Prospects for Participatory Regionalism in Southeast Asia." *Third World Quarterly* 24(2): 375–90.
- Acharya, Amitav. 2003. "The Bush Doctrine and Asian Regional Order: the Perils and Pitfalls of Preemption." *Asian Perspective* 27(4): 217–47.
- Acharya, Amitav, and Richard Stubbs. 2006. "Theorizing Southeast Asian Relations: an Introduction." *The Pacific Review* 19(2): 125–34.
- Acharya, Amitav. 2009. *Whose Ideas Matter? Agency and Power in Asian Regionalism*. Ithaca, New York: Cornell University Press.
- Acop, Dencio S. 2006. "Assessing the Expanded Role of the Armed Forces of the Philippines in Nation-Building." *Asia-Pacific Social Science Review*: 131–52.
- Acop, Dencio Severo. 2012. "The Expanded Nontraditional Role of the AFP: a Reassessment." *Prism: A Journal of the United States' National Defense University* 3(2): 99–114.
- Adams, Brad. 2003. "Thailand's Crackdown: Drug "War" Kills Democracy, Too." <http://www.hrw.org/news/2003/04/23/thailands-crackdown-drug-war-kills-democracy-too-0> (May 15, 2014).
- Adriano, Joel D. 2009. "Arroyo's Risky Politics of Patronage." *Asia Times Online*. [http://www.atimes.com/atimes/Southeast\\_Asia/JL09Ae01.html](http://www.atimes.com/atimes/Southeast_Asia/JL09Ae01.html) (January 11, 2013).
- Agabin, Pacifico. 2012. *The Political Supreme Court*. Quezon City: The University of the Philippines Press.
- Agence France Presse. 1992. "U.S. Cancels Military Maneuvers with Thailand." *Agence France Presse* (May 19, 1992).
- Agence France Presse. 1995. "US Trade Campaign Zeroes in on Southeast Asian Nations." *Agence France Presse* (September 21, 1995).
- Agence France Presse. 1997. "Thailand Objects to US Human Rights Report ." *Agence France Presse* (November 12, 1997).
- Agence France Presse. 1999. "Albright to Arrive in Thailand for Wide-Ranging Talks." *Agence France Presse* (March 2, 1999).
- Agence France Presse. 2003. "Bush Visit to Boost RP's Image as Trusted US Ally in War vs Terror." *Philippine Star*. <http://www.philstar.com/headlines/224369/bush-visit-boost-rp%C2%92s-image-%C2%91trusted%C2%92-us-ally-war-vs-terror> (January 10, 2013).
- Albert-Corpuz, Gerry. 2002. "GMA's "Strong Republic" a Rehash of Marcos' "Bagong Lipunan"." *Karapatan: Alliance for the Advancement of People's Rights* 2(24). <http://www.bulatlat.com/news/2-24/2-24-sona-gerry.html> (June 12, 2013).

- Albritton, Robert B. 2005. "Thailand in 2004: the 'Crisis in the South'." *Asian Survey* 45(1): 166–73.
- Alesina, Alberto, and David Dollar. 2000. "Who Gives Foreign Aid to Whom and Why?." *Journal of Economic Growth* 5(1): 33–63.
- Alston, Philip. 2007a. 12095 *Preliminary Note on the Visit of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Philip Alston, to the Philippines* (12-21 February 2007). New York: UN Human Rights Council (12-21 February 2007)." 2007. 12095(February): 6.
- Alston, Philip. 2007b. *Promotion and Protection of All Human Rights, Civil, Political, Social, and Cultural Rights, Including the Right to Development - Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Philip Alston*. New York: Office of the United Nations High Commissioner for Human Rights.
- Alston, Philip. 2008. *Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Mission to the Philippines*. New York: UN Human Rights Council.
- Alston, Philip. 2010. "The Challenges of Responding to Extrajudicial Executions: Interview with Philip Alston." *Journal of Human Rights Practice* 2(3): 355–73.
- Alston, Philip. 2010. "The Challenges of Responding to Extrajudicial Executions: Interview with Philip Alston." *Journal of Human Rights Practice* 2(3): 355–73.
- Amnesty International USA. 2014. "Pakistan Human Rights." Amnesty International USA. <http://www.amnestyusa.org/our-work/countries/asia-and-the-pacific/pakistan> (July 30, 2014).
- Amnesty International. 2002. "Unmatched Power, Unmet Principles: the Human Rights Dimensions of US Training of Foreign Military and Police Forces." Amnesty International USA. <http://www.amnestyusa.org/pdfs/msp.pdf> (July 29, 2014).
- Amnesty International. 2003a. "Document - Thailand: Extrajudicial Killing Is Not the Way to Suppress Drug Trafficking." Amnesty International. <http://www.amnesty.org/en/library/asset/ASA39/001/2003/en/98147acf-d72a-11dd-b0cc-1f0860013475/asa390012003en.html> (June 14, 2014a).
- Amnesty International. 2003b. "Document - Thailand: Grave Developments- Killings and Other Abuses." Amnesty International. <http://www.amnesty.org/en/library/asset/ASA39/008/2003/en/9282431d-d679-11dd-ab95-a13b602c0642/asa390082003en.html> (June 14, 2014b).
- Amnesty International. 2006a. "If You Want Peace, Work for Justice." Amnesty International. <http://www.amnesty.org/en/library/asset/ASA39/001/2006/en/08ee0ded-d46f-11dd-8743-d305bea2b2c7/asa390012006en.html> (June 14, 2014).
- Amnesty International. 2006b. *Political Killings, Human Rights and the Peace Process*. London: Amnesty International.
- Amorn, Vithoon. 1991. "Military Has Long Involvement in Thai Politics." *Reuters* (February 23, 1991).
- Andrei, Mercedes Tira. 1999. "Estrada, Clinton Meet Today to Promote 'New Era' in RP-US Relations." *Business World*: (September 13, 1991) Page1.
- Aquino, Benigno III. 2010. "Speech of President Aquino at the 62nd Anniversary of the Universal Declaration on Human Rights." *Official Gazette of the Republic of the Philippines*. <http://www.gov.ph/2010/12/10/speech-of-president-aquino-at-the-62nd-anniversary-of-the-universal-declaration-on-human-rights/> (August 12, 2014).
- Arcala Hall, Rosalie. 2006. "Politics in the Frontline: Local Civil-Military Interactions in Communist Counterinsurgency Operations in the Philippines." *Philippine Political Science Journal* 27(50): 1–30.
- Arendt, Hannah. 1970. *On Violence*. Orlando, Florida: Harvest Book.
- Armed Forces of the Philippines. 1997. "AFP Campaign Plan 'KAISAGANAAN' - Letter of Instructions 14/97." Partnership for Democratic Governance and Security. <http://www.pdgs.org/Archivo/d000003e.htm> (February 3, 2014).

- Arroyo, Gloria Macapagal. 2002. "Gloria Macapagal-Arroyo, *Second State of the Nation Address, July 22, 2002.*" Official Gazette of the Republic of the Philippines. <http://www.gov.ph/2002/07/22/gloria-macapagal-arroyo-second-state-of-the-nation-address-july-22-2002/> (June 10, 2013).
- Arroyo, Gloria Macapagal. 2006. "Text of Proclamation No. 1017." *Philippine Center for Investigative Journalism*. <http://pcij.org/blog/2006/02/24/text-of-proclamation-no-1017> (July 31, 2013).
- Arugay, Aries A. 2011. "The Military in Philippine Politics: Still Politicized and Increasingly Autonomous." In *Political Resurgence of the Military in Southeast Asia*, ed. Marcus Mietzner. Abingdon, Oxford: Routledge, 85–106.
- Asian Federation Against Involuntary Disappearances. 2007. "*Statistics on Enforced Disappearance in Asia.*" Asian Federation Against Involuntary Disappearances. [http://www.afad-online.org/rsl/stats\\_pg\\_263\\_283.pdf](http://www.afad-online.org/rsl/stats_pg_263_283.pdf) (November 24, 2013).
- Asian Federation Against Involuntary Disappearances. 2010. "*Overall Results: FIND's Search and Documentation Work (November 1985 to July 31, 2010).*" Asian Federation Against Involuntary Disappearances. [http://www.afad-online.org/statistics/find\\_stat.htm](http://www.afad-online.org/statistics/find_stat.htm) (October 8, 2013).
- Asian Human Rights Commission. 2006. "Extrajudicial Killings & Human Rights Abuses in the Philippines — Asian Human Rights Commission." *Asian Human Rights Commission*. <http://www.humanrights.asia/resources/journals-magazines/article2/0505/extrajudicial-killings-human-rights-abuses-in-the-philippines> (November 3, 2013).
- Asian Human Rights Commission. 2014. "*Thailand: Crime of the State: Enforced Disappearance, Killings and Impunity.*" Asian Human Rights Commission. <http://www.humanrights.asia/news/forwarded-news/AHRC-FAT-006-2014> (July 6, 2014).
- Asian Tribune. 2003. "*Thai PM Defends Anti-Terrorism Decrees.*" Asian Tribune. <http://www.asiantribune.com/news/2003/08/15/thai-pm-defends-anti-terrorism-decrees> (August 15, 2013).
- Askew, Marc. 2007. *Conspiracy, Politics, and a Disorderly Border: the Struggle to Comprehend Insurgency in Thailand's Deep South*. Washington, DC: East-West Center.
- Associated Press. 1992. "*Member of Fact-Finding Committee Resigns After Threats.*" Associated Press News Archive. <http://www.apnewsarchive.com/1992/Member-of-Fact-Finding-Committee-Resigns-After-Threats/id-46552d7586c646c94ca3d92956aac333> (April 1, 2014).
- Associated Press. 1994. "U.S., Philippines to Sign Ship Servicing Agreement." *Associated Press* (November 10, 1994).
- Associated Press. 1999. "Thai Human Rights Said to Improve." *Associated Press*. (January 19, 1999)
- Associated Press. 2003. "Bush Declares Thailand a Major Non-NATO Ally." *New Straits Times*: (October 20, 2003) p.20.
- Aveni, Adrian F. 1978. "Organizational Linkages and Resource Mobilization: the Significance of Linkage Strength and Breadth." *The Sociological Quarterly* 19(2): 185–202. <http://doi.wiley.com/10.1111/j.1533-8525.1978.tb01164.x>.
- Axelrod, Robert. 1986. "An Evolutionary Approach to Norms." *The American Political Science Review* 80(4): 1095–1111.
- Balana, Cynthia. 2009. "US Ups Foreign Aid to Philippines." *Philippine Daily Inquirer*. <http://newsinfo.inquirer.net/breakingnews/nation/view/20090513-204846/US-ups-foreign-aid-to-Philippines> (December 22, 2012).
- Baldwin, David A. 1995. "Review Article: Security Studies and the End of the Cold War." *World Politics* 48(1): 117–41.
- Bamrungsuk, Surāchat. 1988. *United States Foreign Policy and Thai Military Rule, 1947-1977*. Bangkok: Editions Duankamol.
- Bangkok Post. 1993. "Thais Slam Use of Rights as Protectionist Motives." *Bangkok Post*: (March 31, 1993) 1–2.

- Bangkok Post. 1996. "Human Rights Violation." *Bangkok Post*. (April 21, 1996)
- Bangkok Post. 2003. "TRT Set for 20 Years in Power, PM Tells Faithful." *Bangkok Post*: (April 28, 2003) page1.
- Banlaoi, Rommel C. 2010. *Philippine Security in the Age of Terror: National, Regional, and Global Challenges in the Post-9/11 World*. Boca Raton, Florida: CRC Press, Taylor and Francis Group.
- Barboza, David. 2010. "China Passes Japan as Second-Largest Economy." *The New York Times*:1–5 <http://www.nytimes.com/2010/08/16/business/global/16yuan.html?pagewanted=all> (July 24, 2014).
- Barcenas, Democrito. 2014. "Tell It to Sunstar: Jovito Palparan." *Sun Star*. <http://www.sunstar.com.ph/cebu/local-news/2014/08/25/tell-it-sunstar-jovito-palparan-361834> (August 28, 2014).
- Barnett, Michael. 1990. "High Politics Is Low Politics: the Domestic and Systemic Sources of Israeli Security Policy, 1967–1977." *World Politics* 42(04): 529–62.
- Barr, Michael D. 2007. "Lee Kuan Yew and the 'Asian Values' Debate." *Asian Studies Review* 24(3): 309–34.
- Barratt, Bethany. 2004. "Aiding or Abetting: British Foreign Aid Decisions and Recipient Country Human Rights." In *Understanding Human Rights Violations: New Systematic Studies*, eds. Sabine C. Carey and Steven C. Poe. Surrey: Ashgate, 43–62.
- Batalla, Eric C. 2000. "De-Institutionalizing Corruption in the Philippines: Identifying Strategic Requirements for Reinventing Institutions." Paper presented at the Conference on Institutionalizing Strategies to Combat Corruption: Lessons from East Asia Conference Sponsored by the Konrad Adenauer Stiftung and the De La Salle University- Yuchengco Center for East Asia - August 12-13, 2000: 1–31. <http://unpan1.un.org/intradoc/groups/public/documents/apcity/unpan013117.pdf> (January 20, 2014).
- Bauer, Peter T. 1969. "Dissent on Development." *Scottish Journal of Political Economy* 16(3): 75–94.
- Bauzon, Kenneth E. 1999. "The Philippines: the 1996 Peace Agreement for the Southern Philippines: an Assessment." *Ethnic Studies Report* 17(2): 253–81.
- Baviera, Aileen S P. 2012. "Aquino: Pushing the Envelope, Single-Mindedly." *Southeast Asian Affairs* 2012(1): 241–56.
- BBC. 1993. "Thailand's National Security Chief Interviewed on Burma, Cambodia." BBC Monitoring Service: Asia-Pacific (August 21, 1993).
- BBC. 2010. "Aquino to Invite More Investors to Philippines During US Visit Sep." *BBC World Service*. (February 20, 2010)
- Beach, Derek. 2012. *Analyzing Foreign Policy*. London: Palgrave Macmillan.
- Beehner, Lionel. 2010. "Bloodshed in Mindanao." *Foreign Policy*: 1–3. [http://www.foreignpolicy.com/articles/2010/05/11/chaos\\_in\\_mindanao?page=full](http://www.foreignpolicy.com/articles/2010/05/11/chaos_in_mindanao?page=full) (October 10, 2013).
- Bell, Daniel A. 1996. "The East Asian Challenge to Human Rights: Reflections on an East West Dialogue." *Human Rights Quarterly* 18(3): 641–67.
- Bell, Derrick A, Jr. 1980. "Comment, Brown v. Board of Education and the Interest-Convergence Dilemma." *Harvard Law Review* 93: 518–33.
- Bell, Stephen. 2011. "Do We Really Need a New 'Constructivist Institutionalism' to Explain Institutional Change?." *British Journal of Political Science* 41(04): 883–906.
- Bello, Walden, Herbert Docena, Marissa de Guzman, and Marylou Malig. 2004. *The Anti-Development State: the Political Economy of Permanent Crisis in the Philippines*. Quezon City: University of the Philippines Department of Sociology and Focus on the Global South.
- Bennet, James. 1998. "Clinton Urges Asia Investors to Aid Lands Like Thailand." *New York Times*: P.A5.

- Bennett, Colin J. 1991. "What Is Policy Convergence and What Causes It?." *British Journal of Political Science* 21(02): 215.
- Bermeo, Sarah Blodgett. 2008. "Foreign Aid, Foreign Policy, and Strategic Development." PhD in Politics Dissertation. Princeton University.
- Bernas, Joaquin G. 2007. *A Living Constitution: the Troubled Arroyo Presidency*. Quezon City, Metro Manila: Ateneo University Press.
- Bhattacharji, Preeti. 2009. *Terrorism Havens: Philippines*. Washington, DC: Council on Foreign Relations.
- Bhumiprabhas, Subhatra. 2006. "Women Ask NHRC for News of Kin." *The Nation - Thailand*. [http://www.nationmultimedia.com/2006/03/11/national/national\\_20002515.php](http://www.nationmultimedia.com/2006/03/11/national/national_20002515.php) (June 25, 2014).
- Bickman, Leonard, and Debra J Rog. 2009. *The SAGE Handbook of Applied Social Research Methods*. Thousand Oaks, California: Sage Publications.
- bin Che Man, Wan Kadir. 1987. "Muslim Separatism: the Moros in Southern Philippines and the Malays in Southern Thailand." PhD Dissertation. The Australian National University.
- Blair, Harry, and Gary Hansen. 1994. "Weighing in on the Scales of Justice: Strategic Approaches for Donor-Supported Rule of Law Programs." USAID Development Information Services Clearinghouse.
- Blum, William. 2004. *Killing Hope: US Military & CIA Interventions Since World War 2*. London: Zed Books.
- Bodansky, Daniel. 1999. "The Legitimacy of International Governance: a Coming Challenge for International Environmental Law?." *The American Journal of International Law* 93(3): 596.
- Bodansky, Daniel. 2008. "The Concept of Legitimacy in International Law." In Link.Springer.com, *Beiträge zum ausländischen öffentlichen Recht und Völkerrecht*, eds. Rüdiger Wolfrum and Volker Röben. Berlin, Heidelberg: Springer Berlin Heidelberg, 309–17.
- Boix, Carles. 2003. *Democracy and Redistribution*. New York: Cambridge University Press.
- Bonner, Raymond. 2003. "Thailand Tiptoes in Step with the American Antiterror Effort." *New York Times*: (June 8, 2003) p. N29.
- Boone, Peter. 1996. "Politics and the Effectiveness of Foreign Aid." *European Economic Review* 40: 289–329.
- Boudreau, Vincent. 2004. *Resisting Dictatorship: Repression and Protest in Southeast Asia*. New York : Cambridge University Press.
- Bower, Ernest Z. 2012. "President Aquino's U.S. Visit Will Cap Revitalization of Alliance." *Center for Strategic and International Studies: Commentary*. <https://csis.org/publication/president-aquinos-us-visit-will-cap-revitalization-alliance> (February 12, 2014).
- Bowman, Robin L. 2004. "Is the Philippines Profiting From the War on Terrorism." MA Thesis. U.S. Naval Postgraduate School.
- Brady, Henry E, and David Collier. 2004. *Rethinking Social Inquiry: Diverse Tools, Shared Standards*. Lanham, MD: Rowman and Littlefield Publishers.
- Branch, Adam. 2011. *Displacing Human Rights: War and Intervention in Northern Uganda*. New York City: Oxford University Press.
- Branigin, William. 1992. "Prospect of Clinton Win Worries Southeast Asians." *The Washington Post*: A35.
- Bräutigam, Deborah A, and Stephen Knack. 2004. "Foreign Aid, Institutions, and Governance in Sub-Saharan Africa." *Economic Development and Cultural Change* 52(2): 255–85.
- Breuil, Brenda Carina Oude, and Ralph Rozema. 2009. "Fatal Imaginations: Death Squads in Davao City and Medellín Compared." *Crime, Law, and Social Change* 52(4): 405–24.
- Bridges, Brian. 1999. "Europe and the Asian Financial Crisis: Coping with Contagion." *Asian Survey* 39(3): 456–67.
- Brinkley, Douglas. 1997. "Democratic Enlargement: the Clinton Doctrine." *Foreign Policy* (106): 110–27.

- Briscoe, C H. 2004. "Balikatan Exercises Spearheaded ARSOF Operations." *Special Warfare* 17(1): 6–25.
- Briscoe, David. 1993a. "Ramos Urges Clinton to Take 'New Look' at Philippines." Associated Press. [http://www.apnewsarchive.com/1993/Ramos-Urges-Clinton-to-Take-New-Look-at-Philippines/id-b0aace6eb3ca30f1645ba3599622db17?SearchText=philippines%20united%20states%20human%20rights;Display\\_](http://www.apnewsarchive.com/1993/Ramos-Urges-Clinton-to-Take-New-Look-at-Philippines/id-b0aace6eb3ca30f1645ba3599622db17?SearchText=philippines%20united%20states%20human%20rights;Display_) (January 7, 2013).
- Briscoe, David. 1993b. "Security, Aid Issues No Longer Dominate US-Philippine Relations." Associated Press. [http://www.apnewsarchive.com/1993/Security-Aid-Issues-No-Longer-Dominate-US-Philippine-Relations/id-15a7bd5dbdd97c6c599aede9ba86e6de?SearchText=philippines%20united%20states%20human%20rights;Display\\_](http://www.apnewsarchive.com/1993/Security-Aid-Issues-No-Longer-Dominate-US-Philippine-Relations/id-15a7bd5dbdd97c6c599aede9ba86e6de?SearchText=philippines%20united%20states%20human%20rights;Display_) (January 7, 2013).
- Brodeur, Jean-Paul. 1983. "High Policing and Low Policing: Remarks About the Policing of Political Activities." *Social Problems* 30(5): 507–20.
- Brodeur, Jean-Paul. 2007. "High and Low Policing in Post-9/11 Times." *Policing* 1(1): 25–37.
- Bulatlat. 2009. "Military Refuses to Leave 15 Lumad Communities in Surigao Del Sur ." *Bulatlat*. <http://bulatlat.com/main/2009/08/05/military-refuses-to-leave-15-lumad-communities-in-surigao-del-sur/> (June 27, 2013).
- Bunbongkam, Suchit. 1991. "Toward an End to 'Thai-Style' Democracy." *The Wall Street Journal*: (December 11, 1991) p. 6.
- Bunbongkarn, Suchit. 1993. "Thailand in 1992: in Search of a Democratic Order." *Asian Survey* 33(2): 218–23.
- Bureau of Economic and Business Affairs, State Department. 2000. "Country Commercial Guide: Philippines for Fiscal Year 2000, US Department of State." US State Department. [http://1997-2001.state.gov/www/about\\_state/business/com\\_guides/2000/eap/philippines\\_CCG2000.pdf](http://1997-2001.state.gov/www/about_state/business/com_guides/2000/eap/philippines_CCG2000.pdf) (January 25, 2014).
- Bush, George W. 2003. "President Discusses War on Terror in Thailand." US State Department. <http://2001-2009.state.gov/p/eap/rls/rm/2003/25352.htm> (May 20, 2014).
- Bush, George W., and Gloria Macapagal Arroyo. 2001a. "Joint Statement Between President George W. Bush and President Gloria Macapagal-Arroyo of the Philippines on the 50th Anniversary of the U.S.-Philippine Alliance." US Government Printing Office: 1697–1700. <http://www.gpo.gov/fdsys/pkg/WCPD-2001-11-26/pdf/WCPD-2001-11-26-Pg1697-2.pdf> (May 9, 2013a).
- Bush, George W., and Gloria Macapagal Arroyo. 2001b. "Remarks Following Discussions with President Gloria Macapagal-Arroyo of the Philippines and an Exchange with Reporters." US Government Printing Office: 1694–97. <http://www.gpo.gov/fdsys/pkg/WCPD-2001-11-26/pdf/WCPD-2001-11-26-Pg1694.pdf> (May 9, 2013b).
- Buzan, Barry, Ole Waever, and Jaap de Wilde. 1998. *Security: a New Framework for Analysis*. Boulder, CO: Lynne Rienner Publishers.
- Buzan, Barry, and Ole Waever. 2003. *Regions and Powers: the Structure of International Security*. Cambridge: Cambridge University Press.
- Caballero-Anthony, Mely. 2003. "The Winds of Change in the Philippines: Whither the Strong Republic?" *Southeast Asian Affairs* 2003(1): 211–27.
- Calica, Aurea, and Marichu Villanueva. 2002. "US to Netherlands: Freeze CPP Funds." *Philippine Star*. <http://www.philstar.com/headlines/171848/us-netherlands-freeze-cpp-funds> (January 10, 2013).
- Callaghy, Thomas. 1987. "The State as Lame Leviathan: the Patrimonial Administrative State in Africa." In *The African State in Transition*, ed. Zaki Ergas. London: Macmillan.
- Callaway, Rhonda L., and Elizabeth G. Matthews. 2010. *Strategic US Foreign Assistance: the Battle Between Human Rights and National Security*. Hampshire, England and Burlington, VT: Ashgate.



- Calonzo, Andreo. 2014. "DFA Chief: US Bound to Defend PHL in Case of Attack in West Philippine Sea." GMA News Online. <http://www.gmanetwork.com/news/story/358978/news/nation/dfa-chief-us-bound-to-defend-phl-in-case-of-attack-in-west-philippine-sea> (May 1, 2014).
- Capie, David. 2004. "Between a Hegemon and a Hard Place: the 'War on Terror' and Southeast Asian-US Relations." *The Pacific Review* 17(2): 223-48.
- Capulong, Eduardo R C. 2002. "Philippines: Arroyo Turns the 'War on Terrorism' Into War on the Left." *International Socialist Review*. [http://www.thirdworldtraveler.com/Asia/Arroyo\\_WarOnLeft.html](http://www.thirdworldtraveler.com/Asia/Arroyo_WarOnLeft.html) (May 9, 2013).
- Carcamo, Dennis, and Camille Diola. 2013. "SC to AFP Chief: Locate Men in Burgos Disappearance ." *Philippine Star*. <http://www.philstar.com/headlines/2013/04/12/929858/sc-afp-chief-locate-men-burgos-disappearance> (April 12, 2013).
- Cardenas, Sonia. 2004. "Norm Collision: Explaining the Effects of International Human Rights Pressure on State Behavior." *International Studies Review* 6(2): 213-32.
- Cardenas, Sonia. 2007. *Conflict and Compliance: State Responses to International Human Rights Pressure*. Philadelphia: University of Pennsylvania Press.
- Carlson, M, and O Listhaug. 2007. "Citizens' Perceptions of Human Rights Practices: an Analysis of 55 Countries." *Journal of Peace Research* 44(4): 465-83.
- Carpenter, Charli. 2012. "'You Talk of Terrible Things So Matter-of-Factly in This Language of Science': Constructing Human Rights in the Academy." *Perspectives on Politics* 10(02): 363-83.
- Casauay, Angela. 2012. "It's a First in Asia: 'Desaparecidos' Law." *Rappler*. <http://www.rappler.com/nation/18363-first-in-asia-desaparecidos-law> (May 24, 2014).
- Bernstein, Steven, and Benjamin Cashore. 2012. "Complex Global Governance and Domestic Policies: Four Pathways of Influence." *International Affairs* 88(3): 585-604.
- Casino, Teddy A. 2007. "The Philippines After 9-11: Focus on Mindanao as the 'Second Front' of the US' War on Terror." *Arkibong Bayan*: 1-4. <http://www.arkibongbayan.org/2007-09Sept11-911forum/doc/lecture%20on%209-11%20final.doc> (June 10, 2013).
- Chachavalpongpan, Pavin. 2005. *A Plastic Nation: the Curse of Thainess in Thai-Burmese Relations*. New York: University Press of America.
- Chachavalpongpan, Pavin. 2011. "Thaksin, the Military, and Thailand's Protracted Political Crisis." In *The Political Resurgence of the Military in Southeast Asia*, ed. Marcus Mietzner. Abingdon, Oxford: Routledge, 45-62.
- Chalk, Peter. 2001. "Separatism and Southeast Asia: the Islamic Factor in Southern Thailand, Mindanao, and Aceh." *Studies in Conflict & Terrorism* 24(4): 241-69.
- Chambers, Paul. 2004. "U.S.-Thai Relations After 9/11: a New Era in Cooperation?." *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 26(3): 460-79.
- Chambers, Paul. 2012. "A Precarious Path: the Evolution of Civil-Military Relations in the Philippines." *Asian Security* 8(2): 138-63.
- Chapman, William. 1988. *Inside the Philippine Revolution: the New People's Army and Its Struggle for Power*. London: I.B. Tauris.
- Charles, Deborah. 1996. "U.S. Drug Chief Lauds Thais, Slams Burmese." *Reuters*. (November 22, 1996).
- Chaudoin, Stephen, Helen V. Milner, and Xun Pang. 2014. "International Systems and Domestic Politics: Linking Complex Interactions with Empirical Models in International Relations." *International Organization*: 1-35 (FirstView Article).
- Checkel, Jeffrey T. 2000. "Book Review: Thomas Risse, Stephen Ropp, and Kathryn Sikkink (Eds.), *The Power of Human Rights: International Norms and Domestic Change*. Cambridge, UK: Cambridge University Press, 1999. 334 Pp. Cloth, \$59.95; Paper, \$22.95" *Comparative Political Studies* 33(10): 1337-43.
- Cheesman, Nick. 2003. "Murder as Public Policy in Thailand." Asian Legal Resource Centre. <http://www.article2.org/mainfile.php/0203/86/> (May 25, 2014).

- Cheng, Willard. 2011. "Clinton Heaps Praise on Pacquiao, Reaffirms US Support for PH." ABS-CBN News.com. <http://www.abs-cbnnews.com/nation/11/16/11/clinton-heaps-praise-pacquiao-reaffirms-us-support-ph> (March 7, 2014).
- Chenoweth, Erica, and Maria J Stephan. 2011. *Why Civil Resistance Works: the Strategic Logic of Nonviolent Conflict*. New York: Columbia University Press.
- Cheow, Eric Teo Chu. 2003. "Terrorists Regroup in Southern Thailand." *Asia Times Online*. [http://www.atimes.com/atimes/Southeast\\_Asia/EH19Ae05.html](http://www.atimes.com/atimes/Southeast_Asia/EH19Ae05.html) (June 15, 2014).
- Children's Rehabilitation Center. 2008. "GMA's War on Terrorism: Children Made as Sacrificial Lambs." Children's Rehabilitation Center. <http://www.childrehabcenter.org/resources/documents/gmas-war-terrorism-children-made-sacrificial-lambs> (June 27, 2013).
- Chotiya, Parichart. 1997. "The Changing Role of Provincial Business in the Thai Political Economy." In *Political Change in Thailand: Democracy and Participation*, ed. Kevin Hewison. London and New York: Routledge, 251–61.
- Christensen, Scott R, and Amar Siamwalla. 1993. *Beyond Patronage: Tasks for the Thai State*. Bangkok: Thailand Development Research Institute Foundation.
- Cibulka, Frank. 1999. "The Philippine Foreign Policy of the Ramos Administration: the Quest for Security of a Weak State." *Asian Journal of Political Science* 7(1): 108–34.
- Cingranelli, David L, and Thomas E Pasquarello. 1985. "Human Rights Practices and the Distribution of U.S. Foreign Aid to Latin American Countries." *American Journal of Political Science* 29(3): 539–63.
- Cingranelli, David, and David Richards. 1999. "Respect for Human Rights After the End of the Cold War." *Journal of Peace Research* 36(5): 511–34.
- Ciorciari, John D. 2012. "Institutionalizing Human Rights in Southeast Asia." *Human Rights Quarterly* 34: 695–725.
- Clapano, Jose Rodel. 2003. "Pimentel Wants US Payments for Over Flights." *Philippine Star*. <http://www.philstar.com/headlines/199968/pimentel-wants-us-payments-overflights> (January 10, 2013).
- Clarke, Gerard. 1998. *The Politics of NGOs in South-East Asia: Participation and Protest in the Philippines*. London and New York: Routledge.
- Clinton, Hillary. 2011. America's Pacific Century. *Foreign Policy*. [http://www.foreignpolicy.com/articles/2011/10/11/americas\\_pacific\\_century](http://www.foreignpolicy.com/articles/2011/10/11/americas_pacific_century) (1 February 2013)
- Clinton, William J. 1994. "William J. Clinton: Remarks to the International Business Community in Jakarta." The American Presidency Project - Online by Gerhard Peters and John T. Woolley. <http://www.presidency.ucsb.edu/ws/index.php?pid=49495&st=philippines&st1=> (August 28, 2013).
- Cohen, Eliot A. 1997. "Capsule Reviews: "the Soldier and the State: the Theory and Politics of Civil-Military Relations" and "The Professional Soldier: A Social and Political Portrait" ." *Foreign Affairs*. <http://www.foreignaffairs.com/articles/53283/eliot-a-cohen/the-soldier-and-the-state-the-theory-and-politics-of-civil-milit> (May 20, 2013).
- Cole, Benjamin. 2006. "The Philippines Media: Agent of Stability or Restraint?" In *Conflict, Terrorism and the Media in Asia*, ed. Benjamin Cole. Abingdon, Oxford: Routledge, 61–81.
- Collier, Ruth Berins, and David Collier. 1991. *Shaping the Political Arena. Critical Junctures, the Labor Movement, and Regime Dynamics in Latin America*. Princeton, NJ: Princeton University Press.
- Committee of Human Rights Organizations in Thailand/CCHROT. 1996. "Thailand: Another Community Activist Murdered." CCHROT. <http://www.hrsolidarity.net/mainfile.php/1996vol06no03/183/?print=yes> (May 5, 2014).
- Conde, Carlos. 2005. "Philippine Death Squads Extend Their Reach ." *The New York Times*. <http://www.nytimes.com/2005/03/22/world/asia/22iht-phils.html> (June 24, 2013).

- Conde, Carlos H. 2009. "Abuse Charges Persist in Philippines' Fight Against Communists." *The New York Times*. <http://www.nytimes.com/2009/08/13/world/asia/13iht-phils.html> (June 25, 2013).
- Conde, Carlos H. 2014. "What Senators' Silence on Duterte Threat Means." *Rappler*. [http://www.rappler.com/nation/49946-human-rights-duterte-senate-hearing?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+rappler+\(Rappler\)](http://www.rappler.com/nation/49946-human-rights-duterte-senate-hearing?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+rappler+(Rappler)) (February 7, 2014).
- Connors, Michael K. 2011. "Ambivalent About Human Rights: Thai Democracy." In *Human Rights in Asia*, eds. Thomas Davis and Brian Galligan. Cheltenham and Northampton: Edward Elgar, 103–22.
- Cook, Nerida M. 2007. "Democratisation in Thailand Revisited." *Asian Studies Review* 9: 888–89.
- Cooley, Alexander. 2008. *Base Politics: Democratic Change and the U.S. Military Overseas*. Ithaca: Cornell University Press.
- Cooney, Kevin. 1992. "Thai Pro-Democracy Parties Stick to Alliance." (September 15, 1992) Reuters.
- Cooper, Michael. 1997. "Amnesty Worried at Extrajudicial Killings in Thailand." (May 19, 1997). Agence France Presse.
- Coppedge, Michael. 2012. *Democratization and Research Methods*. New York City: Cambridge University Press.
- Corpus, John Paul. 2010. "Oplan Bantay Laya: Blue Print for State Terror." In *Oplan Bantay Laya*, Manila: Ibon Foundation, 6–15.
- Corpuz, Gerry Albert. 2003. "Taking Cues From SC Decision Voiding PEA-Amari Deal: Militants Want Halt to All Reclamation Projects in Manila Bay." Karapatan: Alliance for the Advancement of People's Rights. <http://www.bulatlat.com/news/3-15/3-15-peaamari.html> (October 8, 2013).
- Cortell, Andrew P, and James W. Davis. 1996. "How Do International Institutions Matter? the Domestic Impact of International Rules and Norms." *International Studies Quarterly* 40(4): 451–78.
- Cotton, James. 2003. "Southeast Asia After 11 September." *Terrorism and Political Violence* 15(1): 148–70.
- Corvera, Ann. 2003a. "AFP Chief Admits Corruption in Military." *Philippine Star*. <http://www.philstar.com/headlines/215651/afp-chief-admits-corruption-military> (January 10, 2013a).
- Corvera, Ann. 2003b. "New York Times Editorial: US Aid Helping Militants Because of AFP Corruption." *Philippine Star*. <http://www.philstar.com/headlines/224696/new-york-times-editorial-us-aid-helping-militants-because-afp-corruption> (January 10, 2013b).
- Crisostomo, Isabelo. 1997. *President Fidel v. Ramos: Builder, Reformer, Peacemaker*. Quezon City: J. Kriz Publishing Enterprises.
- Crispin, Shawn W. 2008. "US and Thailand: Allies in Torture." *Asia Times Online*. [http://www.atimes.com/atimes/Southeast\\_Asia/JA25Ae01.html](http://www.atimes.com/atimes/Southeast_Asia/JA25Ae01.html) (May 25, 2014).
- Croissant, Aurel, David Kuehn, and Philip Lorenz. 2012. *Breaking with the Past? Civil-Military Relations in the Emerging Democracies of East Asia*. Honolulu, Hawai'i: East-West Center.
- Crone, Donald K. 2011. "State, Social Elites, and Government Capacity in Southeast Asia." *World Politics* 40(02): 252–68.
- Cruz De Castro, Renato. 1999. "Adjusting to the Post-US Bases Era: the Ordeal of the Philippine Military's Modernization Program." *Armed Forces & Society* 26(1): 119–38.
- Cruz De Castro, Renato. 2004. "Addressing International Terrorism in Southeast Asia: a Matter of Strategic or Functional Approach?." *Contemporary Southeast Asia* 26(2): 193–217.
- Cruz, Booma. 1993. "Ramos-Clinton Exchange of Letters Show Better Ties." *Manila Chronicle* 33(687): 2. (December 21, 1993)

- Cumming-Bruce, Nick. 2004. "Some Neighbors Fault Hard-Line Approach in Thailand's South: Thaksin and Unrest Stir Doubt in Region." *The New York Times*. <http://www.webcitation.org/mainframe.php> (June 14, 2014).
- Cupin, Bea, and Richard Falcatan. 2014. "RTC Judge Shot Dead in Zamboanga." *Rappler*. <http://www.rappler.com/nation/51780-zamboanga-shooting-rtc-judge> (May 24, 2014).
- Curato, Nicole, and Aries Arugay. 2010. "Militarised Politics and Politicised Military: Society-Military Relations Under the Arroyo Regime." In *Project 2010: Gloria Macapagal-Arroyo's Legacy*, Quezon City: Focus on the Global South.
- Curato, Nicole. 2013. "Deliberative Capacity as an Indicator of Democratic Quality: the Case of the Philippines." *International Political Science Review*. doi: 10.1177/0192512113504337
- Curtis, Polly, and Martin Hodgson. 2008. "Student Researching Al-Qaida Tactics Held for Six Days." *The Guardian*. <http://www.guardian.co.uk/education/2008/may/24/highereducation.uk> (March 7, 2013).
- Dabhoiwala, Meryam. 2003. "A Chronology of Thailand's "War on Drugs"." Asian Human Rights Commission. <http://www.humanrights.asia/resources/journals-magazines/article2/0203/a-chronology-of-thailands-war-on-drugs> (February 26, 2014).
- Danaher, Kevin, Phillip Berryman, and Medea Benjamin. 1987. *Help or Hindrance? United States Economic Aid in Central America*. San Francisco, California: Institute for Food and Development Policy.
- Davao Today. 2007. "Philippines: Satur Back on Campaign Trail; Palace, AFP Finally Admit Roles in Anti-Bayan Muna Drive." *Davao Today*: 1–2. <http://davaotoday.com/2007/04/09/philippines-satur-back-on-campaign-trail-palace-afp-finally-admit-roles-in-anti-bayan-muna-drive/> (May 25, 2013).
- Davao Today. 2013. "'Outrageous' Fiscal's Dismissal vs. Army Suspects Marks Tampakan Massacre 1st Anniversary." *Davao Today*. <http://davaotoday.com/main/2013/10/20/outrageous-fiscals-dismissal-vs-army-suspects-marks-tampakan-massacre-1st-anniversary/> (March 8, 2014).
- Davenport, Christian. 2007. *State Repression and the Domestic Democratic Peace*. New York : Cambridge University Press.
- Davenport, Christian. 2007. "State Repression and Political Order." *Annual Review of Political Science* 10(1): 1–23.
- De Castro, Renato Cruz. 2000. "Whither Geo-economics? Bureaucratic Inertia in U.S. Post-Cold War Foreign Policy Toward East Asia." *Asian Affairs: An American Review* 26(4): 201–21.
- De Castro, Renato Cruz. 2012. "Future Challenges in the US-Philippines Alliance." *Asia Pacific Bulletin - East-West Center*: 1–2.
- De Jesus, Julliane Love. 2014. "First Woman 2-Star General Heads Newly-Formed Human-Rights Panel." *Philippine Daily Inquirer*. <http://newsinfo.inquirer.net/577785/first-woman-2-star-general-heads-newly-formed-human-rights-panel> (February 13, 2014).
- de Mesquita, Bruce Bueno, Alastair Smith, Randolph Siverson, and James D Morrow. 2005. *The Logic of Political Survival*. Cambridge, Massachusetts: MIT Press.
- de Mesquita, Bruce Bueno, and Alastair Smith. 2007. "Foreign Aid and Policy Concessions." *Journal of Conflict Resolution* 51(2): 251–84.
- de Mesquita, Bruce Bueno, and Alastair Smith. 2009. "Political Survival and Endogenous Institutional Change." *Comparative Political Studies* 42(2): 167–97.
- de Mesquita, Ethan Bueno, and Eric S Dickson. 2007. "The Propaganda of the Deed: Terrorism, Counterterrorism, and Mobilization." *American Journal of Political Science* 51(2): 364–81.
- de Quiros, Conrado. 2014. "Impunity." *Philippine Daily Inquirer*. <http://opinion.inquirer.net/72208/impunity-2> (May 24, 2014).
- Debusman, Bernd. 2011. "Pakistan and Questions Over Foreign Aid." Reuters. <http://blogs.reuters.com/bernddebusmann/2011/05/13/pakistan-and-questions-over-foreign-aid/> (July 29, 2014).

- Del Rosario-Malonzo, Jennifer. 2010. "Blood Trail: the US' Active Role in OBL." In *Oplan Bantay Laya*, Manila: Ibon Foundation, 49–61.
- Demirel-Pegg, T., and J. Moskowicz. 2009. "US Aid Allocation: the Nexus of Human Rights, Democracy, and Development." *Journal of Peace Research* 46(2): 163–80.
- Dessler, David. 2005. "Constructivism and the Problem of Explanation: a Review Article." *Perspectives on Politics* 3(3): 597–610.
- Diamond, Jared, and James A. Robinson. 2010. "Afterword: Using Comparative Methods in Studies of Human History." In *Natural Experiments of History*, eds. Jared Diamond and James Robinson. Cambridge, Mass.: The Belknap Press of Harvard University Press, 257–75.
- Dimond, Paul. 2006. "The Philippines: Fragile Democracy or Strong Republic?." *Asian Affairs* 37(2): 210–19.
- Djankov, Simeon, Jose G Montalvo, and Marta Reynal-Querol. 2008. "The Curse of Aid." *Journal of Economic Growth* 13(3): 169–94.
- Docena, Herbert. 2007a. "The U.S. Troops' "Unconventional" Presence." *Philippine Center for Investigative Journalism*: 1–4. <http://pcij.org/i-report/2007/us-troops.html> (June 10, 2013a).
- Docena, Herbert. 2007b. *Unconventional Warfare: Are US Special Forces Engaged in an "Offensive War" in the Philippines?* Quezon City: Focus on the Global South.
- Docena, Herbert. 2008. "In the Dragon's Lair." *Transnational Institute*. [http://www.tni.org/archives/docena\\_dragonsliar](http://www.tni.org/archives/docena_dragonsliar) (August 31, 2013).
- Dollaga, Norma P. 2007. "A Song Dangerous Under Human Security Act." *Inquirer - Letters to the Editor*: 1–2. [http://opinion.inquirer.net/inquireropinion/letterstotheeditor/view...4-76562/A\\_song\\_dangerous\\_under\\_Human\\_Security\\_Act?ModPagespeed=off](http://opinion.inquirer.net/inquireropinion/letterstotheeditor/view...4-76562/A_song_dangerous_under_Human_Security_Act?ModPagespeed=off) (May 27, 2013).
- Doner, Richard F, Bryan K Ritchie, and Dan Slater. 2005. "Systemic Vulnerability and the Origins of Developmental States: Northeast and Southeast Asia in Comparative Perspective." *International Organization* 59(02) 327-361.
- Donilon, Tom. 2011. "America Is Back in the Pacific and Will Uphold the Rules." *Financial Times*. <http://www.ft.com/intl/cms/s/0/4f3febac-1761-11e1-b00e-00144feabdc0.html> (March 5, 2014).
- Dragsbaek, Johannes. 2007. "The Great Power Game and Thai Military Rule." *Asia Insights* 3: 15–18.
- Duffield, Mark. 2007. *Development, Security and Unending War: Governing the World of Peoples*. Cambridge, UK: Polity Press.
- Dutta, Nabamita, Peter T Leeson, and Claudia R Williamson. 2013. "The Amplification Effect: Foreign Aid's Impact on Political Institutions." *Kyklos* 66(2): 208–28.
- Eadie, Pauline. 2011. "Legislating for Terrorism: the Philippines' Human Security Act 2007." *Journal of Terrorism Research* 2(3): 24–33.
- Earth Rights International. 2012. "The Yadana Pipeline." Earth Rights International. <http://www.earthrights.org/campaigns/yadana-pipeline> (May 5, 2014).
- Eckstein, Harry. 1992. *Regarding Politics: Essays on Political Theory, Stability, and Change*. Berkeley and Los Angeles: University of California Press.
- Egco, Joel. 2001. "RP-US 'War-Pact' to Fight Terrorism." *Manila Standard* 15(174): (November 14, 2001) 2.
- Emmerson, Donald K. 1995. "Singapore and the 'Asian Values' Debate." *Journal of Democracy* 6(4): 95–105.
- Eng, Peter J. 2002. "Thailand's Incomplete Information Revolution." *Development Dialogue* 1. [http://www.dhf.uu.se/pdffiler/02\\_01/02\\_1\\_part6.pdf](http://www.dhf.uu.se/pdffiler/02_01/02_1_part6.pdf) (April 1, 2014)
- Eng, Peter. 1997. "Thai Democracy: the People Speak." *The Washington Quarterly* 20(4): 169–89.
- Engel, Susan. 2014. "The Not-So-Great Aid Debate." *Third World Quarterly* 35(8): 1374–89.
- Englehart, Neil A. 2010. "Democracy and the Thai Middle Class: Globalization, Modernization, and Constitutional Change." *Asian Survey* 43(2): 253–79.

- Enloe, Cynthia. 1993. *The Morning After: Sexual Politics at the End of the Cold War*. Los Angeles and London: University of California Press.
- Epstein, David, and Sharyn O'Halloran. 1994. "Administrative Procedures, Information, and Agency Discretion." *American Journal of Political Science* 38(3): 697–722.
- Ermita, Eduardo. 2004. "National Defense." In *The Macapagal-Arroyo Presidency and Administration, Record and Legacy (2001-2004)*, eds. Jose Abueva, Victoria A Bautista, Maria Olivia Domingo, and Eleanor Nicolas. Diliman: University of the Philippines Press, 195–202.
- Espejo, Edwin. 2014. "Phl Seeks Seat in UN Human Rights Council." *Philippine Star*. <http://www.philstar.com/headlines/2014/03/06/1297660/phl-seeks-seat-un-human-rights-council> (March 5, 2014).
- Evans, Peter B., Dietrich Rueschemeyer, and Theda Skocpol, eds. 1985. *Bringing the State Back In*. Cambridge: Cambridge University Press.
- Fearon, James D. 1991. "Counterfactuals and Hypothesis Testing in Political Science." *World Politics* 43(2): 169–95.
- Ferrara, Federico. 2010. *Thailand Unhinged: Unraveling the Myth of a Thai-Style Democracy*. Singapore: Equinox Publishing.
- Filipino Reporter. 2010. "Aquino Bags \$2.8-B, Mends Investors' Trust." *Filipino Reporter* 38(43): 1and12. <http://search.proquest.com/news/docview/758616980/6B95BE9C70D74098PQ/183?accountid=15172> (February 20, 2014).
- Filipino Reporter. 2012. "Obama Toasts Aquino." *Filipino Reporter*. <http://search.proquest.com/news/docview/1024820236/6B95BE9C70D74098PQ/7?accountid=15172> (February 20, 2014).
- Fineman, Daniel. 1997. *A Special Relationship: the United States and Military Government in Thailand, 1947-1958*. Manoa: University of Hawaii Press.
- Finnemore, Martha, and Kathryn Sikkink. 1998. "International Norm Dynamics and Political Change." *International Organization* 52(4): 887–917.
- Fisher, Richard D. 1999. *Rebuilding the US-Philippine Alliance*. Washington, DC: The Heritage Foundation.
- Fiss, Owen M. 1993. "The Limits of Judicial Independence." *University of Miami Inter-American Law Review* 25(1): 57–76.
- Floyd, Rita. 2006. "Securitization Theory and Securitization Studies." *Journal of International Relations and Development* 9(1): 53–61.
- Fonbuena, Carmela. 2013. "Allegations of Human Rights Violations Declining – AFP." *Rappler*. <http://www.rappler.com/nation/33506-military-human-rights-violations-declining> (November 20, 2013).
- Foot, Rosemary. 2005. "Collateral Damage: Human Rights Consequences of Counterterrorist Action in the Asia-Pacific." *International Affairs* 81(2): 411–25.
- Ford, Nicholas, and Suporn Koetsawang. 1991. "The Socio-Cultural Context of the Transmission of HIV in Thailand." *Social Science & Medicine* 33(4): 405–14.
- Francia, Luis H. 2007. "GWOT: the Philippines." *The Nation - Thailand*. <http://www.thenation.com/article/gwot-philippines> (October 28, 2013).
- Franco, Jennifer C, and Patricio N. Abinales. 2007. "Again, They're Killing Peasants in the Philippines." *Critical Asian Studies* 39(2): 315–28.
- Frank, Robert. 2000. "The Corruption in the Philippines Keeps Getting Worse with Estrada's Tactics and Cronyism." *The Wall Street Journal*. <http://www.sexwork.com/philippines/ws Corruption.html> (June 21, 2014).
- Frey, Bruno S, and Reiner Eichenberger. 1994. "The Political Economy of Stabilization Programmes in Developing Countries." *European Journal of Political Economy* 10(1): 169–90.
- Funston, John. 2002. "Thailand: Thaksin Fever." *Southeast Asian Affairs*: 305–25.

- Ganesan, N. 2004. "Thaksin and the Politics of Domestic and Regional Consolidation in Thailand." *Contemporary Southeast Asia* 26(1): 26–44.
- Garamone, Jim. 2003. "Philippines to Become Major Non-NATO Ally, Bush Says." *US Department of Defense*: 1–2. [www.defense.gov/news/newsarticle.aspx?id=28968](http://www.defense.gov/news/newsarticle.aspx?id=28968) (May 26, 2013).
- Gartner, S. S., and P. M. Regan. 1996. "Threat and Repression: the Non-Linear Relationship Between Government and Opposition Violence." *Journal of Peace Research* 33(3): 273–87.
- GEM Program Office, Philippines, USAID. 2002. [apii.com.ph](http://apii.com.ph) *Growth with Equity in Mindanao Program Report, Phase 1 Completion Report*, October 1995 to September 2001. USAID - GEM Program Office Philippines.
- George, A L, and Andrew Bennett. 2005. *Case Studies and Theory Development in the Social Sciences*. Cambridge, MA: MIT Press.
- Gershkoff, Amy, and Shana Kushner. 2005. "Shaping Public Opinion: the 9/11-Iraq Connection in the Bush Administration's Rhetoric." *Perspectives on Politics* 3(03) 525-537.
- Gershman, John. 2002. "Is Southeast Asia the Second Front ?." *Foreign Affairs* 81(73): 60–74.
- Girling, John. 1996. *Interpreting Development: Capitalism, Democracy, and the Middle Class in Thailand*. Ithaca, NY: Cornell University - Southeast Asian Studies Program.
- Gloria, Glenda M, Aries Rufo, and Gemma Bagayaua-Mendoza. 2011. *The Enemy Within: an Inside Story on Military Corruption*. Quezon City, Philippines: Public Trust Media Group.
- Gloria, Glenda M. 2013. "Jonas Burgos: Trapped in a Web of Lives." *Rappler*. <http://www.rappler.com/newsbreak/25355-jonas-burgos-trapped-in-a-web-of-lives> (June 25, 2013).
- Go, Julian. 2011. *Patterns of Empire: the British and American Empires, 1688 to the Present*. New York City: Cambridge University Press.
- Goh, Evelyn et al. 2012. "Review of Natasha Hamilton-Hart. *Hard Interests, Soft Illusions: Southeast Asia and American Power*. Ithaca: Cornell University Press, 2012.." *H-Diplo and the International Studies Association's Security Studies Section (ISSS)* 4(8). <http://www.h-net.org/~diplo/ISSF/PDF/ISSF-Roundtable-4-8.pdf> (August 26, 2012).
- Goldmann, Kjell. 2005. "Appropriateness and Consequences: the Logic of Neo-Institutionalism." *Governance* 18(1): 35–52.
- Goldstein, Judith, and Robert O. Keohane. 1993. "Ideas and Foreign Policy: an Analytical Framework." In *Ideas & Foreign Policy: Beliefs, Institutions and, Politics*, Ithaca and London: Cornell University Press.
- Goldstone, Jack A. 2003. "Comparative Historical Analysis in the Social Sciences." In *Comparative Historical Analysis in the Social Sciences*, eds. James Mahoney and Dietrich Rueschemeyer. Cambridge, UK: Cambridge University Press.
- Gonzalez, Daisy C. 2005. "The Rise and Rise of Rodrigo Duterte." *Davao Today*. <http://www.bulatlat.com/news/5-40/5-40-duterte.htm> (November 11, 2013).
- Gonzalez, Mia. 2001a. "GMA Gets Call From Bush, Global Backing." *Today* (2551): 1.(June 25, 2001)
- Gonzalez, Mia. 2001b. "GMA Ok'd America's Use of RP Airspace 'As Needed'." *Today* (2798): 1. (October 2, 2001)
- Gonzalez, Daisy C. 2005. "The Rise and Rise of Rodrigo Duterte." *Davao Today*. <http://www.bulatlat.com/news/5-40/5-40-duterte.htm> (November 11, 2013).
- Gourevitch, Peter. 1978. "The Second Image Reversed: the International Sources of Domestic Politics." *International Organization* 32(4): 881–912.
- Greenhouse, Steven. 1994. "State Department Finds Widespread Abuse of World's Women." *The New York Times*. <http://www.nytimes.com/1994/02/03/world/state-dept-finds-widespread-abuse-of-world-s-women.html> (April 21, 2014).
- Guan, Lee Hock. 2004. "Introduction: Civil Society in Southeast Asia." In *Civil Society in Southeast Asia*, ed. Lee Hock Guan. Singapore: Institute of Southeast Asian Studies, 1–26.

- Gunaratna, Rohan, and Arabinda Acharya. 2013. *The Terrorist Threat From Thailand: Jihad or Quest for Justice?* Washington, DC: Potomac Books.
- Gunness, Christopher, and Gloria Macapagal Arroyo. 2001. "Philippines President Gloria Arroyo on the War Against Terrorism - Interview." BBC World Service: 1–4. [http://www.bbc.co.uk/worldservice/asiapacific/eastasiatoday/indepth/011120\\_arroyo.shtml](http://www.bbc.co.uk/worldservice/asiapacific/eastasiatoday/indepth/011120_arroyo.shtml) (May 24, 2013).
- Gupta, Sanjeev, Luiz de Mello, and Raju Sharan. 2001. "Corruption and Military Spending." *European Journal of Political Economy* 17: 749–77.
- Haberkorn, Tyrell. 2013. "Getting Away with Murder in Thailand: State Violence and Impunity in Phatthalung ." In *State Violence in East Asia*, eds. N Ganesan and Sung Chull Kim. Lexington, Kentucky: The University Press of Kentucky, 185–208.
- Hafner-Burton, Emilie M. 2005. "Right or Robust? The Sensitive Nature of Repression to Globalization." *Journal of Peace Research* 42(6): 679–98.
- Hafner-Burton, Emilie M. 2014. "A Social Science of Human Rights." *Journal of Peace Research* 51(2): 273–86.
- Hafner-Burton, Emilie M., and J Ron. 2007. "Human Rights Institutions: Rhetoric and Efficacy." *Journal of Peace Research* 44(4): 379–84.
- Hafner-Burton, Emilie M., and James Ron. 2009. "Seeing Double: Human Rights Impact Through Qualitative and Quantitative Eyes." *World Politics* 61(2): 360–401.
- Hafner-Burton, Emilie M., Susan D. Hyde, and Ryan S Jablonski. 2014. "When Do Governments Resort to Election Violence?" *British Journal of Political Science* 44(1): 149-179.
- Hafner-Burton, Emilie. 2009. *Forced to Be Good: Why Trade Agreements Boost Human Rights*. Ithaca and New York: Cornell University Press.
- Hagelin, Bjorn. 1988. "Military Dependency: Thailand and the Philippines." *Journal of Peace Research* 25(4): 431–48.
- Hamilton-Hart, Natasha. 2010. "External Influences on Political Violence in Southeast Asia." In *Political Violence in South and Southeast Asia: Critical Perspectives*, eds. Itty Abraham, Edward Newman, and Meredith L Weiss. Tokyo: United Nations University Press, 112–40.
- Hamilton-Hart, Natasha. 2012. *Hard Interests, Soft Illusions: Southeast Asia and American Power*. Ithaca: Cornell University Press.
- Hanson, Jonathan K, and Rachel Sigman. 2011/2013. "Leviathan's Latent Dimensions: Measuring State Capacity for Comparative Political Research." [http://faculty.maxwell.syr.edu/johanson/papers/hanson\\_sigman13.pdf](http://faculty.maxwell.syr.edu/johanson/papers/hanson_sigman13.pdf) (18 August 2014)
- Hay, Colin, and Ben Rosamond. 2002. "Globalisation, European Integration and the Discursive Construction of Economic Imperatives." *Journal of European Public Policy* 9(2): 147–67.
- Hay, Colin. 2006. "Constructivist Institutionalism." In *The Oxford Handbook of Political Institutions*, eds. R.A.W. Rhodes, Sarah A Binder, and Bert Rockman. Oxford: Oxford University Press, 56–74.
- Hayes, Jarrod. 2012. "Securitization, Social Identity, and Democratic Security: Nixon, India, and the Ties That Bind." *International Organization* 66(01): 63–93.
- Hayes, Jarrod. 2013. *Constructing National Security: US Relations with India and China*. New York: Cambridge University Press.
- Head, Jonathan. 2007. "A Fit and Proper Premiership?." BBC Sport. [http://news.bbc.co.uk/sport2/hi/football/teams/m/man\\_city/6922650.stm](http://news.bbc.co.uk/sport2/hi/football/teams/m/man_city/6922650.stm) (June 2, 2014).
- Hedman, Eva-Lotta E., and John T. Sidel. 2000. *Philippine Politics and Society in the Twentieth Century: Colonial Legacies, Post-Colonial Trajectories*. London and New York: Routledge. [http://ifile.it/pa693j/\\_Philippine\\_Politics\\_and\\_Society\\_in\\_the\\_Twentieth\\_Century\\_\\_Colonial\\_Legacies\\_\\_Post\\_Colonial\\_Trajectories\\_\\_Politics\\_in\\_Asia\\_.pdf](http://ifile.it/pa693j/_Philippine_Politics_and_Society_in_the_Twentieth_Century__Colonial_Legacies__Post_Colonial_Trajectories__Politics_in_Asia_.pdf).
- Hernandez, Carolina G, and Maria Cecilia T Ubarra. 1999. "Restoring and Strengthening Civilian Control: Best Practices in Civil-Military Relations in the Philippines." Institute for Strategic and Development Studies. <http://www.pdgs.org.ar/pon-fhi.htm> (October 24, 2013).



- Hernandez, Carolina G. 1995. *ASEAN Perspectives on Human Rights and Democracy in International Relations*. Quezon City: University of the Philippines CIDS and the University of the Philippines Press.
- Hernandez, Carolina G. 2006. *The AFP's Institutional Responses to Armed Conflict: a Continuing Quest for the Right Approach*. Makati City, Metro Manila: Philippine Institute for Development Studies.
- Hewison, Kevin, and Andrew Brown. 1994. "Labour and Unions in an Industrializing Thailand." *Journal of Contemporary Asia* 24(4): 483–514.
- Hewison, Kevin. 1997. "Introduction." In *Political Change in Thailand: Democracy and Participation*, London: Routledge, 1–20.
- Higley, John, and Richard Gunther. 1992. *Elites and Democratic Consolidation in Latin America and Southern Europe*. Cambridge: Cambridge University Press.
- Holden, William N. 2009. "Ashes From the Phoenix: State Terrorism and the Party-List Groups in the Philippines." *Contemporary Politics* 15(4): 377–93.
- Holden, William, and R Daniel Jacobson. 2013. *Mining and Natural Hazard Vulnerability in the Philippines: Digging to Development or Digging to Disaster?* New York and London: Anthem Press.
- Holzinger, Katharina, and Christoph Knill. 2005. "Causes and Conditions of Cross- National Policy Convergence." *Journal of European Public Policy* 12(5): 775–96.
- Holzscheiter, Anne 2005. "Discourse as Capability: Non-State Actors' Capital in Global Governance." *Millennium - Journal of International Studies* 33(3): 723–46.
- Horaichakul, Surat. 2003. "The Far South of Thailand in the Era of the American Empire, 9/11 Version, and Thaksin's 'Cash and Gungho' Premiership." *Asian Review*. [http://www.thaiworld.org/enn/thailand\\_monitor/answer.php?question\\_id=88](http://www.thaiworld.org/enn/thailand_monitor/answer.php?question_id=88) (June 25, 2014).
- Howorth, Jolyon. 2004. "Discourse, Ideas, and Epistemic Communities in European Security and Defence Policy." *West European Politics* 27(2): 211–34.
- Human Rights Now. 2008. *Report on Extrajudicial Killings and Enforced Disappearances in the Philippines - Fact Finding Mission of Human Rights Now to Philippines*. Tokyo: Human Rights Now.
- Human Rights Watch. 1993. "Human Rights Report: 1993." [http://www.hrw.org/reports/1993/WR93/Asw-11.htm#P397\\_166328](http://www.hrw.org/reports/1993/WR93/Asw-11.htm#P397_166328) (April 24, 2014).
- Human Rights Watch. 1993. "Philippines, 1993: Human Rights Watch." *Human Rights Quarterly*. <http://www.hrw.org/reports/1993/WR93/Asw-09.htm#TopOfPage> (October 16, 2013).
- Human Rights Watch. 1994. "Human Rights Report: Thailand." [http://www.hrw.org/reports/1994/WR94/Asia-11.htm#P446\\_157551](http://www.hrw.org/reports/1994/WR94/Asia-11.htm#P446_157551) (April 24, 2014).
- Human Rights Watch. 1998. "Human Rights Report." [http://www.hrw.org/legacy/worldreport/Asia-11.htm#P981\\_250969](http://www.hrw.org/legacy/worldreport/Asia-11.htm#P981_250969) (April 24, 2014).
- Human Rights Watch. 1999. "HRW World Report 1999: Thailand: Human Rights Developments." <http://www.hrw.org/legacy/worldreport99/asia/thailand.html> (April 24, 2014).
- Human Rights Watch. 2001. "Human Rights Watch World Report 2001: Thailand: Human Rights Developments." <http://www.hrw.org/legacy/wr2k1/asia/thailand.html> (April 3, 2014).
- Human Rights Watch. 2003. *A Return to the New Order? Political Prisoners in Megawati's Indonesia*. New York: Human Rights Watch.
- Human Rights Watch. 2004a. "Thailand: Not Enough Graves: the War on Drugs, HIV/AIDS, and Violation of Human Rights." 16(8): 1–58. <http://www.hrw.org/reports/2004/thailand0704/thailand0704.pdf> (August 1, 2014)
- Human Rights Watch. 2004b. "Timeline of Thailand's War on Drugs." (Human Rights Watch). <http://www.hrw.org/legacy/english/docs/2004/07/07/thaila9014.htm> (January 19, 2013c).
- Human Rights Watch. 2007. "'It Was Like Suddenly My Son No Longer Existed': Enforced Disappearances in Thailand's Southern Border Provinces." 19(5).

- <http://www.hrw.org/reports/2007/03/19/it-was-suddenly-my-son-no-longer-existed-0> (April 12, 2014).
- Human Rights Watch. 2009. “*You Can Die Any Time*” *Death Squad Killings in Mindanao*. New York City: Human Rights Watch.
  - Human Rights Watch. 2010a. “*Targets of Both Sides*” *Violence Against Students, Teachers, and Schools in Thailand’s Southern Border Provinces*. New York: Human Rights Watch.
  - Human Rights Watch. 2010b. “*They Own the People*” *the Ampatuans, State-Backed Militias, and Killings in the Southern Philippines*. New York: Human Rights Watch.
  - Human Rights Watch. 2012. “*Philippines: Milestone Law Criminalizes Forced Disappearances*.” <http://www.hrw.org/news/2012/12/21/philippines-milestone-law-criminalizes-forced-disappearances> (January 25, 2013).
  - Human Rights Watch. 2012b. “*Philippines: Obama Should Press Aquino to Tackle Abuses*.” <http://www.hrw.org/news/2012/06/07/philippines-obama-should-press-aquino-tackle-abuses> (November 19, 2013b).
  - Human Rights Watch. 2013. “*‘You Are All Terrorists’ Kenyan Police Abuse of Refugees in Nairobi*.” [http://www.hrw.org/sites/default/files/reports/kenya0513\\_ForUpload\\_0\\_0.pdf](http://www.hrw.org/sites/default/files/reports/kenya0513_ForUpload_0_0.pdf) (July 29, 2014).
  - Human Rights Watch. 2013a. “*Letter to President Aquino Re: State of the Nation Address and Human Rights*.” Human Rights Watch. New York City.
  - Human Rights Watch. 2013b. “*World Report 2013: Philippines*.” <http://www.hrw.org/world-report/2013/country-chapters/philippines?page=3> (February 18, 2014).
  - Huntington, Samuel P. 1957. *The Soldier and the State: the Theory and Politics of Civil-Military Relations*. Cambridge: Harvard University Press.
  - Huntington, Samuel P. 1995. “Reforming Civil-Military Relations.” *Journal of Democracy* 6(4): 9–17.
  - Hyde, Susan D. 2011. *The Pseudo-Democrat's Dilemma: Why Election Observation Became an International Norm*. Ithaca, NY: Cornell University Press.
  - IBON Foundation. 2005. “Aid Militarization and Arroyo's Policy of Repression.” In *A New Wave of State Terror in the Philippines*, ed. IBON Foundation. Manila: IBON Foundation, 32–36.
  - IBON Foundation. 2006. *Stop the Killings in the Philippines*. Manila: Ibon Foundation.
  - Ikenberry, G. John, David A. Lake, and Michael Mastanduno. 1988. “Conclusion: an Institutional Approach to American Foreign Economic Policy.” *International Organization*. 42(1) 219-243.
  - Ilchmann, Susanne. 2003. *Thousands Dead as a Result of Thailand’s ‘War on Drugs’*. World Socialist Website. <http://www.wsws.org/en/articles/2003/05/thai-m09.html> (March 1, 2014)
  - Indigenous Peoples' Rights-Monitor Philippines, Tebtebba Foundation Indigenous Peoples' International Centre for Policy, Philippines, Philippine Indigenous Peoples' Link/PIPLINKS in London, United Kingdom. 2008. *The Human Rights Situation of Indigenous Peoples in the Philippines*. New York: Office of the United Nations High Commissioner for Human Rights.
  - Inquirer News. 2014. “You Vowed to Help, Edita Burgos Reminds Aquino.” *Inquirer News*. <http://newsinfo.inquirer.net/597779/you-vowed-to-help-edita-burgos-reminds-aquino> (May 24, 2014).
  - Inter-Press Service. 1992. “Asia: Pushing to Redefine ‘Human Rights’.” : 1–2.
  - InterAksyon. 2012. “Anti-Mining, Human Rights Groups Blame Sagittarius for 3 Killings in Davao Del Sur.” *Interaksyon*. <http://www.interaksyon.com/article/46488/anti-mining-human-rights-groups-blame-sagittarius-for-3-killings-in-davao-del-sur> (March 10, 2014).
  - International Catholic Migration Commission. 2014. “Persons of Concern to UNHCR.” *ICMC*. <http://www.icmc.net/glossary/term/319> (May 5, 2014).
  - International Coordinating Secretariat in Utrecht, IBON Foundation. 2007. *Repression and Resistance: the Filipino People vs Gloria Macapagal-Arroyo, George W. Bush, Et. Al*. Utrecht and Quezon City: IBON Foundation and the International Coordinating Secretariat in Utrecht.

- International Crisis Group. 2005. “*Thailand's Emergency Decree: No Solution.*” International Crisis Group. [http://www.crisisgroup.org/~media/Files/asia/south-east-asia/thailand/105\\_thailand\\_s\\_emergency\\_decree\\_no\\_solution\\_web.pdf](http://www.crisisgroup.org/~media/Files/asia/south-east-asia/thailand/105_thailand_s_emergency_decree_no_solution_web.pdf) (June 26, 2014).
- Ismartono, Yuli. 1992. “*Thailand: Democratization a Priority for First-Time Politicians.*” InterPress Service: 1–2. (September 22, 1992)
- Ivarsson, Søren, and Lotte Isager. 2010. “Introduction: Challenging the Standard Total View of the Thai Monarchy.” In *Saying the Unsayable: Monarchy and Democracy in Thailand*, eds. Søren Ivarsson and Lotte Isager. Copenhagen: NIAS Press, 1–26.
- Jablonski, Ryan S. 2014. “How Aid Targets Votes: the Impact of Electoral Incentives on Foreign Aid Distribution.” *World Politics* 66(02): 293–330.
- Jacobson, Richard. 2013. “*Modernizing the Philippine Military.*” The Diplomat. <http://thediplomat.com/2013/08/modernizing-the-philippine-military/?all=true> (November 20, 2013).
- Jaleco, Rodney. 2010. “*Aquino Wrote Obama Before Getting MCC Agreement.*” ABS-CBN News. <http://www.abs-cbnnews.com/nation/08/10/10/aquino-wrote-obama-getting-mcc-agreement> (February 17, 2014).
- Jaymalin, Mayen. 2003. “*Arroyo to AFP: Attack Embedded Terror Cells.*” Philippine Star. <http://www.philstar.com/headlines/206542/arroyo-afp-attack-%C2%91embedded-terror-cells%C2%92> (January 10, 2013).
- Jervis, Robert. 2005. *American Foreign Policy in a New Era*. New York: Routledge.
- Jervis, Robert. 2010. *Why Intelligence Fails: Lessons From the Iranian Revolution and the Iraq War*. Ithaca and London: Cornell University Press.
- Jetschke, Anja. 1999. “Linking the Unlinkable? International Norms and Nationalism in Indonesia and the Philippines.” In *The Power of Human Rights: International Norms and Domestic Change*, eds. Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink. Cambridge: Cambridge University Press, 134–71.
- Jetschke, Anja. 2010. *Human Rights and State Security Indonesia and the Philippines*. Philadelphia: University of Pennsylvania Press.
- Jha, Pankaj Kumar. 2007. “The Philippines Human Security Act: Will It Be Successful?” *Institute of Peace and Conflict Studies*. <http://www.ipcs.org/article/terrorism/the-philippines-human-security-act-will-it-be-successful-2338.html> (January 11, 2013).
- Jitpiromrsi, Srisompob, and Duncan McCargo. 2008. “A Ministry for the South: New Governance Proposals for Thailand's Southern Region.” *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 30(3): 403–28.
- Johnson, Darryl N, and Surakiart Sathirathai. 2003. “*Exchange of Letters Between US Ambassador to Thailand and the Thai Foreign Affairs Minister Regarding Article 98 of the Rome Statute.*” Thai Ministry of Foreign Affairs and the US Embassy in Bangkok.
- Jones, Lee. 2010. “ASEAN's Unchanged Melody? The Theory and Practice of “Non-Interference” in Southeast Asia.” *The Pacific Review* 23(4): 479–502.
- Jones, Lee. 2011. “Beyond Securitization: Explaining the Scope of Security Policy in Southeast Asia.” *International Relations of the Asia-Pacific* 11(3): 403–32.
- Jones, Lee. 2012. *ASEAN, Sovereignty and Intervention in Southeast Asia*. London: Palgrave Macmillan.
- Jorgensen, Nick. 2009. “Impunity and Oversight: When Do Governments Police Themselves?.” *Journal of Human Rights* 8(4): 385–404.
- Kalyvas, Stathis N. 1999. “Wanton and Senseless?: the Logic of Massacres in Algeria.” *Rationality and Society* 11(3): 243–85.
- Kalyvas, Stathis N. 2006. *The Logic of Violence in Civil War*. New York: Cambridge University Press.
- Kalyvas, Stathis N., Ian Shapiro, and Tarek Masoud. eds. 2008. *Order, Conflict, and Violence*. Cambridge and New York: Cambridge University Press.

- Karapatan. 2009. “*Oplan Bantay Laya: Blueprint for Terror and Impunity.*” Karapatan: Alliance for the Advancement of People's Rights: 1–53. <http://www.bulatlat.com/main/wp-content/uploads/2010/03/Karapatan-2009-Human-Rights-Report.pdf> (May 13, 2013).
- Karapatan. 2010. *2010 Year-End Report on the Human Rights Situation in the Philippines.* Quezon City: Karapatan Alliance for the Advancement of People's Rights.
- Karapatan. 2011. *KARAPATAN Monitor, July-September 2011.* Quezon City, Metro Manila: Karapatan Alliance for the Advancement of People's Rights.
- Karapatan. 2013. “*KARAPATAN Monitor - January to April 2013.*” Karapatan: Alliance for the Advancement of People's Rights: 1–16. [http://www.karapatan.org/files/Karapatan\\_Monitor\\_Issue1\\_2013\\_web.pdf](http://www.karapatan.org/files/Karapatan_Monitor_Issue1_2013_web.pdf) (October 14, 2013).
- Karapatan. 2014. *2013 Karapatan Year-End Report on the Human Rights Situation in the Philippines.* Quezon City: Karapatan Alliance for the Advancement of People's Rights.
- Katigbak, Jose, and Roel Pareño. 2002. “*Reyes: US Military Aid to Focus Less on Direct Missions in RP.*” *Philippine Star*. <http://www.philstar.com/headlines/172142/reyes-us-military-aid-focus-less-direct-missions-rp> (January 10, 2013).
- Katzenstein, Peter J. 1996. “Introduction: Alternative Perspectives on National Security.” In *The Culture of National Security: Norms and Identity in World Politics*, ed. Peter J. Katzenstein. New York: Columbia University Press.
- Katzenstein, Peter J. 2005. *A World of Regions: Asia and Europe in the American Imperium.* Ithaca, New York: Cornell University Press.
- Keck, Margaret E., and Kathryn Sikkink. 1998. *Activists Beyond Borders: Advocacy Networks in International Politics.* Ithaca, NY: Cornell University Press.
- Keith, Lind Camp. 2002. “Judicial Independence and Human Rights Protection Around the World.” *Judicature* 85(4): 195–200.
- Kelly, Philip F. 1997. “*Globalization, Power and the Politics of Scale in the Philippines.*” *Geoforum* 28(2): 151–71. <http://www.sciencedirect.com/science/article/pii/S0016718597000092>.
- Kendall, Sue. 1994. “*Clinton Says He Will Pursue Human Rights at APEC Summit.*” Agence France Presse. (November 10, 1994)
- Keohane, Robert O. 2008. “Big Questions in the Study of World Politics.” In *The Oxford Handbook of International Relations*, eds. Christian Reus-Smit and Duncan Snidal. Oxford and New York: Oxford University Press, 708–15.
- Keohane, Robert O., Andrew Moravcsik, and Anne - Marie Slaughter. 2000. “Legalized Dispute Resolution: Interstate and Transnational.” *International Organization* 54(3): 457–88.
- Kim, Hunjoon, and Kathryn Sikkink. 2010. “Explaining the Deterrence Effect of Human Rights Prosecutions for Transitional Countries.” *International Studies Quarterly* 54(4): 939–63.
- Kimenyi, Mwangi S, and John Mukum Mbaku. 1995. “Rents, Military Elites, and Political Democracy.” *European Journal of Political Economy* 11: 699–708.
- King, Daniel, and Jim LoGerfo. 1996. “Thailand: Toward Democratic Stability.” *Journal Of Democracy* 7(1): 102–17.
- Kirk, Donald. 2005. *Philippines in Crisis: U.S. Power Versus Local Revolt.* Manila: Anvil Publishing Inc.
- Kislenco, Arne. 2004. “A Not So Silent Partner: Thailand's Role in Covert Operations, Counter-Insurgency, and the Wars in Indochina.” *Journal of Conflict Studies* 24(1): 65-96.
- Kittayarak, Kittipong. 2003. “*The Thai Constitution of 1997 and Its Implication on Criminal Justice Reform.*” United Nations Asia and Far East Institute for the Prevention of Crime and Treatment of Offenders - Annual Report for 2001 and Resource Material Series: 107–17. [http://www.unafei.or.jp/english/pdf/PDF\\_rms/no60/ch06.pdf](http://www.unafei.or.jp/english/pdf/PDF_rms/no60/ch06.pdf) (May 22, 2014).
- Klein, James R. 1998. “*The Constitution of the Kingdom of Thailand, 1997: a Blueprint for Participatory Democracy.*” The Asia Foundation Working Paper Series.
- Knack, Stephen. 2004. “Does Foreign Aid Promote Democracy?” *International Studies Quarterly* 48(1): 251–66.

- Kocak, Deniz, and Johannes Kode. 2014. "Impediments to Security Sector Reform in Thailand." In *Security Sector Reform in Southeast Asia*, ed. Felix Heiduk. Basingstoke: Palgrave.
- Kohn, Richard H. 1997. "How Democracies Control the Military." *Journal Of Democracy* 8(4): 140–53.
- Kono, Daniel Yuichi, and Gabriella R Montinola. 2009. "Does Foreign Aid Support Autocrats, Democrats, or Both?" *The Journal of Politics* 71(02): 704–18.
- Krasner, Stephen D. 2010. "Revisiting 'the Second Image Reversed'." Paper prepared for a conference in honor of Peter Gourevitch, University of California, San Diego, April 23-24, 2010: 17.
- Kratochwil, Friedrich, and John Gerard Ruggie. 1986. "International Organization: a State of the Art on an Art of the State." *International Organization* 40(4): 753–75.
- Kuhonta, Erik Martinez, Dan Slater, and Tuong Vu. 2008. "Introduction: the Contributions of Southeast Asian Political Studies." In *Southeast Asia in Political Science: Theory, Region, and Qualitative Analysis*, Stanford University Press, 1–54.
- Kulsudjarit, Kongpetch. 2006. "Drug Problem in Southeast and Southwest Asia." *Annals of the New York Academy of Sciences* 1025(1): 446–57.
- Kummetha, Thaweeporn. 2014. "After 3 Years of Waiting, Supreme Court Spends 15 Seconds Reading Ruling on Somchai Neelapaijit Disappearance." Prachatai. <http://www.prachatai.com/english/node/3978> (June 25, 2014).
- Lagman, Edcel, and Walden Bello. 2012. *Republic Act 1053: An Act Defining and Penalizing Enforced or Involuntary Disappearance and for Other Purposes*. Official Gazette of the Government of the Republic of the Philippines. <http://www.gov.ph/2012/12/21/republic-act-no-10353/> (April 1, 2013)
- Lagniton, Francis. 2002. "Filipinos Satisfied with US Help - SWS." *Philippine Star*. <http://www.philstar.com/headlines/171103/filipinos-satisfied-us-help-sws> (January 10, 2013).
- Lai, Brian. 2003. "Examining the Goals of US Foreign Assistance in the Post-Cold War Period, 1991-96." *Journal of Peace Research* 40(1): 103–28.
- Lancaster, Carol. 2007. *Foreign Aid: Diplomacy, Development, Domestic Politics*. Chicago and London: The University of Chicago Press.
- Landau, M J. 2004. "Deliver Us From Evil: the Effects of Mortality Salience and Reminders of 9/11 on Support for President George W. Bush." *Personality and Social Psychology Bulletin* 30(9): 1136–50.
- Landler, Mark. 2001. "Philippines Offers U.S. Its Troops and Bases." *New York Times*: A5.
- Landler, Mark. 2012. "Obama Shows Support for Philippines in China Standoff." *The New York Times*. <http://www.nytimes.com/2012/06/09/world/asia/obama-shows-support-for-philippines-in-china-standoff.html> (November 11, 2013).
- Landman, Todd. 2005. "The Political Science of Human Rights." *British Journal of Political Science* 35(3): 549–72.
- Laothamas, Anek. 1992. *Business Associations and the New Political Economy of Thailand*. Boulder: Westview Press.
- Larkins, Christopher M. 1996. "Judicial Independence and Democratization: a Theoretical and Conceptual Analysis." *The American Journal of Comparative Law* 44(4): 605–26.
- Laude, Jaime. 2002. "GMA Issues 10-Point Guideline for Conduct of RP-US Games." *Philippine Star*. <http://www.philstar.com/headlines/148497/gma-issues-10-point-guideline-conduct-rp-us-%C2%91games%C2%92> (January 10, 2013).
- Laude, Jaime. 2004. "US, RP Will Remain Allies - Ricciardone." *Philippine Star*. <http://www.philstar.com/headlines/257689/us-rp-will-remain-allies-%C2%97-ricciardone> (January 10, 2013).
- Lebow, Richard New. 2010. *Forbidden Fruit: Counterfactuals and International Relations*. Princeton, New Jersey: Princeton University Press.

- Lee, Hyun Ju. 2011. “*The Impact of U.S. Foreign Aid on Human Rights Conditions in Post-Cold War Era.*” MPA Dissertation. Iowa State University.
- Leekpai, Chuan. 1993. “*Sunthonphot Khong Naiyokrachamontri Mang Krasuang Raengngan Lae Sawafikansangkhom.*” Banthit: 98–99.
- Legro, Jeffrey. 2005. *Rethinking the World: Great Power Strategies and International Order.* Ithaca, New York: Cornell University.
- Lehner, Urban C, and Cynthia Owens. 1992. “*Thai Premier Says Democracy Is Chief Concern.*” *The Wall Street Journal.*
- Lehrer, Jim, and Gloria Macapagal Arroyo. 2001. “*Newsmaker: Philippine President Gloria Arroyo.*” *PBS Newshour:* 1–4. [http://www.pbs.org/newshour/bb/asia-july-dec01-arroyo\\_11-19/](http://www.pbs.org/newshour/bb/asia-july-dec01-arroyo_11-19/) (February 1, 2012)
- Linantud, John L. 2008. “Pressure and Protection: Cold War Geopolitics and Nation-Building in South Korea, South Vietnam, Philippines, and Thailand.” *Geopolitics* 13(4): 635–56.
- Lobo, Fred M. 1999. *Fidel Valdez Ramos, the Centennial President: Vision, Action and Statesmanship.* Manila: Manila Bulletin.
- Locsin, Joel. 2001. “*Arroyo, Bush Swaps Congrats.*” *Manila Standard* 14(707): 1. (January 25, 2001)
- Lohman, Walter. 2011. “*Reinvigorating the U.S.– Thailand Alliance.*” 4999(2609): 11. [http://www.heritage.org/research/reports/2011/09/reinvigorating-the-u-s-thailand-alliance.](http://www.heritage.org/research/reports/2011/09/reinvigorating-the-u-s-thailand-alliance) (November 2012)
- Lopez, Leslie, and Shawn W Crispin. 2003. “*U.S. and Thai Agents Collaborate in Secret Cold-War-Style Alliance.*” *Wall Street Journal.* <http://online.wsj.com/article/SB106496138273373900.html> (July 11, 2013).
- Lucas, John. 1997. “The Politics of Business Associations in the Developing World.” *The Journal of Developing Areas* 32(1): 71–96.
- Lucas, Vanessa, Azadeh Shahshahani, Foreign Policy in Focus. 2014. “*How US Aid Fosters Human Rights Violations in the Philippines.*” *The Nation.* <http://www.thenation.com/blog/178453/how-us-aid-fosters-human-rights-violations-philippines> (May 22, 2014).
- Luebbert, Gregory M. 1991. *Liberalism, Fascism, or Social Democracy: Social Classes and the Political Origins of Regimes in Interwar Europe.* New York: Oxford University Press.
- Lum, Thomas. 2007. *U.S. Foreign Aid to East and South Asia: Selected Recipients.* Washington, DC: Congressional Research Service.
- Maaten, Jules, and Pauline Sanchez. 2011. “Aquino Administration’s Human Rights Direction: Traversing a Straight Path?.” *Observer: A Journal on Threatened Human Rights Defenders in the Philippines* 3(1): 1–4.
- Mahakanjana, Chandra-nuj. 2006. *Decentralization, Local Government, and Sociopolitical Conflict in Southern Thailand.* Washington, DC: East West Center Washington.
- Mahoney, James, and Dietrich Rueschemeyer. 2003. “Comparative Historical Analysis: Achievements and Agendas.” In *Comparative Historical Analysis in the Social Sciences*, New York: Cambridge University Press.
- Mallet, Victor. 1992. “Survey of Thailand (9): Low Profile Preferred - Foreign Relations.” *Financial Times:* p.34.
- Managbanag, Nicole J. 2014. “*Marcos-Era Human Rights Victims to Get P50,000 Payment Anew.*” *Sun Star.* <http://www.sunstar.com.ph/cagayan-de-oro/local-news/2014/01/14/marcos-era-human-rights-victims-get-p50000-323131> (June 12, 2014).
- Manihandu, Anuraj, and Nussara Sawatsawang. 1996. “Analysis / Thai-US Relations - First Among Equals.” *Bangkok Post:* (November 25, 1996). p.13.
- March, James G, and Johan P Olsen. 2006. “The Logic of Appropriateness.” In *The Oxford Handbook of Public Policy*, eds. Michael Moran, Martin Rein, and Robert E. Goodin. Oxford: Oxford University Press, 689–708.

- Maren, Michael. 1997. *The Road to Hell: the Ravaging Effects of Foreign Aid and International Charity*. New York: The Free Press.
- Marsh, Ian. 2006. "Democratization and State Capacity in East and Southeast Asia." *Taiwan Journal of Democracy* 2(2): 69–92.
- Mascarinas, Erwin. 2012. "Lumad Evacuees From Agusan Military Ops Seek Refuge in Butuan City." *interaksyon.com*. <http://www.interaksyon.com/article/28000/lumad-evacuees-from-agusan-military-ops-seek-refuge-in-butuan-city> (March 12, 2014).
- Mauzy, Diane K. 1997. "The Human Rights and 'Asian Values' Debate in Southeast Asia: Trying to Clarify the Key Issues." *Critical Asian Studies* 10(2): 210–36.
- Merueñas, Mark. 2011. "Pork Barrel – a Continuing Poison in the System." *Transparency Reporting Philippines*: 1–5. [http://www.transparencyreporting.net/index.php?option=com\\_content&...arrel-a-continuing-poison-in-the-system&catid=44:stories&Itemid=94](http://www.transparencyreporting.net/index.php?option=com_content&...arrel-a-continuing-poison-in-the-system&catid=44:stories&Itemid=94) (May 25, 2013).
- McCargo, Duncan, and Ukrist Pathmanand. 2005. *The Thaksinization of Thailand*. Copenhagen: Nordic Institute of Asian Studies.
- McCargo, Duncan. 1997. *Chamlong Srimuang and the New Thai Politics*. New York: St. Martin's Press.
- McCargo, Duncan. 1998. "Alternative Meanings of Political Reform in Contemporary Thailand." *The Copenhagen Journal of Asian Studies* 13(1): 5–30.
- McCargo, Duncan. 2002. "Democracy Under Stress in Thaksin's Thailand." *Journal Of Democracy* 13(4): 112–26.
- McCargo, Duncan. 2002. "Security, Development and Political Participation in Thailand: Alternative Currencies of Legitimacy." *Contemporary Southeast Asia* 24(1): 50–67.
- McCargo, Duncan. 2005. "Network Monarchy and Legitimacy Crises in Thailand." *The Pacific Review* 18(4): 499–519.
- McCargo, Duncan. 2008. *Tearing Apart the Land: Islam and Legitimacy in Southern Thailand*. Ithaca: Cornell University Press.
- McCarthy, Terry. 2000. "Trouble in Paradise." *Time Asia* 155(18). <http://www.cnn.com/ASIANOW/time/magazine/2000/0508/philippine.kidnapping.html?iref=allsearch> (January 1, 2014).
- McClincy, Meghan A. 2012. "A Blue Thai Affair: the Blue Diamond Affair'S Illustration of the Royal Thai Police Force's Standards of Corruption." *Penn State Journal of Law and International Affairs* 1(1): 182–201.
- McCoy, Alfred W, Cathleen B Read, and Leonard P Adams. 1972. *The Politics of Heroin in Southeast Asia*. New York: Harper & Row.
- McCoy, Alfred W. 1999. *Closer Than Brothers: Manhood at the Philippine Military Academy*. New Haven: Yale University Press.
- McCoy, Alfred. 2006. *A Question of Torture: CIA Interrogation, From the Cold War to the War on Terror*. New York City: Henry Holt and Company.
- McCoy, Alfred. 2009. *Policing America's Empire: the United States, the Philippines, and the Rise of the Surveillance State*. Wisconsin-Madison: University of Wisconsin-Madison Press.
- McKenna, Thomas M. 2006. *Muslim Rulers and Rebels: Everyday Politics and Armed Separatism in the Southern Philippines*. Berkeley; Los Angeles; Oxford: University of California Press.
- McMahan, Robert J. 1999. *The Limits of Empire: the United States and Southeast Asia Since World War II*. New York: Columbia University Press.
- Mearsheimer, John J, and Stephen M. Walt. 2013. "Leaving Theory Behind: Why Simplistic Hypothesis Testing Is Bad for International Relations." *European Journal of International Relations* 19(3): 427–57.
- Meernik, James, Eric L Krueger, and Steven C. Poe. 1998. "Testing Models of U.S. Foreign Policy: Foreign Aid During and After the Cold War." *The Journal of Politics* 60(01): 63–85.

- Melo, Jose. 2007. *The Melo Commission Report: Independent Commission to Address Media and Activist Killings (Created Under Administrative Order No. 157, Series of 2006)*. Manila: The Melo Commission, The Government of the Republic of the Philippines.
- Merry, Sally Engle. 2006. *Human Rights and Gender Violence: Translating International Law Into Local Justice*. Chicago: University of Chicago Press.
- Merton, Robert K. 1936. "The Unanticipated Consequences of Purposive Social Action." *American Sociological Review* 1(6): 894–904.
- Mertus, Julie A. 2008. *Bait and Switch: Human Rights and U.S. Foreign Policy*. 2nd ed. New York: Routledge.
- Merueñas, Mark. 2011. "Pork Barrel – a Continuing Poison in the System." Transparency Reporting Philippines: 1–5. [http://www.transparencyreporting.net/index.php?option=com\\_content&...arrel-a-continuing-poison-in-the-system&catid=44:stories&Itemid=94](http://www.transparencyreporting.net/index.php?option=com_content&...arrel-a-continuing-poison-in-the-system&catid=44:stories&Itemid=94) (May 25, 2013).
- Messick, Richard E. 1999. "Judicial Reform and Economic Development: a Survey of the Issues." *The World Bank Research Observer* 14(1): 117–36.
- Meyer, William H. 1996. "Human Rights and MNCs : Theory Versus Quantitative Analysis." *Human Rights Quarterly* 18(2): 368–97.
- Meyer, William H. 1998. *Human Rights and International Political Economy in Third World Nations: Multinational Corporations, Foreign Aid, and Repression*. Westwood, Connecticut: Praeger Security International.
- Mietzner, Marcus. 2011. "Conflict and Leadership: The Resurgent Political Role of the Military in Southeast Asia." In *The Political Resurgence of the Military in Southeast Asia: Conflict and Leadership*, Abingdon, Oxford: Routledge, 1–23.
- Millennium Challenge Corporation. 2010. "Millennium Challenge Compact Between the United States of America Acting Through the Millennium Challenge Corporation and the Republic of the Philippines." Millennium Challenge Corporation. <http://www.mcc.gov/documents/agreements/compact-philippines.pdf> (July 24, 2014).
- Miller, Brad. 2008. "Philippines: Mindanao Tribals Caught Between Army, Insurgents ." Inter Press Service. <http://www.ipsnews.net/2008/01/philippines-mindanao-tribals-caught-between-army-insurgents/> (June 27, 2013).
- Milner, Helen. 1997. *Interests, Institutions, and Information: Domestic Politics and International Relations*. Princeton, NJ: Princeton University Press.
- Moeran, Brian. 2001. "The Field of Asian Media Productions." In *Asian Media Productions* ed. Brian Moeran. London and New York: Routledge, 1–38.
- Mogato, Manny. 2002. "Beyond War Games." *Newsbreak*. <http://archives.newsbreak-knowledge.ph/2002/02/12/beyond-war-games/> (June 10, 2013).
- Montemayor, Jocelyn. 2001. "US Use of Former Bases Okayed." *Malaya* 20(242): (September 19, 2001) 1.
- Montlake, Simon. 2002. "Diplomatic Pitfalls Frustrate Thailand's Antidrug Fight." *The Christian Science Monitor*. [http://www.csmonitor.com/2002/1203/p07s02-wosc.html/\(page\)/3](http://www.csmonitor.com/2002/1203/p07s02-wosc.html/(page)/3) (June 12, 2014).
- Morada, Noel M. 2003. "Philippine-American Security Relations After 11 September: Exploring the Mutuality of Interests in the Fight Against International Terrorism." *Southeast Asian Affairs* 2003(1): 228–38.
- Morea, Gary J. 2008. "From Enduring Strife to Enduring Peace in the Philippines." *Military Review* (June): 38–48.
- Morgan, Stephen L, and Christopher Winship. 2007. *Counterfactuals and Causal Inference. Methods and Principles for Social Research*. Cambridge: Cambridge University Press.
- Morrison, Wayne M. 2013. *China's Economic Rise: History, Trends, Challenges, and Implications for the United States*. Washington, DC: Congressional Research Service.



- Muntarbhorn, Vitit. 2000. “*Human Rights and Human Development: Thailand Country Study.*” United Nations Development Program. [http://hdr.undp.org/sites/default/files/vitit\\_muntarbhorn-thailand.pdf](http://hdr.undp.org/sites/default/files/vitit_muntarbhorn-thailand.pdf) (March 17, 2014).
- Mutebi, Alex M. 2003. “Thailand in 2002: Political Consolidation Amid Economic Uncertainties.” *Asian Survey* 43(1): 101–12.
- Mutebi, Alex M. 2004. “Thailand in 2003: Riding High Again.” *Asian Survey* 44(1): 78–86.
- Mydans, Seth. 2003. “A Wave of Drug Killings Is Linked to Thai Police.” *The New York Times*: (April 8, 2003) 1–3.
- Nathan, Andrew J. 2012. “Capsule Review: Hard Interests, Soft Illusions: Southeast Asia and American Power.” *Foreign Affairs*. <http://www.foreignaffairs.com/articles/137962/natasha-hamilton-hart/hard-interests-soft-illusions-southeast-asia-and-american-power> (July 22, 2014).
- National Human Rights Commission of Thailand. 2004. 21 *Nakdosu-Pheau-Sithi-Manutsuchon* (‘21 Human Rights Defenders’). Bangkok: National Human Rights Commission, Thailand.
- Natsios, Andrew. 2006. “Focus on the Future of USAID: USAID in the Post-9/11 World.” *Foreign Service Journal*. (June 2006 Issue): 19-24
- Neumayer, Eric. 2003. “Is Respect for Human Rights Rewarded? an Analysis of Total Bilateral and Multilateral Aid Flows.” *Human Rights Quarterly* 25(2): 510–27.
- Nielsen, Richard A et al. 2011. “Foreign Aid Shocks as a Cause of Violent Armed Conflict.” *American Journal of Political Science* 55(2): 219–32.
- Nielsen, Suzanne C. 2005. “Civil-Military Relations Theory and Military Effectiveness.” *Public Administration and Management* 10(2): 61–84.
- Norwegian Refugee Council. 2002. “*More Filipinos Displaced in War on Terror - Philippines.*” Relief Web / OCHA. <http://reliefweb.int/report/philippines/more-filipinos-displaced-war-terror> (June 6, 2014).
- Nurakkate, Chumphot. 2012. “*The Conflict in Southern Thailand.*” Centre for Defence and Strategic Studies - Shedden Papers. [http://www.defence.gov.au/ADC/docs/Publications2012/SheddenPapers12\\_120306\\_ConflictinThailand\\_Nurakkate.pdf](http://www.defence.gov.au/ADC/docs/Publications2012/SheddenPapers12_120306_ConflictinThailand_Nurakkate.pdf) (June 26, 2014).
- Obama, Barack. 2011. “Remarks by President Obama to the Australian Parliament.” <http://www.whitehouse.gov/the-press-office/2011/11/17/remarks-president-obama-australian-parliament> (December 1, 2012)
- Obama, Barack. 2013. “*Barack Obama: Press Briefing by Press Secretary Jay Carney.*” The American Presidency Project - Online by Gerhard Peters and John T. Woolley. <http://www.presidency.ucsb.edu/ws/index.php?pid=103990&st=philippines&st1=> (August 28, 2013).
- Office of the Narcotics Control Board, Justice Ministry of Thailand. 2003. “*‘War on Drugs’ Concept and Strategy.*” Office of the Narcotics Control Board Ministry of Justice, Thailand. <http://www.ahrn.net/Evidence/ONCB%20-%20War%20on%20Drugs.pdf> (May 25, 2014).
- Office of the Presidential Adviser on the Peace Process. 2013. “*Guidebook on Conflict-Sensitive and Peace- Promoting Local Development Planning.*” OPAPP Manila and UNDP. [http://www.undp.org/content/philippines/en/home/library/crisis\\_prevention\\_and\\_recovery/guidebook-on-conflict-sensitive-and-peace--promoting-local-devel/](http://www.undp.org/content/philippines/en/home/library/crisis_prevention_and_recovery/guidebook-on-conflict-sensitive-and-peace--promoting-local-devel/) (March 8, 2014).
- Official Gazette of the Government of the Republic of the Philippines. 2012. “*Philippine Government Action Plan for the Open Government Partnership.*” Official Gazette of the Republic of the Philippines: 1–13. <http://www.gov.ph/downloads/2011/09sep/Draft-Philippine-OGP-Action-Plan.pdf> (March 5, 2014).
- Olea, Ronalyn V. 2004. “Proposed 2004 National Budget: A Sign of Insecurity.” *Bulatlat*. <http://www.bulatlat.com/news/3-29/3-29-budget.html> (June 5, 2014).
- Olea, Ronalyn V. 2009. “*US Congress Withholds Military Aid to the Philippines Due to Human Rights Abuses.*” *Bulatlat*. <http://bulatlat.com/main/2009/11/05/us-congress-withholds-military-aid-to-the-philippines-due-to-human-rights-abuses/> (July 22, 2014).

- Olsen, Tricia D, Leigh A Payne, and Andrew G Reiter. 2010. "The Justice Balance: When Transitional Justice Improves Human Rights and Democracy." *Human Rights Quarterly* 32(4): 980–1007.
- Oneal, John R., and Anna Lillian Bryan. 1995. "The Rally 'Round the Flag Effect in U.S. Foreign Policy Crises, 1950-1985." *Political Behavior* 17(4): 379–401.
- Ong, Perry S, and Nina Ingle. 2011. "A National Treasure: Leonard L. Co (1953-2010)." *Social Science Diliman* 7(1): 117–19.
- Ople, Blas F. 1994. *Global but Parochial: Selected Writings and Speeches on Foreign Policy*. Quezon City: Institute for Public Policy.
- Orentlicher, Diane F. 1991. "Settling Accounts: the Duty to Prosecute Human Rights Violations of a Prior Regime." *The Yale Law Journal*: 2537–2615.
- Oreta, Jennifer Santiago, Alma Maria O Salvador, and Kathline Anne Sigua Tolosa. 2012. *Friedrich Ebert Stiftung Defense Budget and Spending: Alignment and Priorities (Philippine Defense Spending 2001 to 2012)*. Metro Manila: Friedrich Ebert Stiftung / AusAID/ Ateneo De Manila University-Department of Political Science.
- Owen IV, John M. 2010. *The Clash of Ideas in World Politics: Transnational Networks, States, and Regime Change, 1510-2010*. Princeton, New Jersey: Princeton University Press.
- Painter, Martin. 2006. "Thaksinisation or Managerialism? Reforming the Thai Bureaucracy." *Journal of Contemporary Asia* 36(1): 26–47.
- Pamintuan, Ana Marie. 2003. "A Two-Way Street." *Philippine Star*. <http://www.philstar.com/opinion/224477/two-way-street> (January 10, 2013).
- Panasornprasit, Chookiat. 2004. "Thailand: Politicized Thaksinization." *Southeast Asian Affairs*: 257–66. <http://www.jstor.org/stable/10.2307/27913264> (January 18, 2013).
- Pangalangan, Raul C. 2011. "Human Rights Discourse in Post-Marcos Philippines." In *Human Rights in Asia*, eds. Thomas Davis and Brian Galligan. Cheltenham and Northampton: Edward Elgar, 56–69.
- Pathmanand, Ukrist. 2001. "Globalization and Democratic Development in Thailand: the New Path of the Military, Private Sector, and Civil Society." *Contemporary Southeast Asia* 23(1): 24–42.
- Pathmanand, Ukrist. 2006. "Thaksin's Achilles' Heel: the Failure of Hawkish Approaches in the Thai South." *Critical Asian Studies* 38(1): 73–93.
- Patino, Patrick, and Djinora Velasco. 2004. "Electoral Violence in the Philippines." Friedrich Ebert Stiftung. <http://library.fes.de/pdf-files/bueros/philippinen/50071.pdf> (September 4, 2012).
- Pattugalan, Gina Rivas. 1999. "A Review of Philippine Foreign Policy Under the Ramos Administration." *Kasarinlan: Philippine Journal of Third World Studies* 14(3).
- Pegram, Thomas. 2010. "Diffusion Across Political Systems: the Global Spread of National Human Rights Institutions." *Human Rights Quarterly* 32(3): 729–60.
- Penney, Joe. 2011. "The 'War on Terror' Rages in the Philippines." *Al Jazeera*. <http://www.aljazeera.com/indepth/inpictures/2011/10/2011104145947651645.html> (June 26, 2013).
- Perlez, Jane. 1999. "Thais Show Albright the Fruits of American Aid: Meaningful Jobs and Legal Crops." *The New York Times*: p.A14. (March 4, 1999)
- Petras, James. 1997. "Imperialism and NGOs in Latin America." *Monthly Review* 49(7): 10–27.
- Petras, James, and Henry Veltmeyer. 2002. "Age of Reverse Aid: Neo-Liberalism as Catalyst of Regression." *Development and Change* 33(2): 281–93.
- Pew Research Center. 2013. "Philippines: Opinion of the United States - Global Indicators Database." *Pew Research Center*. <http://www.pewglobal.org/database/indicator/1/country/173/> (June 18, 2014).
- Phasuk, Sunai. "Interview with Sunai Phasuk - Human Rights in Thailand" Interviewed by Salvador Santino Regilme Jr. (November 2, 2013)

- Philippine Commission on Human Rights. 2000. “*On the Revival of the Civilian Armed Forces Geographical Units (CAFGUs)*.” Commission on Human Rights. [http://www.chr.gov.ph/MAIN%20PAGES/about%20hr/advisories/pdf\\_files/abthr009.pdf](http://www.chr.gov.ph/MAIN%20PAGES/about%20hr/advisories/pdf_files/abthr009.pdf) (October 25, 2013).
- Philippine Commission on Human Rights. 2009. “CHR\_A2009-172: ‘in the Matter of the Disappearance and/or Arrest and Detention of Muhamidya K. Hamja’.” *Commission on Human Rights*. [http://www.chr.gov.ph/MAIN%20PAGES/about%20hr/position%20papers/Reso\\_CHR\\_A2009-172.htm](http://www.chr.gov.ph/MAIN%20PAGES/about%20hr/position%20papers/Reso_CHR_A2009-172.htm) (June 27, 2013).
- Philippine Daily Inquirer. 2011. “What Went Before: Abduction of UP Students Karen Empeño and Sherlyn Cadapan.” *Inquirer News*. <http://newsinfo.inquirer.net/112599/what-went-before-abduction-of-up-students-karen-empeno-and-sherlyn-cadapan> (June 25, 2013).
- Philippine Daily Inquirer. 2012. “*What Went Before: the ‘Davao Death Squad’*.” *Inquirer News*. <http://newsinfo.inquirer.net/297514/what-went-before-the-davao-death-squad> (June 24, 2013).
- Philippine Presidential Management Staff. 2003. *Beating the Odds: Major Accomplishments of the Arroyo Administration*. Manila: Philippine Presidential Management Staff, Office of the President of the Republic of the Philippines.
- Philippine Star. 2003a. “AFP Calls for More US Aid to Buy Weapons vs Terror.” *Philippine Star*. <http://www.philstar.com/headlines/206899/afp-calls-more-us-aid-buy-weapons-vs-terror> (January 10, 2013).
- Philippine Star. 2003b. “US Military Aid at Highest Level.” *Philippine Star*. <http://www.philstar.com/headlines/230680/us-military-aid-highest-level> (January 10, 2013).
- Philippine Star. 2006. “*US Intelligence Chief Praises RP Commitment to Democracy*.” *Philippine Star*. <http://www.philstar.com/headlines/319963/us-intelligence-chief-praises-rp-commitment-democracy> (January 10, 2013).
- Philippine Star. 2007. “*Militants Slam Negroponte Visit, US Intervention in SE Asia*.” *Philippine Star*. <http://www.philstar.com/nation/10020/militants-slam-negroponte-visit-us-intervention-se-asia> (January 10, 2013).
- Philpott, Daniel. 2001. *Revolutions in Sovereignty: How Ideas Shaped Modern International Relations*. Princeton, New Jersey: Princeton University Press.
- Phongpaichit, Pasuk, and Chris Baker. 1995. *Thailand, Economy and Politics*. Kuala Lumpur: Oxford University Press.
- Phongpaichit, Pasuk, and Chris Baker. 2008a. “Thailand: Fighting Over Democracy.” *Economic and Political Weekly* 43(50).
- Phongpaichit, Pasuk, and Chris Baker. 2008b. “Thaksin's Populism.” *Philippine Political Science Journal* 38(1): 62–83.
- Phongpaichit, Pasuk, and Sungsidh Piriyarangsana. 1996. *Corruption and Democracy in Thailand*. Chiang Mai, Thailand: Silkworm Books.
- Phongpaichit, Pasuk. 2004. *Thailand Under Thaksin: Another Malaysia?*. Perth pp. 1-12: Asia Research Centre, Murdoch University.
- Pobre, Cesar P. 2000. *History of the Armed Forces of the Filipino People*. Quezon City, Metro Manila: New Day Publishers.
- Poe, Steven C. 1990. “Human Rights and US Foreign Aid: a Review of Quantitative Studies and Suggestions for Future Research.” *Human Rights Quarterly* 12(4): 499–512.
- Poe, Steven C. Poe, C. Neal Tate, and Lind Camp Keith. 1999. “Repression of the Human Right to Personal Integrity Revisited: A Global Cross-National Study Covering the Years 1976-1993.” *International Studies Quarterly* 43(2): 291–313.
- Poe, Steven C., and C. Neal Tate. 1994. “Repression of Human Rights to Personal Integrity in the 1980s: a Global Analysis.” *American Political Science Review* 88(4): 853–72.
- Pongsudhirak, Thitinan. 2003. “Thailand: Democratic Authoritarianism.” *Southeast Asian Affairs*: 277–90.

- Porcalla, Delon. 2011. "Palace Ignores WikiLeaks Report on Noy's "Unassertive" Character." *Philippine Star*. <http://www.philstar.com/headlines/723579/palace-ignores-wikileaks-report-noys-unassertive-character> (September 10, 2014).
- Priest, Dana, and William M Arkin. 2011. *Top Secret America: the Rise of the New American Security State*. New York: Little, Brown, and Company.
- Przeworski, Adam, Michael E. Alvarez, Jose A. Cheibub, and Fernando Limongi. 1996. "What Makes Democracies Endure?" *Journal of Democracy* 7(1): 39–55.
- Purdum, Todd S. 1996. "Clinton Hails Thais in Visit at Conclusion of Asia Trip." *The New York Times*: 1–1. (November 27, 1996)
- Putnam, Robert D. 1988. "Diplomacy and Domestic Politics: the Logic of Two-Level Games". *International Organization* 42(03): 427–60.
- Qian, Nancy. 2014. "Making Progress on Foreign Aid." *Annual Review of Economics* 3. Doi:10.1146/annurev-economics-080614-115553
- Quimpo, Nathan Gilbert. 2007. *The US and the Southern Philippines' Quagmire*. Asia Research Centre, Murdoch University.
- Quimpo, Nathan Gilbert. 2008. *Contested Democracy and the Left in the Philippines After Marcos*. Manila: Ateneo University Press.
- Racelis, Mary. 2000. "New Visions and Strong Actions: Civil Society in the Philippines." In Ottaway, M. and T. Carothers (eds). *Funding Virtue: Civil Society Aid Democracy Promotion*. Washington, DC: Carnegie Endowment for International Peace, 159–87.
- Radyo ng Bayan Quezon City. 1992. "Ramos Interviewed on His Leadership Strategy." (July 5, 1992): 1–10.
- Ralph, Jason. 2013. *America's War on Terror: the State of the 9/11 Exception From Bush to Obama*. Oxford: Oxford University Press.
- Ramos, Fidel V. 1995. "Fidel v. Ramos, Fourth State of the Nation Address, July 24, 1995 - 'the Best Is Soon to Come'." Official Gazette of the Republic of the Philippines. <http://www.gov.ph/1995/07/24/fidel-v-ramos-fourth-state-of-the-nation-address-july-24-1995/> (July 21, 2014).
- Ramos, Fidel V. 1998. *Developing as a Democracy: Reform and Recovery in the Philippines, 1992-1998*. New York: Houndmills, Macmillan, St. Martin's Press.
- Ramos, Fidel V. 2010. "Democratic Control of the Armed Forces: Lessons From East Asia." *Asia-Pacific Review* 8(1): 37–41.
- Ramos, Fidel V. 2013. *Nation-Building Is Never-Ending*. Manila: Ramos Peace and Development Foundation.
- Rauhala, Emily. 2010. "The Maguindanao Massacre: Still No Justice One Year Later." *Time Magazine*. <http://www.time.com/time/world/article/0,8599,2032802,00.html> (June 23, 2013).
- Regalado, Edith. 2007. "CIA, FBI, Aussie Agents Operating in South." *Philippine Star*. <http://www.philstar.com/headlines/380828/cia-fbi-aussie-agents-operating-south-%C2%97-afp> (November 11, 2013).
- Regalado, Edith. 2012. "Dabawenyos Dismiss CHR Findings vs Duterte." *Philippine Star*. <http://www.philstar.com/nation/2012/08/17/838902/dabawenyos-dismiss-chr-findings-vs-duterte> (June 24, 2013).
- Regilme, Salvador Santino F, Jr. 2014a. "Bringing the Global Political Economy Back in: Neoliberalism, Globalization, and Democratic Consolidation." *International Studies Perspectives* 15(3): 277–96.
- Regilme, Salvador Santino, Jr. 2014b. "The Social Science of Human Rights: the Need for a 'Second Image' Reversed?" *Third World Quarterly* 35(8): 1390-1405.
- Reid, Robert H. 1992. "Philippines Looking for Better Relations Under Clinton Presidency." (November 5, 1992) *The Associated Press*.
- Remmer, Karen L. 2004. "Does Foreign Aid Promote the Expansion of Government?." *American Journal of Political Science* 48(1): 77–92.

- Reus-Smit, Christian. 2011. "The Contours of Analytical Eclecticism." *Paper presented at Einaudi Center for International Studies, Cornell University on October 14-15, 2011.* <http://pacs.einaudi.cornell.edu/system/files/ReusSmit-PKFest1.pdf> (July 2, 2012).
- Reus-Smit, Christian. 2012. "International Relations, Irrelevant? Don't Blame Theory." *Millenium Journal of International Studies* 40(3): 525–40.
- Reuters. 1991. "US Urges Thailand to Restore Democracy." (March 6, 1991) Reuters. [http://global.factiva.com/aa/?ref=lba0000020011124dn3601c77&pp=1&fcpil=en&napc=p&sa\\_from=](http://global.factiva.com/aa/?ref=lba0000020011124dn3601c77&pp=1&fcpil=en&napc=p&sa_from=) (April 1, 2013)
- Reuters. 2014. "Philippines, Muslim Rebels Sign Final Peace Deal to End Conflict." Reuters. <http://www.reuters.com/article/2014/03/27/us-philippines-rebels-idUSBREA2Q1W220140327> (May 22, 2014).
- Rhum, Michael R. 1996. "'Modernity' and 'Tradition' in 'Thailand'." *Modern Asian Studies* 30(02): 325.
- Richardson, Michael. 1993. "Washington's Emphasis on Human Rights Issues Could Hurt Relations: Value Clash Looms for U.S. and Asia." *The New York Times.* <http://www.nytimes.com/1993/05/03/news/03iht-clas.html> (April 21, 2014).
- Riggs, Fred Warren. 1966. *Thailand: the Modernization of a Bureaucratic Polity.* Hawaii, Manoa: University of Hawaii Press.
- Risse, Thomas. 1995. "Bringing Transnational Relations Back in: Introduction." In *Bringing Transnational Relations Back in: Non-State Actors, Domestic Structures and International Institutions*, ed. Thomas Risse. Cambridge, UK: Cambridge University Press, 3–36.
- Risse, Thomas, and Kathryn Sikkink. 1999. "The Socialization of International Human Rights Norms Into Domestic Practices: Introduction" In *The Power of Human Rights International Norms and Domestic Change*, eds. Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink. Cambridge, UK: Cambridge University Press, 1–38.
- Risse, Thomas, Stephen C. Ropp, and Kathryn Sikkink. Eds. 1999. *The Power of Human Rights: International Norms and Domestic Change.* eds. Cambridge, UK: Cambridge University Press.
- Risse, Thomas, Stephen C. Ropp, and Kathryn Sikkink.(ed). 2013. *The Persistent Power of Human Rights: From Commitment to Compliance.* New York City: Cambridge University Press.
- Risse, Thomas. 2000. "'Let's Argue!': Communicative Action in World Politics." *International Organization* 54(1): 1–39.
- Rivera, Temario C. 2005. "The Philippines in 2004: New Mandate, Daunting Problems." *Asian Survey* 45(1): 127–33.
- Robinson, William I. 1996. *Promoting Polyarchy: Globalization, US Intervention, and Hegemony.* Cambridge: Cambridge University Press.
- Rodriguez, Robyn, and Nerissa S Balce. 2004. "American Insecurity and Radical Filipino Community Politics." *Peace Review: A Journal of Social Justice* 16(2): 131–40.
- Rodrik, Dani. 1999. "The Asian Financial Crisis and the Virtues of Democracy." *Challenge* 42(4): 44–59.
- Romero, Alexis. 2013. "Army Reaffirms Commitment to Human Rights." *Philippine Star.* <http://www.philstar.com/headlines/2013/12/02/1263421/army-reaffirms-commitment-human-rights> (December 2, 2013).
- Romero, Paolo. 2007. "1st Targets: Rogue AFP, Red Terrorists." *Philippine Star.* <http://www.philstar.com/headlines/5028/1st-targets-rogue-afp-red-terrorists> (January 10, 2013).
- Romualdez, Babe. 2003. "Bright Future for RP-US Relations." *Philippine Star.* <http://www.philstar.com/opinion/207453/bright-future-rp-us-relations> (January 10, 2013).
- Ronas, Malaya C. 2013. "The Philippines in 2012: Pursuit of Good Governance, Improved Business Confidence, Strained Relations with China." *Philippine Political Science Journal* 34(2): 188–98.
- Rosenthal, A M. 1995. "Asia Can Do Democracy and Prosperity at the Same Time." *The Gazette – Quebec* (December 13, 1995) p. B3.

- Russett, Bruce. 1993. *Grasping the Democratic Peace: Principles for a Post-Cold War World*. Princeton, New Jersey: Princeton University Press.
- Sales, Peter M. 2009. "State Terror in the Philippines: the Alston Report, Human Rights and Counter-Insurgency Under the Arroyo Administration." *Contemporary Politics* 15(3): 321–36.
- Samarasinghe, S W R De A. 1994. *Democracy and Democratization in Developing Countries*. Boston: Data for Decision Making Project, Harvard School of Public Health.
- Samudavanija, Chai-Anan. 1997. "Old Soldiers Never Die, They Are Just Bypassed: the Military, Bureaucracy, and Globalisation." In *Political Change in Thailand: Democracy and Participation*, London: Routledge, 42–57.
- San Juan, E Jr. 2007. *U.S. Imperialism and Revolution in the Philippines*. Basingstoke: Palgrave Macmillan.
- Sandoval, Gerardo, Mahar Mangahas, and Linda Luz Guerrero. 1998. "The Situation of the Filipino Youth: a National Survey." Paper presented at the 14th World Congress of Sociology, Working Group 3 / Sociology of Childhood at Montreal Canada on July 26 - August 1, 1998. <http://www.sws.org.ph/youth.htm> (March 8, 2014).
- Santolan, Joseph. 2012. "Impeachment Trial of Chief Justice Opens in the Philippines." WSWS/International Committee of the Fourth International. <http://www.wsws.org/en/articles/2012/01/phil-j16.html> (March 6, 2014).
- Santos, Matikas. 2014. "US, Canada Laud PH-MILF Peace Deal." Inquirer. <http://globalnation.inquirer.net/97867/us-canada-laud-ph-milf-peace-deal> (May 24, 2014).
- Santos, Tina G. 2013. "US Hails Aquino Admin's Commitment to Human Rights." Inquirer Global Nation. <http://globalnation.inquirer.net/20623/us-hails-aquino-admin%E2%80%99s-commitment-to-human-rights> (November 18, 2013).
- Savun, Burcu, and Daniel C. Tirone. 2011. "Foreign Aid, Democratization, and Civil Conflict: How Does Democracy Aid Affect Civil Conflict?" *American Journal of Political Science* 55(2): 233–46.
- Schirmer, Daniel B. 1997. *Fidel Ramos - the Pentagon's Philippine Friend, 1992-1997*. Durham, North Carolina: Friends of the Filipino People.
- Schmidt, Vivien A. 2008. "Discursive Institutionalism: the Explanatory Power of Ideas and Discourse." *Annual Review of Political Science* 11(1): 303–26.
- Schmitz, Hans Peter. 2004. "Domestic and Transnational Perspectives on Democratization." *International Studies Review* 6(3): 403–26.
- Senate of the Philippines. 2007. "Loren Warns Manobo Evacuees Face Humanitarian Disaster." Senate, Government of the Republic of the Philippines. [http://www.senate.gov.ph/press\\_release/2007/1203\\_legarda1.asp](http://www.senate.gov.ph/press_release/2007/1203_legarda1.asp) (July 2, 2013).
- Shalom, Stephen R. 1977. "Counter-Insurgency in the Philippines." *Journal of Contemporary Asia* 7(2): 153–77.
- Shatkin, Gavin. 2000. "Obstacles to Empowerment: Local Politics and Civil Society in Metropolitan Manila, the Philippines." *Urban Studies* 37(12): 2357–75.
- Shinawatra, Thaksin. 2003. Prime Minister's Order No. 29/2546Re: the Fight to Overcome Narcotic Drugs. Bangkok: Office of the Prime Minister of Thailand.
- Shleifer, Andrei. 2009. "Peter Bauer and the Failure of Foreign Aid." *Cato Journal* 29(3): 379–90.
- Shor, Eran. 2008. "Conflict, Terrorism, and the Socialization of Human Rights Norms: the Spiral Model Revisited." *Social Problems* 55(1): 117–38.
- Shor, Eran et al. 2014. "Terrorism and State Repression of Human Rights: a Cross-National Time-Series Analysis." *International Journal of Comparative Sociology*.
- Sidel, John T. 1999. *Capital, Coercion, and Crime: Bossism in the Philippines*. Stanford, CA: Stanford University Press.
- Sidel, John T. 2004. "Bossism and Democracy in the Philippines, Thailand, and Indonesia: Towards an Alternative Framework for the Study of 'Local Strongmen'." In *Politicising*

*Democracy: the New Local Politics of Democratisation*, eds. John Harris, Kristin Stokke, and Olle Tornquist. Basingstoke, UK: Palgrave Macmillan, 51–74.

- Sidel, John T. 2007. *The Islamist Threat in Southeast Asia: a Reassessment*. Washington, DC: East-West Center.
- Sikkink, K, and C B Walling. 2007. “The Impact of Human Rights Trials in Latin America.” *Journal of Peace Research* 44(4): 427–45.
- Sikkink, Kathryn. 2004. *Mixed Signals: U.S. Human Rights Policy and Latin America*. Ithaca, New York: Cornell University Press.
- Sikkink, Kathryn. 2011. *The Justice Cascade: How Human Rights Prosecutions Are Changing World Politics*. New York: W.W. Norton & Company.
- Sil, Rudra, and Peter J. Katzenstein. 2010. “Analytic Eclecticism in the Study of World Politics: Reconfiguring Problems and Mechanisms Across Research Traditions.” *Perspectives on Politics* 8(02): 411–31.
- Silliman, G Sidney, and Lela Garner Garner. 1998. “Introduction.” In *Organizing for Democracy: NGOs, Civil Society, and the Philippine State*, eds. G Sidney Silliman and Lela Garner Garner. Honolulu: University of Hawaii Press, 3–25.
- Silliman, G Sidney. 1994. “Human Rights and the Transition to Democracy.” In *Patterns of Power and Politics in the Philippines: Implications for Development*, eds. James F Eder and Robert L Youngblood. Tempe, Arizona: Program for Southeast Asian Studies, Arizona State University, 103–46.
- Simmons, Beth A. 2000. “International Law and State Behavior: Commitment and Compliance in International Monetary Affairs.” *The American Political Science Review* 94(4): 819–35.
- Simmons, Beth A. 2002. “Why Commit? Explaining State Acceptance of International Human Rights Obligations.” Department of Political Science, University of California-Berkeley: 1–38. [http://www.wcfia.harvard.edu/sites/default/files/752\\_\\_SimmonsWhyCommit.pdf](http://www.wcfia.harvard.edu/sites/default/files/752__SimmonsWhyCommit.pdf) (February 6, 2013).
- Simon, Sheldon W. 2002. *Southeast Asia and the U.S. War on Terrorism*. Seattle, Washington: The National Bureau of Asian Research.
- Simon, Sheldon W. 2003. “U.S.-Southeast Asia Relations: Southeast Asia Solidifies Antiterrorism Support, Lobbies for Postwar Iraq Reconstruction.” *Comparative Connections A Quarterly E-Journal on East Asian Bilateral Relations*: 11.
- Singh, Bilveer. 2007. *The Talibanization of Southeast Asia: Losing the War on Terror to Islamist Extremists*. Westport, CT: Praeger Security International.
- Sisante, Johanna Camille. 2008. “601 Activists Killed Under Arroyo's Version of Oplan Bantay Laya - Solon.” *GMA News Online*: 1–2. <http://www.gmanetwork.com/news/story/135283/news/nation/601-activists-killed-under-arroyo-s-version-of-oplan-bantay-laya-solon> (June 5, 2013).
- Skocpol, Theda. 1979. *States and Social Revolutions: a Comparative Analysis of France, Russia, and China*. Cambridge: Cambridge University Press.
- Slater, Dan. 2005. “*Ordering Power: Contentious Politics, State-Building, and Authoritarian Durability in Southeast Asia*.” PhD Dissertation, Political Science. Emory University.
- Slater, Dan. 2010. *Ordering Power: Contentious Politics and Authoritarian Leviathans in Southeast Asia*. New York: Cambridge University Press.
- Snitwongse, Kusuma. 2001. “Thai Foreign Policy in the Global Age: Principle or Profit?.” *Contemporary Southeast Asia* 23(2): 189–212.
- Social Weather Station. 2001. “SWS: Media Release: Filipinos, Much Worried About Terrorism, Offer Mainly Moral Support to the US.” *Social Weather Station*: 1–4. <http://www.sws.org.ph/pr122801.htm> (May 16, 2013).
- Social Weather Station. 2010. “*Third Quarter 2010 Social Weather Survey: Net Satisfaction with General Performance of National Administration Is a Record-High ‘Very Good’ +64.*” Social Weather Station. <http://www.sws.org.ph/pr20101202.htm> (March 5, 2014).

- Social Weather Station. 2012. “*The 2012 SWS Annual Survey Review.*” Social Weather Station. <http://www.sws.org.ph/pr20120118.htm> (March 5, 2014).
- Soliven, Max V. 2003. “*\$1-Billion Military Aid Package May Await GMA's State Visit to Washington, DC.*” Philippine Star. <http://www.philstar.com/opinion/203538/1-billion-military-aid-package-may-await-gma%20s-state-visit-washington-dc> (January 10, 2013).
- South China Morning Post. 1998. “Chuan's Trip to US Pays Dividends in Shape of Aid.” South China Morning Post. (March 15, 1998)
- Spetalnick, Matt. 1993. “Clinton Declares New Era in Pacific Rim Relations.” *Reuters*. (November 21, 1993)
- Steinmetz, George. 2003. “The State of Emergency and the Revival of American Imperialism: Toward an Authoritarian Post-Fordism.” *Public Culture* 15(2): 323–45.
- Stockwell, Tony. 2000. “Thailand's Modernising Monarchs.” *History Today* 50 (7): 10.
- Stone, Deborah A. 1989. “Causal Stories and the Formation of Policy Agendas.” *Political Science Quarterly* 104(2): 281–300.
- Storey, Ian. 2007. *Ethnic Separatism in Southern Thailand: Kingdom Fraying at the Edge?* Hawaii: Asia-Pacific Center for Security Studies.
- Stritzel, H. 2012. “Securitization, Power, Intertextuality: Discourse Theory and the Translations of Organized Crime.” *Security Dialogue* 43(6): 549–67.
- Subramaniam, Surain. 2010. “The Asian Values Debate: Implications for the Spread of Liberal Democracy.” *Asian Affairs* 27(1): 19–35.
- Sutter, Robert. 2009. “The Obama Administration and US Policy in Asia.” *Contemporary Southeast Asia* 31(2): 189-216.
- Svensson, Jakob. 2000. “Foreign Aid and Rent Seeking.” *Journal of International Economics* 51: 437–61.
- Sy, Marvin, and Benjie Villa. 2004. “*CPP, NPA Want Arroyo to Ask US, Europe to Take Them Off Terror Lists.*” Philippine Star. <http://www.philstar.com/headlines/260825/cpp-mpa-want-arroyo-ask-us-europe-take-them-terror-lists> (January 10, 2013).
- Talosig, Malou. 2001a. “*Arroyo, US Defense Officials Meet on ACSA.*” (November 18, 2001) *Today* (2844): 1–1.
- Talosig, Malou. 2001b. “*RP, US ‘Reviving’ ACSA Basing Pact.*” (November 16, 2001) *Today* (2843): 1.
- Talosig, Malou. 2001c. “*State Dept Seeks Biggest US Military Aid Since 1991.*” (July 28, 2001) *Today* (2732): 1–1.
- Tarrow, Sidney. 2010. “The Strategy of Paired Comparison: Toward a Theory of Practice.” *Comparative Political Studies* 43(2): 230–59.
- Task Force Detainees of the Philippines. 1998. “*Philippines: Political Prisoners, the Forgotten Heroes.*” Task Force Detainees of the Philippines. <http://www.hrsolidarity.net/mainfile.php/1998vol08no08/1626/?print=yes> (October 23, 2013).
- Tat, Ho Kay. 1993. “U.S. Links Human Rights to Asian Security.” (May 15, 1993) *Reuters*: 1–2.
- Tetlock, Philip E, and Aaron Belkin. 1996. “Counterfactual Thought Experiments in World Politics: Logical, Methodological, and Psychological Perspectives.” In *Counterfactual Thought Experiments in World Politics: Logical, Methodological, and Psychological Perspectives*, Princeton, New Jersey: Princeton University Press, 1–38.
- Teves, Oliver. 2010. “*Aquino Promises Justice as Philippines President.*” Associated Press. [http://www.apnewsarchive.com/2010/Aquino-promises-justice-as-Philippines-president/id-f077c3b9ee7a4033b9ef3e6d7266e19e?SearchText=philippines%20united%20states%20human%20rights;Display\\_](http://www.apnewsarchive.com/2010/Aquino-promises-justice-as-Philippines-president/id-f077c3b9ee7a4033b9ef3e6d7266e19e?SearchText=philippines%20united%20states%20human%20rights;Display_) (January 7, 2013).
- Thai Ministry of Defence. 1994. *The Defence of Thailand*. Bangkok: Thai Defence Ministry - Supreme Command Headquarters.
- The Asia Foundation. 2002. *The Asia Foundation: Bilateral Conference on United States-Thailand Relations in the 21st Century*. Washington, DC: The Asia Foundation



- The Economist. 2008. “*The Thai Police: a Law Unto Themselves.*” The Economist. <http://www.economist.com/node/11058580> (April 29, 2014).
- The Filipino Express. 1997. “No More Bases: Envoy Says U.S. Is Not Interested in Building in Mindanao.” (January 27, 1997) *The Filipino Express* – Jersey City, USA. P.4
- The Nation - Thailand. 2001a. “*No Red Carpet for Thaksin in the US.*” The Nation - Thailand. <http://www.nationmultimedia.com/opinion/No-red-carpet-for-Thaksin-in-the-US-52715.html> (July 14, 2013a).
- The Nation - Thailand. 2001b. “*Thailand and Terror: US Shift May Take Heat Off Narcotics.*” The Nation - Thailand. <http://www.nationmultimedia.com/The%20Region/THAILAND-AND-TERROR-US-shift-may-take-heat-off-nar-51288.html> (July 14, 2013b).
- The Nation - Thailand. 2001c. “*War on Terror Divides South East Asian Grouping.*” The Nation - Thailand. <http://www.nationmultimedia.com/opinion/War-on-terror-divides-S-East-Asian-grouping-49774.html> (July 14, 2013c).
- The Nation - Thailand. 2003a. “*Thaksin Sets Up 2 Panels to Monitor Drug War.*” The Nation - Thailand. <http://www.nationmultimedia.com/home/Thaksin-sets-up-2-panels-to-monitor-drug-war-74831.html> (May 25, 2014a).
- The Nation - Thailand. 2003b. “*War on Drugs: Police Chief: Govt Blacklist Flawed.*” Asian Tribune. <http://www.asiantribune.com/news/2003/02/26/war-drugs-police-chief-govt-blacklist-flawed> (June 15, 2014b).
- The New York Times. 1992a. “*Help Thailand's Quiet Revolution.*” The New York Times. <http://www.nytimes.com/1992/07/25/opinion/help-thailand-s-quiet-revolution.html> (April 20, 2014).
- The New York Times. 1992b. “*Hints of Hope in Manila.*” The New York Times (June 1, 1992): p. 16–Column1.
- The Philippine Star. 2002. “*SWS Poll: 84% of Pinoys Back Aid From US Troops.*” Philippine Star. <http://www.philstar.com/headlines/148815/sws-poll-84-pinoys-back-aid-us-troops> (June 8, 2014).
- The Toronto Star. 1992. “*Legalize Communists, Filipino Leader Urges.*” *The Toronto Star* (July 28, 1992): p. A14.
- The White House - Office of the Press Secretary. 2003. “*Joint Statement Between the United States of America and the Kingdom of Thailand.*” George W. Bush Archives, The White House. <http://georgewbush-whitehouse.archives.gov/news/releases/2003/06/20030611-1.html> (May 18, 2014).
- Thompson, Mark R. 1996. “Off the Endangered List: Philippine Democratization in Comparative Perspective.” *Comparative Politics* 28(2): 179.
- Thompson, Mark R. 2001. “Whatever Happened to “Asian Values”?” *Journal of Democracy* 12(4): 154–65.
- Thongpao, Thongbai. 1997. “Commentary - Time to Tackle Rights Abuses” *Bangkok Post*. (July 27, 1997). P. 7.
- Tible-Caoyonan, Elisa. 1994. *Development Diplomacy: Foreign Policy and Technological Transfer*. Diliman, Metro Manila: Asian Center, UP Diliman.
- Tiglao, Rigoberto. 2012. “Unmasked: Akbayan Is Aquino’s ‘Dilawan’.” *Inquirer Opinion / Philippine Daily Inquirer*. <http://opinion.inquirer.net/39850/unmasked-akbayan-is-aquinos-dilawan> (May 24, 2014).
- Tilly, Charles. 1975. “Revolutions and Collective Violence.” In *Handbook of Political Science*, eds. Fred I Greenstein and Nelson W Polsby. Reading, Massachusetts: Addison-Wesley, 483–555.
- Tilly, Charles, Doug McAdam, and Sidney Tarrow. 2001. *Dynamics of Contention*. New York: Cambridge University Press.
- Tilly, Charles. 2003. *The Politics of Collective Violence*. New York: Cambridge University Press.
- Tira-Andrei, Mercedes. 1994. “Clinton Seeks \$72.6-M Aid for RP.” *Filipino Reporter* (March 31, 1994): p. 11.
- Today. 2001. “Bush Offers Help Against Abu Sayyaf.” *Today* (November 22, 2001) (2848): p.1

- Trisko, Jessica N. 2012. “*Aiding and Abetting: Foreign Aid and State Coercion.*” PhD Dissertation, Political Science. McGill University.
- Truong, Thanh Dam. 1990. *Sex, Money and Morality: Prostitution and Tourism in South-East Asia.* London: Zed Books.
- Tutaan, Domingo. 2012. “*Philippine Military and Human Rights: Interview with Armed Forces of the Philippines Brig. Gen. Domingo Tutaan, Head of the Human Rights Office.*” Personal communication (December 10, 2012).
- Tyner, James. 2007. *America's Strategy in Southeast Asia: From Cold War to Terror War.* Lanham, Maryland: Rowmann and Littlefield Publishers & Hoover Studies in Politics, Economics and Society.
- Ufen, Andreas. 2008. “Political Party and Party System Institutionalization in Southeast Asia: Lessons for Democratic Consolidation in Indonesia, the Philippines and Thailand.” *The Pacific Review* 21(3): 327–50.
- Ūnaldi, Serhat. 2014. “*Thailand: a Coup, the Crown, and Two Middle Classes.*” *The Diplomat.* <http://thediplomat.com/2014/05/thailand-a-coup-the-crown-and-two-middle-classes/> (May 29, 2014).
- Ungphakom, Peter Mytri. 1993. “Thais Aim to Keep Talks to Agenda.” *Bangkok Post* (November 18, 1993): p. 1–2.
- United States Department of State. 1994. “*U.S. Department of State Country Report on Human Rights Practices 1993 - Philippines.*” United States Department of State. <http://www.refworld.org/topic,50ffbce40,50ffbce421,3ae6aa3c8,0,USDOS,,PHL.html> (October 24, 2013).
- Uniyal, Mahesh. 2000. “Rights-Thailand: Human Rights Assumes a New Prominence.” *InterPress Service* (July 5, 2000).
- US Department of State. 1998. “*1997 Human Rights Report: the Philippines.*” US State Department. [http://www.state.gov/www/global/human\\_rights/1997\\_hrp\\_report/philippi.html](http://www.state.gov/www/global/human_rights/1997_hrp_report/philippi.html) (January 25, 2014).
- US Department of State. 2000. “*Philippines.*” US Department of State: 1–10. <http://www.state.gov/j/drl/rls/hrrpt/1999/303.htm> (May 1, 2013).
- US Department of State. 2003. “*Thailand.*” US Department of State: 1–15. <http://www.state.gov/j/drl/rls/hrrpt/2002/18265.htm> (May 1, 2013).
- US Department of State. 2004a. “*Philippines.*” *US Department of State:* 1–14. <http://www.state.gov/j/drl/rls/hrrpt/2003/27786.htm> (May 3, 2013).
- US Department of State. 2004b. “*Thailand.*” US Department of State: 1–14. <http://www.state.gov/j/drl/rls/hrrpt/2003/27790.htm> (May 1, 2013).
- US Department of State. 2007. “*Thailand.*” US Department of State: 1–21. <http://www.state.gov/j/drl/rls/hrrpt/2006/78792.htm> (May 1, 2013).
- US Department of State. 2008. “*Philippines.*” *US Department of State:* 1–14. <http://www.state.gov/j/drl/rls/hrrpt/2007/100535.htm> (May 1, 2013).
- US Department of State. 2012. “*Obama, Clinton Welcome Philippine President Aquino.*” US Department of State. <http://iipdigital.usembassy.gov/st/english/article/2012/06/201206087140.html> (February 12, 2014).
- US State Department. 1994. “*US State Department 1993 Human Rights Report: Thailand.*” US State Department. [http://dosfan.lib.uic.edu/ERC/democracy/1993\\_hrp\\_report/93hrp\\_report\\_eap/Thailand.html](http://dosfan.lib.uic.edu/ERC/democracy/1993_hrp_report/93hrp_report_eap/Thailand.html) (April 24, 2014).
- US State Department. 1995. “*US State Department 1994 Human Rights Report: Thailand.*” US State Department. [http://dosfan.lib.uic.edu/ERC/democracy/1994\\_hrp\\_report/94hrp\\_report\\_eap/Thailand.html](http://dosfan.lib.uic.edu/ERC/democracy/1994_hrp_report/94hrp_report_eap/Thailand.html) (April 24, 2014).

- US State Department. 1997a. “*US State Department 1996 Human Rights Report: Thailand.*” US Department of State, Bureau of Democracy, Human Rights, and Labor. [http://www.state.gov/www/global/human\\_rights/1996\\_hrp\\_report/thailand.html](http://www.state.gov/www/global/human_rights/1996_hrp_report/thailand.html) (April 24, 2014a).
- US State Department. 1997b. “*US State Department 1997 Human Rights Report: Thailand.*” United States Department of State. [http://www.state.gov/www/global/human\\_rights/1997\\_hrp\\_report/thailand.html](http://www.state.gov/www/global/human_rights/1997_hrp_report/thailand.html) (April 25, 2014b).
- US State Department. 1999. “*1998 Human Rights Practices Report - Thailand.*” US State Department. [http://www.state.gov/www/global/human\\_rights/1998\\_hrp\\_report/thailand.html](http://www.state.gov/www/global/human_rights/1998_hrp_report/thailand.html) (April 28, 2014).
- US State Department - Office of the Coordinator for Counterterrorism. 2005. “Country Reports on Terrorism 2004.” *US Department of State*: 1–25. <http://www.state.gov/j/ct/rls/crt/45388.htm> (May 30, 2013).
- Uwanoo, Borwornsak, and Wayne D Burns. 1998. “The Thai Constitution of 1997: Sources and Process.” *University of British Columbia Law Review* 32(2): 227–47.
- van der Kroef, Justus. 1986. “Private Armies and Extrajudicial Violence in the Philippines.” *Asian Affairs An American Review* 13(4) 1-21.
- van der veen, A Maurits. 2011. *Ideas, Interests, and Foreign Aid*. New York : Cambridge University Press.
- Van Evera, Stephen. 1997. *Guide to Methods for Students of Political Science*. Ithaca and London: Cornell University Press.
- Vejpongsa, Yassanee. 1996. “Hillary Hails Anti-Sex Trade Efforts.” *Bangkok Post* (November 25, 1996) p.2.
- Villanueva, Marichu, and Pia Lee Brago. 2003. “Bush: RP Now Full Military Ally .” *Philippine Star*. <http://www.philstar.com/headlines/206968/bush-rp-now-full-military-ally> (January 10, 2013).
- Villegas, Bernardo M. 1987. “The Philippines in 1986: Democratic Reconstruction in the Post-Marcos Era.” *Asian Survey* 27(2): 194–205.
- Viola, Lora Anne. 2008a. *Governing the Club of Sovereigns: Inequality and the Politics of Membership in the International System*. PhD Dissertation, Department of Political Science, University of Chicago.
- Viola, Lora Anne. 2008b. “The Reinvention of Diplomacy.” *WZB Mitteilungen*: 22–25.
- Wah, Chin Kin. 2000. “Reflections on the Shaping of Strategic Cultures in Southeast Asia.” In *Southeast Asian Perspectives on Security*, ed. Derek Da Cunha. Institute of Southeast Asian Studies, 1–19.
- Walley, Cheryl A. 2004. “Civil Affairs: a Weapon of Peace on Basilan Island.” *Special Warfare* 17(1): 30–35.
- Waltz, Kenneth N. 2000. “Structural Realism After the Cold War.” *International Security* 25(1): 5–41.
- Warsta, Matias. 2004. “*Corruption in Thailand.*” International Management Asia Conference at the Swiss Federal Institute of Technology, Zurich, April 22, 2004. [http://aceproject.org/ero-en/regions/asia/TH/Corruption\\_in\\_Thailand.pdf](http://aceproject.org/ero-en/regions/asia/TH/Corruption_in_Thailand.pdf) (June 1, 2014).
- Wattanayagorn, Panitan. 1998. “Thailand.” In *Arms Procurement Decision Making Volume I: China, India, Israel, Japan, South Korea and Thailand*, ed. Ravinder Pal Singh. London: Oxford University Press / SIPRI, 211–41.
- Weissman, Robert. 1994. “‘Development’ and the Denial of Human Rights in Ramos’s Philippines.” *Harvard Human Rights Journal* 7: 251–68.
- Wendt, Alexander. 1995. “Constructing International Politics.” *International Security* 20(1): 71–81.
- Wendt, Alexander. 1999. *Social Theory of International Politics*. Cambridge: Cambridge University Press.

- Whaley, Floyd. 2012. "Clinton Reaffirms Military Ties with the Philippines." *New York Times*: A8. <http://www.nytimes.com/2011/11/17/world/asia/clinton-reaffirms-military-ties-with-the-philippines.html> (March 23, 2013).
- Wheeler, Matt. 2010. "People's Patron or Patronizing the People? the Southern Border Provinces Administrative Centre in Perspective." *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 32(2): 208–33.
- Wheeler, Nicholas J. 2003. "The Bush Doctrine: the Dangers of American Exceptionalism in a Revolutionary Age." *Asian Perspective* 27(4): 183–216.
- Wickham, Daniel. 2014. "Top Ten US Aid Recipients All Practice Torture." *Left Foot Forward*. <http://leftfootforward.org/2014/01/top-ten-us-aid-recipients-all-practice-torture/> (July 29, 2014).
- Wilson, Karl. 2010. "Gloria Arroyo, the 'Most Hated' Philippines Leader Since Marcos - the National." *The National – United Arab Emirates News*. <http://www.thenational.ae/news/world/asia-pacific/gloria-arroyo-the-most-hated-philippines-leader-since-marcos> (June 15, 2013).
- Winn, Jane K. 2009. "Globalization and Standards: the Logic of Two-Level Games." *I/S: A Journal of Law and Policy for the Information Society* 5(2): 185–218.
- World Bank. 2001. *Combatting Corruption in the Philippines: an Update*. Washington, DC: World Bank - Philippine Country Management Unit, East Asia and Pacific Regional Office.
- World Policy Institute. 2005. "Report: U.S. Weapons at War 2005." *World Policy Institute*. <http://www.worldpolicy.org/projects/arms/reports/wawjune2005.html> (January 24, 2014).
- Wurfel, David. 1977. "Martial Law in the Philippines: the Methods of Regime Survival." *Pacific Affairs* 50(1): 5–30.
- Yeo, Andrew. 2011. *Activists, Alliances, and Anti-U.S. Base Protests*. New York City: Cambridge University Press.
- Yujuico, Emmanuel. 2011. "The Philippines." *London School of Economics - IDEAS*. <http://www2.lse.ac.uk/IDEAS/publications/reports/pdf/SR015/SR015-SEAsia-Yujuico-.pdf> (February 13, 2013).
- Zabriskie, Phil. 2002. "The Punisher." *Time Magazine*. <http://www.time.com/time/magazine/article/0,9171,501020701-265480,00.html> (June 24, 2013).
- Zarate, Carlos Isagani. 2010. "Legal and Political Notes and Updates on the Ampatuan Massacre - the Philippines." *International Association of People's Lawyers*: 1–5. <http://www.iapl.net/index.php/en/third-congress/74-update-on-ampatuanmassacre-philippines> (June 3, 2013).
- Zenko, Micah, and Michael A. Cohen. 2012. "Clear and Present Safety." *Foreign Affairs* (April): 1–4.