

Distinguishing civil from international war – and terrorism – in the Southeast Asian state system

Preliminary draft to be discussed at the CSCW workshop ‘Exploring the Boundaries of Civil Wars: Identifying ‘Grey Areas’ and Testing Definitions’, organized by the ‘International Dimensions’ Working Group, Oslo, PRIO, 18-19 August 2004.

By Stein Tønnesson

Introduction

The distinction between international and civil war should – as is normal – be based on the existing system of sovereign states, as reflected in a political map. If we were to make the distinction on the basis of ethnic or religious boundaries, or on an assessment of the degree of national cohesion or identity within a given population, then it would be virtually impossible to reach agreement within the scholarly community on where to draw the lines. However, the political map has its obvious problems.

Firstly, it must be decided if the map should be the one existing at the time when the analysed warfare occurred or at the time when the analysis is made.

Secondly, the concept of political sovereignty may either be based on external recognition or on de facto control. If two political regimes are in control of clearly separate territories within the same internationally recognised nation, as was the case in Vietnam from 1954 to 1975 (and is still the case in China/Taiwan today), then it would be a matter of choice whether to consider war between those two regimes as a civil or an international war. In practice it will often be the outcome that decides: Since the Vietnam War ended in the unification of the two Vietnams, it seems reasonable to consider the war between North and South Vietnam to have been a civil war.

Thirdly, an even more intricate problem is that so many wars are fought precisely over the territorial scope of the state. One party – normally the one controlling the national army – may defend the state within its existing borders. Its enemies may not only seek power within the state, but challenge it openly by forming a new state on parts of its territory, seeking to unify a part of the territory with another state, or annexing a part or all of another state to the existing state with the effect of changing the balance of force within the state. These are wars of state formation. What is at stake is precisely the system that we use as the framework for defining our civil-international distinction. If the national army wins, it becomes easy to categorize the war as having been civil, but if the opponents succeed in changing the scope of the state or creating a new one, then they obtain a change in the very state system that distinguishes the civil from the international. The best way to overcome this problem may be to make a deliberate choice to use the state system at the time of analysis as one's analytical framework, and be ready to alter the distinctions if the state system undergoes further change.

The distinction between war and terrorism is of a different kind. Terrorism is not a type of warfare, but an operational tactic that is used both in international and civil wars, and also as a substitute for warfare by parties either unable or uninterested in waging genuine war. The increased attention to terrorism in Southeast Asia during the last three years is not just an effect of external influence from the Middle East and Central Asia, but also a reflection of the gradually increased resilience of the Southeast Asian states. During their formative period in the first two decades after WW2, virtually all of the regimes in Southeast Asia were challenged militarily by various kinds of insurgent groups, often with considerable external support. Since the end of the Vietnam War in 1975, the number of internal wars and also their intensity has been gradually reduced, and most of the existing states have consistently increased their control of territory and population. The increased use of terrorist tactics by Islamist groups is therefore a sign of marginalisation and weakness, but it is also an attempt to overcome such weakness by linking up with trans-national networks centred in the core regions of Islam, perhaps in the hope of building sufficient strength to wage real war.

This paper will first describe the formation of the Southeast Asian state system from 1941 to 2004. Then it will discuss those wars that were either clearly international or closely associated with the formation of each sovereign state ('wars of national liberation' or 'extra-systemic' wars). Thirdly it will look very briefly at civil wars within each state. And finally it will discuss the use of terrorist tactics, and also the term 'terrorism' with emphasis on the most recent period.

The Southeast Asian state system

The term Southeast Asia emerged in 1943, with the set up of Admiral Lord Louis Mountbatten's Kandy-based 'South East Asia Command' (SEAC), which was separated from the India theatre, Generalissimo Chiang Kai-shek's China theatre, and General Douglas MacArthur's Southwest Pacific theatre by lines drawn on military maps. At the time, from the perspective of the Allies, what we today know as Southeast Asia consisted of one independent state (Thailand) and a number of colonial territories under temporary Japanese occupation, but legally under US, Dutch, French, British, Portuguese and Australian sovereignty. The Philippines was under US sovereignty, but had been promised independence well before the Japanese occupation. It became independent in 1946. The Netherlands Indies included the exact same territory that constitutes Indonesia today, while East Timor was under Portuguese sovereignty and the eastern part of New Guinea was a mandated Australian territory. French Indochina was a Union of four protected states (Cambodia, Laos, Tonkin, Annam), and one directly ruled French colony (Cochinchina). British Burma had been separated from India in 1938 and become a separate British protectorate. It was given independence in 1948. British Malaya consisted of a number of federated and unfederated princely states under British protection, and three British settlements: Penang, Melaka and Singapore. And in northern Borneo the British claimed sovereignty in three territories, which would later be known as Sabah, Brunei, and Sarawak.

A number of factors disrupted this state system during and after WW2, such as the general economic and military weakening of Europe, US pressure for decolonization, and the growing strength of local nationalist and communist movements inspired by Japan and the Soviet Union. Some of these movements seized power temporarily in

the wake of the Japanese surrender in August 1945, and proclaimed new revolutionary regimes under the names Indonesia and Vietnam. These regimes and their armies fought resistance (or 'liberation') wars against the returning Dutch and French forces. Indonesia gained internationally recognized independence in 1949, although without West New Guinea, which remained under Dutch sovereignty. By the end of 1949 the number of recognized independent states in Southeast Asia had thus been expanded from one to four (Thailand, the Philippines, Burma, Indonesia).

The period 1949-57 saw the breakup of French Indochina into three independent states: Laos, Cambodia and Vietnam, but Vietnam was divided in two halves under separate, hostile regimes, each of which claimed sovereignty to the whole of Vietnam, and each enjoying recognition from one side in the Cold War. In the same period, Malaya gained independence after lengthy negotiations with Britain. All the various territories on the Malayan peninsula took part in constituting the independent Federation of Malaya, except Singapore, which remained under British rule, just as the three territories in northern Borneo.

In the years 1958-75 Vietnam was united under a communist regime, dominated by the North. Communists seized power also in Laos and Cambodia, but they remained separate states. In 1963 Malaya merged with Singapore and two of the British territories in northern Borneo (Sabah and Sarawak) into a new Federation of Malaysia, but the Sultan of Brunei opted for continued British rule, and Singapore was thrown out of the Federation after only two years, and was obliged to form an independent state of its own, squeezed between Malaysia and Indonesia. Indonesia did its best to prevent the creation of Malaysia through a policy of Confrontation (declared war with relatively little actual warfare), and annexed West New Guinea (calling it Irian Jaya) in 1963. After the fall of Sukarno, and Suharto's assumption of power in 1965-66, Indonesia accepted the new regional order, and took part in forming the new Association of Southeast Asian Nations (ASEAN) in 1967. In 1976, Indonesia also annexed Portuguese East Timor as a part of Indonesia, after having occupied it the previous year.

Papua New Guinea became independent from Australia in 1975, Brunei from Britain in 1984, and East Timor from Indonesia in 1999.

The above forms the framework for distinguishing between international and civil war in Southeast Asia. As we see, just as in Europe, the map has undergone considerable change. Today there are 12 independent states in Southeast Asia: Burma (Myanmar), Brunei, Cambodia, East Timor, Indonesia, Laos, Malaysia, Papua New Guinea, the Philippines, Singapore, Thailand, and Vietnam. Further change is certainly conceivable. West Papua and Aceh could secede from Indonesia, and Burma might break up in several parts if its military regime fails to transfer power to a regime that is acceptable not only to the Burmans, but also to the other ethnic groups in the country. Still it is likely that the basics of the Southeast Asian state system will last for still a long time. An important indicator of successful state formation was the foundation of ASEAN in 1967, and its widening during the 1980s-90s to include all of the Southeast Asian states except Papua New Guinea and East Timor, which moreover are situated at the margins of Southeast Asia and could perhaps be reckoned as parts of a different Pacific region, with Australia, New Zealand, and the smaller Pacific Islands. The relative success of ASEAN, its Zone of Peace and Neutrality (ZOPFAN), which was first declared in 1976, and its recent initiative to create a regional free trade zone, seem to indicate that the Southeast Asian state system has found its form. One factor contributing to stable relations among the states in the region is the general awareness of how much Southeast Asia depends on the preservation of peace and stability in the East Asian economic growth zone, among China, Taiwan, the two Koreas, Japan and the United States.

International wars

Before starting to discuss each of the wars that have ravaged Southeast Asia since 1941, it is necessary to insist on three points:

1. Virtually all of the Southeast Asian wars have been closely associated with the process of forming the very system of states that forms the framework of our analysis. Hence it is essential to relate the analysis to the process described above.

2. The worst wars in terms of human suffering happened in the period when the Southeast Asian state system was in a flux, when it had not yet been defined. In the three decades from 1945 to 1975, Southeast Asia suffered from two of the worst wars globally since WW2: the Indochina War, and the Vietnam War. It also saw a appalling massacre in 1965-66 in Indonesia. And after 1975, there were even worse massacres of genocidal proportions in Cambodia. Since the withdrawal of Vietnamese forces from Cambodia in 1989, and the Cambodian peace agreement in 1991, Southeast Asia has enjoyed a relative peace, coupled with substantial economic growth.

3. There are very few clear-cut examples of international wars that do not include a civil war dimension and, conversely, of clear-cut civil wars that have not taken on an international aspect through external intervention, support from the outside to one or the other local faction, or expansion into adjacent territories.

The clearest examples of international warfare are to be found in the WW2 period. Japanese forces invaded the Philippines, the Netherlands Indies, and the British territories in Borneo, Malaya and Burma in 1942, and occupied the whole region. Thailand attacked French Indochina in 1941, and Japan brokered a Franco-Thai treaty allowing Thailand to annex the westernmost provinces of Cambodia and Laos. (Thailand had to give them back to France in 1946.) In 1943-44 British and Japanese forces fought an extremely costly campaign in Burma, in 1944 the United States invaded the Philippines, and Australian forces the eastern parts of the Netherlands Indies. This was international war on a grand scale, between Japan and the Allies. However, inside this international war was a number of civil wars within each territory. The British armed guerilla groups in Burma and Malaya, which would later turn against Britain. A communist liberation front was formed in northern Indochina to fight not only the French and Japanese, but also against their local supporters. Armed groups were formed with Japanese support among the Buddhist and Muslim populations in Indonesia, Malaya, and Indochina. Through the organisation of armed groups and militias, and the proliferation of small arms, a whole array of small scale civil wars within the larger international war formed the basis for the civil and national liberation wars that followed after the Japanese surrender.

The war of the Indonesian Republic against the Dutch 1945-49, and the war waged by the Viet Minh, the Khmer Issarak, and the Pathet Lao against the French colonial regime in Indochina 1945-54, are not easy to categorise. Since they took place on territory under internationally recognized Dutch and French sovereignty, they should perhaps technically be considered as civil wars, but they were definitely not seen as such by any of the parties. The local leaders saw them as national liberation wars against a foreign occupant, and the French saw them as terrorist insurgencies, partly sustained by external support. With considerable success, however, both the French and the Dutch sought to transform these wars into local civil wars by seeking and arming allies among the local populations, and establishing and negotiating with counter-regimes. The Dutch helped establish local states in parts of the Indonesian territory, which waged war at various intervals against the central Indonesian government after the Dutch had left. And in Indochina, the French set up counter-revolutionary regimes through a process of decolonization in Laos, Cambodia and southern Vietnam. The wars of national liberation (which in the PRIO-Uppsala dataset are categorized as 'extra-systemic') thus incorporated strong elements of civil war, and these elements continued or resurfaced as more clear-cut civil wars after the Dutch and the French had left.

The Malayan Emergency 1948-57 pitted British colonial forces, the local Malay states and their British-protected Federation against an ethnic Chinese communist guerrilla movement that grew out of the anti-Japanese army the British had sustained during WW2. The British considered the latter as terrorists, and referred to their own campaign as a police operation rather than 'war'. The local communist leaders saw their insurgency as a war of national liberation on behalf of a multi-ethnic Malayan nation, while most local Muslims considered it a war of Chinese communist aggression against their way of life. It was also a kind of civil war within the ethnic Chinese community in Malaya and Singapore, with clear links to the parallel civil war in China. The British refused to grant independence to Malaya until the communist insurgency had been more or less quelled by 1957 (although it continued on a low intensity level until 1989).

The Confrontation (Konfrontasi) 1963-65 was a war between Indonesia and the newly formed Malaysia, fought mainly in northern Borneo. It was international both because two Southeast Asian states were pitted against each other and because the actual fighting on the winning Malaysian side was done by British led forces.

The Vietnam War from 1959 to 1975 belongs to many categories at the same time. It included civil wars in South Vietnam, Laos and Cambodia. It was also a war between North and South Vietnam, which (as mentioned in the introduction) should be considered a civil war if we proceed from a legalistic view of state sovereignty, but an international war if we proceed from a de facto view of state sovereignty. The war was then further internationalised by US involvement, at first through advisors attached to the South Vietnamese government, and later by massive airbased bombing of targets in all of the Indochinese countries, and the introduction of direct combat troops on the ground. The Soviet Union also took part through the provision of arms and other provisions to the communist side, and China deployed military advisers and engineering troops. So this was an internationalised civil war in two senses: expansion to include Laos and Cambodia, and external involvement by the great powers.

The war in Cambodia ('Third Indochina War'), which was preceded by Cambodian incursions in Vietnam during 1977-78, and broke out with the Vietnamese invasion of Cambodia in December 1978, was from the very start both an international war between Vietnam and Cambodia, and a civil war in Cambodia. The Vietnamese were welcomed by significant parts of the Cambodian population as liberators, and did not find it difficult to mount a new client regime in Phnom Penh, whose forces fought together with the Vietnamese against the Chinese-, Thai- and US-supported Khmer Rouge and its allies until 1989, and then successfully defeated the Khmer Rouge after reaching a political compromise with its non-communist allies.

The war in East Timor from 1975 to 1998 would from the perspective of the Suharto regime be regarded as a rebellion, hence civil war, within Indonesia. But if we decide to use today's state system as the framework of analysis (as recommended in the introduction above), it was a national liberation war ('extra-systemic war').

Civil wars

Much has been said about civil war already, since the civil war phenomenon has been so closely associated, if not integrated, in the international and 'extra-systemic' wars. If we now look at the more purely civil wars, the tendency seems to be that the weakest states have had the most drawn-out ones. This is notably the case for Buddhist Burma, which since independence in 1948 has suffered from almost continuous warfare between the Burman-dominated government and armed groups in the Shan states and among the mostly Christian Karen and other ethnic groups. Burma is an extremely militarized society. In recent years, however, several of the armed groups have opted for armistice agreements with the government.

The predominantly Buddhist Thailand for many years faced a relatively low-scale communist insurgency, supported by China, but when China abandoned its support for the Thai guerrillas in conjunction with the agreement between Thailand and China to jointly support the Khmer Rouge in 1979, the communist rebellion collapsed. There have also been Islamist disturbances in the Muslim southern part of Thailand, in the border region to Malaysia, and trouble in this region resurged in 2004.

Just like in Thailand, the government of the predominantly Christian Catholic Philippines has faced two kinds of insurgent movements, one communist and one Islamist separatist (Moro). While the former to a great extent has focussed on the northern island of Luzon, the Moros have waged their war in southern Mindanao and the Sulu archipelago, adjacent to Malaysian Sarawak. The Philippines have at various stages negotiated agreements with the various Moro movements, and have also for several years now been engaged in negotiations with the exile leaders of the communist insurgency (with Norwegian facilitation). In recent years, a small more extreme armed movement has emerged in the Muslim regions, with inspiration from Afghanistan and Al Qaida: the Abu Sayaaf.

The predominantly Muslim Indonesia crushed its large communist movement in a gigantic massacre in 1965-66, in an onslaught that the communists, to the surprise of the forces of repression, did not resist with arms. After the massacre, the communist threat in Indonesia was mainly a myth entertained by the Suharto regime through all

kinds of propaganda and education. The Indonesian left had been all but frightened out of existence.

The three-communal Malaysia has since its last riots in 1969 been remarkably peaceful. Although the communist insurgency was only formally called off in 1989, it had been insignificant for a long time (although its headquarters in Thailand had survived). Since the Malayan Emergency faded out, there has not been any civil war in Malaysia.

The tiny Singapore also had riots in the 1960s (notably 1964), but its government has since independence in 1965 been able to keep this increasingly prosperous territory firmly under control.

After the end of the Vietnam war in 1975, the anti-communist FULRO movement, which recruited from ethnic groups who had previously fought with the French and the Americans, continued to be active in the Central Highlands. Disturbances have occurred from time to time in that area, with groups operating from Cambodia, and with an uncertain number of people killed even in 2004. This is, however, a very low scale insurgency.

Since 1975, Laos has faced a similar problem from Hmong groups led by General Vang Pao, operating from Thai territory at the other side of the Mekong. With improved relations between Laos and Thailand during the 1990s, the problem was reduced, but there are still incidents from time to time on Laotian territory.

Cambodia has since the peace settlement in 1991 seen the collapse of the Khmer Rouge movement, and this has ended the long-standing civil war. There is much violence in Cambodian politics, however, with hit and run actions against opponents of the Hun Sen regime. Such acts may perhaps most properly be considered in the 'terrorist' category.

Terrorism

Bruce Hoffman has defined terrorism as ‘the deliberate creation and exploitation of fear through violence or the threat of violence in the pursuit of political change’.¹ The key here is ‘fear’. The aim of a terrorist act is not to physically destroy the enemy or its capabilities, but to instill fear and either frighten the enemy away from certain actions or provoke the enemy to undertake certain counter-actions. Terrorism is not another kind of warfare, but a tactic used both in and outside of war. We may distinguish three types of terrorism.

- 1) A tactic employed in war as a supplement to other tactics. The National Liberation Front of South Vietnam (NLF) waged guerrilla war against the South Vietnamese regime from 1959 to 1975, and sought to destroy both South Vietnamese and US military forces through genuine armed attacks. At the same time it employed terrorist tactics, such as bomb explosions, to instill fear among foreigners and the collaborating classes in Saigon, and it assassinated village leaders who collaborated with the South Vietnamese regime, so as to frighten other village leaders away from such collaboration. Similar terrorist tactics were used by the South Vietnamese regime, although with less effect.
- 2) A tactic employed by the state, by groups affiliated with or sponsored by the state, or by factions within the state, against their political rivals or opponents. This tactic seems to have been used by some of Cambodia’s political leaders during the last decade. It has also been widely practised in Indonesia, not only during the 1965-66 massacre, which instilled enormous fear among all left-leaning Indonesians for decades afterwards, but also through later ‘mysterious killings’. When terrorist acts are committed in this way by actual power holders, the perpetrator does not identify himself, but remains shrouded in mystery. An alternative means to the same purpose is an organized riot.
- 3) A tactic employed as a substitute for actual warfare by someone unable – or perhaps unwilling – to wage war. This is the way Al Qaida has used terrorism.

¹ Bruce Hoffman, 1998. *Inside Terrorism*. (London: Victor Gollancz): 43.

When the Al Qaida leaders planned the embassy bombings in 1998, and the attacks against symbols of US economic, military and political power in September 2001, it was unable to wage genuine war against US forces (but it symbolically attacked some military targets, such as the warship SS Cole in Aden, and US military barracks in Saudi Arabia). An effect of these attacks was to provoke US military interventions in Afghanistan and Iraq, and thus to radically increase the chance of launching a genuine military jihad against US troops. Another more pitiful example of a terrorist act serving as a substitute for warfare, is the Bali bomb of October 2002, which targeted civilian tourists.

It is the third use of terrorist tactics listed above that is normally referred to when groups are called 'terrorist'. Such groups do not have access to political power in the countries they target, but may receive support from other states, who use them as a substitute for launching a war themselves. In such cases it is essential for the sponsoring state to keep its helping hand hidden.

It seems to me that all three kinds of terrorist tactics are interesting to discuss in a Southeast Asian context. When we try to analyze and explain the terrorist acts undertaken by the Abu Sayyaf in the Philippines, groups inspired by the Indonesian Jemma Islamyia, and the young marauders in southern Thailand, we must not only consider (as is normal in terrorist studies) the inspiration, training and support they get from Al Qaida or other trans-national Islamist networks, or the anger they share with substantial parts of the Southeast Asian populations against the US, Christians or 'the West', but also:

- the way the history of civil and international war in Southeast Asia feeds their ideological convictions. Some of these groups long for wide religious identities that cut across or go beyond the state borders drawn by the colonial powers, and which formed the basis for post-colonial state formation as well. They want to redraw the map and recreate the Sultanates of the 14th-15th centuries (Aceh, Sulu). Similar aspirations were held by some of the Islamist groups sponsored by Japan during the 1942-45 period.

- The possibility that they may have gained strength from frustration created as a consequence of the Asian crisis 1997-98, leading to widespread unemployment among young educated professionals.

An essential question to ask is how the civil war in Aceh has affected, or may affect, the use of terrorist tactics by Islamist groups in other parts of Indonesia and Southeast Asia. This is a war between a separatist Islamist movement and a moderate Muslim government. If the Acehnese independence movement GAM is crushed completely, and the leaders are deprived of their sanctuary in Stockholm, this could lead to a merger of the separatist Acehnese struggle and the trans-national struggle of more extreme Islamist groups, in the same way that a destruction of Hamas in Gaza could lead the most extreme Palestinians to join up with Al Qaida related groups internationally.

Conclusions on research priorities

First, the distinction between international and civil war is problematic, particularly since the worst and most important wars tend to be fought precisely over the territorial scope of the state that defines the distinction. It may therefore not be fruitful to limit the study of civil war to those wars that can be categorised as entirely civil or intra-state. A comprehensive study of civil war must include the civil aspect also of those wars that are normally categorized as international or 'extra-systemic'.

Second, since the period after 1989 has been so relatively peaceful in Southeast Asia, both as compared with the preceding decades, and with other world regions in the 1990s, it might be a research priority to seek explanations for this relative Southeast Asian peace, both its international and its civil aspects. Why has Southeast Asia turned so peaceful? Is this due to popular satisfaction with growing welfare and prosperity? Is it because the armies and police forces have become stronger and more able to quell insurgent movements? Or is it mainly a reflection of the end of the Cold War, which split the region into ideologically divided camps?

Third, the use of terrorist tactics should be studied in all of its three forms, both when used in war, when used by power-holders in peace-time, and when used by groups

without power as a substitute for real war. The way terrorist acts and ongoing – as well as historical – civil wars relate to each other needs to be better understood.