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Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Volume 32, Number 2, August 2010, pp. 234-257 (Article)

Published by Institute of Southeast Asian Studies



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JOHN FUNSTON

Malaysia's policy towards southern Thailand has always required a balance between the country's internal security and concern about a neighbouring Muslim minority linked not only by religion but also ethnicity and culture. Security was a paramount concern at independence in 1957, with the southern provinces used as a base by the Communist Party of Malaya (CPM), the Communist Party of Thailand and Malay irredentists. But after Parti Islam made inroads against the ruling United Malays National Organization by capturing Kelantan (a state adjacent to Thailand) in the 1959 elections, the two premier Malay parties competed to present themselves as the protector of Thailand's Malay Muslims. Security concerns eased with the surrender of the CPM in 1989, but re-emerged in late 2001 with the resumption of conflict in southern Thailand, and the surfacing of militant Islamic groups in Malaysia. Though initially supportive of Thai security interests, Malaysia's delicate balance swung towards focusing on the well-being of Thailand's Malays in 2004: the tragic 28 April Krue Se mosque and 25 October Tak Bai incidents led to strong Malaysian protests, an unprecedented parliamentary debate and a general willingness to push the envelope on intervention in Thailand's internal affairs. Tensions remained high through much of 2005, with Thailand alleging that Malaysia was complicit in southern violence. Nonetheless Malaysia ensured Thailand was not embarrassed in international forums such as the Organization of Islamic Conference or ASEAN, and relations improved late in the year. Changes in Thai policy after the September 2006 coup

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were largely welcomed in Malaysia, but since then Thai-Malaysian cooperation to address the problem has made little headway.

Keywords: Southern Thailand, Malaysia, insurgency, ethnicity, borderlands, security cooperation.

When violence in southern Thailand resumed in late 2001, and escalated dramatically in 2004, no external country was more affected than neighbouring Malaysia.¹ For decades Malaysia has seen developments in Thailand's far south as a national security concern, and has sought to address this by enhanced cooperation with its northern neighbour. However, this has sometimes been complicated by Bangkok's mistreatment of ethnic Malays across the border, with whom the majority of Malaysia's population share a common ethnicity, culture, religion and language.

From the time of Langkasuka, around the first century AD, southern Thailand was a player in the politics of the Malayan peninsula. Three of today's southern provinces — Patani, Yala and Narathiwat — and four districts in Songkhla, became known as Patani or Patani Raya (Greater Patani) around the fifteenth century. Patani was a regional trading power, one of the leading centres of Islam in Southeast Asia, with close ties to sultanates in Kelantan and Terengganu. From about the fifteenth century the northern Malayan peninsula increasingly came under the influence of powerful Siamese kingdoms in Ayuthia and Bangkok. Siamese forces crushed Patani in 1786 and, despite several rebellions in subsequent years, began to assert strong influence over local affairs. Under the Anglo-Siamese Treaty of 1909, Thailand ceded neighbouring Kedah, Perlis, Kelantan and Terengganu to British Malaya, but retained the areas incorporating Patani and the province of Satun.

The tri-province region is around 80 per cent Malay-Muslim, in a country that is 90 per cent Buddhist. Seventy per cent of Satun is also Malay, but the province was previously linked to Kedah not Patani, and is more integrated with the rest of Thailand; the majority of its population is Thai-speaking, and it has never been the centre of violent resistance to Bangkok.

Cross-border Linkages

Malays in southern Thailand and northern Malaysia have maintained close people-to-people links despite enforced political division.²

Families in both countries have relatives across the border. The Malay language in the Thai south is almost identical to the dialect found in neighbouring Kelantan and Terengganu, though many Thais incorrectly believe it is a separate language, *jawi*, which in fact refers to the written Arabic-based script. While the Thai education system has ensured many are now bilingual, Malay is generally spoken at home in the three southernmost provinces.

For decades southerners have crossed the border to attend educational institutions in Malaysia, while some Malaysians have moved in the opposite direction to study at renowned Islamic schools (pondoks) in Thailand. Islamic teachers have crossed the border in both directions. Islamic reform movements have had a similar impact in both regions. In the early twentieth century, the Kaum Muda (Young Group) brought a more orthodox Islam influenced by the Muhamad Abdul movement in the Middle East. Further moves towards orthodoxy began in the 1970s with the dakwah movement. This was a worldwide phenomenon, but in southern Thailand the Malaysian influence was critical — including the growing strength of political Islam, the activities of the Malaysian Islamic Youth Movement (ABIM, established in 1971 by later Deputy Prime Minister Anwar Ibrahim), and the revitalization of the Islamic Party (Parti Islam, or PAS) in neighbouring Kelantan state in the 1990s. When Anwar was sacked and jailed by Prime Minister Mahathir Mohamad in 1998, southern Thai Muslims held prayer meetings in solidarity. Tuan Guru Datuk Nik Aziz Nik Mat, Kelantan's state leader, and PAS Spiritual Adviser, was a regular and revered visitor to the south, where he conversed in the local dialect and, at the Queen's invitation, led prayers at a mosque next to the Thai royal family's palace in Narathiwat.4

Large numbers of Thai Muslims have also sought employment in Malaysia. At one time, this was mainly seasonal for rice harvesting. In recent decades, as the Malaysian economy expanded, larger numbers have moved to take up opportunities in a wide range of agricultural and secondary industries, and open food stalls (particularly selling tom yum kung, Thailand's famous hot and spicy prawn soup). There are no precise figures on the numbers of southern Thai Muslims in Malaysia, but it is likely to be around 300,000.⁵

The border between the two countries has thus never been a barrier to movement. A large number of people on both sides of the frontier have dual nationality and this allows them to maximize their employment and social opportunities. Legally, Malaysia does not permit dual citizenship, though in practice its existence in this

case is an open secret. Thailand has traditionally allowed dual citizenship, but in recent years has moved towards withdrawing it from citizens in the south. There is no consensus on the number of dual nationals. Thai authorities generally estimate around 30,000, but others have claimed the true number to be 100,000 or even in the hundreds of thousands.⁶

Border residents without dual citizenship are able to cross the border with a pass valid for six months, rather than using a passport. Yet many do not even bother with this. From 1994 Thais and Malaysians were allowed to cross two kilometres into the other's territory at Wang Kelian on the border with Perlis on weekends without documentation; weekly Thai visitors numbered some 40,000.7 In 2006, 1,468 crossed the west side of the border legally to obtain employment, while at least 50,000 crossed illegally.8 On the eastern side many commuters ignored an immigration station at Golok, and simply crossed illegally just metres away.9 In August 2004 the two countries agreed to replace the border pass with new "smart cards",10 but the date for commencing this scheme has yet to be announced.

Southern Resistance to Bangkok

The three provinces have a long history of resistance against Bangkok. After the imposition of direct rule in 1902, opposition was led by the ousted royal families and charismatic Islamic leaders. Protests were strongest when Malay culture was perceived to be under threat. The introduction of compulsory state education in 1921, and reports of the closure of traditional Islamic schools, led to fierce rebellions over the next two years. Resistance also increased against the ultra-nationalistic policies of the first Phibulsongkhram government (1938–44), which attempted to ban Malay dress and the Malay language, redefine Malay Muslims as "Thai Muslims", and close down Islamic courts.

During the Second World War Japan returned areas lost under the 1909 Anglo-Thai agreement to Thailand, reuniting the Patani region with the northern Malayan states (Kelantan, Terengganu, Kedah and Perlis). After the war, Patani Malays sought to merge the four southern provinces with Malaya. However a petition to the United Nations, and the establishment of the pro-merger Malay Association of Greater Patani (*Gabungan Melayu Patani Raya*, or GAMPAR) failed to make headway. This was the only attempt southern Thais made to unite with Malaysia; subsequent opposition to Bangkok rule sought a degree of autonomy or independence.

A number of organizations seeking independence by armed revolt were established in the 1960s, including the *Barisan Revolusi Nasional* (BRN) and the Patani United Liberation Organization (PULO), but these lost momentum and splintered in the face of a more effective counter-insurgency campaign and offers of political amnesty in the 1980s and 1990s. They subsequently regrouped, and an offshoot of BRN, known as BRN-Koordinasi (BRN-C) is generally regarded as the most important organization in the current conflict, alongside a reorganized PULO and newer groups such as *Bersatu* and the *Gerakan Mujahideen Islam Patani* (GMIP). Low level violence resumed in late 2001, and in two years around 56 people were killed. The conflict escalated in 2004, leading to some 4,000 deaths by mid-2010.

The Development of Malaysia's Policy Towards Southern Thailand

Early Malaysian attempts to frame a policy towards southern Thailand date to the beginnings of the nationalist movement in the late 1940s, when the Malay Nationalist Party (MNP) saw the four southern provinces as part of a *Melayu/Indonesia Raya* (Greater Malay/Indonesia state). The United Malays National Organization (UMNO), which came to dominate the independence struggle and then successive national governments after independence, also supported such a concept, but party president Dato Onn bin Jaffar did not endorse the inclusion of southern Thailand. His successor in 1951, Tunku Abdul Rahman, had a Thai mother and received some education in Bangkok, making him more sympathetic to Thailand. In 1955 he visited Bangkok and agreed that in return for Thai support to the independence struggle no assistance would be given to Malay resistance in Thailand's far south.¹⁴

In the 1950s — and often beyond this — the primary focus of UMNO policies on southern Thailand was security. Initially the main threat came from the Communist Party of Malaya (CPM), sections of which had fled to the area from the beginning of its armed conflict with the colonial regime in 1948. The following year British authorities signed a police cooperation agreement with Thailand against the CPM, providing for regular meetings of senior officials, security cooperation along the border and the establishment of a joint intelligence centre in Hat Yai. A more comprehensive agreement concluded by independent Malaya in 1959 — and updated in 1965 and 1970 — provided for annual ministerial meetings, and a senior officials' regional committee that met more frequently. It even

included rights of hot pursuit across both sides of the border, until this was rescinded by a further revision in 1977. Nonetheless, as noted below, Malaysia never fully trusted Thailand, and maintained links with southern Malay resistance groups as a counterweight against possible Thai collusion with the CPM.

Malaysian policy towards southern Thailand changed after elections in 1959 which led to the emergence of PAS as a strong competitor to UMNO. Particularly noteworthy was PAS' victory in Kelantan, on the border with Thailand, a state it has ruled over since then except between 1978 and 1990. PAS was the inheritor of MNP *Melayu Raya* doctrines and often spoke in support of southern Thais. In the 1960s and 1970s PAS leaders called variously for southern Thai autonomy, independence or merger with Malaysia.

Though the CPM threat remained at the forefront of UMNO concerns, from 1959 the ruling party gave new prominence to ethnicity, as UMNO and PAS competed to demonstrate concern for Thailand's Malay Muslims. In 1961 Prime Minister Tunku Abdul Rahman expressed open sympathy for Malay Muslims in Thailand, noting at an UMNO meeting that those who fled oppression had been allowed to settle in Malaya. The policy of allowing dual citizenship was also adopted around this time to assist southern Muslims, and perhaps also with a view to weakening PAS' control of Kelantan (though in practice PAS appears to have been the beneficiary). The Malay public also became increasingly concerned about developments in Thailand. Islamic youth groups demonstrated against a visit by Thai Prime Minister Thanom Kittikatchorn in 1969, and ABIM highlighted southern Thai issues from the 1970s.

Perhaps also driven by UMNO-PAS rivalry, though *realpolitik* considerations of regional influence were also a factor, the Malaysian government adopted a policy of providing covert support for Islamic resistance movements in the region. From the 1960s extensive military aid was provided to Muslim resistance groups in the Philippines. In the 1980s Indonesian militants were provided refuge (later going on to establish the militant regional organization Jemaah Islamiyah or JI), along with resistance groups from Aceh, and covert armaments were sent even to Muslims in places such as Bosnia. Senior Malaysian political figures, intelligence agencies and Muslim groups such as ABIM, also established extensive links with southern Thailand resistance groups. Until the late 1980s authorities even permitted these groups to establish operational headquarters in Malaysia.

Policies towards Thailand changed as the CPM weakened and was eventually disbanded in 1989. In June 1987 Malaysia and Thailand

established a Joint Commission headed by respective foreign ministers and including top bureaucrats from a range of key ministries. This became a model both countries subsequently adopted for managing bilateral relations with a wide range of states. Thailand played a major part in mediating the CPM amnesty, and also allowed CPM members to settle in the south. A more cooperative relationship quickly became apparent, with the finalization of the Malaysia-Thailand Joint Authority to cooperate in the exploitation of offshore petroleum resources in 1990, and the establishment (together with Indonesia) of a growth triangle covering the southern region in 1993. Malaysia had further reason to be grateful to Thailand when the latter arrested and handed over the head of a deviant Islamic sect, Darul Argam, in 1994. As a consequence, Malaysia substantially withdrew its covert support for southern insurgent groups, and, in 1998, handed over five remaining separatist leaders (from PULO) to Thailand. With the concurrent winding down of armed insurgency in the region, Malaysia permitted remaining Thai insurgent leaders to stay in Malaysia on the clear understanding that they not put Malaysia in an "unwanted spotlight". 19 A new bilateral border agreement was signed in March 2000 with an emphasis on combating criminality and promoting cooperation in areas of socioeconomic development.20

Renewed Southern Violence: Initial Malaysian Understanding

Malaysia's response to the resumption of violence in southern Thailand in late 2001 was greatly influenced by a new internal security concern, local Muslim militants. Around ten militants were arrested in June 2001, another eight in August and a further six in October. The tempo of arrests increased after the terrorist attacks of 11 September 2001 (9/11) in the United States and by April 2002 over sixty "militants" had been detained under the Internal Security Act (ISA) — allowing indefinite detention without trial — and charged with planning to overthrow the government by use of force. Those arrested initially were alleged to be members of a local organization known as Kumpulan Mujahidin Malaysia (KMM), with links to external groups such as Al Qaeda, though most were later identified as members of JI. Several militants reportedly escaped a Malaysian dragnet by crossing into southern Thailand in late 2001.

While the JI presence in Malaysia was a substantial one, early government attempts to demonstrate this were unconvincing and marked by conflicting statements about militant groups and their origins, and providing little evidence beyond what was obtained under the ISA. The government also used JI activities and 9/11 to try and restore the tattered image of Prime Minister Mahathir Mohamad, discredited by the manner of his sacking of Deputy Prime Minister Anwar Ibrahim and his reaction to the *reformasi* movement in the late 1990s, and to isolate PAS. Following 9/11 Mahathir declared full support for the US-led "war on terror", and gained a coveted invitation to Washington as a result.²³

Whether because of real concerns about militant Islam, or a need to use this for political purposes, Malaysia was predisposed to support Thai action against the resumption of southern violence. This was soon reflected in new arrangements and agreements between the two countries. A first ever joint cabinet meeting was held in December 2002, at which both sides agreed to intensify the fight against terrorism and cross-border smuggling (including by ending the practice of dual nationality), begin construction of a joint gas pipeline across Thai territory, coordinate industrial strategies, and boost tourism and trade.²⁴ A cooperation agreement was signed on 22 May 2003 that included provisions for carrying out joint security patrols, standardizing military operational procedures and opening up new entry points to enhance economic activities between the two countries.²⁵ In July Mahathir and Prime Minister Thaksin Shinawatra inaugurated an annual summit meeting (known as the Annual Consultation) and agreed to "a degree of integration of the five southern provinces of Thailand and the northern Malaysian states of Kedah, Perlis and Kelantan".26 This plan later became know as the Joint Development Strategy and envisaged cooperation across a wide range of economic and social issues in the border region.27

Strained Relations, 2004-05

Bilateral relations deteriorated, however, after a daring raid against a Thai military camp on 4 January 2004 which signalled an escalation of the southern conflict. Thaksin sought to link Malaysia to this development; he presented Malaysia with a list of eighteen alleged southern "masterminds", 28 and subsequently complained that Malaysia was not forthcoming in handing them over. He identified dual nationality as a major obstacle to enforcing peace. 29 He also implied Malaysia might be turning a blind eye to insurgent activities when he said: "Right now there are villages in northern Malaysia where the Muslim separatists responsible for all of this violence have

been residing ... We are not accusing the Malaysian government of sheltering these militants but they know where they are."30

However, new Malaysian Prime Minister Abdullah Badawi remained conciliatory. He sent his deputy, Datuk Seri Najib Tun Razak, to Bangkok in early April, where he agreed to Thaksin's request that Malaysia send Islamic lecturers to the south to teach Muslims a moderate form of Islam and turn them away from militant doctrines.³¹ When Thaksin visited Kuala Lumpur on 12 April, Abdullah pledged to crack down on the movements of suspected separatists and terrorists along the border between the two countries: "He [Thaksin] has sought my cooperation", Abdullah stated, "and I said I intend to cooperate with him. Terrorism is something that we totally oppose."³²

Malaysian concerns were greatly heightened by the 28 April incident, in which five security officials and 107 insurgents were killed, following attacks on eleven police and military posts across southern Thailand. Most controversially, thirty-two were killed inside Patani's historic Krue Se mosque, after the commanding army officer defied instructions to avoid the use of force. Malaysia initially tightened border security, complained of a heightened security threat and said refugees would be turned back. But faced with a strong outcry from local Islamic groups and PAS, the next day Abdullah offered shelter to those fleeing violence: "It will not be refugee camps but some arrangements must be made", he said.³³

Thaksin responded defiantly to this and other foreign criticisms: "Please don't intervene. Please leave us alone. It is my job and we can cope with this matter. We are trying to explain this to foreigners. But if they do not understand or ignore our explanation, I don't care because we are not begging them for food."³⁴ Malaysia then moved to appease Thaksin's anger. Foreign Minister Syed Hamid Albar said that preparations to handle a possible influx of people fleeing violence should not be interpreted as an offer of safe shelter.³⁵ Two days later he visited Bangkok with Deputy Prime Minister Najib, reaffirming a commitment to non-intervention and endorsing Thaksin's professed view that poverty was the main factor behind the unrest.³⁶

In subsequent months there were signs of improved relations. The Joint Development Strategy was officially adopted on 5 August, and at the second Annual Consultation in mid-October, Abdullah again agreed to a request that Malaysia send prominent Islamic scholars to Thailand to propagate a "correct" understanding of Islam.³⁷ Generally, however, relations remained strained in the face of repeated Thai

complaints that terrorists were training in Malaysia, or able to escape arrest in Thailand by fleeing across the border. 38

The next major landmark was the Tak Bai incident on 25 October, in which seven demonstrators were killed in a town close to the Malaysian border, and seventy-five subsequently died while being transported to a military detention camp. This time Abdullah moved quickly, phoning Thaksin to indicate concern and advise that Malaysia was watching events very closely: "I have also expressed my feelings that in the month of Ramadan [the Muslim fasting month], incidents of this nature can bring a lot of unhappiness and create anger and animosity among members of the community", the Prime Minister said. Again Abdullah sought to send Najib and Syed Hamid to Bangkok for consultations, but this time Thai authorities insisted they postpone their visit indefinitely.

In Malaysia, protests from opposition parties and Muslim NGOs were even stronger than after the Krue Se mosque incident. Critics demanded that Malaysia take up the issue at international forums, and denounced the Thai military in the harshest terms. Former Prime Minister Mahathir compared the situation to that in Palestine, and suggested a form of regional autonomy. 40 His former deputy Anwar Ibrahim warned southern Thailand could become a flashpoint for Islamic extremism, urged Thaksin to seek assistance from Malaysia, and suggested Thailand should not be overly concerned about its sovereignty in approaching Malaysia for help. 41 UMNO's youth wing demanded that Thailand guarantee the safety of its Muslims. In a most unusual step the Malaysian parliament debated the Tak Bai incident in November and unanimously condemned Thai security actions. Thai comments on this focused on the fact that the parliamentary motion had been proposed by PAS, though the four PAS speakers were supported by four from the ruling party.42

These actions clearly pushed the envelope on ASEAN understanding relating to non-intervention in the internal affairs of other members. Foreign Minister Syed Hamid told the local media that problems in Thailand were an internal matter, but warned that if not correctly addressed they could have adverse implications for Southeast Asia as whole, so the ASEAN non-intervention principle should be changed for the common good.

Upset by these developments, Thai leaders hit back with more claims of separatist activities in Malaysia. In mid-December Thaksin announced that insurgent "ringleaders" had been identified, and had led local Muslim youths in "militant training in jungle camps in Thailand and in Kelantan". ⁴⁵ Although Thaksin was careful to say

that he believed training had been done "without the knowledge or support of the Malaysian government",⁴⁶ Malaysian leaders were not appeased. Abdullah declared himself "shocked" by the claim: "If Thaksin has such information, he should convey this to Malaysia through diplomatic channels. We question Thaksin's motive for making the statement", he added, stressing that Malaysia "is not a base that can be used by any group planning to take action against any other country".⁴⁷

In January 2005 more diplomatic ructions followed when Malaysia refused to hand over Chae Kumae Kuteh (also known as Abdul Rahman Ahmad and Doramae Kuteh), said by Thaksin to be the "mastermind" of violence in the south. Kuteh, a dual national, had been arrested on 5 January 2005, but instead of handling this through the usual behind-the-scenes channels Thaksin went public demanding his extradition. Malaysia said he could not be returned as there was no bilateral extradition agreement. This was clearly a technicality — and an incorrect one since, as the Thai foreign ministry pointed out, Malaya had confirmed a 1911 extradition agreement with British Malaya, in 1959.48 But the real if unstated concern was that Thaksin had embarrassed Malaysia by publicly demanding extradition. Abdullah noted that Malaysia would be able to help in other ways if a formal request were lodged,49 and Foreign Minister Syed Hamid said that "there is an existing mechanism for this sort of thing and Thailand can use it".50

Bilateral relations reached their nadir after 131 Thai Muslims fled across the border to Kelantan state on 30 August 2005, declaring they had lost faith in the government's ability to protect them. Thai leaders claimed the group had been instigated by insurgents, and that a large number were insurgents acting to embarrass Thailand before an Organization of the Islamic Conference (OIC) meeting (which Malaysia, as OIC chair, would be leading). Caught in a dilemma, Foreign Minister Syed Hamid said Malaysia had no formal refugee programme but gave humane treatment to people fleeing violence: "I think the responsibility is for the Thai side to ensure that they can overcome the fear — whether real or perceived fear — in the local community in Thailand so that they will not come here", he said.⁵¹ Malaysia allowed Thai officials to interview the group, and promised to act against any found to be terrorists. But it also allowed the UNHCR to interview them and a month later moved them further from the border to Terengganu, and remained steadfast that it could not deport them back to Thailand without assurances that they would be safe. 52 Souring the relationship even further,

in late September Muslim villagers in Tanyong Limo, Narathiwat, took two marines hostage and sought to speak with the Malaysian media — in the event the hostages were killed before these media representatives arrived.

In October Foreign Minister Syed Hamid reiterated Malaysia's unwillingness to return the group without appropriate guarantees. Bangkok then called in the Malaysian ambassador to receive a rare official protest, for "inappropriate" remarks that amounted to interference in Thailand's internal affairs. Syed Hamid upped the ante further, calling for Thaksin to be more "mature" after he claimed that Malaysian NGOs protesting at the Thai Embassy were collaborating with insurgents. Foreign Minister Kantathi Supamongkhon threatened to suspend all contact until Malaysia showed sincerity. A moderately worded statement by the OIC Secretary-General Ekmeleddin Ihsanoglu linking the departure of the 131 refugees to state violence, and emphasizing the importance of dialogue, also came into the conflict. In a remark offensive to most Muslims, Thaksin said that the OIC Secretary-General should read the holy Koran carefully before making criticisms. State violence and sense of the state of the holy Koran carefully before making criticisms.

Cooler heads eventually prevailed late in October when Thai leaders visited Kuala Lumpur for the funeral of Prime Minister Abdullah's wife. Both sides reportedly agreed not to comment on bilateral matters through the media, and to resolve the refugee issue cooperatively.⁵⁵ In December Malaysia handed over one of the refugees, Hamzah bin Mat Saud, who had an insurgent past, but the rest remained for more than three years.⁵⁶

During the course of these conflicts Malaysia used both the OIC and ASEAN to pressure Thailand. The strongest OIC statement was issued by its Secretary-General in February 2005, immediately after a meeting with Prime Minister Abdullah. Ihsanoglu called for an end to the "persistent bloody acts of violence" against Muslims in the south, and expressed "serious dissatisfaction at the situation, which continues to remain bad despite appeals made by the OIC and the international community to the Thai government to end the violations that have claimed the lives of hundreds of people".⁵⁷ After an OIC goodwill and orientation visit to Thailand from 2–13 June, the OIC continued to express concern about developments in the far south, but for the most part commented favourably on Thai policy.⁵⁸ Malaysia, as OIC chair at the time, doubtlessly facilitated this, though Thailand found it unhelpful at a June 2005 ministerial meeting in Yemen.⁵⁹

In the ASEAN arena, Malaysian insistence on raising the southern Thai issue led Thaksin to threaten a walkout at the November 2004

summit. In the end a compromise was reached whereby Malaysia expressed concern in general terms but avoided specific reference to the Tak Bai incident.⁶⁰ The issue did not come up at the 2005 summit chaired by Malaysia, when Prime Minister Abdullah said only that Thaksin had expressed appreciation for Malaysia's cooperation.

The last year of Thaksin's rule was less eventful than those that had preceded it, though Thailand continued to express a range of doubts about Malaysian activities. On the Malaysian side the focus changed to an initiative led by former Prime Minister Mahathir to play a mediating role in the conflict.

Mahathir's Attempt at Mediation

Mahathir's role had its origins in June 2005, when Thailand appointed an Honorary Consul on Langkawi Island, Malaysian businessman Dato Eskay Shazryl Abdullah. Hundreds of southern Thais who had fled to Malaysia to avoid arrest or persecution began appealing for his help, and he in turn asked Mahathir to assist.⁶¹

Mahathir discussed the issue with Anand Panyarachun, former Thai Prime Minister and then chair of the National Reconciliation Commission (NRC) — an independent body advising the government on southern issues — when Anand visited Kuala Lumpur in early October. In late November Mahathir visited Bangkok where Thaksin and the Thai King supported his involvement in a mediating role. 62 Detailed negotiations were held from 26-27 December, with Bersatu, PULO, GMIP, and BRN-Congress representing insurgent groups. 63 The Thai government was represented by senior military figures, Lieutenant-General Vaipot Srinual, director of the Supreme Command's Armed Forces Security Centre, and General Winai Pathivakul, Secretary-General of the National Security Council. A draft proposal was sent to Deputy Prime Minister General Chidchai Vansathidya in February 2006, and in August a Joint Development and Peace Plan for Southern Thailand was handed to Malaysia's Deputy Prime Minister Najib, and General Chidchai.64

Mahathir reportedly warned insurgent groups that they had to be realistic: "We explained to them that violence is not going to get them anywhere", he stated, "There is no way they can expect the Thai Government to give up territory." According to Mahathir, they did not seek independence or even autonomy: "They merely want peace, better education policy, equitable development, and better economic prospects for the south." Insurgent groups reportedly felt that Malaysian mediators had exercised too much of a leading

role,⁶⁷ but signed on to a plan that focused on the promotion of Malay economic and cultural interests, made offers of amnesty, and which sought to establish an independent tribunal to try security officers involved in human rights violations.⁶⁸

Many Thai officials expressed scepticism about these efforts, describing them as a personal initiative by Mahathir, and implying that Malaysian authorities would be unlikely to support them. Yet as noted, Najib was aware of these at least by August, and both he and Foreign Minister Syed Hamid later expressed willingness to continue with mediation if Thailand wanted it.

Other Thai critics noted that the insurgent groups taking part in the negotiations were "outside" organizations, and might not have any control over groups in the field. The absence of the BRN-C was indeed a notable shortcoming, though the GMIP is assumed to conduct some on the ground activities, and others presumably had links to those in the field.

In the event, Mahathir's mediation efforts did not really pay dividends. His Peace Plan was handed over at a time when Thailand was consumed by internal conflicts, just a few weeks before Thaksin was ousted by a military coup. Subsequent Thai governments made no reference to the plan.

Post-Thaksin: Improved Relations

With the coup of 19 September 2006 the chances of reduced violence in the south, and improved relations with Malaysia, looked promising. Coup leader General Sonthi Boonyaratkalin was a Muslim (though not from the south), and had gone on record to emphasize the need for a peaceful settlement of the conflict and negotiation with the insurgents. One of the participants in the Mahathir-initiated discussions with the insurgents, General Winai, was a leading figure in the coup group and his dialogue colleague, Lieutenant-General Vaipot, soon received a promotion to head the National Intelligence Agency. The new Prime Minister, retired General Surayud Chulanont, a former army head, had repeatedly called for a peaceful resolution of the southern conflict. He gained initial goodwill when he publicly apologized for the violence under Thaksin, promised to end "blacklists", dropped charges against Muslims arraigned under dubious pretexts, 69 and announced plans for southern economic and educational development. These actions were driven by governmental changes in Thailand, though indirectly they addressed several aspects of the Mahathir plan.

Malaysia welcomed these changes. There was an initial stumble on 21 November, when Prime Minister Surayud announced that the insurgency was being financed by restaurants and stalls selling tom yum kung in Malaysia, an explanation that was indignantly denied by Malaysia, quickly qualified by other Thai leaders, then dropped in subsequent Thai statements.⁷⁰ But bilateral relations soon returned to a cooperative footing after Suravud made Malaysia his first overseas destination in mid-October. In January 2007 a key coordinating role was assigned to Malaysian military Task Force 2010, in cooperation with Thai Task Force 960. Media reports indicated that Task Force 2010 had a broad range of responsibilities, ranging from supervising vocational training to maintaining contact with southern Thai insurgents.⁷¹ By late 2009, however, Task Force 2010 was controversially linked to a conspiracy to bring down the PAS Kelantan government, and its future role in relation to Thailand became uncertain.72

Abdullah visited Bangkok in February 2007, and Surayud made several visits to Malaysia that year, including for a third Annual Consultation in August. Concrete outcomes were, however, modest. A Joint Commission meeting in June 2007 endorsed the promotion of "3E" programmes in education, employment and entrepreneurship, and a range of plans were adopted towards this end. Malaysia again agreed to provide assistance in Islamic education (mirroring Thaksin's plans to involve Malaysia in teaching "correct" Islam). The two sides also agreed that Malaysia would take over Mahathir's mediation initiative, though Thai misgivings were apparent when its Foreign Minister initially denied that Malaysia would play such a role, only to be publicly contradicted by the Prime Minister two days later. Nonetheless, Malaysia did reportedly arrange one meeting between the Thai government and southern insurgents, when Prime Minister Surayud met PULO representatives in Bahrain in 2007.

Malaysia was less at ease with the governments of Samak Sundaravej (January–September 2008) and Somchai Wongsawat (September–December 2008). These pro-Thaksin administrations reverted to hard-line policies on the south, and showed little interest in working together with Malaysia. Kuala Lumpur was irritated by Samak's public demand that it return five alleged insurgent residents in Malaysia, but refrained from responding.⁷⁵ The arrest in June of two Malaysians who had gone to southern Thailand to participate in armed *jihad* against the Thai military may have aggravated relations, but this was kept from the public until a change in government in late December.⁷⁶

The change to the Democrat-led administration under Prime Minister Abhisit Vejjajiva in December 2008, and return to a southern policy that mirrored that of Suravud, was welcomed by Malaysia. However developments in southern Thailand continued to threaten the relationship. Among particularly notable developments were the decision in February 2009 not to press charges against soldiers and police implicated in killings at the Krue Se mosque, a court ruling in May that Thai security forces were not responsible for the deaths of Malay Muslim protesters in Tak Bai, and the killing of eleven Muslims praying in a Narathiwat mosque in June — a crime that remains unresolved. Abhisit worked hard to offset these developments. On his first visit to Malaysia in June 2009 he invited recently installed Malaysian Prime Minister Najib to visit southern Thailand. Najib, who had a long history of dealing with southern Thai issues when he was the Defence Minister and Deputy Prime Minister, was willing to reciprocate, and became the first Malaysian Prime Minister to visit the south following the fourth Annual Consultation in December 2009. Apart from stumbling in a press interview by advocating a form of "autonomy" for the south⁷⁷ — a position quickly retracted — he has kept relations on an even keel.

Has There Been Covert Malaysian Support for Insurgency?

As noted above, since the resumption of violence in 2001 Thailand has frequently accused Malaysia of unhelpfulness or even complicity in these events. McCargo has observed, "Thaksin's government — and many officials in the Southern border provinces — tended to believe that Malaysia was 'behind' the southern conflict." Do these beliefs have substance?

A porous border and widespread availability of dual nationality does make it easy for insurgents to escape by crossing the border. Malaysia expressed willingness to cooperate on these issues, though how far it might be willing to make concessions on dual nationality given that it has never acknowledged this must remain uncertain. Sealing off the entire border has never been a realistic proposition, and taking a hard-line approach would only have lost UMNO public support and benefited the opposition, particularly PAS.

Malaysia has, as noted, a long history of providing refuge for southern Malay Muslims. This has been an explicit policy since at least 1961. It is therefore no surprise that, as McCargo states, "Militant groups undoubtedly have cells in Malaysia, and some leaders of the old 'armed groups' are based there."⁷⁹

Since the Surayud government, Malaysia has used its extensive contacts with southern insurgent groups to try and mediate between them and Thai authorities, though this has yielded few results.⁸⁰

However Malaysia ended military support to insurgent groups after the surrender of the CPM in 1989, and since then its main concern has been the possibility that instability in its neighbour might spill across the border. Occasionally, of course, an official may have turned a blind eye, or limited planning or training may have taken place without Malaysia being aware of it. JI conducted planning and basic paramilitary training in Malaysia for some time without being discovered.⁸¹ Yet Malaysian intelligence generally has a well-deserved reputation for closely monitoring Islamic groups, and its slip on JI would probably have made it more determined to avoid further mistakes. Moreover as McCargo and many others have noted, the "prime movers" in this conflict are based in southern Thailand.⁸²

Thai claims that Malaysia stalled over action against identified insurgents were greatly exaggerated. Details Thai officials provided of "18 ringleaders" were vague and unreliable⁸³ and indeed most of the time Malaysia continued to assist with intelligence and arrests of insurgents. Occasionally this was acknowledged in the media, such as in January 2004 when reports noted that Malaysia had handed over no less than ten "militants", 84 in the repatriation of one of the 131 "refugees" in December 2005, and in the handing over of another insurgent leader around the same time.85 Coup leader General Sonthi also acknowledged Malaysian cooperation, and implicitly explained why this had not been greater when he noted that the Thaksin government killed many of the insurgents Malaysia had handed over to Thai custody.86 Malaysia did baulk at handing over one alleged insurgent leader, Chae Kumae Kuteh, falling back on an unconvincing claim that it had no extradition treaty with Thailand. But in this case it had been embarrassed by Thaksin's megaphone diplomacy, and implied that if matters were handled in the normal manner away from the public gaze then a resolution would have been possible.

Malaysia was, moreover, in no position to be too forthcoming to Thai requests, since that would benefit PAS in its rivalry with UMNO. Malaysian actions must also be seen in the context of deep concern over the escalation of southern violence, particularly during incidents such as those at Krue Se and Tak Bai.

Repeated Thai assertions that PAS and the Kelantan government it headed supported the insurgency lack credibility. In December 2004 Thais were quick to seize on a claim by Kelantan UMNO chief, Annuar Musa, that the state branch of Perkim (a government-linked Islamic missionary organization) had given RM120,000 to PULO. This claim was quickly refuted by state leaders, and Annuar withdrew his accusation, claiming he had been inaccurately reported.⁸⁷

PAS leaders were often outspoken on southern Thai developments, raising this not only in parliament but also in public demonstrations. However there is no evidence that sympathy has lead to direct intervention. There have, moreover, been different approaches to resolving the conflict. Party President Ustaz Abdul Hadi Awang has called for a referendum on independence, similar to that in East Timor. However Kelantan state leader, and PAS Spiritual Adviser, Tuan Guru Datuk Nik Aziz, has been much more restrained. He has called for a solution to southern problems through the involvement of the Thai monarchy, and has supported autonomy but advised southerners against demanding independence.

Conclusion

When conflict in southern Thailand resumed in 2001, Malaysia's primary focus was on assisting Thai security concerns. This reflected strong bilateral relations, which had been consolidated after the surrender of the CPM in 1989 removed a key irritant. At the same time, Malaysia's own concerns about militant Islam in the form of the KMM or JI, predisposed it to support a neighbour with potentially similar problems. However, after the tragic incidents at Krue Se mosque and Tak Bai in 2004, popular opinion in Malaysia forced the government to give a higher priority to the protection of Malays in southern Thailand. Responding also to Thaksin's provocative diplomacy, Malaysia pushed the issue much harder than would normally be the case, stretching the boundaries on the regional doctrine of non-intervention. Nonetheless it ensured that this did not lead to open confrontation in the ASEAN arena, and that the OIC passed no resolutions that would humiliate Thailand in the Islamic world. And it did not revert to earlier practices of extending covert support to the insurgency. Although the ruling UMNO had to tread carefully to ensure it would not lose public support to PAS, it never lost sight of its interest in southern Thailand's stability, and supported Thai efforts in this direction.

NOTES

- The author is grateful to Joseph Chinyong Liow for comments on an earlier draft.
- This section, and other parts of this paper, draw on John Funston, "Thailand's Southern Fires: The Malaysian Factor", in *UNEAC Asia Papers* 26 (2008): 55–67, available at http://www.une.edu.au/asiacentre/PDF/No26.pdf>.
- John Funston, "Thailand", in Voices of Islam in Southeast Asia: A Contemporary Sourcebook, edited by Greg Fealy and Virginia Hooker (Singapore: Institute of Southeast Asian Studies, 2006), pp. 77–88.
- Nadzru B. Azhari, "The crisis in the South: A Kelantanese perspective", The Nation, 14 May 2004.
- One estimate that does not include holders of dual nationality (see figures in note 6) is around 80,000 in 1996. Ching-lung Tsay, "Labour Migration and Regional Changes in East Asia: Outflows of Thai Workers to Taiwan", paper presented at the IUSSP Conference, "Southeast Asia's Population in a Changing Asian Context", Siam City Hotel, Bangkok, Thailand, 10–13 June 2002, p. 9, available at http://www.iussp.org/Bangkok2002/S14Tsay.pdf. A member of a parliamentary committee investigating Thai workers in Malaysia estimated that around 50,000 labourers entered Malaysia illegally in 2006, from the province of Songkhla alone. "NLA to help illegal workers in Malaysia", The Nation, 25 February 2007. Another account notes that "tens of thousands cross the Thai-Malaysia border daily as part of regular economic activity in that borderland area". Joseph Chinyong Liow and Don Pathan, Confronting Ghosts: Thailand's shapeless southern insurgency, Lowy Institute Paper 30, Sydney, 2010, p. 76.
- For reference to the 30,000 figure see, "KL will be asked to end dual citizenship", Bangkok Post, 2 April 2004 and John R. Bradley, "Islamist schools are blamed for bloody uprising in Thailand", The Independent (London), 15 June 2004; "Southern Thais recipe for success", The Nation, 14 March 2004, includes an estimate of over 100,000. Then Deputy Prime Minister Chaturon Chaisaeng is cited as saying that there may be hundreds of thousands, see "Report urges sweeping changes", Bangkok Post, 5 May 2004.
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- Golok crossing brings hope to southern Thais, Agence France Presse, 6 March 2007.
- ¹⁰ "Thailand, Malaysia to drop border passes", *The Phuket Gazette*, 16 August 2004.
- Thanet Aphornsuvan, Origins of Malay Muslim "Separatism" in Southern Thailand, WPS 32 (Singapore: Asia Research Institute, National University of Singapore, October 2004), http://www.ari.nus.edu.sg/publication_details.asp?pubtypeid=WP&pubid=529>, pp. 23–27.
- John Funston, Southern Thailand: The Dynamics of Conflict (Washington, D.C. and Singapore: East-West Center and Institute of Southeast Asian Studies, 2008), p. 10.

- For a general overview of the current conflict, see ibid., pp. 1–63.
- John Funston, Malay Politics in Malaysia: A Study of the United Malays National Organisation and Party Islam (Kuala Lumpur: Heinemann, 1980), p. 136.
- N.J. Funston, "Thai Foreign Policy from Sarit to Seni: Adaptation During the Second Indochina War", Ph.D. thesis, Australian National University, Canberra, 1989, pp. 198–200.
- John Funston, Malay Politics in Malaysia, op. cit., p. 136.
- See Roger Mitton, "The New Crusade", Asiaweek, 1 March 2001. This article is mainly focused on continuing high-level contacts between Malaysia and the Philippine insurgent group, the Moro Islamic Liberation Front. However it also notes that the military leader of the MILF and his deputy both received a year's training in guerrilla warfare in Malaysia in the early 1970s. It is also well known that Malaysia for years provided a passport and other support to Nur Misuari, the head of the Moro National Liberation Front. The role of the Police Special Branch in providing covert support to Aceh rebels is mentioned in Saari Sungib, Malaysia Boleh SB lagi Boleh (Kuala Lumpur: Self-published, 2003). Covert support to Bosnia is mentioned in Chandran Jeshurun, Malaysia: Fifty Years of Diplomacy 1957–2007 (Kuala Lumpur: The Other Press, 2007), pp. 252–53.
- Details of these camps are included in W.K. Che Man, *Muslim Separatism: The Moros of Southern Philippines and the Malays of Southern Thailand* (Singapore: Oxford University Press, 1990).
- Don Pathan, "Deep south insurgency puts strain on thai-malay relations", *The Nation*, 26 April 2008. See also Don Pathan, "Mahathir: Talk with exiled South leaders", *The Nation*, 1 February 2007.
- "Agreement between the Government of Thailand and the Government of Malaysia on Border Co-operation", signed by the Defence Ministers of Thailand (H.E. Mr Chuan Leekpai) and Malaysia (Hon. Dato' Sri Mohd Najib Bin Tun Haji Abdul Razak) on 18 March 2000. I am grateful to Panpanga Chulanont for drawing this to my attention.
- See Mohd Irfan Isa, "Recent ISA arrests are political, says Nik Aziz", Malaysiakini, 7 August 2001; Wong Chun Wai, "Path of 'Martyrs' Taking a Wrong Turn", The Star, 9 August 2001; and Reme Ahmad, "Eight more Muslim militants jailed under ISA", Straits Times, 27 September 2001.
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- John Funston, "Malaysia and Singapore: Managing Internal Threat", in Countering Terror: New Directions Post '9/11', edited by Clive Williams and Brendon Taylor (Canberra: Strategic and Defence Studies Centre, Australian National University, 2003), pp. 40–48.
- ²⁴ "Thai-Malaysia Summit", *The Nation*, 23 December 2002.
- ²⁵ "KL and Bangkok tighten border security", Agence France Presse, 23 May 2003.
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- Specifically, it envisaged nine areas of cooperation: (1) development of basic infrastructure and transportation linkages, (2) human resource development including education, (3) tourism, (4) culture and promotion of people-to-people

relations, (5) trade and investment, (6) agriculture including fisheries, livestock and irrigation, (7) monetary and finance, particularly the development of Islamic banks in Thailand especially in the southern provinces, (8) energy and (9) disaster relief. Closing Remarks by H.E. Dr Surakiart Sathirathai Minister for Foreign Affairs of Thailand at the First Meeting of the Thailand-Malaysia Committee on Joint Development Strategy for border areas (JDS), 5 August 2004.

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- 41 "Southern Violence: PM dismisses Mahathir's advice", The Nation, 3 November 2004.
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- 48 "Extradition Row, KL: Let's not get into public war of words", The Nation, 3 February 2005.

- "It's another job for the diplomats", Bangkok Post, 28 January 2005.
- "Extradition Row, KL: Let's not get into public war of words", The Nation, 3 February 2005.
- ⁵¹ "Fleeing Thais put neighbour Malaysia in tight spot", *Reuters*, 3 September 2005
- 52 "Malaysia says open to dialogue with Thailand over refugees", Agence France Presse, 29 September 2005.
- "Govt protests KL statement", *The Nation*, 8 October 2005.
- ⁵⁴ "Thaksin tells OIC sec-gen to read Koran", *The Nation*, 20 October 2005.
- ⁵⁵ "Ties with KL 'improving'", Bangkok Post, 29 October 2005.
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- The Star, 7 October 2006.
- See "Dr M: Ball's in Thai court", *The Star*, 7 October 2006 and Don Pathan, "Talks vital to restore peace in the South", *The Nation*, 27 November 2006. According to the latter, quoting Thailand's Honorary Consul on Langkawi Dato Eskay, the negotiators included Gerakan Mujahideen Islam Patani President Mohammed Bin Abdul Rahman, Patani United Liberation Organisation (PULO) vice president Razi Bin Hassan, Barisan Revolusi Nasional Congress (BRN) President Abdulah Bin Ismail, its Vice President Abdullah Bin Idris and Bersatu President Wan Kadir Che Man.
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- Connie Levett, "Secret peace plan for Thailand's south", Sydney Morning Herald,
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- "Dr M: Ball's in Thai court", The Star, 7 October 2006.
- ⁶⁷ Joseph Chinyong Liow and Don Pathan, *Confronting Ghosts: Thailand's shapeless southern insurgency*, op. cit., p. 86.
- According to *Time* the plan is a sixteen-page document that outlines seven points of agreement, including: re-establishment of the Southern Border Provinces Administrative Centre (SBPAC); establishing a programme for the economic development of the region on par with the rest of the country; recognition of southern Muslims as a distinct ethnic group with Malay as an official language in the south; an independent tribunal to try army officers for alleged human rights violations; and amnesty to all insurgents. *Time* says that the last two provisions proved stumbling blocks, though any attempt to recognize Malay as an official language would also be problematic as the hostile reaction to the NRC recommendation that Malay be accepted as a "working" language reflects. Parvaiz Bukhari, "For Southern Thailand, Still No Peace", *Time*, 21 December 2006.
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- ⁷⁹ Ibid., p. 188.
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