

**Security, Emancipation and Narcotics- State Vigilantism and the War
on Drugs in Southeast Asia**

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**Submitted in accordance with the requirements for the degree of
Doctor of Philosophy**

**The University of Leeds
School of Politics and International Studies**

June 2020

The candidate confirms that the work submitted is their own, except where work which has formed part of jointly authored publications has been included. The contribution of the candidate and the other authors to this work has been explicitly indicated below. The candidate confirms that appropriate credit has been given within the thesis where reference has been made to the work of others.

Some of the themes and data in Chapter 6, subsection 6.7.6 have appeared in publication as follows:

Gallagher, A., Raffle, E. and Zain, M. 2019. Failing to fulfil the responsibility to protect: the war on drugs as crimes against humanity in the Philippines. *The Pacific Review*. 33(2), pp.247-277.

The author was responsible for the section on the discourses of the war on drugs in the Philippines

The contribution of the other authors was the theoretical framework and overall direction of the article (Gallagher), and the interviews with ASEAN officials used in the paper (Maulana).

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Acknowledgements

Firstly, I would like to thank Hugh Dyer and Neil Winn, who have been a deep font support, kindness and patience throughout the whole process of writing this thesis. Their feedback has been invaluable, as have their insights on subjects as diverse as the transport system in Leeds, through to Japanese cinema.

Living with someone who is writing their thesis could never be the easiest feat, especially when they manage to break their ankle in the weeks prior to submission. For putting up with me, being wonderful and being the best partner I could ever have imagined, I would also like to thank Josephine Joy McCourt.

Special thanks are also due to my mum for reading my entire thesis and for John in supporting her in this endeavour, when she was no doubt exasperated by my often bizarre word choice and grammar. I would also like to thank my dad and Siân, as well as my sister Shona for their support and tolerance for my thesis induced flakiness.

The act of writing a PhD can be a solitary one, so I am particularly grateful to my friends within the POLIS office, including but not limited to Ben Fermor, Ryan O'Connor, Alex Waterman and Harry Swinhoe. Long may the tradition of office football and not going to pub quizzes live on.

Finally, I would like to thank my dear friend Wasana Tanthakul, on whose motorbike I got my first taste for the fascinating world of Thai politics.

Abstract

Today, it is generally accepted in much of the world that, judged by its outcomes, the war on drugs represents a failure. However, despite policy trends in some regions and at the multilateral level reflecting the failure of 'traditional' security approaches, the war on drugs remains a powerful discursive force in Southeast Asia. Using the case studies of Thailand in 2003 and the Philippines from 2016 onwards, this thesis addresses the question of how elites have sustained the regimes of truth associated with the war on drugs to legitimise forms of extrajudicial killing. It is argued that the biopolitical logics of the discourses of the war on drugs were effective in constructing the threat to the extent that extrajudicial killings were deemed permissible. It is also suggested that the violence witnessed in both case studies cannot be explained by existing models of state killing, and as a result the concept of state vigilantism is developed here. The role that non-state actors have played in contesting traditional paradigms of security is also of some interest in this thesis. As a result, the Aberystwyth School's understanding of emancipation is explicated through the consideration of how non-state drug policy actors contest dominant security paradigms within Southeast Asia.

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Abbreviations

ACSC- ASEAN Civil Society Conference (ACSC)

ASEAN- Association of Southeast Asian Nations

ASOD- ASEAN Senior Officials on Drug Matters

BPP- Border Patrol Police (Thailand)

CHR- Commission on Human Rights (Philippines)

CIA- Central Intelligence Agency (United States)

DEA- Drug Enforcement Agency (United States)

FBN- Federal Bureau of Narcotics (United States)

ICC- International Criminal Court

INCB- International Narcotics Control Board

KKY- *Ka Kwe Ye* (“Home Guard Unit”) (Myanmar)

KMT- Chinese Kuomintang

NCC- National Cultural Commission (Thailand)

NPA- New Peoples’ Army (Philippines)

NSC- National Security Council (Thailand)

PDEA- Philippine Drug Enforcement Agency

PNP- Philippine National Police

SPO- Special Narcotics Organisation (Thailand)

UNFDAC- UN Fund for Drug Abuse Control

UNGASS- UN General Assembly Special Session on drugs

UNODC- United Nations Office on Drugs and Crime

UWSA- United Wa State Army (Myanmar)

Chapter 1- Introduction

1.1 Background

To many, the debate surrounding the war on drugs is a closed book. Despite the billions of dollars channelled into illegal narcotics enforcement, little headway has been made in restricting the size of markets or undermining the power of criminal organisations. It is now uncontroversial to argue, as an editorial in the *British Medical Journal* in 2016 did, that judged by its outcomes, the global war on drugs has been a resounding public health failure (Godley and Hurley, 2016). In 2016, the London School of Economics released a collaborative paper which suggested that the world had entered the 'Post-War on drugs era', partly as a result of the proceedings of the UN General Assembly Special Session (UNGASS) held in April on the issue (Collins, 2016). Indeed, some countries in Latin America and Europe have adopted policies which aim to abandon the notion of drugs as solely a security problem (Boister, 2016). Even the United States, which has long been the strongest advocate of drug prohibition had begun to soften its security led rhetoric of the 'war on drugs', something which would have significant consequences for the funding of anti-narcotics projects globally. In light of this, in 2016 it appeared as though the Vienna consensus, which brings together the UN's conventions on narcotics prohibition, was beginning to be seriously questioned by policymakers across the globe (Boister, 2016). In the place of global policies emphasizing enforcement and prohibition, governments appeared to be increasingly receptive to calls for more evidence based policy from NGOs, civil society and some other states (Boister, 2016).

There is a risk of over simplification in arguing that the war on drugs is over however, as the 'vernacular of security services' continues to be invoked by many over the 'idiom of public health' in many parts of the world (Sheptycki, 2003, p.133). Excepting some countries in South and Central America, Southeast Asia is perhaps the foremost region where hard-line security led rhetoric has found violent expression within the last fifteen years. Despite the Association of Southeast Asian Nation's (ASEAN) rather fanciful pledge to become entirely 'drug free' by 2015, the region has experienced rising levels of production and consumption of illicit substances, particularly methamphetamine (UNODC, 2013). As of 2012, Southeast Asia and Oceania represented the largest producing and consuming regions of amphetamine type stimulants in the world (UNODC, 2015). Though consumption has increased in much of the region, in both Thailand and the Philippines levels are still broadly comparable to many industrialised

countries in the global north¹. In response to this, Thailand and the Philippines have both witnessed particularly violent 'wars on drugs', where the use of extrajudicial force to eliminate gangs, dealers and in many cases drug users has been sanctioned, and often actively promoted by the state. Consequently, this thesis analyses how the war on drugs remains so deeply entrenched in security thinking in the region, to the extent that violent extrajudicial approaches are favoured. It also examines the discourses that were utilised to make this war on drugs, as well as how these discourses are located historically and culturally in both Thailand and the Philippines.

This introduction sets out the primary research problems that this thesis seeks to address, and gives a broad overview of the methods, cases and sources that will be utilised to do so. Broadly, this thesis is concerned with the wars on drugs in Thailand and the Philippines, with some consideration of Myanmar as the region's foremost producer and exporter of illegal drugs. From here, the terms drugs and narcotics will be interchangeable, much as they are in the Single Convention on Narcotic Drugs of 1961. In addition to this, the phrase 'war on drugs' is used broadly within this thesis to refer to the enforcement practices, discourses and laws which underpin the global prohibition regime, as well as the violence associated with this. However, the phrase 'war on drugs' and 'drug war' here also refer to the specific campaigns in Thailand during 2003 and from 2016 onwards in the Philippines. As will be outlined later, the notion that either represent a genuine war is treated with some scepticism, but remains a useful rhetorical shorthand.

Thesis statement:

The thesis is that these states have utilised mass violence in spite of emancipatory policy trends due to the rhetorical power of deeply entrenched biopolitical regimes of truth surrounding the war on drugs, which appeals to both elites and the broader population.

Main research question:

How have elites sustained the regimes of truth associated with 'the war on drugs' to legitimise unorthodox modes of violence despite global policy consensus moving away from such hard-line approaches?

¹ According to the UNODC's (2012) World Drugs Report, methamphetamine consumption stood at 1.4% in Thailand, and 2.13% in the Philippines. Whilst this is on the higher range of the spectrum, by comparison the United States stood at 1.76%, and both New Zealand and Australia were at 2.1%. As will be shown, forms of methamphetamine represent the drug of most concern to states in the region.

1.2 Research lacunae

As will be shown here, no study has attempted to account for why the language of the 'war on drugs' remains a pervasive feature of politics in regions where consumption is not seen to be particularly high. Although the United Nations Office on Drugs and Crime (UNODC, 2019, p.3) projected that the methamphetamine market in Southeast Asia, East Asia, Australia, New Zealand and Bangladesh is worth between \$30 and \$61.4 billion annually, other sources of revenue for organised crime are given less prominence. For instance, the counterfeit goods market in Southeast Asia alone is estimated to be worth \$33.8 to 35.9 billion annually (UNODC, 2019, p.140). It is therefore significant that drugs, and forms of methamphetamine in particular, have been presented as critical issues of national security. This leads to two hitherto unexplored lines of enquiry; one explores how the language used by states and regional organisations has led to violence in the context of the war on drugs, in the form of what is referred to here as state vigilantism. It is suggested that as no other typologies of political violence account for such killings in the context of the war on drugs, state vigilantism thus describes vigilante style killings, which are condoned, and perhaps even orchestrated by the state. The Foucauldian regimes of truth mentioned in the thesis statement refer to 'the types of discourse which it accepts and makes function as true', bringing together techniques and procedures through which value is accorded (1977, p.131). The second line of enquiry aims to delineate how international and local organisations contest these practices, instead making a case for emancipatory iterations of security. The understanding of emancipation here is in line with Ken Booth's (2007, p.112) formulation of it as 'the securing of people from those oppressions that stop them from carrying out what they would freely choose to, compatible with the freedom of others'. In addition, this thesis will also utilise the concept of emancipation as a 'practice of resistance' as a means of establishing emancipatory goals (Booth, 2007, p.112). Although initially these two issues may appear as separate from one another, it will be shown that the war on drugs represents a contest between these two rather divergent understandings of what ideal drug policy should be.

Whilst some have addressed the governance of non-traditional security threats in Southeast Asia (Emmers, 2003; Jones, 2011; Caballero-Anthony and Emmers, 2006), the majority draw upon the Copenhagen School and securitisation theory, and none attempt to account for how drugs trafficking has endured as one of the most contentious security issues in the region. As will be argued, these do not capture how a wide range of referent objects of security have become entrenched over time and integrated into regional security discourses, despite

diverging local norms and cultures. More recent literature on the subject of non-traditional security threats within ASEAN argues that many states view such issues as 'low hanging fruit' as a means of building security cooperation (Martel, 2016). However, here the case will be made that unresolved issues of poverty, insurgency, development and corruption have rendered the issue of drugs one that securocrats utilise to make a case for their involvement in domestic governance and politics. The following will give a brief explanation of the theoretical framework of the study, which is influenced by the methods of poststructuralists such as David Campbell and Lene Hansen, as well as the theoretical framework of the Aberystwyth School, which it will be argued can be reconciled with one another.

This thesis aims to operationalise the largely normative theory of security as emancipation proposed by the Aberystwyth School as an analytical tool, whilst arguing that a common thread relates this to the constitution of the other and the self, as well as ideas about the violence of the biopolitical state. 'State vigilantism', it will be shown represents a response to both the problem and populist opportunity offered by the issue of drugs. This represents an opportunity to populist leaders, as drugs regimes of truth still hold significant sway among both security institutions and the general public. It will consequently be argued that targeted killings justified through a war on drugs of the type seen in Thailand, and currently the Philippines are the biopolitical response of states which have no capacity or willingness to upset the prevailing 'regime of truth' in Southeast Asia. Short of being able or willing to offer emancipation to marginalised groups involved in the trade both as users and traffickers or construct meaningful regional policies, it will be further suggested that such killings represent a form of performative biopolitics, which aims to discipline the national population into compliance with particular understandings of moral rectitude.

1.3 Emancipatory security and immanent critique

As Ken Booth (1995, p.123) has pointed out, critical security studies in general is rarely applied to empirical cases and would thus benefit from the consideration of 'real people in real places'. Further, Matt McDonald (2009, p.112) suggests that as a 'philosophical anchorage', Booth's account of emancipation 'stops short of providing a clear idea of what emancipation looks like in practice, or how it might inform our analyses of empirical contexts'. Therefore, here it will be argued that drug policy reforms that are supported by civil society organisations and some NGOs allow the scope to explore how the capacity to 'speak security' (McDonald, 2009, p.112) in such cases represents a claim for emancipation.

This movement away from the idea of a global war on drugs challenges the 'regimes of truth' which sustain violent responses to drug users and traffickers in the region through the use of

immanent critique. However, the consideration of drugs policy also helps to further problematize Booth's conception of emancipation. Whilst Booth's (2007, p.104) argument that security should represent more than mere survival is accepted here, he goes on to argue that:

'Security allows choice, and some choices (the result of security rather than insecurity) may be life threatening. Elective danger is a privilege of the secure, direct and unavoidable danger is the determining condition of the world's insecure'

This sets up a problematic binary; indeed often many insecure groups may make choices which involve an element of elective danger in order to improve their economic security. An example of this could be the generally impoverished opium farmers or drug couriers on the Thai and Myanmar border, who engage in 'elective danger' as a means to ensure some form of economic security. Similar arguments could be made about users of methamphetamine, which became popular during the Asian financial crisis as a means of allowing manual labourers to work longer hours (Phongpaichit and Baker, 2004, p.159). Whilst those involved with illicit economies do not always 'face direct and unavoidable danger', equally many do not have the level of security Booth argues is representative of emancipation. Further, such choices may lead those involved in the drug trade to be at risk from the state, who Booth (1991, p.320) notes are unreliable referents as 'whereas some are in the business of security (internal and external) some are not'. As a result, there seems to be a tension in Booth's (2007, p.104) assertion that 'elective danger is synonymous with a sort of freedom', but this seems to miss the mark when such acts are born of necessity or general insecurity. Certainly, established criminal networks would not be included within this category, as beyond a certain (economic) threshold it cannot be suggested that such individuals are insecure. However, there is scope here to nuance Booth's understanding of emancipation in cases where the marginalised utilise the small amount of agency they have to attempt to attain some sense of security for themselves. Consequently, this responds to the need to address the question of 'what one is to be emancipated from', which has hitherto been neglected within the Aberystwyth School (Nunes, 2012, p.353).

Most drug networks in Southeast Asia make use of a veritable army of farmers, bush scientists, runners and street level sellers, who involve themselves in the trade as a means of developing some security, at the risk of incarceration or even murder. For instance, it is worth consideration that Thailand has the fourth highest number of incarcerated women in the world, with 82% being held for drugs charges, compared to 65% of men (Lefevre, 2016; Chitsawang, 2015). Whilst most countries exhibit a higher rate of incarceration of women for drug offences than that of men, most do not display such a marked discrepancy between genders as Thailand (Bewley-Taylor, Hallam and Allen, 2009). As the UNODC (2014) demonstrate, women and

especially those from ethnic minorities are often delegated low ranking, low paying and high risk positions, usually as drug mules across borders. Chouvy and Meissonnier (2004, p.53) also note that the knowledge that many ethnic minorities have of border areas between Myanmar and Thailand means that they are targeted by trafficking rings. In short, the costs of drug prohibition are passed onto marginalised groups, whilst criminal networks are able to exploit a large pool of disenfranchised people, who are routinely detained by law enforcement (Hameiri and Jones, 2015, p.220). Whilst the UNODC have urged governments in the region to prioritise higher level targets, there appears to be little regional appetite or capacity for investigating high level criminal involvement of politicians and the police (Raksaseri, 2017).

Booth's (2007, p.112) delineation of emancipation as 'freeing people from those physical and human constraints which stop them carrying out what they would freely choose to do' can also be read two ways when applied to the context discussed here. Whilst it could be argued that true emancipation would result in the groups discussed above not having to be involved with drug trafficking networks, equally it is problematic to assume that those involved in the trade, either as dealers or users would necessarily choose not to. Certainly, from the perspective of states, the ideal would be a world where no-one consumed narcotics, much as it would be 'better' from the perspective of public health if people did not consume unhealthy foods or tobacco products. This demonstrates Eva Hershinger's (2015) argument that the 'ambivalent materiality' of drugs as both objects of health in their licit form and also recreation, as well as objects of danger capable of disrupting the fabric of society. Owing to this ambivalence, Hershinger (2015, p.195) argues that drugs secure the life of the drugs regime whilst concomitantly representing a cause of insecurity by threatening the life of those the regime is meant to protect. However, as will be shown here, 'protection' of society can take many forms with variable levels of success- through preventative education, healthcare, alternative development and as will be argued in the case of the war on drugs, discipline.

This thesis will suggest the alternative visions of drug policy offered by non-state groups often represent a particular form of immanent critique whereby possibilities for emancipation within the prevailing social order can be explored (Blakeley, 2013, p.604) especially in regions where this may be particularly difficult, such as Southeast Asia. Specifically, Critical Security Scholars argue that the most sustainable grounding for emancipatory change is the expansion of dialogic contexts so that marginalised voices can be heard, and consequently the reasons for such marginalisation can be addressed (Blakeley, 2013, p.604). Clearly in this case expanding such dialogic contexts to those involved in the drug trade is both ethically and practically difficult, but there exists a network of nongovernmental and civil society organisations which advocate for such marginalised groups. This is also an area not covered by current literature; Matt McDonald

(2008, p.574) highlights that owing to the predominance of the Copenhagen school in analysing security issues, there is a focus on 'dominant voices' in the literature. Anja Jakobi (2015) has echoed this, suggesting that statist theory fails to account for how non-state actors contribute to and in many cases contest the practices of global crime governance.

This approach offers some rejoinder to post-structuralists within Critical Security Studies who argue that emancipation represents a naive, Eurocentric, enlightenment derived and imperialist project (Booth, 2007, p.116). Indeed, as both David Wyn Jones (2005) and Ken Booth (2007) have pointed out, whilst poststructuralists may reject notions of emancipation or progress, their work is often influenced by ideas of a security 'ideal'. For instance, whilst the Copenhagen School of Security is influenced to a great extent by post-structuralism, the ideal of desecuritisation is still proffered as a more ideal form of politics (Buzan, Wæver, and de Wilde, 1998, p.29). Further, as Browning and McDonald (2011, p.237) argue, often such ideas of progress are not 'inherently problematic', but can seem limited to the point of being 'banal in providing an ethical framework for coming to terms with the complexities of contemporary world politics'. As a result, this section will focus on how intergovernmental bodies, non-governmental organisations, and civil society groups attempt to construct alternatives to the war on drugs and consequently understand progress in this particular case. This offers a counterpoint to the widely held belief that critical approaches lack any real policy relevance that Linklater (2005, p.121) has recognised; indeed here the argument is that the issue of drugs represents a case where the authority of securocrats within states is gradually being eroded.

As previously mentioned, Milliken (1999, p.244) asserts that 'there is an empirical need to show some attention to how subjugated actors attempt to address such regimes of truth'. Whilst some work has been done on the 'aspirations' of ASEAN to make civil society an integral part of a 'participatory regionalism', few attempts have been made to account for actors which actively contest state understandings of security in the region (Allison and Taylor, 2017). In part the reasons for this are understandable- resistance to state security practices in non-democratic contexts is rendered far more difficult by the lack of platforms at a local level to voice this, as well as the fear of reprisals from all sides of those involved in the drugs trade. As Martel (2016, p.13) notes from interviewing a select group of NGOs in the region, they are actively quite sceptical of the regional interest in non-traditional security issues, viewing it as a possible pretext for restricting civil liberties and violating human rights. This is significant, because it demonstrates how often local civil society groups and organisations seek to appeal to and use the languages of international norms (in this case human rights) to contest state security practices.

Ancillary research question:

How do non-state groups use emancipatory forms of immanent critique to challenge state drug policy?

1.4 Security and the politics of identity

Poststructuralist analyses of how security threats are constructed often centre around the notion of 'othering' (Herschinger, 2013, p.8). However, whilst the second section of this thesis, examines the role of othering in the war on drugs in Thailand and the Philippines as case studies, the initial chapters of this thesis will also be interested in the historical 'self' which the drugs regime created. Although the contexts this thesis focuses on differ, it will be shown that the drugs regime 'self' which has been created at a regional level is riven by problems. Rather than creating a 'self' in contradistinction to the other of drugs traffickers and users, here it will be suggested that the notion of 'sameness' depicts the discourses of drug policy in the region. Sameness can be seen as a kind of coalition building, whereby discourses with negative 'others' co-opt other collectivities (usually state actors, elites, INGOs, multilateral organisations) that align with their interests and ideologies. Whilst it has been suggested that in much of the world the hegemony of the United States' punitive model of narcotics control has waned (Friedrichs, 2008, p.144), it maintains much of its influence in Southeast Asia. In addition, as the emphasis of global policy remains on 'supplier' regions (Friedrichs, 2008, p.143), Southeast Asia is likely to remain in the spotlight for some years to come, especially as China's consumption levels increase. Accordingly, it will be argued that the issue has been utilised as one to instil a regional security identity which is politically useful for some state actors, but has created little cooperation because the forces that sustain such criminal networks are embedded within the institutions of states which comprise ASEAN, and as such there is no real appetite to address such issues.

In particular, it will be argued that such actors have embraced a particular logic of the war on drugs (Grayson, 2003), which has become an important facet of regional and national security identities over several decades. As David Campbell (1998, p.185) notes, the logic of the war on drugs bears some striking similarities with the formulations of the Soviet threat in the 1950s, by presenting narcotics as a danger to the ethical boundaries of national identity. Further Campbell (1998, p.188) notes that the 'articulation of danger associated with the war on drugs' was inculcated during the cold war where the 'ethical borders of the state's identity through the containment and exclusion of the 'pathological'' was established. It is therefore no coincidence that both Thailand and the Philippines have long been the United States' closest allies in the

region; it will be shown that such logics were embraced, partly due to security ideologies and in part as a result of material inducements in particular forms of aid. As with the domestic war on drugs in the US, many security practices which had become commonplace during the war on communism, such as the use of extrajudicial killing for political purposes were consequently replicated. Now that the global consensus is shifting away from the ideologies of the war on drugs, it will also be suggested that the rejection of this by populist leaders has become an important means by which to make the case for violent measures. An outright hostility to the UN and international community from both Thaksin in Thailand and Duterte in the Philippines has been an important component of their discursive platforms (Roberts, Trace and Klein, 2004; Al-Jazeera, 2016).

As well as the borrowing of security practices from the war on communism, the US's war on drugs also utilised its language, which was similarly shaped around ideas of the 'normal' in opposition to the 'pathological', and the national citizen and foreign interlopers (Grayson, 2003, p.148). This framing of the issue as 'foreign' is important in the context of Southeast Asia, as much of the production and trafficking is carried out by marginalised groups who have not been integrated either socially, or economically into state structures. Many of the facets of the drugs 'regime of truth' which Grayson (2003, p.155) identifies are applicable to Southeast Asia, such as the assertion that 'real' citizens of the nation do not consume drugs, and that prohibition is the natural state for drug policy. However, this does not acknowledge recent histories of states in Southeast Asia, many of which drew taxes from the legal trade in opium (Windle, 2013, p.1185), nor the cultures of consumption and production among hill tribes and other minorities. Because this logic of excluding the 'other' entirely has become so engrained, emerging norms such as harm reduction and emphases on rehabilitation have been difficult to reconcile with the particular drugs 'regime of truth' which has a strong hook in public opinion. Whilst certain bodies such as ASEAN may pay lip service to practices like harm reduction, the implementation of such policies remains quite rare, or poorly funded. This demonstrates the inconsistency of state and regional rhetoric, which simultaneously presents drug users and addicts as agents of destruction and moral demise, but also victims of globalisation and underdevelopment. David Campbell (1993, p.7) argues that such regimes of truth need to be examined to draw out how 'it renders logical and proper certain policies by authorities, and in the implementation of those policies shapes and changes people's modes and conditions of living' ultimately attaining the status of societal 'common sense'. Further Milliken (1999, p.236) points out that 'regimes of truth' make possible certain courses of action, whilst rendering other policies as unintelligible, unworkable or improper. This is demonstrative of the logic of the war on drugs seen in Southeast Asia. Violent state vigilantism in the form of extrajudicial killings is only made

possible by a 'regime of truth' which upholds violence as the only remaining solution for an intractable policy problem.

Ancillary research question:

How have discourses and 'regimes of truth' been constituted and reconstituted to make the case for a 'war on drugs' in Southeast Asia?

1.5 The logic of biopolitical state vigilantism

The final component of this thesis is to test Booth's (1991, p.319) assertion that power and order do not produce 'genuine and sustainable' security, through the analysis of state violence as a response to drug trafficking. The use of violence, which will be here analysed as a form of 'state vigilantism' is based upon the belief in the ability of state power to be able to discipline populations into avoiding the narcotics trade altogether, whilst also eliminating those seen as un-reformable. It is argued that this ability of the state to deter the populace from engaging in any practices related to drugs through harsh, and often ritualised disciplinary measures is perhaps the most important logic of the war on drugs. Moreover, state violence as a response to problems related to drugs stems from an inability or unwillingness to offer any form of emancipation to marginalised groups. Consequently, targeted killings are envisaged as a method by which to address (or eliminate) the 'problem' inexpensively, in a way that is consistent with elite ideologies and without upsetting the 'regimes of truth' which legitimise military and police power. This represents a form of biopolitics, as at the core of the project is a disciplining of human behaviour, in short making the 'dimensions of life' of those involved with the drug trade amenable to governance (Grayson, 2008, p.348). In addition, the biopoliticised securing of populations is a set of processes of surveillance, accumulation and analysis of data concerning behaviour (Dillon and Lobo-Guerrero, 2008, p.267) much in the same way the international drugs regime is. In part, the expectation that such issues will be addressed is born of the current parameters of the global debate on drugs policy, which simultaneously emphasises a need to tackle organised crime, as well as the health consequences of drug consumption upon a population.

1.5.1 Conceptualising State Vigilantism

Whilst there is a small body of work on the role that vigilantism plays in local political struggles (Tankebe, 2009; Telle, 2013; Sundar, 2010), there have been few attempts to conceptualise this in relation to the logics and strategies of the war on drugs. Added to this, there is little consideration of situations where state institutions may organise extrajudicial killings as a form of performative communication, but simultaneously attempt to portray them as vigilantism or

gang warfare in a bid to retain legitimacy. In defining vigilantism, Les Johnston (1996, p.220) argues that it generally aims to 'control crime or other social infractions by offering assurances of security both to participants and to others'. However, the departure from Johnston here is that often such vigilantism cannot be said to be 'autonomous citizenship' or a genuine social movement when it is encouraged and carried out by the apparatus of the state, whilst attempting to appear to be acting autonomously. Further, Johnston (1996, p.224) posits that 'if police officers engage in 'private enterprise' it is neither as mere private persons nor as mere public police, but as something altogether more complex', and so does not represent a case of vigilantism. This point is rejected here on the basis that the vast majority of killings in the cases discussed are carried out by police and informally directed by state policy, but are often presented as vigilantism by the state. For instance, Jon Rosenbaum and Peter Sederberg (1974, p.554) note that forms of 'official vigilantism' are possible where vigilantes may have the sympathy and perhaps even the support of the state in their activities. As an example, they note that the *Esquadrão da Morte*, a Brazilian death squad which was estimated to have murdered around 500-1200 people, was comprised chiefly of off duty police officers (Sederberg, 1974, p.458). Their actions were rooted in the belief that the habitual criminals they targeted were unreformable and so they were doing a service to the nation by killing them (Sederberg, 1974, p.458). Consequently, the implication is that they viewed their actions as wholly legitimate and as a result of this, justifiable. Although traditional vigilantes would lay claim to some form of legitimacy, the tacit support or orchestration of the state is what sets state vigilantism apart.

Jon Rosenbaum and Peter Sederberg (1976, p.26) argue that there is a need to analyse the 'implications of establishment violence for a political system', largely due to the fact most research done on vigilante violence is concerned with that which seeks to change the established order, rather than that which is designed to sustain it. However, they also highlight that often the use of vigilantism is conceived as a means of bringing a form of order to society without legal processes (Rosenbaum and Sederberg, 1976, p.26). Whilst Tankebe (2009) suggests that recourse to violent self-help mechanisms in the form of vigilantism is directly related to perceived state performance in the provision of personal security, this implies that such actions are unidirectional. Further, Sundar (2010, p.116) argues that culpability for vigilantism can be omnidirectional, as the state can claim that private citizens have taken the law into their own hands, whilst the people can justify their actions by state inaction. Although Rosenbaum and Sederberg (1976, p.74) note that short term this may complement the state's coercive powers, it also still allows the pretence of legitimacy. In the case of state vigilantism, this may be true in the short term- initially the state is able to present killings as autonomous citizenship, only for this legitimacy to deteriorate under scrutiny from the press and other states. This is partly why the preference here is for the term state vigilantism rather than

‘official vigilantism’, as the latter implies that official sanction is given to vigilante activities, whereas here the contention is that this activity is orchestrated by the institutions of the state, whilst attempting to uphold a pretence of legality and thus legitimacy. In a sense then, modern state vigilantism in the context of the warring war on drugs should be seen as a means of maintaining the status quo of ‘traditional’ security paradigms and techniques (of which order is central) when they are challenged in the international arena by a variety of actors. The ultimate goal of violence may in some sense be immediate such as reducing street dealing, but is also communicative as it seeks to simultaneously make the case for security actors to form policy and practice and discipline the broader public into adhering to drugs laws. As Grayson (2012, p.125) notes, this form of communication is inherently biopolitical, as it seeks to ‘alter the behaviour of populations in ways that will make them more amenable to governance by imposing a specific political subjectivity on those who are selected for extermination’. As will be demonstrated though, this form of political subjectivity still makes a case for the legitimacy of killing.

1.5.2 Legitimacy and Vigilantism

Whilst vigilante violence is by its very nature illegal, as Johnston (1996, p.225) suggests, establishing the legitimacy of such acts is far less easy. Whilst some postmodern thinkers such as Foucault reject liberal notions such as legitimacy and illegitimacy, here it will be suggested that it remains a useful concept (Fraser, 1981, p.18). Foucault views modern power as being conducted through historically instituted social practices and as not emanating from one source, and thus rejects the liberal framework which regards the imposition on rights as illegitimate (Fraser, 1981, p.26). According to Nancy Fraser (1981, p.31), Foucault’s account of power is ‘normatively confused’ in part as he assumes that all traces of liberalism can be expunged from his account of power simply by forswearing any mention of legitimacy. But processes of legitimation remain (or have become) of some importance in Southeast Asia (Alagappa, 1995), especially in contexts where social practices violate norms. For instance, the attempt by vigilantes to label victims of their violence as “drug pushers” or “dealers” in this context, often literally in the form of a sign on the corpse, could be read as a bid for legitimacy. Such acts seek to demonstrate an appeal to moral legitimacy, but also preclude any scrutiny of this as the process of accountability which may establish the legitimacy of such acts. This draws upon Allen Feldman’s (1997, p.30) concept of the scopic regime, which suggests that ‘compulsory visibility’ is the ‘rationality of state counterinsurgency’. Moreover, this performative scopic power aims to ‘create anxiety for potential targets (and wider populations) about being monitored so that preferred norms are internalised and behaviour is shaped’ in forms acceptable to the state (Feldman, 1997, p.42). Again, such strategies link back to the biopower and panopticism

inherent within the war on drugs within the region, which will be discussed in chapter four.

As a result, here illegitimacy is defined in terms of the standard liberal model of where the 'power-free zone of rights' is transgressed by any actors (Fraser, 1981, p.26), without the processes of accountability which may allow this in cases of public safety. Though Johnston (1996, p.225) cautions that 'choosing to conflate public abuse of power with (private) vigilantism has serious consequences', this almost appears like a disciplining move to deny that a relationship exists between the two. Similarly, Sundar (2010) posits that where the state may use vigilantism, it raises the question of where the power of legitimately constituted state ends and that of powerful elites and institutions begins. However, it is argued that state vigilantism is where a state uses vigilantism as a cloak for policy strategies and techniques which they acknowledge are legally, morally and perhaps even pragmatically illegitimate. The analysis of the legitimacy of state violence in the context of the war on drugs is also an important contribution to the literature on targeted killings, which is largely dominated by studies of its use by Western liberal states within the context of the war on terror or as an element of counter-insurgency operations (Blakeley, 2013, p.602). This has given leaders such as Thaksin and Duterte some basis to claim a double standard, as they deemed purges of drug dealers (like that of terrorists) to be in their national interest, and so essential for state preservation, aspects of security which are routinely used to justify state terrorism (Blakeley, 2013, p.602). Indeed, in November 2016 this led Duterte to rebuke suggestions that he would face the International Criminal Court for his war on drugs, further suggesting that the US was not a signatory to the same body because 'they were afraid Bush would face it' (Al-Jazeera, 2016).

As a result, here the suggestion is that a similar logic of 'radical uncertainty' utilised by Western states in counter terror operations overseas is also utilised to make a case for state vigilantism. Logics of uncertainty represent 'informal determinations of responsibility, unchecked characterisations of immanent threats' and an attempt to render the legal status of victims ambiguous by presenting killing as an act of war (Kessler and Werner, 2008, p.291). The overruling logic behind this is the notion that the risks of delaying action in eliminating potential threats are so potentially catastrophic that such actions are justifiable (Kessler and Werner, 2008, p.291). As Kessler and Werner (2008) highlight, this is based upon an understanding of 'non-innocence', or *nocentes* in Latin, literally translating as 'those who are harmful'. It is suggested that this calculation of non-innocence of those involved in the drugs trade is based upon biopolitical logics, where power and knowledge are used to establish profiles, patterns and probabilities of targets over formal or legalistic procedures (Dillon and Lobo-Guerrero, 2008, p. 267). As a result, states often make the case that lethal force is necessary as a form of risk management to pre-empt immediate threats proportionate to the

threats in question (Kessler and Werner, 2008, p.304). Clearly, this is the logic also applied to those extra-judicially murdered by means of state vigilantism- profiles are developed to identify those who are harmful, and are thus eliminated before they can cause any further 'damage to society'. In the context of the war on drugs such actions seem to overstate the immediate threat of illicit economies such as the trade in illegal narcotics. Whilst the use of such extrajudicial methods is often presented as necessary for state preservation in the context of counterinsurgency and counterterrorism, which can pose immediate threats, the case for such methods in the war on drugs is less clear. Whilst Mason (2003, p.404) argues that public order is an important element of counter-narcotics operations in Columbia, disruption and violence instigated by cartels is far more common than in the Southeast Asian context. Consequently, an important question here is what the purpose of vigilante violence might be, when past evidence suggests that the use of extrajudicial killings in the context of the war on drugs cannot meet the stated aims of policy, especially when the threat the trade poses is embedded in the social, political and commercial fabrics of society. Whilst some may argue that such state vigilantism represents the 'exceptional, unrepresentative behaviour of deviants' (Blakeley, 2013, p.602), this does not account for the levels of public support that such campaigns have won. In Foucault's (1978, p.16) lecture as part of the Birth of Biopolitics series he argues:

What makes a government, despite its objectives, disrupt the naturalness specific to the objects it deals with and the operations it carries out? What will lead it to violate this nature despite the success it seeks? Violence, excess, and abuse? Maybe, but ultimately these are not merely or fundamentally a matter of the wickedness of the prince.

Significantly, Foucault viewed such risk based practices as a form of disciplining conduct through imposing a particular regime of truth upon the population as a whole (Rose, 2001, p.7 in Kessler and Werner, 2008, p.292). It is worth considering that in the Southeast Asian context, support for both Thaksin and Duterte's war on drugs remained high in the short term, although since it has been used to present the former's general disregard for human rights and abuse of power. Therefore, there is a need to conceptualise the forms of violence that particular regimes of truth have produced in the context of the war on drugs in Southeast Asia and often in South America. As will be shown, discourses of exclusion and othering represent a calculated means by which states do this, whilst also distancing themselves from the violence that this can create. Johnston (1996, p.231) seems to acknowledge this in suggesting that vigilantism is a reaction to either 'real, threatened, or imputed' social deviance, as for the last two cases there is a need to enunciate and therefore coalesce opposition to such behaviour, something which may be done by a political actor.

Ancillary Research questions:

How and why do states utilise state vigilantism as a means to achieve their policy aims as part of the war on drugs?

1.6 Methodology

In order to address the research questions above, this thesis uses a combination of case studies and historical analysis in order to illustrate the three themes of emancipatory immanent critique, discourse and identity creation and the politics of state vigilantism. Although an overview of the methodology utilised is given here, certain chapters develop this further and in greater detail. As Robert Yin (1994, p.6) notes, case studies and histories offer the most fruitful means to address 'how' or 'why' research questions where the researcher has no ability to influence events, so such methods are appropriate here. However, such case studies need to be placed within the context of the history of the war on drugs in Southeast Asia, which is of some significance for the project. Drawing on Fernand Braudel, Marc Froese (2013, p.120) notes that critical security studies has much in common with the *Annales* School of historiography, in that both reject the use of historical case studies which treat cases as discrete blocs of time. In response to the research question regarding the drugs 'regimes of truth', the interest here is to demonstrate how the war on communism and the attendant strategies, discourses and ideologies that went with it were adapted and replicated to meet the strategic aims of the war on drugs over time. This section draws upon a rich body of secondary literature (such as Alfred McCoy's, *The Politics of Heroin*), as well as CIA sources taken from the recently digitised CIA reading room website. As the interest here is tracing how national politics and identities were informed by the involvement of US aid and security cooperation, a range of American, British and Southeast Asian newspapers were also consulted. The British Library microfiche holdings of Southeast Asian newspapers was also reviewed, alongside the Factiva database which allows keyword searches for certain publications. The most notable English language publications utilised throughout are the *Bangkok Post*, *Khaosod English*, *Prachatai*, *The Nation*, *The Manila Times*, *Rappler* and *The Philippine Daily Inquirer*. Literature was searched and collected by identifying particular discursive nodes such as 'the war on drugs', the 'golden triangle', 'extrajudicial killings', 'narcotics', 'corruption', 'security threat' and variants of these. Whilst there are some disadvantages of using newspapers owing to editorial intent, they remain one of the most reliable sources of information in the region, especially when governmental data can be so questionable.

The process of discourse collection began by bringing together newspaper sources and official records of speeches and addresses relating to drugs by state actors. In the Thai case, as official

state records are harder to access, more reliance was placed upon newspaper articles. As shown on page 101, this gave a large body of data to draw from, with around 2090 articles from 2003 being found from the Bangkok Post and Nation newspapers containing the terms drugs, narcotics, *yaba* or methamphetamine. A high proportion of these articles were sifted out, as they reported on relatively prosaic law enforcement activities such as drug busts. Similarly, some articles were omitted here as the drugs were not the subject of the article itself. Whilst such information is not insignificant here, such articles rarely provided interviews or reflections on how and why drugs were presented as threatening. Articles were then sorted according to the criteria below, leaving around fifty sources focussed on Thailand. These newspaper sources were then supplemented by a survey of documents held by the CIA reading room, which provided some translations of newspapers from the cold war period. In addition to this, microfiche holdings for newspaper holdings prior to digitisation were also analysed. As the British library only held the Manila Times and other Filipino newspapers from 1974, this was only useful for sources on Thailand, and to a certain extent, Myanmar. A bank of around fifteen articles was scanned from the British Library collection, by scanning newspapers from dates significant to the project, or those alluded to in secondary material (such as January 1st 1959, when Thailand opium ban came into force).

The process of data collection for the Philippines was more organic and dictated by the daily arrival of new information during the project. As a result, the main Filipino news organisation websites were surveyed weekly, with the most engaged with articles bookmarked for later analysis. Owing to the facts that many Filipino news organisations write in English, and the contemporary nature of events, a wider body of data was available. Although the total number of articles sorted cannot be quantified, after bringing together sources which related drugs to aspects of identity, a total of around 185 articles were bookmarked according to the criteria outlined below. Sources on regional policymaking were easier to come by, as many such agreements are available online. Around 20 such texts of ASEAN and ACCORD agreements were analysed according to how they engaged with the themes mentioned below.

Importantly, the first section of this thesis adopts a genealogical method, which treats security 'not simply as an object of research, but as something embedded in historical struggles over truth, knowledge, authority, expertise and power' (Bonditti et al, 2015, p.159). As Foucault (1977, p.156 in Neumann, 1996, p.150) notes, genealogy does not seek to 'define' a 'unique threshold of emergence', but rather seeks to 'make visible all those discontinuities which cross us'. One such important discontinuity that is discussed is the CIA's involvement in the opium trade to finance their support for anti-communist militias in the region (McCoy, 2003). As mentioned above, the concern with establishing why the anti-drugs identity rooted in political

expediency is relatively weak will be informed by the genealogical approach to 'reveal the heterogeneous systems, which inhibit the formation of any form of identity' (1977, p.156 in Neumann, 1996, p.150). In a similar vein to Kyle Grayson's (2008, p.29) account of the genealogy of drug politics in Canada, here the interest will similarly be to deconstruct and undermine 'what has been considered unitary, universal, and internally consistent'. Drawing upon Campbell and Foucault, Grayson (2008, p.29) notes that ultimately 'the role of genealogy is to record the history of interpretation that has made possible contemporary understandings of politics, the political, morality and ethics'. Hence, this section is concerned with constructing a history of the present which charts how particular understandings of security threats manifest themselves in violent ways in Southeast Asia. As Campbell (1998, p.4) suggests, this approach acknowledges the 'improbability of cataloguing, calculating and specifying 'real causes' behind understandings of drugs, but charts how they have been and continue to be represented in one way over others. Consequently, this section also demonstrates how countries and actors within ASEAN have not all shared the same visions of what drug policy should look like and thus how these discontinuities, internal inconsistencies and rejections of subaltern attitudes to the issue have created an ineffective and violent approach to narcotics. This is an important aspect of the argument here, as it highlights how discourses of prohibition and security have been more internally contested than regional policies such as the 'Drug Free 2015' targets may suggest.

Following the above is a section which addresses the research question of how non-state groups use the languages of human rights and emancipatory discourses to challenge states. Qualitative document analysis is used to assess the wide range of documentation on the policy formulation and implementation agencies (Bowen, 2009). This includes policy papers produced by states, NGOs such as Amnesty International, Human Rights Watch, The International Drug Policy Consortium (IPDC), as well as some intergovernmental bodies such as the UNODC . Regional intergovernmental organisations such the various relevant arms of ASEAN, ministerial meetings on transnational crime (AMMTC), and the ASEAN Senior Officials on Drug Matters were also drawn upon at this stage. The campaigning materials produced by NGOs and civil society groups are also of some interest here, which include transcripts of debates, presentations to governments and short films. Both local and international NGOs such as the IPDC and *Kamlangjai* (Inspire) from Thailand actively produce videos which seek to present an alternative ideal of drug policy. Added to this, statements made by actors at UNGASS 2016 are of particular interest, especially as wide range of NGOs from the region made statements as observer organisations. Part of this section will also be concerned with charting how emancipatory discourses are beginning to take root within Thai drug policy, but continue to be constrained by prevailing security interests. The chapter also utilises survey data from a range of civil society groups, NGOs and drug policy activists within Southeast Asia. Participants were initially identified through

analysis of policy papers, and contacted via email to gauge interest. Snowballing was also used to gather further contacts within the region. The questions address organisations' views upon drug policy within the region, as well as how they contest security practices in a bid to draw out their vision of an ideal drug policy. Some questions were closed as to gauge overall views on a particular topic, whilst some requested more detailed explanations for each question. Results were anonymised in order to protect the identities of participants, as well as to minimise risk to organisations. Although initially, around 40 groups and individuals were contacted within state institutions, as well as non-state actors, response rates were lower than hoped. In general, non-state groups were more receptive to participation, which is indicative of the fact that often non-state drug policy groups are international in their outlook, and therefore more likely to engage with researchers on their work. Likewise, perhaps state actors were reluctant to engage with the project because of the politically loaded nature of the debate surrounding drugs in Southeast Asia. As a result, the chapter drew more upon published information than initially envisaged.

After the sections above, the two studies of 'state vigilantism' are of particular interest here: Rodrigo Duterte and Thaksin Shinawatra's war on drugs are used to answer the remaining research question. This section is chiefly concerned with how discourses of threat which appeal to national identity are constructed to legitimise and create a discursive space where the only policy option left is violence. Further, this violence is analysed as a form of biopolitical communication which attempts to regulate vital aspects of human life through imposing a 'regime of truth' pertaining to a particular issue (in this case drugs). As a form of performative communication, this 'state vigilantism' renders the denial of the prevailing regime of truth surrounding drugs to be a dangerous act, especially in the slums where police find most of their targets. This section also continues many of the themes discussed in the previous two sections which help to contextually locate the broader 'historical sequences and continuities as well as' structures of meaning and power' which leaders have engaged with (Stritzel, 2012, p.553). This addresses the need that McDonald (2008, p.571) highlights to acknowledge the 'conditions in which securitisation becomes possible'. Whilst the overall structure of securitisation is rejected here, this section will draw upon specific 'speech acts' utilised by the Thaksin and Duterte administrations in the run up to their respective wars on drugs. Through analysing particular 'securitising moves' as a type of intervention (Buzan et al, 1998, p.31), here the interest is to analyse the argumentation of claims made by political actors and how they appeal to common conceptions of security threats and the 'other'. As Norman and Isobel Fairclough (2012, p.23) argue, argumentation is a 'verbal, social activity, in which people attempt to...justify claims' and ultimately convince an 'interlocutor to accept a standpoint'. Further, they note how 'discourses which originate in particular social fields, institutions or even countries 'may be recontextualized in others' (Norman and Fairclough, 2012, p.23). Consequently, this section will

analyse how common tropes and argumentation utilised initially by the United States' war on drugs were adopted, localised and reconstituted for similar political ends. One such argumentative feature is the 're-framing' and 're-description' of reality, where terms such as 'security threat' have been appropriated to 'serve the interest of the definer' and thus re-categorise the issue as one that is immediately threatening to the individual (Fairclough and Fairclough, 2012, p.93). As Fairclough and Fairclough (2012, p.94) suggest, 'cognitive linguists insist that metaphors and frames determine how people conceive of their reality', so these argumentative tropes are significant here. However, this chapter also examines how the meanings of such metaphors and tropes are given temporary fixity by relation to certain nodal points (Laclau and Mouffe, 1985, p.112). How these nodal points interact with the issue of drugs are mapped, to further demonstrate how drugs are represented as a threat to particular referents. Whilst this section draws upon similar sources to that above, newspaper articles are of more importance here as they both reprint state discourses and reflect some sort of public interpretation of it. Further, due to the ongoing nature of the 'war on drugs' in the Philippines, journalistic sources represent one of the few means by which to gather speeches and statements. Although a small body of academic and policy research on the war on drugs in the Philippines is beginning to emerge now, the majority of subject matter for this thesis draws upon journalistic accounts.

Pull quotes and excerpts were selected on the basis of how government actors presented the issue of drugs in relation to other facets of identity. This is not to say that there was not contestation of state articulations of the threat of drugs, but that the emphasis here was on how state actors implicated in violence sought to depict the drug trade and those associated with it in a particular way. As Hansen (2006, p.25) notes, to post-structuralists, the 'theoretical-and ontological- core assumption is that representations and policy are mutually constitutive and discursively linked', though not in a causal fashion. Therefore, as the aim here was to examine the ways in which representations and policy were mutually constitutive and discursively linked, so some representations of state actors (such as opposition parties) were filtered out if they did not directly engage with the issues of identity discussed below. This raises further methodological questions as to who is 'authorized to speak and to act' in the contexts of drug policy, something the section on civil society non-state actors attempts to redress. The first three chapters also examine how the international drugs regime is articulated and localised within Southeast Asia in a way that influences how knowledge claims and the practices associated with this are generated (Milliken, 1999, p.229). Overall however, with the exception of the section on non-state actors, the majority of pull quotes identified were drawn from governments actors, as this allowed the analysis of how the construction of the threat of illegal drugs was constituted and justified.

As Hansen (2006, p.46) notes, as discourses 'are analytical constructions rather than empirically observable objects', there is a need to establish the criteria whereby the selection of discourses was made. In part, this was conducted through the identification of what Hansen refers to as 'basic discourses', which seek to 'construct others with different degrees of radical difference' and 'articulate radically diverging forms of spatial, temporal, and ethical identity; and construct competing links between identity and policy' (Hansen, 2006, p.46). Owing to the number of sources, especially in the Filipino case, there was a need to examine how identity was linked to violent policies of the war on drugs. Drawing upon Shapiro (1988), Hansen (2006, p.19) notes how discourses construct subjects, as well as offering policies to address them, so it was partly upon this basis that some material was omitted from the study. The basic logic of most included followed the grammar of 'because drugs are a threat to a referent value, group or ideology, violence is understandable, or necessary'. Clearly, such criterion of selection is indebted to the logic of securitisation theory in part. More than this though, the types of discourses used were those that depicted how drugs (broadly defined) represent a challenge to notions of identity and how this interacted with ideas and representations of 'species life'. Though it is argued that understandings of identity incorporate biopolitical facets, there is a need to examine this in a little more detail. Dillon (2007, p.43) notes that Foucault analyses how governments may take 'species life' as the referent object in *Society Must be Defended*. At the end of the lecture series, Foucault concludes that biopolitical logics draw upon a criteria 'of which life inimical to life could be differentiated, corrected, punished and, if necessary, eliminated' (Dillon, 2007, p.43). As a result, particular attention was given to discourses which linked the optimisation of life to the need to treat the population and drugs and users in particular 'as an object of surveillance, analysis, intervention, modification and so on' (Dillon, 2007, p.44). In the first three chapters of the thesis, some attention is given to how truth claims with regards to drug policy were created and adapted, partly through the "political arithmetic" of statistical storytelling'. Later in the thesis, this notion of 'statistical storytelling' and how this gives rise to claims of truth in the context of both drugs wars is examined further (Dillon, 2007, p.43). As a result, particular attention was given to how knowledge is presented and bestows authority onto speakers with regards to a particular issue.

The quotes and discourses drawn upon were also dictated by the specific discursive nodes identified after surveying the sources outlined above. This was influenced by how structures of signification construct social realities, often through the presentation of binary opposites- such as educated/ignorant, modern/ privileged and so on. Drawing upon Derrida (1981), Milliken (1999, p.228) notes how such binaries 'establish a relation of power such that one element of the binary is privileged'. As Hansen (2006, p.18) argues, analysing how processes of identity creation are built through processes of linking and differentiation, also allows the

destabilization of meaning may occur, something which the genealogical analysis of the creation of drug policy in Southeast Asia in the first two chapters attempts to address. Further, the section on non-state narratives analyses how such groups attempt to destabilise dominant drugs discourses.

As Hansen (2006, p.6) argues, 'the conceptualization of identity as discursive, political, relational, and social implies that foreign policy discourse always articulates a Self and a series of Others'. As a result, poststructuralism's relational understanding of identity serves to articulate what it is by contrast to what it is not (Hansen, 2006, p.6). Drawing upon the above, several nodal points relating to identity construction were identified. Some of these were biopolitical in tone- quotes with nodes regarding health, ways of life, the youth and correct modes of living were collected, especially when such nodes were related to broader security. Taking these threats further, particular attention was given to how drug users and dealers were characterised as a threat to these values. Related to these nodes were attendant notions of development vs underdevelopment, modernity, anti-corruption and the struggle against communism. The study of such values also permitted intertextual readings in places, as the discourses of the war on drugs continually develop its arguments through reference to articulation of security threats in other texts (Hansen, 2006, p.7). Significantly, intertextuality allows new meaning to be attached to texts that may have referred to threats of the past, such as communism. For instance, it was no accident that Thaksin restated ardent anti-communist police chief Phao Sriyanond in declaring that 'there is nothing under the sun which the Thai police cannot do', in a speech launching his drug war (Phongpaichit and Baker, 2004, p.257). Though outwardly, Thaksin was appearing to be stating the competence of the Thai police, the implicit meaning of the quote was to remind the audience of how Phao used the police to target undesirables and political opponents with impunity. Consequently, in the early chapters of this thesis, some consideration is given to how such intertextual references allow 'the discursive juxtaposition between a privileged sign on the one hand and a devalued one on the other' (Hansen, 2006, p.16) allows the presentation of drugs in relation to other struggles, such as that against communism in the region.

Once the above thematic nodes had been identified, there was also a need to consider what made a discourse significant. Owing to the way in which the sources outlined above presented drugs, there was no credible method of quantifying the prevalence of particular discourses in media and governmental speeches. Indeed, Hansen (2006, p.46) notes that whilst the basic discourses outlined above 'should have some empirical prevalence, they are not necessarily the most frequently argued discourses'. Rather, the value of the nodes and discourses that frame them outlined above allow drugs to be analysed by showing the 'multitude of different

representations and policies' that can be systematically connected as to show the key points of disagreement in a debate (Hansen, 2006, p. 46). For instance, some attention is given later in the thesis about the boundaries of what constituted an 'addict', and the debate around the point at which a drug user is othered by being labelled an addict. In addition however, it is impossible to suggest identity as a causal factor in drug policy or measure its explanatory value against non-discursive factors, as it is not something held independently of discursive practices (Hansen, 2006, p.1). Consequently, the interest in the early chapters of this thesis is in interrogating how the threat, which later became the security threat of drugs was constituted and how this interacted and interacts with material practices. In part, this is why using a genealogical method is useful, as it allows a discussion of constructions of identities in the past have been articulated, consequently offering some insight into where the 'discursive fault lines' may lie in contemporary times (Hansen, 2006, p.48).

1.7 Obstacles and ethical considerations

Clearly researching such an ongoing and contentious political issue as the war on drugs presented some methodological and ethical difficulties. As Lee Jones (2012, p.32) illustrates, scholars of Southeast Asia face some serious barriers due to the 'inaccessibility of national archives, the blandness of publicly available documents and the reluctance of policymakers to divulge information in interviews'. Although elite interviews were initially mooted in the research proposal, issues of access, funding and time constraints rendered this a course that was unlikely to be particularly fruitful, especially when considering the standards of governmental transparency in the region at present². Alfred McCoy notes in the preface of *The Politics of Heroin*, in the 1970s militias, police and military officials in Southeast Asia were able to be candid about involvement in the trade due to its omnipresence. However, today both international pressure and domestic politics means that it would be incredibly unlikely that policy actors would be willing to discuss what remains a contentious issue, even if they could be accessed. Another potential issue is that of the language of sources used here. Whilst the majority of official documents issued in the Philippines are in English, the same cannot be said for those in Myanmar and Thailand. However, as noted above the relative blandness of many policy statements issued by both ASEAN and Southeast Asian states means that this is not necessarily an insurmountable loss. Added to this, as some of these documents have been translated from the original, it should be recognised that many such documents may not reflect 'culture specific sensitivities' (Schäffner, 2004, p.129).

² In Transparency International's 2017 Corruption perceptions index, only Singapore (7), Malaysia (55) and Indonesia (90) were within the top 100 countries in the world.

A final issue which may be raised here is the focus on Thailand, Myanmar and the Philippines whilst excluding many of the insular and mainland states in the region. Although discussions of national policies of other Southeast Asian countries may be made in passing, Thailand and the Philippines were selected as they remain the states in which narcotics have been viewed as critical security issues by the state, whilst Myanmar is also considered here owing to its close links to the drugs trade within Thailand. Clearly, Cambodia, Laos, Vietnam and Malaysia remain of some importance to the narcotics trade in mainland Southeast Asia, but a significant element of this project concerns violent state responses, which have been more limited in the rest of the region.

Mapping Research Questions

This section will briefly address how the research questions flow into one another and answer the main question.

Main research Question:

How have elites sustained the regimes of truth associated with 'the war on drugs' to legitimise violence, despite international norms moving away from this?

The three ancillary questions aim to address the main question through considering the production of the discourses of the war on drugs, the challenges that have been mounted to this, and how this rhetoric has found expression in violence. As the final section is also concerned with how such violence is legitimised, it could be suggested that the research model is cyclical due to further challenges from both local and international actors.

Ancillary Questions:

How do non-state groups use emancipatory forms of immanent critique to challenge state drug policy?

The aim of this question is to draw out how proponents of 'emancipatory' approaches to drugs have sought to challenge states and how they engage with international discourses to do so and will be addressed by chapters four and five outlined below. As a result, these chapters will also seek to assess how space for such debates is constrained and will suggest possible reasons why this may be the case. This section will also focus on the international regimes of truth discussed in the main research question and how these inform and are subsequently rejected or utilised by states.

How have discourses and 'regimes of truth' been constituted and reconstituted to make the case for a 'war on drugs' in Southeast Asia?

This research question will be answered in chapters two and three and is the closest of the ancillary questions to the main research question, but seeks to address how such discourses surrounding the war on drugs were embedded in security institutions during the cold war. Importantly, this explores how the regimes of truth were established against the backdrop of considerable influence from the United States and took a similar form to anti-communist measures. Another aspect of this is to discuss how security measures to such threats often encouraged violence, thus making it an important informal component of security policy.

How and why do states utilise state vigilantism as a means to achieve their policy aims as part of the war on drugs?

These questions will be addressed by the final two chapters outlined below. Here the concern will be to show that state vigilantism acts as a means to biopolitically discipline populations, thus going beyond the ordinary rules of politics to apparently resolve the issue. As a result, this section will analyse how political leaders sell violence as a solution to the issue of drugs and thus addresses the research problem of how and why elites sustain the regimes of truth associated with the war on drugs outlined in the main question.

1.8 Chapter Guide

Chapter 2- A review of relevant literature-

Here the case is made that existing poststructuralist analyses of security issues inadequately engage with longer term threat construction and generally offer a vague account of how security practices can be unmade. The chapter outlines why the Welsh or Aberystwyth school has been adopted, as well as how this is reconciled with Foucauldian post structural theories. More than this, the chapter explores the particular theoretical and empirical lacunae that this thesis attempts to address.

Chapter 3- Opium politics and state power in Thailand and the Philippines

Utilising a genealogical approach, this chapter sets out how uneven the process of drugs prohibition has been historically within Southeast Asia. Tracing movements of opium from after the Second World War, it demonstrates how cold-war anti-communism took precedence over drug trafficking, before later being constructed as having a symbiotic relationship. The chapter is also concerned with analysing how attitudes towards drugs became part of a national, modern identity.

Chapter 4- Regional drug policy in Southeast Asia- the global and local panopticon

This chapter takes a broader analysis of how the issue of drugs was constructed as a security threat at a regional level, by examining how the international drugs regime was localised. Like the chapter preceding it, the concern is to address the first ancillary research question to consider how ASEAN and states utilise particular discourses to create a sense of identity. More than this, the chapter shows that like the international drugs regime, ASEAN localises drug policy in the form of a panopticon, something which has concrete implications for considerations of state vigilantism.

Chapter 5- Emancipation in drug policy- challenges to the war on drugs

This chapter examines how non-state groups such as civil society groups and NGOs who work on drug policy respond to and contest the practices of the war on drugs. It argues that many such groups utilise an emancipatory form of immanent critique to contest drug policy, whilst also offering an ideal, which incorporates ideas of harm reduction and forms of decriminalisation.

Chapter 6- State vigilantism- war, fear and extrajudicial killings in Thailand and the Philippines

Drawing upon the case studies of the wars on drugs in Thailand and the Philippines, this chapter argues that current typological categories of state killing do not capture the complexities of either context. As a result, the chapter offers 'state-vigilantism' as an alternative typology, whilst demonstrating that both campaigns were state orchestrated.

Chapter 7- Discourses of destruction- the languages of the war on drugs in the Philippines and Thailand

The final chapter of this draws upon the same case studies as that which preceded it, but analyses the particular discourses Thaksin Shinawatra and Rodrigo Duterte utilised in order to make a case for the war on drugs. Engaging with some of the discursive themes outlined in earlier chapters, the chapter shows the biopolitical currents which drive the discourses in both contexts, whilst analysing how the campaigns attained such political salience in their respective countries.

Chapter 2- Old approaches, new problems

Although drug trafficking has long been important in state security discourses, as Eva Herschinger (2015, p.184) points out, the issue remains underrepresented in international relations and security studies. Studies of the issue which focus on drugs in Southeast Asia with a critical lens are even rarer, and those that do exist generally adopt securitisation as their theoretical frameworks. Here the interest will be to demonstrate that the current literature does not account for how elites in Southeast Asia have sustained the regimes of truth associated with the war on drugs, and how these have led to violence. Further, no studies consider state violence as part of the war on drugs in Southeast Asia from a comparative perspective. Finally, it will be shown that within Southeast Asia and more broadly, there is a need to consider what emancipatory drugs discourses look like, and how non-state organisations make use of them to challenge the war on drugs. As part of this, this literature review will demonstrate that whilst certain elements of the Copenhagen School are appropriate for this study, the model of desecuritisation offers an inadequate model of change to account for challenges to drug policy within the region.

Firstly, this literature will discuss securitisation theory, which has been the most broadly applied theoretical model with reference to non-traditional security threats like drugs trafficking. In line with this, the securitisation literature on non-traditional security threats in Southeast Asia will be discussed. Taking the securitisation speech act as the starting point, the chapter will then survey the poststructural methods this thesis will utilise. Some consideration will also be given to the debate within critical security studies as to whether security represents a desirable end in itself. This will necessitate analysis of processes of the unmaking of security, where it will be argued that desecuritisation does not offer a convincing model for the issues under discussion here. The chapter will then discuss the reasons why an emancipatory framework derived from the Aberystwyth School's model will be adopted over desecuritisation. Finally, the chapter will analyse the human security literature in order to demonstrate how it cannot be applicable to the cases under discussion here.

Drugs represent an altogether ambivalent position within security studies. Whilst certainly encompassed within the Post-Cold War broadening of security studies, along with such threats as 'organised immigration crime, fraud, money laundering, firearms, hi-tech crime and sex offences against children' (Aradau, 2004, p.388), the multi-faceted nature of the issue has meant analysis is spread across several disciplines. In 1991, Barry Buzan argued (p.368) that the broadening of the security agenda allows issues that are usually siloed from one another to be studied together, and as a result different levels and sectors of security can be used as viewing

platforms to analyse issues from new perspectives. However, here it will be contended that drugs as a security discourse within Southeast Asia has not been studied in such a holistic way, which accounts for both the issue's links to organised crime, corruption, terrorism, insurgency, as well as social policy, healthcare and development.

2.1 Looking Beyond the Copenhagen School

It is difficult to understate the influence of Barry Buzan, Ole Wæver and Jaap De Wilde's (1998) theory of securitisation amongst critical security scholars over the past two and a half decades. Securitisation has been seen as part of a broader turn towards linguistic and social constructivist approaches in international relations, away from the realist dominated school of strategic studies (Aradau, 2010, p.439). Accordingly, securitisation theory has been applied broadly to issues as diverse as transnational diseases, crime, piracy, environmental degradation, flows of illegal migrants, and significantly, the trafficking of illegal drugs. Securitisation theory's main utility is in elucidating the discursive framing of security threats and to who or what they are presented as a threat. Buzan, Wæver and de Wilde (1998, p.21) argue 'security is about survival' and thus securitisation is when 'an issue is presented as posing an existential threat to a designated referent object' usually the 'state, incorporating government, territory and society'. The 'speech act', or 'securitising move' is the first stage in a securitisation process, and Buzan et al. assert that 'successful securitisation' is intersubjective, so determined by whether the audience accept that the presented issue offers 'an existential threat to a shared value' (Buzan et al, 1998, p.31; Crick, 2012, p.408). As will be argued later, there are several problems with this, most notably the minimalist conception of security representing a simple matter of 'survival'. The issue of drugs trafficking in Southeast Asia and its relationship with securitisation theory is particularly pertinent here, as it is one of the few lenses which have been used to analyse how the threat has been constructed in the region.

2.1.1 Securitisation theory in Southeast Asia

In a special issue of Security Dialogue published in 2011, Ole Wæver returns to the 'framework book' of 1998, arguing that whilst Western critical security theories may travel to the 'non-West', this is not without problems. Wæver (2011, p.475) suggests that 'non-western theorising is needed to equip securitisation theory with frames, set-ups and maybe supplementary theories that foster productive analysis in societies that differ systematically from the theory's place of origin'. However, Wæver's justification for this is that the above would enhance understandings of 'what it means to use theory in given situations', rather than to make it more nuanced or context specific (ibid). Further, Wæver (2011, p.466) suggests that theory is all too often utilised as though its function were to reproduce reality or how authentically a theory may

depict it, when indeed its primary function is to enable 'particular observations' about cases. As will be argued however, whilst securitisation may be applied to drug trafficking governance in Southeast Asia, as has been done by Ralf Emmers (2003, 2015) and more broadly by Crick (2012), this process often serves to generate more questions than it answers. Whilst the securitisation framework may permit observations to be made about transnational crime governance in Southeast Asia, these are limited by the liberal democratic context from which the theory was conceived and initially applied.

Securitisation has been one of the most commonly applied and contested theory to the discursive construction non-traditional security threats in Southeast Asia (Emmers, 2003; Jones, 2011; Caballero-Anthony and Emmers, 2006; Windle, 2016) and the drugs 'threat' in general (Crick, 2012; Fukumi, 2010). Much of the literature concerning securitisation and transnational criminal issues in Southeast Asia emphasises that whilst threats may have been rhetorically constructed, little practical or functional cooperation has taken place. Ralf Emmers (2003) analyses the regional response of ASEAN to transnational crime, arguing that the association has failed to act on agreements due to corruption, vested interests, a paucity of resources, and the consensus model of decision making, which makes condemnation of other states rare. Similarly, whilst downplaying the importance of ASEAN's consensus model, Lee Jones (2011) suggests that Gramscian notions of social conflict, which similarly emphasizes vested interests, may also account for why some issues are securitised and how this results in poor or no policy implementation. In short, he points out how in many cases 'cartels of politico-business elites' are able to capture power by utilising forms of coercion, patronage and bribery (Jones, 2011, p.412). Consequently, he argues, the basic scope of security policy is set by the interests of conservative oligarchic elites, whose interest it is in to preserve the status quo (ibid). This observation is mirrored by Jörg Freidrichs (2012, p.770), who asserts that the management of non-traditional security threats is enticing to elite groups, as it can improve the prospects of their own survival.

By contrast, Jurgen Haacke and Paul Williams (2008, p.777) claim that collective securitisation does not depend on the use of 'special measures' and instead is useful in analysing the construction of shared security understandings. However, it seems as though decoupling this from the securitisation process reduces the theory to little more than the discursive formation of security threats and gives little indication of why and how threats have been constituted over time. In addition to this, they argue that collective securitisation of transnational challenges has been ASEAN's response to the political and security implications of not supporting US policy (ibid). In the case of drugs this is not the case- whilst certain 'rogue' states like Myanmar have not been able to adhere to US guidelines on trafficking, several countries in the region continue

to have a very close relationship with US enforcement efforts, with US funding and training operations continuing to be commonplace. The US and increasingly China have some influence upon regional drug policy and this demonstrates the geopolitical advantages to states in the region in complying with the international regime.

Later building on similar themes, Shahar Hameiri and Lee Jones (2015, p.205) posit that state transformation theory also offers a possible explanation for why issues are discursively securitised, but do not precipitate the 'extraordinary measures' of securitisation. State transformation theory is based upon a Marxist understanding of the state as a power relation, which expresses the agency, interests and ideologies of specific socio political forces, and thus follows from Jones' earlier application of social conflict theory (Hameiri and Jones, 2015, p.52). In responding to non-traditional security threats new 'spaces and scales of security governance are depicted as more suitable for [addressing] the issue at hand' (Hameiri and Jones, 2015, p.52). These rescaled modes of governance do not seek to usurp state powers, but reconfigure its institutions and process to be consistent with international attempts to address security issues (Hameiri and Jones, 2015, p.52). Hameiri and Jones (2015, p.205) further suggest that 'merely focusing on the discursive presentation of threats, as the Copenhagen School does, cannot explain how and why non-traditional security issues are addressed', and often do not involve the 'war like measures of securitisation, but routine instruments of security'. These routine instruments are increasingly negotiated between states and have become 'embedded within regional or global regulatory regimes for managing transboundary non-traditional security problems' and typically involve agencies from other states and international organisations (Hameiri and Jones, 2015, p.206). However, the issue of drugs trafficking is largely excluded from their analysis, for two possible reasons. Firstly, drug trafficking has indeed brought on extraordinary security measures in the region, with the war on drugs in Thailand taking place in 2003, and more recently, in the Philippines. Added to this, as mentioned earlier, it has been quite well established by Emmers (2003) that more routine regional security arrangements relating to drug trafficking have not gone beyond paper agreements. As a result, whilst Hameiri and Jones' framework is useful in explaining the governance of many transnational security issues, applying this to drug trafficking rhetoric and practice in the region is more problematic. Also, securitisation cannot address the questions which hinge around how and why the discourses of drugs as the societal 'enemy' have been constructed and sustained since the cold war and why such discourses have remained so prominent within the region.

2.1.2 State authority and security

Another significant issue which securitisation does not consider is the nature of the authority of the securitising actor and how the discourse surrounding a particular issue may be contested by other (perhaps non state) actors. Holger Stritzel (2012, p.552) notes that the Copenhagen school advocates a strongly security actor-centred perspective. He adds that securitisation theory is based upon the sociolinguistic claim that the security actor can 'constitute a new reality simply by declaring a state of emergency' (Ibid). This supposes that the authority of the securitising actors (which Wæver et al suggest is traditionally, but not always, the state) is uniquely well consolidated, and consequently they hold the legitimacy to sanction 'extraordinary measures' (Wæver et al, 1998, p.21). Caballero-Anthony and Emmers (2006, p.6) attempt to modify the securitisation model in order to rectify this issue. They see a need to assess whether there is consensus among security actors, civil society groups and whose interests they may represent in light of this (Ibid). This appears to be an extremely high bar however, as most invocation of security inevitably invite some forms of contestation or disapproval. Whilst Buzan, Wæver and de Wilde (1998, p.29) include the notion of 'desecuritisation' into their framework, which represents a bid to make issues more politically open, how this interacts with processes of securitisation is not described in any great detail. Whilst desecuritisation reflects the Copenhagen School's broader scepticism of the logic of security (Browning and McDonald, 2011, p.245) McDonald (2008, p.575) points out that a diverse range of marginal actors 'contest dominant logics or discourses of security and threat through articulating alternative, even emancipatory discourses of security rather than arguing for desecuritisation'.

Another important aspect of the critical security agenda is the notion that the state is also an unreliable securitising actor and referent, as ultimately some seek to provide security to their citizens and some do not (Wyn Jones, 1995, p.310; Booth, 1991, p.320). Consequently, individuals can be more threatened by their own state than others, often due to interactions with other states in the international system (Buzan, 1991, p.364). As Krause and Williams (2002, p.44) have noted, despite the conception of the anarchic world held by neorealists breeding insecurity, most threats to individuals comes not from other states, but from 'institutions of organised violence' within their own. 'State vigilantism', which will be discussed later in this thesis represents an extreme example of this. Simon Dalby (1997, p.12) defines this issue as a 'dilemma of extended security' in relation to the war on drugs, where in attempting to provide particular forms of security, certain insecurities are also replicated and the problems that are being addressed can be exacerbated. This highlights one of the main research lacunas this study seeks to address; there is a need to examine the role of the state in providing security

and exacerbating insecurity, outside of the focus on the liberal democratic state in much critical security scholarship. No critical study has attempted to explore targeted killing or vigilantism within Southeast Asia and how this became part of security practice. Whilst there is a corpus of work within critical terrorism studies relating to targeted killing, no other study has attempted to account for the understandings of security which underpins state vigilantism.

As shown through this section, perhaps one of the most significant shortcomings of the Copenhagen school is that it does not offer the instruments to address the question of why securitisation occurs and what the drivers are for presenting an issue as a security threat, and whose interests may be served in doing so (Jones, 2011; Callabero-Anthony and Emmers, 2006, p.5). As McDonald (2008) highlights, the focus on the performative role of speech acts within securitisation neglects the 'conditions in which securitisation itself becomes possible', which is more significant as it reveals more about the political cultures and understandings of security actors. Further, McDonald (2008, p.571) adds that such a dimension is under theorised within securitisation and thus analysing historical threat construction requires 'a looser and highly interpretive approach to analysis which potentially conflicts with the development of a neat and coherent set of requirements to be met for securitisation'. Added to this, Browning and McDonald (2011, p.242) see an inherent tension in securitisation theory, as it simultaneously seeks to analyse the changing nature of security over time, but also imposes a static view of the process as negative and exclusionary. In sum, the Copenhagen School of security has certainly contributed to understandings of how threats are presented and sold to audiences, but this form of analysis does not seek to address how this may interact and invoke narratives of history, culture and identity. To be clear, this thesis does not attempt to establish ultimate causes as to why drugs have become such an important security issue in the region, but rather to consider the discursive and material conditions which have made this possible. Consequently, the overarching research question of this thesis is:

How have elites sustained the regimes of truth associated with 'the war on drugs' to legitimise violence, despite international norms moving away from this?

Although the tendency to focus on elite discourses is one of the shortcomings of securitisation theory outlined above, it will be shown that drugs discourses are predominantly elite driven. The ancillary research questions which address how this presentation of drugs is challenged by non-state actors also attempts to mitigate this. The 'regimes of truth' outlined above refers to the Foucauldian process by which societies construct truth, the procedures for acquiring it, and who is charged with 'saying what counts as true' (Foucault, 1980, p.131). Foucault (1980, p.131) further outlines how political and economic apparatuses, such as the 'university, army, writing

and media' produce and transmit truth. As Stephen Reyna and Nina Glick Schiller (1998, p.333) argue, regimes of truth analysis allows the examination of such 'different organisations of power', including those 'institutions that control force' and how they 'create and utilize knowledge and truths'. This is significant here, as the global and regional drugs regime draws upon specific epidemiological and social knowledge in order to engage with certain epistemic communities. The interest will be to show this is done in the context of the war on drugs in Southeast Asia to facilitate violence.

2.1.3 Security acts and speeches

As the problems of focusing solely on specific securitising speech has already been outlined above, there is a need to examine how they interact with security acts. Accordingly, Jef Huysmans (2011, p.372) argues that there is a need to reengage the security act, which was defined by Wæver (1995, p.75) as a 'specific move that entails consequences which involve risking oneself and offering a specific issue as a test case', something which may have a grave price. This presumably formed the basis for Buzan, Wæver and De Wilde's (1998, p.21) later suggestion that:

"The special nature of security threats justifies the use of extraordinary measures to handle them. The invocation of security has been the key to legitimising the use of force, but more generally it has opened the way for the state to mobilize, or to take special powers, to handle existential threats. Traditionally, by saying "security" a state representative declares an emergency condition, thus claiming the right to use whatever means necessary to block a threatening development"

Contrary to the above however, Huysmans (2011, p.375) argues that securitisation in the contemporary world often develops through unspectacular processes of technologically driven surveillance, risk management, and precautionary governance. Thus securitisation is often a more continuous process of assembling objects, subjects and practices rather than an exceptional rupture from the status quo (Huysmans, 2011, p.375). This is a process Bourbeau (2011, p.187) refers to as the 'logic of routine' in security, whilst acts that would fit within the purview of securitisation theory follow the 'logic of exception'. However, despite the assertion that these two logics are mutually exclusive, Bourbeau (2011, p.187) notes that several empirical studies have demonstrated that 'elements of both exception and routine' can be perceived in the processes of securitisation, and that further study is required to explore their coexistence and interaction. In the contexts discussed here this is persuasive, as it could be postulated that routine security practices have laid the groundwork in legitimising exceptional operations by utilising discourses which are complementary to securitisation. Despite Emmers

(2003) observation that ASEAN's agreements on drugs have not been implemented in any cooperative sense, each country in the region reproduces routine security practices, such as the interdiction of narcotics at border crossings and the detention of those involved. Added to this, narcotics control centres have been established in most ASEAN states, though the powers and responsibilities of these bodies appears rather nebulous.

The construction of threats leading to practices becoming routine over time is another aspect of security governance which the securitisation framework does not address. Matt McDonald argues that focusing solely on discourse is problematic, as bureaucratic practices or physical actions often do not necessarily follow from speech acts. Indeed, according to Jones and Hameiri (2015, p.217) policy making procedures may not necessarily be discursively securitised because 'governance by experts' and technocratic 'problem solving' which is conceived above the national scale do seek broader approval from any audience. It could be argued that this is where securitisation begins to demonstrate its roots within liberal democracies, as often acts of securitisation do not need to propose that a particular thing demonstrates 'an existential threat to a shared value' (Buzan et al, 1998, p.31), as such practices may be implemented despite public disapproval or lack of awareness. This is especially so in illiberal or nondemocratic contexts, where the state is able to control the flow of information on certain issues. In a bid to rectify the apparent over-reliance on the discourses of security threats within Southeast Asia, this thesis will consequently also consider exceptional security acts. Securitisation theory does not theorise the phenomenon of such exceptional acts in any great detail beyond the 'extraordinary means' which the speech act may lead to (Buzan et al, 1998, p.26). Further, Rita Floyd (2016, p.678) notes that as in liberal democracies, such exceptional measures often refer to procedures such as new laws or emergency powers, rather than the suspension of law itself, this renders it difficult to discern what counts as exceptional. This difficulty in defining what may count as exceptional is further complicated in unconsolidated democracies such as the Philippines and Thailand, which make up the main case studies here. As will be shown in this thesis, the state violence in both cases was not as exceptional as in wholly democratic contexts and the legality of state vigilantism is by its very nature nebulous. Citing Fontana (1999, p.16), Giorgio Agamben (2005, p.1) notes that the state of exception is situated within an 'ambiguous, uncertain, borderline fringe, at the intersection of the legal and the political'. Although the Copenhagen School adopts a Schmittian view of the sovereign as 'he who decides on a state of exception' (van Munster, 2005, p.4), here it will be suggested that it is the way in which such measures are presented is more significant than how exceptional they may be. As will be demonstrated later in this thesis, state violence is nothing new in either the Philippines or Thailand, but what is novel is that drugs are presented as a threat worthy of such violence in the

form of state vigilantism. As a result, the following section of this chapter will trace the theoretical means by which such threats are presented.

2.2 Beyond broad and narrow

As Lene Hansen (1997) notes, a poststructuralist approach avoids the broadening and narrowing debate by rejecting the dichotomy between 'real' and 'constructed' threats. Whilst still acknowledging that certain phenomena have material effects, Hansen (1997, p.383) argues that often how they are presented is crucial in defining them as security threats. Further, Hansen (ibid) posits that 'whether something is characterised as a 'real' threat should be seen as part of a political and material struggle, rather than directly corresponding to an immanent quality of a situation. Taking this approach further, Jef Huysmans (1998, p.228) similarly argues that security should be viewed as a 'thick signifier'. In short, a thick signifier approach proposes that signifiers like 'security' only attains meaning in a chain of signifiers, such as 'our security is a stake in the cold war', for instance (Ibid). To Huysmans (1998, p.228), security isn't a neutral device used to express everything, 'but has a history, implies a meaning' and a 'particular signification of social relations'. As a thick signifier, security becomes self-referential and does not refer to an objective reality, but establishes a security situation by itself (Huysmans, 1998, p.232). Consequently, social relations are reorganised as security relations (Ibid, p.232). This is applicable in many respects to the 'securitisation' of drugs as rather than being perceived as patients, users are presented as threats and destructive elements in society. Indeed, the terms narcotics and drugs represent a particularly loaded thick signifiers, evoking of a range of pertinent issues and historical traditions. The homogenisation of attitudes towards narcotics and how this has constituted drugs as a thick signifier outside of liberal democracies has not been explored in great detail previously, so represents another potential contribution of this thesis. Overall, a post-structural approach is beneficial here as drug use within society does have material social effects, but it is the way in which these phenomena are framed by elites which renders them security issues.

Huysmans (1998, p.250) also argues that an empirical application of such a poststructuralist approach would represent a major contribution to the discursive formation of security in international relations. He suggests that analysing context specific understandings of security and its relationship with general conceptions of security in international relations would contribute to developing critical analyses of the significance and meanings of security (Ibid). Hansen (1997, p.372) is rather more specific about how this could be applied empirically in laying out a number of poststructuralist methods (or 'anti-methods') which could contribute to the formations of thick signifiers. Hansen (1997, p.372) notes that utilising a genealogical

approach as a 'history of the present' looks not for continuous histories, but ruptures, discontinuities and forgotten meanings and the conditions, discourses and interpretations which may give rise to it. Campbell (1998, p.118) adopts this approach in his chapter on the war on drugs in the United States, in which he argues that the state replicated earlier narratives (especially communism) of foreign policy in the American experience. This in many ways is comparable to Ethan Nadelmann's (1990) seminal analysis of the evolution of the international norms of prohibition. As well as highlighting the importance of the US in evolving norms of prohibition, Nadelmann highlights how (1990, p.480) 'moral and emotional factors related to neither political nor economic advantage but instead involving religious beliefs, humanitarian sentiments, faith in universalism, compassion, conscience, paternalism, fear, prejudice, and the compulsion to proselytize can and do play important roles in the creation and the evolution of international regimes'. In a similar vein, Bevir, Daddow and Hall (2014) argue that the interpretation of beliefs and traditions has long been neglected by international relations scholars, and security studies in particular. Whilst their emphasis is generally on state actors, there is a strong case to be made for exploring the importance of moral beliefs upon the formulation and contestation of drug policy, especially when they are not consistent with the rationality prized by realists. Applying the above methods to the construction of narcotics threat in Southeast Asia would offer a more nuanced picture of why drugs have remained such a divisive and hotly contested issue in the region. A genealogical approach that considers how values, culture, foreign policy and discourses have influenced understandings of how the drugs threat relates to security will also elucidate how such ideas have remained immune to challenge. However, as Foucault (1977, p.146) notes, a genealogy does not attempt to chart 'the evolution of species', but rather identifies the

'accidents, the minute deviations- or conversely the complete reversals- the errors, the false appraisals, and the faulty calculations that gave birth to those things which continue to have value for us.'

As a result, the interest in the early chapters of this thesis will be to demonstrate how political and security approaches to drugs in Southeast Asia were characterised by such contradictions and faulty calculations. Accordingly, one of the ancillary research questions this thesis will seek to address is:

How have 'regimes of truth' been constituted and reconstituted to make the case for a 'war on drugs' in Southeast Asia? How are these regimes of truth situated historically?

2.3 Security Dispositives and Biopolitics

Beyond his consideration of genealogies, Foucault's consideration of security dispositives and biopolitics is also particularly appropriate for the examination of drugs policy. Herschinger (2015, p.187) argues that when applied to drugs, the dispositif encompasses discourses, institutions, practices and beliefs, ultimately creating the capacity for governance. Going further than this, Didier Bigo (2008, p.96) highlights that in Foucault's estimation, the security dispositive is a set of procedures that aim to prevent certain circumstances through the prediction of risk in society. Further, security is related to normality and liberty, not with war, survival, coercion or surveillance and is about the production of a category, or a profile (Bigo, 2008, p.96). However, this creates certain tensions when considering drug policy as a security dispositive in the context of a war on drugs, where normality and liberty may be restricted. Bigo (2008, p.100) offers some means with which to resolve this tension though, in noting that Foucault's conception of the security dispositive contradicts one of his key claims in *Discipline and Punish*, which argues that modernity is operationalised through the design of the panopticon, a key element of which is surveillance (or at least the appearance of surveillance). Further, as will be argued throughout this thesis, forms of surveillance are complementary to biopolitics, which itself represents a security dispositive (Dillon and Lobo-Guerrero, 2008).

As Grayson (2008, p.384) delineates, at its most simple, biopolitics is about the identification, classification and management of populations in order to ensure that their 'dimensions of life' are amenable to governance, cultural propensities, or what one may call 'ways of life'. Specifically, Dillon and Lobo-Guerrero (2008, p. 272) point out that Foucault envisaged biopolitics as representing the population seen as a political problem, one which was both simultaneously 'scientific and political'. Dillon and Lobo-Guerrero (2008, p.271) also note that Foucault argued that once modern political power first assigned itself the task of administering life, two poles of life were dominated by the state; one centring on the 'body as a machine: its disciplining, the optimisation of its capabilities, and the extortion of its forces'. The second logic formed later and focused on 'the body imbued with the mechanics of life, births, mortality, the level of health, life expectancy, along with all the conditions which cause these to vary (Ibid). As Foucault (1997, p. 243) notes, biopolitics consequently hinged on the measurement of these phenomena in 'statistical terms' towards the end of the eighteenth century. Throughout this thesis it will be shown that such statistical data regarding flows and use of illegal drugs is utilised in a similar 'scientific and political' manner to make an argument for the war on drugs. At the heart of the argument made against the use of drugs is the effect they have on human forces (economic production), but also the concomitant health and social costs they may exact upon society, and consequently the state. Foucault (1997, p.244) makes reference to this

specifically in noting that biopolitics became increasingly significant against the backdrop of the industrial revolution, where there was an economic need to eradicate phenomena which would 'incapacitate individuals, put them out of the circuit, or neutralize them'.

Unlike in the security dispositive, surveillance remains an integral part of biopolitics, as it is necessary to accumulate behavioural data about populations, which in turn allows profiles, patterns and probabilities to be established (Dillon and Lobo-Guerrero, 2008, p.267). This is in contrast to traditional security discourses, which Dillon and Lobo-Guerrero (2008, p.267) claim are preoccupied with the 'regulative epistemological ideal' of causal law. In a sense this form of policy has created a 'regime of truth' in drugs policy, whereby society and institutions have generated policy narratives which satisfy prevailing ontological interests (Grayson, 2003, p.155). Consequently, Grayson (2003, p.155) argues that drugs policy operates as a 'regime of truth' in that it utilises particular discourses and makes them function as true. For instance, this is why the war on drugs is always rhetorically tied in a causal fashion to organised crime, as it appeals to broader concerns (crime and terrorism) and gives it a single origin to be eliminated. This emphasis on the 'risk' of such broader concerns is discussed by Kessler and Werner (2008, p. 292), who note that Foucault viewed it as a form of governmentality, a means for disciplining conduct by imposing a particular truth regime (Rose, 2001, p.7). Further, Kessler and Werner (2008, p. 292) argue that the particular regime of truth that presents terrorism as an act of war allows this disciplining conduct to violate established forms of risk management, such as legal norms. As this bears some striking similarities to the use of extrajudicial killings in the war on drugs, this study will also engage with the question of how regimes of truth have been constituted and have attained a status of common sense. Overall, a Foucauldian approach has much to offer the analysis of the war on drugs- which after all is a battle to biopolitically 'secure' a population from the pernicious effects of certain substances, whilst permitting others which can be governed. Further, a biopolitical analysis of how statistical drug production and consumption estimates help to sustain and legitimise the regime is an avenue of inquiry that has been neglected in critical security studies.

2.4 The case for interdisciplinary analysis

This section considers how a dialogue between international relations and criminology may be helpful when analysing transnational criminal issues like drug trafficking. As in critical security studies, much of the scholarship within criminology has been concerned with how security is defined and governed within liberal societies at an everyday level (Newman, 2016, p.1168). Questions posed by criminologists surrounding the referent object of security, at what cost are security policies are carried out and what represents a basis of reliable knowledge in the area

are also germane to critical security scholars (Newman, 2016, p.1165). As a consequence, Bigo (2016, p.1069) has called for a 'decolonising' of research parameters from both international relations and criminology as contra Stephen Walt, he views security as related to notions of law and order and cannot simply be defined in military terms. Bigo (2016) further suggests that international relations scholars concerned with security no longer all see the world through the lens of the military and intelligence services, just as criminologists do not use the frames constructed by police organisations and judiciaries. Bigo (2016, p.1082) notes that international and internal security should be seen as a Mobius strip, which initially appears to have two sides, but is in fact a continuum of one, along which runs the same practices, discourses and beliefs. Significantly, Ethan Nadelmann (1990, p.480) has advanced a similar argument with regards to drug policy in noting that it often represents a 'culmination of both external pressures and domestic political struggles'. To Nadelmann (1990, p.480), these pressures are influenced by national and transnational movements, as well as the norms of dominant states, such as the US and much of Europe. A similar argument is also utilised by Margaret Beare (2003, p.xxi), who suggests that the criminological emphasis on 'cross border transnational' aspects of crime has often led them to become divorced from political, economic and social contexts which have bred such phenomena. This reflects policy in some senses, as like Hameiri and Jones, Malcolm Anderson (in Sheptycki, 2003, p.14) posits that the governance of such security issues have in part been transferred to international institutions. Therefore, it will also be argued that whilst state vigilantism in the context of the war on drugs takes the policies of multilateral institutions to an extreme, they also imply a rejection of their more conciliatory approaches which it is believed have yielded no tangible results.

2.5 The value of security

Within critical security studies there is an ongoing debate as to whether 'security' in itself is a desirable outcome or a solution to certain enduring problems. As Lene Hansen (1997, p.377) notes, security is almost always upheld as something overwhelmingly positive, as insecurity causes damage to the state and consequently often the individual. As has been alluded to previously however, there are fundamental disagreements over what a state of security looks like and the means of arriving at this desired end. For instance, Mark Neocleous (2008, p.5) asserts that security has become a master narrative through which the state shapes out lives, and consequently subjects are predisposed towards the exercise of violence in defence of the established order. Whilst Neocleous's position may be an extreme one, a broader scepticism about the project of security is common amongst critical scholars, particularly among poststructuralists and the Copenhagen School. As Owen (2004, p.379) argues, a militaristic focus on national security diverts funds to industrial complexes which are incapable of

addressing nonviolent harms, and arguably non-traditional ones. However, Owen (2004, p.379) also suggests that securitising does not 'necessarily mean(s) militarising' and it is the 'the resources and prescience to the military that is wanted, not the guns'. This interpretation of security practices is also held by those who advocate notions of human security, as from this perspective it is generally a constructive process that seeks to raise the urgency of neglected challenges and bring about new forms of protection for people and groups (Newman, 2016, p.1169). However, it could be argued that adopting such an approach strips the concept of security of much of its analytical utility, and renders its meaning in terms of attention from policy makers. Conversely, Wæver (1995, p.62-5, in Hansen, 1997, p.377) asserts that securitisation offers the strategies and techniques of defence as the solution as provided by the state, and that it is by its very nature always oppositional. Browning and McDonald (2011, p.242) are sceptical of this however, noting that there is an inherent tension in utilising the framework of securitisation to focus on the changing nature of security over time, whilst also arguing that there is a fixed logic to the process. This is echoed by Nunes (2012, p.349-50), who suggests that the tendency to 'see security as inherently connected to exclusion, totalization and even violence' forecloses the 'possibility of alternative notions of security'.

The debate about whether security is a damaging or overwhelmingly positive is at least in part a semantic one. Jonna Nyman (2016) notes that synthesizing the uses of positive and negative views of security may be possible by viewing the two perspectives as 'analytic' and 'normative'. Further, Nyman (2016) argues that those who envisage security as a process tend to be more sceptical of it, whilst those who view it as a state of being are more positive about its potential. Whilst the Copenhagen school envisages security as a process, to Booth (1991, p.319) security refers to the desired goal, as it denotes 'an absence of threats'. His argument is that emancipation as 'freeing of people from those physical and human constraints which stop them carrying out what they would freely choose to do', brings security (Ibid). The notion shared by Copenhagen scholars that security processes are negative and exclusionary (Browning and McDonald, 2011, p.242) are not irreconcilable with Booth's (1991, p.319) critique of 'power' and 'order' as not being conducive to a state of security, especially if the state misuses these prerogatives. As a result, the problematic binary within critical security studies observed by Browning and McDonald (2011) between Copenhagen scholars who view security as pernicious and Welsh school scholars like Booth who deem it to be benign misrepresents the debate slightly. Ultimately, as Jonna Nyman (2016, p.831) and Rita Floyd (2007) note, if security is contingent on the context, it cannot be viewed as either inherently good or bad.

2.6 Critical security studies beyond Copenhagen

Thus far, this literature review has laid out some of the fault lines within critical security studies and why it may offer a promising means of analysing the construction of the narcotics threat in Southeast Asia. As Keith Krause (1998, p.306) notes, the starting point for critical security studies is the proposition that threats cannot be ‘unproblematically perceived by decision makers or scholars’. As a result, critical security scholars see that ‘the world of threats and intentions is a supremely constructed one’, which involves a holistic analysis of history, culture, communication and ideologies (Ibid). In a sense this demonstrates why utilising the Copenhagen Schools securitisation framework is only partly useful here; ultimately it can only offer a relatively restricted temporal and cultural view of the issue in context. Moreover, utilising securitisation theory perhaps oversimplifies the complex security dynamics of drugs in Southeast Asia. The argument that the issue of drugs was securitised by Thaksin and Duterte to facilitate violence towards users and dealers captures only part of the story and leaves questions of how these securitising discourses were situated to win over the public, how this was and is contested and how and why both states resorted to unconventional modes of violence.

Despite perhaps being a more appropriate framework for this study, there are some facets of broadly defined critical security studies which need to be considered further. Browning and McDonald (2011, p.248) argue that the future of critical security studies is dependent on the extent to which scholars can recognise the limits of existing general approaches, and create more nuanced, reflexive and context specific analyses on the politics and ethics of security. Specifically, in a similar tone to Buzan (2010), Browning and McDonald highlight that critical security studies has almost exclusively focused on how security ‘works’ in liberal democratic contexts (2011, p.248). Significantly, Browning and McDonald (2011) also argue that more consideration of how security might work in nondemocratic or illiberal states would help to develop the project of critical security studies further. As a result, this project seeks to rectify these perceived shortcomings by analysing how semi or non-democratic states have sought to administer and construct collective and domestic security in the context of a specific policy area. In addition to this, there is also a need to consider how processes of the unmaking of security can be theorised, especially in such unconsolidated democratic contexts. This is the topic which this chapter turns to next.

2.6.1 Desecuritisation as the unmaking of security

Desecuritisation is the process by which the Copenhagen School argues that issues are shifted ‘out of emergency mode into the normal bargaining processes of the public sphere (Hansen,

2012, p.531). In shifting issues into the public sphere in this way, they can be politicised and become debated within public discourse (Hansen, 2012). As Hansen (2012, p.533) suggests, desecuritisation is in essence performative, as 'it must instantiate the non-threatening identity of the other' for it to be possible. However, as will be argued here, desecuritisation does not represent a convincing model for changing security practices, either analytically or normatively. In part, this is because the binary that models of desecuritisation propose between security and political processes is rejected here (Nyman, 2016, p.830), as contestation of issues may often take place against the context of security practices, as with the extrajudicial killings discussed in relation to the war on drugs. This speaks to how models of desecuritisation remain under theorised and as Claudia Aradau (2004, p.388-390) notes, 'seriously underspecified' to the point that it can only be utilised as a 'relatively sterile tool'. Aradau (2004, p.393) further notes that when considering extraordinary measures of securitisation, 'desecuritisation can only be regarded as a political choice restoring democracy'. Again though, this appears general to the point of being banal, and perhaps slightly reductive in contexts where certain issues have never been subject to democratic debate, as in the cases covered here. Although Hansen's (2012, p.542) suggestion that desecuritisation represents a bid to rearticulate threats politically as a 'solution to the threats, dangers, grievances in question' addresses this to an extent, questions remain as to who has the authority to speak. Moreover, as a normative strategy, in responding to purported 'threats dangers and grievances in question', rearticulation as an element of securitisation therefore accepts security threats as something which necessitates a response, rather than constructed. This further relates to Huysmans's (1998, p.572) criticism that desecuritisation is 'technical' and 'instrumental' as opposed to political. As Hansen's (2012) use of rearticulation suggests, desecuritisation represents an approach which often envisages that threats can be resolved managerially, whereas a truly emancipatory approach would seek to demonstrate how existential threats to a particular community can be unmade, thus eliminating the self/other demarcation. In this way desecuritisation fails by its own measure of establishing 'the non-threatening identity of the other', by framing itself through the technical need to address 'threats', which may still be othered in political discourses. As a result, emancipation as a reframing of what security might look like from a subaltern perspective is preferred here.

Desecuritisation as an analytical lens has been utilised by Másmela and Tickner (2017) to discuss drug policy change in Latin America. They argue that the securitisation of drugs has led to a stifling of debate and the establishment of a false dichotomy between 'policy alternatives such as legalization versus prohibition or suppression verses submissiveness' (Másmela and Tickner, 2017, p. 307). However, they then also note that an element of the desecuritisation of drugs discussed by Bruce Bagley and Jonathan D. Rosen (2015)(in Másmela and Tickner, 2017,

p. 307) include 'measures such as decriminalization of drug possession, legalization of trade and consumption of some soft drugs'. In part this demonstrates the point made above- that the false dichotomies created by acts of securitisation ultimately become part of the political debate surrounding drugs. It also understates the emancipatory discursive potential of harm reduction approaches for instance, which go beyond 'more democratic discussions about the best lenses to approach illicit drugs consumption' which Másmela and Tickner (2017, p.313) propose. Again, this shows how broadly desecuritisation as the absence of security does not appear to offer a convincing or holistic guide as to how security practices can be unmade. Further, there is a need to consider the processes where security can be unmade in non or semi democratic contexts, hinting at the Eurocentric nature of desecuritisation theory.

2.7 Emancipation as security

As it has been argued above that the Copenhagen School's conception of the unmaking of security practices as desecuritisation does not capture the ways in which the war on drugs is contested. Consequently, here the interest will be to show that Ken Booth's conception of emancipation offers the most promising means by which to understand and theorise how non-state groups utilise immanent critique to challenge states. This in part responds to the need outlined by Booth to consider emancipation through 'real people in real places', and also offers a response to those who argue that critical approaches have no real policy relevance (Linklater, 2005, p.121). Ultimately, as Newman (2010, p.94) points out, some progress is required in exploring the theoretical and practical relationship between the state and individual in the provision of security, which means that confronting normative issues is paramount for the sub discipline.

The role of emancipation in security has been laid out by Ken Booth (2007), who roots the concept in the idea that security should represent more than mere survival. He asserts that survival is simply an 'existential condition', but it is not synonymous with living 'tolerably well and less still with having the conditions to pursue cherished political and social ambitions' (Booth, 2007, p.102). In its place, Booth (ibid) argues that security should be seen as 'survival plus', in offering choices beyond the freedom from life determining threats and constraints, such as war, poverty, poor education and political oppression. Taking this further, Booth (2007, p.112) argues:

As a discourse of politics, emancipation seeks the securing of people from those oppressions that stop them carrying out what they would freely choose to do, compatible with the freedom of others. It provides a three-fold framework for

politics: a Philosophical anchorage for knowledge, a theory of progress for society, and a practice of resistance against oppression.

As Newman (2010, p.94) observes, the so called Welsh school's definition of emancipation is largely normative, whilst the Copenhagen School is usually seen as explanatory, though some of its proponents might argue that challenging the logic of security represents a normative goal in itself. As noted above by Linklater (2005), an important element of the critical security project is the notion that emancipation implies choice to live one's life as they wish, compatible with the rights of others. In addition, Welsh school proponents suggest that emancipation results in security both empirically and normatively, as power and order do not provide genuine security (Booth, 1991, p.322). Further Booth (1991, p.319; 2007, p.116) argues that reciprocity of rights means that the individual is not secure or free until 'everyone is free'. Consequently, Booth posits that security and emancipation are 'two sides of the same coin' and have a directly causal relationship, whilst power and order do not (1991, p.319). The level of analysis emancipation focuses on also represents a departure from Busan et al. Booth (2007, p.96) argues that despite the professed broadening of the security agenda, Buzan's definitions display a 'distinct set of liberal-realist assumptions', as the state remains the referent object of security and one of the few actors with 'enough power to make such acts more than a discursive construction'. The aim here then is to show how civil society groups and NGOs seek to contest drug policy in Southeast Asia through utilising emancipatory forms of immanent critique. Whilst the literature on civil society within Southeast Asia remains rich (Lee, 2004; Rodan, 1997; Uhlin, 2016), no studies to date have attempted to address how drug policy related civil society groups and NGOs seek to contest dominant security paradigms. Further, as Anja Jacobi (2015, p.4) highlights, existing accounts of crime governance fail to account for the activities of non-state actors and the 'partly coherent, partly incoherent interplay' they have on different levels of policy making.

Cecilia Jacob's (2014) study of how civilian protection is understood by state and non-governmental organisations in Cambodia and Myanmar similarly attempts to address Browning and McDonald's (2011, p.238) call for a more nuanced and contextual understanding of security dynamics and practices. . Specifically, Jacob (ibid) is concerned with drawing out how divergent understandings of human security influence that of child protection policy and how these understandings interact with one another. Jacob (2014, p.402) also questions whether political processes in such militarised states can be transformed by civilians and broader civil society contesting the damaging practices of state security forces. The security forces have served to preserve the political powers of the elites, who have reciprocated with support and disproportionate funding and so practices which continue to produce insecurity for civilians have endured with little comment (Jacob, 2014, p.402). However, Walters and D'Aoust (2015,

p.47) claim that security studies would be enhanced by engaging with and theorising the phenomenon of publics, as this has been a notable lacuna even in critical approaches. They note that within securitisation, the sole role of the public is to hear the case made for the issue, then approve or reject the process (Walters and D'Aoust, 2015, p.47).

In Haacke and Williams' (2008, p.786) examination of the securitisation of transnational issues within ASEAN and the African Union, they note that the process usually only aims to target government representatives and actors of the states involved in negotiations. What this misses however, is that the process of invoking security always has wider consequences with external actors, and ultimately must find expression in domestic policy. Walters and D'Aoust (2015, p.51) suggest that the monolithic audience in securitisation theory should be nuanced by exploring security appeals to 'popular, elite, technocratic, and scientific' audiences. This is especially relevant outside of liberal democratic contexts, as the state or securitising actors may not seek to win the support of the wider public, but certain epistemic communities who have a stake in policy such as security services. Therefore, there is a need to fill this gap in drug policy literature to examine how global and local actors contest the practices of security in the name of the war on drugs. In addition, there is a need to interrogate why Southeast Asia's drugs are considered to be such an important security threat and how this diverges from, or is supplemented by the international regime.

A consideration of appeals to different actors is significant here because often governments and international agencies speak with a number of voices on a single issue. For instance, in the case of drug policy certain discourses appeal to the conservative public and security forces, whilst another appeals to the cause of human rights and security. Booth (2007, p.109) suggests that security outcomes derive from different understandings of the character and purpose of politics, and thus it could be argued that if elite survival is the aim of politics, in the context of powerful security apparatuses will result in self-reinforcing security agendas. However, as Bevir, Daddow and Hall (2014, p.3) argue, in rejecting positivism, we are unable to identify actors beliefs simply by observing supposedly objective social facts (such as a desire for elite survival) about them. Further, they suggest that states should not be seen as black boxes, but rather 'struggles among actors inspired by different beliefs rooted in different traditions' (Ibid, p.13). Overall, more attention is need within critical security studies to examine how sites of insecurity have bred contestation of the elite definition of state security and how this is informed by morals, tradition and global norms.

In a similar vein to Booth (2007, p.112), Linklater (2005, p.127) asserts, 'from the critical perspective, security requires the development of forms of political community where the

constraints on actors are, as far as possible, the constraints they willingly impose on themselves'. Collectively and coercively imposed constraints on individuals however, will not secure the population in a sustainable way. It could be suggested that this draws upon a Gramscian understanding of power, which simultaneously borrows Machiavelli's depiction of power as a centaur- half man and half beast: a combination of consent and coercion (Wyn Jones, 1995, p.311). To Gramsci (Wyn Jones, 1995, p.311) this consent is produced and reproduced by a ruling hegemony which holds sway through civil society and through which dominant ideas become widely dispersed. Importantly, despite 'sedimented' ideology becoming regarded as 'common sense', the values which were once seen as beyond question can be displaced (Ibid). Consequently, in order to examine the role of civil society in contesting the 'regimes of truth' which underpin the regional security consensus on drug prohibition, a further examination of civil society is necessary. Whilst some may question the significance of civil society in semi-democratic contexts, Gramsci views the role of civil society to be that of 'organic intellectuals' who seek to undermine the naturalness and internalised nature of the status quo, as was done in the case of slavery, for instance (Wyn Jones, 1995). The drugs regime in Southeast Asia (like elsewhere) presents a novel case in this regard because the issue's relation to security is defined by actors contextually and is always couched in terms of 'common sense' ; drugs are presented as a self-evident threat to the individual (through crime), morals, transparent politics (corruption) and the integrity of the nation state. Added to this though, the fact that drug policy consensus is moving away from coercively imposed solutions (in the form of the war on drugs) demonstrates the strength of the critical argument for security. Flows of illicit drugs cannot be totally controlled, so health based approaches which assist users to willingly impose constraints upon themselves are more likely to ameliorate the criminal effects of the trade on society, such as corruption and related violence.

Explorations of emancipatory discourses used by NGOs and civil society do exist however; Margarita H. Petrova's (2018) study into the role of NGOs in banning cluster munitions notes how they have sought to de-securitise the use of force by states, whilst upholding humans as the referent object of security through a process of immanent critique. Accordingly, Richard Wyn Jones (1995, p.312) notes that processes of immanent critique entails the comparison of 'the justifications of [prevailing security] regimes with actual outcomes' in a bid to show how they 'fail grievously on their own terms'. This is particularly clear in the case of drug policy, where it could be suggested that elites have attempted to stall change by portraying a false sense of unity of the ideal and real' (Antonio, 1981, p.338), or in other words, that drug policy has been effective in limiting organised crime and reducing consumption. Thus, advocates for drug policy reform in the region attempt to draw attention to this 'false consciousness' that drives the war on drugs by noting how a drive for positivist 'results' (often tallied by number of arrests, drug

busts etc) reproduces non-reflective structures of truth and knowledge (Floyd, 2007, p.330). This links in part back to the overarching research question of this thesis, as it is these structures of truth and knowledge which constitute the war on drugs 'regime of truth'. It should also be noted that such positivist results are also often driven by biopolitical structures which analyse individuals and collective behaviour and attempt to subject them to methods of control (Dillon and Reid, 2001, p.48). This in part responds to the claim that critical security models propose an unattainable 'ideal society', as immanent critique takes the 'unfulfilled potential that already exists within it' (Wyn Jones, 2005, p.220). In addition, it also seeks to address the need outlined by Aradau (2004, p.401) that the struggle for emancipation 'needs to show a gap or contradiction between these official principles and actual practice' to demonstrate that emancipation is not something imposed. Consequently, to fill the lacuna outlined above, one of the ancillary research questions posited by this thesis is:

How do non-state groups use emancipatory forms of immanent critique to challenge state drug policy?

The above research question also offers scope to nuance Booth's conception of emancipation. It will be argued that the type of drug policy reform advocated by NGOs and civil society groups in the region express forms of political, economic and cultural emancipation. This represents a departure from Booth's (2007, p.104) argument that 'elective danger is the privilege of the secure', as though involvement in the drug trade may represent a choice, it also offers a mode of emancipation for marginalised groups. In addition, marginalised groups such as users could legitimately argue that their consumption of illegal narcotics is their choice and could be wholly 'compatible with the freedom of others' were it not for drug policy as it currently is.

Consequently, it will be argued later in this thesis that broadly defined 'harm reduction' techniques, treatment and rehabilitation of users which aim to mitigate the harmful health and social corollaries of drug use in society, represent the emancipatory currents in current drug policy. Later it will be explored how in advocating such positions, certain NGOs and civil society organisations engage in a form of emancipatory immanent critique. The radical nature of these interventions are underlined by the fact that at present, the most common means of treatment for users in Southeast Asia is compulsory detention in drug centres, which are usually run by the army or police (Rahman and Kamarulzaman, 2016; Thompson, 2010, p.26). An examination of emancipatory interventions in the war on drugs may also offer a counterpoint to Aradau's (2004, p.398) argument that the concept can be problematic as it precludes the 'social transformations outside of the logic of security'

Emancipation is treated with some scepticism by scholars across the spectrum however. In accordance with his broader scepticism of security, Neocleous (2008, p.5) roundly rejects characterisation as emancipation and security as two sides of the same coin, arguing instead that security and oppression have a more direct relationship. Whilst this may have some truth and may not necessarily undermine the case for emancipation, it assumes that understandings of security are static and will remain so. Indeed military policies conducted in the name of security may produce oppression in some cases, but it seems like it is precisely this form of security policy which both the Welsh and Copenhagen Schools seek to undermine, albeit in different ways. Conversely, Ayoob (2002, p.127) argues that security is possible without emancipation and vice versa, suggesting that the two should only be equated in Western Europe. Further, he argues that owing to problems of state legitimacy, political order and capital accumulation in the global South, equating emancipation with security is 'extremely farfetched', 'intellectually disingenuous' and could even lead to secessionist movements. However, Ayoob's (2002, p.127) conflation of emancipation with secessionist movements is problematic, as he argues that citizens could be emancipated in a context of war, when as outlined above, Booth views emancipation as having protection from its effects. In addition, in the context of Southeast Asia, Ayoob's observations seem to miss the mark. Ayoob (2002, p.127) argues that 'emancipation, interpreted as the right of every ethnic group to self-determination, can turn out to be a recipe for grave disorder and anarchy as far as most third world states are concerned'. However, this assertion is predicated on the idea that entitlement to representation and the ability to pursue 'political and social ambitions' will create or embolden such movements, and also they that do not already hold a great degree of power. Myanmar's secessionist movements have proceeded apace since independence, surviving in an environment and being sustained by the lack of security offered by the Burmese state. Conversely, one could argue that the production of narcotics by the United Wa State Army has been essential in funding and therefore ensuring their security from the state. Consequently, whilst Ayoob decries critical scholarship as 'utopian thinking' (2002, p.128), it could be argued that such phenomena express the need for emancipation in particular contexts. Though the politics of autochthony may not be ideal, it is at least an understandable reaction to systematic disenfranchisement often seen in state building projects in the global south.

2.8 Problems of problem solving theory

Whilst human security may superficially appear to be applicable to the issue of drugs at a policymaking level, here it will be shown that the concept does not carry sufficient critical weight to drive change or emancipation. The foremost criticism levelled by critical scholars is the suggestion that human security simply represents a 'problem solving theory' of the type

observed by Robert Cox (1981, p.128), which does not seek to address the conditions which breed insecurity, but simply attempts to respond to them. Cecilia Jacob (2014, p.392) has even noted that the concept is so undertheorised and overapplied, it risks becoming an 'empty signifier'. While interpretations vary, discourses of human security usually securitise everyday issues and challenges, such as deprivation, environmental destruction and human rights abuses (Newman, 2016, p.1165). This concern with placing the individual at the centre of security may have some appeal for critical scholars, as just mentioned some like Owen (2004, p.379) suggest that 'too much is made of securitising everything', lest security be reduced to a laundry list of 'bad things that can happen'. As a result, Krause (2000), Mack (2002) and Macfarlane (2004) argue that security should perhaps be limited to threats which have at least an element of violence (in Owen, 2004, p.378). However this replicates realist criticisms of the broadening project in general, and is still vulnerable to the argument that physical violence would rank relatively low on a list of causes of harm worldwide.

Newman (2016, p.116) observes that much of the hostility from critical scholars towards human security stems from its use by policymakers and that the concept 'operates within the political, legal and normative constraints of the real world', so consequently offers no solutions to long term structural problems. As Chandler (2008) (in Newman, 2016, p.1178) argues, human security has largely been successful in winning support amongst policymakers for the simple reason that it serves existing state interests. As such, competing visions of human security have been disciplined by this desire to integrate themselves into the power relations of what Grayson describes as the 'structures of Biopolitical order in global politics', such as the state and international law (2008, p.395). In addition, Grayson posits that the human security project is difficult to square with a critical approach when it is predicated upon notions of cosmological realism. Drawing upon David Campbell (1993, p.7-8), Grayson (2008, p.387) further suggests that the purpose of human security approaches have been to identify 'self-evident things and material causes so that actors can accommodate themselves to the realm of necessity they engender', which certainly has some relevance to drug policy. Whilst notions of human security have some discursive purchase within Asia more broadly, it will be shown here that the concept's uncritical underpinnings mean that it has little to offer with reference to drug policy.

The list of threats which human security attempts to address initially appears like those critical scholars who advocate for a broadening of security. The initial conception of human security was laid out by the UN Development Programme Human Development Report, in which it suggests that human security represents 'safety from such chronic threats as hunger, disease and repression' (Newman, 2016, p.1170). Newman (2010, p.78) also notes that from this,

proponents of human security assert that for vast swathes of the world's population, the most significant causes of insecurity stem from 'internal conflicts, disease, hunger, environmental contamination or criminal violence'. Hence, human security is potentially applicable to the issues raised by the issues at stake here- as state violence towards citizens and the empowerment of organised crime are two important corollaries of global drug policy. Added to this, the adverse public health effects of unregulated drugs markets is also worth consideration.

However, human security as integrated into the practices of the UN Office on Drugs and Crime (UNODC) indicate its wholly uncritical underpinnings. Examples of such practices include 'supporting demand reduction' of illegal drugs and support for poppy farmers, who stand to be disenfranchised by the disruption of the markets (Newman, 2016, p.1172). As will be shown in the following chapters, the project of 'demand reduction' at present is almost a wholly disciplinary one, which has had very limited results. Further, although the language changed from 'crop substitution' in the 1970s to become 'alternative development' in the 1990s, there is little evidence that such projects to support poppy farmers are effective (Farrell, 1998). This demonstrates how easily the language of human security can be used in order to sustain security situations where the security of individuals is undermined. Similarly, Newman (2010, p.88) highlights instances in the past where human security has been appropriated by policymakers for the purposes of military security, such as the Philippine Human Security Act of 2007, which essentially endowed the state with special counter terror powers (Newman, 2010, p.88). However, Acharya (2001) is more sanguine about the prospects of human security, suggesting it goes beyond previous attempts by governments to redefine security issues. Whilst often East Asian countries have rebuffed more liberal interpretations of human security, preferring one centred upon economic development, it does at least allow some avenue for opening the debate about what security means within the region. Paul Evans (2004, p.265) argues that the interest in human security is significant because as well as offering a counterpoint to conventional security state strategies, it establishes at a policy level that 'secure states do not necessarily mean secure citizens'.

As perhaps the most forceful advocate of the notion of human security in the region, the Japanese foreign ministry highlighted that focusing too much on political rights was misguided, as in their view 'freedom from want is no less critical than freedom from fear' (Acharya, 2001, p.446). However, Acharya (Ibid, p.448) also notes that Japan and Thailand do not see the two as mutually exclusive, and the latter has made attempts to emphasise social safety nets and developing a rights based political system. Significantly, Acharya (2001) notes that discourses of human security circumvent some of the liberal and Western baggage of human rights that Asian governments considered to be contrary to the cultural contexts and historical experiences of

their countries. Specifically, he argues that human security in protecting both individuals and communities is compatible with the communitarian ethos of certain Asian countries and does not sacrifice the importance of development ahead of rights (Acharya, 2001). ASEAN (Abad, 2000) similarly attacks states that 'conveniently' argue that 'liberal democracy is detrimental to the well-being of their citizens', as it inhibits economic growth, despite evidence to the contrary. Abad contends that at very least there is at least some current of elite opinion who see themselves as 'change agents' and seek to displace the security 'status quo' (Abad, 2000). However, whether such agents of change envisage human security as complementary or a challenge to state the state security making apparatus and power remains to be seen.

In practice then, Barry Buzan's (2004, p.370) observation that very little separates the agenda of human rights from human security is valid, but is also worth nuancing in light of political realities. Whilst the main thrust of Buzan's objection to the concept is that it 'reinforces a mistaken tendency to idealize security', he does also acknowledge that human security could allow discussion of rights in contexts where it is seen as unpalatable. This at least hints at the transformative potential noted by Chandler (2012, p.214 in Jacob, 2014), who suggests that its 'capacity to reshape policy frameworks has often been underestimated'. In addition, Newman (2010, p.77) similarly posits that if human security discourses are able to jettison their mostly uncritical underpinnings, they could yet make some sort of effect upon security studies more broadly. Newman (2010, p.93) argues that in order to do this, a critical view of human security must make a distinction between explanatory and normative theory and must also interrogate more closely the values and institutions which currently exist and how they relate to human welfare. The reality when it comes to the issue of drugs is worth highlighting however, as current narratives of human security have ultimately entrenched decades old patterns of policy. It is notable that none of the civil society organisations surveyed for this utilised the language of human security in their communications. As will be argued later, this is in part because human security does not serve to challenge the discourses that entrench the precariousness of those involved in the drug trade and therefore cannot be considered to be emancipatory enough.

2.9- Conclusion and key claims

To sum up, this study has two theoretical strands, both analytical and normative. The study aims to utilise poststructural theories, taking influence from the Copenhagen school and Michel Foucault to analyse the discourses of drugs in the region. In tandem with this, the thesis utilises the Aberystwyth School to analyse the unmaking of security practices in the form of emancipation. As a result, this study aims to meet the calls of several critical security scholars for a more context specific understanding of security, which considers how such processes of

the political struggle over the meaning of security may be enacted outside of democratic settings. Whilst much of the work on transnational crime and narcotics in the context of Southeast Asia has utilized the Copenhagen school's theory of securitisation, this thesis will also survey the genealogy of security practices and how these relate to the contemporary war on drugs.

This literature review has served to outline the three broadly interrelated claims this thesis will make, which bring together the discursive nature of drugs as a security threat, state vigilantism and emancipation. The literature on state violence has not been discussed in any great detail here, as this will be done in the chapter which covers the topic. It has also been argued that securitisation theory inadequately explains the dynamics of the war on drugs in Southeast Asia, and thus the small corpus of work on the constitution of threats needs nuancing further.

Although Booth (1991, p.317) notes that some Southeast Asian states attempted to reconceptualise traditional ideas of national security, it is argued that this broadening agenda has served to widen the remit of coercive institutions services rather than restrict their influence and make them more open and participatory, which is one of the broad aims of critical security studies. As a result, there is a need to consider how security can be unmade in drug policy in semi democratic environments such as Southeast Asia. It has also been suggested here that the desecuritisation framework remains too nebulous in form, and that the Aberystwyth's understanding of emancipation offers the most fruitful means by which to analyse how civil society actors make the case for policy reform through immanent critique. Accordingly, it has also been shown here that although discourses of human security could represent a promising development, at present they serve to underline more conventional security approaches.

Chapter 3- Opium Politics and State power in Thailand and the Philippines

‘Men can neither be legislated nor terrified into virtue’

Minutes of the Philippine Opium Commission , 1903 ³

This chapter will trace the longer history of the prohibition of narcotics in Southeast Asia, more specifically between Thailand and Burma, as well as the Philippines. Here four broadly interrelated claims will be made concerning the history of prohibition, the intersection of the drugs threat with communism, the rhetorical construction of the threat and security led ideas of development. As a result, this chapter will address the core research question by demonstrating that cold war drug strategies never really became ‘orthodox’⁴ in their implementation, and whilst arguments surrounding the issue remained static, changes in practices did not necessarily reflect this. Following a genealogical approach, this chapter does not seek to find the origins of the regimes of truth that sustain the current war (Foucault, 1977, p.140), but rather to show how although international treaties on narcotics created a discourse of necessity for all ‘civilised’ nations to adhere to them, state capacity and willingness meant that ‘deviations’ and ‘complete reversals’ characterised the region’s approach to drugs (Foucault, 1977, p.146). As more formal means to prohibit narcotics in the global north were implemented but generally quite unsuccessful, this created a space in the south where often violence was the only way states could show their commitment to the spirit of the conventions. Whilst ideas of development would begin to permeate drug policy towards the end of the 1970s, it will be shown that such approaches failed because their intent was disciplinary rather than emancipatory, and global prohibitive approaches still privileged support to the coercive arms of states over anything else. As a result, this section will also address the second research question, as it will be argued that similar arguments relating to the war on drugs were reconstituted throughout the region, even if this was not necessarily reflected in state practices. This offers a counter point to the securitisation literature, which often situates the ‘securitising move’ (Buzan et al., 1998, p. 25) in a temporal and spatial vacuum, being uninfluenced by other states, historical precedents, or material causes. Buzan et al (1998, p.25) argue that ‘securitisation can be studied directly; it does not need indicators’, thus offering no means to explain how the securitising move may achieve ‘resonance’ among the public. Echoing this, McDonald (2008, p.571) notes that the conditions under which securitisation becomes possible are neglected

³ ‘Minutes of Proceedings of the Philippine Commission, Public Sessions of 8, 9 and 15 July, Comprising the Public Discussion of the Proposed Opium Law’, BIA, Entry 5, Box 158, File 1023–58., in Wertz, 2013, p. 481.

⁴ Here the term ‘orthodox’ denotes the broad range of measures taken by states to adhere to drugs treaties, including supply and demand measures, both bolstered by state violence.

within the securitisation framework, and examining threat construction often requires 'looser and highly interpretive approach'. In privileging the 'securitising move' (Buzan et al, 1998, p.31) and the acceptance of this by populations, it thus disregards how such narratives engage with past discourses and the influence this has on actors. Consequently, in addressing the questions above, this chapter will make some attempt to elucidate how narratives of the war on drugs have gained such traction.

To expand briefly on the points above, it will be demonstrated in the following chapter that prohibitive policies towards illicit narcotics are a relatively recent phenomenon in Southeast Asia, and despite concern surrounding the issue since the *fin de siècle*, states were often reluctant to prioritise the issue over more pressing security issues, such as communism. Indeed, it will be shown that despite the intertwining of the threats of communism and drugs, both the United States and Thailand were happy to utilise the drugs trade to finance anti-communist counterinsurgencies, particularly in Shan state in North-eastern Burma. These lawless enclaves were exploited locally by other states in the region, with the Thai government fostering controlled chaos in Shan state through supporting various opium producing warring parties, such as the nationalist Chinese Kuomintang (KMT) and later the infamous Khun Sa with his *Mong Tai Army* (MTA). The KMT remnants of Khun Sa's MTA are still being rounded up by authorities, with his former aide Lao Ta being imprisoned in late 2017 for attempting to sell 20 kilogrammes of crystal methamphetamine to undercover police in 2016 (Bangkok Post, 2017). This attests to the contemporary significance of historical patterns of drug trafficking in the region and the resilience of such networks.

It was only later that the discourses, resources and tactics which had been railed against preventing the threat of communism in liminal regions were later repurposed for the 'war on drugs' in the decades after the 1970s. The CIA in particular was highly sceptical of the efforts of several Thai prime ministers during the 1970s, with its biweekly review stating that despite figures like Kriangsak Chamanan's 'professions of commitment and intent' to the war on drugs, 'not much has(d) changed' (CIA, 1978, p.7). At around the same time, both international and local actors in the region began crop substitution programmes in the highlands of Thailand, which in this chapter will be analysed as a biopolitical projection of the wider security-development nexus. As outlined earlier, here biopolitics is regarded as the identification, classification and management of populations in order to render their 'dimensions of life' amenable to governance, cultural propensities, or 'ways of life' (Grayson, 2008, p.384). Consequently, as will be shown here, development programmes instituted in the region with the aim of dis-incentivising opium cultivation by tribal groups have attempted to institute specific ideas of 'modernity' which do not necessarily resonate beyond the elites and middle classes. As

Stern and Öjendal (2010, p.17-18) note, such development programmes are rooted in the belief that 'modernization' and progress through development offered an alternative to 'underdevelopment'. As will be shown here, such an understanding of drug production demonstrates how the issue constantly transgresses the barrier between core and periphery, with many of the socially and economically marginalised near centres of power turning to the trade as they are unable to benefit from such projections of a developed modernity.

Importantly, this chapter will link international drug policy trends since the Second World War and how they have influenced the politics of Southeast Asia. Whilst there are a number of studies which look at the construction of drugs as a national threat, the vast majority place the United States at the centre and occasionally analyse drug markets that affect this, such as that in South and Central America. Here this is reversed, and will be argued that the experience of the Asia Pacific region has been formative in world drug policy, but despite this has been understudied. Whilst there has been ambitious academic research into Southeast Asia in the past, most notably Alfred McCoy's *The Politics of Heroin*, no attempt has been made to consider the linkages between the cold war legacy in the region and constructions of narcotics as a threat to the nation and region as a whole. This section will concentrate on the Thai and Burmese case primarily, with further examples illustrating the argument from the Filipino context, though this is limited due to a paucity of textual resources. Overall, the four major claims that this chapter makes relate broadly to history and historiography, and all have different theoretical engagements, but common across them is the argument that the logic of drug policy has only recently become biopolitical in both intent and strategy, and has remained so despite attempts to make it more responsive to policy experiences. This argument is the thread that brings together the four substantive claims made in the chapter.

3.1 A note on methodology

This section will draw upon the techniques of the *Annales* school of historiography in using case studies across time and space (Moller, 2013, p.695). Whilst there are direct linkages in the case studies that will be used in this chapter, cross-case analysis will facilitate the comparison of commonalities and differences in state approaches to drug policy and how this influenced reactions to political developments (Khan and Van Wynsberghe, 2008, p.1). In attempting to account for the emergence of the estates in medieval Western Europe, Marc Bloch highlights that 'local' causes, including that of prominent actors could not account for the fact that such estates were found in almost all of Christendom between the twelfth and fourteen centuries (Moller, 2013, p.696). This is analogous to the case under consideration here- as despite huge cultural and political diversity within Southeast Asia, prohibitive policies and the types of

arguments which justify them became relatively stable throughout time and space. Such arguments and narratives are the keys to cross case analysis Goldstone (1997, in Khan and Van Wynsberghe, 2008, p.21) suggests, and such models can 'facilitate comparison by encapsulating the case as a storyline'. Whilst Bloch highlights that cross-case similarities may also be a case of 'imitation', or the diffusion of ideas, this can also only be analysed by adopting a comparative perspective (Moller, 2013, p.701). This process is also complementary to the genealogical approach this thesis utilises as a whole- as the use of certain case studies allows examination of the 'ruptures, discontinuities and forgotten meanings' (Hansen, 1997, p.372) that characterises Southeast Asia's political attitudes to drugs. As a result, here the interest will be to demonstrate that processes were at work above the national level which were localised in diverse ways. Overall, this chapter will follow the historical development of particular drug policies and how this informs the overall argument of the chapter, which rests on the claims outlined above.

Whilst this chapter draws upon the scholarship of drugs in the region, it also utilises primary source materials from the British Library and CIA archives. The British Library hold microfiche scans of the Bangkok Post spanning back to 1946, so dates for probable news stories such as speeches concerning drugs were collected, then manually sorted through. In addition to this, extensive use was made of the CIA electronic reading room, which holds a variety of records produced by the agency. This included translations of newspaper articles concerning drugs in other languages, as well as the International Narcotics Biweekly Review which offered an insight into US priorities in the region, as well as a general security overview. As the keyword search function for these records was imperfect, after utilising this function, again dates of interest were manually sorted for potential relevance. Although a wide range of records were not useful to this chapter or thesis, they were compiled for future research.

3.2 Monopolies and colonial legacies

Taken over the long term, global drug prohibition is a relatively recent phenomenon. However, studies of global narcotics prohibition generally focus on the United States, and its efforts in organising the first Opium Conference held in Shanghai in 1909 up to ensuring increasingly far reaching anti-drug conventions until at least 1988 (McAllister, 2000, p.248). The first anti opium laws in the mainland US were passed in San Francisco and 1875 and Virginia City in 1896, and generally sought to prevent the smoking of opium, which was associated with Chinese immigrants and 'deviant' Caucasians (Nadelmann, 1990, p.506). The intertwining of the threat of foreigners and narcotics to national values is a theme that will be revisited later in this chapter. Nadelmann's (1990) core argument that the project of global prohibition was solely driven by the United States and Western powers has more recently been questioned by James Windle (2013), who highlights prohibitions spanning back several centuries in Southeast Asia.

Specifically, Windle (2013, p.1189) notes that in 1360 King Ramatibodi of Ayutthaya prohibited opium consumption and trade, with offenders being paraded around the city for three days on land and three on water before being imprisoned and detoxified. However, it is easy to overstate the significance of this for three reasons. Firstly, owing to the sacking and the destruction of the archives within Ayutthaya in 1767 by the Burmese, no sources are able to attest whether these measures were ever really implemented (Ruangsilp, 2007, p.203). Added to this, Ayutthaya is generally referred to as a Mandala state, which had a core metropole of control but at the peripheries of its influence (which is much of modern Thailand) had very limited administrative control (Chutintaranond, 1990, p.91). Finally, the very fact that the government sought to legislate on the issue would suggest that there was at least an illicit trade from either China, or from the peripheries of the Mandala state. It is worth noting that the significance of opium is often only alluded to in some accounts, with several emphasizing prohibitions, but neglecting the role that royal monopolies played up until the 1950s.⁵ Indeed, Phongpaichit and Baker (2004, p.39) suggest that opium consumption began to rise with the arrival of western traders in 1821, leading to a ban on import and sale in 1839. No mention is made of the royal monopolies which had previously been in force and would be re-implemented again later.

The Thai prohibitions of opium, which were repeated in 1811 and 1839 were finally rescinded in 1851, when a royal monopoly was established under which Chinese immigrants were allowed to smoke opium in authorised opium dens (Windle, 2013, p.1189). This led to the Siamese state drawing around 20% of its tax revenue by 1905 through selling 95 tonnes of opium in the capital's 900 opium dens, mostly to the ethnically Chinese population (McCoy, 2003, p.99). This gives some indication as to why in practice many Southeast Asian nations were reluctant initially to implement prohibitions on narcotics. Despite the 1931 League of Nation 'Convention for Limiting the Manufacture of Narcotics Drugs' instituting compulsory bans on manufacture beyond medical applications, no states in Southeast Asia abolished their monopolies, but made gestures to reduce opium sales by 65% in fifteen years (McCoy, 2003, p.10). This tension between state revenues was attested to by Thai King Chulalongkorn in 1908:

"it is unquestionable that the drug has evil effects upon its consumers and casts degradation upon every country where the inhabitants are largely addicted to the habit of opium smoking...But unfortunately there many obstacles in the way of attainment of this object (eradication of vice). Briefly speaking, there is the considerable shrinkage in the state revenues to be faced. It is nevertheless our bounden duty not to neglect our people and allow them to be more and more demoralised by indulgence in this noxious drug. We have accordingly decided the

⁵ It is conceivable that this is to avoid falling foul of lèse-majesté laws in the country.

spread of the opium habit shall become gradually lessened until it shall be entirely suppressed" (McCoy, 2003, p.100)

This demonstrates Nadelmann's (1990, p.510) argument that often elites in the global south held the same views as those in the north, but were constrained by material factors. Indeed, despite Chulalongkorn's professed reservations about the opium trade, over the next ten years the number of opium dens in the country grew to 3245 and taxes on the product came to make up as much as 25% of tax revenues (McCoy, 2003, p.101). This was also in part due to the fact that liminal, but growing minorities such as Chinese workers saw opium as an important element of their culture. As Daniel P. Wertz (2012, p.468) has pointed out, despite the obvious damage to health, opium was still considered to alleviate the symptoms of tropical disease, helped to reduce hunger pangs and allowed users to work for longer hours. Such effects made the drug very popular among the largely working class Chinese overseas communities in Southeast Asia⁶. Similar arguments would later be made for the use of methamphetamine pills named *yaba*, which also allowed users to work longer hours. As a result, the elite strategy of outwardly condemning the narcotics trade on an international stage, whilst actively using it for more parochial political purposes at a domestic level is one that would continue for several decades within Thailand.

The prohibition of opium in the Philippines represents a contrasting case to that of Thailand, largely because prohibitions were generally enforced earlier and with a greater degree of success. Ricardo Zarco (1995, p.3) traces the first mentions of opium in written sources to Manila during the mid-seventeenth century. In 1641, Augustinian friar Casimiro Diaz recounted an incident where an alleged criminal was tortured but refused to yield any information owing to the fact that 'he had taken some confection of opium...which had so narcotic a virtue that it renders those who drink insensible to pain' (Zarco, 1995, p.3). Whilst little else is known about opium use in this period, the colonial Spanish authorities in the Philippines, like several other states in Southeast Asia, attempted to restrict opium consumption to the ethnically Chinese, as it was not deemed to be a 'native' vice (Foster, 2009, p.97). Again, though, this consumption was regulated through a state monopoly from 1844, with around 478 public opium houses operating in the country (Zarco, 1995, p.5). Like, in Thailand, the reason for this was simple- the revenue in tax was deemed to be 'indispensable for our treasury' (Blair and Robertson, 1909: LII, p.318). Upon the purchase of the Philippines by the United States, a tax farm system was still in place, where the monopoly for a particular area was sold to the highest bidder, who then had the right to enforce it. Significantly however, prohibitions of opium in the Philippines would predate

⁶ It is worth consideration that the proliferation of methamphetamine tablets (Yaba and shabu in the Philippines and Thailand respectively) also was born of pressures to work longer hours after the 1997 Asian financial crisis.

those on the mainland United States. Missionaries in Asia attempted to balance the saving of souls with propagating an American moralism, which increasingly meant the prohibition of both alcohol and opium. Such concerns were generally born of missionaries' experiences in China, which by 1900 had an estimated 13.5 million habitual users, prior to being relocated to the Philippines (Foster, 2009, p.97; McCoy, 2003, p.5). China had attempted to prohibit the trade in 1729, but this was marred by the opium wars fought with the British, who sought to re-legalise the trade for commercial gain (McCoy, 2003, p.5).

Broadly however, the anti-opium movement had faltered until 1903, when the American colonial administration under later President William Howard Taft resurrected the idea of implementing the Spanish model of opium farms, rather than the import taxes formerly in place (Foster, 2009, p.101). Led by the episcopal Missionary Charles Brent, the backlash from missionaries and their supporters in the United States forced the administration to drop the proposal (Wertz, 2013, p.469). As Wertz (2013, p.476) argues, whilst Taft and many in Washington sought to proceed cautiously with the process of state creation, for their allies like Bishop Brent, the opium policy became a means of demonstrating the benevolence of American imperialism. In an effort to balance American opinion, with that of local elites and the Chinese community in Manila, Taft allowed an opium commission to be created, which would allow a period of three years to cut off their addiction, before the complete non-medical use of prohibition would be implemented. This prohibition would remain in place until the Philippines independence in 1946 (Zarco, 1995, p.3). It is worth noting that at this stage, despite the demonization of the Chinese other, American drug policy was broadly humanistic in tone with opium users generally not being seen as 'hardened incorrigible criminals' (Foster, 2009, p.99). Further, treatment facilities were envisaged as an important means of demonstrating concern for colonial citizens' welfare, with treatment being free for those who could not afford to pay (Foster, 2009, p.97). However, by the time similar measures were implemented in the United States attitudes towards addicts had begun to harden, with more favourable appraisals being reserved for white, middle class addicts over liminal groups such as ethnic minorities (often Chinese) and the working class (Foster, 2009, p.99).

The relative success of prohibition measures in the Philippines stimulated the broader international anti-opium movement, with President Roosevelt's support prompting the US state department to send out invitations for what would become the Shanghai opium conference of 1909 (McAllister, 2000, p.28). The United States would finally enforce its own prohibition of opium in 1914 under the Harrison Narcotics act (Zarco, 1995, p.3), and would ultimately spearhead the global anti-narcotics movement in the decades to come. As Wertz (2013, p.499) argues, the victory of the prohibitionist movement in the Philippines would ultimately set the wheels in motion towards rendering it a 'nearly un-shakeable cornerstone of international law

and domestic criminal codes'. Here, the gradual enforcement of monopolies then prohibition by states in Southeast Asia represents what anthropologist James C. Scott (1998, in McCoy, 2009 p.21) refers to as the 'imposition of legibility on man and nature' through state 'simplifications'. As Alfred McCoy (2009, p.16) notes, this process in the Philippines up to 1946 was largely experimental and served to influence US domestic policymaking, but significantly created an 'interlocking regime of vice prohibition and paramilitary policing whose effect is still evident more than half a century after independence'. Whilst the prohibitionist arguments triumphed globally and regionally in Southeast Asia, this section has drawn out the ruptures in this process to demonstrate how with the exception of the Philippines under colonial rule, often states were reluctant to 'cede power to criminal undergrounds' for moral reasons (Wertz, 2013, p. 498). International drug treaties, which will be covered in greater detail in the following chapter, created a necessity to use techniques to realise the goal of prohibition which were unrealistic given local political realities and state capabilities. Prohibition was an experimental policy decision and was destined to fail in technologically advanced and wealthy states, yet for near to a century the same moralism which drove the anti-opium movement in the Philippines would predominate. However, it would be this discursive moralism used by increasingly biopolitical states that would be used around the world as a cloak for other political objectives, as the following section will argue. This section has sought to demonstrate that in making use of various forms of monopolies, states were initially unwilling to attempt to biopolitically 'discipline' their populations. This consequently demonstrates the contemporary character of such prohibitions.

3.3 Cold War clientelism- communists and drug lords

Although this section takes something of a temporal jump around twenty five years beyond that above, several of the same themes are continued. Here the concern will be to show how in certain areas, the narratives surrounding drugs bifurcate between rhetorical support for addressing issues of drugs, whilst also valuing them locally as a political tool. As part of this, this section will show that the discourses of drugs were politically malleable and used to realise diverse ends. As with the US using opium as a means to demonstrate a responsible form of colonialism, drugs became a 'blank canvas' issue which was used by elites to reinforce narratives on a range of moral, social, developmental, economic and most importantly, security issues. Although by no means a coherent strategy, it will be suggested that as a blank canvas security issue drugs could be manipulated easily to appeal to diverse constituencies, thus resulting in the broad public support seen in Southeast Asia for the war on drugs and perhaps more broadly. This section will begin with a discussion of the use of opium by the CIA and other actors to serve their cold war agendas and the long term effect this had on what became major drug producing regions, such as Shan state in Myanmar, as well as the Golden Triangle.

Following this, the influence of opium trafficking on the development of state security institutions in the region will be analysed, with particular emphasis on how actors within them conflated the two foremost security threats at the time- communism and narcotics. The ways in which these two security threats came to be expressed as facets of Thai nationalism will also be discussed. Finally, the section will discuss how this nationalism framed against a backdrop of security threats was deployed in tandem with a developmental agenda, which attempted to bring liminal areas under state control. It will be argued that this nexus of security and development priorities further supplemented the biopolitical aims of the state in attempting to pacify and govern marginal groups and regions. This builds on Mark Duffield's (2010, p.55) argument that aid policy is biopolitical in focusing on 'issues of life and community; on how life can be supported, maintained and enhanced'.

3.3.1 The Creation of chaos- 1950s-1980s

In this section the concern will be to demonstrate that during the cold war, in Thailand and Myanmar the war on drugs rarely became much more than rhetoric. Further, it will be shown that the United States, Thailand and Burma were comfortable in using opium as a tool to achieve their political aims, be they to consolidate state power, or stem the spread of communism throughout the region. Conversely, it will be shown that in the Philippines in Ferdinand Marcos' declaration of martial law in 1972, the United States achieved both of their objectives in insular Southeast Asia by inhibiting communism and eliminating the drugs trade in the short term (Hamilton-Paterson, 1998). Across the region, policing and security institutions that were organised against the backdrop of the threat of communism would also be repurposed for the fight against drugs. Although the role that the West played in Southeast Asia and Thailand particularly may have been questioned within the last decade, here the aim will not be to 'reduce Thailand's difference to a set of local variations of Western themes' (Jackson, 2004, p. 185). Rather, here the concern will be to argue that drug policy in the cases discussed is an expression of Morris's (2000, p.238) argument that in the context here 'modernity rests on the fetishism of appearances, on the demand for a signifying surface'. However, contra Peter Jackson (2004), it will be suggested that the international projection of this appearance of a will to address drug issues is significant and was often targeted towards the West, most notably the US.

The role that the United States played in fostering drug production in Myanmar, through supporting insurgent armies that aligned with their strategic priorities has been well established by both Alfred McCoy (2003) and Peter Dale Scott (2010). This strategy begun under President Truman, who sanctioned Operation Paper, which funded and supported the

defeated Chinese nationalist *Kuomintang* (KMT) forces, who had fled to Burma in order to prepare them for an invasion of Yunnan (Scott, 2010, p.1). Although never an official CIA policy, the US gave material support to actors such as KMT general Li Mi, who were already involved in drug trafficking and used their fighting expertise for the majority of the cold war (Scott, 2010, p.2). After CIA intervention in the 1950s, Burma's opium production would rise from 18 tons in 1958 to around 600 tons in 1970, and would grow further in the early 1990s with the rise of former KMT officers such as Khun Sa (McCoy, 2003, p.16). By conservative estimates, there were also over 100 armed bands in Shan state by the mid-1970s, whom McCoy (2003, p.364) argues would have never emerged without the intervention of the CIA, KMT and Thailand. Such a situation was not unique to Myanmar however, as Alfred McCoy (2003, p.15) notes that at the end of the cold war, the CIA's three main proxy war battlegrounds, Afghanistan, Burma and Laos were the world's leading opium producers. As a result of the above, this section will seek to demonstrate how from the 1950s onwards, a state of ongoing chaos was fostered in Burma's Shan state, which allowed a patchwork of insurgent groups the ability to utilise the trade for their political and economic aims. Whilst Shan state no longer produces the vast quantities of opium it once did, the cultivation and traffic of the crop fostered a lawlessness which led to the production of alternative illicit drugs, such as methamphetamine. Whilst this may draw the displeasure of neighbouring states, many played a crucial role in creating the perfect conditions for drug production up until the early 1990s.

By the time that state monopolies on opium were removed in Thailand in 1959, rendering smoking of the plant illegal, the politics of Shan state would allow it to take the mantle of illicit opium production in the region. Although there is a risk of oversimplification in covering the dynamics of drug production in Shan State, it is important to discuss, as it still drives a large proportion of the market in the region. However, rather than bare criminal opportunism, it will be argued along the same lines of Carolyn Nordstrom (2000, p.48) that such illicit networks are 'constellations of economic, political, demographic, historical and cultural processes'. Despite the instability such networks might foster, Mark Duffield (2001, p.136) similarly argues that these processes are part of state building in establishing new forms of agency and legitimacy. This draws upon Charles Tilly's (1985, p.170) suggestion that the interaction of resource extraction and capital accumulation was essential in forming the European state in the early modern period, and thus 'banditry, gangland rivalry, policing and war making all belong on the same continuum'. With reference to Shan state specifically, Patrick Meehan (2015, p.253) has sought to reassess the assumptions which equate illicit economies with state fragility and argues that the drug trade can serve to be part of conflict resolutions and state consolidation. Whilst the drug trade has allowed the central Myanmar state to cement its position through informal taxation by army units and the threat of prosecution of drug producing proxy state

actors, Meehan (2015) acknowledges that the some of the largest militias like the United Wa State Army (UWSA) are immune to this.

Mountainous Shan State lies in the northeast of Myanmar and borders China to the north-east, as well as Thailand and Laos to the South-East, thus positioning it well inside what would become known as the 'Golden Triangle' (Lintner and Black, 2009 p.58). During Burma's colonial era, the Shan hills were never fully pacified and around 30 principalities were allowed to become protectorates by the British during the 1890s, affording them some independence from Burma proper (McCoy, 2003, p.107). It would be these divisions between principalities or *sawbwas* that would be exacerbated by the opium trade. From this chaos emerged several key players from the KMT, most notably Khun Sa, who received recognition from the Burmese government to form a "home guard" unit, or *Ka Kwe Ye* (KKY) in 1963 (McCoy, 1998, p.307). The *Ka Kwe Ye* militias were utilised by the Burmese army from the late 1950s, where they received recognition from the government in exchange for tacit acceptance of illicit business activities (Buchanan, 2016, p.9). From 1964, the military government effectively separated Shan State's economy from the rest of the country by demonetising the currency. In this relative power vacuum several ex-KMT Chinese drug lords became hugely powerful (McCoy, 1998, p.307). This situation persisted until the 1989 pro-democracy protests, after the harsh suppression of which many activists fled to rural Shan state (Meehan, 2011, p.382). Fearing that such activists would form alliances with the four separate armies⁷ which formed after the collapse of the Burmese communist party in the same year, the army chief of intelligence Lt-Gen Khin Nyunt and warlord Lo Hsing-Han brokered a deal which gave control of seven special regions to such groups (Meehan, 2011, p.382; International Crisis Group, 2019, p.4). In essence, the agreement allowed armed groups to engage in whatever illicit business dealings they saw fit, in exchange for severing all ties with opposition groups and a cessation of hostilities with the Burmese army (Meehan, 2011, p.382). As Lintner (2000, p.15) notes, the ceasefire thus allowed the raw opium harvest to grow from an estimated 836 tons every year in 1987 to 2,340 tons in 1995, according to the US State Department.

Partly owing to this increase in cultivation power among insurgent groups was reconfigured, with the UWSA undermining Khun Sa's heroin monopoly. He was eventually forced to disband the MTA owing to the US's 'Operation Tiger Trap' in 1994, which sought to convict him in US courts (International Crisis Group, 2019, p.4). As part of a deal made with the Burmese government, Khun Sa was permitted to retire to Rangoon in exchange for ceasing any involvement in the drug trade (International Crisis Group, 2019, p.4). In a surprising move,

⁷ These armies were the United Wa State Army (UWSA), the Myanmar National Democratic Alliance Army (MNDAA), the Shan State Army-East (SSA-E) and the New Democratic Army Kachin (NDA-K) (Meehan, 2011 p.382)

following pressure from the international community, in 1999 the UWSA banned opium cultivation in Mengla and Kokang, with the intention of creating Chinese gambling resorts to replace the economies there (Chin, 2009, p.129). In tandem with this, in exchange for taxation, the UWSA would allow Chinese and other foreign gangs to produce methamphetamine in these areas, to be shipped into Thailand in a bid to maintain good relations with China (Chin, 2009, p.130). However, this plan backfired and many organisations trafficked both heroin and methamphetamine, with both drugs being readily supplied to those in the UWSA territories (Chin, 2009, p.130). As a result of this, as of 2018 methamphetamine production is estimated to be at the highest level it has ever been, and all countries in Southeast Asia with the exception of Vietnam report it as the drug of primary concern within their jurisdictions (UNODC, 2019, p.1). This demonstrates how the pressure that the international community placed on insurgent forces in Shan state was misplaced when the relative lawlessness of the region sustained several illicit economies. Although this overview of drug production in Myanmar is necessarily brief, it goes some way to explain why the region is flooded with relatively high levels of narcotics, and the historical currents which have made this possible.

3.4 The politics of policing and psychological warfare

Owing to the situation in Myanmar, as well as broader trends in drug trafficking, here it will be shown that institutions that were established or re-established against the backdrop of the war on communism carried over such repressive tendencies to the war on drugs. Whilst the influence of the DEA and CIA over state security institutions in Southeast Asia during the cold war could be debated, the overall trend was clear. Much like in Mexico under the Clinton administration, the United States facilitated the militarisation of the police in Thailand and the Philippines without giving much consideration to either embedded corruption or human rights abuses (Mercille, 2011, p.1641). The logic of such assistance was that security institutions could be depended on as they were best placed to further US strategic goals, which generally pertained to building strong anti-communist states and institutions (Department of State, 1972, p.20). For instance, with reference to Mexico, Robert Bonner, a former director of the Drug Enforcement Agency supported Mexican president Philippe Calderon's militarised war on drugs as the Mexican military represented 'one of the country's few reliable institutions' (Mercille, 2011, p.1631). Despite the fact that it was involved in 40,000 deaths since 2006, Bonner argues that the 'increase in the number of drug related homicides, although unfortunate, is a sign of progress' (Mercille, 2011, p.1631). This shows how up until relatively recently, the logic of US support for the war on drugs was rooted in a similar logic to contemporary drugs purges seen in Thailand and the Philippines, with body counts being seen as a barometer of success. As Mercille (2011, p.1641) points out, the US sponsored Operation Condor of 1975 resulted in the torture and murder of hundreds of peasants by the army, whilst no leading trafficker was

caught. This further led to accusations that the campaign represented little more than a war on the poor. Buur, Jensen and Stepputat (2007, p.16) note that such campaigns are usually based on the idea that the capacity for freedom can only be fostered through compulsion and extended periods of disciplining, especially when dealing with either the unemployed or the deviant. This assessment seems particularly pertinent to drug users and traffickers. More than policing crime itself, such violent drug suppression is an attempt to police both current and future behaviour through projecting the potency of the state to those on the margins of societies, both geographically and economically.

In a similar vein, with reference to the police in the Philippines, Alfred McCoy (2009, p.16) argues that the 'creation of sophisticated modern policing was crucial to the US pacification of the Philippines' and their 'strong links to the executive with minimal checks and balances' established them as powerful political force within the country. By enacting stringent laws against personal vices such as drugs and gambling, the colonial administration inadvertently established the police as arbiters of public morality and conscience. This approach was by no means unique to the Philippines; Nadelmann (2010, p.112) has shown that the US Civil Police Administration focused on the development of technical capabilities in controlling even minor traffic crimes in a bid to foster political stability and conditions appropriate for economic growth. In tandem with this, it also provided cover for CIA operatives' activities pertaining to the more political aspects of policing (Nadelmann, 2010, p.113). As Buur, Jensen and Stepputat (2007, p.7) note, such training and support was often predicated on the notion of the 'broken window' approach, which holds that even minor crimes should be clamped down upon in order to discipline populations effectively into not committing larger scale crimes. Drugs trafficking and consumption offers a clear example of this, with even low level users being punished harshly to discourage transgression. Ultimately, as Robin Broad (1980) has delineated, the US sought to establish Thailand as a 'modernized' state as a buffer against communist Asia through the use of 'covert and psychological operations' within their security institutions. Whilst one can debate how these ideas were localised, the trend of militarised policing in much of Southeast Asia supported by the US is clear, and it will be argued, had long term consequences for social issues like drug consumption.

The United States also remained close to Ferdinand Marcos during the period of martial law in order to restrict drug trafficking. As part of the so called 'show' of martial law and to demonstrate his commitment to rooting out corruption, Marcos presided over the arrest and execution of drug baron Lim Seng in January 1973 (Hamilton-Paterson, 1998, p.298). Lim Seng had attained wealth and influence through buying up morphine base from the golden triangle and using this to supply as much as 10% of the US's annual heroin market (Hamilton-Paterson, 1998, p.298). In collaboration with the US Drug Enforcement Agency (DEA), Filipino narcotics

agents had arrested two former US soldiers boarding a flight to Okinawa carrying six ounces of heroin. From there, they had traced the supply chain back to one of Lim Seng's laboratories (Hamilton-Paterson, 1998, p.298). Given that the powerful rarely had to even serve prison time in the Philippines at the time, Seng expected a last minute reprieve, despite Marcos's order that he be executed 'by musketry' (Hamilton-Paterson, 1998, p.298). The case was given particular prominence by the television and press, which had been brought under presidential control, and Seng's ultimate execution was used by Marcos to show that corruption would not shelter those with influential protectors (Hamilton-Paterson, 1998, p.298). Much like Duterte's killings in the contemporary war on drugs, the execution of Seng also buttressed Marcos's popularity (Hamilton-Paterson, 1998, p.299).

During the cold war, like in many other client states, CIA funding to the Philippine police sought to 'mercenaryize' the police force, so they could be used for paramilitary and counterinsurgent operations (Chomsky and Herman, 1979, p.240). As Chomsky and Herman (1979, p. 240) note, this sharp increase in U.S. military funding tended to coincide with major rises in human rights abuses. This was further the case in the years leading up to Marcos's declaration of martial law, as US Aid financed the Office of Public Safety, which was extensively involved in 'reorganising, funding and training the Philippine police apparatus' from 1965 to 1972 (Chomsky and Herman, 1979, p.240). As McCoy (2009, p. 19) outlines, often US advisors sought to foster 'extra-legal' dimensions in security operations through the introduction of 'macabre psychological warfare tactics' from the 1950s, sophisticated torture techniques during the 1970s and violent vigilante operations in the 1980s. As will be discussed in further detail later in this thesis, such practices later fed into the practices of state vigilantism in the context of the war on drugs.

The experience of Thailand bears some striking similarities to the Philippines. From the early 1950s onwards, US funding fostered competition between the police and the army, with the CIA channelling vast funds to Phao Sriyanond, director general of the police (McCoy, 2003, p.184). Through their front, the Sea Supply Corporation, the CIA delivered around \$35 million to the Thai police, as well as arms armoured vehicles and retired U.S. military personnel who sought to transform them into paramilitary and counterinsurgency units (Broad, 1980, p.12). According to McCoy (2003, p.184), by 1953 the CIA had at least 275 overt and covert agents working within Phao's police. By the mid-1960s, the \$63 million given per annum over to the Thai police represented almost 50% of the total aid budget (McCoy, 2009, p.536). Significantly, by 1956 the police force had grown to around 48,000 officers, which outnumbered the regular army which had 45,000 soldiers (Lintner, 2000, p.191).

Although the channels through which funding for the Thai police were constantly in flux, the trend for huge amounts of support for the police continued well into the 1970s. Between 1967

and 1972, the US Operations Mission, which was a forerunner of USAID, financed the police's rural security operations to the tune of around \$1100 million, allowing the size of the police force to nearly match that of the army at around 82,000 personnel by 1975 (Broad, 1980, p.13). Added to this, by the early 1970s, the US utilised subtler conduits for funds, such as the International Narcotics Program (INC), which was established by the Nixon administration in 1971 and channelled around \$12.1 to Thailand between 1973 and 1976 (Broad, 1980, p.14). Further paramilitary organisations such as the Special Narcotics Organisation (SPO) were set up to 'provide for the greatest possible interdiction of narcotic substances and chemicals' (Staff Survey Team Report, 1972, p.41). Such units maintained a semi-independent strike force and could in theory draw in personnel from the Border Patrol Police (BPP) and military (Staff Survey Team Report, 1972, p.41). The rationale for setting up the SPO according to the US House of Representatives Committee was that prior to 1971, narcotics had moved around Thailand and its neighbouring countries 'virtually unimpeded' (Staff Survey Team Report, 1972, p.41). What is not mentioned by House report is that turning a blind eye to opium and heroin smuggling had long been the trade off the US made in cultivating staunchly anti-communist institutions and actors. During much of the 1950s, the police were actively involved in opium trafficking, with Thailand representing a natural entrepôt for opium being produced by the KMT in Burma (McCoy, 2003, p.184). The reasoning behind the tolerance for Phao by the US was that he utilised the anti-communist language effectively and created a brutally effective network of informants to staunch any pro-communist sentiments, especially among the relatively large Sino-Thai population within the country (McCoy, 2003, p.186). It was to be an opium scandal which led to Phao's fall from grace however, and by 1957 General Sarit Thanarat had staged a successful coup (Lintner, 2000, p.192), which would start the wheels in motion for the eventual criminalisation of opium in 1959 (Hyun, 2017, p.272). However, Sarit's military clique was not averse to utilising the opium trade for political purposes. Owing to concerns of a counter coup in 1958, the army utilised their annual dry season war games in the northeast of the country to collect the opium harvest, which was subsequently used to pay off younger colonels who they suspected of being unhappy with the leadership (McCoy, 2003, p.189).

The importance of US support for repressive security institutions was not merely material however, as the CIA had an important influence of the ideational underpinning of several new units within the police. The most important of these paramilitary units was the Border patrol Police (BPP), which was supported by a Police Aerial Reconnaissance Unit, which were intended to gather intelligence and conduct unconventional warfare in remote areas (McCoy, 2003, p. 184; Hyun, 2017, p.264). Material support for the BPP continued throughout the 1960s, in tandem with efforts to inculcate a broader sense of responsibility for anti-communism, which would come to be embodied by right wing parastatal groups such as the Village Scouts, *Krathing*

Daeng and *Nawaphon* (Haberkorn, 2018, p.137). Such groups were organised by the Internal Security Operations Command (ISOC) and the BPP as yet another element of counter-insurgency strategies against dissidents (Zackari, 2016, p.86). ISOC had formerly been named the Communist Suppression operations command and been set up in 1965 as a police, military and civilian agency supported by the CIA and US ambassador Graham Martin (Haberkorn, 2018, p.137). The BPP, ISOC and the various quasi state groups would be involved in a number of human rights abuses over the next decade, with the killing of students at Thammasat University in 1976 and the so called red barrel killings of the early 1970s standing out as the most pertinent examples (Zipple, 2014; Zackari, 2016, p.86). The significance of the formation of such practices amongst security institutions is clear. Whilst on an international stage actors such as the United States paid lip service to the importance of human rights in addressing drug issues, the form of institutional support previously provided to security institutions during the cold war's height made this far less likely. Owing in part to the intertwining of the communist and drugs threat, the blank cheque which had been given to the police and military for the former issue was thus extended to the latter, despite the wholly different character of the threat. However, as Foucault's (2008, p.7) reading of seventeenth and eighteenth century policing treaties further attests 'the object of the police is almost infinite...when it is a question of managing' and regulating 'the behaviour of subjects'. It is this conflation of communism and narcotics that we will turn to next.

3.5 Chinese opium, Chinese communism

As briefly discussed earlier in the chapter, in much of Southeast Asia the consumption of opium was usually seen as a Chinese pastime, and access was occasionally prohibited to indigenous citizens. Whilst overseas Chinese communities in Bangkok and Manila continued the habit up to the early 1960s, under Mao the culture of opium consumption was promptly stamped out as a vestige of colonial subjugation to the British (McCoy, 2003, p.14). From 1949, the communist party unleashed a repressive campaign on drug use, culminating with 880 public executions, 82,000 arrests and the identification of 369,000 traffickers (McCoy, 2003, p.14). Mass mobilization and compulsory treatment drove China to eventually become relatively drug free, in a rare case where repression has succeeded in its ultimate goal (McCoy, 2003, p.14). Regardless of this however, both ethnically Chinese communities and the Chinese state itself was associated with opium and narcotics production, with it later intertwining with the threat of communism in Southeast Asia.

Harry Anslinger was the founding director of the Federal Bureau of Narcotics (FBN), which post World War two began to broaden its purview to global trends (McCoy, 2003, p.18). However, as a strident anti-communist and despite little evidence, Anslinger insisted that China controlled

the Asian heroin and opium trade (McCoy, 2003, p.18). Specifically, Anslinger alleged that the PRC was behind the movement of four hundred tonnes of opium from Yunnan to Bangkok, as opposed to the CIA's client army in the KMT in Burma (Scott, 2010, p.77). Consequently, and rather crucially, no FBN agents were assigned to Southeast Asia until Anslinger's retirement in 1962, in which time the region had become the largest producer of opium in the world (McCoy, 2003, p.18). As Scott (2010, p.77) notes, the protection of the main sources of drugs in Southeast Asia would continue after Anslinger, with the newly established Bureau of Narcotics and Dangerous Drugs taking over from the reportedly corrupt FBN in 1968 and finally the Drug Enforcement Administration from 1973 adopting similar postures. However, Douglas Clark Kinder (1981, p.170-71) argues that Anslinger was the first to successfully exploit Cold War passions to elevate his hard pressed agency by rendering the issue of narcotics as both foreign and a vector of communism. Such narratives were then appropriated, or mirrored by leaders in Thailand for similar purposes. As Hyun (2017, p.272) notes, General Sarit Thanarat's decision to implement a ban on opium in the Harmful Habit Forming Drugs Act of June 1959 was born of pressure from the US government, who believed that the PRC was utilising the trade to finance itself. Rather than addressing the corruption that narcotics flows fostered within Thailand despite Sarit's anti-corruption drive, the US demonstrated that opium that had originated or passed through the country was finding its way to the shores of the US (Ibid). Importantly though, Sarit conflated the threat of drugs and communism, arguing in a speech:

"Our world is divided into two sides, namely; the free world and the communists. The Communists try all methods, good and bad, to destroy the free world. One of the things the communists use to try and destroy the free world is opium. Because Thailand upholds the principle of democracy and is on the side of the free world, there is no doubt that Thailand is an enemy of the communists. Therefore, there is no question that the communists will try to use addictive drugs to subvert the Thai economy and health of its people" (Chaloemtiarana, 2007, p.126).

Using the politics of drugs thus served two political purposes- it delocalised the issue, and more importantly the implication that foreign powers were producing addictive substances to subvert the health of the body of the nation thus rendered it one of national security. Doing so both legitimised oppressive measures domestically, as well as tapping in to potential sources of western funding, through using the narrative of anti-communism. In addition, such concerns about the health and thus the economic manpower of the nation are decidedly biopolitical in tone, as it centres around the notion of the 'body as a machine: its disciplining, the optimisation of its capabilities, and the extortion of its forces' (Dillon and Lobo-Guerrero, 2008 p.271). Such narratives would be persistently reiterated by Sarit throughout his tenure, where he would

deliberately juxtapose communism as the 'worst enemy', which posed 'an internal as well as external danger' with the 'subversive threat' of heroin (Chaloemtiarana, 2007, p.127). As a result Sarit argued a declaration of 'war' and 'drastic measures in suppression' were necessary, which it was 'hoped the people would approve' of (Chaloemtiarana, 2007, p.127). This clearly cleared the way for suppressive measures, which often took the form of personal interrogations and judgements by Sarit in his capacity as Chief of Police and chairman of the Committee to Combat Addictive drugs (Chaloemtiarana, 2007, p.127). Ultimately, this intertwining of communism and drugs in Asia never drifted too far from US suspicions, with Nixon privately railing in 1972 that the 'enemies of strong societies' were 'homosexuality, dope, immorality in general' and that 'the communists and left wingers' were 'pushing the stuff' to undermine the free world (McCoy, 2003, p.392).

This delocalisation of threat would also later be extended to hill tribes in the north of the country. The Red Meo⁸ revolt of May 1967 initially resulted from Thai officials attempting to collect payoffs from opium harvests from Hmong villages, with locals refusing to do so beyond a certain point (McCoy, 2003, p.362). This, in combination with forced resettlement programs bred unrest among Hmong communities, which the Thai state interpreted as being driven by communist sympathies (Gilligly, 2008, p.121). Field Marshal Praphat Charusathien believed there to be a Laotian Hmong conspiracy against Thailand, and thus considered it a threat to Thai national security (Gilligly, 2008, p.121). The police burnt down several villages, and from early 1968 under the justification of 'communist suppression operations', the army began to napalm villages and herd inhabitants into relocation centres (McCoy, 2003, p.362). As a CIA Narcotics Country paper (1972, p.19) would attest, such government initiatives were 'a major source of Meo resentment toward the Thai', thus rendering them 'receptive to Communist anti-government propaganda and insurgency'. As will be argued, whilst the Thai state would ultimately reign in more coercive approaches in attempting to govern the populations in its peripheries, internationally favoured crop rotation programmes had little effect. This is partly because such biopolitical policies sought to discipline human behaviour rather than offer genuinely viable material alternatives to the drug trade. The process of creating crop substitution programmes necessitated ongoing biopolitical processes of surveillance and the collection of data on behaviour to guard against recidivism in going back to cultivating opium.

3.6 Narcotics and National Identity

The role of narcotics in Thai ideas of nationalism is also worth interrogating further, as it demonstrates how particular modes of living were assimilated into national identity. Pavin

⁸ Meo is generally considered to be a derogatory term for the ethnic Hmong.

Chachavalpongpan (2002) argues that as many facets of Thai nationalism were forged against the backdrop of military rule, often security threats were upheld as the antithesis of what 'Thainess' should be. He notes that whilst during the cold war period 'being Thai meant being anti-Burmese and anti-communist', by 2002 the state claimed that being Thai meant 'being anti-drugs' (Chachavalpongpan, 2002). Further, Chachavalpongpan (2002) suggests that the state presents 'the origin of drugs is (as) foreign', so they are consequently 'alien to Thai nationhood'. This delocalisation of narcotics, which began with the othering of ethnically Chinese citizens has taken various forms but has remained relatively constant since the end of the century. Rodney Tasker (1976, p.27) notes that in 1976 often narcotics were framed as a 'European problem', although this narrative began to fall away when the number of heroin addicts in the country grew to between 300,000 and 600,000 during the mid-1970s. Similarly Chachavalpongpan (2002) argues that this foreign source of narcotics production and trafficking has variously been presented as European, African or Asian, but has always been constructed as distinctly un-Thai, so as to 'conceal the ugliness of the Thai narcotics situation'. Whilst the intention to conceal the issue of drug trafficking may not have been held throughout the government, such discourses do represent an attempt to discipline behaviour towards narcotics by rendering them as an 'other' to the values of the nation. As Zackari (2016, p.72) posits, such discourses also served to legitimise violence against those judged to be on the periphery of national identity, such as drug producing hill tribes, or the urban poor involved in trafficking. Chang Noi⁹ (2002) similarly notes how hill tribes are presented as an 'enemy within', owing to their connections with the Burmese drug trade.

Michael Connors (2003, p.438) has shown how it was concerns about the spread of communism which led the National Security Council (NSC) to initiate discussions which resulted in the creation of the National Identity Office and the National Cultural Commission (NCC) in 1979. Both institutions were seen as key instruments in the war against communism by instilling a sense of "Thainess", which was centred on the trinity of the nation, religion and monarchy. Further, Connors (2003, p.438) has shown how the NSC proposed a national ideology based on everyday experiences, such as eliminating 'socio-economic disparities' and suffering whilst fostering 'wellbeing'. The issue of drugs maps quite clearly onto such values, with 'wellbeing' of the body of the nation being represented as a crucial reason for addressing issues of drug use. As Sarit argued in 1959 (Bangkok Post, 1959), opium smoking had to be abolished on the grounds of wellbeing as it 'conduces loss of manpower, impairs health and leads to theft, robbery and graft'. As outlined in the literature review, such interventions display biopolitical reasoning, as drugs consumption is presented as something which influences the disciplining of

⁹ This is a pseudonym as it literally translates to 'little elephant'.

the 'body as a machine...the optimisation of its capabilities, and the extortion of its forces' (Dillon and Lobo-Guerrero, 2008, p.271). The link between drugs and national identity and security was occasionally rendered far more explicit, with the death penalty being authorised for drugs offences in 1961 on the grounds that offenders should be 'regarded as traitors against national security' (Staff Survey Report, 1972, p.38).

The traditional formulation of state power in Thailand is that it emanates from 'trinitarian state ideology of "nation, religion, king"' (Dressel, 2010, p.445). Although this largely conservative set of values was increasingly tested by notions of popular sovereignty and constitutionalism, they still define Thai notions of legitimacy and what it means to be Thai (Dressel, 2010, p.445). Hence, transgressions that are presented as threatening to this trinity of Thai legitimacy appeal to an elevated form of moral authority. Streckfuss (2010, p.242) highlights how in the early 1980s, the National Culture Commission outlined five basic social values:

- 1. Self-reliance, diligence, responsibility*
- 2. Moderation in spending and saving*
- 3. Discipline, law and order*
- 4. Adherence to religious teachings*
- 5. Love of King, country and religion.*

Hence, while the trinity of king, country and religion were given significance, adherence to religious teachings and the emphasis on discipline, law and order also have clear implications for the moral value attached to drug use. Whilst this statement of national identity brought together a disparate range of ideas, this was rooted in a single understanding of Thai culture which gave little attention to diverse regional cultures such as that found in the highlands (Connors, 2007, p.233). For instance, the government produced posters during the mid-1990s which used the king's influence to implore citizens to 'love the king, care about our children and fight addictive drugs' (Connors, 2003, p.439). The unquestioned authority of the monarchy in identifying and addressing social issues was inviolable in the Thai context, and as will be discussed later, played a role creating the condition for Thaksin Shinawatra's 2003 war on drugs.

The role of Buddhism is worth consideration here, as the *sangha*, or monkhood have long been a part of the Thai state's strategy to manufacture moral authority. For instance, from 1965 the Thai state sought to use monasteries along the Thai and Myanmar border as part of their bid to integrate communities through the Phra Dhammajarik ('wandering dhamma') program (Vorng, 2015, p.10). This program sought to prevent the spread of communism to ethnic minorities in border regions by using monks to convert such communities to Buddhism whilst providing education, and helping them to develop farming methods (Vorng, 2015, p.10). Later, in similar

campaigns under the charismatic monk Phra Khruba Neau Chai Kositto, abbot of the Golden Horse Monastery (Wat Tham Pa Acha Thong) in Chiang Rai province (which is well within the Golden Triangle), proselytising regarding drug issues replaced that about communism (Vorng, 2015, p.10). The principles of Thai Buddhism, to which 95% of the population subscribe, hold that alcohol and drug consumption can lead to careless behaviour, so should be avoided (Assanangkornchai et al, 2002, p.193). Despite the fact that alcohol consumption is common in the country (Assanangkornchai et al, 2002), this is significant as it establishes a religious basis for rejecting drug use, in addition to the fact that it represents a transgression of legal and royal moral codes. As shown by the 'Wandering Dhamma' program outlined above, the precepts of Buddhism have also been used to rally public support for a range of political ideologies and activities. In this, the 2003 drug war appeared little different. Whilst later the importance of royal approval for the campaign will be discussed in more detail, it is also important to note the legitimacy bestowed by some of the *sangha*. Popular north eastern monk Pho Khun Parisuttho actively praised Thaksin's drug war, urging him not to 'bother putting drug traders in jail', and that 'the sin from killing a *yaba* trader is the same from killing one mosquito- nothing to be afraid of' (Phongpaichit and Baker, 2005, p.166). Phongpaichit and Baker (2005, p.166) also note that a survey of monks found that 70% were in favour of Thaksin's drug war. The suggestion that the *sangha* bought into the need for the drug war is given further weight by reports that some monks had refused to perform funeral rights for those killed in the campaign (Connors, 2011, p.114). Though certainly not all monks supported the drug war, this demonstrates how it was given religious, as well as royal and legal moral authority in order to facilitate violence towards those associated with the drug trade. Though the author could find no evidence for local opposition by monks to the war on drugs, it does still seem likely. However, this does not take away from the point that the state laid claim to the legitimacy of the *sangha* with some success. As McCargo (2009, p.5) notes- the frequency by which Thai security forces kill in the name of 'nation, religion and king', demonstrates its potency against other moral precepts, such as that which forbids Buddhists from taking life.

3.7 Modernity and the security/development nexus

This final section will demonstrate how towards the end of the cold war strategies to prevent drug trafficking became more developmental in theory, but still upheld biopolitical logics surrounding 'correct' modes of living. As a result, this will seek to demonstrate the inherent violence of liberal political economic understandings of security, which promote development as a balm that will soothe all societal ills. It will be demonstrated that such crop substitution programmes, which were widely supported by donor governments and multilateral agencies, were a means of superficially demonstrating adherence to the international drugs regime whilst not necessitating the dismantling of networks which sustained the trade beyond the farm gate.

This is an instance of what Rosalind Morris (2000, p.173, in Jackson, 2004, p.181) describes as the Thai 'order of appearances', whereby during a century of modernization hasn't resulted in or required a creation of national subjectivity, but 'the appearance or the performance of ideally nationalist behaviour'. The disciplining of hill tribes is representative of this, as the widely observed balloon effect allowed the growing of opium and heroin poppies to simply shift over the border into Myanmar and Laos, whilst the costs of losing this trade was borne by hill tribe farmers. As Buur, Jensen and Stepputat (2007, p. 12) note, often development programmes can be understood as 'civilising missions', 'which produce distinctions between more and less desirable forms of life'. The importance of civility and modernity in relation to drugs was made clear by Sarit, who upon outlawing opium in 1959 declared:

'July 1st is a historic day, for it is a day that inaugurates a new chapter, a new section, a new society in Thai history. We will now be able to state confidently that we are a civilized nation, and our national prestige will be unsullied by international criticism' (Chaloemtiarana, 2007, p.126)

Here it is clear that being free of drug production is identified as being a requirement for the status of a civilised nation, albeit one that has had this label imposed through international criticism. As has been shown by McCoy (2003, p. 189), Sarit was not particularly interested in restricting the trade in opium, but was convinced by other members of the 1959 Revolutionary Group, who were concerned about the country's international reputation, and thus funding. As will be discussed later, the US's aid certification scheme would render adherence to international guidelines on drug trafficking a prerequisite for material assistance. Whilst Mark Duffield (2001, p.9) suggests that Southern governments have to 'show themselves fit for consideration' in meeting 'normative expectations' to present themselves as deserving of structural adjustment, a similar process has been at work in global drug policy for several decades. However, the pattern of elite private involvement in the drug trade whilst cultivating a clean international image would continue in Thailand until the 1970s and beyond within some elite circles. In 1973 after the 'Democratic Revolution', Sarit's successor Thanom Kittikhachon, his son Colonel Narong and interior minister Praphat Charusathien were revealed to presided over a sophisticated network which shipped drugs to Hong Kong and South Vietnam (McCoy, 2003, p.190-1). As will be shown here, development was initially used as a strategy to demonstrate a bid to civilise the living practices of those on the periphery who were involved in the drug trade without fundamentally altering its operation. Owing to the permeable nature of borders in the countries around the golden triangle, the relocation of narcotics cultivation was always going to be a result. As will be discussed elsewhere, this demonstrates the ineffectiveness of the US aid certification scheme, which required countries to demonstrate some level of commitment to international drug prohibition (Buxton, 2015, p.36).

Whilst it was not until the 1990s that the security development nexus would explicitly become part of multilateral policymaking, similar processes were observable earlier within Thailand. As the NSC values demonstrate above, economic inequality and underdevelopment in the north of the country were feared to be drivers of communism in the region. As a result, crop substitution for hill tribes who cultivated opium was envisaged as a means of reducing this risk. Whilst Jitpiromsri and McCargo (2010) have analysed the failure of developmental 'hearts and minds' approaches to addressing the insurgency in the deep south of the country, less attention has been given to the importance of crop rotation in attempting to address the threat of organised crime from within. As Buur, Jensen and Stepputat (2007, p.14) posit, as well as terror and failed states, criminal networks are 'shaped by former generations of development and security regimes', regardless of the fact that they are depicted as outside of the 'national body', the 'international community' and thus the 'civilised world'.

3.7.1 Biopolitics of the security/development nexus

Drawing upon Watts (1995), Duffield (2010, p.61) notes that the development security nexus can be seen as intrinsic to modernity and as a result, to liberalism itself. Further, a key feature of this liberalism is the tendency is to regard non-Western peoples as 'somehow incomplete or lacking the necessary requirements for a proper existence' (Duffield, 2010, p. 61). As has been demonstrated throughout this chapter, whilst elites in the cases studied may have superficially accepted generally liberal and Western norms of drug prohibition, the resistance to this continues. As the securitisation of development became more visible owing to a growing liberal concern for the increasingly trans-border nature of conflict and organised crime towards the 1990s, it could be suggested that similar processes began to take root slightly earlier in the case of drug policy. Whilst the argument that underdevelopment creates conflict is treated with some scepticism here, it is difficult to deny that it can foster the conditions where illicit or extra-legal economies can flourish. This point was not lost on states in Southeast Asia or the UN who thus saw a need to replace the funds which the production and traffic of drugs raised in economically marginalised areas, especially along the Northern Thai-Myanmar border. As donor governments and multilateral organisations accepted and still to a certain extent regard drugs trafficking as a security threat, it is posited that such development programmes fall into this category of the security-development nexus. But as seen above, such projects were not solely driven by economic reasons, and they further sought to prevent future problems of a similar kind by striving to 'shift the balance of power between groups and even to change attitudes and beliefs' (Duffield, 2001, p.15). Seen as a whole, Duffield (2010, p.56) also suggests that the development-security nexus can be viewed as a *dispositif* of security which encompasses a 'constellation of institutions, practices, and beliefs that create conditions of possibility within a certain field'. Importantly, such beliefs hinge on the idea that the drug trade is the 'prerogative

of the corrupt few', which can be circumscribed or policed and 'does not relate to wider societal changes and globalised practices' (Duffield, 2001, p.131). This, according to Duffield (2001, p.131) further reinforces the notion that criminality is circumscribed and specific, which is essential if the 'possibility of development itself is to be maintained'. Consequently, development programmes like crop rotation could be said to be an attempt to bypass corrupt or criminal leaders in a bid to resume development 'in alliance with the poor' (Duffield, 2001, p.132). However, this notion that criminality is limited and not reflective of broader trends has further led to the suppression of those poor members under the umbrellas of the 'war on drugs' or the 'war on crime' (Buur, Jensen and Stepputat, 2007, p.25). Inevitably, this division of space between 'civilised, "proper places" and the unruly periphery, which can be subjected to surveillance by the state, is an important feature of the war on drugs (Certeau, 1984, in Buur, Jensen and Stepputat, 2007, p.26).

The role that shadow networks or illicit economies may play for communities on the peripheries of society should not be understated however. Nordstrom (2000, p.36) points out that such networks serve to employ millions of people and generate more than a trillion dollars annually, a figure which has presumably grown since 2000 owing to the growth in illicit drug consumption, among other things. Further, in a study on aid agencies and post war reconstruction, Nordstrom (2001, p.14 in Duffield, 2001, p.142) found that non-formal economies are regarded as central to development processes. However, this was also coupled with the assumption among aid agencies that once a state settled down and began 'normal development', such economies would be defined by state regulated institutions (Nordstrom, 2001, p.14 in Duffield, 2001, p.142). In the case of drug policy in Thailand, the rationale was generally to eliminate the illicit economy and replace it with alternatives in crop substitution programs. Crop substitution emerged during the 1970s, and became part of broader strategies of rural development in the 1980s and latterly alternative development in the 1990s. However, as Graham Farrell (1998, p.395) notes, 'the evidence regarding their effectiveness is quite damning', with no empirical evidence for reductions in illicit cultivation emerging after two decades. As will be shown, though authorities were successful in discouraging cultivation within Thailand¹⁰, this had no real effect on broader drug trafficking trends as operations simply shifted over the border to Burma or Laos.

Supported by the UN Fund for Drug Abuse Control (UNFDAC), the first crop substitution schemes began to be piloted during the mid-1970s in the north of Thailand, with fruit trees, coffee, kidney beans and flower seeds being grown as an alternative to opium poppies (McCoy,

¹⁰ Cultivation fell from 165 tons in 1971 to 35 tons in 1987 within Thailand, but Shan state absorbed these losses and saw its harvest increase from 500 to 1100 tons in the same period (McCoy, 2003, p.414)

2003, p.413). Such programs were decidedly outward looking in nature, with military leaders such as General Kriangsak stressing in 1978 the 'importance of greater international support for pilot projects' to replace the 'meagre living from opium poppies whose product is destined to turn others into millionaires' (Rodgers, 1978). In an interview with the Bangkok Post in 1978, one such millionaire Khun Sa claimed that 'with the co-operation of the United States or other countries' he could 'stop this opium business' (Khernkaew, 1978). Despite this, programs were beset with the fundamental problem that they proposed local solutions to issues that were essentially trans-border by nature and therefore would only serve to eliminate a trade that was still more lucrative than cultivating legal commodities.

Such crop substitution schemes were also driven by the authority of the royal family, with their involvement having two principle objectives- to prevent highland minorities from cultivating opium and to assimilate them into the Thai state by encouraging them to abandon the practice as it was 'anti-Thai' (Hyun, 2017, p.274). As Dressel (2010, p.450) notes, the King's interest in rural development further had the effect of supplementing his own popularity by extending the scope of royal charities, and so presenting himself as a defender of the weak. Part of this interest was political however- in a speech at a Rotary Club Royal Gala dinner in February 1969, the King outlined that raising the standard of living in highland communities was essential to 'prevent and combat subversion' and 'preserve national wealth and renown' by preventing deforestation and halting the traffic of narcotics (Hyun, 2017, p.274). This demonstrates how using drugs as a blank canvas security threat allows a wide range of social and political ills to be presented as being resolvable through disciplining the lives of a relatively powerless social group. Moreover, as poverty is identified as a potential source of subversion, dimensions of life must be surveilled and then disciplined to render them amenable to governance through (Grayson, 2008, p.348; Dillon and Lobo-Guerrero, 2008, p.267) the biopolitics of the security development nexus. The Secretary General of the National Security Council Prason Sunsiri would later point out the rationale behind this:

We must provide jobs for them by having them abandon poppy cultivation and instead turn to growing substitute crops. Correct village order must be established and we must give them a feeling of love for the land they are living in. When we have developed things in this way, they will be Thais and we will not have any conflicts. (Trans. Siam Rat, 9th March 1982, in Foreign Broadcast Information Service, 1982, p.18)

Drawing upon the notion of national identity above, this clearly delineates how by 1982 the state still viewed many hill tribe populations as essentially foreign in habits, and thus would have to be disciplined, or developed into 'Thais'. Despite this, Prason (Foreign Broadcast

Information Service ,1982, p.18) recognised the strength of tradition in utilising opium as a substitute for modern medicine especially ‘among the elderly’ and further admitted that if they did not produce it, the hill tribes would continue to use a proportion of their earnings on buying it. This attests to the difficulty of using disciplinary approaches to address drug traffic, even if they may be developmental in form- ultimately undermining culture is difficult, but destroying a culture associated with a highly addictive substance is almost impossible. Again, the biopolitical dispositif which creates the ‘conditions of possibility’ (Duffield, 2010, p.56) in the belief that states can wholly eliminate the drug trade remains remarkably robust.

3.8 Conclusion

In sum, this chapter has attempted to bring together a disparate range of analytical tools and cases to demonstrate how discourses of drugs became prevalent due to the material need of (often military) elites to supplement their own position. Here the concern has been to show how drug policy from the period after state monopolies is best viewed through a biopolitical lens, because at the core of every ‘war on drugs’ or conflict with actors allied with it, the core intent has been to instil ‘proper’ ways of living through biopolitical discipline. Importantly, using a genealogical method has brought out that the need to instil such ‘proper’ ways of living demonstrates that prohibition was not the default position of the region, and indeed drugs themselves became a political tool elites used in the process of state consolidation. This gives some explanation for how and perhaps why the war on drugs attained some salience in the region, thus laying the foundations for violence. Moreover, the emphasis on progress, modernity and economic productivity as a counterpoint to drug use and the discursive association with communism demonstrates one of the means by which this was done.

Whilst during a period of permissiveness up to the 1950s, states in the region pragmatically allowed the opium trade through monopolies, from the early 1950s US clientelism led to coercive institutions being supplemented by aid in an effort to guide the disciplining process in ways that served US strategic interests. As a means of legitimising this coercive power, like the threat of communism before it, the state attempted to present drugs as a pervasive societal threat, and thus the antithesis of their image of national identity. This complemented the coercive means employed by the state and sought to present the issue as a threat to the core values of the nation. Further, this chapter has also sought to establish that though drug policy may have changed superficially over time, strategies have been shot through with the same biopolitical logics since the end of state monopolies, even if they may be developmental in intent. In turn, such biopolitical currents consequently established the precedents for what is termed here ‘state vigilantism’. It has also been shown here that both the Thai and Filipino

police forces were militarised by cold war interventions by the US, which will have significance later for the case made for state vigilantism.

Chapter 4- Regional Drug Policy in Southeast Asia- The Global and Local Panopticon

This chapter will attempt to account for why the regimes of truth associated with the war on drugs have maintained their political salience in Southeast Asia whilst at least superficially international policies have begun to move away from this. In order to this, the broader context of the international drugs conventions will be surveyed before analysing how they have been localised and utilised by elites within the region, with particular reference to Thailand and the Philippines. It will be shown that whilst international policy has moved towards ideas of development, harm reduction and rehabilitation as the most pragmatic means by which to address the global problem of drugs, this is a relatively recent phenomenon and one which has not been implemented widely. Further, it will be shown that whilst alternative development approaches may have a longer pedigree, they have often been deployed in securitised settings to enhance disciplinary and supervisory measures against the global poor. Consequently, this chapter will argue that whilst ASEAN's Drug Free pledges may appear radical and utopian today, at the time of their conception up until relatively recently, they were simply the extension of multilateral policy making at the United Nations. The suppressive approaches which became common in Southeast Asia were largely consistent with the discourses and arguments of the broader war on drugs. Accordingly, here the interest is also in delineating how intergovernmental policy of the 1967 and 1988 drugs conventions and the institutions that implement and oversee them such as the United Nations Office on Drugs and Crime (UNODC) and the International Narcotics Control Board (INCB), may have started to use the languages of emancipatory politics, but do not fundamentally challenge the futility of repressive approaches. Indeed, in many cases they actively support and facilitate them. Throughout it will also be argued that this international system is best understood through the lens of panopticism, which is the predominant role and function of the international drug control system and has further influenced practices at the regional and national level. These systems of social control and surveillance have been institutionalised through ASEAN's drugs plans, such as the ASEAN and ACCORD (ASEAN and China Cooperative Operations in Response to Dangerous Drugs) agreement, which is supported by multilateral organisations who are outwardly committed to more progressive drug policies, such as the UNODC. The role of panopticism in state vigilantism will be examined later in this thesis.

4. 1 Emancipation in practice? Interrogating the international drugs regime's approach to development

This section will seek to demonstrate that despite certain rhetorical advances, many of them made at the UN General Assembly Special Session on Drugs (UNGASS) in April 2016, Southeast Asia has been relatively untouched by such developments (Gomis, 2014, p.12). At the first UNGASS to be held on the drugs issue since 1998, the meeting was concerned with how to best respond to emerging new drug challenges. However, the final agreement document neglected to cover more thorny issues such as the use of the death penalty, criminalisation and harm reduction (Lai, 2016). Despite claims that UNGASS was a portent of the end of the 'Vienna consensus', which brings together UN agreements which prohibit illegal drugs (Boister, 2016, p.389), more recent developments such as the United States' once again hardline position on the issue under President Trump has thrown this into question.

The relationship between the international drugs regime and Michele Foucault's conceptualisation of panopticism in his 1977 work *Discipline and Punish* is one that has been highlighted by Kyle Grayson (2008). As Grayson (2008, p.66) notes, panopticism as a 'system of surveillance, observation, security and knowledge' to 'discipline abhorrent or deviant behaviour' appears to depict the way in which the international drugs regime operates quite closely. A huge body of data is collected by 'a legion of state, non-state, and interstate actors' through monitoring the cultivation, trafficking and consumption of illicit drugs, as well as factors such as domestic law enforcement efficacy, corruption and political will (Grayson, 2008, p. 67). Set against the backdrop of broader assessments of political culture and economic development, this allows the international community and multilateral actors to 'classify actors and assign meanings to their activities and essences' (Grayson, 2008, p. 67). Whilst this assessment applies very directly to the international drugs regime, the case of drug policy within ASEAN further offers a means to examine the social facets of panopticism. As Foucault (1977, p.212) argues, panopticism refers not only to the 'spread of disciplinary procedures...in the form of enclosed institutions', but also through the creation of 'centres of observation disseminated throughout society'. This, it will be argued is where the drugs regime in ASEAN has been successful- whilst technocratic data collection has played a role in projecting the region's efforts against drugs to an international audience, the public support that has been fostered for oppressive approaches to the issue is best understood through the lens of panopticism as well. As Foucault (1977, p.214) further notes:

'Police power must bear 'over everything': it is not however the totality of the state nor of the kingdom as visible and invisible body of the monarch...And, in order to be exercised, this power had to be given the instrument of permanent, exhaustive, omnipresent surveillance, capable of making all visible, as long as it could itself remain invisible. It had to be like a faceless gaze that transformed the whole social body into a field of perception: thousands of eyes posted everywhere, mobile attentions ever on the alert, a long, hierarchized network'.

Consequently, as will be shown here, the drug policies within ASEAN countries have rendered the 'events, actions, behaviour, and opinions' associated with drugs a matter of public scrutiny, in effect securitising those everyday 'unimportant things' which increasingly began to be seen in different ways. This is a process closely aligned to the biopolitics of liberal governance, which is similarly centred on the examination of the 'the detailed properties and dynamics of populations so that they can be better managed with respect to their many needs and life chances' (Dillon and Reid, 2001, p.41). Drug policy in many ASEAN states plays this role- not only in policing, but in creating a societal revulsion to any involvement in the illicit drug trade as a whole. Through euphemistically titled 'education' or 'awareness' programmes, the regime of truth which depicts the illicit drug trade as antithetical to civilised society is instilled by ASEAN elites through the state apparatus. More so than anywhere, ASEAN provides an example of a sustained elite campaign to impose regimes of truth downwards - wholly unsuccessful and un-uniform in many respects, whilst being hugely influential in others.

4.2- Biopolitics, development and the Single Convention

A key means by which panopticism and biopolitics is institutionalised within drugs policy is through the ongoing promotion of alternative development programmes by international organisations such as the UNODC. This section will develop the arguments made in the previous chapter around how the international drugs regime and the single convention of 1967 are at their core a bid to biopolitically discipline those on the peripheries of the international system, such as the global poor. This is clearly demonstrated by the fact that rather than targeting organised crime, the 1961 single convention centres around the control of unprocessed raw commodities, such as opium, cannabis and coca leaf as much as processed forms such as morphine and cocaine (Herschinger, 2011, p.62). As Bewley-Taylor and Jelsma (2012, p.76) note, the 1961 convention sought to eliminate all 'quasi-medical' and traditional uses of the three plants above. The convention recognised that the consumption and cultivation of such

plants predominantly took place in 'developing countries' and set a deadline of fifteen and twenty five years for the elimination of opium and coca leaf, with cannabis control being given ten years more (Bewley-Taylor and Jelsma, 2012, p.76). Significantly, this bid to control the production of raw commodities that could be used to make cocaine and heroin was driven by developed states and the US in particular, and medicinal, religious and social traditions in developed countries were deemed an impediment to this (Bewley-Taylor, 2012, p.78). Regardless of this, there was no agreement on what precisely constituted 'traditional use' in the 1961 convention and as a result, it made no distinction between coca leaf and cocaine, or cannabis and heroin- all were deemed dangerous. The effects of this were quite direct-the livelihoods of marginalised communities from the Andes to the hills of Shan state were rendered criminal and equivalent to the cartels and triads reaping huge profits from the production of alkaloids. As outlined in the previous chapter- ultimately the pressure placed on drug producing insurgent armies to reign in opium cultivation had the effect of driving them towards the methamphetamine market, creating food shortages amongst farmers (International Crisis Group, 2019, p.4). As Buxton (2015, p.8) points out, this approach also resulted in two related views becoming central to the convention- that if only a handful of marginalised groups in developing countries could be disciplined into abandoning cultivation, the problem would be eliminated. Clearly this gave no attention to the portability of drug production, even with relatively climate sensitive crops such as opium poppies and coca leaf. Moreover, such an emphasis resulted in a perception that 'fundamental social and institutional change' was demanded of countries in the developing global south, whilst northern states like the US had to give up relatively little (Buxton, 2015, p.8).

This emphasis on the raw constituents of illegal drugs in the single convention was also underpinned by non-multilateral mechanisms such as the US aid certification scheme. As Sarno (2009, p.234) delineates, since 1986 the US president must annually report to congress to identify countries which have cooperated with the US, or have taken steps to achieve full compliance with the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic substances. If countries have not met these conditions, American bilateral and support for multilateral assistance will be denied (Sarno, 2009, p.234). Added to this, uncooperative states often face economic sanctions, which may include a veto in multilateral lending institutions as well as the suspension of trade agreements (Friesendorf, 2007, p.11). Although the Obama administration made steps to revise some elements of drug policy through giving more federal autonomy on the issue, between 2009 and 2015 three major drug producing states Bolivia, Burma and Venezuela were decertified owing to the fact they had 'failed demonstrably' to 'make substantial efforts' to adhere to international agreements (Wyler,

2009, p.9.; Rosen, 2015, p.32). Although US-Myanmar drugs cooperation resumed in some forms in 2011 and the US now offers and funds drugs enforcement training to Myanmar's police force (USSD, 2016, p.121), the US approach of decades of disengagement and sanctions had already served to entrench the role of the drugs trade within the political economy of liminal regions, like Shan state discussed in the previous chapter. Moreover, whilst decertification is often seen as an 'effective instrument' in making governments 'publically responsible' for their actions, as with Myanmar up until the election of the National League for Democracy in 2016 little effect on drug production was seen (Wyler, 2009, p. 10). The \$5.2 billion the US federal government set aside for international interdiction programmes in 2014 attests to this failure (Buxton, 2015, p.17).

4.3- Progressive Measures? Development, harm reduction and treatment in the international system

This section will demonstrate that whilst some attempt has been made to ameliorate the consequences of eliminating drugs production in some of the world's poorest regions, alternative development programmes have never represented the panacea their advocates claim. As Buxton (2015, p.3) argues, thirty years of alternative development programmes have demonstrated the limited impact they have had on supply reduction owing to weakly evaluated programmes and contested understandings on what alternative development *should* do. Again, much of the impetus for alternative development came from the global north with ideas for a development fund being mooted by the US in the early 1970s to support large scale 'crop substitution, technical assistance to improve administration and law enforcement,' anti trafficking measures and significantly even 'the coordination of educational efforts' (McAllister, 2000, p.236). As a result of this, the UN Fund for Drug Abuse Control (UNFDAC) was created in 1971, with financial support from the US and UN secretariat (McAllister, 2000, p.236). However, as McAllister demonstrates, many states remained privately sceptical of the fund, viewing it as a tool of US influence. Accordingly, the US ensured that UNFDAC prioritised law enforcement and crop enforcement projects over those which sought to reduce demand (McAllister, 2000, p.236). In addition, 'the fund also prioritised projects that included US allies' whilst UNFDAC funds were often sent to countries where direct pressure to reduce opium production had failed (McAllister, 2000, p.238).

The failure of this somewhat asymmetric approach is demonstrated that by the fact that by the end of the late 1990s under the Clinton administration, the US was still funding crop substitution in Thailand, whilst Burma flourished as the 'world's largest opium and heroin

producer'. In a visit to a Hmong village in Thailand's Chiang Mai province in 1999, US secretary of state Madeleine Albright used the visit to castigate Burma, whilst praising the royal crop substitution project which the US had donated \$1.3 million in the preceding two years (The Nation, 1999). She outlined that 'we must do all we can to provide alternatives to dead end drugs...you're saying no to narcotics and yes to vegetables, fruit flowers, computers and books' (The Nation, 1999). As outlined in the previous chapter, the evocation of computers and books was entirely deliberate to equate being drug free with progress and education, whilst denigrating traditional opium cultivation as backward. Albright also went on to note that the successes of such programmes in Thailand stood in 'contrast to the country of Burma where they are not doing the kind of thing you are doing here' (The Nation, 1999). In addition, as will be discussed in further detail later, it reinforces the notion that the panopticon of the international drugs regime is firmly focused on monitoring, policing and biopolitically disciplining those at the margins of society, in this case Hmong villagers on the Thai-Burma border.

4.3.1 Treatment and rehabilitation in the international system

Whilst crop substitution schemes and enforcement stood at the heart of the international drugs system, it is worth noting how this has neglected other important facets of drug policy, such as treatment and rehabilitation. Although Bewley-Taylor and Jelsma (2012, p.75) note that the 1961 convention states that 'the parties shall give special attention to the provision of facilities for the medical care, treatment, care and rehabilitation of drug addicts' (UN, 1961, p.9), this only represents a relatively superficial nod towards demand side issues. As the main oversight body for the conventions, the International narcotics Control Board (INCB) similarly also gave little attention to the issue. In their 1968 World Drugs Report, the issue of treatment sank down to article 51, and claimed that for 'addicts' treatment was 'essential' and 'that measures (should) be taken for their rehabilitation' (INCB, 1968, p. 17). Whilst questions of funding were addressed for supply side measures, especially those relating to security forces, on the demand side the INCB left far more discretion to parties to the convention, simply urging that 'such facilities' should be established 'as soon as possible' (INCB, 1968, p.17). The most recently passed UN Convention Against Illicit Traffic and Narcotic Drugs in Narcotic Drugs and Psychotropic Substances (1988) is similarly vague on the topic of rehabilitation, whilst still being firm and direct on that of criminalisation. The 1988 (UN, p.127) convention makes clear that the 'production, manufacture, extraction; preparation...transport' 'of any narcotic drug' or 'cultivation of opium poppy, cocoa bush or cannabis plant' 'shall' bring 'imprisonment or other forms of deprivation of liberty, pecuniary sanctions and confiscation'. The rationale offered by

the convention for such penalties is simply 'the grave nature of these offences' (Ibid). By contrast, the tone struck on issue on demand side measures is far less strident, with parties being advised that they 'may provide, in addition to conviction or punishment...measures such as treatment, education, after care, rehabilitation or social reintegration'. The insistence that such measures be coupled with 'conviction or punishment' whilst making clear that a laundry list of harm reduction and demand side measures are wholly optional is significant here. In sum, it demonstrates how whilst the rhetoric surrounding the issue of drug policy may have become more progressive and human centred in recent years, the international drugs regime at its heart remains disciplinary in tone and emphasis.

Added to the above, an overarching emphasis on the biopolitics of drugs consumption is evident in the international conventions. As outlined in the Single Convention on Narcotic Drugs of 1961, and amended by the 1972 protocol, parties were required to 'furnish to the board' (the INCB) with data on a variety of drugs related issues (1961, p.9). This data ranged from production of drugs, the utilization for manufacture of other drugs, consumption, imports/exports, seizures, stocks of and disposal thereof, as well as the 'ascertainable area of cultivation of the opium poppy' (1961, p.40). Since the 1961 Convention was put in place, organisations such as the UNODC and INCB have utilised such data in order to draw a picture of world drug trends, which are generally released and publicised through the annual World Drugs Report. However as Rick Lines (2018) notes, such data is drawn entirely from that furnished by national governments, a process that is so easily manipulated for political purposes it has led to accusations of 'data laundering'. Consequently UN legitimacy is lent to governments that often manipulate such data for the purposes of securitising the issue, often in tandem with undertaking human rights abuses associated with drugs policy (Lines, 2018). This is significant here, as at the heart of the notion of panopticism is not actual surveillance all of the time, but the impression of it. Thus, the international drugs regime creates a necessity for governments to produce any data relating to drugs to give an illusion of control, further explaining the drive for drugs seizures and other 'hard' data to demonstrate progress.

The scale of the issue of drugs can also be overstated by such data; during the war on drugs in the Philippines, the UNODC (2019, p.3) released a report which suggested that the methamphetamine market in Southeast Asia and neighbouring East Asia, Australia, New Zealand and Bangladesh was worth between 30.3 billion and 61.4 billion dollars. In many cases, the media used the upper limit of this scale as their headline, further emphasizing the potential size of the market (Berlinger, 2019). However, in the same report, the UNODC (2019, p.41) acknowledged that the market size estimate is based upon 'methamphetamine prevalence data

available from countries in the regions', with a regional average being used for those countries without any data. This further highlights the issue raised above, as governments who have made the issue of drugs one of security are more likely to overemphasize prevalence. As Windle and Silke (2019, p.407) note, such state generated data can often be 'manipulated to highlight the success of a programme or policy, to show increased trafficking in order to attract foreign aid and for diplomatic objectives'. As will be shown later in this thesis, there is evidence to suggest that the government of the Philippines government deliberately overstated the number of drug users in order to underline the need for the war on drugs. Even if data relating to drugs were not manipulated within such countries, it remains clear that the figures outlined above are probabilistic, as they are based upon an 'estimate of the number of methamphetamine users and the average amount of pure methamphetamine consumed per year' (UNODC, 2019, p.41). Added to this, the possible range of the size of the drug market within Southeast Asia and East Asia, Australia, New Zealand and Bangladesh is huge, with the lower end of the scale being worth around the same amount as counterfeit goods in Southeast Asia alone (\$33.8-35.9 billion) (UNODC, 2019, p.140). This is not to suggest that drugs trafficking is not significant in funding organised crime in the region, but the security focus on it when compared to other sources of revenue is disproportionate.

4.4 ASEAN and 'Drug Free 2015'

This section will be concerned with how anti-drugs norms have developed and localised within ASEAN from the 1976 Bali concord onwards. Although often perceived as a weak and ineffectual in compelling its members to comply with agreements and rules (Pennisi di Floristella, 2015, p.5), it will be shown that ASEAN is worth considering with relation to the issue of drugs, as it plays an important role in supplementing and forming elite opinions on the issue in the region. Contrary to other regional organisations such as the EU which sought to limit sovereignty, the logic of ASEAN's creation was driven more by a desire to uphold it owing to the member states' experiences of colonialism (Pennisi di Floristella, 2015, p.32). As will be shown here, it is this rhetorical insistence (rather than de facto respect for) on upholding sovereignty that has resulted in a localisation of the issue of drugs (Jones, 2011). As Jones (2011) notes, this localisation of policy inevitably results in a preoccupation with those at the bottom of the food chain in terms of gang membership, as evidenced by domestic wars on drugs in Thailand under Thaksin and currently in the Philippines. As Emmers (2003) argues, ASEAN does not currently have any extradition treaties, so pursuing higher level and necessarily transnational drugs rings is rendered more difficult by the persistent use of the rhetoric of sovereignty to cloak corruption. Irrespective of this, Pennisi di Floristella (2015, p.32) argues contrary to those

sceptical of ASEAN's real impact upon politics that such intergovernmental institutions 'can become effective guides to social behaviour' 'by sanctions', but also 'in terms of embracing roles, rituals, duties and obligations that do not follow the western model'. As a result, there will also be an interest in demonstrating how drugs as an issue of particular importance to ASEAN have created low cost rituals and obligations which serve extant elite interests. Further, it is because of this rather than institutional efficacy that one of ASEAN's primary drug policy goals- creating a society wholly hostile to them, has been largely successful.

Despite the extensive drugs networks flourishing in Southeast Asia during the 1950s and 1960s outlined in the previous chapter, it wasn't until the Declaration of the ASEAN Concord in Bali in February 1967 that the organisation took a position on the issue (ASEAN, 2012). Notably, the call for the 'intensification of cooperation among members states as well as with the relevant international bodies in the prevention and eradication of the abuse of narcotics and the illegal trafficking' was placed under the rubric of social rather than security challenges. This demonstrates how despite the fact that now security led responses are seen as the default for responding to drugs, this was not always necessarily the case in the region as a whole. Another possible reason for this is that ASEAN was not initially seen as a security organisation, but more as a forum for what was deemed 'sport shirt diplomacy' (Pennisi di Floristella, 2015, p.1). Although the ASEAN Senior Official on Drugs Matters annual meeting was set up from 1976 (ASEAN, 2012), it would not be until 1997 with the possible admission of Myanmar to ASEAN did the issue of drugs become one of regional relevance. At the 31st ASEAN Foreign Ministers Meeting in Manila in July 1998, members 'reiterated the need for enhancing regional efforts against transnational crime' and more significantly:

'They signed the Joint Declaration for a Drug-Free ASEAN affirming ASEAN's commitment to eradicate the production, processing, traffic and use of illicit drugs in Southeast Asia by the year 2020.' (Pushpanathan, 1999)

The language used by the foreign Ministers Meeting is striking, as it almost directly replicates that used by the UN, who had also issued the slogan 'a drug free world, we can do it' in 1998 (White, 2012, p.1637). Although eventually quietly dropped, a key element of this proposal was the Scheme for Coca and Opium Poppy Eradication (SCOPE), which was to be achieved within ten years (White, 2012, p.1637). Emmers (2003, p.425) raises the question of why in 1998 ASEAN decided after twenty-one years to essentially securitise that which had hitherto been seen as largely criminal matters. Emmers (2003, p.425) further offers the explanation that it was the inclusion of Myanmar and Laos within ASEAN in July 1997 which drove this, as at the

time they were respectively the first and third largest producers of opium poppies in the world. As a result, the following section will turn to ASEAN's drug policy efforts in Myanmar, and how these have been hamstrung by many of the issues outlined above.

Before outlining the position taken by ASEAN towards Myanmar, it is worth considering how the organisation's position on drugs has developed since the mid-1990s. As with the broader drugs conventions, whilst nods towards broadly progressive aspects of drugs policy may be perceptible from ASEAN, the logic of zero tolerance has always won out. For instance, the '2025 ASEAN Political Security Blueprint' (2009, p.18) emphasised that whilst there should be zero tolerance to drugs, there should also be 'a balance between treatment and rehabilitation approaches as well as the law enforcement' among member states. This was reflected in the ASEAN position statement at UNGASS 2016, which was endorsed by the 4th ASEAN ministerial meeting on drug matters in October 2015. Whilst the statement was 'resolute against calls to legalise controlled drugs', it was also noted that 'the successful rehabilitation and reintegration of drug addicts into society are just as important as taking a tough stance against drug traffickers' (ASEAN, 2015, p.1). It could be suggested that this statement reflects ASEAN's 'hedging' or 'omnidirectionality' (Pennisi di Floristella, 2015, p.23; Chambers, 2004, p.461) between the US, which emphasized 'better access to treatment' at UNGASS (Botticelli, 2016), and China (Guo Shengkun, 2016), which highlighted the importance 'narcotics control', whilst firmly opposing any form of legalisation. However, political developments in the US and the Trump administration's increasingly hard-line position on the war on drugs owing to the opioid crisis in the country (Holpuch, Glenza and Jacobs, 2018) and professed support for Duterte (Associated Press, 2017) means that such omnidirectional statements may have been a short lived strategy.

Whilst states in Southeast Asia attempted to suggest that they were adopting more health-based approaches to narcotics at UNGASS and in other ASEAN official statements, this seems difficult to reconcile with domestic policies. Lipsky (2010, p.389) suggests that the 'decisions of street-level bureaucrats, the routines they establish, and the devices they invent to cope with uncertainties and work pressures, effectively become the public policy they carry out' and this appears applicable to law enforcement within Thailand. For instance, there tends to be a very high police presence and harassment of users around harm reduction sites, with 25.5 percent of those who inject drugs avoiding healthcare due to the risk of arrest (Windle, 2016, p.8). Indeed Hayashi et al (2013, p.7) have demonstrated that mandatory arrest quotas remain for the police, and a cash reward system in place for confiscation of drugs. Thus, it is easiest for police to wait around methadone clinics and health services to fill this quota, again demonstrating how the

institutional organisation of Thai police prevents more progressive approaches to drug users. Further, it demonstrates how more local discourses of exclusion towards drug users are still deeply entrenched within law enforcement institutions, whilst mere rhetorical nods are made towards measures which reduce harm on the international and regional stage.

4.5 Non-intervention: Thailand and Myanmar

From the early 1990s onwards, Thailand and much of ASEAN had adopted a position of 'constructive engagement' with Burma in order to attempt to overcome lingering cold war tensions (Jones, 2011, p.416). Conceived by the Thai foreign Ministry, the policy generally sought to place business at the centre of relations, prioritising issues of trade and investment, pro-market reforms and was primarily driven by the interests of regional business elites, according to Jones (2011, p.416). However, towards the end of the 1990s, the Chuan Leekpai administration decided to steer Thailand away from constructive engagement to a 'more ideological and less business oriented approach of flexible engagement' (Haacke, 2003, p.210). Significantly, Chuan's Democrat Party also attempted to take action beyond the spirit of ASEAN's principle of non-interference, in urging a group of ASEAN officials to be sent to berate Burma's military government (Jones, 2011, p.419). With this turn in policy, hardline figures were also appointed to key positions, such as General Surayud as head of the army, who had identified Burmese drug trafficking as the foremost threat to the country's national security (Jones, 2011, p.418). In 1999, General Surayud had reportedly claimed that he was determined 'to win the war on drugs, even if it meant fighting a border war against drug armies or the army of Myanmar' (Brooke, 2000, p.11, cited in Haacke, 2005, p.249). This claim became a reality albeit on a small scale when allegedly in 1999, a 1000 strong Thai force conducted raids across the border in an attempt to root out laboratories run by the Wa State Army (UWSA) (Dupont, 2001, p.207). Such violations of ASEAN's security in the form of skirmishes between the Royal Thai Army and the Burmese *Tatmadaw* became relatively commonplace, with similar incidents taking place on the Thai side of the border in 2001 due to the latter pursuing Shan State Army rebels into the country (Haacke, 2005, p. 210). As Haacke (2005, p. 210) outlines, in resolving the skirmish in February 2001, the Thai side had got agreement from Thein Sein that they would eradicate drugs bases within their borders if the Thai army provided the necessary intelligence, but within weeks the Burmese government refused to recognise the involvement of the UWSA in the trade. Thus as Jones (2011, p.414) notes, whilst inaction on various issues is often explained by ASEAN non-interference principal, both Burma and Thailand have persistently violated this when it was in their strategic interest. Further, governments such have Thaksin's in Thailand have simultaneously utilised non-interference as a means of localising the

issue and projecting an image of control. The interest in maintaining Myanmar as an investment opportunity and source of cheap labour has long won out (Jones, 2011) over issues of drugs, a situation which has become complicated somewhat by the partial election victory of the National League for Democracy in November 2015. As a result, it is this pragmatism and business orientation as an element of Asian Values and how this informs drug policy that will be turned to next.

4.6 The 'Asian Values' debate in ASEAN

Here the interest will be to draw out how ASEAN elites have deployed the narrative of 'Asian Values', a term which was first coined in the region, to both justify and lend legitimacy to repressive approaches to drugs. In essence it will be argued that the use of such values broadly follow the logic of Panopticism as conceived of by Foucault, in a bid to simultaneously sell the war on drugs, and well as rebuff international or allegedly 'Western' reforms to drug policy. As Miao (2017, p.53) notes, Asian Values centre around the rejection of universal human rights as not applicable to particular local conditions in Asia, a prioritisation of socioeconomic rights over civil and political ones and a collective rather than individualistic conception of societal good. As will be suggested, such a collective conception of societal good can lead to panopticism in certain policy areas.

In *Discipline and Punish*, Foucault (1977, p.199) outlines the following:

Generally speaking, all the authorities exercising individual control function according to a double mode; that of binary division and branding (mad/sane; dangerous/harmless/normal/abnormal); and that of coercive assignment, of differential distribution (who he is/ where he must be; how he is to be characterized; how he is to be recognized; how a constant surveillance is to be exercised over him in an individual way, etc.).

It will be demonstrated that such binary divisions are a crucial element of regional drugs narratives, and as such the delegation of surveillance to broader society through constructing the deviant other remains an essential part of drug policy. Simultaneously, in addition to a domestic role, Asian Values are also intended for foreign audiences (Miao, 2017, p.53) in a bid to project a rejection of broader reforming drug policy trends.

Primarily associated with former Malaysian Prime Minister Mahathir Mohamed and his Singaporean contemporary Lee Kuan Yew, the notion of Asian Values was resurrected in

the mid-1990s to emphasize the importance of ‘a sense of community and nationhood, a disciplined and hardworking people’, along with ‘strong moral values and family ties’ (Miao, 2017, p.54). To Mahathir Mohamad, these values were rooted in a rejection of Western interpretations of human rights where supposedly ‘every individual can do what he likes, free from restraint from any restraints by governments’ (Makaruddin, 2000, p.205 in Sutherland, 2006, p.24). This ‘Anglo-Saxon’ understanding of Western culture saw individualism as conducive to ‘moral degeneration, traditional family breakdown, drug abuse and unbridled hedonism’ and according to Mohamad, whereas he envisaged Asian values as knowing ‘we can have the baby of affluence without the bath water of western values’ (Mahathir & Ishihara, 1995, p.106 in Sutherland, 2006, p.24). In a similar vein Singaporean professor Kishore Mahbubani argued in 1994 that Asians valued tough punishments for criminals, whilst liberal countries like the US favoured leniency, creating a climate where citizens lived in constant fear of crime (Makabenta, 2017). Indeed, attitudes towards ‘the invasion of civil liberties in drug detection’ stands as one of the prominent practical differences Joseph Chan (1998, p.32-33 in Barr, 2000, p.321) highlights between Western liberalism and Asian values, alongside differences on issues of ‘the censorship of pornography, marriage law’ and ‘the decriminalisation of homosexuality’. As Miao (2017, p.49) notes, such views are reflected in national laws, with 26 of the 33 countries that have the death penalty for drug related offences being found in Asia. In March, the Philippines lower house also overwhelmingly approved the re-introduction of capital punishment for the most serious drugs offences (Mogato, 2017), which as Miao (2017, p.49) notes means that all ASEAN countries with the exception of Cambodia have the death penalty. Scholarship from Southeast Asia is also reluctant to challenge such measures, with Othman and Idris (2016, p.44) arguing that it was ‘not surprising’ that the region has the ‘toughest drug laws on earth’ owing to the apparent control syndicates have over communities and businesses. However, as argued earlier, placed in the global context of drug consumption and levels of organised crime, the violence of state responses to the issue in Southeast Asia does seem entirely unjustified and disproportionate.

Whilst it is not suggested here that Asian Values have resulted in capital punishment for drugs crimes, they are an important post-facto philosophical justification used by ASEAN states for their rejection of emerging global drug policy norms. For instance, in 1975 when the mandatory death sentence was introduced for involvement in the drug trade, the justification offered was that there was a ‘communist plan to use narcotics to corrupt and soften the population of various states in South-east Asia’, thus ‘striking at the very

foundations of our social fabric' (Miao, 2017, p.64). This demonstrates how whilst culture and values may have later been utilised to justify such moves, they were also inherently political. As Kelly (2007, p.218 in Roberts, 2010, p.8) argues, rather than Asian Values explaining the under institutionalisation of ASEAN, they are reflective of the 'tacit elite collaboration to quell common interstate challenges', especially as such collaboration serves to underline their interests. As mentioned in previous chapter, whilst the issue of human security has found some backers within ASEAN (the Philippines perhaps being the most notable example), the emphasis on the individual has further led to questions of its applicability in the region (Abad, 2000). However, as Abad (2000) notes, often this is all too convenient for leaders who may invoke Asian Values as a means of arguing that liberal democracy will be damaging to economic growth. Thus, similar communitarian arguments relating to the 'rights' and secrets of the state serve (Barr, 2000, p.311) to give moral justification for extrajudicial killings in the context of the war on drugs. The elimination of the individual is consequently presented as beneficial to the preservation of the community as a whole. As Foucault outlines above, in order to justify such killings, a process of binary division and branding is essential to exclude those related to drugs as 'outside' normal society. This is a theme which will be revisited throughout this thesis, particularly in the final chapter which examines the discourses of state vigilantism.

Although Thai leaders have generally accorded less prominence to Asian Values, several of its key themes have been used as a political narrative in the country with reference to drug policy. Thaksin Shinawatra coined 'the new Asian realism', which was more about creating a forum of Asian countries to form a robust regional trade bloc to improve bargaining power with NAFTA and the EU (Chambers, 2004, p.464). However, the project was also intended to 'transform the Asian continent into an Asian community, capable of interacting with the world on a more equal footing' (Chambers, 2004, p.464) which hints at an emphasis on economic rights and poverty alleviation (Shinawatra, 2012) over broader political rights as with Asian Values. Drug policy stands out as one of the notable ways in which ASEAN states have demonstrated their rejection of human rights norms. For instance, in 2012 deputy Prime Minister Chalerm Yubumrung proposed an amendment to the Thai criminal procedure code so that drug convicts could be 'executed within 15 days after their death sentences are upheld by the Appeal Court' (Miao, 2017, p.74). In justifying this he declared that he wouldn't 'listen to National Human Rights Commission or NGOs because I answer to the country and the public President, who considers the drug problem a threat to national security' (Miao, 2017, p.74). Thus, the implicit assumption here is that in protecting the security interests of broader society,

considerations of human rights raised by the commission and NGOs were illegitimate because they served to undermine this. However, Thaksin's influence on the values underpinning drug policy went further than this- during the 2008 election then newly appointed interior minister Chalerm Yubumrung vowed that the 'punitive' approach seen under Thaksin would be continued, even if this would 'lead to 3000-4000 deaths of those who break the law' (Miao, 2017, p.63). As Constitutional Court Judge Jaran Pukditanakul argued with regards to drug policy: '[i]t's not easy to educate society, particularly when you have to go against the concept that has been planted in their heads' (Miao, 2017, p.63). Pukditanakul further noted that anything but hard-line approaches to drug policy would be 'like telling people in Thailand not to eat rice' (Ibid).

Similar trends have also been seen in recent years in the Philippines. The current Foreign Secretary Alan Peter Cayetano has recently utilised the form of the Asian values argument to suggest that they 'should have an Asian mind-set' and thus 'an Asian way of solving problems' (Lasco, 2017). As Lasco (2017) notes, Cayetano's remarks were clearly intended to rebuff international criticism of extrajudicial killings associated with the war on drugs, but also to appeal to the regional importance of non-interference. Non-interference from the West in the Philippines and several other ASEAN states is also set against the context of colonialism. However, as Lasco (2017) further points out, such reimagined pasts pre colonialism 'may be utopian for their elites, the same cannot be said for members of the lower classes who never had the chance to opine about whether their society was truly "harmonious"'. As will be elaborated on later, as well as appealing to a shared history, Duterte has also emphasised the importance of the familial unit, particularly children, in selling the war on drugs to a broader audience. He argued at the World economic Forum in 2017 that:

'The Asean youth are among the best and most creative, intelligent and innovative in the world. We must empower them to be the best version of themselves...We cannot turn a blind eye on the scourge of illegal drugs that threatens our youth and the future of our societies. We need to take a committed stand to dismantle and destroy the illegal drugs trade apparatus. We must reaffirm our commitment to realize a drug-free ASEAN community.' (Morallo, 2017)

However, this use of the threat to the promise and vitality of the youth is not an exclusively Asian phenomenon. Such narratives may have further resonance within ASEAN countries owing to this emphasis placed on the familial unit as noted above. In

addition to this, Duterte has utilised the notion of non-interference to underline the alleged hypocrisy of the West, suggesting that 'in the guise of the human rights, countries (sic) like the EU and America are interfering in the affairs of other nations' (Russia Today, 2017). Despite tensions surrounding the South China Sea, Duterte has attempted to pivot towards China and Russia owing to the West's 'double talk', where all aid is seen as coming with the condition of respect for human rights (Russia Today, 2017). Whilst Russia as yet has not shown a great deal of interest publically in the Philippines, China has already voiced support for Duterte in the context of the war on drugs, arguing that the UN Human Rights Council should respect the 'judicial sovereignty' of the Philippines (Flores, 2017). This demonstrates how narratives of values and morality have engaged with political questions of non-interference within ASEAN, which whilst not always represented within the region, are still upheld rhetorically in order to justify drug policy within the region. Whilst in 1977, Singapore's foreign minister expressed doubt about whether 'such a thing as Asian values really exists' (Makabenta, 2017), it appears clear that they represent a useful means by which ASEAN elites have sold and justified repressive drug policies. Thus, due to the rhetorical consensus around non-intervention in the region, this has simultaneously entrenched a similar consensus about how Asian values allow human rights violations in the context of the war on drugs. Indeed, it could even be suggested that like with Thompson's (2004, p.1085) argument that the use of Asian Values in Malaysia and Singapore by authoritarian governments was a bid to co-opt the middle classes, the wars on drug represents a similar bid in Thailand and the Philippines. How ASEAN elites have sought to entrench this anti-drugs consensus among the middle and working classes is what the final section of this chapter will address.

4.7 ASEAN and China Cooperative Operations in Response to Dangerous Drugs (ACCORD)

As mentioned previously in this thesis, much of the research on ASEAN attempts to confront a single problem- why have states discursively securitised certain issues such as drugs, but have simultaneously struggled to implement concrete practices related to this. This has led to many of ASEAN's security initiatives being labelled as illusory in their scope and implementation (Jones, 2011, p.405), and drug policy does not represent a departure from this (Emmers, 2003). Here Jones's (2011) argument that social conflict governs security policy in the region is built upon by showing that with regards to drugs, conflict is fostered by elites to underline support for oppressive polices. Such oppressive policies are favoured over international human rights and emancipatory trends as they do not disturb

prevailing patterns of corruption or high level crime and finally they legitimise the role of powerful security institutions.

ASEAN and China Cooperative Operations in Response to Dangerous Drugs (ACCORD) was initially established as a plan of action at the ASEAN+1 International Congress in Bangkok in October 2000 (Lijun, 2006, p.107). Ultimately the aim of ACCORD was to render the region drug free by 2015 through multilateral cooperation on drug enforcement measures, alternative development, preventative and treatment programmes, data collection, and the promotion of public awareness. However, Emmers (2007, p.522) notes that, in practice, cooperation has broadly taken the form of loose information sharing within ACCORD, rather than a regional regime. However, here the interest will be to demonstrate how ACCORD has served to underscore regional regimes of truth regarding the war on drugs, through rejecting international consensus and advocating a single 'drug free' position as the only one which is politically and socially palatable. A regional UNODC report of 2008 noted that ACCORD acting as ASEAN's regional framework for drug control 'is in line with the global regime', however it will be shown here that only first arguably softer pillar of 'promoting civic awareness and social response' through advocacy has been implemented in any concrete way (UNODC, 2008, p.6). Indeed, this emphasis on the first pillar is reflected by former director of the Thai Office of Narcotics Control Board (ONCB) Payont Pansiri, who argued that 'the biggest challenge facing the world today is demand reduction, and not eradication', so in essence it represents 'a social problem' (Thaitawat, 1998). Whilst Payont's view could be read as a means by which to advocate for harm reduction and rehabilitation, in essence what is being argued for is the 'social response' outlined above by ASEAN, which by its nature is rooted in exclusion and marginalisation of communities involved in the drug trade. Interestingly, Payont also couched his argument in terms of the ONCB's 'commitment to the international community' (Thaitawat, 1998), despite the fact that the majority of the drug trade within Southeast Asia remains there, demonstrating the influence of the international drug regime's panopticism.

The ACCORD plan of action, which ran from 2005-2010, and has been subsequently updated, is centred on four themes of civic awareness, demand reduction, law enforcement and alternative development. However, as will be shown here, the pillars concentrating on civic awareness, demand reduction and to an extent alternative development demonstrate an intent to create panopticon like discipline and inculcating anti-drug users norms than anything else. A significant means through which to achieve this has been through the use of the media and newspapers. Southeast Asia's press has

long been inhibited by state power and has shown little improvement in recent years. Specific attacks on the press by both Duterte and Thaksin will be discussed in further detail later. In the 2005-10 Plan of Action, the following media strategies are suggested for the purposes of 'raising awareness':

Actively engage media organizations in the implementation of the national civic awareness strategy and implementation plan.

Maintain significant media coverage on drug-related issues.

Establish active relationship with journalists and enhance the capacity of a cadre of media advocates for drug prevention.

Institutionalize an annual national media award for drug awareness.

(ASEAN Political-Security Department, 2012, p.91)

As the above makes clear, ASEAN's strategy is rooted in keeping the issue of drugs in the media, ostensibly in order to 'raise awareness'. However, awareness of alternative drugs policies is not mentioned- only that prevention should be at the heart of policy. Earlier in the plan, it is outlined that awareness should 'create a set of societal norms that discourage the use of drugs' yet simultaneously are 'supportive of drug prevention and treatment efforts' (ACCORD, 2005, p. 78). Hence, it could be suggested that the latent intention in this is that such media strategies represent an attempt to win support for prevention strategies, whatever violent form they may take. This is further underlined by the fact that levels of drug treatment are very low in Southeast Asia, somewhat discrediting the rhetorical emphasis accorded to it here.

Although television represents the most commonly consumed form of news within Southeast Asia, here print media has been used¹¹. This is because long term discursive trends are easier to map and analyse in print media, and archives are more accessible. There are some problems with this- generally only English language newspapers are digitised to allow such trends to be mapped, so this has clear implications regarding readership. Moreover, English language newspapers are read by those who have some understanding of the language, which means that the readership is more likely to be middle class and in urban areas. However, this is helpful here as the working language of ASEAN is English and thus if states attempted to project political messages to a regional elite audience, the use of newspapers like the Bangkok Post and The Nation in Thailand

¹¹ At least in the two countries (Thailand and the Philippines) of most interest here (Wagstaff, 2010, p.70; p.9)

appears likely. As can be seen in the graph on page 101, coverage in print media does play a crucial role in securitising issues of drugs. Whilst mere mention of drugs in an article may not necessarily signal support for war or oppressive approaches, it does indicate that the issue has been placed on the agenda by political actors. As can be seen in the graph, media interest in the issue started to intensify in 1998, increasing each year (with the exception of 2002), up until the war on drugs in 2003. Whilst the chart does not demonstrate that the ACCORD plan had any real impact upon press coverage initially, it could be suggested as a possible reason for the increase in media interest from 2007 onwards. Crucially, the incidence of the key terms in newspaper articles also demonstrates that levels of interest have been sustained at high levels when compared to the early 1990s, despite this not reflecting patterns of cultivation or trafficking.¹²

Further, up until the 2003 war on drugs in Thailand, both Thai English language newspapers were broadly supportive of measures against the drug trade. In an editorial in November 1999, the Bangkok Post (1999) ruled out alternative policy measures by arguing that 'we must not, for example, capitulate to the drug dealers...and legalise the drug trade'. Going further, it suggested that advocates of such a position were 'horribly misguided' and 'in a real war...would be charged with aiding the enemy' despite the argument that doing so 'could save a lot of money' and 'make the streets safe' (Bangkok Post, 1999). Whilst the language of war is a theme which will be returned to later, this demonstrates how entrenched elite consensus surrounding the war on drugs was, and the role a relatively uncritical press could play as part of this. In reducing the discursive space surrounding issues such as drug policy, such newspapers played a role in securitising it to an extent that emerging international consensus had no penetration in the region.

Another important aspect of ACCORD, and ASEAN's drug policy in general is that of public surveillance and what they term 'social mobilization'. As mentioned above, the ACCORD 2005-2010 Plan of Action (ASEAN Political-Security Department, 2012, p.91) is explicit in its aim to foster 'societal norms that discourage the use of drugs' and a key element of this appears to be surveillance. In line with this ACCORD (ASEAN Political-Security Department, 2012, p.91) also sought to establish 'workplace prevention programmes' and 'provide working parents and their families with information and support in regard to protecting children' against drugs. Thus, this represents an archetype of biopolitical

¹² This may have been distorted by the fact that there are fewer articles digitised from the early 90s, but the trend still appears when this is taken into account. Digitisation for the Nation begins in 1998, so this accounts for a proportion of the jump. Both newspapers in isolation both demonstrate similar trends.

governance, as the discursive economies of power and knowledge serves to subject people in their individual and collective behaviour to analysis through 'self-regulatory freedoms and methods of control' (Dillon and Reid, 2012, p. 48). Further, biopolitical global governance encourages such 'self-orchestration', where the reliance on government in policing behaviour is reduced to an extent (Ibid, p.47). This emphasis on social mobilisation by ASEAN has also been reiterated continually since. In October 2012, ASEAN's Senior Officials on Drug Matters (ASOD, 2012) meeting produced a renewed action plan on drugs abuse control, outlining ten project proposals. Of the ten, five specifically related to the notion of 'social response':

Training of Trainers in Interpersonal Skills and Peer Support Counselling in Drug Education

Promoting Drug Abuse Prevention Activities Among Out-of-School Youth

Promotion of Drug Control Activities in the Workplace

Training on Effective Management in Prevention Drug Education Programmes

Enhancement of Community-Based Drug Prevention Activities

Whilst several of these projects may appear rather nebulous in form- it is clear that the intention is to conduct surveillance of the population in public spaces, here the workplace, school age youths and the 'wider community'. Similarly, the strategic measures outlined in ASEAN's (2015, p.116) 2025 Security Blueprint included only two articles, one of which was aimed at enhancing 'community awareness and social responsibility' with regards to the 'ill effects of dangerous drugs'. Importantly, such moves locate the problem of drugs within the community to an extent; whilst the other five project proposals are more technocratic in tone (such as training on financial investigations), the main thrust of policy is centred on community surveillance and discipline. Whilst the success of preventing drug use is highly questionable, the latent intent here is to inculcate anti-drugs norms, and by extension anti-drug user norms.

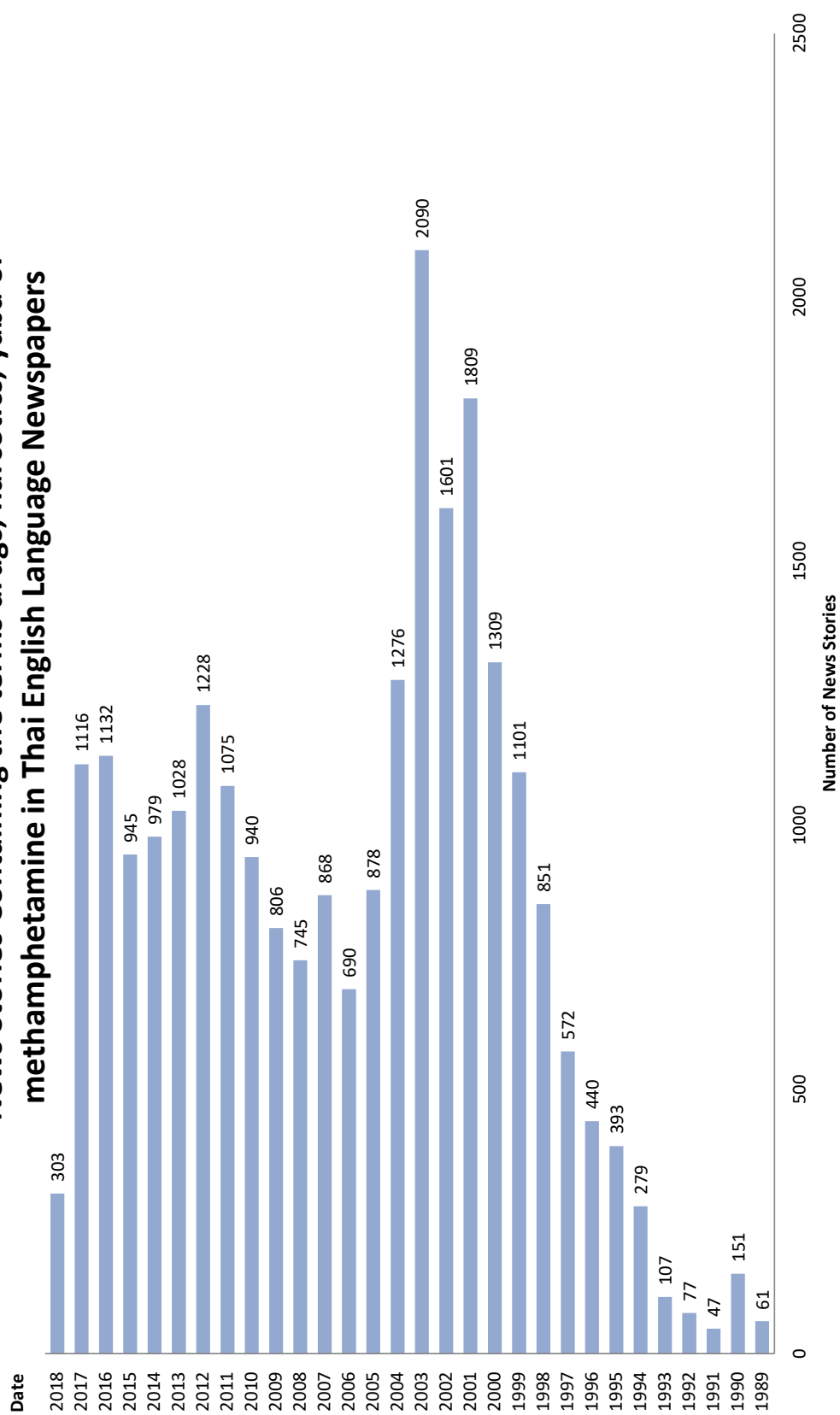
The ASOD Project proposals were also reflective of country practices that had in theory been in place for several years. In the Philippines, the Comprehensive Dangerous Drugs Act of 2002 (p.17) established 'Special Drug education Centers', headed by provincial schools with the intent of providing 'drug prevention programs and activities' with the view of 'educating the out-of-school youth and street children regarding the pernicious effects of drug abuse'. Whilst such education programs may appear superficially progressive, again the latent intent here is to discipline through instilling the need for

abstinence, without the need or attempt to change the material causes which may lead to involvement in the drug trade among the youth. More than this, the Comprehensive Drug act also seeks to use culture as a means of influencing the 'general public' on the 'hazards and prevention of illegal use of any dangerous drug' by disseminating 'literature, films, displays or advertisements' (2002, p.27). The fact that the act lays out the importance of public awareness in the 'prevention of illegal use' is instructive, as the intent is to biopolitically locate resolutions for the problem within community surveillance and discipline. As will be discussed later, this has real implications for informal forms of law enforcement, such as state vigilantism.

4.8 Conclusion

This chapter has sought to explore how the international drugs regime has been localised in Southeast Asia, showing how ASEAN's drug free strategy simply represents an extension of the Vienna Consensus. Specifically, it has been argued that although certain attempts have been made to include more health or development centred approaches to drugs, the logic of security remains one of surveillance and exclusion. In addition, it has been suggested that the international drug regime's emphasis on targeting the raw goods associated with the drug trade has had the effect of targeting the global poor, and policymaking in Southeast Asia has followed suit. As outlined in the previous chapter, the partial opium cultivation restriction imposed by the UWSA in Shan State effectively had the effect of driving methamphetamine production. This is also pertinent as methamphetamine in the form of *yaba* or *shabu* pills is generally regarded as a drug of the working poor within Southeast Asia. It has also been shown in this chapter that ASEAN's rhetorical emphasis on non-intervention and sovereignty has meant that essentially transnational issues have been made an issue of security locally. This is a theme explored by the author in a co-written paper on crimes against humanity in the Philippines. Following this, an overview of the debate on Asian Values, and how this has been deployed with reference to the war on drugs to give moral backing to punitive approaches was given. The final section of the chapter linked civic awareness programmes in ASEAN's ACCORD plan back to the theme of surveillance and panopticism. The importance of panopticism will be further explored in later chapters on the mechanics of state vigilantism. Although this chapter has discussed more progressive drug policy trends, the following chapter will examine how such trends have been adopted by civil society groups and other non-state actors in the region.

News Stories Containing the terms drugs, narcotics, yaba or methamphetamine in Thai English Language Newspapers



Chapter 5- Emancipation and drug policy- challenges to the war on drugs

This chapter will chiefly be concerned with addressing the second ancillary research question this thesis is based upon, by interrogating how non-state groups make use of emancipatory discourses to challenge state drug policy narratives. The aim here will be to draw out how proponents of alternative visions of drug policy in the region have sought to challenge rigid national security agendas and how they have engaged international epistemic communities to do so. In tandem with this, the chapter will examine how the space for debates concerning drug policy have been constrained by states in the region and will offer possible reasons for this. It will ultimately be argued that such epistemic communities have not been able to challenge the logic of security led prohibition within the region because the space afforded to such groups remains relatively limited. However, it will use the case study of Thailand's current debates on drug policy reform, which has led to proposals to legalise certain substances such as methamphetamine. As regional civil society groups were involved in the UNGASS conference in 2016, here the interest will also be to demonstrate how non-state groups appeal to such forums in a bid to invite more scrutiny of governments in the region. Consequently, this section will draw upon a survey of civil society actors and NGOs, which will assess how their activities engage with the wider movement for policy reform.

Most significantly, this chapter will argue that harm reduction as a broad concept supported by a wide range of drug policy NGOs, civil society groups and human rights organisations represents a form of emancipatory security. As outlined in the introduction, harm reduction is a form of immanent critique, where possibilities for emancipation can be explored within the prevailing social order (Blakeley, 2013, p.604). Harm reduction offers a test case to demonstrate how drug policy approaches rooted in order and hard line security are not able to eliminate drug trafficking and use. Here it will be shown that whilst harm reduction aims at reducing the immediate harms facing drug users, it also has broader implications for questions of how harmful circumstances can be addressed and the coercion which underpins this. This has implications beyond Southeast Asia, as even in developed democratic economies like the United States, the problem has endured. Thus, whilst approaches rooted in harm reduction demonstrate the power of emancipatory forms of security, they also represent a radical discursive intervention which strikes at the very heart of security understandings and doctrines in the region. This offers at least some explanation as to why harm reduction has found a muted reception in the region, as non-state groups have had some difficulty in localising harm reduction arguments in the face of decades of security narratives. However, such interventions

are grounded in the need critical security studies scholars identify to amplify the voices of the marginalised in order to address issues which affect them (Blakeley, 2013). As McDonald (2008, p.574) notes, there is an overreliance on the 'dominant voices' in the securitisation literature, so here the interest is to fill this lacuna in relation to drug policy.

As a result of the above, this chapter makes a contribution to understandings of emancipatory forms of security, as the Aberystwyth School has not yet been used to analyse drug policy in any context, let alone Southeast Asia. Southeast Asia also offers a good test case, due to the fact that as mentioned above, such emancipatory harm reduction arguments represent a radical and fundamental challenge to prevailing drugs discourses and powerful interests are at play in attempting to inhibit them. This chapter interacts with the rest of the thesis, as the notion of healthcare as security feeds into debates surrounding panopticism, surveillance and the biopolitical state. Whilst the previous chapters were more concerned with the deleterious effects of surveillance and biopolitics, here the interest will be to delineate the productive possibilities of power in the drug policy contexts. Further, rather than representing another organ of state control, against Miller (2001) here it is argued that the harm reduction movement aims at genuine emancipation which upholds individual freedom and choice over coercive approaches to drug users.

The chapter will initially discuss understandings of immanent critique and emancipation, before indicating how this relates to the notion of harm reduction in drug policy. The chapter will address some of the criticisms of harm reduction approaches, which will be shown to have some parallels with those levelled at the Aberystwyth School's conception of emancipation. After this, a brief overview of the state of harm reduction and health based approaches in Southeast Asia will be given and how they have found broad acceptance and support internationally, especially at the UNGASS Special session on drugs in 2016. The second half of the chapter will trace how non-state organisations create alternative visions of drug policy, rooted in emancipatory discourses of harm reduction, human rights and healthcare. This will draw upon policy documents and press releases, as well as in depth surveys distributed to seven Southeast Asian NGOs, civil society groups and experts who work on drug policy.

5.1- Emancipatory drug policy: radical challenges to orthodox security agendas

5.1.1 Defining immanent critique

As has been shown in previous chapters, drugs trafficking has long been presented as a relatively central item on the security agenda for states in Southeast Asia. In previous chapters it has been suggested that such hard-line security led approaches to drug trafficking have changed relatively little, despite a burgeoning body of evidence to suggest that they have little effect on levels of illegal drug trafficking and use. In general, global drug policy has primarily centred on enforcement, which aims to disrupt established markets to reduce public disorder to drive street prices up, in theory increasing the time users have to spend looking for and procuring the means to purchase drugs (Kerr et al, 2005, p.211; see also Caulkins, 1993; Hough & Natarajan, 2000). However, such policies also have knock on effects on the health of users, as it has been shown that they lead to users refraining from entering treatment due to fear of punishment, as well as making their habits harder to sustain owing to rising prices. Whilst there is some evidence that targeted enforcement can be effective, there is also considerable research to show that enforcement usually falls short of its goals (Dixon & Coffin, 1999), and that public order gains are ephemeral and negated by the migration of drug markets to neighbouring areas (Kerr et al., 2005, p.214; Caulkins, 1992; Wood, et al., 2004; Wood, Spittal, et al., 2004). As a result, consideration of the contradictions inherent in the emphasis on enforcement as a central element of drug policy is an appropriate site for the consideration of immanent critique. As Antonio (1981, p.338) notes, Horkheimer's understanding of immanent critique 'describes the dialectic in history which is driven by the contradictions between ideology and reality' and thus explains how 'elites attempt to stall change by denying these contradictions'. Clearly the contradiction in current drug policy is that in attempting to bring security to wider society, enforcement undermines the security of many, whilst not achieving the stated goal of order within the broader community. Consequently, by 'revealing the contradictions of claim and context' (Antonio, 1981, p.338) inherent in current drug policy, many drug policy NGOs and civil society groups utilise immanent critique to offer emancipatory alternatives. As Blakeley (2013, p.603) argues, historical materialism views emancipation as being reliant on 'specific agents, located socially and historically, to identify practices that might bring about change, structures that might be transformed, and appropriate agents that are in the best position to facilitate such change'. As will be shown here, NGOs and civil society groups have assumed the role of such agents and have attempted to expand 'dialogic contexts' to amplify the voices of the marginalised (Blakeley, 2013, p.604) in order to make a claim for their representation within drug policy. Importantly, this widens the debate surrounding drugs beyond the legal and

jurisdictional boundaries which are formed and sustained by elites. This responds to the need outlined by Antonio (1981, p.341) for specific analyses of the possibilities for democratising concrete issues in diverse contexts. As mentioned earlier in the thesis, this also attempts to counter the argument made by Browning and McDonald (2011, p.237) Linklater (2005, p.121), and Neufeld (2004, p.111) that critical approaches do not address the complexities of contemporary world politics and consequently cannot have any real policy relevance if they do not engage with lived experiences of insecurity.

There are some limitations relying upon civil society groups and non-governmental organisations in this context. This is due to the fact that the drug war in both Thailand and the Philippines was and is contested by a range of other political actors and institutions, and that space for mobilization and contestation does exist. However, the predominant reason that such actors were not analysed for this section is that whilst dismay, concern or opposition to the techniques and occasionally even purpose of the war on drugs is perceptible from other significant political and societal actors, they do not offer a holistic vision of what drug policy should look like. This is not to say that such challenges, which are often rooted in questions of human rights and morality, are not significant, but that they are often interventions by individuals or groups whose focus is separate from the issue of drugs. A good example of this is the Catholic church in the Philippines, who offered a great deal of opposition to extrajudicial killings in the context of the drug war, thus undermining Duterte's claims to moral authority. Whilst many within the Filipino church directly attacked the drug war, some high-profile figures attempted to present the killings in the context of other issues of importance to the church. For instance, Willis and Lopez (2019, p.46) note that the high profile Cardinal Tagle carefully condemned a broad 'culture of death' associated with the drug war, wording which presumably was intended to encompass the issue of abortion. Perhaps the most outspoken critic of the drug war was Caloocan Bishop Pablo Virgilio David, who argued that:

'There is no war against illegal drugs, because the supply is not being stopped. If they are really after illegal drugs, they would go after the big people, the manufacturers, the smugglers, the suppliers. But instead, they go after the victims of these people. So, I have come to the conclusion that this war on illegal drugs is illegal, immoral, and anti-poor' (Esmaquel II, 2019)

Such an attack on the drug war is significant, as it argues that the war on drugs fails on its own measures on success, and thus represents a form of immanent critique. Unlike the actors surveyed in this chapter however, it does not address the question of the necessity for the war on drugs, and what drug policy should look like. In addition, the catholic church in the Philippines is not monolithic, and though moral condemnation within the church did finally

come from the Catholic Bishops' Conference, some voices were supportive, and some remained afraid of speaking out. Because of the vigilante style of killings, many clerics remained concerned that they would become a target should they speak against the killings and the president (Baldwin and Serapio, 2016). In addition, the statement from the Catholic Bishops' Conference highlighted that they had 'no intention of interfering in the conduct of state affairs', but had the 'solemn duty to defend our flock, especially when they are attacked by wolves' (Manila Standard, 2019). Again, this shows how the challenge the church offered had a moral and religious basis, rather than attempting to reconstruct what drug policy should look like, or directly and unequivocally opposing the necessity for the war on drugs.

5.1.2 Harm reduction as emancipation

As noted in a previous chapter, examining drug policy and harm reduction gives scope for exploring how emancipation as a form of security can be nuanced and developed further. As will be demonstrated below, several of the core ideas of emancipation are also those that drive the harm reduction movement. For instance, the notion that 'true security can only be achieved by people and groups if they do not deprive others of it' (Linklater, 2000, p.332) and the notion of reciprocity of rights is also essential to harm reduction. As Booth (1991, p.319) argues:

'Security means the absence of threats. Emancipation is the freeing of people (as individuals and groups) from those physical and human constraints which stop them carrying out what they would freely choose to do.'

Taking this to its logical conclusion, emancipation would therefore allow drug use, as long as it is compatible with the freedom of others. As freedom at its core is about eradicating violence to Booth, it is worth considering how alternative approaches to drug policy such as harm reduction seek to eliminate violence and as a result, harm to users and wider society. However, this is a point on which Booth's (2007, p.104) concept of emancipation can be nuanced- he argues that 'elective danger...is synonymous with a type of freedom' and this is consequently the 'privilege of the secure'. Whilst the use of drugs and involvement in the trade can be considered as a form of 'elective danger', for many this apparent 'choice' is not one made from a position of security. As Tammi and Hurme (2007, p.86) note, harm reduction approaches are often viewed as being 'individualistic-liberalistic' in that like emancipation it is driven by the notion that 'nothing is wrong as long as it doesn't harm others'. This raises questions of whether users can reasonably be held responsible for the broader societal harms the drug trade causes, especially when rehabilitation schemes are not offered or effective. Broader socio-economic conditions also have to be considered, and how this influences the question of how reasonable it is to suggest that the global poor who are driven to participate in the drug trade at the bottom

have also made this choice from a position of security. Like accusations of Western liberalism levelled at harm reduction, Nunes (2012, p.352) has noted that emancipation has also been criticised for attempting to impose Western values owing to its connection to liberalism and emphasis on individuality (Barkawi and Laffey, 2006). However, it will be shown here that whilst harm reduction may have its origins in Western liberal thought, it is supported from the bottom up in a number of Southeast Asian countries and is consistent with traditional understandings of drugs in some contexts.

5.1.3 Defining harm reduction

Here the interest will be to offer a broad definition of harm reduction practices, and how they interact with notions of security. As Nunes (2012, p.351) notes, understandings of security have concrete implications for politics, as the reality of drug policy is challenged by actors who believe that insecurity can be addressed by ideational as well as social changes. Hence, here it will be suggested that harm reduction approaches represent a form of ‘emancipatory realism’ (Nunes, 2012, p.352), as the understanding of security by its proponents is grounded in experience of the insecurity current policies creates for drug users. Keane (2003, p.228) outlines that in distinction to drug policies rooted in ‘arbitrary moralism’, drug use is viewed neutrally by harm reductionists. Tammi and Hurme (2007, p.85) also outline three other harm reduction tenets; firstly that ‘a drug user is a sovereign citizen and member of a community, not a deviant individual or only an object of measures’. Secondly, ‘drug policy should be based on practice and science, not on ideologies and dogmatism’ and finally that ‘drug policy should respect human rights and support justice, not trample on them in the name of a ‘war on drugs’ or the goal of a drug-free society (Tammi and Hurme, 2007, p.85). Such ideas have not gone unchallenged however, with Mugford (1993) arguing that the utilitarian logic of harm reduction would result in draconian anti-drugs strategies, as it evaluates drug use in terms of ‘harm to others’ over harm to users, which is viewed as acceptable if stemming from ‘informed consent’ (Tammi and Hurme, 2007, p.85; Keane, 2003, p.228). Broadly however, harm reduction seeks to reduce the health and social consequences of substance abuse, such as the spread of HIV and hepatitis B and stigmatisation of users which can lead to further marginalisation (Beyrer, 2012).

Significantly, there have been attempts by some such as Miller (2001) to utilise Foucauldian concepts to argue against harm reduction. Miller (2001, p.171) notes that in *Discipline and Punish*, Foucault outlines how the shift from sovereignty to disciplinary facilitated a rise in surveillance as discipline. As medical phenomena were an ideal vehicle of surveillance, ‘surveillance medicine’ is akin to the panopticon in making subjects objectify their own bodies owing to the knowledge of being under the gaze of society. This leads onto Miller’s (2001) argument that harm reduction advocates a ‘prescriptive moralism’ which impresses a duty on

citizens to be healthy, increases the power of medical expertise, detracts from issues of poverty, relies overly on epidemiological knowledge and fails to challenge the categories of normal and pathological in mainstream drugs discourses (Miller, 2001; Keane, 2003, p.231). However, as will be shown in the second section of this chapter, almost all organisations which promote harm reduction in Southeast Asia locate it within a broader ideal of what drug policy should look like. For instance, Miller's (2001, p.173) argument that harm reduction organisations fail to address the underlying reasons for drugs current legal status, (such as racism), neglects that most organisations surveyed here also advocate for a form of decriminalisation. The statement from Harm Reduction International after UNGASS 2016 called for the end of 'restrictive laws, including those which criminalise people who use drugs', as well as harm reduction measures. Further, Miller's (2001, p.174) notion that the production of epidemiological knowledge through the allocation of labels such as 'normal', 'abnormal' or 'pathological' also seems to ignore that harm reduction represents seeks to present drug use as inevitable within society, so normal in itself. As Keane (2003, p.227) posits, whilst it may be difficult to convince referent audiences that drug use is amoral, it is still 'a powerful rhetorical intervention in the highly moralised landscape of the drug debate'. This links to another of the arguments this chapter makes- that many drug policy NGOs and civil society groups do not view harm reduction as an end in itself but as an element of broader emancipatory conception of drug policy. Clearly, this ideal of drug policy is not monolithic and shared by all such organisations, but as will be shown in the second section of this chapter, a number of common arguments are shared among them.

5.2-Harm reduction around the world and in Southeast Asia

Whilst the final outcome document of the UN General Assembly Special Session on Drugs in 2016 did not mention harm reduction specifically, several of its provisions included measures that would fall under its remit. For instance, the outcome document 'invites relevant national authorities to consider':

Effective measures aimed at minimizing the adverse public health and social consequences of drug abuse, including appropriate medication-assisted therapy programmes, injecting equipment programmes, as well as antiretroviral therapy and other relevant interventions that prevent the transmission of HIV, viral hepatitis and other blood-borne diseases associated with drug use, as well as consider ensuring access to such interventions, including in treatment and outreach services, prisons and other custodial settings, and promoting in that regard the use, as appropriate, of the technical guide for countries to set targets for universal access to HIV prevention, treatment and

care for injecting drug users, issued by the World Health Organization'. (UNGASS, 2016, p.7)

This mirrors the emphasis noted by Tammi and Hurme (2007) on scientifically proven approaches to harm reduction which are grounded in the healthcare of users. However, it is notable that the harms also conceivably associated with non-drug users such as the blood borne diseases are outlined before addressing the issue of the harm on users. The language used in the outcome document is cautious- the voluntary participation of users in treatment programmes is simply encouraged and the above provisions are only for consideration in relation to 'their national legislation and the three international drug control conventions' (UNGASS, 2016, p.7). Whilst this caution reflects the broad range of countries represented at UNGASS, it does at least demonstrate the increasing emphasis placed on the notion by intergovernmental organisations. ASEAN, however, is rather more circumspect on the issue of harm reduction than the UN. In the 2025 security blueprint, the end goal of being drug free was reiterated again, with only passing nods towards harm reduction being perceptible. Whilst measures to 'supress production, trafficking and abuse of illicit drugs' were afforded the most significance, there was recognition for the need to:

Develop holistic, integrated and balanced strategies, addressing both supply and demand reduction, to achieve a balance between treatment and rehabilitation approaches as well as the law enforcement approach in combating drug crimes.
(ASEAN, 2016, p.18)

Again however, this nod towards rehabilitation is very much considered to be complementary to a 'law enforcement approach' (ASEAN, 2016, p.18). Whilst Beyrer (2012) argues that harm reduction and law enforcement approaches are not necessarily 'inherently antagonistic', and perhaps may even be 'powerfully synergistic', this does not acknowledge the reality of policing and enforcement in much of the world. Beyrer (2012) further notes that law enforcement could complement harm reduction, he also mentions that in Asia practices such as forced detention for drug users is common, an obvious barrier to reducing harm. The effect of law enforcement policy and practice on HIV risk environments and behaviours on harm reduction programmes have generally found to be negative in most cases however (Thompson, Moore and Crofts, 2012, p.2). Whilst there have been attempts to integrate harm reduction into the policy and operational practices of law enforcement, such as that undertaken by the Nossal Institute for Global Health at the University of Melbourne, questions remain about how influential they can be without addressing prevailing discourses surrounding drug use (Thompson, Moore and Crofts, 2012, p.1). Overall though, both statements above demonstrate that certain facets of harm reduction

are politically palatable on a multilateral stage, but the notion that drug use is not an immoral issue has relatively little traction and states are broadly committed to the spirit of eliminating all drugs. Although Crofts' et al (1998, p.191) assessment that 'the prevailing climate is often one of a uniquely law and order approach to the problems of illicit drug use' may have been twenty years ago, it still relevant as authorities often view strategies of harm reduction as 'inimical to fundamental drug policy'.

5.3 Specific harm reduction interventions

Both needle exchanges and opioid substitution therapy are considered core harm reduction strategies, which have been shown to reduce HIV transmission, aid rehabilitation of users and substantially improve the physical wellbeing of intravenous users (Hurley et al, 1997; Mattick et al, 2009; Lawrinson et al, 2008). This has also shown to be the case outside of industrialised countries in the global north (Lawrinson et al, 2008). Whilst the issue of HIV has been securitised in much of Southeast Asia (Jones, 2011, p.415; Caballero-Anthony, 2006), and Thailand is considered to be a 'model of success', progress for drug users has been slow (Beyrer et al, 2003, p.153). Although the Thai government offers HIV prevention, care and treatment free of charge, barriers remain in accessing such services (Hayashi et al, 2013a). For instance, Hayashi et al (2013b) note that in Bangkok, injecting drug users were often afraid to utilise methadone clinics and needle exchanges, as plainclothes police officers would surveil them closely and arrest users to fill quotas. As a result of this, HIV prevalence is still high among intravenous drug users in Thailand, standing at around 21% of 71,000 people (Harm Reduction International, 2016, p.3). One reason for this is that only around 14 needle and syringe programmes operate nationwide, though the country's response with opioid substitution therapy (OST) has been more promising, with 147 sites administering methadone or other variants to intravenous drug users (Harm Reduction International, 2016, p.2). The result of this is that in Thailand the average intravenous drug user receives only 14 needles a year, whilst in neighbouring Myanmar (which has similar rates of HIV prevalence), the average user receives 168 (Global State of harm Reduction, 2016, p.6). Regardless of this, civil society organisations in Thailand have had some successes in advocating opioid substitution therapy. In collaboration with the Global Fund to Fight AIDS, Tuberculosis and Malaria, civil society organisations were eventually successful in persuading the government to include methadone under the national health security programme in 2008 (Hayashi et al, 2013, p.2). Although Bourgois (2000, p.167) has argued against the harm reducing benefits of opioid programmes as they represent 'the state's attempt to inculcate moral discipline into the hearts, minds and bodies of deviants', he misses the emphasis on the voluntary nature of such interventions.

Whilst the population of people who inject drugs in the Philippines is far lower at around 20,000 in 2016, opioid substitution therapy is limited, and needle exchanges are only found at health facilities, which according to harm Reduction International's 2016, limits the coverage considerably. However, the HIV prevalence rate among this group in the Philippines is far higher, with HIV and hepatitis C being estimated at 41.6% and 70% respectively (Tanguay, 2016, p.1). The issue of needle exchanges has also proved to be a thorny one in the Philippines. In the early 2000s several civil society groups and NGOs such as Remedios AIDS Foundation, KABALIKAT, Caritas, the AIDS Society of the Philippines, Social Health, Environment and Development, USAID's Local Enhancement and Development for Health Project, and Cebu City Health worked with people who inject drugs (Tanguay, 2016, p.10). Despite some success, in 2009 groups were asked to shut down a successful and long running needle exchange programme in Cebu city, which was home to a disproportionately large percentage of the country's drug users (Rauhala, 2017). However, as Ilya Tac-an, head of the city's HIV detection program noted, in the following year HIV cases among drug users went from less than 1% to 53% (Rauhala, 2017). The project was revived, but came under fire from current Senate President Vicente Sotto III and member of Duterte's coalition, who argued to the senate floor in 2015 that:

"It's as if we are saying that if we cannot stop a criminal from using a rusty knife, it would be better if the government gave killers clean and stainless knives so that nobody would die from tetanus if he gets stabbed," (Salaverria, 2015)

This is indicative of the prevailing discourses used by politicians in the Philippines- not only is the drug user a criminal, but they are also framed as murderers. Sotto further went on to argue that harm reduction measures are 'pro-illegal' and therefore 'sabotages the government's campaign for drug prevention and eradication' (Gita, 2015). This further bears out Croft et al's (1998) assessment that any form of harm reduction, even if it is in the interests of public health, is contrary to what drug policy should be to many Southeast Asian states. As Tanguay (2016, p.7) notes, the Philippines Comprehensive Dangerous Drugs Act of 2002 specifically criminalises the 'possession and distribution of drug paraphernalia such as needles and syringes' under threat of imprisonment. The act justifies this by suggesting that possession of such equipment represents 'prima facie evidence that the possessor has smoked, consumed, administered to himself/herself, injected, ingested, or used a dangerous drug' (Tanguay, 2016, p.7). Such laws often lead to adverse health outcomes for injecting drug users, as fear of prosecution leads them to not carry or seek out sterile equipment, which is then shared by the group instead. Overall, in response to the question 'how far do you think the treatment and rehabilitation measures outlined in the 2025 ASEAN Political

Security Blueprint have been implemented in the region', four respondents considered there to have been a 'very low level of implementation' (Raffle, 2017). One respondent answered that there had been no real implementation and another two considered there to have been 'some implantation, but in concentrated areas' (Raffle, 2017).

5.4 Compulsory drug detention centres

Although the use of compulsory drug detention centres in Southeast Asia has already been discussed briefly in this thesis, they also represent a significant site of political contestation between civil society groups and states. As mentioned previously, compulsory drug detention centres represent by far the most common way of 'managing' drug users in Asia, and are common throughout Thailand, the Philippines and Myanmar. (Rahman and Kamarulzaman, 2016; Tanguay et al, 2015). Most centres are run by the military or police around the notion of forced abstinence (Thompson, 2010, p.26), a strategy has been shown to have little to no impact on drug dependency (World Health Organisation, 2004, in Amon et al, 2014, p.17). In Thailand for instance, fifty of the eighty four compulsory drug detention centres are run by the army, many in repurposed barracks (Amon et al, 2014, p.17). Such is the prevalence of the model that around 235,000 people are detained in 1000 centres across East and Southeast Asia (Kamarulzaman and McBrayer, 2014, p.13). Individuals can often be held in such centres for periods running from months to years owing to judicial bottlenecks, and often experience a range of human rights abuses whilst held (Kamarulzaman and McBrayer, 2014, p.13). Almost all centres do not employ evidence based approaches for drug addiction and use forced detoxification, hard labour, educational approaches and physical exercise in their place (Csete et al, 2011, p.2). This is despite the fact that there is remarkably little evidence to suggest that forced abstinence has any real impact on drug dependency (World Health Organisation, 2004, in Amon et al, 2014, p.17). In Thailand, military centres employ the 'Jirisa model', which is a program of 'discipline, military drills, leadership training, and exercise', whilst medical assistance is intermittent and in many cases rare (Thompson, 2010, p.26). As Amon et al (2014, p.16) note, in reality many detention centres represent little more than en masse detention. Perhaps not surprisingly then, the effectiveness of the methods used at such centres is poor, with relapse rates standing at around 90% (Rahman and Kamarulzaman, 2016). Clearly, the intent of compulsory detention centres is to discipline and detain users in a bid to turn them into 'healthy' citizens, without the need to address the structural and physiological factors that lead to and sustain addiction. This has implications for discussions of harm reduction, as whilst the above measures could be considered to be biopolitical in tone, Bourgois (2000) levels the same criticism at methadone substitution. He suggests that methadone

substitution as a harm reducing measure ‘represents the state’s attempt to inculcate moral discipline into the hearts, minds and bodies of deviants who reject sobriety and economic productivity’ (Bourgois, 2000, p. 167 in Rhodes, 2009, p.197). However, as will be shown shortly, the emphasis on the voluntary nature of harm reduction interventions undermines Bourgois’s argument (Rhodes, 2009, p.197). Rather than acting as a medical means of regulating drug use, harm reduction takes the will of the user as the starting point.

The broad international consensus is generally against the use of compulsory detention centres, with 12 UN agencies condemning their use in March 2012. Agencies ranging from the World Health Organisation, UN Development Programme and the UN Office of Drugs and Crime issued a statement in 2012 which called for the immediate closure of the centres, noting the risks to health and human rights (UN, 2012 in Amon et al, 2014, p.14). However, the UNODC and USAid has long been involved with detention centres in Southeast Asia, arguing that their engagement and funding of training to staff assists in bringing their use to an end. However, this is based on their rather unverified assertion that ‘drug detention does not have to be voluntary to be effective’ (UNODC, 2009 in Amon et al, 2014, p. 17). This is another site for challenge by civil society groups and NGOs, who argue that such rehabilitation measures have to be voluntary to be effective and uphold the rights of users. For instance, Piyabutr Nakapiew, Director of the Ozone Foundation, a Thai civil society harm reduction organisation argues that ‘coercion can’t help you quit’ (IDPC, 2016). Further, he notes that:

‘forced rehabilitation only makes the lives of drug users even more chaotic, because it means they get entangled with the law then they get stigmatised and discriminated against. Then after all this, these drug users end up being looked down on as criminals by the rest of society.’

Similarly, Verapun Ngammee, Coordinator of the Thai 12D Harm reduction Network posits that ‘real drug treatment is based on individual will’ and thus compulsory rehabilitation isn’t a form of drug treatment, it’s punishment’ (IDPC, 2016). As both of the sources above were speaking from personal experience of being drug users, this is an important contribution to the drug policy debate and one that addresses the call for marginalised voices from critical security scholars. Likewise, when invited to comment on the effectiveness and scope of detention centres, all those surveyed by the author rejected their use entirely. A representative from a large international human rights NGO (Respondent 6, 2017) outlined their position in some detail:

(Name redacted) Our organisation considers compulsory detention regimes for the purposes of drug “rehabilitation” through confinement or forced labour to be inherently arbitrary. The organization has also documented several human rights violations that occur in the context of detention for the purpose of rehabilitation. In many different countries, people who use drugs are arbitrarily detained and forcibly subjected to compulsory or coerced treatment, and are on occasion subjected to torture or other ill-treatment. The organization has seen with concern how such institutions are commonly supervised by custodial staff, on occasion even by the military, often with little involvement of trained staff or outside health agencies.

Whilst this echoes many of the points made above, it is also demonstrative of how human rights groups campaign on issues of drug policy. Whilst this particular organisation does not take an official position on what an ‘ideal’ drug policy would look like, it does document and publish reports of how such rehabilitation centres undermine the human rights of users. However, this still represents an instance of immanent critique, as it demonstrates the contradiction between the idea of what such forced detention centres are ostensibly for, and what their actual effect is. This point was made rather more succinctly by other respondents, with one noting that ‘the effectiveness of the compulsory drug detention centres are (sic) very low’ and within them ‘evidence based treatment barely exists’ (Respondent 2, 2017). Crucially, this respondent also highlighted that the relapse rate for such centres could be as high as 99%, although no source for this was provided (Ibid).

5.5- Human rights groups and contesting security

Harm reduction approaches to drug policy and human rights are often seen in tandem in discussions of drug policy, with the latter presenting prohibition as both irrational and immoral because it impinges on individual freedom (Keane, 2003, p.230). Nadine Ezard (2001, p.213) has taken this further by suggesting that concepts of harm reduction should be broadened to include ‘vulnerability reduction’ as well as the reduction of risky behaviours. Here vulnerability is viewed as ‘the broad complex of individual and social factors which underlie and increase predisposition to risk’. This bears a striking similarity to the literature on risk environments, which views harm as being contingent upon social contexts and the interaction between individuals and their environments (Rhodes, 2009, p.193). Hence there is a need to examine how risks to drug users and those involved in the trade at the bottom are created and reproduced.

This section will show that whilst harm reduction represents an important element of the arguments civil society groups and NGOs make, it does not represent the entirety of what such groups propose with regards to drug policy. Here it will be shown that drugs policy NGOs and civil society groups' conceptions of an 'ideal' drug policy draw upon emancipatory themes, which include issues of livelihoods, development, political and cultural inclusion, harm reduction, human rights, and perceptions of those involved with the trade. As will be shown, these factors are not mutually exclusive and influence one another in distinct ways. Significantly however, this section will also be concerned with how knowledge of risk and harm as a product of history, social circumstances and culture is reframed and challenged by such discursive interventions by NGOs and civil society groups (Rhodes, 2009, p.199).

5.5.1 Livelihoods and development

As has been noted throughout much of this thesis, many of the objections towards drug policy in Southeast Asia from NGOs and civil society groups are rooted in the argument that the trade provides a livelihood for marginalised groups. Just as the trade in methamphetamine offers a livelihood to disadvantaged youths in Manila, cultivating opium in Myanmar's Shan state allows marginalised groups to carve out some sort of living at high altitudes where other crops cannot be grown easily. Tellingly, despite the emphasis placed on alternative development by intergovernmental agencies such as the UNODC and by states in the region, only one of the survey respondents considered it to be at the core of current drug policy thinking in Southeast Asia (Raffle, 2017). However, the apparent interest in development among states in the region is contested by civil society groups and NGOs, who both question the sincerity of this interest and the way in which most programmes have been implemented. For instance, the Drug Policy Advocacy Group Myanmar (2017, p.2) argue that alternative development must be rendered a 'high level priority', which should be people centered, long term and non-conditional.

The Myanmar Opium Farmers' Forum has been particularly vocal on this issue, holding meetings annually and issuing recommendations both to the Myanmar government and the broader international drug policy community. For instance, their meeting in July 2013 argued that 'government policies to reduce opium cultivation should focus on providing assistance to address the basic needs of the people, as well as to develop infrastructure such as irrigation, electricity and roads' (TNI, 2015, p.2). Around 300,000 households rely on the cultivation of opium in Shan and Kachin states, mostly as a result of poverty (TNI, 2017, p.2). As a result, such forums are also significant as they amplify the voices of the marginalised (Blakeley, 2013, p.604) in policymaking, offering the views of those involved

in the drug trade. For instance, at the 2015 forum, a farmer from Southern Shan State expressed their scepticism about alternative development in the region, arguing:

'Legal crops have no market value, and very few farmers own land to grow other crops. For landless farmers, opium is easy to grow. It is also easy to store and sell since the buyers purchase door to door.' (TNI, 2015, p.4)

It is clear then that most farmers in Myanmar grow opium out of a necessity to meet basic needs, as well for 'health, social welfare, education, and developmental needs...such as repair of roads, bridges, schools, water and electricity supply' (TNI, 2015, p.4). This is essential in remote and mountainous areas such as much of Shan state, as state provision is negligible to non-existent. Added to this, there is limited access to land and a real absence of viable employment opportunities. The Farmers' Forum in 2016 (TNI, p.1) was also at pains to highlight how their practices were small scale and were intended to meet basic needs:

We grow opium because we are poor and do not have other livelihood opportunities to feed our families and send our children to school, as well as for medicinal and traditional uses. We are not involved in the drug trade, we are not criminals, and we are not commercial farmers. Some of us also grow it for traditional and medicinal uses. It is important to differentiate between smallholder farmers like us, and those people who grow opium commercially and/or who invest in it.

As a result, farmers often emphasize the importance of development ahead of eradication, with one such farmer from Southern Shan State suggesting that 'without proper alternative development programmes, there should be no eradication of opium' (TNI, 2015, p.7). This is demonstrative of how those at the bottom of the drugs supply chain bear the risk and the brunt of current approaches to drug policy, and have little access to the rewards of abiding by or breaking the law. This also has notable transnational dimensions- farmers are acutely aware of the international scrutiny their opium production brings, with another farmer noting that 'US President Obama said the Myanmar government should enforce its drug eradication programmes' but argued that 'it would be better if he urges the government to emphasise developmental approaches rather than eradication' (TNI, 2015, p.7). Overall this is rooted in a widely held belief among farmers that 'very few of us have so far benefitted from Alternative Development programs' (Myanmar Opium Farmers Forum, 2015, p.4). Part of the reason for this is that there is very often no market for substituted crops, such as ginger and garlic, and the infrastructure to transport such goods to markets quickly enough is also lacking (TNI, 2015, p.7). It is notable that Thailand had some success in eliminating

opium broadly though addressing the needs of the population, whilst developing value chains and market access for farmers who had adopted alternative crops (TNI, 2017, p.5). This was not without problems however, with alternative crops generating issues such as access to water. For instance around Doi Inthanon in Chiang Mai, Hmong farmers had turned to farming cabbages in the place of opium, requiring massive land clearance and water stocks, which resulted in water shortages in the lowlands (Boyes and Piraban, 1991, p.93). In addition to this, one could also question the real success of the Thai substitution program when in reality the balloon effect led to increasing cultivation in Myanmar.

Significantly, such claims of a need for development from the Opium Farmers' Group are also deployed in combination with advocacy for harm reduction approaches. The Drug Policy Advocacy Group Myanmar argues that evidence from around the world demonstrates that 'policies grounded in public health, human rights and development, can yield an impressively wide range of benefits'. Such benefits include the obvious improvements in health, the support of livelihoods, as well as the reduction of drug related crime and hence the strain on the criminal justice system. This represents a clear rejoinder to Miller's (2001, p.173) argument that harm reduction leaves power where it is by not questioning the 'underlying reasons for drugs' current legal status'. Overall, the emphasis placed by civil society groups like the Opium Farmers Forum demonstrates that they contest current drug policy as it does not address the 'root causes' of why people turn to illicit cultivation (TNI, 2017, p.1). This marks an important discursive intervention as it shifts the focus away from disciplinary measures exacted on the poor towards those that would incentivise alternative behaviours.

Whilst clearly the content of livelihoods for those involved in the drug trade in the Philippines and Thailand are slightly distinct from those in Myanmar, similar arguments can be made. For instance, in a joint letter to Philippine Rodrigo Duterte, the Asian Network of People Who Use Drugs (ANPUD, 2016), they argue that 'it is very important to alleviate poverty and marginalisation, and to promote inclusive communities' as 'drug use in the Philippines is particularly visible among the poor'. Lasco and NoBox Philippines (2018, p.7) similarly highlight that methamphetamine (*shabu*) use for young men allowed them to work longer and take on work in the informal economy. Further, the subjects of Lasco and NoBox Philippines's (2018, p.12) study also made a distinction between addicts and those who use it to make them more energetic and alert, usually market vendors, trucking assistants and pedicab drivers. This mirrors patterns in Thailand, where the name for methamphetamine was initially called the horse drug (*yama*), as it allowed users to work for longer and was

popular among long distance bus and truck drivers, as well as manual labourers (Phongpaichit and Baker, 2004, p.158).

5.5.2 Positions on decriminalisation and legalisation

An important element of the arguments made by civil society groups often relate to decriminalisation or legalisation as a means by which to reduce drug related harms. In response to the Kuala Lumpur Declaration of the ASEAN drug Free Target in 2015, a wide range of Southeast Asian NGOs and civil society groups outlined their vision of drug policy at the International Harm reduction conference in the same year. Included in the list of signatories was the National Drug User Network, Myanmar, the Ozone Foundation, Thailand, the Urban Poor Resource Center of the Philippines, the Welfare Association of Recovering Drug Users and Akei – Drug Policy Program, Philippines. The signatories stated the following objective in their final joint declaration:

Decriminalise/depenalize use and possession of illicit drugs, beginning with reducing penalties for use and possession of small amounts of drugs and including the removal of judicial corporal punishment, in order to decrease the load of congested prison systems and redirect people who use or are dependent on drugs to more appropriate services (e.g. information, education, health, counselling, treatment, etc.)

This sentiment was subsequently echoed by respondent 2 (2017) to the survey, who agreed with the notion of partial legalisation and similarly highlighted that ‘opportunities could be less punitive’ and ‘prison sentence for the young drug users [could be reduced as a result]’. As another survey respondent (Respondent 3, 2017) outlined however, the above should not be misinterpreted as advocacy for the legalisation of such drugs. Respondent 3 (2017) went on to note that most governmental and NGOs ‘do not understand (or do not agree on) the differences between de-penalisation, decriminalisation, legalisation and regulation’. Whilst the complexities of every possible policy option will not be considered in great detail here, even the suggestion that narcotics be decriminalised in a minimal sense represents a radical position in the Southeast Asian context. As the same respondent (3, 2017) noted, whilst they agreed in principle with the ‘partial legalisation’ of drugs such as methamphetamine, it would depend ‘on exactly how this would be done’. Likewise, respondent 5 (2017) argued that ‘I am not sure if we can pick and choose one drug over the other when it comes to regulation but I support regulation in general so this may open doors for Thailand in other areas of drug law reforms’.

As a result of the support among civil society groups and NGOs for some form of policy change towards decriminalisation, it is worth noting the ways in which such groups framed the reasons why this may be beneficial. As mentioned briefly above, the carceral state is one reason offered by civil society groups and NGOs for the need to rethink drug policy. As the Harm Reduction Conference declaration (2015, p.6) cited above highlights, in the Philippines 60% of people are in jail for non-violent offences, and 99% of those are still awaiting sentencing. Such patterns in Myanmar and Thailand are also highlighted by these groups. Corruption is another justification offered by such civil society groups, with 50% of survey respondents framing the issue of drugs as one of national security, owing to its influence on institutions and governance (Raffle, 2017). As one respondent (Respondent 3, 2017) outlined:

Production and trafficking in illegal drugs funds transnational crime organisations which are also engaged in many other illegal activities, e.g. trafficking people and in small arms and sometimes also funding of terrorist groups.

Whilst the link between terrorism and drugs trafficking in Southeast Asia is far weaker than that in Afghanistan for instance, transnational crime is significant in the region, as will be explored in the final chapter. Respondent 5 (2017) argued that such a threat is overstated, noting that drugs have:

'been posed as a national security threat however there is no substantial evidence to...prove the claim. There has not been a regime change led solely by the trade of drugs, however it does have some effect in governance such as challenges posed by corruption.'

In effect then, NGOs and civil society groups utilise the notion that trafficking represents a security threat in distinct ways, but always to make a case for changes in governance and policy. They highlight that the issue of corruption sustains the status quo, as it remains in the interests of 'major institutions such as the military and law enforcement' to continue in the way that they have for decades, both for financial reward and the status accorded to them owing to the significance governments place on trafficking.

5.6 Drug Policy as a vector for marginalised voices in civil society

Whilst Clarke (1998, p.25) was able to claim that, by the 1980s, civil society in Southeast Asia was rejuvenated and had transformed the region's politics, commentators today would perhaps

be less sanguine about the ability of such groups to influence political processes, owing to the authoritarian resurgence since the millennium. The extent to which ASEAN's attempts to involve civil society groups in regional governance during this time can also be questioned. Gerard (2013, p.411) notes that although civil society groups attempted to reassert themselves from the late 1990s, the ASEAN Civil Society Conference (ACSC) has witnessed increasing intrusion from states. Gerard (2013) further argues that ASEAN has also sought to institutionalise many of the issues that civil society represented in the past, through the establishment of the ASEAN Intergovernmental Commission on Human Rights, the ASEAN Committee on the Promotion and Protection of the Rights of Women and Children and the ASEAN Committee on the Implementation of the ASEAN Declaration on the Promotion and Protection of the Rights of Migrant Workers. In tandem with this, ASEAN-ISIS has regulated the contributions of civil society organisations, which has curbed most organisations' enthusiasm for the ASEAN Civil Society Conference. Notably, this limited civil society groups' 'ability to contest policy or promote differing agendas' (Gerard, 2013, p.417). Survey evidence for this study bears out this marginalisation of civil society and NGO actors, with a sample of four of six respondents noting that the political environment had made it 'harder to operate' within the last ten years (Raffle, 2017).

Such adverse political environments have thus further entrenched a situation where despite 'meaningful involvement of (affected) communities in policymaking 'serves to increase effectiveness', such involvement 'is very rare in the Burmese context' (TNI, 2017, p.2). This is also regardless of the fact that civil society groups representing people who use and cultivate drugs are well organised and often demonstrate the full spectrum of views on the issue (TNI, 2017, p.9). For instance, in Burma's Shan state vigilante group *Pat Ja San* has sought to take the law into its own hands by arresting drug users and razing poppy fields (TNI, 2017, p.9). Lasco (2018, p.4) also notes similar policy trends in the Philippines, where the 'perspectives, lived experiences, and life trajectories' should be used to 'help policymakers craft a more human and effective program', but are ignored under the current regime.

As a result of this, a regional consortium of civil society groups and NGOs who work on drug issues has come together to contest ASEAN's claims of civil society involvement. In response to the Kuala Lumpur Declaration on the ASEAN Drug Free Target, issued in 2015, several civil society groups¹³ from across the region argued that there was a need by states to foster 'greater involvement of and collaboration in earnest with civil society in order to extend the reach of

¹³ Including the Ozone Foundation cited above, NoBox Transitions, ANPUD and The National Drug User Network Myanmar.

services to vulnerable populations that have been driven away by punitive and stigmatizing measures' (Malaysian Aids Council, 2015, p.2). Specifically, the Third Opium Farmers' Forum (2015, p.1) noted that alternative development programmes, often initiated by international funders, allow little or no input in the 'implementation...monitoring and evaluation of alternative development programmes', which has real effects on policy efficacy. In effect, most civil society groups in the region see the need to implement a 'bottom up' (TNI, 2016) approach to policymaking. This also flows into the related argument often made by civil society groups and NGOs that the current drugs regime is facilitated by the cultural marginalisation of drug producing groups, many of whom are of ethnic minorities. Again, whilst ASEAN made gestures to acknowledge the importance of 'traditional knowledge...medicine' and 'cultural expressions' with regards to the development of the healthcare industry, civil society groups note how this certainly does not extend to issues related to banned drugs. The Opium Farmers Forum (2017) highlighted that as the state cannot provide basic healthcare services, opium is used as a traditional medicine to treat pain, dysentery, malaria and fever. The plant is also considered to be useful for animal husbandry and protection from bad spirits. Whilst the actual health benefits of utilising opium are perhaps questionable, it is demonstrative of a marginalised community's bid to provide at least some level of medical treatment, even if this is in the form of a placebo.

In the survey data gathered from a large international human rights NGO, they raised several similar points in noting that 'members of ethnic minorities, especially those who are poor and live in marginalized communities, may be particularly subject to discrimination in the context of drug policies' (Respondent 6, 2017). They also highlight the discrimination towards groups who may not be ethnic minorities, such as 'children living and/or working on the street, persons with psychosocial disabilities, pregnant women, migrants, LGBTI individuals, sex workers and homeless people' (Respondent 6, 2017). Whilst it may be difficult to argue that such groups have a developed culture of drug use, as mentioned earlier, it does represent a means by which the marginalised seek to be able to work long hours, or cope with difficult social conditions.

5.7 Harm reduction advocacy as a counterpoint to law enforcement approaches

Whilst not explicitly referred to as harm reduction, the outcome document of the UN General Assembly Special session on Drugs held in April 2016 demonstrated several nods in its direction. Specifically, the UNGASS (2016, p.6) document stressed the need for '*voluntary participation of individuals with drug use disorders in treatment programmes, with informed consent*' (*emphasis added*). Added to this, it also highlighted the need to 'prevent social

marginalization and promote non-stigmatising attitudes’ (Ibid). Whilst this clearly stops short of the harm reductionists view of drug use as inevitable, it does at least address questions of voluntary access to treatment and the dehumanisation of users. Moreover, UNGASS did allow a platform for more radical voices in the Interactive Stakeholder Consultation held in February before the main meeting in April, with several contributions from groups within Southeast Asia. For instance, Maria Inez Feria of NoBox Transitions, a Filipino harm reduction group, argued that ‘to punish is to sabotage. Criminalization, compulsory treatment, and isolation do nothing to protect and promote health and welfare’ (NoBox, 2017). Further, she argued that harm reduction ‘simply put, saves lives’ and serves to give ‘back people the dignity that they have lost, that was taken away from them’ (NoBox, 2017). In practice, as outlined by civil society groups response to the Kuala Lumpur declaration in 2015, this would require approaching drug use as a public health issue, diverting people out of the criminal justice system into treatment facilities or harm reduction programmes, whilst allocating ‘sufficient resources’ to do so (Malaysian Aids Council, 2015). In effect then, invoking harm reduction in the context of Southeast Asia is a radical discursive intervention, as it serves to question the very basis for which the drugs regime is founded upon and reimagines it in broadly emancipatory terms. Another essential component of this emancipatory conceptualisation of drug policy is how it should be rooted in the voluntary participation of drug users, rather than surveillance and coercion. Piyabutr Nakapiew (IPDC, 2016) of the Ozone Foundation notes that ‘as someone who has used drugs before...if you’re going to quit...it has to be your own decision’. This was echoed by Verapun Ngammee (IPDC, 2016) who notes that ‘real drug treatment has to be based on individual will’. This is why the UNGASS document represented progress in some senses, as at present as Maria Inez Feria (2016) noted in her preliminary UNGASS speech ‘back home, many are forced- sometimes literally dragged and drugged-into treatment’. Hence rather than representing a form of surveillance medicine as argued by Miller (2001), harm reduction is rooted in individual will- an act of emancipation rather than surveillance. This raises questions of how such harm reduction approaches can be reconciled with prevailing narratives of Asian values, which as discussed in the previous chapter stresses communitarian and society led approaches to addressing social issues.

5.8- Obstacles to harm reduction approaches

Before concluding, it is worth considering the barriers to notions of harm reduction approaches and their implementation. As one survey respondent noted, the tenet of ‘just say no’ is ‘deeply engraved amongst’ ‘policy makers mind’(s) in Southeast Asia, which as a consequence allows little room for the argument that illegal drug use should be treated as inevitable (Respondent 5,

2017). Further, another respondent argued that even where a government may not explicitly oppose harm reduction measures, generally if funding is provided for issues related to drugs, it is invested into 'mass education of say no to drugs and compulsory rehabilitation only instead of harm reduction' (Respondent 2, 2017). Part of the reason for this reticence to support harm reduction is rooted in the notion that it is 'often confused with or considered to go hand-in-hand with advocacy for 'legalisation' of illegal drugs', as two survey respondents also noted (Respondent 3; 4, 2017). As shown above, it is true that many civil society groups and NGOs favour some form of policy reform, ranging from decriminalisation for possession, to full scale legalisation, states and elites in the region clearly conflate these views. Further, as mentioned briefly above, civil society opinion is not united in its support for less coercive approaches. *Pat Ja San*, a group whose name loosely translates to 'fighting against drugs' 'strongly oppose harm reduction interventions such as needle and syringe programmes' and has become infamous for their militaristic approach to drug users in Northern Kachin state in Myanmar (Respondent 2, 2017; Verbruggen, 2016). As an example, a video was circulated on social media by the group in 2015, showing supposed members flogging drug users to discourage their habit (Verbruggen, 2016). Despite some concern with their methods, *Pat Ja San's* aim of eradicating opium use has found some support in the country, with 200 civil society organisations issuing a statement praising their targeting of 'a common enemy of mankind' on which the 'state failed to take effective measures' (Verbruggen, 2016). However, the rise of *Pat Ja San* can also be understood as a community level response to the absence of rehabilitation facilities in the region, in which the group utilise similar methods to compulsory drug detention centres, including prison like 'detox rooms' (Shaw, 2017). As a result, it seems reasonable to surmise that approaches to drugs which have total eradication as their guiding principle still have some public traction within Myanmar at least. Therefore, selling the core argument of harm reduction in taking drug use as normal and expected will require a great deal of public engagement, something currently beyond the resources of generally small and stretched NGOs. In short, whilst international discourses may have shifted slightly, such harm reduction NGOs and civil society groups cannot compete with the resources of the state machinery in their respective states, underpinned by ASEAN.

5.8.1 Penetration of harm reduction discourses in Thailand

Perhaps surprisingly, it is Thailand's military government that has initiated some form of drug policy reform in the region. Rather than utilising the discourses of the 'war on drugs', notions of harm reduction and issues of criminal justice have come to the fore in the country since UNGASS in 2016. The Thai Minister of Justice Paiboon Koomchaya noted that the 'war on drugs

approach' had resulted in 'overcrowding in prisons and inadequate health services' over the past two decades (UNODC, 2016). Consequently, Paiboon suggested that as such approaches 'had not seen results', the Thai government had 'decided to move forward in a different direction, balancing public health concerns and improving cooperation with neighbouring countries' (UNODC, 2016). As mentioned previously, Thailand has the largest prison population in all of Southeast Asia, along with the highest rate of female incarceration, mostly in relation to minor drugs offences (Akbar and Lai, 2017). The 2016 prison population, provided by the Corrections Department showed a prison population of 321, 347, the sixth largest incarceration rate in the world, with around 70% of inmates being jailed for drugs offences (Lefevre, 2016). Whilst the necessity to address issues of criminal justice within drug policy may be driven purely by pragmatic reasons, it does demonstrate a break with past hard-line rhetoric. The parallels with the rates of incarceration in the United States is also striking, demonstrating how such uncompromising rhetoric has resulted in similar problems being replicated in a number of different contexts. As will also be discussed in more detail in the following chapter, incarceration for ethnic minorities and marginalised groups in Southeast Asia also mirrors the situation in the US to an extent.

Significantly, Paiboon's comments in 2016 about the approach of the war on drugs and its failure to address the widespread use of methamphetamine were widely misinterpreted by both local and international media as a call for decriminalisation (Thai PBS, 2016). In reality, Paiboon had mooted the possibility of de-classifying methamphetamine, from a category 1 substance in order to ease the strain on the criminal justice system (Lefevre, 2016). Though Paiboon later clarified that the legalisation of *yaba* would not happen as was widely reported initially, he noted that governments in the region had to think of alternative ways to 'co-exist' with the problem (Thai PBS, 2016b). Whilst this was not as radical as the suggestion by some less influential Thai politicians that the government should legalise and engage with methamphetamine production itself to drive *Wa* pills out of the market in 2000 (Chin, 2004, p.199), it does mark a significant development in a region where states are so closely wedded to the language of the 'war on drugs'. Notably, Paiboon claimed that his perception of the issue had been altered by UNGASS, reflecting how even in contexts where politicians may not necessarily be responsive to public opinion, there is still scope for influencing policy (Charuvastra, 2016). Whilst forced rehabilitation centres may still predominate in Thailand, Paiboon sought to highlight that the aim was not to 'send drug patients to jails because jails are not places where they can be treated' (Laohong, 2016). However, his comments were also situated in the context that 'prevention' and 'suppression' were also essential elements of the country's drug policy in combination with rehabilitation (Laohong, 2016).

Non state drug policy groups have also started to penetrate some key institutions of the Thai state. Harm reduction NGO, *Kamlanjai* hosted a two day conference in January 2017 in which officials from the health, justice and drug control agencies participated (Akbar and Lai, 2017). Critically, the *Kamlanjai* Project also has royal backing, being supported personally by Her Royal Highness Princess Bajrakitiyabha, daughter of King Maha Vajiralongkorn. The significance of this is clear in initiating the process of mainstreaming opinions on harm reduction and lending them royal legitimacy in a context where previously they would have been deemed highly unorthodox. As noted above, whilst there is a clearly discernible gap between rhetoric and practice in the Thai context, some concrete changes have been made. Most notably, in January 2017 amendments to the 1979 Narcotics Act made it so that those who were found in possession of drugs were 'presumed' to intend to sell them rather than 'regarded' to intend to sell them as in the original act (Akbar and Lai, 2017). Other amendments also reduced sentencing and fines for the possession of illicit drugs that do not reach specific quantity thresholds from 4-15 years to 1-10 years, giving judges more scope to be lenient with those convicted (Akbar and Lai, 2017). Whilst reducing sentencing in itself does not necessarily indicate that the Thai state is moving away entirely from repressive approaches to drug users, it does perhaps indicate an acknowledgement that discipline and incarceration are not effective tools in discouraging illicit drug use and dealing.¹⁴ Further, it also gives weight to the argument that through a process of immanent critique, slow and incremental reform of drug policy is possible, even in militarised and conservative political contexts like that in Thailand. This is not to suggest that Thai politicians such as Paiboon necessarily buy into ideas of harm reduction, but rather the pragmatic nature of many policies suggested by the drug policy reform movement facilitates this process of immanent critique.

5.9 Conclusion

This chapter has demonstrated that whilst discourses of harm reduction are radical in the Southeast Asian context, they represent an emancipatory form of immanent critique. As attested to by the final section of the chapter, whilst harm reduction groups have only just started to address prevailing modes of governance and discourses surrounding drugs, such approaches

¹⁴ It is also worth considering that the reforms under the current military government could be driven by a desire to demonstrate a rejection of the policies of political rival Thaksin Shinawatra's and his 2003 war on drugs. Whilst many supported Thaksin's extrajudicial purge of drug users and dealers in 2003, it is possible the military government saw drug policy as a means to demonstrate international legitimacy and competence over populist and extra-legal means. Added to this, the opposition towards extrajudicial killing in the context of the war on drugs from the Bangkok middle classes could be read as being driven by a hatred of the Presidency of Thaksin, rather than concern for victims of the war on drugs.

represent an emancipatory strategy for both reducing the harms to drug takers and addressing issues of poverty and disenfranchisement associated with this. Such groups have also formed arguments relating to the ineffectiveness of coercive approaches, demonstrated by the failure of compulsory drug detention centres to fulfil their stated aims. Further, the failure of nearly fifty years of the war on drugs in the region further bears out Booth's (1991, p.319) argument that 'emancipation', here considered to be approaches rooted in harm reduction and policy reform, 'not power or order, produces true security' both for those associated with the drug trade and wider society. Accordingly, harm reduction envisages the emancipation of users, workers and low-level traffickers as prior to and productive of order within broader society. This consequently represents a quite radical disruption of the notion that power and order can effectively discipline the aforementioned groups into not participating in the trade at any level. However, it is worth highlighting that harm reduction represents a case of immanent critique, as the barriers to the implementation of policies are ideational and moralistic, rather than practical. Implementing harm reduction measures would not necessitate the wholesale restructuring of society and many might argue that neither would the regulation of legal drug markets. In essence, the dissemination of harm reduction practices hinges on the notion that resources committed to reducing drug use and organised crime whilst promoting public health could be spent in more effective ways than more militarised policing and forced detention. The shifting discourses in Thailand have demonstrated how even states who do not necessarily support the driving principles of harm reduction may be able to be convinced to make certain reforms for pragmatic and often material reasons, if the arguments are made at both national and international level. This is, in part, what renders Southeast Asia an interesting case- whilst there is a high level of tolerance for extrajudicial killing for drug offences among the general populations, such narratives can be pushed in the direction of more emancipatory policies by making the case for pragmatic and cost saving measures, such as reducing the sentencing for drug offences.

Ultimately, harm reduction measures are realistic and have been implemented in a number of countries around the world (Portugal and Switzerland standing out as prominent examples and some states in the United States legalising consumption of marijuana) with significant successes in terms of public health. Civil society groups and NGOs have also sought to engage the global donor and development community by demonstrating how current practice is not responsive enough to the needs and lived experiences of those affected by wholesale policy change. Whilst crop substitution may be plausible in theory, civil society groups have demonstrated how it can undermine the rights of farmers and ultimately lead to their disenfranchisement rather than emancipation. Perhaps most significantly however, civil society groups and NGOs in the region

demonstrate how there is an appetite for bottom up policy reform, rather than the generally top down elite project of the war on drugs. As will be shown in the following chapters, some penetration into elite discourses in Thailand is perceptible by the policy reform agenda as demonstrated by the recent discussion to reschedule methamphetamine.

Annex 1-

To maintain the anonymity of the survey respondents used in this chapter, each respondent was numbered in the data above. Responses were collected both via online platform Online Surveys (formerly Bristol online surveys) and through email correspondence with participants. Once responses were downloaded, any identifying features were removed and a unique code was given to each response, which allowed them to be differentiated. The requirements for ethical review are included within the proposal chapter.

For sections where respondents answered multi choice questions above, the citation (Raffle, 2017) was opted for, as identifying the individual answer from each respondent was not necessary. Where individuals have referred to the organisation they work for by name, this has been redacted and replaced with appropriate terminology, such as 'our organisation'.

Chapter 6- State Vigilantism- war, fear and extrajudicial killings in Thailand and the Philippines

This chapter makes the case that existing typologies of political violence and state terrorism do not capture the character of extrajudicial killings in the context of the wars on drugs in Thailand and the Philippines. Consequently, 'state vigilantism' is proposed as a distinct typological category which addresses this lacuna, and this chapter further refines and explicates the concept with reference to the drug war in Thailand and the Philippines. It will be shown that state vigilantism is distinct from forms of targeted killing and pure vigilantism, as it is biopolitical in form, rather than strategic in the conventional sense, as it attempts to discipline vital aspects of human life, with no expectation that it will disrupt the criminal networks that it purports to. Due to the fact that in the context of the war on drugs state institutions become, or have long been discredited and perceived as illegitimate in their exercise of power, extrajudicial killings represent a bid to attempt to discipline populations utilising terror and fear. Further, as legitimacy and the rule of law is unachievable in such contexts, the driving strategy is to make the close association between involvement with drugs and the possibility of death over justice. Thus, killings are not intended to be strategic in the traditional sense, but cautionary. Despite Duterte's claims, there is no way that the Filipino state could kill all potential drug users and drug dealers in the country, but instead the logic of state vigilantism is driven by the intent to instil fear, rather than respect for authorities.

State vigilantism serves a dual role that is both disciplinary at a domestic level, whilst obscuring the question of legitimacy on an international one. It is widely suspected and generally accepted that such killings are committed by police at a domestic level, but the degree of doubt and the lack of a clear line of responsibility allows the government to claim that such killings have been committed either in self-defence or by unaffiliated vigilante groups. Thus, the case will be made here that the state vigilantism approach adds value by indicating the biopolitical patterns of discipline and surveillance that have become normalised in state and society relations in the context of the war on drugs. Whilst such patterns have become normalised on an internal level, they have not been on an interstate level, indicating a disjuncture between how the popularity of certain policies interact with understandings of legitimacy and thus sovereignty. Although notions of targeted killing may use imminent danger and risk as their legitimising prop, here it is suggested that state vigilantism uses the justification of indirect danger, and occasionally makes claims of popularity, which is simultaneously underpinned by fear. As Chalmers and Marshall (2016) note, many in the Philippines have chosen not to speak out for fear of reprisal and fear of being accused of involvement in the drug trade. One of the most vocal critics of the

drug war, Senator Leila De Lima, was detained from February 2017 for drug related offences, charges that are widely believed to be fabricated (Human Rights Watch, 2019), demonstrating how even those in the international public eye are not safe from the drug war fervour.

Here, both the Thai and Filipino wars on drugs will be used as case studies, as they are illustrative of how regimes of truth have been deployed to legitimise such violence, but also offer interesting parallels as to how states utilise violence for political ends. Overall, this chapter will account for the question of how and why states utilise state vigilantism as a means to achieve their policy aims as part of the war on drugs. As a result, there is a need to demonstrate how both case studies fit the model for state vigilantism and how this has manifested itself in anti-drugs campaigns in both countries. Although the question of why such approaches are opted for is clearly difficult to prove beyond all doubt, here it will be suggested that states utilise such approaches due to the institutional weaknesses outlined above as part of a broader attempt to discipline society. An essential element of this disciplinary process is the biopolitics of risk management and what Feldman (1997) refers to as 'scopic regimes' which it will be argued here legitimise killings of drug suspects without any due process and operate as a form of violent communication themselves. Consequently, this chapter makes a contribution to the literature on typologies of state violence, and further develops the concept of biopolitics and risk when applied to organised criminal activities like drug trafficking.

6.1 Existing models of state violence

As mentioned earlier in this thesis, whilst there is a small corpus of work on the role of vigilantism in local politics (Tankebe, 2009; Telle, 2013; Sundar, 2010), there have been no real attempts to directly relate this to the strategies of the war on drugs. If vigilantism represents a bid to 'control crime or other social infractions by offering assurances of security both to participants and to others' (Johnson, 1996, p.220), what of vigilante killings where the threat that the victims pose is not altogether clear, as in the case of drug users in the Philippines and Thailand? Whilst Rosembaum and Sederberg's (1974, p.554) category of 'official vigilantism' may be closer to the strategies seen in both the Thai and Filipino wars on drugs, they define this as a situation where the state may give tacit approval or sympathy to vigilantism. However, it will be shown that this does not capture the state orchestrated character of extrajudicial killings, which will be demonstrated. In order to supplement the case for 'state vigilantism' as a typological category of state violence, this chapter will demonstrate the 'purposive, planned selection, abstraction, combination and (sometimes) accentuation of a set of criteria with empirical references' (Marsden and Schmid, 2011, p.158). Initially however, this section will firstly demonstrate what the current literature on forms of state killing does not capture about the Thai and Filipino case studies discussed.

Despite the fact that political assassinations have a very long lineage, prior to the United States inauguration of the war on terror in 2001, targeted killing had generally only been used as a counterterror measure by Israel, and was generally condemned for doing so (Statman, 2004, p.180). However, post 9/11 the United States has also acknowledged targeted killing operations in a wide range of countries, from Somalia to the Philippines (Kessler and Werner, 2008, p.290). As Grayson (2016, p.39) notes, often targeted killing has often been justified as being a form of 'anticipatory self-defence', although whether it is legitimate to apply this reasoning to non-war contexts remains contested. As David Kretzmer notes (2005, p.174):

The states involved claim that such killings are legitimate means of fighting the 'war on terror', whose legality must be judged on the basis of the laws of armed conflict; those who label these killings 'extra-judicial executions' rely on a law-enforcement model of legality, which rests primarily, though not exclusively, on standards of international human rights law.

Within the context of this thesis, the 'war on drugs' has been referred to owing to its use as a rhetorical device. However, it clearly bears few, if any similarities to legal understandings of war. As O'Connell (2006, p.537) outlines, to be considered a war, two or more parties must be engaged in organised, protracted and intense armed hostilities, which while possibly applicable to intensely violent conflicts between cartels and states in the 1990s in Columbia for instance, is not the case here. Owing to the largely violence free nature of drug markets in Thailand (Windle, 2016, p.10), and the lack of a challenge to the state by drug producing groups in the Philippines, neither context can be considered to be a genuine war. However, as will be discussed in the following chapter, the rhetoric of war facilitates the sort of extrajudicial violence under discussion in the following pages. As Kessler and Werner (2008, p.304) argue, framing the fight against terrorism as war had the effect of introducing a logic of 'radical uncertainty' whereby political discretion allows a broader range of responses. Bigo (2006, p.6) labels this the 'management of unease' and notes how this has led to the 'transformation, the criminalisation and the juridiciarisation of the notion of war'. Whilst in most cases the war on drugs is not considered to be as severe a threat as that of terrorism, the construction of threat and uncertainty in both the Thai and Filipino contexts were instrumental in legitimising extrajudicial killings.

Occasionally drug production has come become involved in the war on terror, with the United States in 2009 placing fifty Afghan drug traffickers with links to the Taliban on a 'kill list' (Gallahue, 2010, p.16). In doing so, the American government essentially gave civilians the legal status of insurgents owing to their potential to finance and therefore facilitate the activities of the Taliban, rendering them enemy combatants. Although in almost all other contexts, such

figures would be considered criminals though models of law enforcement outlined above, a similar logic is at play in the wars on drugs in both Thailand and the Philippines. As will be outlined in the following chapter, both countries sought to make the case that drug trafficking represents a grave threat not only to the security of individuals, but to the future of the country. As a result, the risks that deviant individuals pose to society are presented as akin to those of terrorist organisations whose challenge to the state is more directly political and therefore violent.

6.2 Risk and targeted killing

Drawing upon Aradau and Van Munster (2007), Kessler and Werner (2008, p.290) argue that practices of targeted killing flow from the 'logic and precaution' which moulds contemporary security policy. By being guided by a logic of 'radical uncertainty', states make recourse to semantics of 'risk, danger and particular, precaution' in the context of the war on terror (Kessler and Werner, 2008, p. 290). Significantly, this blurs the distinctions between political and legal categories of public and private, peace and war, thus restructuring the relationship between political responsibility, time and security (Kessler and Werner, 2008, p.290). Similarly, Bigo (2006, p.6) observes a 'governmentality of unease', which is generally characterised by 'practices of exceptionalism, acts of profiling and containing foreigners, and a normative imperative of mobility'. Such unease, or uncertainty, allows individuals to be 'killed on the basis of informal determinations of responsibility, unchecked characterisations of immanent threats and disputed status under the laws of war' (Kessler and Werner, 2008, p.191). However, in the case under consideration here, as mentioned above, the purported risks to society are altogether more nebulous. This, in addition to the relative paucity of data on the effects of drug trafficking and use in Thai and Filipino societies, allows governments to improvise. This results in outlandish claims about the younger generation being destroyed cognitively, through to the risk of them becoming a 'narco-state', a topic which will be discussed in greater detail in the following chapter. As Kessler and Werner (2008, p.293) note, 'risk is not a thing' which exists independently of 'human practices or social relations', so must be constructed to justify the use of logics of radical uncertainty. Discussing wider health policy, Rose (2001, p.9) terms this acting 'actuarially' or 'insurentially' upon the population at large, utilising probabilistic and epidemiological knowledge to produce risk pools. However, rather than deploying this knowledge for the means of healthcare intervention, it is argued here that such probabilistic and epidemiological considerations, as well as calculations on supposed risks of individuals are utilised in the context of the war on drugs to justify extrajudicial killings. As the actual guilt of drugs suspects cannot be determined categorically, such informal calculations replace the process of law in justifying extrajudicial killings. Whilst the state's intent is surely at least in part

to punish, the apparent high level of error in killing those who either are not involved with drugs, or are simply poor low levels users, attests to the fact that disciplining of the poor and deviant is an essential element of the campaign strategy. As will be discussed later, if the intention was to eliminate organised crime entirely, one would expect to see a greater level of high-profile arrests, which have been rare in both the Thai and Filipino cases.

Although there may be some debate about the extent that targeted killing is permitted by international law, it is clear that many states kill extra-judicially either through covert means, or semi-autonomous death squads. In spite of this, Johnson and Fernquest (2018, p.2) argue that extra-judicial killing remains an understudied subject within punishment scholarship, and even more so in international relations. Further, they note that though extrajudicial killing is often referenced by scholars and the policymaking and NGO communities, little consideration is given to how extrajudicial killing functions as a form of social control in contexts that are not WEIRD-Western, educated, industrialised, rational or democratic (Johnson and Fernquest, 2018, p.2). With reference to the Philippines, this sentiment is echoed by Kreuzer (2016, p.1), who notes that ‘extrajudicial police vigilantism involving killings by on-duty police officers that are masked as “legitimate encounters” with criminals’ are a ‘vastly under researched phenomenon’. Whilst such killings are not exclusive to the Philippines or Thailand, they have generally been analysed as part of the small body of literature on death squads. However, as will be shown, although such literature can offer some fruitful comparisons and lenses to analyse the cases here, it remains limited and does not capture some of the fundamental aspects of such killings in the context of the war on drugs.

Like Brazil, which represents a major source for many studies on extrajudicial killings by paramilitary forces (Scheper-Hughes, 1997), both Thailand and the Philippines have a long history of death squad killings. Further, as with death squad killings in Brazil, in the past most such killings were politically motivated. The *Alsa Masa* (Hedman, 2002) in the Philippine city of Davao in Southern Mindanao and the *red gaurs* and *Nawaphon* in the north of Thailand both formed primarily to root out communism (Bergin, 2016, p.29). In Brazil from the 1960s until the 1980s, ‘just the rumours of ‘death squads with ties to military police’ were enough to terrify the urban poor into ‘passivity, compliance and silence’ (Scheper,-Hughes, 1997, p.479). Whilst Scheper-Hughes’s (1997) concept of a genocidal continuum of ‘small wars and invisible genocides’ is one which is perhaps applicable to the cases under discussion here, the important difference here is that such killings in Thailand and the Philippines were deliberately orchestrated, celebrated and broadcasted to the public by the organs of the state, rather than undertaken quietly. Although there is extensive evidence to show that many Brazilian death

squads are comprised of both serving and ex-policemen, the central state has not generally been outwardly supportive of their actions. For instance, in 1993 the killing of seven homeless street children by gunmen, said to be policemen, was unequivocally condemned by the administration at the time, with Brazil's then president Itamar Franco declaring himself to be 'horrified' by the incident, and the secretary of the centre outlining the problem of 'impunity' amongst the police (Brooke, 1993). Whilst in practice the military regime of the 1960s and 1970s treated such street children as a threat to social order, even they attempted to pass assistance-oriented programmes which viewed them as marginalized (Deweese and Klees, 1995, p.83). This in practice is markedly different to the wars on drugs campaigns under discussion here, as in both cases the government deliberately constructed the apparent threat of drug trafficking, use and users, and subsequently orchestrated violence, which they attempted to claim was the work of either the people as vigilantes, or gangs.

Scheper-Hughes (1997, p. 476) notes that between 1988 and 1990, 5,000 children and youths, most of whom were poor, illiterate, black men from the favelas and roving bands of street children were killed by local paramilitary death squads. Whilst the central government was not active in constructing the threat Scheper-Hughes (1997, p. 476) outlines how:

'local newspapers continued to circulate stories about the 'dangerousness' of shantytown dwellers and of criminalised youths and of drug addicted street children. Such rumours made the dirty work of private death squads seem a rational - even a necessary- defence against the anarchy of the favela'

Like the wars on drugs campaigns in Thailand and the Philippines, the narrative offered by the media was that such killings were generally well received by the general public. This stands in distinction to other campaigns of extrajudicial killing, such as the 'encounter killings' undertaken in Kashmir by the Indian state, which resulted in mass demonstrations in 1990 and 2007 (Duschinski, 2010). As a consequence, the following section will offer some possible reasons for why so many ordinary citizens support extrajudicial killing. One such reason, which is often raised by citizens in the Brazilian case is the lack of 'access to justice' for those accused of minor crimes and the length of time that it can take for cases to go to trial (Williams, 2009). As will be outlined this also plays into how state vigilantism offers a politically attractive rejection of the perceived bureaucracy and inefficacy of conventional (and legal) approaches to drug trafficking.

6.3 State vigilantism

As Abrahams (1998, p.3) argues, much of the attraction of vigilantism lies in the notion that 'decent law-abiding citizens, anxious to live and work in peace' become tired with the inefficacy

of the state and take measures into their own hands. Further, vigilantes often also lay claim to the state's own 'mantle of authority' which is viewed as ineffective or corrupt, even if only for a short time (Abrahams, 1998, p.9). Whilst Kreuzer (2016) refers to 'state initiated and sponsored vigilantism' in the context of the Philippines, it will be argued that 'state vigilantism' better captures the essence of the Thai and Filipino wars on drugs. This is because state vigilantism suggests that, as well as being state sponsored and initiated, it is also often given the appearance of pure vigilantism. State vigilantism thus serves a dual purpose, both internally and externally. Internally, the reality of police killings is intended to be disciplinary to those on the margins of society, whilst externally the outright rejection of the notion that such killings are state orchestrated (despite a large corpus of evidence) allows the state to conduct relations with other generally liberal and Western states as usual. As is argued by Gallagher, Raffle and Maulana (2019), despite some protestations from the EU in 2016 about the drug war, the Philippines relations with other countries have continued as usual. This is despite a number of cases being presented to the International Criminal Court that argue that Rodrigo Duterte's government has been committing crimes against humanity in its execution of the war on drugs. The internal or domestic role of extrajudicial killings draws upon a similar logic to that which Grayson (2012, p.125) suggests targeted killings do, in that they represent a 'symbolic communication that attempts to alter the behaviour of populations in ways that will make them more amenable to governance'. Whilst Grayson (2012, p.125) argues that the methods of targeted killing in the context of Western global counter-insurgency campaigns to convey omnipotence and omniscience reflects weakness, a similar argument is made here about both the Thai and Filipino states. The following section will outline how the corruption and inefficacy of both the judiciary and police result in a lack of trust in both from the general populations. Therefore, radical measures which bypass both are often celebrated, even if this is at the cost of the rule of law and human rights protections. It will be shown that by undertaking such killings, 'extermination evokes the spectacle of sovereign punishment' and thus compels 'conformity of the disciplinary norm' (Grayson, 2012, p.121).

It is argued here that state vigilantism, as applied to the Thai and Filipino case, exhibits the following five features. Firstly, state vigilantism refers to intense periods of violence where several thousand victims are killed; whilst the campaign in Thailand lasted around a year, the Philippines has been ongoing since Rodrigo Duterte's election in 2016. Secondly, this violence is facilitated by a political climate which seeks to undermine at best, and at worst, dehumanise the target group, whilst simultaneously emphasizing their risk to society. This political climate is fostered by the central state. Thirdly, and perhaps most importantly, in cases of state vigilantism there is strong evidence to suggest that killings are orchestrated and condoned by the state. Because of this, state vigilantism can be considered to be a crime against humanity, as argued by

the author elsewhere in Gallagher, Raffle and Maulana (2019). Fourth, a crucial element of such state involvement is denial- killings are almost always argued to result from legitimate 'encounters' with the police, vigilante groups or gangs seeking to clear up potential witnesses. Finally, like pure vigilantism, the aim is to make killings as visible as possible in order to underline their disciplinary function. As will be argued later, unlike other targeted killings which are often covert in nature, the broadcast of images of the victims of the drug war have been shown locally and internationally with little attempt to suppress this. Finally, though this may not be applicable to other cases of state vigilantism, in the contexts here the aim is to discipline society to alter their social, rather than political behaviour, again much like genuine vigilantism. Involvement in the drug trade is generally not considered to be a political act, and is primarily driven by economic and social reasons.

Before proceeding, it is necessary to note the limitations in referring to the Filipino or Thai state as monolithic. In Thailand's case, though the 1997 constitution had laid the groundwork for a greater degree of decentralisation, under Thaksin this was reversed, with the notion of 'CEO provincial governors' reinforcing the tradition of a strong state (Bowornwathana, 2005, p.47). Against this backdrop, Thailand's vibrant civil society groups of the 1990s were increasingly presented as enemies of the government (Bowornwathana, 2005, p.48). Despite the centralised nature of the Thai state, both the military and police maintained a degree of independence from successive governments, allowing them to manage internal security issues (such as that of communism) in a way they saw fit (Sidel and Hedman, 2005, p.176). In addition to this, a great deal of power is still held by so called *jao poh* or 'godfathers', who command votes in rural constituencies, whilst holding a number of business interests related to state policy, including mining, transport and the accumulation of property wealth (Sidel, 2005, p.7). Occasionally, such figures are also involved in illegal activities such as the drug trade, gambling and smuggling. As a result of the power that such rural *jaopao* hold, Sidel (2005, p.8) argues that it suggests that the subordination of the state to such elected officials which creates such local bossism.

The concentration of local political power in Thailand is also comparable to the Philippines. Whilst bureaucratisation and centralisation came to Thailand earlier, in the Philippines, a degree of democratisation and decentralisation were realised first (Sidel and Hedman, 2005, p.175). The structure of American colonialism in the Philippines meant that upon independence, the coercive and extractive agencies of the state were under private control by local elected officials. This facilitated the growth of 'political clans', who similarly dominate power in local areas through control of extractive industries, transport and illegal activities, much like their Thai counterparts (Sidel, 2005, p.3). Such 'peculiar institutional structures of the state' (Sidel, 2005, p.3) continue today, and influences how the police and security forces behave as a political unit.

The structure of the Philippine National Police (PNP) is influenced by the three-tiered system left by the United States. This left a metropolitan force for Manila, a thousand separate forces for other cities and areas, and the Philippine constabulary for the provinces, which was a paramilitary force (McCoy, 2009, p.373). Significantly, under colonisation, the Philippines constabulary was used by the United States to subjugate populations through its combination of military training and police power (McCoy, 2009; Varona, 2010, p.101). Subsequently, during Martial law, President Marcos placed the national police force under the control of the Constabulary, which served to further fuel the corruption and politicisation of the police (Varona, 2010, p.101). Although the creation of the Philippine National Police in 1990 attempted to address these problems by proposing a truly civilian force, in practice the same issues persisted (Varona, 2010, p.102). Most notably, the 1987 constitution grants the president power to appoint all senior military and police ranks, allowing the cycle of patronage and politicisation to continue (Varona, p.105). For instance, at the beginning of his presidency, Duterte hand-picked former Davao City Police Office Director Ronald dela Rosa as his Director General of the police (Tejano, 2016). This in part explains why governmental policy was uniform between the police and office of the president. Dela Rosa also went on to successfully run for the senate with Duterte's party PDP-Laban in the mid-term elections in May 2019 (Ranada, 2019). Provincial politicians are similarly granted the power to control the police assigned to their jurisdictions, meaning that effectively they are granted quasi-executive powers (Varona, 2010, p.109), much as Duterte was able to run the so called Davao Death Squad whilst holding office as Mayor of Davao. Below the police there is also the *barangay* Justice system, whereby the *barangay* chairman nominates area leaders, who in turn appoint guards, who are responsible for lower level enforcement at the local level (Jensen and Hapal, 2018, p.44). If such area leaders and guards cannot resolve issues locally, or the crime carries a sentence of more than one year in prison, the issue is referred to the PNP (Jensen and Hapal, 2018, p.44). This demonstrates how when the system of law enforcement in the Philippines is disaggregated, it is clear the number of levels at which targeted killing could take place and how the politicisation of the police can render them a tool of local power brokers. Further, whilst there is a level of unity between executive decisions and the institution of the police, it remains possible that in some cases the decision to undertake extrajudicial killings was a largely autonomous one, owing to the level of decentralised power. That said, whilst the effect of dominant political discourses upon such actors is unknowable, it cannot be disregarded that Duterte directly urged people that if they knew any 'addicts' they should 'go ahead and kill them yourself as getting their parents to do it would be too painful' (Guardian, 2016). Discursively giving the power to kill to citizens who may also have an informal role in local law enforcement further underlines the need to interrogate the concept of state vigilantism further.

6.4- Institutional failures as a justification for state vigilantism

As Johnson and Fernquest (2018, p.15) outline 'most Filipinos believe there is little justice to be had from its 'injustice system', with the judiciary in 2018 experiencing a backlog of around 600,000 cases. Further, under Rodrigo Duterte's predecessor Benigno Aquino III, only around 25% of cases ended in conviction, fuelling the perception of the justice system as 'ineffective, inefficient and corrupt' (Johnson and Fernquest, 2018, p.15). As Johnson and Fernquest (2018, p.15) suggest, such failings seem to lie at the 'root of broad acceptance of Duterte's drug war'. Thailand is little different from this, with the largest prison population in Southeast Asia, and a similarly overburdened and often politicised judiciary (Akbar and Lai, 2017; Thompson, 2017). The World Justice Project's annual Rule of Law Index (2017, p.11), scores the effectiveness of criminal justice systems on the criteria of effective investigations, timely and effective adjudication, effective correctional systems, no discrimination, no corruption, improper government influence and the due process of law. Both the Philippines and Thailand perform particularly badly, with the former ranking 102 of 113 countries and the latter being placed at 72. Myanmar is also ranked poorly at 100th of the 113 countries analysed (WJP, 2017, p.115). Significantly, out of a maximum score of 1, for the effectiveness of their correctional systems, Thailand scores 0.27 and the Philippines 0.17 (WJP, 2017, p.145, p.125). All three aforementioned countries are also deemed to be 'highly corrupt' by Transparency International (2017), owing to the extent of bribery, the diversion of public funds, the use of public office for private gain, nepotism within the civil service and state capture. This is significant, as an important element of the Philippine government's justification for the war on drugs is the notion that the country may become a 'narco-state' if action is not taken (UN Human Rights Council, 2017, p.2). This notion of the war on drugs as bitter medicine for the country is one that has surfaced in the Philippines before, with commander of the Davao City Metropolitan Command General Calida coining phrases such as 'harassment for democracy' in order to justify the activities of the *Alsa Masa* (Abrahams, 1998, p.129). Corruption in the Philippines is not necessarily driven by drug trafficking, but rather the political economy of local politics. Hutchcroft (1998, in Quimpo, 2009, p.337) argues that the Philippines represents a patrimonial oligarchic state, where a weak state is preyed upon by a powerful oligarchic class'. Further, Diamond (2001, p.17 in Quimpo, 2009, p.338) suggests that corruption is the principle means by which state officials extract wealth from society, through purchasing access to resources whilst ensuring immunity from taxes and the law'. Consequently, drug trafficking simply represents another item on the list of potentially lucrative endeavours for corrupt officials and local strongmen. This also raises questions of whether justice by any means represents the test

of a legitimate state, stemming from a consequentialist ethic where justice comes about through authoritarian biopolitical interventions.

The overall effect of such corruption and ineffectiveness in the judicial system is that associated institutions are generally not trusted in Thailand and the Philippines. Zheng-Xu Wang (2013, p.5) notes that generally in democracies un-elected institutions such as the courts, civil service and police experience higher levels of trust, whilst the inverse is true in non-democratic contexts. As the wars on drugs in both Thailand and the Philippines were undertaken by democratically elected leaders, one may expect levels of trust to be relatively high in the police and courts. However, *Asian Barometer* surveys carried out between 2010 and 2012 showed that only 54 and 57% of respondents had 'somewhat or a great deal of trust' in the police in the Philippines and Thailand respectively (Wang, 2013, p.27). This is in comparison to 77% in China, 83% in Singapore, 87% in Vietnam 69% in Malaysia and 65% in Indonesia (Wang, 2013, p.27). Coupled with this, the level of trust within the courts system is also markedly lower in Thailand and the Philippines than the other countries mentioned above (Wang, 2013, p.27). This, at very least, offers some insight into why radical solutions such as the extrajudicial killing of drug suspects is supported to some extent- such is the listlessness of the legal system, citizens have very little faith in its ability to mete out justice. As what may be termed 'law and order' candidates, both Thaksin and Duterte took this lack of faith in the police as arbiters of justice, and instead of trying to dispel this or reform, used their poor reputations as a source of fear. Although this was coupled with a campaign against corrupt police who may be involved in the drugs trade, in practice the numbers of those caught was negligible in both cases. For instance, while the Philippine Drug Enforcement Agency have admitted at least 5,050 drugs suspects have been killed thus far, only 66 uniformed personnel have been arrested as part of this (Tomacruz, 2018). It is also worth noting that the Philippine Drug Enforcement Agency's (PDEA) estimate of killings is highly questionable- rights groups and opposition politicians put the total nearer to 20,000 (Ghani, 2018).

6.5 Interrogating public opinion

In both the Thai and Filipino cases, public support for the campaigns was reported to be uniformly high by both local and international media outlets (Cabato, 2019; Bionat, 2016; Reuters, 2019a, Phongpaichit and Baker, 2004, p.166). This could have played a role in underlining the legitimacy of state vigilantism, but with the added complexity that the government may claim that public support legitimises their sovereign right to kill, but internal and external legitimacy is also compromised if they are proved to have clear links to such killings. However, the broader image of the popularity of the drug wars is based upon polling data, which can be reductive in its explanatory ability, and may only give an overview of

opinions at a particular moment in time. For instance, a person may support the aims of the war on drugs, but not the methods of extrajudicial violence, thus complicating the issue of whether they broadly support the anti-drugs campaigns in the cases under discussion here. Similarly, a voter may not be concerned by the war on drugs, but a fervent supporter of Thaksin or Duterte, so feel the need to voice approval for the policy. As Risse-Kappen and Sikkink (1999, p.2) note, states are not black boxes and thus how widely accepted norms influence individuals' views merits further analysis. Accordingly, Fonbuena (2017) points out that whilst support for Duterte's war on drugs remained high, this is directly related to his personal popularity, acceptance of human rights in general and views on the death penalty. Fonbuena (2017) further suggests that support for the war on drugs is centred around the personality politics of Duterte, citing support for capital punishment, which leapt to 81% of Filipinos in 2016 from 55% in November 2012.

Data for the level of support for both drug wars consequently needs to be treated with caution, especially in Thai case where the drug war took place two years into Thaksin's leadership, so was subject to less political contestation than in the Philippines, where the issue was central to the 2016 election campaign. As a result, whilst the importance of the war on drugs in public opinion polls can be said to be notable in the Filipino case, this is altogether less clear than in the Thai case. That said, there is broad academic consensus that the Thai war on drugs was popular, as it responded to broader social concerns about crime (Phongpaichit and Baker, p.167; Connors, 2009, p.13). Though in both contexts it would be reductive to equate the popularity of Thaksin and Duterte with support for the war on drugs, the issue was a central aspect of Thaksin's leadership, and continues to be of huge importance to Duterte. Indeed, Thaksin's *Thai Rak Thai* Party released an English language book in October 2003, outlining their policy platform as being based upon three wars- 'the war on poverty, war on drugs, and war on corruption' (McCargo and Pathmanand, 2005, p.91). Polling data on the importance placed by Filipinos on the drug issue would also seem to suggest that the issue was one of the most significant in the 2016 election. Between January 2016 to April 2016, the most significant issue that the 'presidential candidate should immediately address' became 'curbing the widespread sale and use of illegal drugs', growing from being cited by 36% of the population to 41% (Holmes, 2016c, p.32). The next most important issue, which had been seen as more important than drugs in January 2016 was 'improving the pay of workers' (Holmes, 2016c, p.32). Although clearly this again only represents a snapshot, it does attest to the importance of the issue and the possible effect of Duterte's arguments on drugs.

More nuanced data on the complexities of public attitudes towards the war on drugs is available in the Philippines, partly as a result of the 2016 election campaign, and more recent data being accessible. For instance, detailed data on public attitudes to the anti-drug campaign is compiled

by Social Weather Stations, a well respected polling agency which came to prominence in 1985 when working with the BBC to release opinion polls on attitudes towards Marcos's presidential rule by decree (Mangahas and Guerrero, 2008, p.26). Social Weather Stations surveys on opinions related to the drug war attest to the apparent ambivalence and complexity of public views of the drug war. Social Weather Stations (2019) has surveyed the public 11 times since Duterte's election on the issue of support for the drug war, with the proportion of the population claiming to be satisfied with the 'anti-illegal drugs campaign' never falling below 75%. By June 2019, this level of support had risen to 85% (Social Weather Stations, 2019). Clearly, there are issues in extrapolating claims from eleven surveys of 1,200 people, but it does attest to possible high levels of support. With this, a survey of 1,200 Filipinos found that 76% of respondents said that they saw 'many human rights abuses in the administration's war on drugs' (Social Weather Stations, 2019b). This would appear to suggest that drugs remain an issue of concern to some Filipinos, but Duterte's methods are not as popular as the overruling narrative of the popularity of the drugs war as a whole may attest.

It is also worth mentioning how both campaigns were underlined by fear and how this interacts with public support. Fonbuena points out that polling has also shown that whilst the vast majority support the war on drugs, 78% of Filipinos were also either somewhat (33%) or very (45%) worried that a member of their family would become a victim of extrajudicial killing (Fonbuena, 2017). Likewise, during Thaksin's campaign in 2003 a Suan Dusit poll of 10,000 people showed that 90% were supportive of the anti-drugs campaign, whilst a smaller scale Rangsit poll suggested that two thirds were explicitly supportive of violent measures (Phongpaichit and Baker, 2004, p.166). However, like in the Philippines, this support was tempered with fear. Around 40% of respondents to some studies claimed that they were afraid of being falsely accused of being involved with drugs, whilst 65.3% expressed the view that corrupt police could frame the innocent (Regilme Jr, 2017, p.85). Such nuance is necessary when considering public support for state vigilantism- the fear and lack of transparency associated with the campaign renders questioning it a dangerous act. As will be discussed shortly, the suspects lists drawn up in both cases were often used to settle local scores, further fostering a climate of fear. Indeed, in many rural and slum areas in the Thai context, residents were reluctant to venture outside at night for fear of what became known as 'silent killings' (Mydans, 2003). As discussed earlier, the distrust that many have for the police in both Thailand and the Philippines also fed such fear. In both contexts citizens were offered a binary choice by Duterte and Thaksin between abuses of human rights as a potential 'cure' for the issue of drugs and crime, and the status quo where human rights are nominally respected against a backdrop of pervasive insecurity and the impression of high levels of crime.

6.6 Precedents for state vigilantism in Thailand and the Philippines

As had been discussed briefly elsewhere in this thesis, it would be a mistake to assume that forms of state vigilantism are an entirely new development in either Thailand or the Philippines. This is significant, as cultural practices are instituted historically and influence knowledge and belief about certain phenomena (Fraser, 1981, p.19). This, to Foucault, is the 'politics of a discursive regime' (Fraser, 1981, p.19). As a result, it will be suggested that prior experiences of state killing have desensitized Thai and Filipino societies to the reality of extrajudicial killing, rendering it a common element of political contestation. What is significant about it here is that it is not aimed at a political enemy, such as communist insurgents or foreigners, but the socially and economically marginalised within society.

6.6.1 The Philippines

As with many political practices in the Philippines, Chambers (2012, p.139) argues that the culture of military and police impunity has roots in the country's 'semi colonial heritage'. This carte blanche attitude to internal security forces was further entrenched under Marcos and has subsequently endured despite democratisation. From 2001 to 2006 for example, local NGO Karapan found that 819 people were victims of 'extrajudicial, summary, or arbitrary execution' under the Arroyo administration (Johnson and Fernquest, 2018, p. 4). However, the majority of these killings reflected local power struggles or disputes over land and labour (Hedman, 2002, p.127), rather than an organised national campaign. The closest the Philippines government has come to the kind of state vigilantism seen under Duterte emerged in Davao (the city Duterte would later become mayor of) during the late 1980s and 1990s. The Marcos regime had proved to be an ideal environment for the growth of communist and socialist resistance groups, such as the New Peoples' Army (NPA) who had their own paramilitary 'sparrows' or 'liquidation squads' (Abrahams, 1998, p.128). Such was the strength of the Communist Party of the Philippines, by the mid-1980s it became the largest revolutionary movement in Asia, with the NPA holding power in many sugar, coconut and wood producing areas (Hedman, 2002, p.127). The NPA used their so called 'sparrow units' in a campaign of urban guerrilla warfare from 1984 in Davao, where the annual murder rate doubled to 800, including 150 police (McCoy, 2017, p.36). Anyone who had committed 'crimes against the people' were targeted by the sparrow units, with common targets being abusive policemen, members of the military and common criminals (Breuil and Rozema, 2009, p. 415). Such was the NPA's presence, they considered Davao a 'liberated zone' (McCoy, 2017, p.36).

After reconciliation talks between the newly installed Aquino administration and the NPA collapsed, the government issued calls for the formation of "Civilian Volunteer Self-Defence Organisations", which in practice were anti-communist vigilante groups (Kowalewski, 1990,

p.247-8). By the end of 1987 there were some 200 vigilante groups with around 30,000 members, which were deployed to combat ethnic insurgencies in Luzon and Mindanao (Kowalewski, 1990, p.248). Such vigilantes had a particularly close relationship with the state, as they often reported to city halls and local military detachments, where they received support in the form of money, arms and legal impunity (Hedman, 2002, p.136). One such group was the *Alsa Masa* (Masses Arise), which was founded in 1986 in Davao by Wilfredo 'Baby' Aquino, a close supporter of Marcos (Abrahams, 1998, p.128-9). With the financial backing of Davao's business community and firearms from the military, the *Alsa Masa* forced slum residents to affiliate with them, whilst simultaneously extrajudicially murdering countless suspected communists (McCoy, 2017, p.37). As Hedman (2002, p.126) notes, the *Alsa Masa* are viewed as either 'a sinister experiment or model success' in adopting Reagan era low intensity conflict doctrines by mobilizing 'armed neighbourhood patrols, anti-communist radio broadcasts and mass rallies' in 'campaigns of sustained intimidation and spectacular violence'. This demonstrates how vigilante style groups acting above the law, whilst having the support and protection of the state, is not entirely new in the Philippines. Whilst such vigilante mobilizations could be said to have many of the features of state vigilantism, the evidence for central state orchestration of extrajudicial killings is lacking. However, as will be shown, such violence set a precedent and helped construct the political reputation of the perpetrator of the contemporary war on drugs, Rodrigo Duterte.

6.6.2 Duterte's legacy

Perhaps the extrajudicial methods seen in the contemporary war on drugs are not surprising when it is considered that it was against this backdrop of violence in which Rodrigo Duterte cut his teeth as a mayoral candidate in 1988. The city that Duterte took charge of faced a number of severe challenges, with large slums housing a million people, capital flight, routine kidnappings and ongoing violence between the NPA's sparrow units and the *Alsa Masa* (McCoy, 2017, p.37). Added to this, Southern Mindanao also hosted a number of Muslim separatist groups, who had been fighting against the state since the 1970s, ultimately culminating with an attack on San Pedro Cathedral in 1993 (Breuil and Rozema, 2009, p.405). Attempting to boost business in the city, Duterte also made extensive use of violence to restore at least some form of order (McCoy, 2017, p.37). Subsequently, and significantly in the run up to the 2016 Presidential election, Davao was presented by the media as an 'enclave of relative peace and prosperity' and as a blueprint for the rest of the country (Johnson and Ferquest, 2018, p.11). However, the reality is that according to the Philippine National Police's (PNP) own statistics, between 2010 and 2015, Davao had the highest murder rate of all cities in the Philippines (Frialde, 2016; Johnson and Fernquest, 2018, p.12). Further, despite being ranked amongst the top ten cities in the world by some media sources, Numbeo as the organisation that produced

this data allows public users to enter any data, even if this constitutes unofficial or unconfirmed statistics (Cabico, 2018). This manipulation of Duterte's legacy in Davao is notable however, as the appearance of success in Davao has lent legitimacy to the arguments made for extrajudicial killing on a national scale. On the eve of the 2016 presidential election, Duterte told a crowd of 300,000 that 'if I make it to the presidential palace I will do just what I did as mayor. You drug pushers, holdup men, and do-nothings, you better get out because I'll kill you' (Human Rights Watch, 2018).

Of particular significance was Duterte's use of the so-called Davao Death Squad, which was tasked with eliminating a vast array of 'undesirables' from the city. This is notable here, as Feldman (2004, p. 334) argues that such 'campaigns of public safety require both the politicisation of the military and the militarisation of the police'. While it is clear that the military was already politicised by their support for anti-communist vigilante groups, in Davao the police were militarised and de-identified by being presented as vigilantes. Further Feldman (2004, p.334) notes that such urban policing 'is increasingly focused on the eradication or management of 'quality of life' crimes', which generally originate in 'minoritized economic immiseration zones' where 'impoverished communities' are forced to involve themselves in 'informal black economies'. The Davao Death Squad emerged in 1993 in theory to rid the city of criminals, drug dealers and occasionally Duterte's political rivals (Breuil and Rozema, 2009, p.415). Duterte used his weekly television show to denounce wrongdoers, who subsequently often became victims of the Davao Death Squad (McCoy, 2017, p.38). Like the killings seen in the contemporary war on drugs, often targets were warned several days beforehand and instructed to cease their criminal activities (Breuil and Rozema, 2009, p.416). Whilst the business leaders of Davao wanted their city to be 'cleansed of its scum', from 1996 onwards street children and young men were also targeted as part of this 'clean-up', mirroring the killings described by Scheper-Hughes (1997) in Brazil. As UN Special Rapporteur Philip Alston (2007, p.2) noted, the Davao death squad operated with total impunity 'routinely killing street children and others in broad daylight'. In all, there were 1,424 documented killings in Davao in the city from 1998 to 2015, with most being attributed to the Davao Death Squad (McCoy, 2017, p.38).

Although the intensity and prevalence of killings are markedly different from the national war on drugs, it is clear that Duterte used Davao as a laboratory for his violent strategies, a legacy which has resurfaced during his time as president. One alleged former member of the Davao Death Squad, Edgar Matobato, came out in the aftermath of the 2016 election to reveal the nature of the killings undertaken, and also claimed that he had seen Duterte personally kill as many as eight people (Sabillo, 2017). The government attempted to undermine the credibility of Matobato's testimony in a Senate Committee hearing on justice and human rights, claiming that he was simply trying to save himself for taking responsibility of his own actions. However,

Matobato had actually come forward to the Department of Justice with his testimony in 2014, two years before Duterte's election, and had remained under witness protection until the story was broadcast in 2016 (Hofileña, 2016). Matobato was not the only figure to emerge; retired policeman Arthur Lascanas also confessed to killing around 200 people as a member of the squad, whilst being paid around 20,000-50,000 pesos (USD 400-1000) per murder, depending on the status of the victim (Johnson and Fernquest, 2018, p.11). Again, such payments present similarities between the killings seen in Davao and in the national war on drugs, further underlining the personal role of Duterte. As will be argued later, this gives further justification to suggest that crimes against humanity have been committed in the Philippines under Duterte.

6.6.3 Vigilantism and state killing in Thailand

In Thailand, as in the Philippines, there is an extensive history of politically motivated murders, which is driven by a thriving 'gun for hire' industry. However, excepting anti-communist paramilitary organisations such as the Village Scouts, *Krathing Daeng* and *Nawaphon* (Haberkorn, 2018, p.137) mentioned in previous chapters, vigilante mobilisation has been less common in Thailand, perhaps rendering it more surprising that the violence during the 2003 war on drugs was so accepted, and often celebrated. Most of the academic work concerning extrajudicial killings in Thailand relates to the violence in the deep south of the country, where government forces have made some use of the practice (McCargo, 2006; Porath, 2010). There have also been rare occurrences of Buddhist vigilantism, which have resulted in the murder of Malay Muslims (much like those seen in Myanmar's Rakhine State), but this has subsided since an attack on a mosque in Narathiwat in 2009 where eleven people were killed (Abuza, 2011, p.14). Whilst such killings were allegedly led by the queen's village volunteer forces and supported by high level supporters, Abuza (2011, p.14) notes that the Thai army attempted to distance itself as far as it could from the killings, which they saw as a threat to their legitimacy.

However, as in the Philippines, many of those in the gun for hire industry had been enrolled in the aforementioned CIA sponsored paramilitary units, which were demobilised when the US money ran out (Anderson, 1990, p.38). Well trained and often left with remnant CIA arms, their skills began to come into demand in the 1970s (Anderson, 1990, p.33). This image of the assassination industry was immortalised in Thai film *Meu Puen* (The Gunman or The Gunmen), which depicted two assassins, one working for private enterprise and the other for the state (Anderson, 1990, p.33). In an early flashback, the two main characters and assassins are portrayed as comrades in a secret mercenary army hired by the CIA fighting in Laos (Ibid). The patterns of killings in Thailand also mirrored those in the Philippines, with peasant leaders, trade unionists and journalists making up a large proportion of targets, along with rival landowners, businessmen and corrupt headmen (Anderson, 1990, p.42). Some so called 'mafia

police or military' officers operated such activities whilst serving the state- the most notorious being Lieutenant Colonel "T", who became famous during the 1980s for his business which engaged in debt collecting, smuggling, evicting protestors and most notably, murder (Kongkirati, 2017). Lieutenant T's activities were finally exposed after the murder of the provincial governor of Yasothon in 2001 (Kongkirati, 2017).

This section has situated the wars on drugs in Thailand and the Philippines in the context of a long history of extrajudicial killing in both countries. Whilst such killings have become accepted practice in neither context, it demonstrates how the violence formerly linked to the state came to be directly orchestrated by the state. Further, the similarities in patterns of killings in the Filipino context further attest to the state's complicity. As a result, the following section will concern itself with demonstrating the state direction of state vigilantism can be evidenced, before outlining the comparable trajectories of how both wars on drugs were undertaken in Thailand and the Philippines.

6.7 Contemporary state vigilantism in Thailand and the Philippines

This section will trace the processes of state vigilantism in the context of the war on drugs in both Thailand the Philippines. Although the language of the nationally inaugurated wars on drugs will be the topic of the following chapter, it will be shown that both campaigns exhibit the same methods of organisation, roles of state employees, patterns of killings and justifications. As Kreuzer (2016, p.3) notes, Duterte has 'nationalized' the previously localised patterns of killing, thus altering the dynamics of such killings from being relatively isolated, to systematic and widespread. His study demonstrates that, as well as so called vigilante killings, on-duty police officers account for nearly 60% of all killings seen in the Filipino war on drugs, up to 2016 (Kreuzer, 2016, p.8). Partly as a result of this, a case can be made that both the wars on drugs in Thailand and the Philippines represent crimes against humanity. Whilst the case has been made for the Philippines in the form of a referral to the International Criminal Court by Filipino lawyers (Gallagher et al, 2019), Thailand's case has seen less scrutiny by academics. The only systematic investigation into the 2003 war on drugs conducted by an independent commission in 2007 admitted 'unusually high number of widespread and systematic murder cases during policy implementation period', but ruled that it was not conclusive whether the government 'intended for such acts to be committed' (Official Report of the Independent Commission For Examination, Study and Analysis of the Formation And Implementation of the Drug Suppression Policy, 2011, p.37).

The death toll in the Thai war on drugs remains contested, with estimates ranging from a relatively conservative 1370 victims, to around 2245 (Bangkok Post, 2003 in Amnesty, 2003, p.1) and 2873 (Bangkok Post, 2013). Of those targeted, as many as 1400 were killed and labelled as drug suspects, despite having no link to drugs whatsoever, according to Thailand's Office of Narcotics Control Board (The Nation, 2007). Similarly, in the context of the Philippines war on drugs, the total number of people who have been killed has been the subject of some political contestation. The Philippine Drugs Enforcement Agency admits that 5,050 people were killed between July 2016 and November 2018 (Ellis-Petersen, 2018). However, the likely figure is far higher than this, with Human Rights Watch (2018) suggesting a total of 12,000 victims in January 2018. In a speech before the Philippines Senate in February 2018, Senator Trillanes subsequently put the figure at around 20322, as in addition to the 3967 killings the government had acknowledged, 16355 murders remained 'deaths under investigation' (Regencia, 2018). Such claims led to an attempt by the government of the Philippines to counter the 'false' narrative promoted by local and international media outlets on the drug war by inaugurating the "Real Numbers PH" campaign. However, the "real numbers" (often written as #realnumbersph) campaign has been widely dismissed by civil society groups as a bid to manipulate available data to make the number of killings look less significant (GMA News, 2019).

As well as attempting to 'zoom in on the positive aspect (sic)' (PNA, 2018) of the drug war, the #realnumbersph campaign also serves to obfuscate the analytical categories of killings. As reported by newspaper Rappler (which has also come under attack from the Duterte administration) the category of 'deaths under investigation' was introduced by the police in July 2016 after the media began to question the increasing visibility of dead bodies on the street (Rappler, 2017). Although extrajudicial killings do not have a specific and internationally agreed definition, former Special Rapporteur on extrajudicial execution Philip Alston's definition is instructive here, as he suggests it 'encompasses any killing by Government forces as well as killings by any other groups or individuals which the Government fails to investigate, prosecute and punish when it is in a position to do so' (ReliefWeb, 2009). Whilst other definitions recognise the need for absolute 'necessity and proportionality' on behalf of security forces, this is often when combatants rather than civilians are being dealt with (OHCHR, p.7). Accordingly, the Philippine Commission on Human Rights (2017) utilise Alston's characterisation of extrajudicial killing as their working definition. However, the Philippines government have sought to reject the label of extrajudicial killing with reference to the drug war, with interior department assistant Secretary Epimaco Densing arguing:

"EJK (extrajudicial killing) does not exist in the Philippines...It's not just semantics because the use of the word EJK has an emotional meaning. If you go to the

Western countries.... it agitates them. If you say to an American, you're a negro, it agitates him. If you say to an American, you're a black man, it does not agitate him. The terminology is very critical to us. I have already encouraged all government agencies never to use EJK (extrajudicial killing) in all their media and all their communications." (Rappler, 2017a)

This demonstrates how conscious the Philippines government are of their international image, Denising's argument seeming to suggest that if the government utilises the term extrajudicial killings, it will bring more scrutiny of the war on drugs. Further, the Philippines government's rejection of the term extrajudicial killing is rooted in a less comprehensive definition, as they only consider it to be so when state agents are directly responsible. However, as will be shown here, it is clear that the government is responsible for such killings, and has sought to protect non-state employees from prosecution for murder, consequently satisfying both types of extrajudicial killing outlined in Alston's definition.

6.7.1- Tactics of state vigilantism

This subsection will serve to demonstrate that both wars on drugs in the Philippines and formerly in Thailand utilise strikingly similar tactics and methods of organisation. As will be shown, such tactics have a dual purpose- both to organise the anti-drugs campaigns along national lines, whilst simultaneously obfuscating and complicating the reality of extrajudicial killing in order to obscure the direct role of the state. Perhaps the most compelling evidence which indicates state orchestration in both cases is the compilation of regional lists of drugs suspects. In the Thai case, every district in the country was instructed to compile lists of suspected drug dealers by the Thaksin administration, from which many suspects disappeared or were murdered (McCargo, 2011, p.298). Whilst the Thaksin government was not responsible for the individuals on such lists, local and provincial officials were required to meet quotas in reducing the so-called blacklists (Amnesty International, 2003, p.4). The Ministry of the Interior warned provincial governors that the number of the people on such lists should be reduced by at least 75%, or they risked being transferred (Amnesty, 2003, p.4). The methods of this 75% reduction were outlined by the National Center for Combating Drugs, a sub-department of the Interior Ministry, as being 'arrest, extrajudicial execution or death (for whatever reason)' (Connors, 2009, p.9). Similarly, in the Philippines, a national 'watch list' was compiled with anything from 600,000 to 1 million names on it (Johnson and Fernquest, 2018, p.6). Unlike that in Thailand however, the list itself was drawn up by the Philippine Drug Enforcement Agency (PDEA), based on information supplied by elected city and village officials, as well as police (Reyes, 2016, p.119). The list would then be used as a basis for police to visit the houses of

suspects, known in Cebuano as “Tokhang”, literally “knock and plead” (Reyes, 2016, p.119, Johnson and Fernquest, 2018, p.6). Although such visits generally act as a warning to suspects, often suspects are killed in or around their homes after allegedly opening fire on police officers, a narrative which has been shown to be entirely false in many cases (Tabalong, 2017). Likewise, in the Thai case, a large proportion of suspects were killed on the way back from the police precinct after responding to a summons (Mydans, 2003). The official document released by the Philippine government for ‘Operation Tokhang’ suggested that the primary role of the police was to conduct ‘visitations to persuade suspected illegal drug personalities to stop their illegal drug activities’ (National Police Commission, 2016, p.3).

Officials in certain areas also attempted to encourage the public to compile such lists, with the police in Quezon City installing anonymous ‘drop boxes’, where suspicious activities or individuals could be reported (Valenzuela, 2017). Although the police stressed that any tips would be verified (Valenzuela, 2017), it demonstrates how authorities facilitate the climate of biopolitical surveillance mentioned in previous chapters. In addition to this, the capacity for abuse in the use of lists in both contexts is clear. McCargo and Pathmanand (2005) have noted how in the deep south of Thailand, as well as elsewhere, suspects lists were used as a means of eliminating undesirables and political opponents. Similar accusations have been made against Duterte, under whom at least 10 provincial mayors have been killed since he took office. Many of these were accused of involvement in the narcotics trade. Most notably, Roland Espinosa who was mayor of Albura on the island of Leyte, was shot dead in his prison cell by police. This was after signing a safety guarantee which implicated 226 police, government officials, and (notably) media workers to a narcotics gang supposedly run by his son (Hincks, 2017). Although the police claimed that Espinosa had opened fire on the police when they attempted to search his cell for firearms, the National Bureau of Investigation found no evidence for this, and subsequently filed several murder and perjury cases against the Philippine National Police’s Criminal Investigation and Detection Group (Torres-Tupas, 2016). This is relevant here, as the self-defence argument is one which has been used extensively by Filipino and Thai police with regards to extrajudicial killing. Therefore, it would seem possible that self defence is used as a justification for the killing of certain individuals after the fact.

With a few notable exceptions outlined above, in both Thailand and the Philippines, the lists of suspects in both cases were generally poor and in precarious employment. For instance, killings in the Philippines are concentrated in informal urban settlements and slums and almost all of the victims investigated by the Human Rights Watch (2017, p.17) report were unemployed or employed in menial jobs, such as rickshaw drivers or porters. Similar patterns were also discernible in Thailand, albeit with a more marked emphasis on tribal ethnic minorities, who are often associated with drug trafficking in border areas (Amnesty, 2003). This is

demonstrative of the biopolitical logic of risk discussed earlier- rather than genuine determinations of guilt or involvement in the drug trade, types of individuals involved in the trade are targeted. This acts as a form of ‘uncertainty absorption’ (Kessler and Werner, 2008, p.290), as because police do not have the resources or ability to investigate, prosecute and punish suspects, they are given carte blanche to murder those who are ‘probably’ involved. Such a position was underlined when Duterte referred to the innocent killed as a result of the drug war as ‘collateral damage’ (Holmes, 2016).

6.7.2- The role of the police

As has been shown earlier in this chapter, the police are omnipresent in anti-drugs purges in the Philippines and Thailand. As institutions of the state, the police forces of both countries are largely distrusted as corrupt by wider society and were used by political tools by Thaksin and Duterte. As discussed above, like in Brazil, in Thailand police officers often supplement their relatively meagre wages by moonlighting as gunmen, with many senior officers operating ‘hunter-killer units’ (Phongpaichit and Baker, 2004, p.162). Turton (1984, in Phongpaichit and Baker, 2004, p.162) has noted that the tactics of such killer units are reminiscent of earlier campaigns which sought to root out communists and sympathisers. Similar trends drawing on the history of the anti-communist campaigns have also been observed in the Philippines (Breuil and Rozema, 2009, p.408).

Whilst formerly such activities undertaken by police were ad-hoc and localised, the patterns of incentives for police in both war on drugs hint at national strategies. Reuters (Magoto and Baldwin, 2017) have found evidence for cash reward scales for drugs killings in the Philippines, whilst Amnesty International (2017, p.29) have also indicated that ‘additional benefits’ are paid to police officers. This is a direct continuation of Duterte’s rhetoric on the 2016 presidential campaign trail, where he claimed that his unspent canvassing funds would be used to pay for such killings. At a thanksgiving party held for him at Davao’s crocodile park, Duterte outlined how “pitsi-pitsi” or small-time dealers would earn a bounty of 50,000 pesos (around £68 at time of writing), whilst an alive drug distributor would bring 2.999 million pesos (approximately £44339), and a dead one 3 million (Mangahas and Ilagan, 2016). Likewise, in Thailand, Cheeseman (2003, p.30, in Connors, 2009, p.8) noted how financial incentives for the capture of drugs suspects included entitlements to a proportion of seized property, even if the suspect was killed. Like Duterte, Thaksin made the incentives for public agencies involved in the campaign very visible by presenting them with cash awards during a war on drugs ‘victory’ ceremony held in December 2003 (Human Rights Watch, 2003). Further gifts of 50,000 baht (U.S.\$1,275) and 100,000 baht (U.S.\$2,550) respectively were also offered to those who had been injured during the campaign, and the children of those killed (Human Rights Watch, 2003).

6.7.3- Crime scene manipulation

Another factor which could signal the possible top down instruction of killings, is the manipulation of crime scenes afterwards in order to give the impression of an engagement. This phenomenon is not exclusive to the cases discussed here. As Duschinski (2010, p.111) notes, in Kashmiri extrajudicial 'encounter killings', the image of guilt of the victim is important in legitimising the actions of security forces. Often bodies are presented alongside an 'array of weapons, ammunitions and other evidence of guilt' in order to demonstrate the legitimacy of the killing. In both the Thai and Filipino contexts, similar tactics have been employed. Significantly, packets of yaba or shabu pills were planted on victims after killings, usually along with a firearm in order to give weight to the suggestion that the police were acting in self-defence after being fired upon (Phongpaichit and Baker, 2004, p.162; HRW, 2017, p.46). In the Thai context, Dr Pornthip Rojanasunan, acting director of the Forensic Science Institute noted that in more than half of the cases she encountered, packets of drugs were clearly planted on victims' bodies owing to the unnatural angle they were jammed into their pocket (Connors, 2009, p.10).

In both contexts, the bodies of the deceased are also either removed from the crime scene or destroyed so that a thorough autopsy cannot be performed. In the Filipino context, this is generally done by sending the clearly dead bodies of victims to hospital by pedicab in order for them to be pronounced dead on arrival (Baldwin and Marshall, 2017). Whilst in the Thai context, forensic examination of crime scenes was simply resisted by police (Phongpaichit and Baker, 2004, p.162), such tactics in the Philippines context serves to render examinations impossible. Doctors in the Philippines who have received victims dead on arrival have also noted that many have very close range gunshots to the head and heart, indicating execution style killings that would be impossible during the type of shootouts police are claiming to have taken place (Baldwin and Marshall, 2017). Police rejected such accusations forcefully, but several episodes significantly undermined the legitimacy of their argument within the first year of the campaign.

The killing of teenager Kian Delos Santos in Caloocan City demonstrated the PNP's manipulation of evidence clearly and at least temporarily undermined the legitimacy of the drug war. The PNP claimed that whilst conducting another operation late at night in the Barangay, Santos opened fire on them, prompting them to return fire, ultimately killing the seventeen-year-old (Cahiles, 2017). PNP chief Ronald dela Rosa maintained that Santos was a drug runner for his family, although it later emerged that the police had staged the arrest of a witness after killing Santos (Buan, 2017). After the killing, police planted a gun along with sachets of shabu on Delos

Santos's body (Buan, 2017). However, CCTV footage later showed the plainclothes police officers dragging Delos Santos to a back alley, undermining their argument that there was a shootout. Ballistics tests showed that they executed him from a distance of 60cm (Buan, 2018; Torres-Tupas, 2017). Although three officers were found guilty of murder, the high-profile nature of the case meant that Delos Santos's death became a rallying call for opposition of the drug war, with over 1000 people attending his funeral procession to demand justice for the victims of extrajudicial killing (De Castro and Marshall, 2017). Set against the context of this, a police anti-drugs unit was also found guilty of the murder of South Korean businessman Jee Ick Joo, who they kidnapped and murdered, before subsequently extorting 5 million Philippine pesos from his wife who believed him to still be alive (Jensen and Hapal, 2018, p.52). It later emerged that Jee had been strangled to death in the headquarters of the PNP itself (Lema and Petty, 2017). Such was the diplomatic fallout, Duterte was forced to hand over drug enforcement to the far smaller Philippine Drug Enforcement agency rather than the national police between January and February 2017 (Lema and Petty, 2017). Significantly, in this period after the temporary suspension of police involvement in the drug war, the intensity of killings subsided (Morallo, 2018). When the police were reinstated in their role in the drug war on March 6th, ten people were killed the following day (Morallo, 2018). This further suggests that at the very least, the Filipino government has some level of control over such killings by dictating which agencies carry out their anti-drugs campaign. Whilst direct orchestration by the Filipino state may not be able to be conclusively proved beyond all doubt, as will be argued shortly, the public statements made by the president in addition to, at best, an indifference to preventing extrajudicial killing could render the campaign a crime against humanity.

6.7.4- Police killings as 'self-defence'

In both the Thai and Filipino contexts, police have justified extrajudicial killings as a necessary form of self-defence. Although the Philippines does not have the death penalty, this is an important justification as the UN Legal Briefing on Extrajudicial, Summary or Arbitrary Executions (Hannah and Melkonyan, 2015, p.11) notes that lethal force 'may be required...to secure innocent lives'. However, the same legal framework also lays out that that 'states must demonstrate at all stages of planning and execution that measures taken were intended to reduce risk to life' (2015, p.11). As demonstrated by episodes like that of Kian Delos Santos discussed above, it does not seem as though such drugs operations were intended to reduce risk to life.

However, the actual risk to police life appears to be overstated. As Kreuzer (2016, p.10) notes, in the early stages of the drug war 223 suspects were killed for every policeman. In contrast, in contexts where gun fights are genuinely initiated by suspects, one would expect rates of police

death to be higher. For instance, in Brazil only 17.9 suspects were killed for every policeman in Rio de Janeiro, making the killing of a police officer twelve times more likely (Kreuzer, 2016, p.10). A Reuters investigation also noted that the kill ratio of Filipino police is far higher than that seen elsewhere- they recorded that in 50 separate incidents 100 suspects were killed, whilst only 3 were wounded (Baldwin, Marshall and Sagolj, 2016). In contrast, between 2013 and 2015, the police in Rio de Janeiro wounded one person for every 5 killed (Baldwin, Marshall and Sagolj, 2016). This indicates that often Filipino policemen engage suspects with the primary intention to kill, before occasionally planting a weapon to simulate a gun battle, thus rendering the exchange a *nanlaban* killing, literally meaning that the suspect 'fought it out' (Berehulak, 2016). Whilst certainly some engagements with police by suspects are genuine, the very low death toll for police further suggests that those killed are often shot while escaping. As a result, this presentation of 'self-defence' conveniently blurs the distinction between an encounter which poses a risk to 'innocent lives' and a clear extrajudicial killing. Similar patterns were also evident in Thailand, with police acknowledging only 46 deaths, all of which were apparently in self-defence (Mydans, 2003).

As in the Philippines, Thaksin made the argument that the majority of deaths were the result of shootouts between "tough guys" attempting to silence fellow gang employees, although this started to fall away when reports of the killing of children began to surface (Spillius, 2003a). Initially Thaksin had also suggested that deaths resulted from 'bandits killing bandits' (Spillius, 2003b). Although the Thai government refrained from defining such killings as vigilante activities, the engagement of private gunmen in a vigilante capacity was clear. Conversely, the Philippines attempted to present a high proportion of drugs killings as pure vigilantism. A statement at the Philippine Mission to the UN (2017) in Geneva argued that:

'The spike in the statistics on killings, while in part coming from data on casualties from legitimate police operations against drug criminals, arose from killings carried out by vigilante elements or purges within the drug syndicates, which are being investigated as murders'

However, despite the government's attempt to present a high proportion of killings as resulting from autonomous citizens taking the law into their own hands, this neglects the role that Duterte has had in instigating such killings personally. For instance, April 2017 Duterte told a group of Filipinos returning from working overseas that if they lost their job, he 'would give you one. Kill all the drug addicts' (Kine, 2017). As will be argued in the following chapter, this dehumanisation of everyone involved in the drug trade, even as users, facilitated an environment where they could be killed with impunity.

6.7.5- Refusal of scrutiny

As discussed briefly above, it would appear, then, that their international image affects how the Philippine and Thai governments frame the drug war. This is evidenced in part by the Filipino government's attempt to repackage extrajudicial killings by simply not referring to them as such and suspending the drug war in the wake of the murder of Jee Ick Joo, lest it should influence the close bilateral relationship between the Philippines and South Korea. However, such arguments have also necessarily involved the rejection of any external scrutiny from intergovernmental organisations such as the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions in both cases. In February 2003, Asma Jahanir, the Special Rapporteur on the issue at the time expressed 'deep concern at the more than 100 deaths in connection with a crackdown on the drug trade' in Thailand (Amnesty, 2003, p.5-6). Further, she urged the Thai government to ensure 'strict limits on the use of lethal force as outlined under the UN basic principles on the use of force and firearms by law enforcement officials, are followed rigorously and without exception'. In response, Thaksin publicly retorted that 'the UN is not my father' and urged Thailand to 'do away with the thinking of the foreigners' (Phongpaichit and Baker, 2004, p.164). As outlined elsewhere, such comments should be considered both in the context of Thai nationalism and Asian values, but also ASEAN's insistence that sovereignty and non-intervention should guide the region's drug policy (Gallagher, Raffle and Maulana, 2019, p.16.). This response to 'external inference' is an important discursive theme used by both Thaksin and Duterte and will be developed further in the following chapter.

Like Thaksin, Duterte drew criticism from the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions both as mayor and president. Back in 2009, the Philippines Commission on Human Rights (CHR) (which at the time was chaired by currently jailed Senator Leila de Lima) raised concerns about Duterte's campaign in Davao (Sabio, 2017, p.1-2). However, despite the CHR being an independent government agency, its powers are only investigatory and the concerns it raised about Duterte as mayor of Davao, who it suggested had rendered his position 'frankly untenable' (Sales, 2009, p.329) were thrown out by the office of the Ombudsman (US State Department, 2016, p.3). Whilst by 2016 the CHR attempted to look into cases of extrajudicial killings in the context of the drug war (US State Department, 2016, p.3), Duterte threatened to completely dissolve the body if it continued its criticism, arguing that he would not allow the police or military to be investigated without his personal permission (Corrales, 2017). After a public dispute with the current Rapporteur on Extrajudicial, Summary or Arbitrary Executions Agnes Callamard, in which Duterte threatened to 'slap' the UN official (Ranada, 2017), the Philippines agreed to a UN led fact-finding mission. However, this was on the condition that Callamard would participate in a live debate with Duterte, allow him to question 'whoever he deems appropriate' in the mission, and take an oath prior to questioning

from government officials (OHCHR, 2016). These conditions were rejected by the OHCHR on the grounds that they contravened UN working procedures and would not show 'respect for the victims' of extrajudicial killings (Viray, 2017). Another fact-finding mission to be undertaken after several submissions to the International Criminal Court (ICC) by lawyers and civil society groups in the Philippines was announced in February 2018. However, this was similarly rebuffed by Duterte, who decided to withdraw the Philippines from ICC to make a stand against those 'who politicize and weaponize human rights' (Reuters, 2018). In addition, Duterte threatened to arrest ICC prosecutor Fatou Bensouda should she enter the country (Reuters, 2018a). As a result, the following section will briefly outline the argument surrounding whether crimes against humanity took place in both the Thai and Filipino wars on drugs.

6.7.6 Crimes against humanity in the drug wars

Prior to the 1998 Rome Statute, there had been some debate as to how crimes against humanity could relate to drug policy. However, rather than examining state policies, in 1989 Trinidad and Tobago Prime Minister Arthur Robinson proposed that the ICC should have jurisdiction to 'prosecute and punish individuals and entities who in engage in...the illicit trafficking in narcotic drugs' (Schiff, 2008, p.37-8). Whilst the ICC advocates eventually created a proposal which included a wider range of crimes than just drug trafficking, it is demonstrative of how globally the consensus in the context of the drug war has shifted to scrutinising how state policies feed insecurity. Both the Thai and Filipino wars on drugs have accordingly been referred to as possible crimes against humanity. In 2007, whilst acting as chair of an investigation into Thaksin's war on drugs, distinguished jurist Kanit na Nakorn suggested that the campaign had undoubtedly been a 'crime against humanity' (McCargo and Thabchumpon, 2014, p. 382). However, the investigation was wound down by the following administration in 2008 (McCargo and Thabchumpon, 2014, p. 382). During the drug war in 2003, after several lawyers argued that the drug war could have amounted to crimes against humanity under article seven of the Rome Statute, Thai Human Rights Commissioner Wasant Panich suggested that the threat of an ICC trial would prevent such human rights abuses taking place again (Choonhavan, 2013). To this Thaksin, claimed he had 'done nothing wrong', perhaps mindful that Thailand had signed the Rome statute in 2000, but did not ratify it (Choonhavan, 2013). Likewise, two submissions have been made to the ICC in the Philippines by independent lawyer Jude Sabio, and the National Union of People's Lawyers, who represent the relatives of six victims of the drug war (Takumi, 2018). Whilst Duterte had already committed to revoking the Philippines membership of the ICC in March 2018, it is possible that both cases could still be used in the ongoing preliminary investigation announced in 2018. As the ICC (2018) outlined, withdrawal from the ICC becomes effective a year after the deposit of notice of withdrawal and has no impact upon issues already under consideration or ongoing proceedings.

Whilst the author has made arguments relating to how the war on drugs in the Philippines could constitute crimes against humanity elsewhere (Gallagher, Raffle and Maulana, 2019), it is worth recapitulating in brief here as the element of state orchestration vital to state vigilantism is also vital to a classification of crimes against humanity. The Rome Statute of 1998 (pp.3-4) outlines eleven different acts that constitute crimes against humanity including murder, enslavement, torture and persecution, but adds further clarity by suggesting that to constitute crimes against humanity, such acts must be 'committed as part of a widespread and systematic attack directed against any civilian population, with knowledge of the attack'. As a result, crimes against humanity cannot result from a series of ad-hoc acts, but have to 'form part of a policy by government...or is tolerated, condoned, or acquiesced by the aforementioned government' (Cassese et al, 2013, p.91). As has been shown here, both the Thai and Filipino governments at very least have condoned the murder and persecution of drug users and dealers whilst not intervening to prevent killings. This is pertinent here, as similarly state vigilantism represents a situation where, at very least, the government has condoned extra-judicial killings and has not intervened to prevent them, through to where the state has directly orchestrated killings. As the weight of evidence would suggest that in both contexts the latter definition would be applicable, it remains relatively clear that crimes against humanity have taken place. Were Duterte to be summoned to the ICC after their initial investigations, this would set a wholly new precedent for political leaders being held accountable on the international stage for human rights abuses committed in the context of the war on drugs.

6.8 Why state vigilantism?

This section will attempt to address the question of why the Philippines and Thailand opted to utilise extrajudicial killing as part of their anti-drug strategies, whilst such purges have been shown to be ineffective in preventing the flow of illegal drugs long term, and bring such international condemnation. Whilst the high levels of public support for campaigns in both countries outlined above could demonstrate the populist potential of such purges, this does not entirely explain how such campaigns have inspired such support, and significantly, fear. Although the following chapters have outlined the genealogy of attitudes towards drugs in the region, in both cases specific elements of state vigilantism have cultivated support and fear from the broader population. As has been suggested throughout this thesis, state vigilantism also represents an extension of the biopolitical logic of drug policy in the region. Biopolitics seeks to identify 'sub-sets of the population that needed to be directly managed to prevent' the 'potential impacts of what were represented as their associated phenomena' (Grayson, 2016, p.7). As a result, policing and eliminating 'deviation from the norm of acceptable ways of life' becomes a 'central problematique of governing'. Whilst Grayson's (2016, p.8) discussion of targeted killing is focused on those who depart from liberal modes of living in the West, it is also applicable to

state vigilantism within the war on drugs. Further, this profile of those who present a risk to society has been developed through the presentation of their threat to the values of the state. Whilst this will be developed in further detail in the following chapter, the risks presented by the Thai and Filipino government have been broad- from threatening the youth's future, through to corrupting politics to the extent that the country will become a 'narco-state' (Cayetano, 2018; Rappler, 2016; Thaksin, 2003). In a climate where the boundaries of private and public are blurred by biopolitical risk calculations (Kessler and Werner, 2008, p. 290), simply being a drug user is presented as a political act which poses real risks to the future of the nation. However, it would be a mistake to assume that the aim of state vigilantism would be to eradicate all those involved with drugs. Conversely, as Feldman (2004, p.334) notes, what he dubs 'securocratic wars of public safety' do not aim at the 'eradication of 'the policed' object, whether it be the terrorist, the undocumented immigrant, or the drug abuser'. However, Feldman (2004, p.334) suggests that such wars require the presence of the policed object to justify 'the continuation and new elaborations of state sovereignty', whilst here it is suggested that the relatively random nature of killings is intended to cultivate fear and panopticism.

A theme which unites both the literature on targeted killing and the definition of state vigilantism offered here, are that both are situated politically in a 'state of exception'. Drawing on Agamben, Duschinski notes (2010, p.114) that the state of exception is where 'the law provides for its own suspension and violation', thus forming the 'the hidden foundations on which the entire political system is rested' (Agamben, 1998, p. 9). Further, within this state of exception, the biopolitical category of 'bare life' or the *homo sacer* ('sacred man') 'can be killed and yet not sacrificed'. Thus, in the state of exception 'bare life' is rendered 'devoid of rights, of history, of the capacity to speak' and the 'very idea of equal citizenship before the law is banished' (Jabri, 2006). However, equally all citizens have the potential to be rendered bare life, as all are ultimately expendable in the appropriate combination of circumstances (Jabri, 2006). This is particularly applicable to victims of the drug war in both contexts- their capacity to represent their innocence is removed, as is their right to do so and the combination of circumstances which may have led to them being accused.

However, the assertion that such victims can be killed but not sacrificed presents something of a paradox as in this context, the victims of the drug war are presented as legitimate collateral in the pursuit of a better society. Agamben draws upon Socrates distinction between living and living well, and how by actively participating in his own execution he 'enacts the sacrifice of bare life that the prioritisation of the good life entails' (Norris, 2000, p.44). As Agamben (1995, p.11) borrows Carl Schmitt's conception of sovereignty as 'he who decides on the state of exception', sacrifice is therefore that it is 'dedicated to no legal or religious end', but the performance allows the 'metaphysical assertion of the human'. As Gregory (2004, p.62) notes,

Agamben's definition of sacrifice is thus limited to those killed as part of a ritual as such bare life is outside divine law and therefore such deaths are of no interest to the gods. As a result, in the contexts under discussion here, the sacrificial element of killings is that such *homo sacer* were killed in order to realise the goal of a more ideal society. Hence, such victims of the drug war are presented as an act of 'self-preservation of the community' (Norris, 2000, p.47), but they are in fact intended to enforce a biopolitical understanding of 'the good life', or the way it should be lived. Further, as Feldman (2004, p.344) argues 'the process of sacrifice uses symbolic agents who can assume and absorb multiple collective memories and refract diverse and often contradictory collective fantasies'. In this context then, the police as those tasked with eliminating such bare life absorb a collective fantasy of how their country would be without the problems that drug trafficking is purported to cause. This collective fantasy of an uncorrupted and law governed state (the polar opposite of the constructed 'narco-state') is contradictory owing to the extrajudicial means used to supposedly realise them.

An essential element of identifying such bare life is the establishment of biopolitical calculations of those who must (deserve to) live and those who must die. Generally, Agamben's political theory traces the 'biopolitical arrangements through which the state publically acknowledges the disposability of certain categories of the population' (Duschinski, 2010, p.115). As Agamben (1998, p.137) argues, the notion of 'Life Unworthy of Being Lived' was set out in 1920 by Doctor Karl Binding and Alfred Hoche, in an apparently well-intentioned pamphlet on euthanasia. This category of 'life devoid of value' would therefore apply to all those who rendered 'incurably lost' following an accident or illness, or those who appeared to be the 'reverse image of authentic humanity'. Accordingly, Agamben argues that such 'life devoid of value' correlates with the idea of 'bare life'. Significantly however, Agamben (1998, p.141) further notes that such a category is politically and not ethically constructed, as 'in modern biopolitics, sovereign is he who decides on the value or nonvalue of life as such'. This value of life is therefore intimately related to health, which has a clear relationship with drug consumption. As Rose (2001, p.17) highlights, 1939 as the year that Hitler circulated a secret memo allowing doctors to grant a 'mercy death' to those with lives deemed unworthy was also the same year the Nazis promulgated a 'duty to be healthy' among their citizens. As will be discussed in further detail in the following chapter, both anti-drugs campaigns in Thailand and the Philippines attempted to characterise the lives of drug users as irredeemable and beyond any medical intervention. This was most direct in the Philippines, where Duterte characterised drugs users as zombies who 'no longer have the cognitive value' of ordinary people as 'shabu use would shrink the brain of a person', therefore rendering them 'no longer viable for rehabilitation' (Villaneuva, 2017). Like those 'incurably lost' characterised by Binding and Hoch, Duterte explicitly argued that as a result, drug users 'are of no use to society any more' (Villaneuva, 2017). However, whilst heavy

methamphetamine use can result in memory loss, there is no evidence it effects intelligence, verbal fluency or psychomotor speed (Vearrier, Greenberg, Miller, Okaneku & Haggerty, 2012, p.55-56). This further demonstrates how the image of the irredeemable drug user is a biopolitical creation intended to influence behaviour, rather than a genuinely scientific one.

6.8.1 The visibility of state vigilantism

As argued above, an essential element of state vigilantism is the public display of violence intended to evoke fear among the general population. This is not exclusive to state vigilantism however- as Feldman (1997, p.30) notes 'compulsory visibility is the rationality of state counterinsurgency'. Further, Feldman's (1997, p.30) conception of scopic regimes is also useful here, as they 'prescribe modes of seeing and object visibility and that proscribe or render untenable other modes and objects of perception'. The regime itself 'is an ensemble of practices and discourses that establish truth claims, typicality, and credibility of visual acts and objects and politically correct modes of seeing' (Feldman, 1997, p.30). Feldman (2005, p.203) argues that 'anthropologically threatening images of violence, terror, covert infection and social suffering' have become more commonplace since the first Gulf War, and therefore there is a need to examine how 'perpetuators and victims of violence and human rights violations depict their political experience as historical truth'. Accordingly, in the contexts of the drug wars discussed here, there is a need to interrogate why the perpetrators of state vigilantism sought to make their campaign as visible as possible. This is because rather than simply being an endeavour to record or refract events, 'aggressive technologies of image making' seek to materially transcribe 'a political code onto the built environment, cultural memory and the pollicised body, and by immersing spectator-participants in fear provoking simulations' (Feldman, 2005, p.205). Fear is intended to be provoked in two ways in the contexts under discussion here- the nature of killings was intended to cultivate fear of those involved with the drug trade, as well as the police who are able to kill without due process. Hence, after unveiling the hazard of drug users and engendering fear about their potential to corrupt society, the visibility of such state killings is intended to further compound this fear.

Graham (2012, p.143) notes that such 'military urbanism' is performed and consumed as visual, discursive and urban spectacles through the spaces of electronic imagery. As a result, this section will show how the dissemination images of the drug war have been facilitated by the state in both contexts to engender fear and perhaps, seemingly paradoxically, cultivate support. This fear was captured by Amnesty's (2003, p.9) report into the drug war, where the families of victims wanted investigations into killings, but expressed that they 'just don't dare ask for justice, and who would they ask?'. As alluded to earlier, the spectacle of violence as a communicative technique is not new in either context, with state backed vigilante groups

around Davao decapitating and displaying the bodies of rebel guerrillas (Hedman, 2002, p.131). Reyes (2016, p.116) also directly argues that Duterte's 'war on drugs' uses the bodies of victims 'in a spectacle of humiliation and violence designed to cow criminals and to convince the ordinary citizens that they can feel protected'. However, as well as cultivating support for an apparently proactive policy presented as a means to protect ordinary people, it will be suggested here that such spectacles are also designed to cultivate fear of the authorities due to the risk of being associated with anyone involved with the drug trade. As Reyes further notes, Foucault's (1979, p.58) notion of the 'spectacle of the scaffold' suggests that such executions have political meaning, in demonstrating sovereign potency. However, in the case of the drug wars under discussion here, the spectacle is altogether more subtle. Whilst the act of killing is generally not witnessed by a large group and the sovereign denies responsibility, those who witness the dead body are aware of the likely source and therefore the meaning of such a display.

6.8.2 Photojournalism and the role of the media

Whilst Foucault's conception of the spectacle of the scaffold is a useful way of demonstrating the role of political theatre, photojournalism and dissemination by the Filipino and international media renders such displays further reaching. Whilst within the broader global north, images of the dead are not generally broadcast in the media owing to privacy, the same cannot be said for much of Southeast Asia. As a result, whilst images of the drug war perhaps were not quite as shocking to Thai and Filipino audiences, they also created international uproar. Early in the Filipino campaign, the image of Michael Siaron's dead body being cradled by his partner Jennilyn Olayres on the streets of Pasay City became a defining image of the drug war (Hegina, 2016). The image was used on the front page of the Daily Inquirer, and was subsequently shared widely to bring attention to the drug war. In many ways, Siaron's killing also became symptomatic of wider trends- he was indeed a shabu user, but as a pedicab driver had struggled to make ends meet so was not a dealer according to Olayres (Agence France-Presse, 2016). Siaron had also voted for Duterte in a bid to help end crime, before becoming a victim of the same campaign (Dancel, 2016). Significantly, a cardboard sign lay at Michael's feet reading 'I am a drug pusher, do not copy'. This clearly demarcated the killing as more than just an unfortunate homicide, but a killing with political and disciplinary meaning. The performativity of such an act is significant, as the labelling of the body accords it with a particular identity as a 'drug pusher' (Aradau et al, 2015, p.69). In this sense, such a performance 'enacts or produces that which it names' by labelling the victim as other, therefore legitimising the killing (Butler, 1993, p.23 in Aradau et al., 2015, p.69). Reyes (2016, p.121) notes that such signs have two purposes, to shame the victim and their family, whilst justifying the killing before an investigation could take place. In addition to this, Philippine National Police Chief, dela Rosa, suggested at a senate

hearing that the police used such placards as evidence in determining whether a suspect was indeed a drug dealer or user (Senate Committee on Justice and Human Rights 2016). Such 'cardboard justice' as a result became site of contestation, with Siaron's partner Olayres expressing the hope that Duterte would investigate 'people who have been judged with cardboard' (Inquirer, 2016). However, the image did not touch Duterte, who in his inaugural state of the nation address branded it melodramatic and 'like [the virgin] Mary cradling the [body] of Jesus Christ' (Philippine Daily Inquirer, 2016). Whilst Duterte may have ultimately regretted the impact the image subsequently had, there was no attempt to restrict the dissemination of such images further. As Johnson and Fernquest (2018, p.8) note, 'photojournalists who cover extra-judicial killing stage their own performances by chasing "the shot"', or an image powerful enough to convey the drug war's human costs. Berehulak (2016), a photojournalist himself notes how his evenings would begin at the police district press office, where he would join a throng of other reporters 'waiting for word of the latest killings'. Once the news came in of a shooting, the reporters would then set off in convoy. This demonstrates the fact that the police were instrumental in rendering such killings abundantly visible- they could have easily resisted crime scene photographs, but chose not to, thus underlining the importance of such images in their strategy. Likewise, Phongpaichit and Baker (2004, p.162) note that the Thai television news offered nightly updates on the drug war, usually opening with 'clip after clip of prone dead bodies'. Whilst it would be impossible to gauge the actual impact of such images on broader society in either Thailand or the Philippines- the role of the images is to demonstrate that involving oneself with the drug trade would allow a state of exception where killing would be permitted. In denying justice to victims by labelling their dead bodies, victims are deprived of their voice and ability to represent their innocence-much like Agamben's sacred man.

6.9 Conclusion

This chapter has made the case that existing models of state terrorism and killing do not adequately capture the nuances of extrajudicial killings in the context of the wars on drugs in Thailand and the Philippines. As a result of this, an alternative model, here dubbed state vigilantism has been proposed, which seeks to address this blind spot in the current literature. Whilst the case studies under discussion here are concentrated in a specific geographic region, it could be suggested that this model of state vigilantism could be becoming more common. In this year alone, both Bangladesh and Sri Lanka have pledged to emulate the Philippines' renewed emphasis on the war on drugs, with several hundred cases of extrajudicial killings taking place in Bangladesh (Ellis-Petersen, 2019; Quackenbush, 2018). President of Sri Lanka

Maithripala Sirisena dubbed the Philippines an 'example to the world' and further pledged that the army would be deployed to remedy the issue (Reuters, 2019). This is demonstrative of the potential for such extrajudicial killings to become regionalised as a distinctly Asian approach to the issue of drugs, especially within ASEAN which upholds norms of sovereignty as superior to those against human rights abuses and crimes against humanity. As has been shown elsewhere, the rest of the world has done little to dispel the notion that such purges will be effective.

This chapter has also sought to demonstrate the same essential criteria of state orchestration or direction which makes state vigilantism distinctive, and also renders such acts crimes against humanity under the Rome Statute. Here it has been shown that in both the Thai and Philippine cases, there was some precedent for vigilante style killings, but never on such a scale for such social infractions as drugs selling and consumption. It has been argued here, and will be further developed in the following chapter, that any involvement in the drug trade has been labelled an inherently political act which can serve to undermine the legitimacy of the nation. As a result, it has been argued here that drug war killings in both contexts follow a biopolitical logic of rooting out bare life, and holding it aloft as an example of how life mustn't be lived. As discussed here, the intent is not to eliminate all those involved in the drug trade, but to make an example of the powerless who sustain the trade to show that any involvement whatsoever necessarily entails a potential death sentence. Such killings are therefore not rooted in the same kind of risk calculations seen in targeted killings, where victims may pose an immediate danger, but in the diffuse notion of potential risk to society should the current situation endure. Finally, some possible explanations for the popularity of both drugs wars have been offered, which are similarly rooted in the fear of persecution and critical institutions within the state. The following chapter will therefore seek to trace the arguments both the Thai and Philippines governments made around the time of their respective drug wars to elevate the level of threat to society and thus facilitate such violent approaches.

Chapter 7- Discourses of Destruction- the languages of the war on drugs in the Philippines and Thailand

How can a power such as this kill, if it is true that its basic function is to improve life, to prolong its duration, to improve its chances, to avoid accidents, and to compensate for failings? How, under these conditions, is it possible for political power to kill, to call for deaths, to demand deaths, to give the order to kill, and to expose not only its enemies but its own citizens to the risk of death? Foucault, 17th March 1976 (2004, p. 254)

This chapter expands on the themes of that which preceded it, by analysing the language and arguments that the Thai and Filipino governments made in their respective drug wars. Here the interest is to engage with the first two research questions this thesis poses on how elites sustained the regime of truth associated with the war on drugs, and how this case was made. Partly as a result of this, the emphasis of this chapter will be on the production and circulation of elite discourses, and how the threat of drugs was constructed prior to the use of state vigilantism covered in the previous chapter. Consistent with the argument throughout this thesis, the biopolitical discourses used in both the contexts will be demonstrated here. Whilst Foucault argued that biopower replaced sovereign power as the dominant means through which power was exercised after the 20th century, he did note how biopolitical discourses can interact with the sovereign's 'right to kill' (De Larrinaga and Doucet, 2008, p.520). Consequently, here the focus will be to show how biopolitical discourses can feed the sovereign power, described as state vigilantism in the preceding chapter.

Following from the Foucault quote given above, in the same lecture, he questioned how as biopower's objective is 'to make life live, how can it let die?'. More specifically, 'how can the power of death, the function of death, be exercised in a political system centred on biopower?'. In essence, this is what this chapter seeks to trace; how do discourses of the war on drugs depict the need to improve the lives (and health) of those within the state, whilst simultaneously attempting to exclude and marginalise those involved with illegal drugs? Consequently, if biopolitics represents 'the political strategization/ technologization of life for its own productive betterment', here there is a need to analyse how discourses re-prioritise 'concerns ordinarily associated with human development/progress in a manner that complement traditional security paradigms' (Evans, 2010, p.415). Here then, it will be suggested that biopolitical drugs discourses appeal to liberal and developmental notions such as the value of life, and the human rights of those perceived to be vulnerable. Eva Herschinger (2015, p.184) notes that as 'drugs are materialised primarily through their capacity to disrupt the smooth

functioning of members of society', 'there is violence in what the regime does to those that use drugs'.

Whilst this chapter is generally guided by poststructuralist discourse theory, this does not necessarily indicate an adoption of the Copenhagen school. The notion of the security speech act is useful here, but it should be noted how before security policies can be enacted, the threat 'needs to be sustained by discursively reiterating its threatening qualities' (Huysmans, 2006, p.7). Indeed, such speech acts 'only become meaningful within a pre-established discourse', in which 'meaning is constantly renegotiated' (Torfing, 1999, p.84). Accordingly, it will be shown that the conception of 'societal threats' is undertheorized by Buzan et al (1998). They argue that the organising concept of societal sector is 'identity', but here the concern is to demonstrate how through drug war rhetoric, the state in both cases has attempted to render citizenship and national identity biopolitical in tone. This relates back to the 'duty to be healthy' outlined in the previous chapter (Rose, 2001). In addition, the focus of Buzan et al's (1998, p.124) analysis is almost exclusively on how foreigners might disrupt 'national' societies, but little consideration is given to autochthonous outsiders. The divisions within their analysis are always regional, rather than socially or class based. Finally, the argument that Buzan et al make that 'security issues are made by acts of securitisation' and that they do not take a position on whether something genuinely presents a threat further presents certain issues. The problem of illegal drugs can be of concern to communities and states without necessarily appealing to notions of security, and as a result, arguing that drugs as a security issue are created by acts of securitisation within a limited temporal frame and without reference to pre-established discourses is rejected here. In broader poststructuralist terms however, the opposition between real and constructed threats is rejected here, as certain phenomena do have material effects (Hansen, 1997, p.5).

This chapter will analyse how the discourses of drugs in the two contexts outlined above led to the 'partial fixation of meaning around certain nodal points' (Laclau and Mouffe, 1985, p.112). These nodal points have been organised into two groups- the referent objects used to justify drug wars and those that are presented as a threat to such referents. It will be shown how the use of certain nodal points, such as that of the vitality of the nation's youth, attain different meanings with reference to drugs and the drug war in the contexts discussed. Initially this chapter will discuss the referent of the state and how the nodal points of corruption and a challenge to state authority were mobilized in order to emphasize the threat drug trafficking posed. Subsequently, societal referents will be examined, with particular emphasis on the threat drugs pose to children and the familial unit, and how this relates to broader conceptions of Asian values. The second section of this chapter will then focus on the governments' portrayals of those involved in the drug trade, either as users or dealers. Relating to the previous chapter,

the second section will trace the dehumanisation of drug users and low-level dealers and how this interacts with notions of state vigilantism. Finally, the chapter will examine how both Thaksin and Duterte positioned their drug war rhetoric against the perceived threat of western liberalism and neo-colonialism from Europe and the United Nations.

7.1 Methodological Note

Adopting a methodological orientation loosely aligned with poststructural discourse analysis does present certain practical issues. As Jacobs (2018, p.309) notes, poststructuralist discourse theory's ontological framework, as articulated by Laclau and Mouffe is difficult to operationalise empirically. However, some of the broad features of poststructuralist discourse analysis are adopted here. One constant throughout poststructuralist discourse theory is the temporary nature of the fixity of meaning (Diez, 2014, p.324). This flux and struggle over the meaning of the 'macro topic' (Wodak, 2011) of *drugs* in Thailand and Philippines in the run up to their respective wars on drugs will thus be the subject of this chapter. As Laclau and Mouffe (1985, p.112) note, the meaning of certain discourses are fixed by the use of certain 'nodal points', the relationship between which constitutes meaning. Here then, the constitution of several nodal points and how they relate to drugs will be mapped (Jørgensen and Phillips, 2002, p.26). This is significant, as elsewhere studies of drug wars do not correlate how discourses of threat are outlined and how this relates to support for violent measures towards users and those involved in the trade. Clearly, this analysis of how discourses translate to exceptional security acts is indebted to securitisation theory, which traces how 'speech acts' may lead to 'exceptional' measures (Huysmans, 2011, p.372). Moreover, by invoking the 'existential' nature of such threats, measures beyond the 'usual...repertoire of actions' are thus legitimised (Huysmans, 2011, p.373). The issue of the 'existential' nature of drugs is something which will be examined in greater detail here however. David Campbell (1998, p.3) notes the importance of representing things as 'alien, subversive, dirty or sick has been pivotal to the articulation of danger in the American experience', so in a similar fashion here it will be argued that as well as being represented as an existential threat, this is part of a continuum of representations of drugs, which seeks to foster unease, emphasize risk and cultivate a general sense of 'otherness'. Consequently, audiences may support extraordinary measures towards a group without necessarily seeing an 'existential threat to a shared value' (Buzan et al, 1998, p.31).

On a practical level, governmental speeches and their subsequent coverage by the press have been used to chart the arguments made by the Thai and Filipino governments. As searchable archives for Thai language newspapers were not accessible, the Factiva database which holds digitised records of Thai newspapers *The Nation* and the *Bangkok Post* was consulted. The

choice of these two newspapers was predominantly practical, as they are the only Thai English language newspapers with digitised holdings spanning back to 2003. *The Nation Group*, which owned *The Nation* newspaper had hitherto been noted as being particularly critical of the ruling *Thai Rak Thai* party and Thaksin (McCargo and Pathmanand, 2005, p. 194). However, over the course of 2003 around 20% of shares of the group were purchased by investors close to Suriya Jungrungpreangkit, who at the time was serving as transport minister and secretary general of *Thai Rak Thai* (McCargo and Pathmanand, 2005, p.242). In a similar fashion, in February 2004, the editor of the *Bangkok Post* Veera Prateepchaikul was forced to resign, apparently for being too critical of the government (Perlez, 2004). Notably, both English language newspapers were seen as more critical of the government than Thai language ones, although certain figures were also removed from Thai language newspapers for similar reasons (McCargo and Pathmanand, 2005, p.242). Overall, this could raise the possibility that the English language newspapers only published the more sensational and troubling statements by the government on the drug war. However, on manually sorting the results, it became clear that both newspapers were initially supportive of anti-drugs measures, thus perhaps mitigating the possibility that they distorted the government's position. Added to this, whilst there may have been voices of moderation on drug policy within *Thai Rak Thai*, as the leader of the party, the prime minister's own rhetoric is the most instructive.

Owing to the more recent nature of the drug war in the Philippines, elite statements were directly accessible online from a range of sources, most notably online news platform *Rappler*, the *Philippine Daily Inquirer*, and a small number from international press agencies such as *Reuters* and *Agence France-Presse*. Much like the Thai case, *Rappler's* editor Maria Ressa was allegedly targeted for criticising the government and charged with cyber libel in February 2019, and again in May 2019 for issues relating to foreign ownership of media. Duterte claimed that *Rappler* was serving foreign interests and alleged that the news site was being funded by the CIA (Rey, 2019). Duterte also made similar attacks on the *Philippine Daily Inquirer* (*Agence France-Presse*, 2019). As a result, the war on drugs in the Philippines has taken place within a broader political contest over so called 'fake news', where the government has used the phrase in a bid to delegitimise criticism (Hunt, 2018). Whilst it could be suggested that such news sources should be read critically owing to their relationships with the governments in question, here this is not seen as an issue. As the interest is to analyse the discourses of the governments themselves, analysis and editorial comment were disregarded for this chapter. Certainly, newspapers editorial positionality is reflected by what they report, but owing to the wide coverage of both wars on drugs and the willingness of both governments to comment on them, again this does not pose an issue.

7.1.1 The 2016 Presidential election

Whilst the Thai drug war took place two years into Thaksin's tenure as prime minister, it is necessary here to situate Duterte's rhetoric on drugs in the context of the 2016 presidential election. The 2016 election was atypical for several reasons- most notably that it marked thirty years since the overthrowing of Ferdinand Marcos in February 1986 (Timberman, 2016, p.135). Significantly, the turnout for the election was the highest recorded since 1987, with 82% of the electorate voting, largely as a result of the close nature of the race (Arugay, 2016, p.284). Although more Filipinos in total voted for two other front runners Mar Roxas II and Grace Poe, Duterte won resoundingly, with more than sixteen million votes or (39%), over six million more than Roxas (Arugay, 2016, p.285). Ultimately, it was Duterte's clear slogan of 'Courage and Concern' ('Tapang at Malasakit'), which touched on a variety of everyday issues Filipinos faced, and ultimately cut through (Arugay, 2016, p.284).

Although the Philippines nominally has a party system in place, in practice these represent broad constellations of political dynasties, and allies, who affiliate to participate in elections (Timberman, 2016, p.140). Party membership among ordinary Filipinos remains very low and reflects the fact that most do not regard parties as a useful means of pursuing their interests (Holmes, 2016c, p.16). That Duterte was not initially affiliated with a well-established party worked to his advantage, allowing him to criticise the legacy of his predecessor president Benigno S. "Noy" Aquino III (Timberman, 2016, 135). Of the three front runners, Poe ran as an independent and Duterte loosely affiliated with the diminutive Filipino Democratic Party (PDP)-Laban (Timberman, 2016, p.140). Roxas was the only candidate closely affiliated with a party, where he had been chosen as Aquino's successor by the incumbent Liberal Party (Arugay, 2016, p.280). In effect, this meant that Roxas had to run as a 'pro-administration' candidate, against the four others who offered another path (Holmes, 2016, p.17). Despite this, as Arugay (2016, p.280) notes, Roxas had a number of advantages- 'an impeccable pedigree (a grandson of a former president), an Ivy League education, substantial political experience, a strong party machinery, economic wealth, local networks, and access to the state apparatus'. He also had the largest amount of money to spend on campaigning.

Grace Poe represented a slightly more unusual candidate. As the adopted daughter of famous Filipino actor Fernando Poe Jr, who had run as president himself in 2004, she had only been a senator since 2013 (Holmes, 2016c, p.18). The Liberal Party had hoped to get her to run with Roxas, which she had refused in favour of running as an independent (Holmes, 2016, p.19). Indeed, in the days leading up to the election, President Aquino attempted to form an alliance between Poe and Roxas, whereby one would withdraw and throw their support behind the other (Arugay, 2016, p.283). Both refused to do this on the basis that they believed they could

still win independently (Arugay, 2016, p.283). That two of the three front runners were courted by the incumbent Liberal Party at least in part elucidates the reasons behind Duterte's election. Part of Duterte's appeal lay in his unconventional approach, which rejected the perceived corruption and preference for the status quo of the elites and middle classes (Arugay, 2016, p.278). Although Aquino's approval ratings had been the highest of any outgoing president in the post Marcos era, the legacy of his Straight Path ('Daang Matuwid') reforms was mixed (Arugay, 2016, p.278). Though the reforms had given high levels of economic growth, the programme was accused of only benefitting preferred politicians and business groups, whilst failing to address widening levels of inequality (Hernandez, 2017, p.136). Hence, Duterte's appeal was spread geographically and across all socioeconomic classes relatively equally (Hernandez, 2017, p.136).

The issue of drugs was clearly central to the election, representing an important element of Duterte's pledge to address criminality. Although Poe's platform was rooted in the notion of a 'government with a heart' (Arugay, 2016, p.282), she was also distinctly hawkish on the issue of drugs, perhaps in a way which played into Duterte's hands. Prior to the election, Poe served as chair of the Senate committee on public order and dangerous drugs, under which she had amended the so called 'anti-wiretapping law' to allow electronic surveillance of drug traffickers with a court order (Mendez, 2016). Whilst this may have represented relatively logical law enforcement, Poe also expressed concern that narcopolitics may influence national politics, a theme which Duterte later drew upon during his presidency (Mendez, 2016). Notably, during the election campaign, Poe outlined that she would 'declare drugs a national security threat, and a menace to society', and would draft in the Armed Forces of the Philippines to assist with this (Tulfo, 2016). Later, Poe would urge the Duterte administration to uphold human rights, whilst still remaining 'relentless' in its war on drugs (Quismundo, 2016). Further, she argued that 'human rights and the anti-drug efforts need not be mutually exclusive' (Quismundo, 2016). Hence, it could be suggested that Poe's position legitimised Duterte's argument for the need for the war on drugs, but proposed solutions which were more in line with the political status quo (however unlikely that human rights would be upheld with the deployment of the army in anti-drugs measures). Similarly, Roxas did not deploy the issue of drugs to a great extent during the election campaign, apart from noting that Duterte's legacy in stamping out criminality in Davao was not as impressive or clear as he was claiming (Ansis, 2016). That said, Roxas was the only candidate of the leading three who did not support the death penalty for drug offences, arguing that restoring the death penalty 'is not the key to a successful anti-crime campaign' in December 2015 (Recuenco, 2016). Poe had outlined in a presidential debate that she only supported the death penalty in cases where 'drugs and multiple crimes where involved people can no longer be rehabilitated' (Philstar, 2016a). The suggestion that those involved with drugs may not be

capable or worthy of rehabilitation would foreshadow the arguments of the Duterte administration during the drug war. This demonstrates how Duterte managed to capture the prevailing public mood surrounding issues of crime, and how other leading presidential candidates did not, or were not able to, counter this narrative effectively.

7.2 The language of war

Although perhaps an obvious point to make, it is nonetheless significant that both the Thai and Filipino campaigns were depicted as 'wars' by both Thaksin and Duterte. The use of the term 'war' was not a rhetorical shorthand, but instead denotes the priority, as well as the guiding philosophy behind the cases under discussion. As Dillon and Reid (2009, p.15) note, 'war does not exist outside the complex discursive institutions and practices that constitute a certain form of life', and specifically, war is moulded by 'problematizations of fear, threat and dangers, as well as strategic accounts of who it is permitted to kill and under what circumstances'. As outlined in the previous chapter, as neither drug wars bear any resemblance to a genuine inter or intra state war, both cases used such 'problematizations of fear, threat and dangers' in order to make the case for the allegedly strategic execution of drug dealers and users. Again, this logic is decidedly biopolitical in tone- as Foucault (2004, p.225) argues in *Society Must be Defended*, the threats that are to be disposed of do not represent political threats, but rather they are external or internal threats 'to and for the population'. Consequently, to Foucault, biopower does not aim to destroy political adversaries, but rather 'the biological threat to and the improvement of the species or race' (2003, p.226). The dividing line that Foucault thus draws between the biologically pure and impure is 'racism', which consequently 'makes a relationship of war', whereby 'if you want to live, the other must die'.

In his July 2018 State of the Nation Address, Duterte set out in no uncertain terms that 'the war on illegal drugs is far from over' and 'instead, it will be as relentless and chilling, if you will, as on the day it began' (Rappler, 2018). Thaksin's invocation of war sought to raise parallels with the US war on terror in order to draw equivalence between drug trafficking and terrorism, despite the suggestion that the latter is 'more difficult'.

When the US makes war against terrorism, they do it with full commitment, pour in all their resources, and use every kind of influence they have, use every level of politics to deal with this matter. I think that task is more difficult than a domestic drug problem because they have to work all over the world. So today we have to make war on drugs, have to attack, and that is not beyond our ability. (Phongpaichit and Baker, 2005, p.256)

The link between terror and drug trafficking in the Philippines has been rather more direct, with the ISIS-affiliated *Maute* and *Abu Sayyaf* Groups using the trade to fund their occupation of Marawi for five months in 2017 (Clarke, 2018, p.28). When the Philippine army cleared the city of insurgents in June 2017, they found around \$2.2-5 million dollars' worth of methamphetamine in houses formerly occupied by *Maute* fighters (Lewis and Mogato, 2017). However, this should be set in the context of other funding streams insurgents receive, such as kidnap for ransom, which reportedly earned Abu Sayyaf around \$35 million between 1992 and 2008, as well as gun running (Clarke, 2008, p.27). The political economy of the region also led to funding for the *Maute* group, with Australian government backed NGO Habitat for Humanity subcontracting a construction project to a company owned by the *Maute* family, who had pledged allegiance to ISIS in 2014 (Rose, 2018, p.13-14). As the Australian government had paid NGO *Habitat for Humanity* around \$10.1 million for a development assistance project to build school facilities, it is believed the *Maute* clan could have received several million dollars through subcontracting (Rose, 2018, p.13-14). Regardless of the fact that drugs funding represented a component of funding streams for insurgents in Marawi, Duterte has used this since to make an argument for the broader war on drugs being closely linked to the war on terror. In his State of the Nation Address in July 2019, Duterte referred to the siege of Marawi, arguing that:

A group of armed men with sophisticated weaponry and aided by locals radicalized by extremist dogma and teachings fought our troops for weeks. During that Marawi Siege, tons of shabu worth millions and millions of pesos [sic]. Drug money killed 175 and wounded [2,101] of my soldiers and policemen in that five-month battle.
(Rappler, 2019)

This presentation of the insurgency in Marawi is significant, as though Duterte highlighted radicalisation, it was drugs rather than the ideology which he claimed ultimately killed and wounded his soldiers. This emphasizes how terrorism is used as a 'floating signifier', (Jørgensen and Phillips, 2002, p.29) which, through association with drugs, further highlights their destructive nature, even if the majority of the trade in the region is unrelated to Islamist insurgencies. Moreover, that genuine military threats exist within the state and are supported by drug trafficking further makes the case for the necessity of war.

The notion that all-out war is necessary against drug trafficking is significant, as the threat to the nation itself was the most common discursive trope in both drug wars. Mimicking the now familiar refrain from Richard Nixon in 1971, where he argued if 'we cannot destroy the drug menace in America, then it will surely in time destroy us', Duterte in rather more crude terms pledged that if 'you destroy my country, I'll kill you'. Notably, as well as Thaksin's attempts to elevate the risks drug trafficking presented to the nation, King Bhumipol supported the prime

minister. This gave royal approval to the campaign, which may not have been supported by the traditional military elites had he not done so. Towards the end of the campaign in December 2003, the king noted that 'the situation did warrant a war', and the campaign was 'part of a political war' where 'narcotics are used to undermine the Thai population' (The Nation, 6th Dec, 2003a). Further emphasizing this, the King argued that the 'real aim' of drugs production was to 'weaken the population' (The Nation, 6th Dec, 2003a). This biopolitical notion that drugs are a subversive plot to undermine the health of the nation was mentioned in previous chapters in relation to the threat of communism, and will be developed later in the chapter. Overall though, the aim of such arguments, as Thaksin laid out rather starkly at the war on drugs 'victory ceremony' in December 2003 was to depict those who did not 'cooperate' as 'an enemy of Thailand'. Further, he argued that 'state officials or other people who conspire with drug dealers are regarded as enemies of the nation', emphasizing how like historical anti-drugs discourses, the aim was to depict drugs as 'un Thai'. The mention of state officials is also instructive here, and the threat that drugs trafficking presents to the state through corruption is where this chapter will turn next.

7.3 Corruption and the spectre of the narco-state

The role that corruption has in facilitating drugs trafficking and vice versa has been discussed in some depth throughout this thesis. Corruption permeates all aspects of politics in both Thailand and the Philippines, so perhaps it is not at all surprising that it would represent a major justification for drug wars in both countries. Part of this lies in Duterte and Thaksin's broadly defined populist style, which aims to highlight the abuses of traditional elites (McCargo and Pathmanand, 2005; Kenny, 2019; Kossow, 2019). Significantly, in both cases the leaders took aim at the corrupt in positions of power. In his speech inaugurating the anti-drugs campaign, Thaksin (2003, p.2) noted that 'the police already know all the various dens of vice which distribute drugs' and that 'there is no police station chief who does not know such things, because even the taxi-drivers do'. With this, he offered a challenge: 'you all know everything; it's just a question whether you will do anything or not'. The need to root out the powerful with links to drugs was also highlighted by Suphanburi district administration chief Krienkrai, who noted that if drug dealers were not eliminated via a blacklist, in his district 'all officials will be drug dealers with the wealth to buy an election' (Cumming-Bruce, 2003).

Interestingly, Thaksin also suggested that poverty was 'the root cause of drug problem and corruption fuels its existence' (The Nation, 2003, 25th July), but then also went on to argue that drug traffickers were part of an 'axis of evil' (whilst noting he was borrowing George Bush's phrase), who 'raise people's cost of living' through bribes (Nanuam, 2003). This links to Thaksin's dual rhetoric on drugs- on one hand he highlighted the need for poverty reduction in

anti-corruption measures, whilst on the other, whipped up hatred and suspicion of anyone associated with drugs. With this, much like Duterte, Thaksin emphasized his personal ability to protect those who reported cases of corruption to him. Whilst in practice this would still be a very risky act, it further gives the impression that they were systematically attempting to address corruption. Noting cases of corruption within the police, Thaksin declared that:

You need not be afraid of any influence, even if there are politicians or whoever behind them. You can meet me any time. If politicians are involved, arrest them, deal with them severely, whatever party, whatever name. Anyone who sells drugs is destroying the nation. Let me say this very clearly. However many times I say it, it will be the same. If you come across influence, if you are intimidated, come to see me

This emphasis on protection from the Mafia was a recurring theme in Thaksin's inaugural speech for the drug campaign, as he sought to highlight that 'officials who fear the influence of the Mafia should not be officials' and he had more 'connections' than gangs did, so could protect whistle-blowers (Thaksin, 2003, p.3). Like Thaksin, Duterte (Rappler, 2017) emphasized that he would personally intervene in cases of corruption to 'completely eradicate the menace of illegal drugs, criminality and corruption'. The ordering of drugs, criminality and corruption in a seemingly causal chain is significant, as it attests to an attempt to present drug trafficking as the sole driving force behind corruption, when the relationship is generally recognised to be symbiotic. In his 2019, State of the Nation Address, however Duterte recognised that 'drugs will not be crushed unless we continue to eliminate corruption that allows this social monster to survive'. However, this was set against a broader argument for the reintroduction of the death penalty for 'heinous crimes related to drugs, as well as plunder' (SONA, 2019). The part of a death penalty bill in 2017 which rendered plunder, rape and treason as punishable by the death penalty had previously been rejected by the senate majority bloc, leaving only drug trafficking as a capital offence (Cepeda, 2017; Geducos, 2019). However, the way for a new bill to be passed has been cleared after Duterte's bloc won the 2019 Senatorial elections in May, with former police Chief Ronald dela Rosa being elected senator on a platform of reintroducing the death penalty for drug traffickers (Renada, 2019).

Emphasizing his personal ability to prevent corruption like Thaksin, Duterte claimed 'the gates of Malacañang¹⁵...will be open' to 'those who have valid reasons to complain about graft and corruption' (SONA, 2016). In his State of the Nation Address the following year, Duterte urged citizens to use the national corruption hotline '8888' set up after he came to power in July 2016, after which he 'would take it from there' (Duterte, 2017). Ordinary citizens shouldn't fear libel

¹⁵ Malacañang Palace is the primary workplace of the President.

accusations from public officials, Duterte argued, as he would 'take care of that' (Russia Today, 2017). However, as with Thaksin's rhetorical emphasis on anti-corruption, placing the responsibility with the population to report cases of corruption when this would place them in real danger, represents a tokenistic nod to anti-corruption. It is no accident that of the dozens of the many public officials Duterte has sacked for incompetence, corruption and drug smuggling, only two had been formally charged with crimes two years into his presidency (Syjuco, 2018). Rather, corruption was used by Duterte and Thaksin as a discursive node, around which they could form their argument for a drug war, without ever having to explain the role that narcotics may play in the local political economy of certain regions. Specifically, Duterte used corruption as justification for his methods which he would not compromise until 'the last drug lord, the last financier, and the last pusher have surrendered or put behind bars [sic], *or below the ground*, if they so wish' (Philstar, 2016b).

The Philippine government also sought to link corruption to the threat of being rendered a so called 'narco-state', owing to the political and economic influence of drugs gangs. In a General debate at the UN headquarters in September 2018, Secretary of Foreign Affairs Alan Peter Cayetano noted that the drug war had set the Philippines 'on track in salvaging our deteriorating country from becoming a Narco-State or a state held hostage by the rich and powerful who ignore the plight of the poor, powerless or marginalised' (p.3). The term narco-state is widely used, but as Chouvy (2016) notes, the concept does not have anything close to an agreed definition. Indeed, Chouvy (2016, p.26) argues that as an 'amorphous category than can be used to refer to very diverse states', based on current definitions no *narco-states* exist and the term thus oversimplifies complex issues of state capacity and political realities. For instance, though narco-states are usually defined by economies dependent on narcotics and where government elites are either controlled or complicit in the drugs trade, in the cases of Afghanistan and Burma, the concept is not particularly useful as neither state control much of the territory where drug production takes place and never really have (Chouvy, 2016, p.28). Though Chouvy (2016) notes that the term can be used to delegitimise states, here the term was deployed by the Philippines government to legitimise their approach to the drug war, which would allow them to 'salvage themselves'.

Much like the Philippines government's attempt to use the threat of the narco-state to justify their approach to drugs, Thaksin similarly made use of a potentially fabricated attempt to assassinate him to highlight the risk of drugs gangs. On the 13th March 2003, two months into the drug war, *The Nation* newspaper reported that Thaksin had confirmed reports that 'foreign elements' had set a bounty price for his assassination. He claimed to the media that 'reports have come from our intelligence that a group of international mafia bosses want to kill me...this is not a mere threat...they are real' (The Nation, 13th March 2003). Police Chief Sant Sarutanond

subsequently claimed that the threat had come from the United Wa State Army (UWSA), the Burmese militia which produce a large amount of methamphetamine pills (*yaba*) circulated in the region, as discussed in previous chapters (Bangkok Post, 2003, 13th March). Later, defence minister Thamarak Isarangura directly claimed that ‘drug lords and mafia bosses are trying to kill the prime minister because of his all-out war against drug dealers and the new campaign to crackdown on organised crime’ (The Nation, 20th May 2003). Clearly, the supposed assassination attempt of such a senior figure in government was intended to provoke comparisons with countries where drugs cartels were able to assassinate politicians seemingly with impunity. For instance, the Medellin Cartel in Columbia were widely suspected to have carried out the assassination of Minister of Justice Rodrigo Lara-Bonilla in May 1984 and that of presidential candidate Luis Carlos Galan in 1989 (Thoumi, 2002). Similarly, assassinations of the Mexican *Partido Revolucionario Institucional* (PRI) presidential candidate Luis Donaldo Colosio and the PRI secretary-general Francisco Ruiz Massieu in 1994 were widely suspected to be have been carried out by cartels (Sullivan and Bunker, 2002, p.46). As a result, the suggestion that such drugs gangs had the influence and resources to attempt to assassinate Thaksin sought to overstate the threat they posed to the state. This was further highlighted by the fact that many were not at all convinced by the assassination plot. Senior officers at the Army Military Intelligence command doubted the veracity of such reports and even went as far as suggesting that reports of an eighty million baht bounty were ‘nonsensical’ (Bangkok Post, 2003, 13th March). The Deputy Prime Minister Chavalit Yongchaiyudh further admitted that the intelligence they had received on the threat to the prime minister’s life was ‘F-level’ and thus ‘the least credible’ (Bangkok Post, 15th March 2003). This also led to *Thai-Rak Thai’s* rival Democrat Party to question why they government had decided to publicise the issue, raising the possibility that they had fabricated the report to deflect attention away from extrajudicial killings (Bangkok Post, 15th March 2003). The US Embassy refused to either confirm or deny that they had advised Thaksin to bolster his personal security (Bangkok Post, 2003, 20th May).

This section has demonstrated how both the Thai and Philippines government assembled particular signs in relation the overall discursive node of drugs in order to legitimise the violence of their drug campaigns. Specifically, Thaksin and Duterte depicted corruption as being directly caused by drug trafficking (as opposed to political culture, political economy etc) by hugely powerful cartels, as a means by which to further make the case for their radical measures (see previous chapter). As shown above, while the drug wars went on both contexts, Thaksin and Duterte attempted to associate drugs and threats to the state, either indirectly through corruption, or to the very personnel of the state itself. Further, this shows how both governments sought to present their facilitation of violence as contingent upon the actions of organised crime. The presentation of threats to the state were important, but the following

section will concentrate on how Thaksin and Duterte mobilized fear, and the personal risk drugs posed to ordinary citizens.

7.4 'Won't somebody think of the children?' - The youth as the key referent in the war on drugs

Children as both a referent object of, and actor in, security discourses remain understudied within the broader discipline of security studies. Indeed, when children are discussed with reference to security, it is generally through the frame of child soldiers (Wagnsson, Hellman, and Holmberg, 2010; Macmillan, 2015). As a result, this section will draw out how both Thaksin and Duterte used children as a key referent in their drug wars, and how subsequently this protection of the youth became an important site of contestation within both contexts.

Moreover, to date no studies have examined how the invocation of children as a referent object of security may interact with notions of biopolitics. As biopolitics is chiefly concerned with 'promoting species life' and represents 'a question of constituting something like a milieu of life, existence' (Foucault, 2007, p.30 in Evans, p.417), it is thus important to examine how language of exclusion of drug dealers is also coupled with that of the possibility of future generations and how this may be jeopardised by the former. Here then, it will be shown that children and the youth represent a key floating signifier in the war on drugs, as through virtue of their purported innocence and apolitical nature are 'particularly open to different ascriptions of meaning' (Laclau 1990: 28, 1993b: 287 in Jørgensen and Phillips, 2002, p.29). Owing to the risk that both drug wars placed children in, it will also be shown how children and the youth subsequently became an important struggle in which to fix their meaning in relation to the war on drugs (Jørgensen and Phillips, 2002, p.29).

The role of children in security discourses is often through the presentation of them as victims - their suffering often representing a 'leitmotif of emergency relief fund-raising campaigns', for instance (Burman, 1994, in Macmillan, 2015, p.62). Children have also played a role in humanitarian interventions, with Macmillan (2015) arguing that the presentation of the vulnerability of children representing a key element of the public discourse in the US intervention in Somalia. In tandem with this, Wagnsson et al (2010) note how human security discourses have upheld children as objects of international concern and raised questions of how Western military involvement may affect them. Further, national governments and international organisations may draw on ethical rhetoric relating to children as a means of strengthening their legitimacy and cohesion (Wagnsson et al, 2010). Similarly, Brocklehurst (2006, p.48 in (Wagnsson et al, 2010, p.9) notes that children are usually passive symbols used to further political agendas, or to serve processes of identity construction. Whilst clearly here the intent was to use children and the youth as a means to legitimise the drug war, in this there is a risk of oversimplification. As Beier (2015, p.4) argues, whilst children already populate security

discourse as innocent objects in need of protection as a 'social resource for the future', perhaps less attention is accorded to them as 'dangerous beings where presumed innocence is subverted by a nefarious force'. Moreover, there is perhaps a need to examine where children are presented as 'dangerous or potentially dangerous becomings', a category of possibility with clear biopolitical overtones. This emphasis on possibility further draws upon Campbell (1998, p.13), who emphasizes that threat construction is not solely rooted in processes of exclusion, but also a 'condition of possibility'. In many senses then, the youth as a broad category represent a security threat par excellence, as their condition of possibility can be mapped out and manipulated for political ends.

The discursive relationship between children at risk and the war on drugs has always been relatively clear. In 1985, Margaret Thatcher declared that 'Britain, like the rest of Europe, is up against a determined effort to flood the country with hard drugs to corrupt the youth' (Pryce, 2011, p.102). Similarly, in 1971 Richard Nixon argued to congress that the spectre of narcotics came 'quietly into homes' to 'destroy(s) children' (Barrett, p.36). In the Thai war on drugs, at least initially, it appeared as though the government had cause for concern with reference to the drug habits of the youth. Throughout the 1990s *yaba* grew in popularity among teenagers in nightclubs, and dealers very often sought to expand their market through pyramid selling, where the customer was encouraged to then develop their own customer base, often into schools (Pongpaichit and Baker, 2005, p.159). This saw the reported consumption of *yaba* among those aged 16 and 23 double between 1994 and 1998, and was continuing to rise in 2003 (Chouvy and Meissonnier, 2004, p.64). As Phongpaichit and Baker (2005, p.159) note however, it was not until elite circles realised their own children, as well as menial workers and slum dwellers were using the drugs, that the issue was given such significance. Over the course of the campaign, Thaksin continually reminded the Thai public of the threat to the youth, at one point claiming that as many as 700,000 to one million children used drugs (Bangkok Post, 2003, 2nd March). At other times, Thaksin claimed that 700,000 children were seriously addicted, whilst as many as three million used drugs (Thaksin, 2003, p.2). This narrative of high levels of drug use among the youth was aided by surveys of the Office of the Narcotics Control Board (ONCB), who issued a survey which suggested more than half of secondary school students had tried methamphetamine in the form of *yaba* at least once (Phongpaichit and Baker, 2004, p.160). However, the ONCB later admitted that all data on methamphetamine imports was largely guesswork and only around 400,000 took it once a month or more (Phongpaichit and Baker, 2004, p.160). As Chouvy and Meissonnier (2004, p.65) note, it is also important to view the figures on supposed drug use among school students in global context- in 2003 drug use among the Thai youth was still lower than in Europe and far lower than their counterparts in North America or Australia.

Much like the presentation of the youth in other security discourses, both Thaksin and Duterte's articulation of the threat posed to the youth by drugs was through three discursive nodes- as incompetent 'apprentice citizens', vectors of 'childhood innocence' and as an element of the private sphere of the family (Wyness, et al. 2004, p.82–84). Significantly, these three themes also presented them as apolitical actors, allowing them to be used as marionettes for the campaign and without possibility that the youth would contest the need for their protection. Much like discourses of humanitarian intervention, their vulnerability and innocence (Macmillan, 2015, p.74) were highlighted continually by Thaksin and Duterte to make the case that they were objects worthy of protection. The most consistently recycled theme of both Thaksin and Duterte's campaign was the reiteration that children and the youth represented the 'future' of the nation, which further hints at the biopolitical aim of 'species survival' and 'making life live'. Early in the drug war, in a speech Thaksin emphasized that 'our country will have no future if our children are addicted to drugs', and as a result it was the 'duty of every citizen to fight this drug menace' (The Nation, 2003, 2nd February). This further hints at the notion of responsible citizens having the duty to correct the incompetence of the youth as 'apprentice citizens'. In a similar vein, in an interview with Al-Jazeera in 2016, Duterte tied the themes of nationalism to that of the youth by arguing that:

"We have three million drug addicts, and it's growing. So if we do not interdict this problem, the next generation will be having a serious problem ... You destroy my country, I'll kill you. And it's a legitimate thing. If you destroy our young children, I will kill you. That is a very correct statement. There is nothing wrong in trying to preserve the interest of the next generation." (Al-Jazeera, 2016)

It is notable here that Duterte directly referred to the legitimate nature of the drug war and the killings associated with it, by linking it to the threat to the next generation. Developing this later, Duterte (2017, p.10) referred to the importance of the drug war in preventing potential damage to the 'youth of the land because they are our only assets', and in a separate speech noted how drug dealers harmed 'the children in whose hands the future of this republic is entrusted' (Rappler, 2017). In Duterte's 2018 State of the Nation Address he drew upon this theme again in laying out his concern for the 'future' as broader crime could 'make human cesspools of succeeding generations' (Rappler, 2018). This alludes to the potential of children and the youth as 'dangerous becomings', who could therefore jeopardise the future of the nation as adults.

Thaksin similarly equated the corruption of the youth with the potential demise of Thai society, but further embellished this with allusions to drugs compromising Thai competitiveness. In his speech announcing the drugs suppression policy in January 2003 (p.1), he outlined that:

I think we have tolerated too much already, and now the country's youth has been very badly damaged. We are entering the age of the knowledge society, but the brains of the nation's youth are being destroyed

Such reference to the cognitive abilities of the youth being compromised by drug use is a theme which will be returned to later, as it played an essential role in depicting the drug user in a particular light. Moreover, discussion of damage to health further supplements the argument that at the core, the anti-drugs campaigns were biopolitical projects designed to instil notions of ideal citizenship. Like in Duterte's presentations of threat, Thaksin also emphasized the purported innocence of the youth continually. Specifically, Thaksin depicted the youth as being essentially duped into drug use:

If we think about parents sending their children to school just for them to get drugs and Aids, we have to feel their devastation. If we don't think anything, then we don't feel anything. But if we think properly, we'll see that all our Thai children, innocent kids, who don't know what they're doing, are sometimes tricked by the drug traders in some way or other. (Thaksin, 2003, p.5)

Although the allusion to Aids along with drugs may have been off improvised and unscripted, (something which was not unusual for Thaksin)(McCargo and Pathmanand, 2005, p.172), it could have been intended to further foster moral panic. This depiction of the youth as 'innocent victims' of predatory drug traffickers became a useful and often used discursive trope used by Thaksin. Whilst the importance of the familial unit was continually alluded to by Thaksin through reference to 'our children' (Bangkok Post, 2003, 2nd March; Mydans, 2003) or parents, Duterte was more direct in linking the threat of drugs to familial breakdown, much like Nixon before him. In attacking critics of the drug war, in his 2018 State of the Nation Address he declared that 'the lives of our youth are being wasted and families are destroyed, and all because of the chemicals called shabu, cocaine, cannabis, and heroine' [sic]. Again, this was a reiteration of the same theme outlined in his State of the Nation Address of 2017, where he claimed he would 'not allow the ruin of the youth, the disintegration of families and the retrogression of communities, forced by criminals whose greed for money is insatiable as it is devoid of moral purpose'. The theme of the breakdown of the nuclear family was also used by Thaksin (2003, p.8), who made his point through a prolix, and perhaps slightly lecherous account of an interaction with a golf caddy, where upon asking whether she was married, 'she replied that around her home everyone was on drugs and she did not know why she should get married, just to get bashed about.' Again, as well as presenting drug users as violent, this demonstrates an attempt to argue that drug use threatened the survival of the nuclear family.

Such rhetoric in part alludes to Asian values, which as stated in previous chapters, had been used by Duterte and to a lesser extent Thaksin in the past.

The final way in which both Thaksin and Duterte used children as an essential discursive node was to emphasize the physical risk drug users presented to their children. This was attested to by Duterte's claim in his 2017 State of the Nation Address that 'your concern is human rights, my concern is human lives'. Whilst the argument relating to the 'risk' drug users present to society will be developed further in the following section, it is significant that they were presented as of particular risk to children. For instance, in a speech in 2017 (p.10), Duterte sought to emphasize the 'many children raped, killed, and women' by users who 'are high [against] drug' (sic). Similarly, in a speech in March 2003, Thaksin brought up a news story from two years previously, where a University student was held hostage, then murdered by a 'drug-crazed' man. Coupled with this Thaksin noted that parents 'should ask yourselves if you're concerned about your children. You have been caring for them since they came into this world' (Bangkok Post, 2003, 2nd March). As Haanstad (2008, p.155) notes, the image of the crazed '*yaa baa* maniac' holding a hostage at knifepoint is a prominent Thai cultural trope and meme used continually by the media in the country. In 2004 a similar incident occurred, where a construction worker, who was characterised as 'high on drugs' took a young boy hostage, although the knife wielding trope was not fulfilled until special police and television crews arrived (Haanstad, 2008, p.156). This is demonstrative of how Thaksin alluded to the cultural trope of the apparently crazed drug user in order to emphasize the risk posed to children, thus lending legitimacy to a campaign to eliminate them.



Fig 1. A cartoon from Thai language newspaper Thairath, dated March 15th, 2003. The cartoon is entitled 'Risking his life to protect' and shows Thaksin Shinawatra shielding children from a drug dealer or user. The text on Thaksin's back roughly translates as 'Commander of the drug suppressing army', and the children hold a sign reading 'Thai young people, the future of this country'. The bag the figure to the left holds simply reads 'Yaba'. It also seems significant that the drug dealer is depicted as a Westerner, which has two possible implicit meanings. Firstly, the drug dealer could represent Western states' condemnation of the drug war, who in criticising Thaksin have jeopardised the security of the Thai nation and youth. Alternatively, this particular representation could be a bid to visually demonstrate that the issue of drugs is foreign in origin, a line of argument which has been discussed in previous chapters. As suggested earlier, this de-localisation of the issue serves to help divert scrutiny of endogenous corruption which sustains the drug trade.

7.4.1 Contesting the role of children in drugs discourses

The evocation of the innocent child at risk to drugs was one that ultimately backfired to an extent for both Thaksin and Duterte. In Thaksin's case, opposition to the drug war coalesced around the theme of the risk posed to children by state vigilantism and the violence fostered by the campaign. The first child killed in the crossfire in the Thai drug war was Chakraphan Srisaard, a nine-year-old boy killed on February 23 2003 by police, who shot at the car his mother

was driving (HRW, 2003). The case played out publicly as the family sought for answers, finally culminating in July 2011 with the criminal court charging three police officers with recklessness, ultimately leading to the child's death (Bangkok Post, 2013, 28th August). The charging of the police officers also served to discredit the police's argument that such killings were the product of gang members silencing one another (Mydans, 2003). Following this, several other reported accidental killings of children took place, including that of a sixteen-month-old baby in the arms of her mother (HRW, 2003). Whilst there was evidence of public revulsion in reaction to the killings of the children within Thailand, support for the overall drug war remained (Roberts et al, 2004).

In a similar vein, opposition to Duterte's drug war sprung out of the deliberate killing of teenagers and children, which became widely covered by national and international media. Again, this is significant, as it demonstrated the contestation of exactly what children represented in relation to the drug war. Were they precious referents being defended by the state, or were they at risk from the very same state? The case of seventeen year old Kian Delos Santos was discussed in some detail in the previous chapter, but the reaction to his killing is perhaps what is most instructive. The case was widely reported by the media and polling by *Pulse Asia* (2017) showed that 94% of respondents were aware of the case of Kian Delos Santos, and partly as a result of this 76% were concerned that a member of their family, a relative, or an acquaintance may meet a similar fate to the teenager, owing to the strategies of the government. In August 2017, in response to the teenager's killing, several hundred protestors took to the street to protest about such extrajudicial killings (The Philippine Star, 2017). The accidental killings of three-year-old Myca Ulpina during a raid to allegedly capture her father, and that of several others drew condemnation from several human rights organisations, as well as from UNICEF (Conde, 2019).

In addition to promising to address the problem of children falling victim to the drug war, the Duterte administration also pledged to lower the age of criminal responsibility from 15 to 9 (Power, 2019). Fredenil Castro, the co-author of the 2017 bill, argued the new law was necessary as many children were 'in cahoots with drug users, with drug pushers, and with others who are related to the drug trade' (Baldwin and Marshall, 2017b). Significantly, in support of the bill Duterte adapted his presentation of children to be 'dangerous becomings', rather than innocent victims, noting that police had to release minors 'whatever the crime the child has committed...maybe he will rob and kill, maybe he will rob kill and rape' (Placido, 2016). This demonstrates the ambivalent presentation of children as referent objects of, and threats to the broader security of Filipino society. As well as this, opponents of the war on drugs have also noted the number of orphans created by state vigilantism (Henly, 2016). A theme which was raised continually by opponents to the drug war was the class dimension of killings,

as Filipino children's organisations noted that very often involvement in crime was the only means of survival for the youngest and most vulnerable children (Power, 2019). Such was the extent and media coverage of the killing of children in the drug war, that Amnesty International (2017) suggested that the deaths of over 60 children should be examined as part of a case by the International Criminal Court.

Overall, this section has demonstrated how children represent an essential, yet fundamentally contested discursive node in the discourses of the war on drugs. The youth were variously portrayed as objects of protection, potential corruption and ultimately threats in themselves in order to legitimise the strong arm tactics used by both the Thai and Filipino governments. It has been shown that the invocation of the children is often biopolitical in motive, in that preserving species life is dependent on a healthy and uncorrupted youth. Further, through the attack on the innocent child, the unity of family values are thus upheld as being under threat by drugs themselves, and thus, by extension, drug users and dealers. As discussed briefly above, class is also an element in this, with poorer children being targeted for harsher sentences in the Philippines, or occasionally being caught in the crossfire in both contexts. As the polling data on Kian Delos Santos in the Philippines shows, children as referent objects, dangerous becomings and apprentice citizens and the contestation over these presentations are important in forming public perceptions of the legitimacy of state vigilantism. Accordingly, the presentation of the alleged drug user and dealer as the victims of state vigilantism will be where this chapter turns next.

7.5 Dehumanisation and re-humanisation of the drug user

Whilst the dehumanising rhetoric used with reference to those involved with drugs by both Thaksin and Duterte was discussed briefly in the preceding chapter, there is a need to examine this process in greater detail. To draw upon anthropologist Alexander Hinton (2001, pp.9-12), dehumanising processes of othering operate through 'manufacturing difference' and consequently clear the way for 'annihilating difference'. Whilst Hinton's work references genocide, here it will be shown that state-led dehumanisation played a similar role in both the Thai and Filipino drug wars. This dehumanising process is also shot through with distinct biopolitical processes. Drawing upon Zygmunt Bauman (1991), Evans (2010, p.425) notes that 'to make life live' involves elevating ideal ways of life, whilst necessarily excluding 'lives that are retarded, backward, degenerate, wasteful and ultimately dangerous to the social order'. Further, as Foucault (1978, p.137) argued 'wars are no longer waged in the name of a sovereign who must be defended; they are waged on behalf of the existence of everyone and 'entire populations are mobilized for the wholesale slaughter in the name of life necessity'. This is

pertinent to the discussion here. Drugs were presented by both Thaksin and Duterte as a threat to the very being of the nation, the state and their future. As outlined in the previous chapter, depicting drug users as dangerous further legitimised their killing, owing to the potential 'risk' they posed. However, as with the use of the youth as a discursive node in the rhetoric of both campaigns, their portrayal of the drug user displayed some ambivalence, with them variously being presented as harbingers of doom, objects of pity and ordinary people in need of rehabilitation.

The category of 'addicts' with reference to drugs is something which became the subject of some debate in the Philippines. Whilst the statistical sleight of hand used by the *Thai Rak Thai* government to emphasize the risk of drug use to society has already been discussed, this was later mirrored in the Philippines. Duterte's government conflated occasional users with addicts in order to overstate the problem, labelling all those involved as irredeemable. For instance, Duterte claimed that four million drug 'addicts' would '*contaminate* another 10 million' within four to six years, citing the problem with individuals as some form of pandemic disease (Philstar, 2016). This claim was based upon an estimate that there were 1.7 million drug users in the Philippines in 2016, compiled by the Dangerous Drugs Board (DDB), which operates under the jurisdiction of the president (Philstar, 2016). Duterte subsequently inflated this figure despite the fact that around a million of those identified in the original DDB estimate were marijuana users and therefore would be exempt from the figures if Duterte legalised it, as he had initially proposed (Philstar, 2016). The UNODC (2016, p.60) refers to 'addicts' as those who have a 'drug dependence' and thus 'have great difficulty in voluntarily ceasing or modifying substance use' and exhibit determination to obtain illicit drugs by any means, so marijuana users would certainly be exempt from this categorisation¹⁶. Moreover, according to the DDB survey, only around a third of the 1.8 million users had consumed narcotics in the previous thirteen months, so again could hardly be characterised as 'addicts' (Baldwin and Marshall, 2016). However, it seems likely that this conflation of those who have ever used drugs and addicts was entirely deliberate- designed to pathologize all drug users and depicting them as equally unwelcome in, or useful to, society. This relates to the characterisation of drug users discussed in the former section- the image created is of huge numbers of dangerous drug users, who carry out the majority of petty and violent crime.

Although both Thaksin and Duterte attempted to portray those involved in the drug trade as corrosive to society, this was also coupled quite directly with the language of dehumanisation, in literally attempting to deny their humanity. Whilst Thaksin often referred to those involved with the drug trade as 'scum' in a bid to question why they should not be killed (Bangkok Post,

¹⁶ Although the phrase 'drug dependent individuals' is the language usually preferred by the UNODC.

2003, 23rd February), and urged officials to be 'ruthless' with drug sellers (Thaksin, 2003, p.254), such dehumanisation was far more marked in the Filipino case. For instance, Justice Secretary Vitaliano Aguirre II noted that 'the criminals, the drug lords, drug pushers, they are not humanity,' in response to an Amnesty International Report condemning the drug war (Agence France-Presse, 2017). He continued 'in other words, how can that be when your war is only against those drug lords, drug addicts, drug pushers. You consider them humanity? I do not' (Agence France-Presse, 2017). Such discursive patterns can be traced through the government, with then Senate Majority floor leader Vicente Sotto III surmising, 'when you say "crimes against humanity", who is the humanity being mentioned? Are drug pushers and stubborn drug users considered part of humanity?' (Terrazola, 2018). Notably, both Sotto and Aguirre directly mirrored Duterte's own rhetoric, as in a speech in 2016 Duterte had asked the same question: 'what crime against humanity? In the first place, I'd like to be frank with you, are they (drug users) humans? What is your definition of a human being?' (Ramos, 2016). Whilst the primary motive of such rhetoric is clear, it also presents drug dealers and users, who are again characterised as 'addicts' or 'stubborn' as equivalent, and as a result, equally unentitled to recognition as human. Such dehumanisation also took other forms in the Philippines. Although a large proportion of the Filipino Catholic Church has rejected the drug war, Archbishop Romulo Valles, who is head of the Philippine Bishop's conference, argued that those involved with the trade were 'Satans' owing to the 'darkness of drugs' (Lagarde, 2019).

More indirectly, both governments also made biopolitical arguments relating to the health and vitality of drug users as productive members of society. Like other discursive patterns of the war on drugs, this was not entirely new; the George H.W Bush administration equated national strength with the 'health' of citizens as a means of asserting the danger of drugs (Campbell, 1998, p.172). In a 1989 address to the nation, when presenting drugs as the 'gravest domestic threat to the nation', Bush argued that 'drugs are sapping the strength of our nation' (Campbell, 1998, p.172). Likewise, the Thai king claimed in a speech in 2003 that the 'real aim' of the drug trade was to 'weaken the population'. In addition, the King suggested that 'addicts are weak in mind and body' (The Nation, 2003, 3rd December). This was a theme mirrored by Thaksin, who posited that 'the drug problem is like a germ that is ready to strike when the body is weak. So, we need to remain vigilant and make a strong country' (The Nation, 2003, 3rd December). This further raises the use of the language of pandemic disease, which was noted earlier where Duterte claimed that drug users would 'contaminate' the rest of the population. Specifically, Thaksin had earlier argued that 'if the drug addicts do not receive treatment as soon as possible they will soon turn into drug dealers and spread the disease to others,' (Bangkok Post, 2003, 30th March). Whilst the theme of rehabilitation will be turned to shortly, Duterte's rhetoric notably followed the same terms, but with the premise that 'living-walking dead' drug users

were beyond any rehabilitation (Villanueva, 2017). Further Duterte argued that ‘what is really very unsettling is that a year or more of *shabu* use would shrink the brain of a person, and therefore he is no longer viable for rehabilitation’ (Villanueva, 2017). More explicitly, he suggested that as users ‘no longer have the cognitive value of that person or their talents’, they ‘are of no use to society any more’ (Villanueva, 2017). Although Thaksin (2003, p.6) was less direct, he likewise suggested that if parents knew that their children would go to school only to take drugs and become ‘ruined’, ‘they would choose to keep them in the paddy fields instead’. Whilst there is a consensus that heavy methamphetamine use can result in cognitive impairments such as memory loss, other functions such as intelligence, verbal fluency and psychomotor speed appear to be unaffected (Vearrier et al, 2012). Consequently, this portrayal of all users as the ‘walking dead’ is designed to homogenise the group and render them all as irredeemable addicts or violent criminals, who are therefore legitimate targets of extrajudicial killing. Again, this demonstrates the attempt to reduce the ‘field of discursivity’ (Laclau and Mouffe, 1985, p.111), where the aim is to reduce alternative possibilities in portraying drug users, (Jørgensen and Phillips, 2002, p.27) in order to establish their relationship with disease, crime, moral decay and corruption.

7.6 The drug user as the victim

Although the presentation of drug dealers and users was largely dominated by the themes outlined above, something of a caveat is required. Whilst in both cases, drug users were demonized in a bid to legitimise extrajudicial killings, such rhetoric was occasionally tempered. Particularly in the case of Thailand, whilst presenting drug users as corrosive, Thaksin also did present them as victims, something which was not replicated by Duterte. A rhetorical nod was also given to processes of rehabilitation, which both Thaksin and Duterte claimed to be prioritising. In his state of the nation address in 2016, Duterte claimed that they would ‘increase the number of residential treatment and rehabilitation facilities in all regions of the country’. However, with this he suggested that the armed forces would prepare ‘the use of military camp and facilities for drug rehabilitation’, hinting at the use of the drug detention centres discussed in previous chapters. As has been outlined in previous chapters, genuine rehabilitation programmes remained hugely oversubscribed, and ineffective drug detention centres were still preferred. Amnesty International (2019, p.37) have noted how difficult it is to ascertain how many people have undertaken treatment and rehabilitation in the Philippines, as authorities do not provide accurate data. As of 2019, Amnesty (2019, p.37) further report that there are only 56 Department of Health accredited drug treatment and rehabilitation centres in the country, and only 18 of these are publicly run, hinting at a severe under provision of such services. A

similar gap between rhetoric and practice was perceptible in Thailand. Whilst the 2002 Narcotic Addict Rehabilitation Act, which had been passed under Thaksin, considered drug users as 'patients' and not 'offenders', they were still treated as criminals under the act through being forced to spend at least 45 days in prison until their case was considered. (Pearshouse, 2009, p.1-3). Moreover, as Roberts et al (2004, p.4) note, during the drug war, as many as 50% of those who entered rehabilitation programmes were former drug users who feared being murdered. As discussed earlier, a Human Rights Watch report found that most rehabilitation programmes were detention centres, which utilised unproven regimes of disciplinary drills in military settings (Roberts et al, 2004, p.4). It could also be suggested that the supposed availability of rehabilitation schemes was also essential to make Duterte and Thaksin's argument function. Presenting drug users as those who had been given chances by society, but chose to continue drug use as a matter of choice would be far more persuasive than admitting that rehabilitation schemes were largely unavailable and addiction is perhaps more complex than simply being a choice.

7.7 Locating the drugs wars in foreign policy

Before concluding, there is a need to examine how both Thaksin and Duterte situated the rhetoric of their campaigns within their broader foreign policy. In both drug wars, Thaksin and Duterte attempted to situate the reasoning behind their campaign within a broader rhetorical rejection of Western liberalism. It could also be suggested that both campaigns took place within the context of broader global reordering. Whilst Thaksin was able to cultivate a relatively strong relationship with George W. Bush owing to his country's role in the war on terror, Duterte's rejection of liberal values found new salience in the Whitehouse when Trump replaced Obama. As Duterte claimed in an interview with *Russia Today* (2017), 'in the guise of the human rights (sic), countries like the EU and America are interfering into the affairs of other nations'. The Obama administration and the European Union were particularly critical of the war on drugs, which prompted Duterte to reject around 250 million Euros in development assistance from the EU parliament (Placido, 2016; Reuters, 2017). This directly mirrors suggestions that that US law prohibited assistance to Thai security forces which may have carried out violations of human rights in 2003 (The Nation, 2003, 8th May). Thaksin shrugged this off by claiming Thailand didn't 'need anyone's help, and that 'foreign assistance is not a big deal'(The Nation, 2003, 8th May). Although US Ambassador Daryl Johnson had met with Thai Foreign Minister Surakiart Sathirathai to express concern about the drug war, Thaksin further suggested that 'some lawmakers lack understanding of the situation in Thailand' (The Nation, 2003, 8th May). With this, he attacked the media by reminding them that 'other people are watching us' and blasted journalists for giving 'a negative image of Thailand' (The Nation, 2003, 8th May). Despite the US government's reservations about the drug war, the timing was

opportune for Thaksin, as the Bush Junior administration attempted to cultivate ties with Southeast Asian states in order to bring the region on side in the context of the new war on terror (Bourchier, 2006, p.170). Indonesia, Malaysia, the Philippines and Southern Thailand became known as the war's 'second front', and the US was unlikely to allow human rights concerns undermine cultivating ties in such countries (Bourchier, 2006, p.170; Mutebi, 2004, p.83).

A rejection of multilateralism was also a theme of both drug wars, with both Thaksin and Duterte rejecting any form of oversight and criticism by the United Nations. In response to the UN Commissioner on Human Rights sending representative Hina Jilani to Bangkok to examine cases of extrajudicial executions, Thaksin claimed indifference. Qualifying this however, he also retorted that 'the UN is not my father', and Thailand ultimately rejected Jilani's examination of the cases, claiming that the timing was not appropriate (Bangkok Post, 2003, 13th February). In a similar, yet perhaps more extreme fashion, Duterte became embroiled in a personal row with UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions Agnes Callamard, who like Jilani had been directed to examine cases of extrajudicial killings, as discussed in the previous chapter. Following this, Duterte also attempted to withdraw the Philippines from the International Criminal Court, in a bid to rebuff those 'who politicise and weaponize human rights' (Reuters, 2018). More broadly, such moves can also be understood from a regional context, as both Thaksin and Duterte sought to uphold norms of non-interference and sovereignty ahead of those of human rights (Gallagher et al, 2019).

After Duterte famously dubbed Obama a 'son of a whore' (Rauhala, 2016), the relationship between the US and the Philippines improved markedly with the election of Donald Trump. Like the election of Ronald Reagan in 1981 after the Carter administration's criticisms of Marcos, Trump attempted to forge links personally with Duterte (Jetschke, 1999, pp. 148-151). Partly owing to Trump's own emphasis on law and order, a leaked transcript of a presidential phone call with Duterte showed how he had praised the 'unbelievable job on the drug problem' (Sangar and Haberman, 2017). A visit by Rex Tillerson in August 2017 also emphasized how the Trump administration saw no conflict between 'helping them with that (the drugs) situation' and 'other human rights concerns with respect to how they carry out their counter-narcotics activities' (Lema, 2017). Similarly, the United Kingdom sought to play down any potential human rights concerns, with the then newly appointed International Trade secretary, Liam Fox, highlighting the 'shared values and shared interests' of the two countries (Fox, 2017). This shows how thus far Duterte has been able to manipulate the waning influence of the US in south-east Asia, against the backdrop of an increasingly unorthodox republican presidency and other global trends such as the Brexit referendum in the United Kingdom. Despite tensions surrounding the South-China Sea dispute, China also voiced support for Duterte's approach,

urging the UN Human Rights Council to respect the 'judicial sovereignty' of the Philippines (Flores, 2017). Such discourses, which both appeal to nationalist, and in the Philippines case, anti-colonial sentiments further played a role in entrenching Duterte, and to a lesser extent Thaksin's rhetoric on the drug wars.

7.8 Conclusion

On 30th September 2016, Rodrigo Duterte made perhaps one of his most infamous and offensive proclamations in a speech in the city of Davao, where he had made his reputation for unfiltered political rhetoric. Referring to the drug war, he highlighted how 'Hitler massacred three million Jews' and in the Philippines there were allegedly 'three million drug addicts', so as a result he would 'be happy to slaughter them all' (Holmes, 2016). Whilst this could simply have been a means by which to pre-empt Godwin's law being invoked against him, the self-comparison with Hitler hints at the reasoning behind the drug war- simply that the extermination of undesirables represents the *modus operandi* of campaign. Although Duterte later apologised, claiming it was not his 'intention on my part to derogate the memory of six million Jews murdered', he reiterated his intention to kill three million 'addicts', further demonstrating the point above (DW, 2016). Bizarrely, foreign secretary Teodoro Locsin Jr. later doubled down on Duterte's statements in an interview in Germany, noting that 'his policy, according to surveys, has inspired greater confidence', so questioned why the Philippine government 'would give up on that' (GMA News, 2019). In one sense, this cuts to heart of matter of how 'successful' the discourses above were in making the case to the Filipino and Thai public. As has been discussed elsewhere, setting aside reservations about the possible manipulation of polling data, both campaigns were popular amongst the general public. Significantly, polling shows that the public in both cases was afraid- both of drugs users and also that a friend or family member may be a target of extrajudicial killing. It has been shown throughout this chapter that at the heart of the discourses of the drug wars remains what may be termed the biopolitical imperative, where to 'improve life, to prolong its duration, to improve its chances' (Foucault, 1976; 2004, p.254) the deaths of the country's own citizens are demanded. The question this chapter has sought to address is thus not the ultimate elite reasoning behind both drug wars, as this is unknowable (or may not exist), but to examine the regime of truth surrounding drugs and how both Thaksin and Duterte made this function in order to facilitate the elimination of undesirables. In any case, the possible 'real' reason for both drug wars is irrelevant in explaining how the threat of drugs was presented to, and understood by the public.

Another point that is worth considering here is that although no direct relationship between the discourses utilised in both drug wars has been suggested, it remains entirely possible, even likely that it exists. The discursive patterns of the wars on drugs highlighted here could simply

attest to the similar nature of the problems faced by both countries, but it cannot entirely be discounted that Duterte's campaign was influenced by Thaksin's. The only evidence of public interactions between officials involved in the policy came when Ronald Dela Rosa flew to Bangkok to meet Police General Chakthip Chaijinda, Commissioner General of the Royal Thai Police, who apparently conveyed the 'positive outcomes' the campaign had in bringing crime down to his Filipino counterpart (Love de Jesus, 2016). However, whilst De Rosa still characterised Thaksin's campaign as 'great', the level of support for another drug war in Thailand, owing to the fact that trafficking continued to increase after 2003, remains to be seen (Love de Jesus, 2016).

Chapter 8- Conclusions

8.1 Background

During the final weeks of writing this thesis, news in Thailand served to underline several of the key themes discussed herein. Although the discussion of Thai Police Chief Phao Sriyanond's involvement in the opium trade harked back to 1950s cold war priorities, newly appointed deputy agriculture minister Thammanat Prompao was recently reported to have been imprisoned in Australia for trafficking heroin in 1993 (Macan-Markar, 2019). Although Prompao claimed that he had lived in Sydney whilst acting as a bodyguard for then crown prince Maha Vajiralongkorn, an investigation by the *Sydney Morning Herald* revealed that court records showed that he had served 4 years for conspiracy to import heroin (Ruffles and Evans, 2019). After serving his sentence, Prompao was deported to Thailand, where he changed his name and continued to rise through the military hierarchy from second lieutenant (Ruffles and Evans, 2019). Prompao's past indiscretions were rendered even more topical to this thesis when it also emerged that he had a PhD from the fictional 'California University', which had allegedly been published in the 'European Journal' (Bangkok Post, 2019). However, what is most instructive in this episode was the government reaction when such news emerged. As a key figure in the quasi-civilian military government in bringing together some of the smaller parties who support the government, Prayut Chan-Ocha rebuffed criticism and closed ranks behind the minister (Macan-Markar, 2019). Instructively, similar claims about Rodrigo Duterte's son Paolo were made, as he was accused of acting as a middleman to allow methamphetamine from China into the Philippines in May 2017 (Reuters, 2017a). Paolo Duterte was called to a Senate Inquiry, where he was questioned about his involvement in the drugs shipment, as well as a possible gang tattoo, which he refused to have photographed and scrutinised by the US Drug Enforcement Agency (Reuters, 2017b).

Although there is a degree of plausible deniability in Paolo Duterte's case, it does attest to the fragility of the arguments made for the war on drugs in the region, which locate the responsibility for the trade with the poor. In many ways this is the heart of the issue in this thesis- whether there is still a relationship between drugs and political power is questionable, but the most powerful people are afforded immunity, or at worst subject to investigation, whilst the poor are simply killed, guilty or not. It is also demonstrative of the fact that the war on drugs is a discursive construction, which attempts to instil a form of biopolitical discipline within ordinary citizens, without the necessity to displace entrenched patterns of corruption and organised crime.

8.2 Argument-

This thesis seeks to address the overarching question of how elites have sustained the regimes of truth associated with the war on drugs to legitimise violence, despite the fact that international norms are moving away from this. Some consideration has also been given to why this may have been the case. In short, the thesis argues that states have orchestrated mass violence through promoting a particular drugs regime of truth, which attempts to biopolitically discipline the population, rather than address altogether more complex issues of poverty, organised crime and corruption. It is demonstrated that politicians and certain institutions in both Thailand and the Philippines have upheld particular drugs regimes of truth, which seek to leave power structures untouched, whilst disciplining the poor. Such discursive regimes of truth, it has been argued, have deep historical roots which intersect with related issues of insurgencies, communism and the political priorities of donor countries. The argument circumscribes historical approaches to drugs in the region, international and regional treaties, before examining how this is contested by civil society groups in the region. In part, this serves to set the context for the second half of the thesis, which offers the case studies of the wars on drugs in Thailand in 2003 and that currently taking place in the Philippines. The comparative methods used in both cases are examined, before the final chapter which analyses precisely how both Thaksin Shinawatra and Rodrigo Duterte made their case for a violent war on drugs to the broader public.

In order to answer this overarching research question, the first chapter examines the discourses states have utilised historically with regards to the war on drugs, and how this influences and moulds contemporary security thinking surrounding the issue. Through a genealogical overview of how drugs were viewed and utilised politically prior to and during the cold war, it posits that the drugs regime of truth equated involvement in the drug trade with communist or seditious behaviour. Moreover, the states in question attempted to inculcate a biopolitical model of ideal citizenship, which equated being anti-drugs with modernity and progress. However, it has also been shown that other priorities, most notably the rooting out of communist sympathisers, took precedence over considerations of the drug trade, which was often used for politically instrumental reasons. Significantly, many of the methods used by the police and army in anti-communist measures, in both the Philippines and Thailand, would later become comparable to 'state vigilantism'. As discussed in the chapter on state vigilantism, such paramilitary mobilizations created a climate where political killings became relatively commonplace.

The second chapter further built upon similar themes, analysing how ASEAN and certain states in the region localised the international drugs regime, and how this interacted with regional

power structures and security practices. It was thus shown that whilst ASEAN's aim to be drug free may appear radical today, it still represents the logical extension and mirrors the language of UN treaties on drugs prohibition. Further, as in Southeast Asia, the international drugs treaties similarly prioritise the disciplining of the poor through restricting the cultivation of raw goods. In tandem with this, ASEAN's drugs strategies have sought to cultivate social attitudes towards drugs, rather than addressing organised crime, which may give some indication as to why both campaigns were viewed as relatively popular. This is because ASEAN's strategies supplement and build upon national norms and values, which have been instilled by governments since the 1950s. The chapter also sought to show how the international drug regime is localised as a panopticon, which is in part driven by ASEAN's emphasis on sovereignty and non-intervention. It noted how the notion of Asian Values was also used to buttress arguments for the war on drugs, by often discursively excluding those who are depicted as irredeemable. This theme surrounding the irredeemable nature of drug users is further examined in the final two chapters.

The fifth chapter sought to address the lacuna in studies which subscribe to the Aberystwyth School, by examining how practices of harm reduction could be emancipatory in form. The research question addressed how non-state groups use immanent critique to challenge states on drug policy. This was necessary, as elite perspectives generally drive critical security studies, so there was a need to examine how such groups engaged with international norms in order to offer an emancipatory vision of drug policy. Drawing upon survey data, the chapter argues that such civil society groups attempt to rearticulate drugs as a security issue through the use of immanent critique. As a corollary of this, the implicit argument here was that such groups conceive of the failure of stated aims of the war on drugs as being rooted in the absence of emancipatory forms of drug policy. This examination of normative alternatives to the war on drugs approach is important to include, as it helps to make the case for a specific form of emancipation over nebulous forms of desecuritisation. In addition to this, the bottom up model of emancipation outlined in this chapter offers a counterpoint to the poststructuralist criticism that models of emancipation typically take the form of a 'modernist, cosmopolitan political agenda' (McDonald, 2009, p.109).

Chapter six engaged with state killing in the two case studies outlined above in a bid to examine how and why states use state vigilantism as part of the war on drugs. This sought to demonstrate how violent rhetoric can find expression in policy. Firstly, the chapter asserted that both campaigns in the Philippines and Thailand displayed evidence of state direction and orchestration. From this, the chapter argued that there is a lacuna in the current state killing literature, which does not account for vigilante style killings, which are arranged and rhetorically supported by the state. Such killings, it was shown, drew upon cold-war inspired

processes of exclusion and paramilitary tactics to eliminate targets, often executed by the police in an unofficial capacity. Further, drawing upon Agamben and Foucault, it was suggested that like drug policy generally in the region, state vigilantism is justified as a biopolitical process of removing and disciplining 'bare life' for the betterment of the wider community.

Finally, the seventh chapter engages with the specific discourses used by both Thaksin Shinawatra and Rodrigo Duterte's governments, to justify the use of state vigilantism in response to the overarching research question. Drawing on themes from earlier chapters, it shows how the specific discursive nodes utilised by both leaders had at their heart the biopolitical imperative, where in order to preserve the group as a whole, the deaths of some undesirable 'others' are demanded. Specifically, the chapter shows how both campaigns sought to depict those involved with the drug trade as a threat to the state, and most emotively, the youth. Thus, the chapter suggests that it was this process of dehumanization which laid the foundations for the state vigilantism discussed in the preceding chapter.

As noted in the second chapter, this thesis uses the Copenhagen School of security as the departure point, as it represents the most commonly applied poststructuralist framework for the analysis of non-traditional security threats in Southeast Asia (Emmers, 2003; Caballero-Anthony and Emmers, 2006; Windle, 2016). However, throughout this thesis, it has been demonstrated that the formulaic notion of security being presented as an issue of survival to a referent object is somewhat reductive. Here it has been shown that the process of threat construction with regards to drugs is far more multifaceted; drugs are presented as a threat to a wide range of actors, values, identities and institutions, and these factors are interrelated in complex ways. Rather than a singular 'securitising move', here the hinterland of drugs discourses in two comparable contexts has been surveyed to inform an understanding of how drugs discourses have such salience at two particular points in time in two different places. It is not insignificant that both drug war purges took place within Southeast Asia, as opposed to two countries in different geographic regions, and this speaks to how the issue of drugs, and the process of security policy formulation has a character very different to the European origin of securitisation theory. This particular formulation of security in Thailand and the Philippines is clearly influenced by historical struggles over communism, periods of authoritarian rule, and politicised and militarised security institutions, which also influenced and influence the values and identities of the electorate, who ultimately chose the leaders responsible for the drug wars studied here.

The question of legitimacy is also one which has been raised throughout this thesis. The securitisation literature implies that where an audience accepts 'an existential threat to a shared value', popular legitimacy is lent to extraordinary measures (Buzan, Wæver and de Wilde,

1998, p.21) . However, here it has been suggested that public approval with regards to drugs is difficult, perhaps even impossible to quantify, and that even if it were, different systems of legitimisation are in place to that of the theory's place of origin. Setting aside recent debates about the alleged racism of the model of securitisation, Wæver (2011, p.475) acknowledges that 'non western theorising is need to equip securitisation theory with frames, set-ups and maybe supplementary theories that foster productive analysis'. However, it has been shown that beyond tracing the relationship between discourses and extraordinary politics, securitisation theory does not offer very much in helping to analyse how and why drugs discourses may lead to violence in the contexts discussed. This is partly because whilst on a more widespread scale than seen before, the discourses and killings associated with the war on drugs have strong historical precedents and meanings beyond the imminent threat of the drugs themselves.

The role of state vigilantism is also central to this thesis. This is because although evidence suggests that the violence studied here is state directed and supported, this cannot be proved beyond all doubt. Hence, the most 'extraordinary' aspect of the response to the security issue (i.e. the killings) are not necessarily a stated aim of government policy, adding a layer of complexity. As a result, this means that the discourses were used as extraordinary measures themselves, as they allude to the biopolitical necessity to remove certain profiles in society. State vigilantism is therefore a discursive, as well as material entity. At least in part, this renders the point as to whether state forces are directly ordered to kill or not moot- the discourses which highlight the need to remove undesirables acts as an invitation in itself. When set against this invitation to kill a dehumanised group by state discourses, the institutional histories of the security forces and practices is what drove state vigilantism in both contexts.

8.3 Contribution

This thesis seeks firstly to contribute to understandings of how the threat of drugs is constructed, a topic which is currently under-represented in international relations scholarship. Further, this study offers a critical view of drugs as a security issue within Southeast Asia, something which similarly represents a lacuna in the literature. As noted above, the emphasis here on bottom up immanent critique of state drug policy is an important contribution of this thesis, as such voices are unrepresented in academic work. Related to this, no study to date has attempted to conceptualise how emancipation, as conceived by the Aberystwyth school, could be applied to a specific policy area like drug trafficking. The chapter on state vigilantism also tentatively offers an alternative model of state killing, arguing that current literature does not capture its dynamics effectively. Finally, the seventh chapter of this thesis is significant as no study has attempted to directly compare the discursive strategies used by Thaksin and Duterte in such a way. Overall then, this thesis analyses the interplay of two almost diametrically

opposed discourses of drugs policy and security. One emphasises state and national security, which it is argued here facilitates state vigilantism, and the other represents a radical and emancipatory challenge to this. Whilst Southeast Asia has been used as a case study here, this is not to suggest that the antagonism of two rival discourses with regards to drug policy could not be found elsewhere.

8.4 Reflections on the research process and methods used

In many ways, the contents of this thesis were constrained by the resources available on the subject matter. The issue of drugs in Southeast Asia is a highly polarising one, which made conducting research into it challenging. Although initially the project planned to conduct interviews with elites, access, resources and safety rendered this a strategy which was unlikely to be fruitful. Consequently, the approach taken in this research was in part historical, seeking to trace through genealogical methods the inconsistencies and disruptions of the construction of the war on drugs in the past. Although the use of surveys over interviews was initially intended to boost the number of contributors, in practice response rates were low. The original plan had been to collate survey responses from a range of actors including state and law enforcement officials in the region, but civil society groups and NGOs were by far the most responsive. This was not considered to be an issue which took away from the research however, as elite and institutional responses to the war on drugs are already well documented. Whilst it may have been useful to garner some law enforcement and practitioner expertise through interviews, this represents an avenue for possible future research.

Covering a changing situation such as the war on drugs currently taking place in the Philippines also presented some empirical issues. As news would emerge on almost a daily basis on the details of the drug war, this was partly why the specific case study chapters on state vigilantism and the discourses associated with this were left to be written last. This allowed news sources to be collected throughout the first two and a half years of the project and integrated into the chapter. Whilst sources were easily accessible online regarding the Philippines, as Thailand's war on drugs was nearly sixteen years ago and English is not as widely used, this made accessing resources more difficult. The length of time since Thaksin's war on drugs in Thailand did however mean that there was a broader range of academic literature on the subject, which was usually contained within accounts of his leadership overall.

8.5 Future Research

Over the course of the research project, several themes have emerged that merit further study as they are currently under-represented in international relations scholarship. Whilst some attention has been given here to the unmaking of security practices with regards to the war on

drugs, it is a topic which requires further analysis. The focus here was more on the arguments civil society groups and NGOs make in the form of immanent critique, however, there is a need to examine what strategies such groups use in challenging semi-democratic contexts. Whilst the temptation may be to assume that such groups have very little access to decision making, narratives can and do change. For instance, there is a need to analyse how certain groups have managed to change the consensus on marijuana within Thailand to the extent that the drug has now been legalised within the country for medical use. Further, there is a need to examine how this debate has been set against the context of anti-drug laws which remain some of the harshest and most repressive in the world. Consequently, interviews with such stakeholders would help to further nuance understandings of how emancipatory forms of drug policy can be implemented in semi-democratic contexts.

This thesis also demonstrates that there is a greater need to examine quasi-state orchestrated violence, particularly in the context of the war on drugs. In line with this, further case studies which display similar characteristics to the two discussed here should be analysed to test the transferability of the theory. Although some illusions to the war on drugs in South and Central America have been made here, the comparable features with that in Southeast Asia should be analysed further. One group which merits further research within Southeast Asia is the Burmese vigilante group, *Pat Ja San*. Their activities have implications for our understanding of what has been termed 'state vigilantism' here. However, inclusion in this thesis was difficult as information on the group is limited to a few news articles and a chapter in Patrick Winn's book *Hello Shadowlands*. As a result, in depth fieldwork research would be required to interrogate how far the group represents true vigilante 'autonomous citizens', or like the groups discussed in this thesis, are the creation of political forces.

Finally, there is a need to examine the specific effect the discourses of the war on drugs had on referent audiences. Specifically, survey data which engages with the question of whether the public were convinced of the necessity for violent measures in both the Filipino and Thai context would be hugely illuminating. Clearly, as the Thai war on drugs took place so long ago, this is not possible, but as the situation continues in the Philippines, there may be scope to do this in the near future. This would serve to further nuance the securitisation literature, which often takes the intersubjective understandings of referent publics as monolithic and uncomplicated. It would also help nuance the notion of 'public support' or acceptance, which remains a theme in the securitisation literature. This also feeds further into the need to examine the processes of legitimation behind state violence and killing in Southeast Asia. As the above has argued, the notion that the voting public will give support and thus lend legitimacy to certain security measures in an uncomplicated way is a problematic one. Consequently, whilst this thesis notes and addresses some of the shortcomings of the Copenhagen school, there is a

need to consider whether the comparable patterns of discourse and violent security measures would allow more regional forms of theory building. Alongside this, there is also a need to consider how the relative failure of such drug wars in the Thai (and most likely the Filipino) context may influence perceptions of drug policy, to the extent that certain drugs can be partially legalised, as with the case of Thailand. As part of this interest in the processes through which security can and has been 'unmade', the author hopes to conduct research into how public opinion in Thailand shifted from the majority supporting Thaksin and his war on drugs, to real debates about the legalisation of certain drugs for medicinal uses.

Finally, the concept of state vigilantism has scope to be developed further, both beyond the context of Southeast Asia and drug policy. Thailand and the Philippines are by no means the only countries which have either used security forces in an unofficial capacity to realise official state policies, and several other cases such as Brazil, Columbia and Kashmir have been noted in this thesis. Therefore, there is a need to examine the logic of how security discourses justify and legitimise unorthodox modes of state violence and killing in other contexts and whether there are comparable processes within this. Again, this highlights the necessity for theory building which does not draw upon Western liberal democracies as the empirical starting point.

Appendix

Below is the survey provided to relevant respondents. The survey was primarily hosted on Bristol Online Services (now Online Surveys), as this would hold the data within the EEA, as per the University of Leeds's requirements. When contacting respondents after they had agreed to partake in the survey, they were provided with a security code to be entered prior to the first question. This allowed the participant to be identified by me alone.

There were a number of ethical implications here; although respondents were asked about their public activities, it is possible that they would share opinions or information about government figures that could put them at risk. As a result, all data was anonymised with direct identifiers being removed. However, the majority of questions did not ask for any information that could put individuals at risk, as they refer broadly to the public activities of the organisation that they work for. Harm to participants was avoided by anonymising the data that they provided and kept confidential by agreeing only to share it through pre agreed channels. As stated in the University of Leeds's Information Protection Policy (p.4), research data was stored on the university M:/ drive and was not transferred to laptops or other portable devices.

Drug policy in Southeast Asia-non-state actors survey

Page 1: Introduction

Please read the below closely, as required by the University of Leeds ethics requirements. You are invited to participate in a survey of non-state actors who work on drug policy, as part of my PhD at the University of Leeds. Prior to deciding to take part in the research, it is required that I explain what the research will entail and why it is being done. Please read the following information and if you require any clarification on any of the issues discussed here, contact me at the details outlined at the bottom of this sheet.

The project

The title of the research project is Security, Emancipation and Narcotics- State Vigilantism and the War on Drugs in Southeast Asia and is funded by the University of Leeds. The project should take three years to complete, with a provisional submission date of October 2019. A section of the project is concerned with the narratives of drug policy in Southeast Asia, and how certain civil society groups and nongovernmental organisations seek to challenge current drug policy

norms through using the languages of human rights and harm reduction. As a result, I am seeking to survey civil society groups, NGOs and supranational bodies to try and assess how they interact with states, construct alternative narratives of drug policy and how they navigate the political environment surrounding drug policy in Southeast Asia.

Why me and what do I have to do?

You and your organisation have been chosen because your work overlaps with many of the themes of the project, and it is hoped that your input will make the project more up to date with current practice. It is estimated that filling out the survey will take around twenty minutes, and can be completed either online or as a word document, as per your preference. Results will be anonymized and will be securely stored on the University's network and will be destroyed after eighteen months as per the University of Leeds' information protection policy. Responses will be used in my final thesis and may be utilized in conference presentations. In accordance with the requirements of the University, the thesis will be available on the White Rose thesis repository and if the section which you provided data for is to be published, I will seek your consent again.

Whilst there may be no immediate benefits to your organization in participating, it is hoped that such research may contribute to create more of a dialogue between drug policy and academics who work on the topic. At present, the perspectives of non-state groups are underrepresented in international relations literature which discusses the 'war on drugs'. There are no envisaged disadvantages to the project, barring a few potential risks. Although such risks are minimal, it is possible (though unlikely) that your responses to questions could draw the displeasure of governments and state institutions. However, the anonymity you are entitled to a part of this project should protect you from any repercussions.

Participation in the research project is entirely at your discretion, and if you do decide to take part you will be able to withdraw your contribution at any time (within 12 months) for any reason.

The project has been approved by the university ethics committee AREA 16-173 on the 12th of September 2017.

Please enter the security code provided to you via email below. This is for data protection reasons:

Your organisation

1. What are the main areas of drugs policy that your organisation works on? (select all that are appropriate)
 - Drug policy advocacy/public education
 - Drug policy lobbying
 - Harm reduction projects
 - Alternative development projects
 - Healthcare support
 - Advocating for human rights of users
 - Other, please specify

Drug Policy Goals

2. What are your ultimate goals with regards to drug policy? Please choose all that are appropriate.
 - National drug policy reform (defined as attempting to change existing laws regarding possession, use and sale)
 - Regional drug policy reform
 - Ensuring the implementation of harm reduction measures
 - Preventing the consumption of illegal drugs as far as possible
 - Ensuring that existing laws are implemented
 - Tackling organised crime
 - Reducing rates of incarceration
 - Increasing rates of incarceration
 - Initiating debate of the issue
 - Scrutiny of state approaches to drugs
 - We have no real policy goals on the issue
 - Other, please specify
3. How has the political environment for those who work on drug policy in Southeast Asia changed in the past decade?
 - It has become much more amenable to our goals
 - It has become somewhat more amenable to our goals
 - It has not changed a great deal
 - It has become harder to operate
 - It has become much harder to operate
 - Other, please specify.
4. Does your organisation feel able to directly contest state drug policies that you disagree with?
 - Our organisation does not disagree with state drug policies/ we do not take a position on this.
 - Yes completely
 - To a certain extent
 - Not to a meaningful degree
 - Not at all
 - Other, please specify
5. Please outline some of the main strategies your organisation employs to campaign on drug issues in the region (if applicable)

6. If some form of drug policy reform is one of your goals, what do you judge to be the main barriers to this?
 - Strong anti-drugs regional consensus
 - Governmental unwillingness to contemplate alternatives
 - Institutional corruption
 - Lack of public debate
 - Lack of alternative research funding
 - Drug policy reform is not one of our goals
 - Other, please specify.

The Drugs Trade and Security

7. Do you consider the drugs trade to be a national security threat? Please outline your reasons in the box below.
8. What would you say was the main emphasis (or emphases) of drug policy in Southeast Asia at present?
 - Supply side measures
 - Demand measures
 - Interdiction
 - Addressing organised crime
 - Alternative development
 - Harm reduction and rehabilitation
 - Other
9. Do you think the emphasis from states on being drug free within ASEAN has changed since the United Nations Special Session on Drugs (UNGASS)? What do you think the reasons for this continuity or change are?
10. Why do you think 'wars on drugs' seen under Thaksin in Thailand and Duterte in the Philippines win so much public support?
11. What role does dehumanisation of drug users by political and cultural actors play in ensuring public support for violent wars on drugs in the region?

Rehabilitation and Harm Reduction

12. The '2025 ASEAN Political Security Blueprint' (2009, p.18) argued that there should be 'a balance between treatment and rehabilitation approaches as well as the law enforcement' among member states. How far do you think such treatment and rehabilitation measures have been implemented in the region?
 - No real implementation
 - Very low level of implementation
 - Some implementation, but concentrated in a few areas.
 - A high level of implementation, but more could be done
 - As high a level of rehabilitation measures that could be expected
13. What is your view of the effectiveness and scope of compulsory drug detention centres?

14. Thailand has recently debated the merits of partially legalising methamphetamine- do you agree with this strategy and what potential risks and opportunities do you think come with it?
15. Have you perceived opposition to the notion of harm reduction from governments and other actors? Please explain the grounds of this opposition.

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