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DEMOCRACY THWARTED: THE CRISIS OF
POLITICAL AUTHORITY IN THAILAND

CHARLES KEYES



ISEAS Publishing

INSTITUTE OF SOUTHEAST ASIAN STUDIES

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FOREWORD

The economic, political, strategic and cultural dynamism in Southeast Asia has gained added relevance in recent years with the spectacular rise of giant economies in East and South Asia. This has drawn greater attention to the region and to the enhanced role it now plays in international relations and global economics.

The sustained effort made by Southeast Asian nations since 1967 towards a peaceful and gradual integration of their economies has had indubitable success, and perhaps as a consequence of this, most of these countries are undergoing deep political and social changes domestically and are constructing innovative solutions to meet new international challenges. Big Power tensions continue to be played out in the neighbourhood despite the tradition of neutrality exercised by the Association of Southeast Asian Nations (ASEAN).

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Democracy Thwarted: The Crisis of Political Authority in Thailand

By Charles Keyes

EXECUTIVE SUMMARY

- The coup in Thailand of 22 May 2014, led by General Prayuth Chan-ocha, ended the country's latest attempt to establish a democratic political order.
- This coup was but the latest intervention by the Thai military dating at least to the 1950s to prevent any true democratic system developing in Thailand.
- Instead of a democratic order, the military in alliance with the monarchy, the bureaucracy, and many of the most influential business interests have preferred a system of "despotic paternalism" first introduced in the late 1950s by Field Marshal Sarit Thanarat.
- Thai society is not, however, the same as it was in the 1950s. The middle class has significantly expanded and rural people have become more "cosmopolitan" as they have sought work not only in non-agricultural jobs within Thailand and in great numbers, especially from northeastern Thailand, in other countries while still retaining their identity with their home villages.
- Democratic movements then emerged among both the urban middle class and the upcountry cosmopolitan villagers and from the mid-1990s to the early 21st century it seemed as though Thailand was developing a strong democratic system.
- The rise of the populist Thaksin Shinawatra who himself or his surrogates won elections from 2001 through 2014 engendered increasing opposition not only from the urban middle class whose political party was less successful in elections than Thaksin's party but especially from military, royalist, bureaucratic and many in the business elite.

- The 2014 coup was intended to ensure, as a previous coup in 2006 had not succeeded in doing, that the populist challenge to despotic paternalism was ended once and for all.
- Missteps made by Prayuth and his associates have, however undermined support even of many who first welcomed the coup of 2014.
- The strong criticisms of the proposed new constitution that would ensure the perpetuation of authoritarian rule may make such rule untenable, but perhaps may also lead to more political turmoil in the kingdom of no longer smiling Thai.

Democracy Thwarted: The Crisis of Political Authority in Thailand

By Charles Keyes¹

INTRODUCTION²

In December 2014 and early January 2015 my wife, Jane, and I were in Thailand once again — perhaps concluding over a half-century of deep involvement with the country. That Thailand was once again under military rule as it had been when we first arrived in the kingdom in August 1962 was distressing and saddening. In a recent long op-ed piece in the *Bangkok Post* Klausner, Stent, Fitts, and Unger (2015) argue that the call by some Western governments for Thailand to *return* to democracy is misguided because Thailand has never developed a true democracy.

I agree and want here to reflect on how the military junta headed by General Prayuth Chan-ocha (ประยุทธ์ จันทร์โอชา) has once again sought to establish a system of “despotic paternalism”, to use the term first applied by Thak Chaloemtiarana (1979, 2007/8) with reference to the military dictatorship that Field Marshal Sarit Thanarat instituted

¹ Charles Keyes, professor emeritus of Anthropology and International Studies at the University of Washington, is the author of many books and articles about Thailand, the most recent of which being *Finding Their Voice: Northeastern Villagers and the Thai State*.

² This paper was begun shortly after the May 2014 coup and has gone through several significant revisions, concluding almost a year to date from that coup. I presented preliminary versions of this paper for the Southeast Asian Studies Program at the University of Washington in April and October 2014 and May 2015 and at the University of British Columbia in November 2015. I am grateful to Chris Baker, Thak Chaloemtiarana, Mike Montesano, Pinkaew Laungarmsri, Katherine Bowie, William Klausner and David Chandler for comments and exchanges we have had about the issues raised in the paper; I also want to thank Jane Keyes and Nicholas Keyes for their useful comments and queries on drafts.

following a coup in 1958. There were several serious attempts to establish a democratic order in Thailand — notably in 1973–1976 and 1992–2006 — but the military with the backing of what McCargo (2005) has termed the “network monarchy”, what Chris Baker (2015) has termed the “oligarchy”, and what many Thai call the *ammāt* (อำมาตย์)³ has always intervened to prevent any true democratic system developing in Thailand.

A proposed new constitution, drafted by a committee appointed by the junta and released for public view on 17 April 2015, seems intended to ensure ultimate authority will rest with the military for some time to come.⁴ Missteps made by Prayuth and his associates have, however undermined support even of many who first welcomed the coup of 2014. The strong criticisms of the proposed new constitution that would ensure the perpetuation of authoritarian rule may make such rule untenable, but perhaps may also lead to more political turmoil in the kingdom of no longer smiling Thai.

It is important to state at the outset that my perspective on Thailand has been shaped by decades-long research in/about rural northeastern Thailand and northern Thailand, especially about upland minority peoples. While I have had the opportunity to work with and become friends with many in Thailand’s middle class, I have only tangential relationships with those in Thailand’s royal and military elites.

³ *Ammāt* (อำมาตย์ or อมาตย์) in premodern times designated those officials who had received conferred titles from the king. Since the conflicts in Thailand began in the early twenty-first century, the term has acquired the meaning for those opposed to rule by the military backed by the monarchy to mean the Privy Council and high bureaucratic, the economic elite as well as military officials. In the past the *ammāt* could also look to the Buddhist sangha for establishing its legitimacy, but the sangha has become so compromised by scandals and divided by schisms that it can no longer be looked to to provide moral authority.

⁴ See Aukkarapon Niyomat, “Draft Thai Constitution Complete, but Strife Seen Ahead”, *Reuters*, 17 April 2015 <<http://www.reuters.com/article/2015/04/17/us-thailand-politics-constitution-idUSKBN0N81RP20150417>>. Draft versions of the constitution in both Thai and English can be accessed at <<http://www.bangkokpost.com/news/politics/534275/charter-draft-available-for-download>>.

PHIBUNSONGKHRAM AND THE FIRST FAILURE TO ESTABLISH A DEMOCRATIC ORDER

The roots of the failure of democracy today can be traced back to the 1930s and 1940s when, following the first major coup d'état in Thailand in 1932 the “Promoters” of the coup sought via a constitution to vest ultimate authority in the people rather than in the monarchy. What happened, instead, was that Field Marshal Plaek Phibunsongkhram (แปลก พิบูลสงคราม), the man who emerged as the strongman of the People’s Party (คณะราษฎร) that assumed control of the government following the 1932 coup, soon became a fascist populist in the same way that Franco had in Spain. Phibun’s alliance with Japan during World War II laid the groundwork for a strong military, one that would remain even after the war ended with Japan’s defeat and after Phibun had been supplanted by subsequent leaders.

Throughout the Phibun period from 1935 to 1944 and again from 1947 to 1957, the monarchy had been relegated to a symbolic institution. Following the coup of 1932, King Prajadhipok (ประชาธิปกฯ) had first remained in Thailand, but, when he found he was significantly constrained by the coup leaders, had gone into exile in England and then abdicated in 1935; he died in England in 1941. The Privy Council (คณะองคมนตรีไทย), then headed by Pridi Banomyong (ปรีดี พนมยงค์), the liberal pro-democracy political leader among the Promoters, chose Ananda Mahidol (อานันทมหิดล), a young relative of Prajadhipok, to be king. At the time King Ananda, along with his brother, Prince Bhumibol Adulyadej (ภูมิพลอดุลยเดช), and his sister, Princess Galyani (กัลยาณีวัฒนา), resided in Switzerland where their mother, Princess Srinagarindra (ศรีนครินทร์), had taken them following the death in 1929 of their father, HRH Prince Mahidol Adulyadej who had trained as a medical doctor at Harvard University.

Thai politics were significantly altered in 1944–46, first because of the defeat of the Japanese and secondly because of a crisis regarding the monarchy. In 1944 as it became increasingly clear that Japan would lose the war, the pro-Allies Seri Thai (Free Thai) movement, gained significant influence and was able when Phibun attempted to persuade

parliament to move the capital to Phetchabun in north central Thailand to find support in parliament to defeat his government. When the war ended, the Allies wanted to have Phibun tried by an allied tribunal for war crimes. Although public support for Phibun, with American support for Phibun's refusal to arrest the leaders of the anti-Japanese Seri Thai, led to his being acquitted, he was not able to resume any political role until a new political crisis emerged relating to the monarchy.

In December 1945 King Ananda returned to Thailand and began to assume actively the role of monarch. His reign proved to be very short, however, for on June 9, 1946, he was found dead in his bedroom of a gunshot wound to his head. Although two pages and the king's private secretary would later be tried and found guilty of being parties to the king's death and subsequently executed, it is clear that the trials were rigged.⁵ At the time of King Ananda's death Pridi Banomyong was prime minister and although the rumors that he was responsible for the death were not credible, his reputation suffered a sharp decline. In a 1980 interview with the BBC, King Bhumibol said that "what happened is very mysterious".⁶ Whatever the true story may be, the crisis over the

⁵ Rayne Kruger, a South-African-born British journalist and writer, on the suggestion of Prince Subhasvasti, brother of Prajadhipok's wife Queen Rambhai Barni, undertook in the early 1960s to investigate the death of King Ananda. The result was a book entitled *The Devil's Discus* (Kruger 1964) that concluded that the death was probably a suicide. Kruger's book has long been banned in Thailand, as has the Thai translation of the book. Handley's (2006, pp. 76–79) review of what is (and is not known) about Ananda's tragic death supports the view that the conclusion that Pridi was responsible is not credible and he dismisses the rather bizarre theory of Stevenson (1999, p. 50ff) that Tsuji Masanobu, a Japanese wartime commander, arranged the assassination. Gilbert King (2011), in a long blog on the Smithsonian web site, has reviewed in some detail what is known about the circumstances surrounding King Ananda's death and does not reach a firm conclusion as to the cause of his death. King opines that "It is also possible that [King Bhumibol], too, remained uncertain of the circumstances surrounding his brother's death."

⁶ The interview under the title of "Soul of a Nation" can be viewed on YouTube <<https://www.youtube.com/watch?v=PtxCsbThgjA>>. I have taken the quotation from Handley (2006, p. 273).

death of King Ananda set the stage for a military coup in 1947 that enabled Phibun to regain the premiership.

King Ananda's return had spurred moves by supporters of the monarchy to seek to restore it to its pre-1932 significance. This effort continued even after his death. In 1950 King Bhumibol returned to Thailand after having gone to Switzerland after his brother's death and was formally crowned. He and his new wife, Sirikit (สิริกิติ์), began in the mid 1950s to travel around the country where they were warmly received by people from all classes. Mom Ratchawong Kukrit Pramoj (คึกฤทธิ์ ปราโมช), a minor member of the royal family and the well known editor of *Siam Rath* (หนังสือพิมพ์สยามรัฐ), then the leading Thai language newspaper, began in 1953 to publish a serialized version of his novel, *Si Phaendin* (สี่แผ่นดิน), translated in English as *Four Reigns*. The novel told the story of a woman who had been raised in the palace in the reign of King Chulalongkorn and lived through the reigns of three successive kings, finally dying after the death of King Ananda.⁷ With Bhumibol having been recently crowned, urban Thais, in particular, became aware of the monarchy in a compelling way.

The king proved to be very popular, particularly in contrast to the then ruling clique that included not only Phibun, but also Phao Sriyanond (เผ่า ศรียานนท์), who as head of the police under Phibun instituted draconian rule in Thailand. Phibun was challenged by then general (later Field Marshal) Sarit Thanarat, the head of the army. In 1957, Field Marshal Sarit Thanarat staged a coup and with this coup a new era in Thai politics began.

SARIT THANARAT AND THE MILITARY-MONARCHY ALLIANCE

In 1979 Thak Chalorntiarana, a well-known Thai political scientist who teaches at Cornell University, published *Thailand: The Politics of Despotism*,⁸ a compelling book that showed that Sarit succeeded in shaping a new political order, one that was based on

⁷ The novel was serialized on TV, first in 1961.

⁸ Thak's book was republished in an expanded form in 2007/08.

the absolute control of the polity by the military and legitimated by having the imprimatur of King Bhumibol Adulyadej. Although the king was at the apex of the system, the interests of the monarchy were actually represented by the royal family — initially, the queen and later Bhumibol’s son and heir and his daughters, the Privy Council, the Crown Property Bureau and high ranking civil servants, especially those in the Ministry of Interior (กระทรวงมหาดไทย) and the Ministry of Education (กระทรวงศึกษาธิการ). These, along with the military elite, constituted the “network monarchy”. The military under Sarit made its primary role — in contrast to what had been the case under Phibun — that of defending the institution of the monarchy (ปกป้องสถาบันพระมหากษัตริย์) rather than protecting the people (ประชาชน).

In 1962 when my wife and I first arrived in Thailand where we engaged in fieldwork, primarily in northeastern Thailand, the alliance between the military and the monarchy was firmly in place. The Lao-speaking villagers in northeastern Thailand among whom we first lived and whose sociocultural traditions we were studying had a clear understanding that they had absolutely no influence regarding public policy. Decisions were made in Bangkok by a military-headed regime and were implemented by a bureaucracy, especially the Ministry of Interior (which oversaw not only provincial administration but also the police), that took no account of local opinion or, often, even of local conditions, and the Ministry of Education that implemented a uniform curriculum across the country with no reference to local, regional, or ethnolinguistic traditions.

Jane and I became acutely aware of the consequences of authoritarian rule when in 1967 our closest friend in the village where we had lived in 1962–64 was brutally attacked by bandits and then had to pay large bribes to get the police and courts to seek justice. Only after I had published his story in a national Thai journal did the demands for bribes end.⁹ I concluded that article by asking rhetorically “whereas Bunthorn

⁹ See ผู้สื่อข่าวพิเศษของเรา, “จดหมายจากอีสาน,” สังคมศาสตร์ปริทัศน์ [Our Correspondent, “Letter from Isan”, *Social Science Review*], 6.1: 89–94. This publication, under a pseudonym – “Our Special Correspondent”, was entitled in English, “Where Can I Turn for Help” (the English original and Thai translation can be found at <<https://washington.academia.edu/CharlesKeyes/Papers>>).

[the pseudonym I used for my friend] feels he has no where to turn for help, people in similar predicaments elsewhere in the region have been offered help by those who say that they can rid Thailand of both bandits and corrupt officials. Could we blame them for listening?”

I was referring here obliquely to the Communist Party of Thailand that had, beginning in the mid-1960s, mounted an insurrection, based primarily in northeastern and northern Thailand. The CPT failed, however, to persuade even people like Bunthorn that it offered an effective way to address their grievances with the Thai government, in no small part because the party with a combination of a membership drawn primarily from urban Chinese and a strong commitment to a rigid Communist ideology was incapable of taking into account the deep attachment rural people had to their cultural traditions in which Buddhism was prominent (see Keyes 2011). Rather, by the late 1960s and early 1970s a new urban-based movement led by students became the vanguard of a new push to establish a democratic order in Thailand.

FROM THE OCTOBER 14, 1973 “REVOLUTION” TO THE “PEOPLE’S CONSTITUTION” OF 1997

After Sarit’s death in 1963, two of his associates — General Thanom Kittikachorn (ถนอม กิตติขจร) and Police General Praphas Charusathien (ประภาส จารุเสถียร) — succeeded for several years in maintaining the order underpinned by an alliance between the military and the monarchy. In January 1973, I observed rituals held at Wat Suan Dok in Chiang Mai for the funeral of the Chao Ratchabut of Chiang Mai, the last survivor of the rulers of the once independent kingdom of Lanna in what became northern Thailand. At this funeral the chief participants, next to the king, queen, and newly designated crown prince, were Thanom and Praphas. Another observer at this funeral might have concluded that the presence of these people on the same ritual stage was indicative of the permanence of the “despotic paternalism” (to use Thak’s term) established by Sarit. But this was soon proved not to be the case.

Beginning in the late 1960s and culminating in the student-led revolution of October 14, 1973, remembered in Thai as *sipsi tula*

(เหตุการณ์ 14 ตุลา), many Thai, primarily from the Bangkok middle class, demonstrated that this kind of top-down order was unacceptable. When I was a visiting professor at Chiang Mai University in 1972–74, I had the opportunity to observe first hand the growth of the student movement that would stage the revolution of 14 October 1973. A month before the students took to the streets of Bangkok, I participated in a seminar organized by students in the Faculty of Social Science at Chiang Mai University. What impressed me at the seminar the most was the assurance the students had that the future would entail a democratic system that they would help create.

As the demonstrations grew in Bangkok, the military began to deploy force to control them; but the king, backed by some senior officers, intervened and persuaded Thanom and Praphas, along with Narong, Thanom's son and Praphas's son-in-law, to go into temporary exile. A new democratic system of government legitimated by a constitution written with input from wide sectors of society was instituted, but was led by weak coalition governments. By 1975 several rightwing movements — the Village Scouts (ลูกเสือชาวบ้าน) and Navapol (นวพล), for example — had been mobilized with evident support from the military and police to “persuade” the populace that the student-led movement was controlled by the Communist Party of Thailand. The fall of Vietnam, Cambodia, and Laos to communist-led movements made their right-wing efforts at persuasion more compelling. The King and Queen themselves were deeply upset by the elimination of the Lao monarchy. The weakness of democratically elected governments in this period made them vulnerable to royalist-military interference. When a senior monk — Kittivuddho Bhikkhu — threw his moral support behind the cause of killing communists, who he maintained were not truly human and, thus, killing them did not thus constitute the taking of human life. Rightwing forces could claim they had the support of the Buddhist sangha, the Buddhist monkhood (see Keyes 1978), as well as the monarchy and military in confronting the challenge posed by the student movement.

In early 1976, after Thanom returned to Thailand, and in an act designed to impress people that he was a different person, entered the Buddhist monkhood at Wat Bowonniwet, a leading royal-sponsored temple-monastery and the same one the king himself had been ordained

at, students once again took to the streets to protest. This time, the military used excessive force to suppress the demonstrations, culminating in what is remembered as one of the most traumatic events in Thai history that occurred on October 6, 1976. This time, the king did not intervene, but instead recognized a new government under the premiership of the very right-wing Thanin Kraivichien (ธานินทร์ กรัยวิเชียร), the king's favorite.

The massacre of students on 6 October 1976, remembered in Thai as *hok tula* (เหตุการณ์ 6 ตุลา), perpetrated by paramilitary as well as official security forces goaded by an accusation that the students had hung the crown prince in effigy, brought to an end the second major democratic initiative in modern Thai history. It would be another sixteen years before another opening for a democratic system occurred. Following *hok tula* many of the student leaders fled Bangkok, with many joining the growing communist insurrection upcountry.

Some military leaders, notably General Prem Tinsulanond (เปรม ติณสูลานนท์), a close associate of King Bhumibol, decided that some form of democracy should be allowed in order to blunt the appeal of communist-led insurrectionaries. Prem was one of Thailand's longest-serving prime ministers, in office from 1980 to 1988. After stepping down, he then became Thailand's elder statesman, head of the Privy Council and the de facto leader of the network monarchy; even in his nineties (he was born in 1920) he continues to exert great influence over Thai politics.¹⁰

During Prem's premiership a hybrid system of what Likhit Dhiravegin (1993) has termed "demi-democracy" emerged with an elected parliament, but with ultimate control still in the hands of the military. When elected politicians, led by Chatichai Choonhavan (ชาติชาย ชุณหะวัณ), the then prime minister and a former general, began

¹⁰ At the end of 2014 Prem was visited by Prayuth, who came to wish the senior general a happy new year. On this occasion General Prem said that it would be fine if Prayuth stayed beyond the one-year roadmap he had laid out for fixing the political system. "The privy council president regarded the takeover as 'doing a favour for the country and expressing loyalty'". (Wassana Nanuam and Patsara Jikkham, "Prem backs Prayut at helm beyond one-year roadmap", *Bangkok Post*, 30 December 2014 <<http://www.bangkokpost.com/lite/topstories/453021/prem-backs-prayut-at-helm-beyond-one-year-roadmap>>.

to challenge this system, the military assumed absolute control once again in 1991. The rationale for the 1991 coup is strikingly similar to those given for the coups in 2006 and 2014, namely that the politicians who were in charge of the parliamentary-based government were very corrupt. While there is little question that there was significant corruption among Chatchai's associates, the corruption the new junta focused on in particular included proposed infrastructure projects such as building a skytrain in Bangkok and providing several million new telephone lines in Bangkok and upcountry — projects, in other words, that foreshadowed the populist projects of Thaksin.¹¹

Large numbers from the now more sophisticated and increasingly technologically savvy (then primarily through the use of cell phones) middle class, resisted the reestablishment of military dictatorship and in May 1992 a major confrontation, known in English as “Black May” and in Thai as *phrüttsapha thamin* (พฤษภาทมิฬ)¹² took place on the streets of Bangkok. Officially, the protests led to fifty-two officially confirmed deaths, hundreds of injuries, and thousands of arrests. The king again intervened, calling General Suchinda Krayprayoon (สุจินดา คราประยูร), the general who was the military dictator at the time, and Chamlong Srimuang (จำลอง ศรีเมือง), a major leader of the protestors, to the palace. In a now famous videoed scene, the two men are on their knees before the king. He informed them he would appoint a new government and a new constitutional drafting committee. He told them that “Those who confront each other will all be the losers.”¹³ Following the interview with the king, Suchinda withdrew the military force confronting the demonstrators and then announced he would not seek to be prime minister.

¹¹ Prapat Srisatyakul, senior vice-president for business development at the Thai Farmers Bank, warned following the coup that, if the new junta postponed major infrastructure projects approved by the Chatchai government, this could “cause investors to lose confidence in Thailand, as well as hamper infrastructure and economic development” (*The Nation*, 27 February 1991).

¹² The literal translation of this name is “the May of the Tamils”, but “Tamil” here is understood in a traditional way meaning dark and fierce.

¹³ Quoted in McCargo (1998).

The king then reappointed Anand Panyarachun (อานันท์ ปันยารชุน), a former foreign minister, who had first been made prime minister under the junta as a way to offset criticism of their rule. Anand would subsequently oversee a royally-appointed Constitutional Drafting Committee. Because this committee was, in part, popularly elected and elicited input from wide sectors of society, the resulting constitution was known as the “People’s Constitution” (รัฐธรรมนูญฉบับประชาชน). With the adoption of the new constitution in 1997 a permanent establishment of democratic rule seemed to have been assured. But the network monarchy had not been eliminated; it was only temporarily in eclipse.

THE THAKSIN INTERREGNUM

In 1998 Thaksin Shinawatra (ทักษิณ ชินวัตร), a former police official, a telecommunications millionaire and the scion of a Sino-Thai family from Chiang Mai in northern Thailand, founded a new political party, Thai Rak Thai (พรรคไทยรักไทย). This party proved in the early part of the twenty-first century to be very successful in winning wide support, especially among the people of northeastern and northern Thailand because it promoted such populist policies as universal health care, a loan programme for villages, and support of local government. The Thai Rak Thai Party gained significant electoral victories in 2001 and a landside victory in 2005. Thaksin’s populism was, however, considered threatening by the older elite; he also offended many in the middle class and even civil society organizations because of his heavy-handed war on drugs that led to many extra-judicial killings. The fact that he used his office to promote the wealth and interests of his family, his cronies, and himself led in 2005 to new popular protests.

This anti-Thaksin movement was formally (and misleadingly and oxymorically) known as the Peoples Alliance for Democracy (พันธมิตรประชาชนเพื่อประชาธิปไตย) and more popularly as the “Yellow Shirts” (เสื้อเหลือง) since followers adopted the color yellow to signify their loyalty to the king. The Yellow Shirts were well-funded by wealthy, if not publically identified, backers. Protests by the Yellow Shirts in 2005–06 laid the groundwork for the military coup against the Thaksin regime in 2006. This coup had the approval of Prem and the king. Following

the coup, as has been the case for all successful coups in Thailand, the constitution was abrogated and a new one was drawn up under the eye of the military and the royalist and bureaucratic elite.

After Thaksin's government was deposed in the coup of 2006 Thaksin himself was found guilty of misuse of his office and felt compelled to go into exile to escape a jail sentence and has remained abroad ever since. The Thai Rak Thai Party was banned in 2007, but was resurrected under new names, the most recent being Pheu Thai (พรรคเพื่อไทย).¹⁴ The 2006 coup proved in the end, however, to have failed in the goal of purging Thai politics of the influence of the Shinawatrass. Leadership of the successor party first was assumed by close associates of Thaksin and most recently by his sister and close business associate, Yingluck Shinawatra (ยิ่งลักษณ์ ชินวัตร).

When the military-led government arranged for elections to be held at the end of 2007, the coup leaders of the time had expected that the Democrat Party would emerge victorious. On the contrary, the People Power Party (พรรคพลังประชาชน), the first successor to the party founded by Thaksin won sufficient seats to form the new government. However, street protests by members of the urban middle class organized by the People's Alliance for Democracy, culminating in closing Bangkok's two airports, combined together with legal maneuvers, led to the replacement of the pro-Thaksin government by one led by Abhisit Vejjajiva (อภิสิทธิ์ เวชชาชีวะ)¹⁵ and the Democrat Party. The circumstances leading to the new regime sparked new protests, these organized by supporters of the United Front for Democracy against Dictatorship (แนวร่วมประชาธิปไตยต่อต้านเผด็จการแห่งชาติ), more popularly known as the "Red Shirts" (เสื้อแดง).

¹⁴ The names of the pro-Thaksin parties can be translated as "Thai Love Thai", "People Power Party" and "For Thai". All the names suggest that ultimate authority rests with Thai citizens.

¹⁵ Abhisit, a descendant of Chinese migrants from Vietnam to Thailand, is the son of a medical professional who became the president of Mahidol University. Abhisit himself was born in 1964 in England and received his first degree from Oxford. He has dual Thai and British citizenship. He entered politics in 1992 as a Democrat Party MP in Bangkok. He became the head of the Democrat Party in 2003.

The confrontations lasted from March to May 2010 and became increasingly violent. The Red Shirts claimed that the use of force, apparently ordered and approved by Abhisit and Suthep Thaugsuban (สุเทพ เทือกสุบรรณ),¹⁶ then deputy prime minister, resulted in hundreds of deaths and injuries. The government emphasized that the Red Shirts had caused significant destruction and damage in the central business district, culminating in the burning of the World Trade Center. Yet, having secured power through the suppression by military and police of the Red Shirt protests, the Abhisit government decided several months after the end of the street conflict that it still needed a popular mandate.

The Abhisit government gained royal approval to hold an election in July 2011. The assumption of Abhisit and his backers was that the Democrat Party would win this election because of the revulsion many (as it turned out, mainly members of the urban middle class) felt at the long confrontation with the Red Shirts. Despite the fact that 2006 coup and the new constitution were intended to make it difficult for the Pheu Thai Party to gain power again, the party, now led by Yingluck Shinawatra, won a decisive victory with support primarily from northeastern and northern Thailand and from the suburbs of Bangkok where migrants from the Northeast had settled. Yingluck then formed a new government, one that would remain in office for almost three years until May 2014.

A WELCOME COUP?

Although Prime Minister Yingluck succeeded in weathering a crisis caused by the massive flooding of Central Thailand in 2011, opposition to her government began soon afterwards over its populist policies, the most significant being a policy of subsidies for rice growers. She also faced increasing public criticism for being an alleged stand-in for her brother and for favoring his cronies as her ministers and advisors. A new, ultimately fatal crisis emerged in November 2013 when her government

¹⁶ Suthep, born in 1949 in Surat Thani province in southern Thailand, is the son of a man who was a local official (*kamnan*) and the owner of oil palm plantations and a shrimp farm. In 1979 he was elected an MP as a member of the Democrat Party and rose to become secretary-general of the party in 2005.

proposed an amnesty bill that would have lifted legal proceedings against all political figures and officials, including Thaksin, accused of wrongdoing since 2004. The bill immediately provoked strong protests. Suthep, the former deputy prime minister under Abhisit and a seasoned political combatant, founded the People’s Democratic Reform Committee (PDRC)¹⁷ to lead the protests against the bill. He went further and with strong support from the middle, as well as the upper classes, sought the permanent purging from Thai politics of influence by the Shinawatra family. This purge was to be accomplished through “reforms” that would preclude the re-emergence of a government elected by those the PDRC considered to be an “uninformed” and/or “bribed” majority.

While confronting these developments, Yingluck and her government also found themselves facing several legal challenges. In early May 2014 the Constitutional Court ordered her to vacate the office of prime minister because she had replaced a senior security official in order to create a vacancy for the brother of Thaksin’s former wife. She felt she had no choice but to step down as prime minister. In January 2015, despite no longer being prime minister, she was impeached by the junta-appointed National Legislative Assembly and banned from politics for five years. In March 2015 she was ordered to stand trial for charges brought by the National Anti-Corruption Commission (NACC) over her purported mishandling of the rice subsidy programme. Neither an election held in February 2014 — an election boycotted by the Democrats — nor her removal from office by the supreme court brought protests by the PDRC to an end. Rather than allowing electoral politics to resolve the impasse the PCRC continued to agitate for the appointment of a reform council that would ensure that the Shinawatras and the parties they headed could never return to power. Arguing that Red Shirt counter-protests would

¹⁷ The full name of the PDRC is the People’s Committee for Absolute Democracy with the King as Head of State (Thai: Khanakammakan Prachachon phüa kanplianplaeng prathet Thai hai pen prachathipatai thi sombun an mi phramaha kasat song pen pramuk / คณะกรรมการประชาชนเพื่อการเปลี่ยนแปลงประเทศไทยให้เป็นประชาธิปไตยที่สมบูรณ์ อันมีพระมหากษัตริย์ทรงเป็นประมุข). This movement is the successor to the Yellow Shirts.

soon push the country towards near civil war, General Prayuth Chan-ocha and his military cohort staged a coup on 22 May 2014.¹⁸

The coup was welcomed by the PDRC that advocated the establishment of an interim government made up of *khon di* (คนดี), literally, “good people”, or virtuous leaders. When General Prayuth staged the coup, Suthep acclaimed him as being the embodiment of a *khon di*. Then Suthep withdrew from politics very quickly and ordained as a Buddhist monk, presumably to demonstrate in future involvement in politics that he was also a *khon di*, despite being under indictment for having ordered in 2010 the violent suppression of the Red Shirt protests.¹⁹

Under Prayuth, ultimate authority rests with a junta known as the National Council for Peace and Order (คณะรักษาความสงบแห่งชาติ). By placing the country first under martial law and then under article 44 of the interim constitution that gives the junta even more powers than

¹⁸ Prayuth, aged sixty-one in 2014, former commander and chief of the army (2010–14), is a member of the “Eastern Tigers” or “Queen’s Tigers” faction of the military, one headed by General Prawit Wongsuwan (ประวิตร วงษ์สุวรรณ). In addition to Prayuth and Prawit, another member of the junta is General Udomdej Sitabutr (อุดมเดช สีตบุตร). General Prawit, who was born in 1945, served as Commander-in-chief of the army from 2004 to 2005 and since retiring has been Minister of Defense (2008–11; and again since 2014). After the 2014 coup he became deputy chair of the junta and deputy prime minister. General Udomdej, born in 1955, succeeded Prayuth as the Commander-in-chief of the Armed Forces and also has been Deputy Minister of Defense under Prayuth.

¹⁹ Suthep, as monk, moved to Suan Mokh, a monastery in the southern province of Surat Thani, his home province. This monastery is famous for having been the residence of Buddhadasa Bhikkhu, the most respected Thai monk of the twentieth century. As of mid-May 2015 Suthep was still in the monkhood, but not refraining from making observations on a blog about Thai politics, including saying in early May 2015 that he thought that “If Gen. Prayuth can stay and keep solving problems and making this country and the livelihood of the people better, he can stay for three years or five years” (*Khaosod English*, 6 May 2015; <http://www.khaosodenglish.com/detail.php?newsid=1430910868>). It was also reported near the anniversary of the coup that he was preparing to leave the monkhood (*Bangkok Post*, 18 May 2015 <<http://www.bangkokpost.com/news/politics/564939/phra-suthep-preparing-to-leave-monkhood>>).

martial law, the junta has sought to stifle any criticism or protests. The coup was strongly welcomed by many in the Bangkok middle and upper classes who were not only supporters of the PDRC but had grown fearful that continued unrest would lead to deterioration of the economy. There is little question that the coup did end the political chaos at least temporarily.

Prayuth has resurrected the model of “despotic paternalism”, modeling himself, either consciously or unconsciously, on the role played by Sarit Thanarat.²⁰ Stephen Young is correct when he writes that Sarit was “and still today is for many older Thais, respected and appreciated for getting things done without seemingly endless wrangling and pointless interpersonal entanglements. This current military government seems to be delivering something of similar value to many Thais”.²¹ This model is not, however, valued by the more than half the population of Thailand who live in northeastern and northern Thailand and their kinsmen who work in and around Bangkok.

Like Sarit and other military leaders before and since him, Prayuth has unequivocally shown that he will not tolerate open dissent. As Tyrell Haberkorn has written: “The NCPO identifies anyone who does not share their opinions and dissents in any way as an enemy. Those targeted have included supporters of the United Front for Democracy Against Dictatorship (UDD) and other red shirt movement members, former political prisoners, dissident thinkers, writers, students, and scholars among others.”²² Since the coup, not only have all gatherings that may

²⁰ The characterization of Sarit’s rule as ‘despotic paternalism’ is from Thak (1979).

²¹ Stephen Young, “Generals Have the Power to End Money Politics,” *Bangkok Post*, 7 October 2014 <<http://www.bangkokpost.com/news/politics/436277/generals-have-the-power-to-end-money-politics>>. Young, the elder son of Kenneth Todd Young, who served as American ambassador to Thailand from 1961 to 1963, is a favourite American op-ed poster of Thai supporters of the PDRC.

²² Tyrell Haberkorn, “Martial Law and the Criminalization of Thought in Thailand”, *Asia-Pacific Journal* 12. 40, No. 5, 6 October 2014 <<http://www.japanfocus.org/-Tyrell-Haberkorn/4199>>.

be viewed as being political been prohibited, many erstwhile supporters of the Red Shirts and other dissenters called in for “attitude adjustment” (การปรับทัศนคติ), and academic seminars banned, but more subtle public displays of dissent such sitting in a public space reading a copy of *1984* in English or Thai or using a three finger salute adopted from the “Hunger Games” films, have also been outlawed.²³ While Prayuth and the junta have thus far avoided using excessive force to control dissent, the threat of their doing so – as is clear from the precedent of previous military coups – serves as a deterrent to those who might wish to protest. Atiya Achakulwisut, contributing editor at the *Bangkok Post*, has written: “I am led to believe that what coup leaders want is an obedient Thailand.”²⁴

Prayuth promoted a campaign “to bring back happiness” (คืนความสุขให้ประเทศไทย) to the country to replace political dissent and encourage everyone in the country to get along.²⁵ “Prayut has said the coup should be celebrated as an opportunity for Thais to feel good after a long stretch of political in-fighting left the country deeply divided. ‘The Thai people, like me, have probably not been happy for nine years,’ he said last month. ‘But since May 22, there is happiness.’”²⁶ “The project has involved free concerts, free food, alluring female dancers in suggestive camouflage miniskirts, even the chance to pet horses trucked

²³ See, for example, Richard Lloyd Parry, “Thailand’s Big Brother Bans Orwell’s 1984”, *The Australian*, 11 June 2014 <<http://www.theaustralian.com.au/news/world/thailands-big-brother-bans-orwells-1984/story-fnb64oi6-1226950413039?nk=38f836dbbfc7dcacd6d72d438f186889>>, “Hunger Games Salute Banned by the Thai Military”, *The Guardian*, 3 June 2014 <<http://www.theguardian.com/world/2014/jun/03/hunger-games-salute-banned-thailand>>.

²⁴ Atiya Achakulwisut, “Obedience should not be reform goal,” *Bangkok Post*, 14 October 2014 <<http://www.bangkokpost.com/opinion/opinion/437502/obedience-should-not-be-reform-goal>>.

²⁵ In Thai, this is the title of a song that Prayuth himself wrote.

²⁶ Quoted by Kate Hodal in “Thai junta ‘brings happiness to the people’ with parties and selfies”, *The Guardian*, 4 June 2014 <<http://www.theguardian.com/world/2014/jun/04/thailand-to-bring-happiness-to-the-people>>.

into downtown Bangkok with makeshift stables and bales of hay. The fair-like events are supposed to pave the way for reconciliation after a decade of political upheaval and coups.”²⁷ One of the more interesting events designed to promote happiness was free screenings of the nationalist epic film, “The Legend of King Naresuan 5”.²⁸ This film depicts the medieval Thai king, Naresuan (r. 1590 to 1605), who goes into battle with the Minchit Sra, Crown Prince of the Kingdom of Pegu in what is today the country of Myanmar. Both protagonists mounted on top of war elephants engage in a very dramatic battle, ending with Naresuan killing Minchit Sra. It is this battle that is depicted in “The Legend of King Naresuan 5”, and the film is understood by most Thai to present a nationalist triumph of the Thai over the Burmese. By offering free screenings of the film, the junta clearly has sought to promote a sense of national unity, but the very anti-Burmese sentiment that the film conveys could well undermine efforts by the junta to have good relations with Myanmar, already fraught because of tensions over the hundreds of thousands of Burmese living legally or illegally in Thailand.²⁹ This relationship became even more soured by the mishandling of a murder case on the island of Koh Tao in southern Thailand, as I discuss below.

Beyond entertainment and film screenings, Prayuth and the junta have sought to change people’s relations with one another. In his

²⁷ “Thailand military leaders launch happiness campaign,” *CBC News*, 8 June 2014 <<http://www.cbc.ca/news/world/thailand-military-leaders-launch-happiness-campaign-1.2668950>>.

²⁸ “Thai Military Asks Cinema Owners to Organize More Free Movies,” *Khaosod English*, 16 June 2014 <<http://www.khaosodenglish.com/detail.php?newsid=1402926892>>.

²⁹ In October Sulak Sivaraksa, the well-known “royalist reformer”, brought down the wrath of ultra royalists in offering a critical view of this dramatic historical battle, even questioning whether it ever really happened (“Lese Majeste Filed Against Historian For Questioning Ancient ‘Elephant Battle’”, *Khaosod English*, 17 October 2014 <<http://www.khaosodenglish.com/detail.php?newsid=1413549393>>). In late December I had dinner with Sulak and learned that no legal proceedings had been taken against him.

weekly speech of July 11, 2014, Prayuth set forth twelve core values that the Thai should adhere to: “The 12 values include: upholding the nation, religion and monarchy; having respect for parents, guardians and teachers; seeking direct and indirect knowledge and education; preserving Thai traditions and culture; and understanding and learning about true democratic ideals with His Majesty as head of state.”³⁰ The Ministry of Education then made recitation of these values compulsory for all students.³¹ On 14 October 2014 several high school students who attend Triam Udom, an elite school in Bangkok, organized an on-line protest against having to recite the junta-required formulaic set of twelve Thai values. Although Admiral Narong Pipatanasai, the Minister of Education, contacted the school no action appears to have been taken against the students.³²

JUNTA MISSTEPS

Prayuth confronts a Thailand and a larger world — especially an Internet-connected Thailand and world — that is radically different to that confronted by Sarit. Yet, Prayuth still seems to act and speak as though it is possible for him and the junta to control all understanding of political issues in Thailand. As a consequence, he frequently makes blunders that result in negative reaction not only in the international media but even

³⁰ Supinda na Mahachai, “Students to recite ‘12 core values’ of the nation daily”, *The Nation*, 18 September 2014 <<http://www.nationmultimedia.com/national/Students-to-recite-12-core-values-of-the-nation-da-30243522.html>>. Bangkok Pundit (“Thai students required to recite Prayut’s 12 core values daily”, <<http://asiancorrespondent.com/126873/all-thai-students-required-to-recite-daily-Prayuts-12-core-values/>> provides a translation of Prayuth’s speech with the twelve core values.

³¹ Bangkok Pundit, loc. cit.

³² “Youths protest ‘12 core values’ online”, *Bangkok Post*, 21 October 2014 <<http://www.bangkokpost.com/news/general/438803/youths-protest-12-core-values-online>>; “Junta intimidates high school student opposing 12 Thai values”, *Prachathai English*, 23 October 2014 <<http://www.prachatai.com/english/node/4434>>.

domestically — primarily through Facebook, other social media and even through some newspapers.

Prayuth's reaction to the highly publicized murder on 15 September 2014 of Hannah Witheridge and David Miller, a young British woman and man who were vacationing on the island of Koh Tao in southern Thailand, showed him to have a tin ear regarding how what he says can be magnified by modern media.³³ The investigation revealed that Witheridge had been raped before being killed. The murders took place after the coup when the number of foreign tourists to Thailand had begun to decline. In reacting to the crime, Prayuth said, "There are always problems with the safety of tourists. They think our country is beautiful and is safe so they can do whatever they want. They can wear bikinis and walk everywhere."³⁴ The outcry, especially on social media (particularly in Thailand) was vehement. One Thai Facebook user labelled the comments "unbelievable and makes me ashamed that my country has anything to do with such uneducated and ignorant views".³⁵ Prayuth then made a public apology, but the investigation of the murders continued to get much negative attention.

After a botched initial investigation, the police arrested Zaw Lin and Win Zaw Htun, two male Burmese migrant workers, and kept them in detention without access to legal counsel. They were soon paraded out, said by police to have confessed and taken to re-enact the crime (a normal procedure in Thailand). The Myanmar Embassy and human rights groups raised serious questions about whether or not the two had been framed, especially after the suspects publicly recanted their confessions.³⁶ Again,

³³ Roger Mitton, "Beneath the Prayut Bikini controversy", *Myanmar Times*, 6 October 2014 (<http://www.mmmtimes.com/index.php/opinion/11844-beneath-the-prayuth-bikini-controversy.html>).

³⁴ Quoted in loc. cit. The quotation also appeared in many Thai papers.

³⁵ "Prayut Apologises for Bikini Remark after Global Outcry", *The Nation* [Bangkok], 19 September 2014 <<http://www.nationmultimedia.com/national/Prayuth-apologises-for-bikini-remark-after-global--30243630.html>>.

³⁶ See <<http://bangkok.coconuts.co/2014/10/07/koh-tao-murders-accused-men-recant-confessions-tell-embassy-lawyer-they-were-tortured>>. The on-line dis-

Thai social media gave much attention to the presumed conclusion of the case. Sanitsuda Ekachai, editorial page editor of the *Bangkok Post*, wrote that “what the world witnessed was a total lack of professionalism.”³⁷

Questions about the murder investigation were raised by Myanmar president Thein Sein when Prayuth, in his first trip abroad since the coup, met with him at Naypyidaw, the capital of Myanmar, on 9 October 2014. There was even a small public protest in Myanmar by human rights activists. Prayuth, on return to Bangkok, dismissed the Myanmar concerns and defended the investigation.³⁸ On 13 October 2014, Hugo Swire, British minister of state for the Foreign and Commonwealth Office, “summoned Nadhavathna Krishnamra, the Thai chargé d’affaires

cussion of this case, especially in Thailand, but also in many other countries, has been truly astounding. Christopher Moore, a well-known author who lives in Thailand, has written that digital reaction to the official conclusion that the two Burmese were clearly guilty has been overwhelmingly disbelieving. “The concerns expressed online are that the case against the Burmese suspects is riddled with uncertainty, flaws, and suspicions and it is unsafe to continue. If the digital community’s verdict is ignored, no one can predict if these same guardians of liberty will find digital ways to spread collective action to impose sanctions” <<http://cgmoore.com/blog/view.asp?id=794>>.

³⁷ Sanitsuda Ekachai, “Koh Tao Case Shatters Faith in Our Police”, *Bangkok Post*, 8 October 2014 <<http://www.bangkokpost.com/opinion/opinion/436453/koh-tao-case-shatters-faith-in-our-police>>.

³⁸ See “Thein Sein Wants Fair Probe Over Myanmar Nationals’ Links to Murders in Thailand”, *Radio Free Asia*, 10 October 2014 <<http://www.rfa.org/english/news/myanmar/murder-suspects-10102014184613.html>>. Bangkok Pundit has said that, given the way the case has been handled and especially given the dismissal by Prayuth of the diplomatic and human rights organizations concerned, he “has no confidence in the investigation” (“Prayut: UK Has no Problem with Koh Tao Murder Probe”, 14 October 2014 <<http://asiancorrespondent.com/127396/Prayut-british-have-no-problem-with-thai-investigation-into-death-of-the-2-tourists/>>). His perspective is shared by Andy Hall, a British labour-rights activist in his twitter blog <<https://twitter.com/Atomicalandy>>. Hall is currently facing a defamation lawsuit for his report alleging serious human rights abuses by the Natural Fruit Company; if found guilty he could face eight years in a Thai prison. He claims that the suit was taken out to silence him (*The Guardian*, Shortcuts Blog, 7 September 2014 <<https://twitter.com/Atomicalandy>>).

to the UK ... to express concern over the way the investigation has been handled since the bodies were discovered on a beach on 15 September.”³⁹ Prayuth, however, publically denied that the Thai chargé had been summoned; rather, he said, that the chargé had gone himself to offer “clarifications”. On 17 October when Prayuth attended an Asia-Europe meeting he met U.K. Prime Minister David Cameron and agreed to allow British police to observe the investigation.

The United Kingdom then sent an observer team to the island. “The trip was kept secret, with no police officers in Surat Thani province or Provincial Police Region 8 informed”.⁴⁰ Given that the two accused Burmese claimed they had been tortured into confessing, a Thai National Human Rights Commission subcommittee summoned representatives from the National Police Office to provide information about possible violations of the rights of the defendants. The National Police Office said that because the case was already in the hands of prosecutors, such information could not be provided.⁴¹ The order that the accused be held was extended first for the permitted eighty-four days and then was extended further. It is clear that the murders and the subsequent controversy as well as reactions to the coup are leading to a decline in Western tourists vacationing in the once very popular beach resorts of southern Thailand.⁴²

³⁹ “British tourist murders: Plea for trial delay rejected”, *BBC News*, 14 October 2014 <<http://www.bbc.com/news/uk-29607744>>.

⁴⁰ Surapong Chaolan, “British Authorities at Koh Tao crime scene”, *Bangkok Post*, 25 October 2014 <<http://www.bangkokpost.com/news/general/439572/uk-police-quietly-tour-koh-tao>>.

⁴¹ “Police ignore NHRC summons over Koh Tao rape-murder case”, *Phuket Media Watch*, 28 October 2014 <<http://www.phuketgazette.net/thailand-news/Police-ignore-NHRC-summons-Koh-Tao-rape-murder/38271>>.

⁴² The threat of violence on the beaches of southern Thailand and the lack of assurance that such might not be well handled by the Thai police has led to very negative publicity that is depressing tourism. See Natalie Paris, “Thailand ‘most dangerous tourist destination’ claims book”, *Telegraph*, 13 November 2014 <<http://www.telegraph.co.uk/travel/destinations/asia/thailand/11228849/Thailand-most-dangerous-tourist-destination-claims-book.html>>.

In late April 2015 the defence team working to assist the hapless Zaw Lin and Win Zaw Htun succeeded in getting a court order to have the forensic and DNA evidence independently verified.⁴³ There continues to be fear, however, that the case will drag on beyond the July date set for the trial.⁴⁴ Meanwhile, troubling questions will continue to be raised especially on social media not only about the role of Thai police, but also about reflexive support of the police by Prayuth.

The Koh Tao case also raises an even larger issue that has been significant since the coup — namely, the rights (or non-rights) of the several million legal and illegal migrant workers — mostly from Myanmar and Cambodia — in Thailand or working willingly or unwillingly on Thai fishing boats. In June 2014 the United States issued its annual report on labour trafficking. The report concluded that forced labour by migrants in Thailand, especially in the fishing industry, was so egregious as to justify the United States placing Thailand in the “third tier” of countries, that is, among the worst offenders of labour trafficking in the world. Shortly thereafter, the junta-led government issued a warning about illegal workers being in the country. Fearful of the ruling, some 200,000 Cambodian migrants returned soon afterwards to Cambodia.⁴⁵ Prayuth and his associates sought to quell the concerns by first ordering any officials who appeared to be sanctioning an expulsion of Cambodians to desist and later by opening negotiations directly with Cambodia’s Prime Minister Hun Sen. Nonetheless, questions about the treatment of migrant workers remained, subsequently focused more on the situation of Burmese than that of Cambodians.

⁴³ “Thailand Tourist Murders: Evidence to Be Re-examined”, *BBC News* <<http://www.bbc.com/news/uk-england-32531168>>.

⁴⁴ Khin Su Wai, “Koh Tao trial expected to drag on through 2015,” *Myanmar Times*, 27 February 2015 <<http://www.mmmtimes.com/index.php/national-news/13247-koh-tao-murder-case-to-drag-on-through-2015.html>>. On 31 May 2015, the BBC reported that lawyers for the two Burmese workers feared they would not be allowed to review the forensic evidence <<http://www.bbc.com/news/world-asia-32948790>>.

⁴⁵ On 19 June, CNN reported that 180,000 Cambodian workers had returned home <<http://www.cnn.com/2014/06/18/world/asia/cambodia-thailand-migrants-border/>>.

The same United States government report on human trafficking in 2014 that led to Thailand being placed in the “third tier” of countries singled out the Thai fishing industry as being the most egregious violator of human rights.⁴⁶ The report observed that although the Thai government has made some efforts to prosecute those involved in labour trafficking, there have been very few convictions of Thai citizens involved.⁴⁷

In 2015, despite the junta’s assurances that it was addressing the problem of human trafficking, an Associated Press report dated 25 March, “Are Slaves Catching the Fish You Buy?” that focused on the rescue of slave labour on Benjima Island in Indonesia demonstrated that many Thai fishing companies and distributors were still using slave labour on fishing boats.⁴⁸ While most of the slave labourers on the fishing boats were from Myanmar, there were also some Thai among them. Thapanee Ietsrichai, a Thai reporter for the Thai Channel 3’s “Three Dimension” news programme, went to Indonesia to undertake “an investigative report on jails and graveyards of fishermen on Indonesia’s Benjima Island, 400–500 of whom were Thais”.⁴⁹

⁴⁶ The report, *Trafficking in Persons Report 2014* can be found on the U.S. Department of State web page <<http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226832.htm>>.

⁴⁷ *Trafficking in Persons Report 2014*, pp. 374–75.

⁴⁸ There were many reports in the international press about the conditions of “slavery” to which those working on Thai fishing boats had been subjected, most stemming from an Associated Press report dated 25 March 2015, “Are Slaves Catching the Fish You Buy?” by Robin McDowell, Margie Mason, and Martha Mendoza <<http://bigstory.ap.org/article/b9e0fc7155014ba78e07f1a022d90389/ap-investigation-are-slaves-catching-fish-you-buy>>. *The Bangkok Post* in an editorial dated 17 April 2015 <<http://www.bangkokpost.com/opinion/opinion/531199/punish-slavery-vessels-now>>, while calling for the Thai perpetrators to be punished, noted that “authorities do little — if anything at all — to stop these illegal and inhumane practices, when they should crack down on fishing boats, arrest the cross-border human trafficking rackets and punish corrupt officials”. The editorial also observed that the authorities responsible appear to find support from Prime Minister Prayuth’s concern about how negative publicity could reduce the revenues from the fishing industry.

⁴⁹ *Bangkok Post*, 25 March 2015 <www.bangkokpost.com/news/general/508092/prayut-slams-reporter-for-damaging-news>.

In March 2015 at a weekly news conference Prayuth publically reprimanded Thapanee for her report, asking her “What will happen if we report this in a big way, telling the world about our trafficking and illegal fishing problems? What if they stop buying fish worth 200 billion baht from us? Will you take the responsibility?”⁵⁰ This was not a story that was going to go away by order of General Prayuth. In April 2015 as the U.S. congress was engaged in considering a human trafficking bill, a US House committee on foreign affairs heard again about the use of slave labour on Thai fishing boats.⁵¹ The European Union, meanwhile, decided to issue Thailand a “yellow card”, giving Thailand six months to end the slave labour on Thai fishing boats or face a ban on imports of fish and fish products from Thailand.⁵² Prayuth claims that even with the powers he can use under Section 44 of the interim constitution he will not be able to resolve the problem in six months.⁵³ What he did not say is that the companies managing the Thai fishing industry commands such power that they can make even the military junta back off. Pravit Rojanaphruk, a well-respected columnist for Bangkok’s *The Nation* newspaper, reported on 7 May 2015 that Songkhla Fishery Association president Praporn Ekuru, a former Democrat MP, queried the decision by the EU to issue Thailand the yellow card, opining that this decision was probably motivated by European protectionism or as a means to get the military junta to give way to a more democratic system.⁵⁴

⁵⁰ Loc. cit.

⁵¹ “US House Told of Slavery in Thai Seafood Industry”, *Bangkok Post*, 23 April 2015 <<http://www.bangkokpost.com/news/general/538787/us-house-told-of-slavery-in-thai-seafood-industry>>.

⁵² “EU threatens Thailand with trade ban over illegal fishing”, *The Guardian*, 21 April 2015 <<http://www.theguardian.com/environment/2015/apr/21/eu-threatens-thailand-with-trade-ban-over-illegal-fishing>>.

⁵³ “Prayut says Section 44 not enough to resolve long standing fishing industry problem”, *Thai Visa News*, 25 April 2015 <<http://news.thaivisa.com/thailand/prayut-says-section-44-not-enough-to-resolve-long-standing-fishing-industry-problem/54706/>>.

⁵⁴ Pravit Rojanaphruk, “EU’s motive behind yellow card queried”, *The Nation*, 7 May 2015 <<http://www.nationmultimedia.com/national/EUs-motive-behind-yellow-card-queried-30259466.html>>.

In May 2015, a new issue relating to human trafficking confronted Prayuth, his government and the junta. After dozens of bodies found in shallow graves in remote areas of southern Thailand were identified as Rohingyas from Myanmar and/or Bangladesh, it became apparent that many local officials were involved or at least complicit in the illegal smuggling of hapless migrants seeking some sort of better lives than they had in their home communities. Matthew Smith, head of Fortify Rights, a human rights organization, has been quoted as saying that international syndicates of human smugglers capitalize “on the willingness of authorities in Thailand to participate in the trade or at least turn a blind eye.”⁵⁵ As the reports about the bodies began to appear, General Prayuth ordered an investigation, and at least fifty officials were “transferred” (not fired or subjected to criminal investigations) for their presumed links with human traffickers.⁵⁶ Jonathan Head, the BBC correspondent in Bangkok, reported that “Many of the bodies dug up over the past week were in a camp I was told about by a police officer six months ago. He said powerful vested interests barred him from shutting the camp down.”⁵⁷

These vested interests had the backing of the Royal Thai Navy that had brought a defamation lawsuit and a charge of criminal breach of the national computer law against the editors of *Phuketwan*, an English-language website operated from the southern Thai resort island of Phuket, for having reported a Reuters investigation of the plight of Rohingyas fleeing Myanmar.⁵⁸ Stung by the international outcry about the Rohingyas, Prayuth called for a summit of leaders from Malaysia, Indonesia and Myanmar, although Myanmar initially announced it

⁵⁵ “Thailand ‘turning a blind eye to human trafficking’”, *DW*, 6 May 2015 <<http://www.dw.de/thailand-turning-a-blind-eye-to-human-trafficking/a-18431748>>.

⁵⁶ “Thai police moved over ‘human trafficking links’”, *BBC News*, 7 May 2015 <<http://www.bbc.com/news/world-asia-32620820>>.

⁵⁷ Loc. cit.

⁵⁸ See “Phuket Reporters to Ask Thailand’s PM to End Human Trafficking Related Court Action”, *Phuketwan Tourism News* <<http://phuketwan.com/tourism/phuket-reporters-ask-thailands-human-trafficking-related-court-action-22434/>>.

would not participate, as it has consistently claimed that there are no legal Rohingyas in the country; instead, all are claimed to be illegal migrants from Bangladesh. And it is still to be seen whether even a military dictatorship can move against the Thai citizens who are engaged in perpetuating Rohingya slavery. Prayuth's position has been and may still be that "the problem was 'from abroad and not from us'".⁵⁹

There are reasons, unmentioned by the junta and even by others, that the problem is clearly located in Thailand. The four southernmost provinces of Thailand have long been a locus of tensions and since 2001 of open insurgency because the majority of the peoples living in this region are Muslims whose native language is Patani Malay and many have supported movements to seek independence or autonomy from Bangkok. In 2001 a full-scale insurgency began, led mainly by young Muslim men, and it was exacerbated by overreactions on the part of successive Thai governments.⁶⁰ Because of the insurgency, the current military government has continued to impose martial law on the region. Under martial law, and now with no elected government to provide oversight of the military in southern Thailand, those in the military who have been corrupted by bribes from human traffickers have been able to act with impunity.

Prayuth's own irritation with investigative reporters that he showed in his interaction with Thapanee was underscored on 26 March 2015

⁵⁹ "Thai police moved over 'human trafficking links'", Loc. cit. The Rohingya migrant story has received wide attention since reports began emerging that many would-be migrants were dying either in the places where smugglers took them or on the boats that were hired to bring them to Southeast Asia. For more on the Thai role see Jonathan Head, the BBC correspondent in Thailand, "Sold for Ransom: On the Trail of Thailand's Human Traffickers" <<http://www.bbc.com/news/world-asia-32835811?OCID=twitterasia>>.

⁶⁰ The best single source on the conflict in Malay-speaking southern Thailand is *Tearing Apart the Land: Islam and Legitimacy in Southern Thailand* by Duncan McCargo (2009). Since 2015 "Benar News" <<http://www.benarnews.org>>, a media outlet managed by Radio Free Asia, a non-profit corporation funded at least in part by the U.S. government, has provided news stories in both Thai and English about events in Muslim southern Thailand as well as in Bangladesh, Malaysia, and Indonesia.

when he “threatened to severely punish journalists following media reports of a conflict between two top ministers and on human trafficking in Thailand. . . . Gen Prayuth reminded reporters he still has powers under the National Council for Peace and Order (NCPO) to deal with them. He also sarcastically said “execution” was a possibility when challenged how he intended to deal with them.⁶¹ Prayuth’s heavy-handed dealings with the Thai press clearly demonstrate the insecurity he feels in attempting to impose a new order on the Thai people.

WHO WILL SPEAK FOR DEMOCRACY?

The coup of 2014 was meant, as the coup of 2006 had failed to do, to purge Thai politics of corruption. Prayuth is proving that he is no “white knight” (that is a *khon di*); his presumed virtue has been contradicted by his tolerance of the deeply corrupting roles played by his own military and the police as well as significant segments of the bureaucracy. His efforts, backed by the network monarchy, to restructure the Thai polity to ensure that large segments of the citizenry of Thailand cannot really choose who leads them are troubling to many, including some who welcomed the coup. This is manifest in reactions to the proposed adoption without a referendum of the new draft constitution. In short, Prayuth is not able to be a contemporary reincarnation of Sarit Thanarat.

The Thai population today is much more complex and sophisticated than it was in the late 1950s when Sarit Thanarat seized power, and even more so than in the 1970s or 1990s when there was earlier significant support for a democratic system. In particular, there is no longer a rural peasantry that has little interest in or linkage to the wider political economy. On the contrary, the people who today still identify as “villagers” are, as I have shown elsewhere, “cosmopolitan” in their understanding of the world.⁶² It was these cosmopolitan villagers who

⁶¹ Patsara Jikkham, “Prayut Threatens to Punish Journos”, *Bangkok Post*, 26 March 2015 <<http://bangkokpost.com/news/general/508311>>.

⁶² See Charles Keyes, “‘Cosmopolitan’ Villagers and Populist Democracy in Thailand”, *South East Asia Research*, 20.3 (2012): 343–60, and Keyes, *Finding*

constituted the primary support for Thaksin, Yingluck, the Pheu Thai Party and the Red Shirts.

The simmering discontent of those who supported and still support the Pheu Thai Party and the Red Shirts was clearly evident on 19 October 2014 at the funeral of Colonel Apiwan Wiriyaichai, a Red Shirt and a former Pheu Thai leader. After the coup, he had fled to the Philippines because he faced being tried for *lèse majesté*. When he died of a lung infection at age sixty-five, his body was brought back to Thailand for a Buddhist funeral. Although the junta explicitly banned use of the funeral for political purposes, the fact that at least 10,000 Red Shirt supporters and Pheu Thai Party members, led by former prime minister Yingluck, turned up, beginning 12 October when the body arrived at the airport, and continuing through 19 October when the cremation took place, to pay their last respects to Apiwan demonstrated dramatically that supporters of the Shinawatrass and of a democratic system have not gone away.⁶³ However, as Pinkaew, who had carried out research on Red Shirts in Chiang Mai (Pinkaew 2013), has observed, the Red Shirts are too hierarchically organized and dependent on decisions made by the central leadership to be able to mobilize easily and spontaneously.⁶⁴

With the strong constraints placed on the Pheu Thai Party, the Red Shirts, and the Shinawatra family, those who would speak up for democracy since the 2014 coup have mostly been silenced or moved

Their Voice: Northeastern Villagers and the Thai State (Chiang Mai: Silkworm Books, 2014). Andrew Walker has found similar patterns in northern Thailand; see his *Thailand's Political Peasants: Power in the Modern Rural Economy* (Madison: University of Wisconsin Press, 2012). His characterization of rural northerners as “peasant capitalists” is different from mine in that rural northeasterners are more likely than rural northerners to seek work outside their home region and even abroad than to acquire capital through expansion of farming.

⁶³ See “Large Turnout for Apiwan’s Cremation”, *Bangkok Post*, 19 October 2014 <<http://www.bangkokpost.com/news/politics/438428/large-turnout-for-apiwan-cremation>>.

⁶⁴ Pinkaew (2015b). This observation represents a change from her previous assessment in Pinkaew (2013) that the Red Shirts were more atomized.

abroad and a few have actually been jailed. Thus, it is noteworthy as the process leading to the promulgation of a new and highly restrictive constitution has approached its end, there has been at least some significant questioning even by politicians who originally welcomed the coup of the rush to promulgation, especially without a referendum. On 12 March 2015, the Foreign Correspondents Club of Thailand (FCCT) sponsored a forum, prompted by the release of a draft of the new constitution, to consider the future of Thai politics at which “prominent politicians from the country’s rival parties banded together to criticize the junta’s new charter and its restraints on the power of elected officials.”⁶⁵

Disapproval of the draft was expected from Pheu Thai politicians, but the criticism by leading Democrat Party figure Kasit Piromya came as something of a surprise. “I thought that this reformation process under the military’s direction would be moving Thailand in the direction of more democracy and not less,” said Kasit, who had joined protests against the Pheu Thai government last year. ‘But what I’m seeing at the moment ... is that we are going backwards. This is a regression of the democratic aspirations of Thai society.’”⁶⁶ Kasit’s questioning of the proposed new constitution was subsequently seconded by Abhisit Vejjajiva, the leader of the Democrat Party and a former prime minister, who observed that “Yet it seems like the drafters [Constitution Drafting Committee members] are afraid of democracy. Aren’t they able to tell the difference between democracy and the Thaksin [Shinawatra] regime? They merely believe that democracy can be used to pave the way for the [Thaksin] regime ... which needs to be eradicated.”⁶⁷ In short, although Abhisit has joined other politicians in criticizing the new constitution, the Democrat Party, the oldest political party in Thailand, which has without

⁶⁵ Quoted in the detailed report in English of the discussion at the FCCT forum, “Bipartisan alarm over junta’s ‘anti-politician’ charter, in *Khaosod English*, 12 March 2015 <<http://www.khaosodenglish.com/detail.php?newsid=1426165679§ion=00>>.

⁶⁶ Loc. cit.

⁶⁷ *The Nation* (Bangkok), 16 April 2015 <<http://www.nationmultimedia.com/politics/New-charter-does-not-address-root-cause-of-nationa-30258056.html>>

question at times found itself in alignment with the military but which also can look back to 1992 when it led the challenge to the then military dictatorship, supports a democratic system in which it and its mainly Bangkok and Upper South middle class supporters can have a voice in governing.⁶⁸

It is becoming clear that the vast majority of people in upcountry Thailand and the majority in the Greater Bangkok Metropolitan Area are not willing to be compelled to accept a hierarchical order such as existed through the 1950s. As Patrick Jory has observed, “despite the propaganda, the regime lacks popular support”.⁶⁹ The junta’s supporters have pushed back against what has become bipartisan questioning of the proposed new constitution. The chair of the junta-appointed national legislative assembly has expressed concern that if there were a referendum the new draft would be defeated because people will not fully understand it.⁷⁰ Major General Sansern Kaewkamnerd, the deputy government spokesman, went further in hinting that the junta may not allow a referendum because the debate regarding it would be too divisive.⁷¹ Others in the junta also have said that holding a referendum will delay the promulgation of the new constitution.

⁶⁸ On 24 March 2015, “relatives of the victims of the Black May 1992 incident handed a letter on Tuesday to Mr Borwornsak to ask him to reconsider the proposed charter provision, which allows the appointment of a non-elected outsider prime minister” (*Bangkok Post*, 25 March 2015 <<http://www.bangkokpost.com/news/politics/507163/new-charter-faces-tougher-challenges>>).

⁶⁹ Patrick Jory, “Thailand’s ‘Twilight of the Gods’: Understanding Thai Politics in the Interregnum”, paper presented at the Griffith Asian Institute, Griffith University, Queensland, Australia, 19 September 2014 <https://www.academia.edu/8591086/Thailand_s_Twilight_of_the_Gods_Understanding_Thai_Politics_in_the_Interregnum>.

⁷⁰ “NLA Chairman: Referendum May Doom Charter”, *Khaosod English*, 15 April 2015 <<http://www.khaosodenglish.com/detail.php?newsid=1429091216>>.

⁷¹ Mongkol Bangprapa and Manop Thip-osod, “Military Resists ‘Divisive’ Referendum,” *Bangkok Post*, 17 April 2015 <<http://www.bangkokpost.com/news/general/530927/military-resists-divisive-referendum>>.

After the coup in 2014, the country was placed under martial law. This prompted strong criticism from international human rights groups as well as the U.S. and European countries. The publicity about martial law discouraged some tourists from coming to the country. On 1 April 2015 in what might be seen from the outside as a cruel April Fools Day act, the junta lifted martial law but then immediately invoked Article 44 of the junta-dictated interim constitution. This article allows the government to intervene “to curb acts deemed harmful to national peace and stability.” In short, the junta arguably gave itself even more authority than that provided by martial law to impose its will on the populace.⁷² A *New York Times* editorial of 10 April 2015 opined that the assumption of such dictatorial powers threatened to transform Thailand, “a major regional power, into a pariah state.”⁷³

Only a few weeks later, the draconian character of the junta’s new powers became obvious when on 16 April General Prayuth invoked Article 44 to abruptly ‘transfer’ (in fact, fire) six officials in the Ministry of Education, giving no reason for this act.⁷⁴

There are today no obvious constraints on absolute rule by the military. Some speculate that when King Bhumibol, now eighty-seven and in very bad health, dies the succession of Crown Prince Vajiralongkorn (สมเด็จพระบรมโอรสาธิราช เจ้าฟ้ามหาวชิราลงกรณ สยามมกุฎราชกุมาร) will introduce a tension between the network monarchy and the military. The

⁷² See, for example, Charlie Campbell, “The Thai Junta Has Replaced Martial Law With an Equally Draconian Security Order”, *Time*, 2 April 2015 <<http://time.com/3768490/thailand-martial-law-article-44/>>.

⁷³ “Trickery and False Promises in Thailand”, *New York Times*, 10 April 2015 <<http://www.nytimes.com/2015/04/11/opinion/trickery-and-false-promises-in-thailand.html>>. The Thai ambassador to the United States responded with a very weak rebuttal. See Pasan Manawapat, “A View from Thailand’s Ambassador”, *New York Times*, 17 April 2015 <<http://www.nytimes.com/2015/04/17/opinion/a-view-from-thailands-ambassador.html>>.

⁷⁴ “Invoking Emergency Power, Prayuth Transfers 6 Education Officials”, *Khaosod English*, 17 April 2015 <<http://www.khaosodenglish.com/detail.php?newsid=1429275128§ion=11>>. One wonders if these officials might have proven reluctant to rework the school curriculum around Prayuth’s “core Thai values”.

Crown Prince is deeply unpopular and his troubled relationships with a succession of wives and mistresses, his short temper, shown on occasion with ranking members of the military, and his lack of interest in winning the loyalty of his subjects all are likely to make the beginning of the reign of Rama X even more problematic than when his father became king in the shadow of the still unexplained death of his brother, King Ananda. The man who will become Rama X (Prince Vajiralongkorn) will probably never be viewed as a monarch of virtue (*mi bun bāramī*) as his father has been able to do since the mid 1950s. The unpopularity of Crown Prince Vajiralongkorn has led many to wish that his unmarried sister, Princess Maha Chakri Sirindhorn (มหาจักรีสิรินธร) could become monarch. She herself has strongly rejected such speculation. Paradoxically, the unpopularity of the future Rama X may prove in the short run to benefit the military in that it will stimulate even more incidents where citizens can be accused and found guilty of *lèse majesté*. In even the medium term, however, the transition from the reign of Rama IX to Rama X is likely to lead to a fundamental change in the role of the monarchy in the Thai polity.⁷⁵

Because Prayuth and his allies are aware that there are simmering discontents that are often manifest on social media, the junta is making significant efforts to control what appears on social media sites. The Ministry of Information, Communication and Technology has resuscitated the Cyber Scouts (โครงการลูกเสือบนเครือข่ายอินเทอร์เน็ต), a group of “volunteers” first founded in 2010.⁷⁶ The primary purpose of the scouts is to patrol the internet in search of those insulting the monarchy, but they are also assisting the junta to identify critics. The Cyber Scouts are not the only vigilantes working to assist the junta expose critics.

⁷⁵ At the time of the coup in May 2015, the Crown Prince had gone to England for unexplained reasons (see Keith Perry, “Crown Prince of Thailand takes refuge in five-star Hampshire hotel”, *The Telegraph*, 23 May 2014 <<http://www.telegraph.co.uk/news/worldnews/asia/thailand/10852417/Crown-Prince-of-Thailand-takes-refuge-in-5-star-Hampshire-hotel.html>>).

⁷⁶ See <<http://www.cyberscout.in.th/home.php>>, the web page home for the Cyber Scouts. My understanding of the Cyber Scouts is based mainly on papers by Pinkaew Lauangarmsri (2015a, 2015b).

Private (or, in some cases, “semi-private”) individuals have also become partisans in cyber conflict with opponents of the coup. Perhaps the most well known defender of the monarchy is Major General Dr. Rientong Nan-nah (พล.ต.นพ.เหรียญทอง แน่นหนา), a director of the Mongkut Wattana General hospital in Bangkok. He is the founder of the Garbage Collecting Organization (องค์กรเก็บขยะแผ่นดิน). The Facebook page of the GCO⁷⁷ mainly includes postings about the king (who made a public appearance on 5 May, the sixty-fifth anniversary of his coronation) and Princess Sirindhorn and some about other members of the royal family. It also includes stories about those who have been found committing offenses against the monarchy. There are a number of other web pages that attack critics of the monarchy and the junta; one, AltThaiNews,⁷⁸ is run by a foreigner or a composite of several foreigners living in Bangkok who go under the nom de guerre of Tony Cartalucci.

Although because the proposed constitution will ensure that the military has the ultimate right to impose its will on whatever policies the weak parliament and non-elected senate might adopt, it would seem that democracy in Thailand has a cloudy future for some time to come. This was confirmed when General Prawit Wongsuwan, the Deputy Prime Minister, said that “military leaders do not have political ambitions but will have to intervene if the country again descends into a political crisis”.⁷⁹ However, as Michael Connors, an Associate Professor of Politics, History, and International Relations at the University of Nottingham and a long-time observer of Thai politics, wrote on 14 August 2014 in his blog “Sovereign Myth”: “Some in the military believe in the justice of redesigning democracy, and as far as they can see most Thai citizens are smiling in agreement, as required by coup-law. They will do well to remember the events of 1973 and 1992 when hundreds of thousands of

⁷⁷ See the web page <<https://th-th.facebook.com/thaigoldmedal>> for this organization.

⁷⁸ <<http://althainews.blogspot.com>>.

⁷⁹ Wassana Nanuam, Aekarach Sattaburuth and Patsara Jikkham, “New charter ‘won’t stop coups’”, *Bangkok Post*, 28 May 2015 <<http://www.bangkokpost.com/news/politics/574827/new-charter-won-t-stop-coups>>.

democracy protestors forced dictators to exit in shame. Hubris always has an expiry date.”⁸⁰ The expiry date of the current junta’s hubris will probably come as it did in 1973 and 1992 when not only villagers but also many in the middle class realize that the new version of despotic paternalism is unacceptable. Prawit’s warning points, nonetheless, to a continuing struggle between advocates of democracy and proponents of despotic paternalism. As one who has devoted his career to understanding Thailand, I find it truly astounding that in the early twenty-first century there should still be those who believe despotic paternalism is the ideal political system for all Thai people.

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⁸⁰ <<http://sovereignmyth.blogspot.com/2014/08/of-rights-lost-and-democracy-to-come.html>>. Connors’s blog was also quoted at some length by “Bangkok Pundit”, a foreign resident of Thailand who has long commented on Thai politics (see Bangkok Pundit, “Connors Says to the Thai Junta: ‘Hubris Always Has an Expiry Date’”, 9 October 2014 <<http://asiancorrespondent.com/127304/connors-to-the-thai-junta-hubris-always-has-an-expiry-date/>>).

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