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## Baptist policing in Burma: swarming, vigilantism or community self-help?

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### ABSTRACT

This is a study of how vacuums in state services attract alternative providers. Christian churches in Kachin state engage in police work to tackle drug markets in response to heavy participation of state police in those markets and limited police interest in regulating them. Churches aim to induce democratisation of the police and responsiveness of the police to the rule of law. They have arrested police and helped catalyse many dozens of prosecutions of police for drug offences or drug-related corruption in Kachin state. Baptist police in the Golden Triangle use nonviolent swarming as an alternative to carrying arms when arresting heavily armed drug kingpins, police and military, and when seizing drugs.

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### Dilemmas of tyranny in rule of law vacuums

This article first describes in a global way why and how the police came to be an institution whose services citizens value highly, even when the execution of those services was flawed. This is the context for policing vacuums attracting private providers and tyrannous militias in conflict zones. It was also the context for the historical creation of the police as an institution; and the circumstances for the creation of a fertile new research field in the 1980s on the privatisation of policing (Shearing and Stenning 1981), which in the West is mainly about private security firms, IT professionals, or other market actors (Button 2002). And it was the context for a broader discussion of many forms of pluralising of policing 'below' the state (and 'above' it) (Loader 2000). The history of insecurity and policing in Kachin State, Myanmar, and then the rise of Baptist (and Catholic) policing in Kachin are described. This is a volunteer form of policing that by-passes both the state and markets. While it takes a form different from any vigilantism reported in the West, it basically meets the requirements for Johnston's (1996) definition of vigilantism. The article responds to his call for empirical studies of variegations of vigilantism.

The article then relishes some dilemmas and theoretical insights of Baptist policing in circumstances of 'ceasefire capitalism'. We observe 'ceasefire capitalism' in other conflict zones from Afghanistan to Colombia, Peru, El Salvador and Democratic Republic of Congo in our Peacebuilding Compared data set. In such contexts, we show that vacuums of social order do not survive: they attract innovations of social ordering that can be more and less tyrannous.

In the West we do see vigilantism connected to rule of law vacuums, for example in communities within Northern Ireland that do not recognise the legitimacy of state police (e.g. Silke 1999). Northern Ireland paramilitaries do rob banks; but they do not own them. This is because British capitalism is too well organised to allow paramilitaries to reap the benefits of the insight that the best way to rob a bank is to own it. We will see that the Golden Triangle, in contrast, is a context where ceasefire deals grant banking licences, casino licences, jade monopolies and narcotics monopolies,

commanding heights of ceasefire capitalism, to those who control armies. Moreover, the biggest army (the state security forces) get a cut on all these deals. Our structural conclusion, therefore, is that the conditions of ceasefire capitalism must change before police can have a hope of winning back the trust of the people to displace Baptist policing.

## Global police populism

This section argues that, worldwide, people crave a police they trust, but in most developing countries corruption corrodes that trust. Total withdrawal of trust in police creates a vacuum that can attract tyrannous forces like Taliban policing in Afghanistan that become almost as deeply distrusted as state police, and also more benign ones like the Baptist policing in Kachin State discussed in this article.

According to Transparency International surveys, two institutions stand far ahead of all others across the globe in citizen perceptions that they are affected by corruption. These are the police and political parties (Transparency International 2013, p. 16). In spite of their corruption problems, the police are much more popular and trusted globally than political parties. Across Europe at least, political parties and politicians are two to three times as distrusted as the police (Marien 2013, p. 25).<sup>1</sup> In many countries, citizens perceive their police not only as corrupt, but also prone to use excessive force, especially against minorities, and less efficient than citizens would like. Even so, across space and time for the majority of countries, police remain trusted by the majority of their populations. For most developed economies, surveys count police among the most valued and trusted professions and public services. This is true in few developing economies (though there are exceptions where police are highly trusted like Rwanda, Niger and Mauritania) (Rheault 2007).

Criminologists tend to agree with citizens' intuitions that police add public value (Moore 1995). Yet criminologists despair that police unions are able to mobilise penal populism in an undiscriminating way, persuading political leaders that 'more police' will be popular when what is needed is effective, well-targeted deployment of police who are not corrupt, who forswear excessive force and forswear stigmatisation of minorities, respecting human rights. When citizens decide that police utterly fail these tests, they withdraw legitimacy from the institution, policing institutions collapse, creating spaces with a vacuum of public order.

It is hard to think of an institution that globalised more quickly during the nineteenth century than policing. Here again our hypothesis is that community demand helped drive such rapid globalisation. Since late medieval times the institution of police had evolved across Europe as mainly a voluntary arm of a generalised regulatory state – the constable would oversee all spheres of regulation from observation of the Sabbath to liquor licensing, pollution of rivers, consumer protection and of course securing the persons and property of citizens (Neocleous 1998, Pasquino 1991). This changed with burgeoning problems of crime control and insurrectionary violence when rural people massed to large cities looking for work in the early decades of the nineteenth century. Peel then led the creation of a Metropolitan Police in London, and a slightly different model of policing in Ireland to regulate a different kind of rebellious underclass (Braithwaite 2008, pp. 12–14). The basics of this Peelian model of paid paramilitary police specialising in crime control, with other regulatory state functions devolved to specialist, less coercive, regulatory agencies was widely emulated. By the end of the nineteenth century it was difficult to find a large city, even in the global south, without encountering a police force distinguished usually by a blue uniform.

The way the Taliban rose to power in Kandahar in 1994 as an 'armed rule of law movement' (Kilcullen 2011) has driven a new kind of reflection upon the importance of effective policing in preventing war and terrorism. Wardak and Braithwaite (2013, Braithwaite and Wardak 2013) have argued that when anomie sweeps a rural space, a niche is created for an insurgency that builds a base by supplying the demand for policing, by creating some kind of sphere of public security. The Taliban model of police (*mutaween*; volunteers in Arabic) led by a Ministry for the Propagation of Virtue and Prevention

of Vice was more like medieval European police that covered the entire panoply of the regulatory state, extending to regulation of religious offences such as blasphemy. The evidence is that the Taliban justice system was quite popular at first and even today is somewhat more popular than the corrupt, thieving police and judiciary introduced after the invasion of 2001 (Asia Foundation 2009, 2010, 2011, Braithwaite and Wardak 2013, Wardak and Braithwaite 2013). Perhaps this was because post-2001 policing was not responsive to citizens, more responsive to military imperatives and to the opportunities for looting occasioned by conditions of warfare.

Research on policing in Democratic Republic of Congo, Peru, Afghanistan and in Pakistan (Braithwaite and Gohar 2014) and Libya (Braithwaite and Rashed 2014; Braithwaite and D'Costa 2018) shows the acute danger to local and global security that can arise when rule-of-law vacuums are filled by forces of tyranny. The contribution of this article is to complement this work in war-torn states by considering another imperfect, yet promising, response of citizens to extreme conditions of anomie and total collapse of public confidence in policing. This Kachin State, Myanmar case study shares a religious character with medieval and early modern European police (Pasquino 1991), with police station reconciliation committees in Pakistan (Braithwaite and Gohar 2014) and with vice and virtue police of contemporary Sharia law regimes such as in Iran. The reason it shows a promising path out of circumstances of utter anomie is that it is advanced by people who want a secular state with secular policing that is not corrupt and that is responsive to the security needs of local citizens (as opposed to what Kachin see as the security imperatives of an occupying Bamar power).

## Methods

This research is part of the Peacebuilding Compared project which has been led by John Braithwaite's in-country fieldwork for 52 armed conflicts since the end of the Cold War. More than 4000 people have been interviewed so far, with only 146 of these interviews conducted in Myanmar. As in other countries, Braithwaite connected up with a knowledgeable local scholar with local language skills in Myanmar in the form of Naing Ko Ko who assisted with interviews and analysis of documents in local languages. Dr. Bina D'Costa also participated in some Myanmar interviews. Our fieldwork was limited on the topic of this paper, restricted in 2015 and 2018 to interviews and observation of Baptist policing initiatives and just two Catholic interviews, though we were told that the similarities with the other church initiatives were more profound than the differences. A third fieldwork trip in 2017 did not get to Kachin, but it did discuss this issue in bordering Shan State and the national capital. The historical narrative that follows will explain how developments in Shan State and Naypyidaw are important. More details on research methods and interview selection, plus more on the wider framework of the Myanmar case, can be downloaded from Braithwaite and D'Costa (2018).

## Context: insecurity in Kachin State

Few countries have been more afflicted by cross-cutting armed conflicts than Myanmar since 1939 when the Communist Party of Burma was founded. Burma is a name many still prefer for Myanmar. It is a society of 53 million people, with probably 10 million more living offshore as migrant workers. It is located east of Bangladesh and India and south of China. Its wars have involved a sequence of master cleavages complicated by secondary (ethnic) cleavages that fed and transformed each master cleavage.

The first master cleavage was an anti-British colonial armed struggle for independence which, when it came, was compounded by considerable secondary ethnic cleansing of commercially dominant ethnic Indians and Chinese. This cleavage was disrupted during World War II by the imperial struggle between Japanese and British Empire forces inside Burma. After independence in 1948, the new primary cleavage was between Bamar state forces and Communist Party of Burma insurgents, who initially enjoyed support from China. Not many years after China withdrew its support

for the Communist Party of Burma, it almost totally collapsed in 1989 under pressure from the secondary cleavages that are the subject of this article (Lintner 1990). Basically, ethnic minority armies that had been supporting the Bamar-dominated Communist Party of Burma, withdrew their military support for it. After 1989 the new master cleavage in Myanmar was between the military junta and a democracy movement initially led by the 1988 generation of protesting students that came to be led by Aung San Suu Kyi's (1991) National League for Democracy.

Persistently complicating these major cleavages of the ethnically Bamar core of the country were civil wars between more than three dozen ethnic minority armies and the Bamar-dominated state. During the height of the Communist insurgency, no fewer than two dozen different ethnic civil wars raged against Burma's military junta (Lintner 1990, Smith 1994, Aung-Thwin and Aung-Thwin 2012, O'Hara and Selling 2012). To this day, many of these insurgencies persist, and some, including the Kachin conflict, are worsening, even though many are muted compared to the late twentieth century. Hundreds of little militias have also split away, or been prised away, from the three dozen core armies by the state military. Many have reached ceasefire agreements that have not blossomed into permanent peace agreements, and some of these ceasefires have broken down. One group that renounced a failed ceasefire agreement is the Kachin Independence Organization (KIO) and its armed wing, the Kachin Independence Army (KIA). As many of 100,000 troops of the Myanmar army are deployed against a KIA army of 20,000 fighters (Selth 2013, p. 14, Maung 2014, p. 246). Fighting is episodically intense to this day. KIO continue to collect tax from the people in Kachin and Northern Shan State. One of its companies, Buga Electricity, supplies hydropower to the major towns of Myinkya and Waimaw in Kachin State.

In 1961 (and earlier) U Nu's democratic government alienated the Kachin in the far north of Myanmar by allowing itself to be captured by a tertiary (religious) cleavage. U Nu had been a liberal progressive, but as his government faltered, he decided that populist Buddhist nationalism was good politics. Myanmar society has recurrently seen powerful factions of unarmed Buddhist monks set against other elements of the society. We saw this with the Saffron Revolution of 2007 where monks led mass protests on the streets of Yangon, and where large sections of Buddhist society joined hands with the democracy movement. In 1961 more conservative factions of Buddhist monks persuaded the government to declare Burma a Buddhist state. The Christian Kachin in the north took up arms in response. This moment became a decisive escalation of the dozens of ethnic autonomy or independence wars. The Buddhism cleavage that initially cascaded to the Kachin civil war has a contemporary echo in the capture of powerful elements of the Myanmar military, state and society by the 969 movement of Buddhist monks. It agitated for driving Muslim Rohingyas from Rakhine State across the border to Bangladesh and into the sea in boats (Burma News International 2013, p. 11, Farrelly and Hossain 2015, Kaveri 2017).

Hence the morphology of modern Myanmar conflict has always had a primary cleavage (successively over colonialism, Marxism, democracy/militarism), many ethnic secondary armed cleavages, and unarmed tertiary cleavages with a religious character. What has been in constant flux has been the content and contours of these cleavages. The contemporary content of the Kachin civil war is no longer an ethnic independence struggle. The KIO demand is for federalism that grants substantial Kachin autonomy that includes control of Kachin resources and a Kachin State police force within a secular, multi-party democratic Myanmar state.

The Myanmar national People's Police Force includes few Kachin police in Kachin State. Because of the political sensitivities of policing in the midst of civil war, the state has been unwilling to trust ethnically Kachin police within Kachin State. The police are controlled by ethnically Bamar officers and subordinated to military command. Upon retirement, it is common for senior military officers to move to senior police roles, especially in rebellious states. The strained relationship of this politicised, militarised, corrupted and ethnicised policing has meant that distrust of police has counted among the most important grievances of the Kachin. In effect, the people of Kachin withdrew cooperation with the police for long periods.

## Anger at the drug epidemic

Another even more important issue has made policing a central grievance. This is its relationship with the drug trade. This resentment was first directed in our interviews at the British Raj for transporting morphine through Kachin State for sale in China in the nineteenth century. Kachin State is adjacent to the 'Golden Triangle' that links north-western Myanmar to far northern Thailand and far northern Laos. Alfred McCoy *et al.* (1972, c. 3 and 4) chronicled the critical role in the takeoff of the Golden Triangle of Chiang Kai Shek's Kuomintang forces fleeing south into Myanmar after their defeat by Chairman Mao's communist forces (Lintner 1999, Steinberg 2010, p. 59). For six decades the Golden Triangle has been one of the three largest exporters of heroin and other illicit drugs and at times the largest. It remains important today as a manufacturer and exporter of both heroin and methamphetamine; its global market share has been growing again in recent years (UNODC 2013). McCoy's research is renowned for the way it revealed support for the Kuomintang inside Burma by the CIA and Taiwan to fund its insurgency through increasing the commercial sophistication and global trade networking of the Golden Triangle.

After more than six decades of a trade oriented to affluent foreign markets, the local collateral damage in Kachin State in drug addiction among Kachin youth has been catastrophic. Claims are oft repeated in the Kachin literature that 50% of Kachin youth in various locales are heroin users, but we have not seen systematic data to support these claims. While capacity to count something like drug addiction is a casualty of life in a war zone, there can be little doubt that there are few places in the world with higher levels of drug addiction than Kachin State. Heroin Number 4 is the biggest destroyer of lives followed by methamphetamine, though both are huge mass addictions. McCoy *et al.*'s (1972) work laid a foundation for an understanding of how war in places like Indo-China, the Middle East, Colombia, Peru, Burma and Afghanistan cascaded drug production from control by one warlord after another in different regions of the world, each protected and supported by one major power after another. With each war-induced move of the dominant site of drug production, another region of the world became afflicted with an out-of-control scourge of local drug addiction (Paoli *et al.* 2009). Had policymakers recognised this cascade dynamic and the intractability of drug suppression in a war zone, the more sensible option of legalising regulated production for major international markets in one stable part of the world could have been considered. The world today might as a result have much less addiction than it does. And a major source of funding for civil wars might have been reduced.

More than half a century later, endless emulation by others of the Kuomintang drug lord business model has left all of Myanmar with one of the most drug addicted populations in the world (Kachin Women's Association Thailand 2014). In historical periods when fighting spikes, drug production and drug abuse spikes in Shan as well as Kachin State (Kachin Women's Association Thailand 2014, p. 16). One of the things factions that break away from the KIA are promised by the government is impunity for trading in methamphetamine and opiates (Kachin Women's Association Thailand 2014). The qualitative evidence is strong that the collapse of the 1994 Kachin ceasefire during the current decade has been associated with increased addiction because the military and police promise impunity for monopolising drug markets in some locale for a militia that fights with the army against the KIA in that locale. Across all Myanmar, 'ceasefire capitalism' (Woods 2011, Brenner 2015) is characterised by peace deals that give an armed group control of some illicit market, often in allegiance with national or Chinese business cronies who push local farmers or business out of resource extraction networks – be it for illegal logging, jade smuggling or drugs – in return for supporting the state. Drug lords like Khun Sa, Lo Hsing Han and Kyaw Myint who switched from opposition to support for the military junta were even granted bank licences, licences to operate airlines and ports and local monopolies in illegal casino gambling which were useful for transporting Myanmar's most valuable exports and for laundering illicit drug profits (Snyder 2006, Felbab-Brown 2015).

The combination of war, poverty and drug addiction traps women in violent family relationships: 'When my husband wants more drugs, he threatens me with a knife ... I have run away many times.'

But as I had nothing to eat, I was very hungry'. (Kachin Women's Association Thailand 2014, p. 28). This is one reason women were so prominent in leading the push to an alternative policing innovation in Kachin State. While Kachin has experienced such a long and bloody civil war, the consensus there among many informed actors we interviewed was universal that 'More Kachin youth have died from drugs than from the war' (Kachin Independence Army Brigade Commander as cited in Kachin Women's Association Thailand 2014, p. 38). One statistic quoted more than once by representatives of the Kachin Anti-Drug Campaign was that 50,000 Kachin had been killed by drugs since 1972 while only 30,000 Kachin had been killed in their civil wars over a longer period.

The KIA in the past was no different from government-backed armed groups in harnessing the drug trade to fund its insurgency. In recent years, however, the KIA, under the leadership of new commanders greatly influenced by, and devout in the Baptist Church, have spurned the drug trade. They were able to replace drugs with new funding sources from protection rackets for other industries, particularly logging and the massive jade trade from Kachin to China. As a consequence, the considerable regions of Kachin State under the control of the KIA are regarded as having much lower levels of drug addiction than the majority of the state under government control. The KIA arrest and imprison dealers now and put users in drug rehabilitation centres they establish in collaboration with churches and welfare NGOs. This KIO/KIA policy shift has been extremely politically popular with Kachin people and has strengthened KIA capacity to rely on popular support to hold out against formidable military pressure to capitulate to government terms for a ceasefire.

The focus of this paper is less on what has happened in the KIO/KIA controlled areas than on the much larger and more interesting developments in the majority of Kachin State under government control. All the Christian churches, by far the largest of which is the Kachin Baptist Convention (KBC), with the Catholic Church second in membership, have been campaigning among their congregations for years to renounce the terrible decimation the drug trade is afflicting on their congregations. This has had an impact. Many drug dealers bowed before their church and the cross, asking forgiveness, committing to stop selling drugs, and instead to invest their sometimes considerable wealth into industries that would create jobs for Kachin people. These conversions from the drug trade proved Pyrric victories for church leaders. Police and military minders of these drug traders advised them that if their payments to the police or military dried up this would be bad for their health and would endanger the safety of their families. So traders walked away from their promise to the church and resumed drug dealing.

That turn of events inflamed rank and file church families, almost all of whom had lost members to premature deaths from drugs. Bottom-up, the response that emerged from the 400,000 Kachin members of the Baptist Church was for congregation members to do the job of the police.<sup>2</sup> The KBC raised US\$4 million from special donations from its congregations plus a large contribution from the KIO to fund the training of a cadre of congregation members as an Anti-Drug Volunteer Force to enforce the church Anti-Drug Campaign. The Catholic Church, the Seventh Day Adventist Church and then other churches followed this lead. In 2014 their initiative was named the Community-Based Anti-Drug Organization to acknowledge the way so many church and non-church community organisations had joined the KBC in the initiative. In 2014 the Kachin Anti-Drug Steering Committee (*Wunpawng Amyu Sha Kani Nanghpam Pat Jasan Komiti* in Kachin) was officially established. It is complemented by regional and local village and church-level committees.

At first, the police and the state warned the KBC to back off, that policing could only be a state function. Military, police and political leaders assured church leaders that they now acknowledged that there was a crisis of drug addiction and they pleaded with the KBC to give them time to get on top of the problem. KBC leaders did not buy this after decades of such assurances. Even if the church leaders wanted to give the state and the police a chance to change their ways, their congregations would not allow them. At church business meetings they would vote down any such agreements made by their leaders. Quite quickly the state realised this was right; it was no bluff. The state comprehended within the context of their counterinsurgency strategy for monitoring public opinion that community sentiment was overwhelmingly in support of the Baptist anti-drug policing, as

evidenced by the way other churches went down the same path in establishing their own corps of anti-drug volunteers. Our interviews in Myanmar confirmed near-universal support for Kachin Baptist policing. Even human rights leaders who said that Baptist police must stamp out beatings of drug offenders (usually with canes) would quickly qualify this by saying that the reform movement is a positive form of community empowerment that beats offenders much less often than state police. We even interviewed some generals with experience fighting KIA in Kachin who grudgingly conceded that Baptist police are popular because they are fairer, more caring and less corrupt than state police.

## How to do Baptist policing

The Baptist policing initiatives are larger than all the other church initiatives combined and all are integrated into a shared policy framework under the Kachin Anti-Drug Steering Committee, which is chaired by the head of KBC. Across Kachin State, Anti-Drug Force leaders claimed 50,000 volunteers had joined. This is a large policing service by any international standard, especially to police a population of only 1.7 million in Kachin State. They said that a typical Kachin village would have 10–50 Anti-Drug Force members recruited from a local church. The principal and front-line activity of these volunteers is to caution or 'arrest' drug users and drug dealers. Overwhelmingly, first encounters with drug users involve a warning from respected volunteers, usually from the same church community as the user, though sometimes Baptist leaders from predominantly Baptist areas approach Buddhist, Muslim or Sikh users from their communities. With drug kingpins from India and Thailand, their strategy is not reintegration but persuading the state to support expelling them to their home countries. The warning that the community will not tolerate unregulated drug use in their region is accompanied by offers of help to shake off the habit, especially from the large numbers of ex-users among the volunteers. The warning is also accompanied by educational messages to raise awareness of the long-term risks to the health of users from prolonged abuse and the immiseration of families caused by addiction. From 25 April 2014, the campaign claimed to collect statistics on their activities. From 2014 to the end of 2014 they said some 2000–3000 drug users had been cautioned and offered help in this way and that a further 1450 had been 'arrested' by the Anti-Drug volunteers with the arrest formally notified to the police. Our most recent fieldwork in 2018 revealed that since 2014 and up to mid-2018, arrests have reduced due to decreased operational budgets.

Arrest does not normally occur until there have been two warnings and offers of help. Interview notes from a visit to one of the Baptist drug rehabilitation centres revealed a three-way choice (that was confirmed with other interviews with drug users):

I asked a young man who was a law student at University whether he was arrested or went there voluntarily. He said both. He said he was arrested and then he was given three choices. Others confirmed that they had been given these three choices when they were arrested by the community members. The first choice was to give undertakings and return to their community. The second was to be handed to the police. And the third one was to come to a facility [like this one]. (Braithwaite interview notes August 2015)

After arrest a rehabilitation programme will be negotiated with participation of the user's family. This often involves detention in a drug rehabilitation centre run by a church. The campaign claims there are 70–80 drug rehabilitation centres run by the campaign across Kachin State, which users and their families can choose for their rehabilitation. These are mostly small and local with the largest housing only 100 users. Only ethnic Kachin are arrested and detained in these drug rehabilitation centres. 'If they are Chinese, Burman, Nepali, Indian, we send them to the police after arresting them', (2015 interview with a leader of the campaign from one region of the state in the presence of a large group of Baptist volunteers).

During our 2015 fieldwork we visited two of the largest of these drug rehabilitation centres, with 50 users in one, 100 in the other. Though these were at the top end of the security architecture,

security was basic. Both had perimeters of mostly three-metre high corrugated iron sharpened at the top. After one inmate dug under this wall, one of the centres constructed a second iron perimeter beyond the first.

Yes people do run away from the centres. But we profile them with photo and address and contact details and next of kin when they arrive and when they run away we contact their local contacts and our local community organisers to re-arrest them. This does not work so well with itinerant workers on the gold mines. (2015 KBC leader interview)

Unlike the policing, which relies totally on the episodic work of volunteers, these two drug rehabilitation centres did have a small number of staff paid by donations from host Baptist churches, though even at the largest centre the paid staff numbered only five. Most staff were recovered drug addicts. The rehabilitation, as such, was based on their empathic engagement, based on their own past pain, with the difficulties of struggle to withdraw from drug use. There were no professional psychologists, social workers or any kind of health professional working at these centres. Doctors visit for emergencies. The rehabilitation work going on in them was not evidence-based; it was based on Baptist theology. It was also educationally unsophisticated in being didactic, with one person standing at the front of a class of all the residents, mostly reading from the Bible. Residents reading biblical or other texts back was the most common form of resident participation that we saw. Sport, exercise, craft and music are also used and conceived as part of the rehabilitation programme. Plans were afoot for agricultural work and some vocational training for jobs on return to the community. As unsophisticated as the drug rehabilitation centres are, we are not convinced by our interviews that drug users have much prospect of receiving superior professional support from the state health system, which provides a semblance of support to drug users mainly through hospitals.

There are no government run centres for addicts [This is not strictly true: authors]. Just general hospitals and they don't want to be in the hospital and the hospitals don't want them there. (Ex-drug addict interview)

At one of the Baptist drug rehabilitation centres we encountered a man in a cage of rough-hewn timber bars approximately two metres square. We enquired why he was in the cage. He said it was a fair thing because he had been told what the rules were and had broken them. Which rule, we asked? He smoked a cigarette was the answer. Further conversation revealed he was not in the centre for drug use at all, but for domestic violence. In this, he was also pleased enough to be where he was as he said this was protecting his family from violence while he was sorting himself out and preventing himself from getting into deeper trouble. Episodically, the Baptist policing regime is used for matters beyond drug use and dealing. Some of the users in the centres were upbeat about the spiritual education they received, others less so. Some appreciated the support of the staff who had travelled the same difficult journey to withdrawal. The most common reason residents gave for why they and their families opted for the centre was that they were removed from the circumstance of constant accessibility to and proffering of drugs.

Needless to say, Kachin Baptist policing is a qualitatively and quantitatively different substitution for state institutions compared to tame sister phenomena in the West, such as street pastors (Van Steden 2018). One difference is that it has a scale that allows the innovation of substituting the power of the gun with power of the crowd.

### **Swarming: arresting dealers; arresting police**

A question we raised with the large groups of Baptist and Catholic policing volunteers we met was about the drug trade in the vicinity of the Golden Triangle as notoriously criminalised and militarised. Is Baptist policing not such a dangerous game that volunteers opt out when violence gets serious? One level of the answer is that when a group of Baptists arrive they appear formidable enough to induce voluntary compliance from most rural felons; they carry long batons (but no other weapon) in paramilitary uniforms (different in character for different church groups, but often

looking impressive enough in Chinese marine uniforms from army disposal merchants). More than that, everyone understands that Baptist policing is supported by the Baptist commanders of the KIA right up to the top. If you take on the Baptist church in Kachin State, you are brave enough to take on some serious people.

Of course, we were not fully persuaded, and asked how their people could arrest thousands of drug offenders without some of them getting seriously hurt. Yes, some had been wounded they replied, but none killed so far. However, Naing Ko Ko was told that two Myanmar Police Force officers were killed by opium farmers during a joint operation against opium fields with the Anti-Drug Force in early 2018 in Waimaw township. The largest towns in Kachin are not very large. Policing is mostly rural, so local knowledge from an organisation as well-networked as the Baptist Church, especially complemented with its linkages to KIA intelligence, gives the community policing volunteers a good picture of who will be dangerous to arrest. With some dealers the nature of this risk is managed by having a physically powerful volunteer approach them for a drug sale. Then in the moment when he hands over the drugs, the volunteer pins his arms and additional volunteers appear to complete the arrest. In other cases where arrest is resisted, the arresting volunteer backs off and calls in a swarm of often 40 or 50 local volunteers. Volunteers arrive and surround a formidable dealer resisting arrest. The swarm may include pastors from his church who pray and appeal for his surrender. Eventually most dealers surrender to such a nonviolent community swarm. They are eventually persuaded to lie down and voluntarily submit to being hand-cuffed. Relational pressure is what they say works here because in any gathering of 50 from your local community there will be relatives, classmates, business associates, neighbours, congregation members or others with whom the offender has valued relationships.

Other cases are planned in advance to suddenly surround the target in a public place with a large swarm. In one instance we were told 800 volunteers had been deployed to swarm around an extremely well-armed and dangerous drug baron. The worst injuries to volunteers had occurred in one such large swarming operation involving a drug 'kingpin'. The swarm of 50 volunteers arrived in a convoy of cars at the home of the dealer. The cars were parked some distance away because the location of his compound made it impossible to drive up without 4-wheel drive. Four volunteers were left behind to watch the cars. When they arrived, the drug baron had fled. But his thugs attacked the volunteers who were isolated guarding the cars. One almost died. Training in nonviolence is regarded as the best protection for unarmed volunteers, even if their citizen swarm strategies go wrong on occasion, as in this case.

During the first year of the programme, these surprise tactics of the volunteers, that undoubtedly are no longer so surprising, succeeded in arresting 10 police plus two government soldiers who were dealing drugs in the Myitkyina area where we did interviews with volunteers and human rights groups. In these cases, volunteers film the arrests and invite the media. The media strategy is partly to harness the power of publicity, but also to defend Baptist police against state police who press charges against them for assault. They use the video footage to prove that there was no violence used by the volunteers and that the police offender voluntarily submitted to arrest. 'Community swarm and media storm' as one informant put it. 'It's also a spiritual swarm with prayer ... Anti-drug work is spiritual work' (Baptist policing volunteer interview). We saw one video of the arrest of a police sergeant who had been selling drugs in which there was violence in the form of a burly man ripping his police shirt off his body. They explained that this was in fact an off-duty Bamar senior police officer who was sympathetic to the anti-drug volunteers and joined the swarm wanting to show the community that there were many good Bamar police who saw this sergeant as a disgrace to his uniform for selling drugs.

After proving capable of arresting a dozen security sector personnel during the first year of the programme, the volunteers claimed they can now for the most part rely on the threat of the public shame of media reporting of police arrests to get the police themselves to put their own on trial (without Baptist policing arrests). What they do is advise top commanders, usually at police or military headquarters in the South rather than in Kachin State, or KIA commanders for

KIA dealers, that they are planning to have the media along to the swarming spectacle for arrest of a drug kingpin who happens to be one of their officers. In most cases, now that the Anti-Drug Campaign has repeatedly demonstrated its street cred in being able to mobilise such a swarm that can attract media interest from afar, police headquarters instructs the local commander to prosecute the police officer before the media-infested swarm reaches him. While democratisation in Myanmar has been an extremely partial accomplishment, freedom of the press is one domain that began to become more real after 2011. Without this liberalisation, Baptist policing could never have prevailed with its strategy of arresting corrupt state police. During 2014 and 2015 in the 16 months prior to our 2015 interviews, prosecutions had commenced against 80 police posted in Kachin State for drug charges and/or drug-related corruption charges. All 80 had been stood down or dismissed from the police and most were already in prison in mid-2015. Most of these prosecutions were initiated by police headquarters in the national capital after community arrest with maximum publicity was threatened and after the anti-drug programme had provided the evidence required for prosecution. Naing Ko Ko's 2018 interviews indicated that arrests of police in Kachin on drug and drug-related corruption charges had continued apace.

While Kachin State has suffered a more total vacuum and collapse of confidence in state justice than can be observed in the West, Baptist invitations of state re-engagement mean that Lea and Stenson's (2007, p. 10) insight remains apt that in policing 'below' the state, we do not find so much a total collapse of state ordering as 're-articulation of relations between state and non-state actors'.

Swarming is a technique of community self-help policing that we have seen elsewhere in Peace-building Compared research. We were told of it in the regulation domestic violence in post-conflict Melanesian village societies where police stations were too far away to respond. We were also told of it in Belfast, Northern Ireland (Campbell *et al.* 2016). Community Restorative Justice Northern Ireland had used it in former IRA communities in which it would be viewed as the wrong thing to take family violence, or any kind of criminal complaint, to police who were still not trusted. So what they did was organise at the restorative conference a phone number that would trigger a message to a network of women who live very close, who would swarm to the site of the violence to urge the perpetrator to desist.

Within Myanmar, the Kachin Baptist swarming tactics has not only diffused to Catholics and other denominations, but to some church and civil society groups in other states, such as Yangon division, Northern Shan State and Karen State. The most dramatic case occurred when ex-military officers allegedly organised the assassination of U Ko Ni, who was Daw Aung San Suu Kyi's top legal advisor on how to revise the Myanmar Constitution to excise reserved places for the military (Crouch 2018). This was the most important assassination in the recent history of Myanmar because it was consistently read in our interviews as a very intentional kind of warning of what could happen to those brazen enough to mount a constitutional attack on military power. He was shot in the back of the head while picking up his grandson as he exited Yangon airport on 29 January 2017. When a taxi driver saw the shooter making his escape, he called in many taxis and drivers to swarm, blocking his exit from the airport. Ko Ne Win, one of the brave taxi drivers was killed in the shooter's futile attempt to escape the swarm before he surrendered. The police then had no option but to arrest him and it became known that he was hired by ex-military officers (Moe 2017, Beech 2017, Lasseter 2018).

## Human rights response

One might expect that human rights groups would be sympathetic toward police who launched counter-suits against vigilantes for abuse of their rights or for assault of suspects. We did not detect much evidence of such sympathy. One human rights leader we interviewed was critical of the Anti-Drug Campaign for publishing lists of drug dealer targets who were named and shamed as if they were guilty, with no presumption of innocence. Another complained of violence against users and dealers to pressure them to reveal the names of suppliers or kingpins.<sup>3</sup> The United



Nations in Myanmar early on backed up police and government calls for Baptist disengagement from policing. But like human rights groups and the ICRC, the UN are surprisingly muted in their criticisms of church policing and specifically of arrest of police as part of the Anti-Drugs Campaign. Human rights groups and the UN wish to be seen to be on the side of the people as much as anyone else, so perhaps they are muted because they see how popular the citizen arrests of allegedly corrupt police and drug dealers are. One of the human rights groups we interviewed actually provided human rights training to community policing volunteers. This included tips on how to protect themselves from counter-prosecutions by state police defending their prerogatives.

Interviewees from human rights groups certainly said the best solution is to reform the state police and that citizen policing is not sustainable in the long run. This was not much of a criticism since Baptist leaders say the same thing. They look forward to a society where the police are genuine about doing policing so they can concentrate on spiritual stewardship of their flock. They see themselves as opening a path to such a society. And there can be no doubt that they have already opened a path to a society where police headquarters prosecutes local police for drug-related police corruption. Some of the Kachin human rights NGO and UN agency leaders interviewed said while they wanted to see a sustainable model of rights-respecting state policing, they were good Baptists themselves and they participate as volunteers for the campaign in their spare time! Anti-Drug Campaign leaders themselves praised local and international human rights groups for offering them nothing but support and encouragement.

The absence of palpable momentum for a concerted human rights backlash against Baptist policing is the most surprising empirical result we report. This is especially remarkable when during our 2015 fieldwork there were at least five cases before the courts asserting human rights abuses (assault, trespass) by policing volunteers (mainly lodged by police). Such cases had increased to 36 by mid-2018. There seems little doubt that most of the citizen arrests and incarceration of people by the Anti-Drug Campaign is utterly illegal. The Campaign told Naing Ko Ko in July 2018 that they had begun to change their methods to refraining from arresting Myanmar police personnel. They decided to cooperate more with the police and began to invite senior officers from the Myanmar Police Force when they run swarming operations against drug producers and opium farmers. They said that an important factor in this change had been Daw Aung San Suu Kyi's national reconciliation government taking office in 30 March 2016.

We are in harmony with human rights groups. The difficulty is with the government because they are the inventors of the drug industry, especially the military. The army and the police threaten us and say you must work according to the law. They are watching and watching us for a mistake. They want to use the law to sue us. That is their strategy to shut us down because they know the people will be unhappy if they shut us down themselves. Sometimes the government encourages drug defendants to sue us. We have five cases going to trial in this right now. In one case a police officer sued us and we have sued them back for the much more serious charge of bribery ... In the case of the police officer who sued us and who we sued for bribery, the top police chief suspended him and is prosecuting him. (2015 Anti-Drug Campaign leader interview)<sup>4</sup>

Given the strategy of the campaign, it has been hard to avoid the imperative to confront the central role of the police and military in the drug trade. Most drug dealers arrested by the volunteers say they are working with the police or the military and defend themselves from the ire of their community by saying they are pleased to be rescued by the church. They say they were forced by the police to keep dealing. Of course, it is impossible to confirm if this is true. The strategy of Baptists and human rights NGOs alike seems to be to grant dealers and users this redemption narrative. This is an application of Maruna's (2001) insight that people trapped in a serious criminal career are more likely to 'make good' when they are able to cling to some kind of redemption script that says that their criminal past was not the real them. In this case that person (that past me) who did the drug dealing was a person who had no alternative to submitting to the domination of the security forces. If Maruna is right, allowing drug dealers this redemption narrative, even if it is not fully true, may not be such a bad strategy for transforming a society awash with drug dealing.

The human rights advocates said that this alternative path is particularly defensible when the prisons are so brutal and uninhabitable, providing no semblance of drug rehabilitation, and when anyone with money can bribe their way out the back door of the prison as soon as they enter the front door.

What they [Baptist police] do is not as bad as sending someone to the police station to pay a bribe or get assaulted for not paying. (2015 Human rights NGO interview)

## Learning from Baptist policing and transcending it

There are doubtless people in Kachin State, especially in the police, who believe Baptist community policing has made the drug problem worse. All we can say is that in our fieldwork speaking to people from women's groups, human rights groups, ICRC, the UN, international development NGOs, Kachin political parties, KIO leaders, journalists, peacebuilding NGOs, business leaders, professional people of many kinds and ordinary people from drivers to hotel staff to people sitting in our pew at church, we did not encounter a single one who did not think that in the drug-infested circumstances of Kachin society, the Community Anti-Drug Campaign had been positive. When we asked them whether there were civil society leaders who were vocal critics of the Campaign, they said no, the only opponents were government people. The data are, however, limited and unsystematic for the purpose of measuring community attitudes. Campaign leaders were of course the most upbeat in asserting that Kachin drug abuse halved during the first 18 months of the campaign and that the streets of towns were now much safer at night. No data exist to support any such claims for effectiveness.

Like police everywhere, the Baptist police tout some wonderful claims about the impact of their drug seizures and drug destruction, as well as about their arrests. They told us of two cases just before a 2015 interview where huge numbers of volunteers had worked tirelessly to clear 3000 and 5000 acres of mature poppies. They told of a recent seizure of 200,000 methamphetamine tablets and an earlier seizure of 600,000 tablets.

One could take the view that Baptist policing is a dangerous thing in principle regardless of whether or not it saves a single life. Baptists in wealthy countries would do well to support the Baptist rehabilitation centres with professional expertise in drug rehabilitation because we think that for the moment any risk of such support deferring the day when the state health and justice systems are reformed to do their job is a long way off. On the contrary, for now our policy sense is that the Baptists are showing the state that something can be done and should be done about an unusually murderous drug problem. And they are shaming the state into action for allowing this catastrophe to be underwritten by an exceptionally corrupt policing culture. It is clear that police headquarters in the capital has been forced as a result of the campaign to move to some significant degree against Kachin police corruption. This is some warrant for hope that Baptist policing may by deeply imperfect means achieve something to make the lives of Kachin people better and create political pressure for more responsive state policing.

Also in the meantime, human rights organisations like ICRC might do better to substitute being stunned into silence by the local popularity of Baptist criminal justice with a programme of visitation to Baptist rehabilitation centres that look like prisons, sound and smell and function like prisons. It seems less than nimble for ICRC to adopt the view that they will visit and write reports on Kachin detention centres run by the state and by the KIA (including KIA drug rehabilitation centres) but not those run by churches.

Theoretically what we think is interesting about this gem of policing exotica is about what anomie attracts. It can attract exotic, innovative ordering. It can attract a transformative phenomenon like the Taliban that is worse than nothing in the long run; or a transformative phenomenon that is better than nothing, as Baptist policing might prove to be in the long run. Ordinary people, and more surprisingly even human rights advocates, can be more offended by the tyranny of a rule of law vacuum that allows people to make fortunes by exploiting the suffering of others. They can be more offended

by impunity for that tyranny than by unaccountable private enforcement of a rule of norms they value. As Whyte (2012) warned in *Street Corner Society* and Suttles (1968) in *The Social Order of the Slum*, even with the lesser forms of disorder of impoverished American neighbourhoods, we must be careful about shutting down such social order as has emerged in slums.<sup>5</sup> We must be especially careful about bulldozing the slum to create a complete vacuum that risks attracting something more frighteningly exotic to fill it. Steering exotic social orders that emerge to fill anomie spaces, rendering them more responsive to rights, may be better than slum clearance, bombing Taliban 'back to the stone age'<sup>6</sup> or shoving Baptists back in their box.

### **Ceasefire capitalism as brutal constraint**

This optimistic interpretation must be tempered by the brutalising context of ceasefire capitalism (Woods 2011), not only in Myanmar but across societies from Democratic Republic of Congo to Iraq, Afghanistan, Libya, Syria, Peru, El Salvador and beyond where ceasefire capitalisms have been negotiated (Braithwaite and D'Costa 2018). When de facto leader of the state, Daw Aung Sang Suu Kyi, says her top priority is the negotiation of a successful peace, especially with the KIA as the largest army currently fighting her state, pessimism is justified because the entire history of Myanmar ceasefire negotiations has excluded civil society. Instead it involved sordid bargains that gave ceasefire groups a little territory in which they could enjoy the protection of the police to monopolise profits from criminal enterprises. Part of the deal was usually a requirement of paying a tax to the security services in return for 'whitening' their illegal profits by laundering them through state banks (Meehan 2011, p. 391). Pessimism is warranted until China and Western powers replace competition to enjoy the geopolitical allegiance of NLD and the Myanmar military with a joint approach of all powers insisting that civil society is empowered in peace processes that involve a genuine political settlement of grievances.

Kachin civil society does not seek a new ceasefire that gives military loyalists and opponents alike a piece of Kachin State to control. They do not want to replace domination by a military junta with domination by a local militia that enjoys impunity from the police. They want a democratic rule of law in a federal state that has Kachin State police. The West should support this because these are political aspirations their own peoples share. China should support it because wars are risky things on the borders of a great power, especially when it has large Belt and Road investments in that region. China should support a peace that settles grievances because it should want to stop the flows of Kachin refugees and Golden Triangle drugs into China and because it is not in the interests of the Chinese economy for its consumers of Kachin jade to pay perhaps a billion dollars in 'whitening tax' to the Myanmar security forces each year. In the past China has forced deadlocked Kachin parties to the negotiating table (ICG 2013, p. 12) perhaps for these reasons.

Geopolitical realism does not make it impossible for China and the West to say to each other that their contestation for influence over Myanmar is allowing its military to play both of them like a fiddle. Extractive capitalism that allows the military and its business cronies to continue to plunder, punish and impoverish the people will ensure the Myanmar state continues to hold out the begging bowl to China and the West. Peaceful political settlements that replace extractive ceasefire capitalism with rule-of-law capitalism is a path to ending the cycle and allowing Baptist police to return to their churches.

### **Notes**

1. The difference is not as sharp in studies that include developing countries: across 25 countries, GfK Verein (2014, p. 11) found average trust in police to be 59%, 31% for politicians; widening to a 63 versus 30% gap in 2016 for a global sample of 30,000 (GfK Verein 2016).
2. In their bottom-up conversations about what to do, congregations were influenced by an initiative of women in nearby Shan State called the Voice of Suffering Women:

The Northern Shan state women got very concerned because all of their sons and all of their husbands were drug addicts in their view as they talk to each other. So they decided to act. They were not NGOs, just ordinary women. They would go and give a warning to drug users and drug dealers, then sometimes a second warning. If they did not stop and refuse to heed the warnings they would wait for the opportunity to destroy their drugs and destroy their property. (Kachin Human Rights NGO [interview](#))

3. A female resident of a Baptist Rehabilitation Center we interviewed said that, while she had experienced no violence in the Center, when arrested she was initially slapped with a hand 'not too hard' when at first she refused to provide the name of her supplier.
4. One of their most dangerous encounters involved one of these counter-prosecution cases. It involved a 'plain-clothes army officer' whose job they suspect was to spy on their programme.

The local volunteers did not recognise him so suspected he was associated with the drug organisation. When I asked him who he was he said 'who are you?' and that he did not have to provide information about his identity to us. This confrontation got angry and so was being filmed by the volunteers. He grabbed the camera ... Then he ran to his car and pulled out an automatic rifle to turn its sights on the volunteers. They pulled the gun away from him and in the scuffle while they did that he was cut on the face. So he is suing them [prosecution for assault]. (2015 Anti-drug Campaign leader interview)

5. The kind of destruction of the social order of the slum that was the worry in these classics was, for example, that police round-ups of older gang leaders could increase crime. This was because the older heads of gang leaders regulated self-indulgent criminality by young hot-heads that might bring police attention to their area or their gang (see also Venkatesh 1997).
6. Final flourish poetic license. We have no evidence of this threat ever being made against the Taliban. Former Pakistan President Musharraf alleged that after 9/11 President Bush threatened that *Pakistan* could only be 'for us or against us' and if they were against us the US would 'bomb you back to the stone age'.

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