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## **Guns, Goons and Gold as Burdens of a Fragile State – Dynamics and Mechanisms of SALW and Internal Conflict in the Philippines\***

*“Ako si m16 at your service, bay  
Aduna pud koy anak, si baby armalite  
Ako si m16 at your service, bay  
Aduna pud koy anak, si baby armalite  
Rattatatat tat tat tat tat ta ta tat  
Tat tat tat tat...  
Bang bang bang bang bang bang ..  
bang!”*

(A popular rap by Jr. Kilat)

*“For the last 47 years, we have had a political system that has been too responsive to groups possessing wealth and power enough to bend the state to do their will.”* (Former Philippine President Fidel Vidal Ramos, 1993)

The structures, mechanisms, dynamics and frameworks the Philippine state has, can be compared to the ingredients of a complicated recipe a popular televised cooking program is teaching its viewers – one cup of state resignation from its security function, two grams of a feudally organized administrative structures, five spoons of ideological and ethnic particularism, one kilo of poor governance performance, four grams of a prevalent deeply-rooted gun culture and one teaspoon of political dynasties. For sure, viewers of this cooking program would find the recipe interesting – hot and spicy.

The end of the Marcos regime in the middle of the 1980’s caused a power vacuum in the Philippines. The years after the so-called “people power revolt” saw seven coup d’états from the military, the intensifying of the communist and Muslim insurgencies, the continuation of political killings of activists, politicians, and journalists (Amnesty International, 2005), several terrorist attacks from the Abu Sayaff and the Moro Islamic Liberation Front (MILF), the rise of vigilante groups, the politicization of religious groups and the escalation of violence

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during election periods. This development exemplifies the security challenges in the Philippines, manifesting the erosion of the Philippine state.

Over 20 years after the popular revolt, security problems consolidated, mainly because of the “Eigendynamik” (self-driving dynamic) of the linkages and mechanisms between internal conflict and the high saturation of small arms and light weapons (SALW). The Philippines can provide important insights to the dynamics and mechanisms of security deficits, high saturation of arms, feudally organized administrative structures, poor governance performance and prevalent gun culture hindering the Philippine state to attain monopoly of the legitimate use of force. At the same time, the Philippines provide an interesting phenomenon in which in several occasions, democratic structural reforms are actually contributing to the fragility of statehood. In addition, SALWs actually serves as a “political guarantee” for political actors, especially in the rural areas. The government of the Philippines is not aiming for the disarmament of private armies, or the confiscation of the so-called “loose arms” from private persons, but rather an intensive amnesty for illegal arms, in which owners can legalize them through licenses. In addition, with the signing of the peace accord in 1996 with the separatist group Moro National Liberation Front (MNLF), the integration of MNLF combatants does not foresee the disarmament and demobilization of former combatants, but rather de facto upgrades the weapon arsenal of the rebel group, in which, despite the implemented “BARIL” (Bring your Rifle Improve your Livelihood), SALW were either turned in or issued licenses for those who opted to retain their firearms, in exchange of monetary compensation. Former MNLF combatants, typically owning more than one firearm were reported to turn in one firearm, keeping several others at home, receiving the compensation, but instead of starting a livelihood, they opted to buy newer and better firearms. The 5,500 and 1,500 MNLF integrees to the Armed Forces of the Philippines (AFP) and Philippine National Police (PNP) respectively, upon completing their training, for instance, were reportedly given M16s by MNLF chairman Nur Misuari as graduation gift (Makinano, Lubang, 2001), implicating a post conflict context without disarmament und demobilization.

Furthermore, the proliferation of SALW is perceived to contribute to the stabilization of the Hobbesian state, with SALW seen as deterrence within a security dilemma. The various contexts and levels of the armed violence in the Philippines, mainly in the rural areas as the so-called “gewaltoffene Räume” (areas open to violence) (Elwert, 1997, 86), moving across political, ethnic, religious and socio-economic cleavages, creates a further statehood dilemma

– the elimination of security concerns through privatized armies with SALW, thus, contradicting current academic arguments, that the state must be the main security reference in a territory. Furthermore, securing statehood through factors, which are normally responsible for state fragility, as in the Philippines, vigilant groups and private armies are seen to be legitimate responses and necessary instruments to security problems in the country. SALW are contributing to state consolidation, in a way, that governance structures and mechanisms are guaranteed, on one scenario, allowing the power structure to dictate governance mechanisms, which will be recognized by all “veto players” in the society. In addition, guns, goons and gold are perceived to guarantee the survival of the political elite striving to consolidate governance mechanisms, especially when the state is not capable of extending protection to all political actors. On the other side of the coin, small arms and light weapons, and the maintenance of private armies are threats to the security, to economic development, reconciliation in polarized societies, and as well as to neighbouring countries. Local politicians with guns, goons and gold are intimidating local voters, assassinating political rivals, journalists and activist, thus undermining the democratic institutions of the country, and the legitimacy of the state. Private armies are used to hold on power and to maintain all the “prizes” of this power.

The Philippines as a case study can deliver an interesting perspective in the analysis of armed violence. In spite of several security challenges brought by the three Muslim separatist groups and 17 communist insurgent rebel groups, the country is not considered as failed or collapsed like Somalia or Sudan nor it is expected to fail or to collapse in the near future. There seems to be a different calculation in which no anarchic or chaotic state condition to be observed, but rather that the state has resigned from its function to provide security, and has accepted its dependence on the private sector. The Philippine context of state fragility and erosion of statehood implies furthermore no clear boundary between period of peace and of war in which a permanent war condition with a specific intensity and limited territoriality can be observed. The 300-year-old Muslim insurgency and the 40-year-old communist insurgency have formed the consciousness of the population that they have no idea how it is like to have an absolute condition of peace. The Filipinos have been accustomed to the condition of low intensity and limited war. The societal institutions are not interested in the peaceful regulation and solution of conflicts, but rather are accepting this war condition as a societal imperative which cannot be removed.

## **The Erosion of the Philippine State – “a developed failed state”?**

The statehood criteria developed by Ulrich Schneckener (2004) define statehood through the central functions of the state – security, welfare, legitimacy and rule of law. His concept “states at risk” formulates qualitative and quantitative indicators of statehood. State structures, institutions and civic society actors are examined, how these factors are contributing to the erosion of statehood. Through the analysis of the central state functions, Schneckener (2004) suggests typologies of states based on the degree of statehood – consolidated, weak, failing and failed states. The guarantee of external and internal security for citizens implies the control of the territory through the monopoly of violent force. The primary security problem in the Philippines remains the more than 35 years lasting two-front ethnic and ideology-based internal conflicts and the usage of terrorism as strategy of separatist groups, directly affecting 91% of the Philippine territory. The separatist and communist insurgencies, considered to be the longest rebellion in Asia (Damazo, 2003), overwhelms the central government, that around 30% of the total territory are controlled by rebel groups (United Nations Development Programme, 2005). The communist insurgency started in 1968/69 with the founding of the Communist Party of the Philippines (CCP) and its military arm, the New People’s Army (NPA) (Santos, 2005, 82). The CCP undermines the authority of the central government with the creation of a “shadow government,” the so-called “People’s Democratic Government,” functioning with its administration. The conflict with the communist group is considered to be a “clash between two Filipino governments” (Santos, 2005, 82). The CCP/NPA collects “revolutionary taxes” from the local population, from companies and even from local politicians, undermining the legitimacy of the Weberian state (Weber, 1946). Furthermore, the NPA is issuing “permit to campaign” or “poll tax” in form of money and M-16 rifles. The NPA demands, for example, two M-16 rifles or 880 Euro for mayoral candidates, eight M-16 rifles or 1,600 Euros for congressional candidates (Avendaño, 2006). The income of the CCP and NPA through “revolutionary taxes” and “permit to campaign” is estimated to be 5.5 million Euro each year (Hookway, 2003, 50), whereas around 4.5 million Euro were collected alone from more than 450,000 political candidates during the elections in 2003. Furthermore, the NPA regularly conduct “kidnap-for-gun” scheme. In 2004, several mayoral, vice-mayoral and other local candidates were kidnapped by the NPA, demanding M-16 rifles as ransoms (PHILIPPINE DAILY INQUIRER, 2004). The Philippine government launched in 2002 its “all-out-war against the red,” as it was able to change the status of the communist group, from a communist insurgency to terrorism. The exiled founder of the CCP, Jose Maria Sison,

declared as a reaction the “all out resistance” against the Philippine government, increasing the number of attacks in the conflict zone, thus increasing the need for protection for local politicians through private armies.

The other front of the insurgency is the mixture of separatism and terrorism, with several Islamic rebel groups aiming the independence of the Mindanao Island. The conflict with the Bangsamoro is also called as “clash between two imagined nations or nationalism” (*United Nations Development Programme*, 2005, 65), with Filipinos and Moros having their own identity, and their own perception of the conflict. The Muslim insurgency showed a new dimension after the attacks in September 11, 2001. It was then clear, that the Muslim extremists are cooperating with the Al Qaeda and the Jemmah Islamiyah (JI), where training camps of these terrorist groups maintained the Mindanao. Nevertheless, terrorism in the Philippines is primarily of ethno-national context, reflecting a different category of terrorism. Terrorism in the Philippines is a strategy of the Muslim insurgent groups, whereas the main goal should be the breaking up of this linkage between separatism and terrorism. The main Muslim conflict actors are the so-called “moro standard bearers” (*United Nations Development Programme*, 2005, 80): The Moro National Liberation Front (MNLF), Moro Islamic Liberation Front (MILF) and the Abu Sayaff Group (ASG).

The recently held May 14, 2007 national elections, where half of the 24 Senate seats, all 250 seats in the Lower House, and over 17,000 local government positions were contested, exemplify the notorious character of the Philippine politics and the country’s “culture of violence.” Philippine National Police chief, Oscar Calderon, declared the election as “relatively peaceful”, compared with the 250 deaths and further 280 wounded in the 2004 poll, but admitted there continued to be reports of “isolated incidents of violence” (BBC, 2007). The PNP stated that more than 2,000 violators of the election period gun ban have been arrested since the start of the campaign period between January and May 2007 and more than 1,700 weapons have been seized. The Asian Network for Free Elections warns of a “culture of impunity for election and political crime” after more than 130 people were killed over the course of the campaign in 2007. In elections held between 1986 and 2001, more than 750 people lost their lives in poll-related violence. Politically motivated assassinations, intimidation of voters and private armies conducting “small scale wars” imply normalities in the Philippine political arena, particularly in the provinces, where feudal types of politics still reign, where private armies maintained, and where political dynasties secure their control of power and economic resources. Long-lasting civil wars and the declining ability of states to

adequately exert their monopoly on the use of force offer favourable conditions for the rise of warlordism (Mair, 2003, 2). War lords can maximize their profits from state disorder, with a dysfunctional central government. The Philippine context of warlordism shows local politicians maintaining private armies, primarily to protect themselves from political rivals and from insurgent groups, which are regularly issuing execution order for politicians not cooperating with the rebel group. The Philippines reflect “gewaltoffene Räume” (areas open for violence) (Elwert, 1997, 86), inducing “war of all against all,” and reflecting the security dilemma. Local politicians and contenders for political offices are forced to guarantee security for themselves, with the central government not capable of functioning as a Hobbesian “leviathan,” reducing the security dilemma to a tolerable low level, and therefore, they see the private use of force to be necessary and therefore legitimate. Alex Brillantes, dean of the National College of Public Administration and Governance of the University of the Philippines, says that “the power and the action are really at the local level.” The current administration pursues further decentralization through constitutional reforms or the so-called charter change (chacha) such as the shift from a presidential to a semi-presidential system of government and more autonomy for minorities, aiming to give provinces and minority groups more responsibilities and rights in their territories. These reforms intend to consolidate the pluralistic framework of the national sovereignty of the Philippines, but these reforms are ironically strengthening the feudal nature of local politics. According to a 2004 study commissioned by the Friedrich Ebert Stiftung, a German foundation, “this propensity for politically motivated violence is related to the spoils awarded to the winners of local contests for public office.” Local politicians perceive local resources as their “properties” once elected, that elections are seen in a “win-loss” paradigm. The national and local politics in the Philippines are highly “personalized,” with political parties’ de facto non-existent, and rather being substituted by family clans or political dynasties (for instance, the sons and in-laws of the current President were recently elected as congressmen from different provinces, now holding chairmanship in important congressional committees). Political parties in the Philippines are not to be compared with their European counterparts, as politicians are either pro or anti-administration, and are not binded to a certain political party. During elections, candidates are either belonging to the administration slate or opposition slate, or some are independents. For instance, after the recently concluded senatorial elections, several senators who won under the so-called “genuine opposition” slate decided to join the administration some days after their declaration as winners. The personalized political structure of the Philippines strengthens the necessity to win an election. The legitimizing of the use of private

armies through armed volunteers, militias, and even the hiring of professional “goons” can be traced from this “win-loss” dialectic, whereas a security dilemma of the realist connotation can be observed. The feudal administration structure in the country combined with “elitist democracy” is a significant structural factor contributing to the fragility of statehood in the Philippines. Political dynasties are normal elements of the political structure, where families and clans are controlling political positions, thus controlling local resources. Political dynasties distort political competitions and limits the recruitment of competent young politicians, and thus hinders innovations and modernization processes. A certain family likely ensures its political power through intimidation of the opposition, journalists and the voters through private armies, election frauds, and awarding political positions to friends. The election of a politician is rather based on his or her affiliation to a certain family and not on his or her competencies. The maintenance of private armies through local politicians ensures their hold of the power, and the control of the local resources, thus, decreasing their dependence from the national government. The maintenance of private armies through the business elite is another dimension of the problem. With the central state not capable of providing protection to the business elite, companies would likely hire armed security personnel, with weapons more sophisticated as with the military and police. The Geneva Center for the Democratic Control of Forces (2004) stated big numbers of small to medium scale privatized (security)military firms (PMF), aiming to solve awkward, politically sensitive or potentially embarrassing situations for the government officials, as well as protecting politicians, government employees, wealthy families, multinational corporations, mining sites, providing military training to government forces, small-scale enterprises, universities, shopping malls, and even McDonalds, with agents armed with highly sophisticated weapons. In the Philippines, the number of the PMF employees almost outnumber the police and the army.

In the Philippines, the political elite are most likely to be the business elite, or in other cases, the support of the business elite is inevitable. Members of political dynasties are more likely controlling the local resources, or giving contracts to family friends. In this context, the Philippines can be seen as a neopatrimonial system, where there is no clear difference between politics and economy to be manifested (Duyvesteyn, 2005, 9). The acquisition and control of the resources are determined through power politics. On other words, non-political facts and circumstances are politicized, that socioeconomic factors are included in a political framework in a neopatrimonial society (Herberg-Rothe, 2007, 2), such as the Philippines.

A further security concern in the Philippines is the persistence of high criminal rates. In 2003, the Chinese-Filipino community released a study, stating that every three days, more than one victim is kidnapped (*Centrum für angewandte Politikforschung*, 2006). The existence of violent networks such as criminal groups, bandits and terrorists contributes to the loss of legitimacy of the state. Due to the incapacity of the state to prevent crimes, several killings of vigilante groups were documented. According to Amnesty International (2005), 45 suspected persons, with 18 of them below 25 years, and 3 of them, below 15 years, were murdered.

Another indicator formulated by Schneckener regarding the analysis of the security function of the state is the degree of threat from state organs. Amnesty International (2006) and the HRC Special Mission to the Philippines (Alston, 2007) are alarmed due to the increasing number of extrajudicial executions of leftist activists, civil society leaders, including human rights defenders, trade unionists, and land reform advocates, as well as many others on the left of the political spectrum, narrowing the political discourse in the country. In 2005 alone, 20 left-wing activists were reported killed. In 2006, more than 48 prominent left-wing activists were murdered, increasing the number of victims of extrajudicial killings since 2001 to 800. Counter-insurgency strategy and recent changes in the priorities of the criminal justice system, as well as the reluctance of the police to investigate killings involving the military are the reasons for the culture of impunity. Counterinsurgency strategies in the rural areas involve soldiers conducting house-to-house census to identify sympathizers of the communist movement and members of civil society organizations which are seen by the military as “frontrunners” of the communist rebel groups, eliminating them, and “clearing villages.” The current administration of President Gloria Macapagal Arroyo revives civilian militias or the “force multipliers” as Arroyo calls them, to cut the strength of the NPA and Muslim insurgents and terrorists. In addition to the signing of an executive order that calls the police to fight the communist and Islamic insurgencies alongside the military, and authorizing the deputization of civilian militias, who are mostly jobless local residents in the villages affected by the insurgencies. The military conducts recruitment and assignment of local residents after the house-to-house census to the so-called Citizens Armed Forces Geographical Unit (CAFGU) which is a paramilitary organization that works closely with the military and is subordinate to its command-and-control structure (Alston, 2007, 10). They patrol the streets at nights, and sometimes conduct military checkpoints. The executive order paved way to the equipping of civilian militias with firearms and instruct them to gather intelligence against the insurgent groups. A significant risk implies the funding of the civilian militias through municipal and provincial governments, boosting their control of force in their territory.

Another paramilitary organization established in 98 villages is the Barangay (Village) Defence System (BDS) in which 10 extrajudicial killings were already committed or in which an execution was four times more likely to have occurred than in other barangays without BDS (Alston 2007, 12). Alston have noted conflicting reports on whether the BDS are armed. His tentative conclusion would be that the AFP (military) has no general practice of providing the BDS arms, but some BDS arm themselves, and sometimes AFP soldiers may help them to do so.

An interesting question remains unanswered. How come that despite these long-lasting security concerns, with a three-century-old feudal administrative structure, a three decade long violent ideological and ethnological patricularism, as well as the deeply-rooted (male) “weapon/gun culture,” the Philippine state remains intact and rather stable, with most of the urban citizens knowing less about the events in the conflict areas. Popular revolts since 1986 have changed the regime, but not the feudally organized local administrative structure. What are the factors and processes maintaining the status quo in the Philippines, particularly in the rural areas? Are SALW contributing to the consolidation of this status quo? Does the Philippine state recognizes and accepts the potential of SALW in the hands of PAGs, PMFs and private persons are “fillers” of the security gap? Are these guns those “that don’t bark”?

### **The SALWs in the Philippines – from Proliferation to Diffusion, from Localization to Regionalization and the (male) “Gun Culture.”**

According to the International Herald Tribune (2007), aggravating the security challenge in the country is the proliferation of the so-called “loose firearms.” The diverse and complex context of SALW in the Philippines proves that the *proliferation model*, with its emphasis on the export of arms by a small group of states to a larger number of recipient states no longer functions as an adequate explanation of the dynamics and mechanisms by which SALW are manufactured, circulated and acquired by relevant actors. The Philippine context of SALW can be described as Neil Cooper (1999) would argue, that the *diffusion model* of arms circulation, with the focus on the diversity of suppliers, recipients and networks by which SALWs are circulated, offers a more accurate representation of the arms trade, and particularly the linkage of SALWs to internal conflicts, the manner, in which peace efforts, as well as the implementation of peace settlements are ironically contributing to the saturation of SALW in the country. Furthermore, the SALW challenge has reached the point, that the Philippines, with its surplus in SALW and its huge gun industry, is contributing to the

saturation of SALW in Southeast Asia (spill over), as well as in developed countries such as Japan through the recruitment of local gunsmiths through Japanese criminal gangs such as Yakuza, to produce guns in Japan (Dursin, 2000). In addition, SALW has been legitimized in the society that the ownership of guns is a status symbol, in which, the neighbourhood would be intentionally informed that one has acquired an arm. The government has recognized that it can do nothing to limit the high saturation of SALW, and has opted on several amnesty programs to legalize illegal small arms, as well as high-powered rifles, such as the Executive Order No 585 signed in December 2006, following previous amnesties, which failed to license an estimated 304,262 “loose firearms” remaining unaccounted and unlicensed (Office of the President, 2006), perhaps to improve the statistics of illegal SALW in the country. Nevertheless, the proliferation model can still be applied in the Philippines, with its status as a “major non-NATO ally” on the war against terrorism. According to the US State Department, U.S. aid to help the Philippines fight its communist and Muslim insurgencies included US\$ 70 million in Foreign Military Financing between 2004-06, and US\$2.7 million in International Military Education and Training (IMET) for 2004 (Eckert, 2007). On the basis of the “mutual defence treaty of 1951,” and the “visiting forces agreement of 1998,” the Philippine and US armed forces are conducting yearly since 1981 the so-called “balikatan” (shoulder-to-shoulder) joint military exercises. These military exercises were intensified after the Sept.11, 2001 terrorist attacks, and as it became clear to US President George W. Bush, that “weak states” are capable of threatening international peace and security, and identified the Philippines as one of the “potential al Qaeda hubs” (Desker, Rama Krishna, 2002, 162). President Bush immediately released US\$ 93 million as military aid for the Philippine government in 2001 to modernize its 117,000-strong Philippine armed forces (Hranjski, 2007). During the intensive military exercises of 2003, the US government sent 4,000 soldiers to conduct “war games” with their Filipino counterparts to pursue Abu Sayaff terrorists. For this year, the US President gave the Philippine government US\$100 million, whereas, it was not clear, if this amount was used to modernize the Philippine military or was used to rebuild Mindanao and to support the peace process with the MILF. Highly problematic is that the upgrading of military arms supplements the upgrading of SALW of rebel groups, terrorists, criminal gangs, private armies and private persons, as corruption in the military and police is rampant. Former senator Rodolfo Biazon noted that firearms and ammunitions confiscated from suspected Abu Sayaff members were usually military-issued weapons, with military markings, and the former senator blamed certain “scalawags” in the military as source of the weapons. Military authorities admit that some active soldiers and policemen steal firearms

from military arsenal and sell them to criminal and fundamentalist groups (MANILA STANDARD, 1994). The military further added, that the communist and Muslim insurgent groups received SALWs from abroad, such as China, Afghanistan (the MILF admitted receiving 3,000 assorted high-powered items and tens of thousands of assorted ammunition - Kalashnikov firearms to tank rockets and landmines from Afghanistan, HONGKONG AFP, 1999), Malaysia, Lebanon (military intelligence reports cited it monitored the landing of 15 M14 and 1,485 M16 rifles plus ammunition in May 1994), Indonesia, Iran, Pakistan, Cambodia (Cambodia's Prime Minister Hun Sen publicly acknowledging in 2005 that his country has been supplying arms to militants in the Philippines), and Vietnam (a big shipment of 5.56 mm US-made rifles from Vietnam were unloaded in Mindanao and reportedly purchased by local officials and insurgents) (MANILA STANDARD, 1994; Makinao / Lubang, 2001). In 2005, Senator Biazon, citing his own sources, reported that ships from abroad have been unloading AK-47, SKS, Armalite and M-14 rifles off the coast of northern Luzon, supporting the speculation that the weapons were meant for a civilian group affiliated with President Gloria Macapagal-Arroyo. He noted the report of former US Chargé d'Affaires in the US Embassy in the Philippines, Joseph Musomeli, that a civilian group was ready to protect the president if the military mounted a coup d'état (Burgonio, 2005). The report by Musomeli, now US ambassador to Cambodia, said that President Macapagal-Arroyo has supported who could be armed and whom she could count on, aside from the "unreliable military" to defend her administration (Burgonio, 2005), with Arroyo's own "private army," serving as a counterforce to the "unreliable" military. The Philippine Daily Inquirer reported in 2005 the report of Musomeli to the Federal Bureau of Investigation (FBI), that there were elements in the Philippine military plotting a coup d'état (Conde, International Herald Tribune, 2005), following the failed coup attempt in 2003, and legitimizing the maintenance of speculated civilian armed group loyal to the president. On other occasion, the small town Magpet in Mindanao, with a population of 40,000 was featured in a six-part series of the Ottawa Citizen and The Vancouver Sun titled Soldiers of Fortune. The Magpet town mayor Efren Piñol, Sr. contacted a Canadian former military personnel to train Piñol's private army, as he was disappointed with the incompetence of the military protecting his town. After his town was raided by the NPA, disarming the town's police force, sequestering several high-powered rifles and handguns, he decided to rely on a 12 member private army composed of his own bodyguards and former Filipino soldiers. It was the same Canadian who trained Grayworks Security, a Philippine company providing security to large corporations (Alcuitas, 2005). As local governments loose dependence on patronage from the central government,

“national candidates, nevertheless, remain as dependent as ever on the vote-mobilizing capacities of their local allies. This makes local power wielders even more influential” (Conde, 2007). Private armies, or “Partisan Armed Groups” (PAGs), as called in the country, contribute to the diffusion and proliferation of unlicensed SALW in the country. The PNP has identified 93 Partisan Armed Groups (PAG), with 2,129 members and 1,072 firearms (PNP Reports on Partisan Armed Groups, 1999). To be differentiated from PAGs are legal private military firms (PMF), manifesting the privatization of security in the country. The Philippine state is voluntarily surrendering its monopoly on the legitimate use of force. The government, as well as business men and private citizens see PMFs as the only mean to fill the security gap as a result of the fragility of the state. Politicians see PMFs as a low-profile force to solve politically sensitive issues, such as the dependence of President Macapagal-Arroyo on a “armed private citizen group” to defend the President in case of a coup attempt. In the Philippines, the number of PMF personnel almost outnumber the police or the army, providing security planning for mine sites, or providing military training to the government (GENEVA CENTER FOR THE DEMOCRATIC CONTROL OF ARMED FORCES, DCAF, 2004). PMFs are considered as security fillers in the fragile country, strengthening the argument of Chojnacki and Herrenbarch (2007), who are suggesting the extension of the analytic conceptualization of “security.” Security is according to them, wrongfully politically and normatively loaded, that for instance, the political concept of security, such as the state as reference system for security through its monopoly of the legitimate use of force, implies the politicization and thus militarization of other non-political sectors of the society, causing bias to non-state security actors such as private armies or private military firms. On the other hand, it should be questioned, how these private armies and private military firms are to be controlled, how can be their activities be made transparent enough, how these private armies are actually contributing to the dynamic of a conflict. In the Philippines, PMFs and PAGs are seen as legitimate and necessary by the majority of the citizens. Although, it can also be concluded, that the citizens got used to the presence of heavily armed PMF “security guards” in restaurants, banks, schools, hospitals, theatres, cinemas, subdivisions or “gated residential communities,” shopping malls and in all public buildings. According to Jovencito Puno, the Philippines top prosecutor, comments that “Philippine politicians can’t afford to be gun shy, and few it seems are. They don’t take any chances with their opponents” (Percy, 2007).

On the micro level, private citizens can own licensed firearms. There are more than 800,000 licensed gun owners in the country. Karen Percy, the Philippine correspondent of Australian Broadcasting Network (ABC), remarks that “just everywhere you go in the Philippines you’re

asked to leave your guns and your weapons at the door. It's the case at amusement parks, restaurants ...” (ABC Online, 2007). In December 1999, collected unregistered small arms totalled 349,782. The PNP estimates two millions more illegal firearms in possession of gun enthusiasts, political warlords, criminal syndicates and even government officials and employees. As of April 1999, there are some 45 legal gun manufacturers, 522 authorized dealers and 133 gun repair shops (Makinano / Lubang, 2001), reflecting the stable gun culture in the Philippines. The possession of locally made firearms, the “paltik,” according to a study, is seen as a necessity and likened to someone living in a city and the need to buy a car. The possession of a newer or better version of a firearm allegedly increases the chances of a suitor trying to win a girl's hand (Makinano / Lubang, 2001). In the Metro Manila area, gun owners state the “present peace and order situation which is not the best,” (PHILIPPINE STAR, 1999) as the main reason for the possession of firearms. Common in the country are the so-called “subdivisions” or “gated communities,” which are neighbourhoods with closed walls and tight security control through heavily-armed PMFs controlling everyone entering the community, whereas only residents and guests with permissions are allowed to enter, reflecting a local “security community,” whereas the state resigned its security function, maintaining peace and order. The deeply rooted gun culture can be traced to the “easy access to small arms (encouraging) violence as an option to settle differences, with two out of every 40 Filipinos own guns” (GULF NEWS, 2002).

The complex proliferation and diffusion of SALW is affecting as well the Far East Asian region. The Philippines is considered as one of the biggest exporters of illegal arms in the region. Philippine police authorities have detected that members of the Japanese underworld Yakuza are exporting “paltiks” from illegal producers. Yakuza has also recruited Filipino gun manufacturers to Japan, in the guise of tourists or contract workers in legitimate companies. The Japanese government ranks the Philippines as third among countries in production of seized handguns in Japan and also third in the number of gun shipments foiled by the Japanese government (Dursin, 2000, 2). Indonesian and Malaysian authorities are alarmed on the impact of smuggling of high-powered firearms from the South of the Philippines to several rebel movements in Aceh and Irian Jaya (Morella, Agence France Presse, 2001).

The complex proliferation and diffusion of SALW in the Philippines cannot be summarized with the identification of suppliers, of users and the means of circulation. The Philippine model of proliferation and diffusion of SALW reflects a very complex one, with several sources of firearms, and the sources at the same time being the buyer. Adding to the

complexity is the interaction of both macro and micro level of the context, where on the other hand, on the macro level, the proliferation and diffusion of SALW can be traced through the internal conflict the country is experiencing, with the so-called “loose arms” originating from the 70’s and 80’s during the height of the communist and Muslim insurgencies. On the micro level, individuals, local communities and local authorities perceive SALW as a necessity of life, therefore recognizing their legitimacy. There can be no clear distinction between sources and destinations, between buyers and sellers, with the government itself ironically being a part of the proliferation and diffusion cycle, through its corrupt military and police officials, and local politicians paying guns either as tributes or ransoms, and on the wake of the current heavily US financed modernization of the Philippine military, as well as with the government buying SALW from rebel groups, as well as the amnesty programs for unlicensed “loose arms,” not aiming to limit the number of SALWs in the country, but rather just improving the statistics. On the other side of the paradigm, with rebel groups regularly raiding police and military detachments, sequestering SALWs, demanding firearms as a tribute from local politicians, as well as demanding firearms as ransoms for kidnapped individuals. The rebel groups have been reported strategically cooperating with each other, acquiring SALW from abroad, and selling them to other rebel groups, not only within the country, but also abroad. The government, rebel groups, private armies and PMFs thus represent a source of demand for weapons, but also being part of the supply network, with the demand of an “enemy” supplied by another “enemy.” The deeply-rooted (male) gun culture in the Philippines should be seen as a further important framework of the proliferation and diffusion model, with SALW, as (macho) status symbol, seen as legitimized and as well as necessities in daily life, with around 2 million illegal firearms on the hands of private armies, PMFs, and private individuals in a country with a population of 82 million. The gun culture in the Philippines is similar to that of the United States. Owning weapons is defined not only with the right of survival, but as well with prestige and social recognition. The high criminal rate, especially in the urban areas, leads to the necessity of owning small arms for protection and of consulting private security guards for business establishments, private homes and gated communities, and as personal body guards. Problematic remains the accountability of these private security agents which are not transparent and controlled by the state. There were hundreds of cases of security agents killing innocent civilians, and where the police and the justice system have been reluctant in persecuting them because of the connection of these agents to powerful politicians and rich businessmen.

### **SALWs, Private Security, and the Fragile State**

To analyze the linkage between SALW and state fragility, with the Philippines as a case study, it cannot be clearly concluded that SALW is causing the erosion of statehood. Although SALW contribute to the fragility, but the linkage between SALW and fragility should be seen in a different perspective or through a different “gateway.” As the United States would show, the high saturation of SALW in the society will not automatically mean the manifestation of the erosion of statehood. But rather, a non-fragile state, or a “strong state” can tolerate a high saturation of SALWs within its territory. The question is now, how come can strong states tolerate the high saturation of SALW and fragile states not? Holsti uses the term “strong states” with high levels of social and political stability. According to him, “states are strong not because they possess significant levels of coercive capability, but because they possess what he terms vertical legitimacy, where authority, consent and loyalty to the state are high, and horizontal legitimacy, where political and social relations are inclusive and do not exclude particular groups.” (Holsti, 1996, 82-98) Legitimacy is based on institutions, rules, norms, habits, practices and attitudes (Holsti, 1996, 91), as well as the recognition of the governance mechanism existing in the country through the so-called veto players, such as the military, churchmen, police, and “political warlords” who has the potential to challenge to the authority of the central government. Geoffrey Kemp (2007) stresses a more traditional linkage between SALW and conflict. The critical factor is the politico-military environment. If the environment is inherently unstable and adversaries have a record of resolving disputes by force, SALWs may heighten the perception of threat, providing a legitimate fear over own survival which leads for groups to acquire more SALW as these groups will not depend on the “unreliable” state for their security and protection. However, if the environment is stable, the prevailing climate is one of reconciliation and peaceful dialogue, and the “neutral” state capable of providing security to all groups, the impact of SALW may be less dangerous and could even contribute to stability (Kemp 2007, 54).

In fragile states, even a low level of arms acquisition may be sufficient to spark an arms race between groups, as the state is not seen as competent to neutralize the security dilemma existing between them. Cooper states that “the proliferation of arms within the “weak state” is more likely to produce acute versions of the security dilemma than it is to produce stable deterrence, making conflict more and not less likely (Cooper, 1999). In this occasion, the fragility of the state, with the state not seen as to sufficiently provide security in the territory, induces the proliferation of SALWs. Legitimacy of state institutions is based on the belief of the population on the effectiveness of these institutions to provide security, welfare, and rule

of law. If the population does not “believe” in these state institutions, then the state suffers deficits in legitimacy and thus, is to be considered as fragile. Deficiencies in legitimacy imply an environment which is inherently unstable and adversaries have record of resolving disputes by force. Unstable political environments characterized by illegitimate institutions leave communities and individuals in a condition resembling international anarchy, without any guarantees that security and rights of all ethnic, religious, socioeconomic, and ideological groups will be protected (Levy, 2007, 27), leading to the perception that militias, private armies, partisan armed groups, vigilantes, security guards, and SALWs are necessary for protection. The security dilemma is intensified by historical animosities and memories (Levy 2007, 27) and by leaders “playing the ethnic card” as means of mobilizing his or her own support. The absence of strong political mobilization around groups defined in terms of ethnicity or religion, rather than political parties, and provides leaders with the incentives to engage in ethnic scapegoating to bolster their internal support (Hironaka, 2005, Chapter 4).

The fragility of the state defined through illegitimate state institutions creates security dilemma, that for instance, politicians in the Philippines are forced to not be “gun shy,” thus sinking the access costs for private providers of security, increasing the share of the private participants, increasing the number of SALW, lessening the monopoly of the legitimate use of force of the state (Mehler 2003). The stabilized or perhaps institutionalized fulfilment of the security gap in the Philippines through actors other than the state, causes the deepening of the gun culture, combining the possession of firearms with status and prestige, as firearms holders are seen to be able to protect themselves and their families or to provide security for the others. The question if the high saturation of SALWs in the Philippines is actually deterring violence between rival groups or contributing to the erosion of security remains to be answered. On the other hand, for instance, between 1993 and 1999, 93% of the 3,670 firearms involved in criminal cases were unlicensed, but then there are hundred of cases, where politicians or businessmen were saved from ambushes with the help of their security personnel, or that the President of the country, is speculated to maintain her own private army to defend her administration, which can be seen as a legitimate or necessary to prevent a military junta governing the country.

The dynamics of the proliferation and diffusion of SALW, combined with state fragility, as manifested with the lack of horizontal and vertical legitimacy, primarily because of the incapacity to provide security to the society, leads to the dilemma, that current democratic reforms in the Philippines, such as decentralization and power-sharing schemes are

intensifying the proliferation and diffusion of SALW, as the more power is vested to a local political office, the more rigid is the competition for this office, the more intensified contestation in the rural areas has become, the more SALW will be legitimized as means of winning and defending a political office. With the PNP financially depending on local authorities, the motivation of the PNP to fight the proliferation and diffusion of SALWs cannot be expected to be high. The fragility of the Philippine state is thus not the primary reason for the high saturation of SALW and deeply rooted gun culture, but that because of fragility, the state is overstrained with the high saturation of SALW, not capable of maintain a low level of security dilemma.

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