# MILITARY'S ROLE IN THAILAND: A CASE STUDY OF 2014 COUP

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## DECLARATION

I declare that the dissertation entitled "Military's Role in Thailand: A Case Study of 2014 Coup" submitted by me for the award of the degree of Master of Philosophy of Jawaharlal Nehru University is my own work. The dissertation has not been submitted for any other degree of this University or any other university.

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#### CERTIFICATE

We recommend that this dissertation be placed before the examiners for evaluation.

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#### **Chapter I: Introduction**

#### **Introduction**

Thai armed forces have a long history of authoritarianism and acting as a bureaucratic enforcer for the state. Even after ending the absolutism of the monarchy in 1932 and constitutionalism entering into the Thai polity, the military has remained a dominant force in Thai politics. In 1932, the leaders of coup, who are often referred to as the 'Reformers', staked their claim to legitimacy based on nationalism leading to the inauguration of constitutional democracy. Since the end of the last absolute monarchy in June 1932, the armed forces exerted tremendous influence over Thailand's weak political parties and institutions. Military-led governments have been in power from 1932 to 1944, again from 1947 to 1973, continuing from 1976 to 1988, 1991 to 1992, 2006 to 2008, and latest in 2014 after a coup. The military so far has lasted from a maximum of 14 years to a minimum of 5 years. Thailand has experienced at least 12 successful military coups since 1932 and has been subject to several other unsuccessful attempts.

In late 2006, the military again referred to itself as a professional institution. Despite the efforts over the last 14 years after May 1992 the military has not become less political. In 2001, Thaksin Shinawatra, the billionaire businessman-turned-politician, entered the office of Prime Minister with capitalist class interests and changed the political dynamics of Thailand. Thaksin entered office with overwhelming support of the population to make government more responsive. His Thai Rak Thai (TRT) party combined populist policies –that affected interests of the poor and rural middle-class people—with big business interests to gain overwhelming electoral support. The majority support that brought TRT into power also legitimated Thaksin's goals and his role as the nation's leader. But when the former Thaksin's supporters were alerted by his obvious authoritarianism and contempt for democracy, rights, and freedoms, their disillusion was bitter. People's Alliance for Democracy (PAD) became the focus of a new anti-Thaksin mobilization.

Again, the military staged Thailand's latest coup on 22 May 2014 under the banner National Council for Peace and Order (NCPO) led by General Prayuth Chan-Ocha to oust Yungluk Shinawatra's government, which had come to power in the 2011 elections.

Most perceived her rise to power as benefiting Thaksin Shinawatra. In August 2013, the Pheu Thai-majority House approved a draft amnesty bill, which could ended Thaksin's political exile. The amnesty bill was handed over to a 35 member scrutinizing committee, after which it would be returned to the House for second and third readings. The committee passed a revised draft of the bill on 18 October 2013. The bill's initial version had bipartisan parliamentary support and was aimed at pardoning low key protesters and others associated with protests and acts of violence dating back from 2004 until August 2013. Later, the bill became would have pardoned protestors involved in various incidents of political unrest since 2004, dismissed Thaksin's corruption convictions and annulled the murder charges against Abhisit and Suthep. Its sparked opposition to both Pro-Thaksin and Anti-Thaksin. Thaksin's opponents protested against absolving Thaksin of his convictions. Unclear Suthep Thaugsuban and 8 Democrat Party members of parliament resigned from their positions to lead the demonstrations called the People's Democratic Reform Committee (PDRC). The protests gradually shifted towards an anti-government agenda and to criticize Yingluck and her government for being proxies for Thaksin. Eventually, the Royal Thai Army declared martial law throughout the nation on 20 May and followed two days later by the military junta to oust the government.

The military has been involved in politics for most of the twentieth century. In the 1970s, a process of political transformation began that culminated in Thailand's transition to democracy in May 1992. Under the new democratic rules, the military's political role became more complex. The Royal Thai Army refrained from direct political involvement and focused on protecting the monarchy as well as furthering their own corporate and security interests. Therefore, democratization and civilian control after May 1992 were to be realized only to the extent that they did not threaten the position of the network monarchy or the ideas that underpinned its power. This became obvious during the premiership of Thaksin Shinawatra whose government attempted to sever the relationship between the military and the monarchy. Instead of institutionalizing control through democratic procedures, Thaksin increased his personal authority over the military. This contributed to the 2006 coup against him. Rhetorically, the coup makers legitimatized its actions as a means to restore democracy.

Again, in the period of Yingluck Shinawatra as mentioned above that the military stepped in. With this, this dissertation would like to study the military role and democracy in Thailand by

focusing on the 2014 coup. Firstly, what the conditions that help military stage coups are. Secondly, what the history of military is taking over power in Thailand. Thirdly, how the military rules have helped or hampered in the development of democracy in Thailand. And lastly, what the factors that led to the 2014 coup are.

#### **Review of the Literature**

#### **Democracy and Democratization Concept**

Chai-Anan Samudavanija stated that "qualitative studies of democracy have shifted away from a focus on identifying the necessary conditions for democracy as an end state and have moved toward more attention on processes of democratization" (Samudavanija 2002: 17-18). There are three facets to this perspective as followed;

In his book "Thailand: State-Building Democracy and Globalization" (Samudavanija 2002) has mentioned "The first is that democracies can be created. This implied that the growth of democracy is not a peculiar product. This leads to considerable attention to what can be called constitutional issues- how to design a democracy. The second is that political variables are important. It means while culture, economics and history certainly matter, democracy is also a product of political variables. This leads to considerable attention to issues of legitimacy and renewed interests as a perspective on democratization. The third is that strengthening civil society is both essential and feasible. The new assumption is that a civil society can be strengthened through deliberate acts of institutional innovation and that the possibilities for these acts and for positive outcomes from them are not wholly constrained by existing social and cultural habits. This is crucial point because while it acknowledges the importance of how a society is functioning for processes of political democratization, it does not concede that the social basic of democracy is immutable or even predictable. This leads to considerable attention to such matters as the roles of a free press, the importance of an equitable and efficient legal system, the need to overcome gender discrimination, and the significance of patterns of free association" (Samudavanija 2002:18).

#### **Democracy and Military Role**

Ideally, Democracies have to ensure that there is civilian control over the military. The reason for this is simple. Civilian control affords and entertains the potential for democracy while military control is structured to be purely authoritarian. The short history of modern, indirect democracy has clearly illustrated that public accountability and control over coercive forces such as military, police and paramilitary forces is critical if democratic values are to survive and if the democratic transformation is to succeed (Rappa 2008). Antonio L. Rappa (2008) mentioned that "the Thai case is exceptional because both democratic and coercive elements in Thai society appear to have reached a 'compromise' without completely annihilating avenues for interest articulation, business transactions, and economic activities, without great loss of life" (Rappa 2008: 8-9). The political role of the Thai military has evolved over the millennia from one that was closely associated with dynastic control till after the abdication of power to civilian authority and the end of the absolutist monarchy in 1932, The idea of a political role has become part of the expectation in the military. Soldiers are expected to go into the suburb, urban areas and rural districts of the Kingdom in order to help achieve the missions and directives handed down to them by their superior commanders. Part of the indoctrination process of the military hierarchy involves the expectation that one has to follow the commands of one's superiors regardless of how one perceives social and democratic norms (Rappa 2008).

"Thailand: Civilian Control Deterred", an article in the book "Democratization and Civilian Control in Asia" (Croissant, Kuehn, Lorenz, and Chamber 2013), argued democracy and military in Thailand in the recent era. Although the military staged the 2006 coup to bring down the parliamentary system, its resurrection as the dominant political force under the palace seems to be a consequence rather than a cause of democratic problems. The failure of democracy was a consequence of the political system's inability to accommodate these social and political tensions. When Thaksin mobilized social groups that had previously been excluded from meaningful participation in the electoral process, such as rural farmers and the urban poor, and attacked the prerogatives of the royal network, a military-civilian coup coalition was formed against the government by royalist soldiers, representatives of the monarchy and segments of the urban middle class (Croissant, Kuehn, Lorenz, and Chamber 2013).

This article also mentioned that the military's de jure powers, institutionalized in the 2007 constitution and the laws enacted by the junta and interim government in 2006-2007, as

well as its de facto ability to threaten or use coercive power, to control politics and undermine democratic institutions. The rules and procedures of a functioning electoral regime are all violated by the military's interference, first and foremost, in the area of elite recruitment, which includes the military's representation in the senate, undue monitoring of elections, and financial support or informal pressure on voters and soldiers to support anti-Thaksin politicians.

Moreover, military tutelage also infringes on civil rights and political liberties. To control over the internal security apparatus, the military can and does obstruct political opposition, for example, quelling pro-Thaksin 'Red Shirt' demonstrations in 2009-2010. Restrictions on the freedoms of association and information, tightened laws on the state-supported broadcasting sector, a harsh internet crime law, and the armed forces' efforts to enforce laws against defaming the monarchy have stifled the public arena's autonomy (Croissant, Kuehn, Lorenz, and Chamber 2013).

#### Thailand Military Role and Coups d'Etat

Thailand has a unique history within the developing world. "Thailand: A short History" written by David Wyatt (1984) provides a foundational timeline of this history up to the early 1980s. The book captures the formation of the various Tai cultures in Southeast Asia, the first kingdom that developed in the fourteenth century, and the widest area of Siamese sovereignty as consolidated by King Rama III in 1850. The growth of Thai nationalism and exposure to new ideas after WWI led by King Rama VI brought an end to the absolute monarchy with the first military coup in 1932. This event also includes the renaming of the state to Thailand from the more inclusive Siam, the restoration of a central role for the monarchy under the current king, and the inauguration of senior statesman General Prem Tinsulanonda as Prime Minister from 1980-1988 and a major influence since through his role on the Privy Council.

The nationalism that started under Rama VI contained to three central tenets of Thai national identity that persist today: nation, religion, and monarchy. The facets of Thai identity are explored in Craig Reynolds (2002)'s "National Identity and Its Defenders: Thailand Today". As Panitan Wattanayagorn mentioned, Thai nationalism has impacted the role of the military in Thailand. Particularly, the elite in Thailand shape the concept of national security, so the role of the military evolves as the membership of the elite changes (Wattanayagorn 1998). The monarchy has had a strong impact on the military and its politics. While the king maintains a

paternal role over Thai society. Therefore, in order to properly understand civil-military relations after May 1992, Dancan McCarco (2005) argued that the complexities of the political role of the monarchy and its links to civilian and military elites must be accounted for. Democratization and civilian control were to be realized only to the extent that they did not threaten the position of the 'network monarchy'.

Not only Thailand old-middle class who lives in urban area, but rural people or "The middle-income peasant" whose Andrew Walker (2012) mentioned from his book "Thailand's Political Peasants: Power in the modern rural economy" as the majority of "Red Shirts" who support of Thaksin and Yingluck's Government- both of them overthrown by military coups, that we also need to understand as the influence power. To understand the politics of Thailand's middle-income peasantry and its political passions to prefer these 2 government. It is necessary to address how power is perceived in a context of rising living standards and a transformed relationship with the state. Rural politics in contemporary Thailand is not the old rebellious or resistant politics of the rural poor; rather, it is a new middle-income politics of peasants whose livelihoods are now relatively secure. Rural Thailand's new "political society" is energized by a fundamental desire to be productively connected to sources of power. The power of the pro-Thaksin movement lies in a middle-income peasantry whose thoroughly modern political goal is to bind itself to the state, not to oppose it (Walker 2012). Rural people are demanding an active role in the political process. Rural Thailand cares about election results because elections have become an important mechanism through which people evaluate and domesticate the power of political leaders (Walker 2012).

Walker argued that the coup of September 2006 severed Thaksin's electorally successful engagement with rural Thailand's sprawling political society. Thaksin's rural support base had elected him three times: in 2001, 2005, and 2006. Defenders of the coup argued that electoral endorsement had been devalued by money politics. They resorted to old ideas about the moral preeminence of virtuous power embodied in the king and his military, judicial, and bureaucratic network. They refused to acknowledge that a vigorous electoral culture had developed in rural Thailand through which voters evaluate, applaud, and critique the government's implementation of its new social contract. It was no accident that the postcoup government made the king's sufficiency economy philosophy the centerpiece of its political platform. Sufficiency economy is the antithesis of political society.

"Their intention was to ideologically undercut Thaksin's cultivation of rural political society by arguing that policies had eroded the authentic morality of rural culture by promoting immoderate economic expectations." (Walker 2012: 222)

#### Rationale, and Scope of the Study

Thailand's society and economy have experienced rapid change, growth, and modernization as a result of embracing globalization and export-driven economic growth over the past 4 decades. The changes in Thailand have included increased urbanization, higher levels of education, a rising middle class and private business wealth, exposure to Western values, and more horizontally structured civil-society organizations. The change are closely associated with the development of democratic institutions (1990). These appeared to set Thailand on the path to becoming a modern nation-state with clear civilian control over the military. Nevertheless, the deposing of democratically elected Prime Minister Yingluck Shinawatra by the Thai military in 2014, however, demonstrated that coups are not yet a thing of Thailand's past.

While the literature on why coups occur is relatively abundant, there is still a gap in understanding the last 2014 coup in Thai context. This dissertation would like to study democracy and the role of the military in Thailand, including the 2014 coup. understanding the most recent coups in Thailand as they have broader implications for the role of the military in governance and society in democratic states and civil-military relations are some of the objectives of the study. For that, the scope of this dissertation is limited to studying the military's role and democracy in Thailand after the 2006 coups.

#### **Research Questions**

- 1. What are the conditions that help military stage coups?
- 2. What is the history of military taking over power in Thailand?
- 3. How have the military rules have helped or hampered in the development of democracy in Thailand?
  - 4. What are the factors that led to the 2014 coup?

#### **Objectives of Study**

- 1) To study an extension of the military role after 2006 helped or hampered the progress of democracy in Thailand.
  - 2) To study the factors that led to the 2014 coup.

#### **Hypotheses**

- 1. Corruption and failure of political parties to rise up to the expectations of people contributed to the continued role of the military in Thai politics.
- 2. Weak and underdevelopment of political institutions have enabled the military to take reins of power periodically.

#### **Research Methodology**

The methodology for this dissertation is descriptive analysis, which involves the study of facts and relevant information about The Military's Role and Democracy in Thailand 2014 Coup. The information of this study is from primary and secondary sources received from the documentary research method by being composed of various sources including newspapers, books, articles, official documents, theses, and electronic documents. Additionally, interviews conducted from current Generals, former Generals, government officials, politicians, leader scholars, and so on.

#### **Chapter 2: Military Coups in Thailand**

#### **Background**

The Thai armed forces have a long history of authoritarianism and acting as a bureaucratic enforcer for the state. In the precursor kingdoms of Sukhothai and Ayutthaya, threats from neighbors necessitated that external defense should be a crucial part of military objectives. The military also engaged in internal security to consolidate order within the realm (Chaloemtiarana 2007: 3). During the Ayutthaya period (1350-1767), the military's role expanded to brace the centralized control of the king. Meanwhile, the sovereign as the armed forces commander saw to it that members of the royal family and trusted nobles were bestowed with senior military positions. The Ayutthayan military served the purpose of enlarging the frontiers of the kingdom and withstanding attacks from neighbors, the Burmese in particular, who finally defeated and sacked Ayutthaya itself. In Ayutthaya era, the armed forces were not maintained as a permanent force but were called for the war period. Moreover, top soldiers were never disaffected from politics and did on occasion usurp the position of monarch themselves.

After its Burmese neighbors destroyed the Kingdom of Ayutthaya in 1767, a new kingdom of Siam arose in its place. In 1782, during the short-lived Thonburi kingdom that succeeded Ayutthaya, two of King Taksin's top generals, Thong Duang and Boonma, staged a coup and brought Thong Duang to power as King Yodfa Chulaloke (Rama I), and the Chakri dynasty commenced (Phongpaichit and Baker 2005: 27). As the Rattanakosin kingdom evolved (1782-present), Siam has centered rule in Bangkok. In 1873, King Rama V began reforms with a vision to modernize Siam to a bureaucratic state with a Buddhist morality that could still meet the standards of the West (Wyatt 1984: 192). In these reforms of King Rama V instituted the forms of the modern state but appointing royal family members in a traditional patron-client relationship undermined the creation of a rational-legal state. Modernizing the bureaucracy through centralized, patrimonial politics threatened the interests of traditional elites outside of the monarchy; but wholly rational-legal reforms were believed to be a threat to the political structure centered on the monarch and supported by the Buddhist Sangha and military. The identification with the central authority is still relevant for social institutions like the state, the monarchy, and the Sangha because the national identity and the sources of legitimacy in Thailand derive their meanings from their proximity to the

central authority (Bechstedt 2002: 253). In return, the central authority of the elites in Thailand are legitimated and strengthened by the national institutions.

In the year 1925, Rama VII – Prajadhipok was succeeded to the throne. By the late 1920s, many top officers had been sent to Europe for their studies to return inculcated with notions of greater modernity, professionalization, and ideology. They were confronted with a monopoly by princes holding top military postings and a sudden downturn in the global economy when returning to Siam. This recession led to enormous budget cuts including at the Ministry of Defense at the beginning of the 1930s. The state ushered in higher taxes on civil servants including soldiers amid the economic crisis (Barme 1993: 66). The civilian Pridi Phanomyong and army Lieutenant Colonel Pleak Phibunsongkhram realized that more military muscle would be needed to effect an overthrow of the state. They thus turned to senior officers for assistance. The Promoters approached Colonel Phraya Phahon Phonphayuhasena who was a 1903 graduate of the Royal Thai Army Academy which had merged with Saranrom Academy to become the Royal Military Academy and serving as deputy inspector of the artillery. He was known to have misgivings about monarchical absolutism. Aside from the diminished military budget, higher taxes on soldiers, and control of senior positions by princes, Phahon was also concerned by possible demotions and retrenchments by the king (Stowe 1991: 84).

A coup group was formed with Phahon as the nominal leader and comprising four factions. The first was the senior army clique led by Colonel Phraya Song Suradej, chief instructor of the Royal Thai Army Academy. This clique included two crucial colonels, Phya Ritti Arkane and Prasad Pittayayudh, in addition to Phahon himself. The second was the junior army officer faction led by Major Luang Phibunsongkhram. The third was the navy faction headed by Lieutenant Luang Sinthu Songkhramchai -director of the Naval Officer School. Finally, there was a civilian faction led by Pradit Manutham -Pridi Phanomyong (Rathamatri 1984: 20-21). On June 24, 1932, the direction of these leader tanks surrounded the Royal Throne Hall and the ended of absolute monarchy was realized. The insurrectionists called their group People's Party. The consequence of the putsch for the absolute monarchy was a capping of its powers within a new constitutional system of government. Indeed, as a result of the transition to constitutional monarchy, the princes lost their top positions in the bureaucracy and many people were arrested.

The explanation of Thailand's military role in the ancient time is provided to understand the more detail in this chapter. I thus would like to study the role of military coups in Thailand After The 1932 Coup to The election of Thaksin Shinawatra. The content is separated into two parts. Part I is the role of military coups in the period of 1932 to before the Sarit era. Part II is the role of military coups in the period of Sarit to the year 2001, before Thaksin's taking power. Finally, the conclusion wraps up.

#### Role of military in the 1932 coup during Phibun's regime

With the fall of the absolute monarchy in June 1932, the original coup group consisted of not more than 70 people. The leaders of the coup, as mentioned above, came from four different groups: senior army officers, junior army officers, navy officers, and civilian official. They established an unicameral legislature composed of two categories of members half elected and half appointed (Samudavanija 1995: 325). Afterward, the armed forces replaced royalty as the ascendant political institution in Thai society. Although the monarchy remained a leading political institution. This was because the Thai insurrectionists needed popular support and legitimacy from the palace to consolidate their control. Phahon who served as military governor since the usurpation became army commander under the successor government of Phraya Manopakorn Nititada who was appointed June 28, 1932. Manopakorn was the first ex-privy councilor to serve as Prime Minister. He had been a senior judge and a non-royal member of the king's Privy Council (Phongpaichit and Baker 2005: 119). The year 1932 ended the absolute monarchy by installing a constitutional monarchy. Installing military leaders at the top of political institutions neither altered the patrimonial structure of Thai governance nor created a rational-legal model of government. The 1932 coup in Thailand enhanced the military's role within the existing patrimonial structure.

Although the military may have been reform minded, its political nature and subsequent elite role in politics prevented any genuine reform. Also, the military at the time represented a society seeking reforms, but not necessarily seeking democracy. The leaders may have perceived that democracy was necessary for a modern state but they believed society would still require close paternalistic guidance to be ready for this political structure. The opportunity was available to instill the principles of democracy but the military ultimately stepped in to defend its elite role. Thus, these forms of democratic governance attempted by the various military leaders at this juncture lacked real substance (Suwannathat-Pian 2003: 3). The intervention by the military had other consequences on the institutions of

governance. The success of the 1932 event cemented the military's relationship with the bureaucracy brought the military into politics during a perceived crisis and permitted the military to believe itself a force for democracy (Ockey 2005: 191).

As the military sought to maintain the elite, patrimonial structure is evident in the turnover of governments for the next several decades. On June 20, 1933, Phahon sanctioned a coup against Manopakorn's government. If the 1932 coup was seen as a breakthrough event in which marking a transition from royalist control of the military to the positioning of soldiers at the highest points of authority, the 1933 coup could be seen as once and for all the consolidating of armed forces clout as the most important power structure in Thai society. Thailand's first general election was held in 1933.

The 1933 election was not linked with the electorate but with the factions in the military. When the military rescued the parliamentary regime, there was another way in which the military sought to portray itself as a democratizing force was demonstrated twice in 1933. Nevertheless, having the Military Council elect half the representatives in the unicameral legislature was behind the façade of democratic institutions and processes the military retained its power. Despite the strengthening of the military regime, there continued to be disunity among the civilian leadership and in the military. Pridi was an important leader of the 1932 coup group and the most influential civilian among the reformers. However, the civilian faction within the People's Party did not develop into a broad-based political party. In 1938, the most influential military leader of the coup group, Phibun, went on to become Prime Minister and began to consolidate his hold on power (Matthews 2005).

In the Second World War, the eventual political outcome of Phibun and Pridi seem quite ironic considering whom they supported. Phidi sought support of the Allies and organized the "Free Thai" resistance movement as Phibun threw his support and hence the support of Thailand behind the Japanese. Phibun was forced out of office by the eventual Allied victory but not out of politics. Pridi was able to take control of government. In May 1946, the promulgation of a new Constitution was an attempt by Phidi to establish new institutional arrangements for minimizing the power of the military. During this brief period between 1945 to 1947, Thailand saw the rise of political parties and a fully elected Assembly. However, the rampant corruption and inflation due to the war along with division among the political parties caused immense instability (Matthews 2005). There were eight cabinet and five different prime ministers from August 1945 to November 1947.

The decade 1947-1957 witnessed the resurrection of Plaek Phibunsongkhram as Thailand's leader, although his hold on power was more tenuous than it had been before. Indeed, Phibun only succeeded in presiding as Thailand's prime minister by playing a complicated balancing game among Thailand armed services. It began with the overthrow of Prime Minister Thawal Thamrong Navaswadhi in November 1947. The stage for another military coup in 1947 was set under the uncertain circumstances of the death of King Ananda along with inexperienced civilian leadership. Pridi attempted a failed countercoup in 1949 and eventually went into exile in China. Although The coup did not lead by Phibun but eventually enabled him to once again become Prime Minister In 1955, Phibun officially sanctioned political parties. Phibun began to pursue reform policies that opened up the opportunity for greater participation in Thai politics. State actors heavily influenced the stronger parties but opposition parties were allowed to form. It was during this time that Thailand saw perhaps the establishment of a Hyde Park-style Speakers' Corner at Sanam Luang and its longest protest march ever held on 22 January 1956 (Matthews 2005).

The reforms seen under Prime Minister Phibun toward the end of his regime were eventually suppressed by the conservative right of the military and the elite civil society. , The two prominent opposing factions were able to develop during the reforms of Phibun's last couple of years as Prime Minister. Field Marshal Sarit Thanarat and Police General Phao Sriyanond represented two powerful institutions and a threat to Phibun's hold on power. This split between Sarit and Phao was originally viewed as Phibun's attempt to maintain his power by balancing and manipulating these two factions. In 1957, Sarit was able to overthrow the Phibun regime with popular support and strong royal by justifying in part by Phibun's economic failure and his alleged links with the coercive police. He made Phibun and Phao were sent to exile and then took the office (Matthews 2005).

#### Role of military in the Sarit's regime

Several factors underlie how the military would remain in power over the several decades following the 1932 coup. Critically important was the restoration of the monarchy in which provided a lasting source of legitimacy from the Thai people to military rule. A shifting notion of security to development and anticommunism further justified the military's need for direct involvement in internal politics. The relationship with the monarchy and the concept of national security influenced the military and continuing role in governance.

In Sarit era, he strengthened the Anticommunist Activities Act of 1952 so that authorities were no longer limited in how long they were permitted to hold detainees. In this way, Sarit's state could detain suspected communists for lengthy periods of time without any charges brought against them in law courts. Another revision to this law by Sarit in 1962 still started that detainees could indeed appeal their situation to the minister of interior but the law ultimately gave Sarit the final deciding authority to legally manage political dissent (Chaloemtiarana 2007: 138-139). Beside the constitutionally legitimized use of martial law, Sarit maintained himself in power through other methods such as control over the armed forces, support from the United States, and favor bestowed by the King.

In term of relations with the United States, Sarit demonstrated a close affinity for proAmerican anticommunism. Thailand was able to garner \$ 58.9 million in total U.S. economic
aid in 1957 in which more than double the assistance of the previous year (Chaloemtiarana
2007: 158). In addition, the number of U.S firms operating in Thailand jumped from nine in
1954 to eighty-eight by 1961. Moreover, total police aid increased from \$0.013 million in
1957 to\$19.61 million in 1967. Furthermore, when Sarit allowed Thailand to become a junior
partner to the United States in the war against communists in neighboring Laos, U.S. military
assistance to Thailand began to grow in 1959. Military assistance to Thailand increased from
\$ 18 million in 1959 to \$ 122.7 million in 1972. This assistance represented 24.94 percent in
1959 and 47.60 percent in 1972 of the total Thai military budget (Bamrungsuk 1985: 195).
As such, Thailand's military budget became increasingly tied to U.S. military aid and
fastened the Thai military to depend on the United States.

The more important factor that contributed greatly to stabilizing Sarit's hold on power was his decision to bolster the monarchy's political participation. This offered him a useful ally in the palace as well as much-needed legitimacy. Such legitimacy extended from the king's support for Sarit's forceful method of coming to power in 1957-1958, ensuring elite acquiescence to Sarit's continued hold on power and smooth relations with the United States and other foreign powers. The king's credentials as a solid anticommunist were unquestioned and his support for Sarit's coup group thus facilitated international backing for it. The monarchy further served as an intermediary to receive private funds destined for publically controlled charities in which helped the increasing the popularity of the sovereign and government. Sarit's use of the king for consolidating his own power base paralleled a rise in the presence of the monarch throughout Thailand as well as programs related to His Majesty (Chaloemtiarana 2007: 204-206). Indeed, in 1958, Sarit increased the budget available to the

palace by almost 30 billion baht and the providing further substantial increased every year afterward.

After the 1957 coup, Field Marshall Sarit Thanarat as Prime Minister returned the monarchy to the top of Thai governance. The monarchy was reinstated, celebrated throughout the world, and supported the military's leadership in governance. The relationship was mutually beneficial for Sarit and the monarchy. Sarit emphasized the king as the central figure in the political system along with imposed a redefinition of democracy on the nation. This deconsolidated version of democracy, referred to as "Thai-style democracy," had five requirements. First, to be practical and relevant to the Thai environment and elections are not necessary. Second, to contribute to political stability. Third, to be accompanied by a liberal economic system that is minimally guided by the government. Fourth, to uphold the monarchy. Fifth, to facilitate national development (Sukatipan 1995: 204).

Also during the 1950s, the military espoused a new justification for the direct involvement in politics. The requirements of national security would go further than protecting the borders to include development. In Thailand, the military have historically considered themselves to be the defenders of national security as well as the developers or modernizers of society (Wattanayagorn 1998: 423). By integrating national development with national security, the military enhanced the role in governance and the power of bureaucracy. With this expanded concept of security, the military further entrenched itself in the political structure, which was focused on economic development, which was also administered by the military and legitimated by the returning monarchy. The Interim Constitution gave tremendous power to the prime minister and also established an all-appointed constitute assembly (Samudayanija 1995: 329).

Prime Minister Sarit was able to increase the power and inherited by the way of the 1958 coup with the Interim Constitution in 1959. He sought economic development, promoting the role of the Monarchy to garner support, and fighting communism instead of using democracy as a means of legitimacy. Sarit began to take the state out of economic competition with civil society and began to emphasize private enterprise, as part of his economic development strategy. Sarit was able to legitimize his grip on power was through the fight against the communists. Under the auspices of the Cold War struggle against communism, Sarit used the counter-insurgency, monarchy, and the development in an effective way to strengthen his grip and in turn the military's grip on power (Matthews 2005).

In 1968, Thanom assumed the post of Prime Minister upon Sarit's death as a faithful follower of Sarit. He continued the anti-communist struggle through political and economic development. With the advice of some more liberal minded advisors, Thanom's government began to allow a more democratic process to evolve. A constitution was drawn up in 1968 with elections held in 1969. There was wide swing of the pendulum in the direction of reform. An opposition party of the ruling United Thai Peoples Party, the Democrats, which established by the military in 1968, had done well in the elections. Constitutional reform was demanded across all spectrums of society including the king, students, teachers, professionals and workers (Matthews 2005). Thanom responded by reestablishing military rule in 1971, associating his opposition to communist insurgency, abolishing the constitution, banning political parties, and dissolving the legislature. After continued repression and corruption, politically aware students rebelled against the Thanom's government in 1973 protests that turned violent well known as 'October 14' event and finally followed by the exile of Thanom and followers.

On December 15, 1972, the National Executive Council was terminated as a new interim constitution was enacted. The charter was almost identical to Sarit's 1959 Constitution with the same infamous Article 17 which gave the prime minister sweeping authority. Moreover, a new cabinet was formed in which in terms of numbers of cabinet positions held the power of Thanom and Praphas expanded dramatically. In addition to his cabinet postings, Praphas remained head of the Communist Suppression Operations Command and also became acting head of the Police Department. Sixty-six percent of the newly created and appointed unicameral legislature were military officers and as usual the appointments favoured the army (Darling 1947: 10).

After continued corruption and repression, Thailand saw its first mass uprising in 1973. It is estimated that over 250,000 Thais protested the military government calling for restoration of constitutionalism and electoral democracy (Taylor 1996: 17). The government announced that the executive branch would henceforth have the prerogative to intervene in judicial decisions. Although after student protests erupted, the government rescinded the order. Yet protests and student activities continued to grow. In June 1973, students at Ramkhamhaeng University demanded the promulgation of a new constitution in October. Considering this campus antipathy to be an isolated affair, Praphas resigned from the position of army commander in September 1973 and moved to the largely ceremonial position of deputy supreme commander but still served under Supreme Commander Thanom.

Meanwhile, students began protesting on October 5-6. Thirteen of them were immediately arrested. Following this, hundreds of thousands of students gathered in support of those who had been in jail.

On October 13, almost 300,000 students converged at Thammasat University and then marched to Democracy Monument and the Parliament House. Thereupon, the thirteen jailed student demonstrators were released and the monarch compelled Thanom and Praphas to draft a new constitution to become effective in twelve months. Yet the following day on October 14, a riot erupted. As a result, approximately 100 students and bystanders were killed while several building and vehicles were burned. Thanom and Praphas order to send in more soldiers to confront the students (Morell and Samudavanija 1981: 147-148). When The King appeared on national television to appeal for the restoration of order and then the Thanom-Praphas regime was quickly felled.

Thailand saw one of the few periods in which civilian leadership was controlling Thailand during the time between the 1973 uprising and a bloody massacre which occurred in 1976. Many have looked back to this period as the time in which civilian leadership began to take root. Development in the provinces and in Bangkok brought about changes in the social structure; the provincial business elite, the middle class, and labor all greatly expanded. However, the military still played a significant role behind the scenes. In 1974, free elections were held in 1975 and a constitution was approved. A great divide occurred between the left and the conservatives as the opposition was allowed to develop (Matthews 2005).

This divide eventually played itself out when the former prime minister, Thanom, returned from exile. This political divide eventually resulted on 6th October 1976 of the bloody events in which more than 40 protestors were massacred on a soccer field (Winichakul 1996: 19). On October 6, amid a bloody massacre by right-wing vililantes belonging to the Village Scouts, Krathing Daeng, and Nawaphon against protesting students in front of Thammasat University, there was a public announcement that the armed forces had taken control of the country. The coup group was headed by the retired supreme commander, Admiral Sangad Chaloryu.

This is the first time of Thai history in which an army coup was presented as a blow for accommodation and moderation in the public, as well as for the restoration by stages of a parliamentary regime (Taylor 1996: 19). This leader of coup was only intended to be temporary and unwilled to try to lead a government themselves. Rather, to appease the

palace, they left the choice to the monarch. The king could appoint a government reflected the towering state of his influence by choosing a civilian to be prime minister. On October 22, a new government was formed under the prime minister ship of Thanin Kraivichien, a civilian Supreme Court Judge, who had written a great deal on the need to hinder communist intrusions in Thailand and was reportedly very closed to Queen Sirikit (Girling 1981: 217). Thanin was a passionate anti-Communist. He established a regime that was in many ways more repressive than those of the military (Bamrungsuk 1999: 13). Following the formation of his cabinet, Tanin proclaimed: "The Government is like an oyster and the military the shell protecting the oyster" (Somvichian 1978: 832). By this, the new prime minister sought to emphasize the primacy of civilians in running day-to-day activities and the role of the military in supporting the government by ensuring its survival and guaranteeing national security.

Tanin immediately put his ideology of repressive anticommunism into action. Several rules and regulations helped to facilitate this mission. Moreover, labor strikes were banned, the media suffered from intensive state censorship, and universities could be shuttered if they were considered by the state to be a threat to national security. The zealous use of these provisions and the application of martial law by the Tanin government led to thousands of arrests while thousands of others fled to the countryside to escape the rampage. In a bid to further centralize power while shoring up support in the military, the legislative system once again became unicameral with one appointed House comprising the legislature.

In June 1977, the Young Turks<sup>1</sup> military faction, in June 1977, attempted to constitutionally remove Tanin from office by censuring him in the unicameral National Assembly on charges of corruption. Ultimately, the Young Military Officers' Group found a

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<sup>&</sup>lt;sup>1</sup> The Young Military Officers Group, popularly known as the "Young Turks", was composed of six army officers who were graduates of the same class at the Military Academy (Class 7). They were Major Manoon Rupekajorn of the 4<sup>th</sup> Cavalry Regiment; Major Chamlong Srimuang of the Plans and Projects Division, Center for Military Research and Development, the Supreme Command Headquarters; Major Choopong Matavaphand of the Frist Cavalry Regiment; Major Chanboon Phentragul of the First Infantry Regiment; Major Saengsak Mangklasiri of the Army Corps of Engineers; and Major Pridi Ramasoot, a staff officer in the Army's Directorate of Personnel. Formed in late 1973 the group remained a very small and informal one until October 1976. After that, other friends from Class 7 and officers who were graduates of the other classes were invited to join the group. By 1977, the group had eighteen battalion commanders as their members.

The core group of the Young Military Officers have a lot in common. Firstly, all were head cadets at the Military Academy. Chamlong was chief cadet of the Academy while the rest were heads of various platoons. Secondly, they share a similar middle-class background and were born either in Bangkok-Thonburi or the adjoining cities in the Central Region. Finally, and perhaps most importantly, all of them had gone to the Army Staff College and fought in Vietnam. Most outstanding among them were Chamlong and Manoon who acted as co-ordinators of the group. Having received their education and military training in the United States, they were both more politically minded than the others. (Samudavanija 1982: 27-30)

possible mentor in General Prem Tinsulanonda who was promoted to assistant army commander in September 1977. Prem, like Manoon and other Young Turks, was a cavalryman and thus they felt an affinity for him. In September 1977, a bomb had exploded near their motorcade when they were touring the deep south. In early October, the Young Turks with Prem on their side attempted a no-confidence vote in the National Assembly. In addition, the Young Turks sought the resignation of eight other ministers. Prem asked Tanin whether he might be willing to compromise with the Young Turks. When the prime minister refused, Prem explained that he himself and the Young Turks had the backing of the new supreme commander, Kriangsak Chamanand. If Tanin refused to reshuffle the cabinet or resign, the top brass would not be averse to simply staging a coup. In a bid to keep control, Tanin requested an audience with the king. However, the monarch refused to see him that proably means the palace's patience with Tanin was finally at an end (Wright 1991: 277-278).

When reporters asked General Kriangsak whether the armed forces would protect Tanin from a possible putsch and then Kraingsak reportedly replied, "The sell is to protect the three instituions of Nation, Religion, and Monarchy, and the Thai people" rather than any particular individual or group (Somvichian 1978: 837). The Young Turks who had spearheaded the coup ostensibly led by Sangad, Serm, and Kriangsak only gave their support in return for the promise that a military man would be placed at the helm of government while elections would be called within two years. The senior officers had little choice but to go along with the Young Turks since the latter had direct control over the troops (Rathamatri 1984: 130). The military once again stepped in on October 1977 and staged a coup based on the premise of returning the country to an elected policy. The military agreed that the longer the Thanin government was in power the sooner the communists could achieve victory. The only way to minimize this threat was to remove the repressive government from power and return to open politics (Bamrungsuk 1999: 16). On November 12, a new cabinet was installed under General Kriangsak who was appointed prime minister while a new constitution was promulgated.

Meanwhile, the favorite of the Young Turks, General Prem Tinsulanonda who had risen to become assistant army chief and deputy interior minister in 1977 was appointed army commander in 1978. Meanwhile, Kriangsak, under pressure from the Young Turks also made Prem minister of defense in 1979. Kriangsak was forced to rely on Prem to stay in power. Perhaps due to his lack of solid support from troops on the ground, the demands of the

moderate Young Turks, and in reaction to the ultrareactionary policies of Tanin, The prime minister practiced moderation and pragmatism in his internal and external policies in an effort to gain popular support. Moreover, he ensured passage of the 1978 Constitution which called for elections in the House of Representatives due to all Lower House representatives required to have membership in a political party (Rathamatri 1984: 168). Elections were set for 1979. In this sense, Kriangsak sought to popular support through elections to counterbalance the power of Prem in the armed forces.

Elections were held in April 1979 which is the first election after 1976. Kriangsak succeeded in weakening the power of parties and thus enhanced his own personal influence among them. The new Upper House was appointed which included many military senators and was guaranteed to keep a lid on any legislation deriving from the Lower House. These appointed senators were given the right to select the prime minister as well as vote on crucial issues and even participate in or launch no-confidence motions against sitting governments (Rathamatri 1984: 168). In this way, Kriangsak sought to appease both the military and royalist institutions. Kriangsak lost control over the parliamentary process shortly after the general election. In February 1980, Kriangsak's decision to raise taxes infuriated members of Parliament. Prem began criticizing the government for oil price increases, and the Young Turks called for Prem to become prime minister.

The 1970s in Thailand would prove to be a turbulent period that instilled some lasting political reforms. During this period and thereafter, legitimacy for a government would require two critical elements: some form of representation of the people and the support of the traditional ad charismatic king. The king's interest in securing the state and regime from communism led to his support of Field Marshal Thanom Kittikachorn's government following the Sarit era from 1968 to 1973. Politically aware students rebelled against the abuses of Thanom's government in 1973 protests that turned violent. The disruption of law and order demanded a response from the government but the king supported the students in order to quell the violence. This support from the king overshadowed whether the military respected the students' demands or feared a loss of legitimacy from repression: "Cooler heads refused to send their troops against civilian mobs" (Wyatt 1984: 302).

The king's dicision to side with the student permitted the most liberal form of representative government in Thailand's history to date which lasted from 1973-1976. This action instilled two enduring requirements of Thai governance that are parliamentary

representation and the king's support. The openness of political space turned more violent as royalist conservatives clashed with liberal reformers in the mid-1970s. Ultimately, the king sided with the law and order provided by a military-led conservative movement over individual freedom (Suwannathat-Pian 2003: 173). After the reactionary government lost favor, representative forms of governance would be used in the beginning of 1980s.

Continuing the use of representative forms in the Half-baked democratic system of government during the 1980s was a strategic decision by the military leaders to remain in power. Communism posed a threat to the entire social and politics structure of Thailand but the reaction against communism ostracized moderate liberal reformers as "un-Thais" for not supporting the monarchy. The military-led government sought to bring in moderates who felt the Communist Party of Thailand (CPT) was the only option for democratic expression. Opposing communism in Thailand not only kept substantial United States' support flowing but also helped maintain the elites in power (Thomas 1988: 117).

The half-baked democratic election of General Prem Tinansulananda to Prime Minister in 1980 ushered in a government that ended the communist threat and appeared to be a period of democratic consolidation. The conservative middle class Thais may have preferred this new democratic system (Englehart 2003: 256). However, politically aware Thais least favored this guided democracy (Suwannathat-Pian 2003: 15). Despite general instability in the political system, Prem's government maintained a period of regime stability for the military-monarchy alliance: "The King trusted Prem absolutely, seeing him as an incorruptible figure who shared his soft and understood approach, but who was a skilled alliance-builder and wielder of patronage (McCargo 2005: 507)." Despite the instability in the political system, Prem's government maintained a period of regime stability for the military-monarchy alliance.

In the wake of the reactionary military rule following the 1973-76 period of liberal democracy, the political elites in Thailand reached a balance of power. The 1978 Constitution created a haft-baked democratic system. The parliament consisted of an elected lower house and a senate that mostly had been appointed by the king and contained a large number of military leaders. General Prem Tinansulanond came into office with military support within the senate in his favor. The former general was not an elected official but he staffed his cabinet with members of the major parties to ensure majority support within the elected house (Bunbongkarn 1996: 189). The middle class accepted Prem for his integrity, and in the belief

that he could limit corruption from the top (Laothamatas 1996: 212). The haft-baked democratic system succeeded with its selection of a leader who was acceptable to variety of groups and who could balance the prevailing political forces.

Although a former soldier, Prem affected a positive image which was well-liked by the military and the royal family. He retired from the military in 1981 but still remained a virtual military strongman. Indeed, as Suchit Bunbongkarn has stated, Prem performed a "delicate balancing act" in managing support from the palace, the army, and the elected Lower House (Bunbongkarn 1987: 34). The new prime minister's immediate challenge was to instill order in a hight factious armed forces, unifying the military under his government. This task was not easy. The Young Turks faction had its own agenda while retired General Kriangsak Chamanand was looking for a comeback. Meanwhile, Prem's military peers were vying for power. Ultimately, military threats to the prime minister existed inside and outside of parliament.

Prem's first cabinate was appointed on March 12, 1980 but he was immediately faced with economic recession, corruption scandals, and dissension from both political parties and military factions. Meanwhile, the Young Turk military faction had helped to place Prem in power but had become disillusioned with him and seemed ready to replace Prem as both army commander and prime minister. The clique believed that Sant Chatpatima should take the reins of both positions. In the evening of March 31, 1981, leaders of the Class 7 who dominated Young Military Officers' Group including Colonels Prajak Sawangjit and Manoon Rupkachorn went to Prem's residence in the Theves district of Bangkok and asked him to lead a coup against his own government but Prem refused. As soon as he discovered the coup plot, Prem traveled to the 2<sup>nd</sup> Army Region's base in Khorat. The queen announced via radio that Prem was with the royal family in Khorat. Sant's forces actually were numerically stronger than those of Prem. Athough it would seem that Sant and the Young Turks had triumphed by taking the capital and forcing Prem to retire to the countryside. But it was essential to secure the king's endorsement (Suwannathat-Pian 2003: 176).

As Chai-anan Samudavanija noted that the dictum for coup leaders after the 1981 coup attempt changed to "He who is with the King...emerges the winner in every coup (Samudavanija 1982: 27-30)."Only a month after the attempted putsch, the king pardoned all soldiers involved. However, the defeat of the putsch demonstrated the power of the monarch. Finally, the coup's failure succeeded in destroying the Young Turks military faction and

allowing other cliques to rise in its place. Indeed, factions centering around Generals Arthit Kamlang-ek, Pichit Kullavanijava, Chavalit Yongchaiyudh, and Suchinda Kraprayoon's Class 5 were gradually ascending to the fore. Meamwhile, the Young Turks remained in a weakened position (Tamada 1995).

After the failed 1981 coup, Arthit was appointed commander of the 1<sup>st</sup> Army Region along with an assistant army chief in the same time. Following the failed coup, Prem worried about the growing power of Arthit. The problems between Prem and Arthit surfaced more frequently in mid-1984. Arthit started appointing Class 5 officers to strategic positions. At the same time, Arthit began mending fences with the Young Turks by increasingly supporting the return of many of them to active-duty military appointments. Authough, the Young Turks contitues to be in conflict with Class 5 and Chavalit, Arthit still balanced support from all of them to maintain his overall clout across the armed forces. On November 7, 1984, Arthit took a direct swipe at Prem by appearing on army television to criticize Prem's decision to devalue the Thai bath. He also demanded an immediate cabinet reshuffle. However, Prem refused to back down. Actually Prem had been notified that the king still supported him as many factions in the Thai military were opposed to Arthit (Bunbongkarn 1987: 43).

In September 1985, while both Prem and Arthit were out of Thailand, the Young Turks military faction attempted another coup. Although the army quickly regained control but five people were killed. The attempted putsch collapsed when several expected infantry divisions never appeared to bolster it. Following the failed coup, most of the coup plotters who did not escape abroad were subsequently imprisoned but later all were pardoned. Suchit Bunbongkarn argues that the coup was actually the result of the buildup of conflict between Prem and Arthit that it was the last attempt by the Young Turks to regain power by supporting Arthit against Prem. The coup failed because Suchinda's Class 5 failed to support it (Bunbongkarn 1987: 49-50). In addition, the coup group failed to secure support from the palace. The coup would have most clearly benefited General Arthit (Wright 1991: 293-294). In the aftermath of the 1985 coup, the Young Turks were forever destroyed as a viable military clique. Meanwhile, Prem who solidified his standing with the palace emerged much stronger. Arthit's clout diminished and his relationship with Prem grew increasingly tense. Finally, the power of Chavalit and Class 5 was on the rise.

Prem's third government lasted only two years, during this time, General Chavalit Yongchaiyudh and Class 5 came to dominate the armed forces. Prem would have to lord it over the so-called Five Tigers positions in the armed forces to ensure control over top military positions. The overall Five Tigers positions consisted of the slots of supreme commander, army commander, navy commander, air force commander, and defense permanent minister. Meanwhile, Thailand's armed forces came to Prem's rescue in a failed no-confidence motion on April 22, 1987. The eighty-four MPs who had sponsored the motion in Parliament, fifteen from five parties withdrew their names on the very day of the vote, leaving the Opposition one vote shy of forcing a debate and thus perhaps able to censure Prem's government. Amid allegations of corruption in 1998, Prem's government faced of many situation such as military defeated against smaller Laotian forces in a border conflict, tension involving a dam proposal, and growing factionalism especially in the Democrat Party. He dissolved Parliament and called new elections. As no party could achieve a majority, Prem made ready to once again position himself as prime minister. But amid unprecedented protests against his continuing rule, the king pressured him to step down and allowed Chaitichai Choonhavan, the leader of Chart Thai party which had captured the most parliamentary seats to become prime minister (Khokongprasert 1990: 93-110).

In 1988, Chatichai's entrance into government appeared to be a successful consolidation of democratic forms. Prem stepped down to permit the elected Chatichai into the office of Prime Minister. The politicians in Parliament had greatly benefited from growth in civil society and the business community (Bunbongkarn 1996: 194). Through established networks of vote collectors, business interests were able to gather votes in rural areas that sought immediate returns for their representation in Parliament (Bunbongkarn 1996: 194). On the other hand, tensions between Chatichai and the military began to grow in 1989. The legislature for the first time cut the military budget and demanded that the armed forces demonstrate financial accountability. Several members of Parliament called for a reduced military. The Chatichai government began rejecting plans for more military facilities. Chatichai realized that his moves would be unpopular among many soldiers. But the prime minister tried to placate Army Commander and Supreme Commander Chavalit by appointing him to top posts. Moreover, Chatichai knew of Chavalit's dream of becoming an elected prime minister and thus expected him to protect his government (Phongpaichit and Baker 2000: 354).

Chatichai's government was much more under the control of politicians connected to business, replacing a system of patronage in Prem era which had depended upon entrenched bureaucrats. Yet there seemed to be much more corruption than ever before. The negative

image of Chatichai's seemingly corrupt government played into the hands of his military enemies such as Suchinda and Chavalit began to join in the attacks. Both Suchinda and Chatichai began to launch public criticisms of chatichai that found support among many element in thailand's civil Society. Chatichai invited Chavalit to become minister of defense to protect his government. He then joined the Chatichai-led coalition government as deputy prime minister concurrent with minister of defense. Class 5 leader General Suchinda became army commander.

As Suchinda fortified the military leadership with his minions, Chatichai, already looking to Chavalit to protect him and began seeking alliances with Prem but this strategy eventually unraveled. In March 1990, Chalerm Yubamrung who is a minister in Chatichai's cabinet accused Chavalit of corruption. Chavalit thereupon resigned from his posts as deputy prime minister and defense minister and began preparing for the next election. Meanwhile, Chatichai refused to give in to an extraordinary military budget increase (Phongpaichit and Baker 2000: 354). Suchinda was infuriated and the military began to target former Young Turk coup Leader Manoon Rupkachorn who had been serving as Chatichai's aide since February 1990. In early 1991, Chatichai appointed retired general Arthit Kamlang-ek who had no friend with Suchinda as deputy defense minister. At this point, a coup was apparently already in the works. One coup leader later admitted that had General Arthit not been appointed deputy defense minister then a coup would not have been staged (Tamada 1995).

Moreover, Chatichai was not accepted in the same manner by the urban middle class which the questions about the integrity of the new politicians with their business interests. Accusations of corruption and voted buying came nearly immediately after Chatichai took office (Laothamatas 1996: 212). The corruption accusations challenged the legitimacy of the leaders elected by the democratic forms. Although, Chatichai entered office under the political strength of the parties in 1988 but his administration was unable to retain that strong position. Several failures of government plans led Thais to believe the new government was less capable than Prem's had been. The king's speech in 1990 referred to several infrastructure projects that would have benefited from a more flexible government. A good number of parliamentarians were "poorly educated rural politician who were able to deliver votes but were perceived by the middle class voters as entering politics solely to make money through kickbacks" (Englehart 2003: 256). The mindset of the politicians affected the democratic process as well. The political parties failed to institutionalize as actual

representatives of the people and the politicians "failed to assume the responsibilities of governance in a constructive, clean and efficient manner." (Sukhumbhand 1993: 884)

The political stalemate of Chatichai's government was in large part a failure to maintain the support of the electorate and the monarchy. The political stalemate in this case is the "conflicting expectations of elections, politicians, and democratic government itself of two major social forces- the urban, educated middle class and the rural farmers or peasants" (Laothamatas 1996: 202). This failure resulted from the competition for understanding democracy's operating principles for Thailand by those promoting the use of its forms. The middle class challenged cabinet member on accusations of corruption. The military challenged cabinet members for their offenses against the military. The military called on the Prime Minister to remove a cabinet member.

Chatichai could not remain in power without the support of the politicians who opposed the leaders in the military. The continuous reshuffling of the cabinet reflected the attempt by Chatichai's administration to maintain power when neither the middle class nor the military felt represented in the cabinet. The political support for Chatichai was capable of bringing the elected officials into power but was not able to keep them there. The business interests that characterized the elected government came in conflict with the democratic principles of the middle class and the traditional interests of the military and monarchy. While able to gather votes for elections, the politicians were not competent in office to demonstrate they should be there. The resulting political stalemate weakened the position of the civilian government against the increasing political strength of the military. This shift in political power created the opportunity for the military to step in.

On February 23, 1991, the king endorsed the National Peacekeeping Council (NPKC) headed by Suchinda as the new regime while Chatichai remained in exile. The coup group chose the civilian prime minister Anand Panyarachun to administer the country together. The ministers of defense and interior were military men in the NPKC. The 1991 charter also allowed the NPCK to exert influence over the procedures of political competition by forbidding political activities not sanctioned by the state. Ultimately, enhanced military prerogatives were enshrined in the December 1991 Constitution which gave inordinate powers to the chair of the NPKC coup group as well as to interim prime minister Anand. For example, the charter allowed for the possibility of a nonelected MP as well as for the continuation of the partially appointed Senate (Phongpaichit and Baker 2000: 357-358). Both

of these measures helped to ensure that the military could maintain a potential veto over elected civilian actors in terms of the procedures of political competition.

The political prowess of the armed forces was further accentuated by Class 5's establishment of the Samakkhi Tham Party (STP) to act as its surrogate in the Lower House. Under the aegis of the December 1991 Constitution, an election was called that propelled the Samakkhi Tham Party to a victory. Suchinda then moved to form a cabinet; seven out of fifty eventual cabinet members had military backgrounds. Also in 1992, a newly appointed Senate was installed. Moreover, at least thirty-six senior armed forces officers were allowed to either chair or sit near the top of state enterprise boards (Murry 1996: 5). But many Thai political parties and civil society groups opposed the military's new political monopoly. Demonstrations began in earnest in March. A key leader in the resistance against Suchinda was Chamlong Srimuang. Chamlong was a member of the Young Turks, founder of the Palang Dharma Party, and governor of Bangkok for six years. He had also previously served as Prem's personal secretary.

On May 18, soldiers lowered their M-16s and fired directly into the crowd (Murry 1996: 153). By May 19, the army had made thousands of arrests and was mopping up the scene. The broadcasting of the violence on television and the resulting strong public condemnation took its toll on the Suchinda government's relations with the king as well as the international community. On May 20, the monarch was shown on television scolding Suchinda and Chamlong who were kneeling before him with Privy councilor Prem also to the side. After the protests ceased, Suchinda resigned from the prime ministership. Anand thus returned on June 10, 1992, to lead a brief caretaker government until elections could be held.

After May 1992, the image of Thailand's armed forces was badly tarnished. The military once viewed in a positive light as the protector of the kingdom was seen by people as soldiers firing into crowds of unarmed protestors demonstrating for democracy. The year 1992 marked a watershed of Thailand's military. The September 1992 election was won by the Democrats led by civilian Chuan Leekpai. In a weakened position after the events of Black May, the armed forces accepted Chuan's civilian leadership. Following the demise of Suchinda including Class 5 and the disintergration of the Young Turks, Military factions were now much weaker. Ultimately, the 1990s was a period of institutional frailty. Political parties were weak and divided while no strong factions existed in the military (Samudavanija 1997: 56).

In early 1994, Chuan sought help from Prem to support for constitutional amendments in the military- dominated Senate. Prem was opposed because the military senators were present to vote down one of Chuan's amendment while proposing a constitution very similar to the pro-military 1978 constitution. In December 1994, Chavalit withdrew his New Aspiration Party from Chuan's coalition to hope that Chuan's government would fall and he might become prime minister. However, Prem convinced Chatichai and his new party, Chart Pattana, to joint Chuan's coalition in place of New Aspiration (McCargo 2005: 509). Finally, Chuan's government was felled by a corruption scandal in June 1995. The 1995 election, Chuan and the Democrats lost and the Chart Thai Party led by Banharn Silpa-archa was the winner. The new government established as prime minister in July.

In the year 1996, Banharn's coalition fell apart and the new elections in November brought Chavalit to power as prime minister. In May 1997, the Thai baht was hit by enormous speculative attacks. Chavalit was forced to float the currency in July. Thailand's economy then began to plummet with a growing civilian drive for a more progressive constitution. In October 1997, amid intensifying demonstrations by crowds demanding Chavalit's resignation. Finally, the incoming Chuan Leekpai II government was nonelected by reflecting the preference of the king (Englehart 2003: 275). Nevertheless, By the end of the Chuan administration in 2001, many Thais were fed up with prolonged economic recession and the apparent inability of the prime minister to get things done. For soldiers, Chuan had hardly offered a military panacea. The military budget had diminished. When Thaksin Shinnawatra formed his Thai Rak Thai Party in 1998, several active-duty and retired officers were elated and many hopped aboard.

Politics in Thailand through the 1990s reflected a shift in political authority away from traditional bureaucratic and military elites toward democratic forms including more of a role from civil society and business. The attempt by the military to retain power after the 1991 coup led to a middle-class uprising during May 1992 in a clear rejection of the military leadership. By calling the competing factional leaders-the newly elected Prime Minister, General Suchinda Kraprayoon, and Chamlong Srimuang, the former governor of Bangkok and leader of an opposition party-to prostrate before him, the monarchy rose in stature and brought about a political compromise. The new government returned to the half-baked democratic form of elected and appointed leaders which entrenched the positions of the network monarchy led by General Prem Tinandsulanan. Network monarchy refers to the network-based politics and intervention into the political system by the monarchy with the

interest of ensuring the "right person" is in place (McCargo 2005: 506). The gradual trend toward more democracy would continue throughout the decade. The financial crisis of 1997 permitted the biggest step toward democracy with the passing of the more participatory and competitive "People's constitution." Through the 1990s, Thailand's military had a shrinking role in politics, and the forms of democracy were on the rise.

The rules of politics changed with the 1997 Constitution which was to serve as a significant boost for democratic consolidation. A confluence of internal and external interests in developing democracy brought about the passage of the new consolidation and the divergence of those interests eventually led to the failure of genuine consolidation (Freeman 2006). Democracy in Thailand could still be considered the project of elites to legitimate their control over the strong state institutions. The new form of this project in the 1990s was the national myth of a democratic state that is responsive to a participant, plural citizenry who are mediated by the traditional institutions (Connors 2003: 434-436).

In 2001, the billionaire businessman-turned-politician, Thaksin Shinawatra, entered the office of Prime Minister with capitalist class interests and charged the political dynamics of Thailand. Thaksin represented a departure from the state-dominated government that appeared slow and incompetent during the 1997 financial crisis. Big business and politics under Thaksin were Siamese twins, joined at the hip (Phongpaichit and Baker 2004: 230). Thaksin entered office with overwhelming support of the population to make government more responsive and the support of the monarchy. His Thai Rak Thai (TRT) party combined populist policies with the big business interests to gain overwhelming electoral support.

## **Conclusion**

When a group of civilian bureaucrats and military officers overthrew the absolute monarchy in June 1932, a constitutional system of government was introduced to Thailand. The political and administrative systems were not changed but transferred patronage and state power from the palace to the group of military and bureaucrats. Over the next decades, Thai military then used the political and administrative systems to play a dominant role in Thai politics.

Following the 1932 coup, The military leaders who competed for political control had similar backgrounds. The Prime Ministers from 1938 to 1976 were all born within a 14-year period and were from the same generation that staged the first coup in 1932. Succession

of governments was the result of shifts in political power based on personal relationships rather than organized processes like elections. Contrary to popular belief, no discernable pattern occurred for succession of governments by election or by coup for the several decades following the 1932 coup. The military established a standard format for the coup in which politicians are placed under house arrest, martial law is declared, bureaucrats continue to work, and a new government is eventually promulgated. The military leaders' competition for power through coups replaced the palace politics of the past and was legitimated by the monarchy and the support of the civil service. The legitimacy and justification for the military's reign shifted to suit the needs of a political military.

Moreover, The involvement of Thailand's military in governance through two periods of apparent democratic consolidation in the 1930s to 1940s and the 1970s reveals a history of a political army whose values are traditional and patrimonial in nature. Thailand was founded on a royalist elite political structure with a military that supported it. The political structure and social order found its legitimacy in traditional, patron-client relationships. The state was imposed by the monarchy on top of this traditional legitimacy. From this sustained participation in governance, a set of values for the military emerged. These values include a concept of national security of defending not only borders but also the traditional monarchy as the primary source of political legitimacy and the necessity of political power over social order and development for military effectiveness. The values and their interrelationship shape the military's interests and help explain its actions in governance in Thailand.

The 1980s in Thailand under the Prem administration saw relative stability but the balance was precarious. The 1978 Constitution lasted for 12 years for three reasons: divisiveness within the armed forces, the ability of individual political leaders, and the strong legitimizing force of the monarchy. Prem's strength over each of these factors kept the government stable. By 1988, Thailand's military held a strong position in Thai society due to the success against the CPT, its effective rule, liberalizing political space, and the monarchy's continued support of its leaders. With on factional divisions remaining, unity within the military was at a high point. The attitude of the leadership may then determine how the military would respond to the elected government, its processes, and its actions. After Prem stepped down in 1988, Chatichai's elected administration would soon upset the balance.

The elected government in Thailand in 1991 was unable to hold on to political power. The technocratic incompetence and political stalemate by the elected government eroded the support of the middle class and the monarchy. The opportunity opened for the military to be in a stronger political position. The competence of the military resulted from its counterinsurgency success in spreading democratic forms and the unity of a single faction leading the services. The politically weakened elected government challenged the military's values by removing its role in policy making and the immediate interests of the military by attempting to check its unity and political position. These factors in Thailand in 1991 permitted and compelled the military to step in against the elected government. Nevertheless, the year 1992 marked a watershed of Thailand's military. After May 1992, the image of Thailand's armed forces was badly tarnished. The military once viewed in a positive light as the protector of the kingdom was seen by people as soldiers firing into crowds of unarmed protestors demonstrating for democracy.

Nevertheless, The 1990s and early 2000s in Thailand witnessed an increase in democratic forms and legitimacy derived from them. However, the popular election of a leader over a state structure that remained powerful in society did not guarantee the principles that make for genuine democracy.

## **Chapter III: Thaksin and Yingluck Rule and the Military**

#### **Introduction**

From the 1960s to the 1980s there was real fear of a communist-led rural rebellion in Thailand. The response to this phenomenon was the increased role for the military, as stated in the last chapter. The most enduring strategy has involved extensive state investment in rural development in an attempt to reduce rural poverty and create a politically stable class of middleincome farmers (Walker 2012: 17). Moreover, during the 1980s and 1990s there was rapid growth in the number of nongovernmental organizations (NGOs) working in rural areas and taking advantage of the opening created by the state-led push for rural development. This new organizational infrastructure contributed to a new round of political mobilization focused on civil society. In a new phase of rural assertiveness, farmers protested about low crop prices, high fertilizer costs, the failure of government promoted agricultural schemes, indebtedness, the favorable treatment of agribusinesses and so on. They negotiated with state agencies and political parties to provide financial relief to farmers who were hurt by climatic fluctuations, market instability, and government mismanagement. They were much more cautious in their dealings with state agencies and politicians (Walker 2012: 15-16). Contemporary rural politics is driven by a middle-income peasantry with a modern political logic. The strategy of this modern peasantry is to engage with sources of power not to oppose them.

The May 1992 political crisis seemed to mark the end of Thailand's military era and sparked hopes of widespread reform to sweep away the detritus of half a century of military dominance. During the 1991-1992 crisis, the two political movements came of age after the army took power by coup and was then ejected by street demonstrations,. The first was a rural movement protesting against the decline of the agrarian economy and urban encroachment on natural resources. The second was a movement of urban, middle-class activism demanding reforms in politics, bureaucracy, media, rights, social welfare, and much else (Phongpaichit and Baker 2009: 18). The interplay between these two movements shaped a new public politics through the 1990s by resulting of the 1997 constitution.

Thailand's political changing over the past decades is provided to clearer understand the conflicts of Thai politics After Thaksin's taking office. In this chapter, I would like to explain Thai politics after between Thaksin's government in the year 2001 till the 2014 coup.

### Thaksin's Government (2001-2006)

#### Thaksin's taking office

The crucial turning point was the transformation of Thai society produced by two major events of 1997: the economic crisis, and the new constitution. The crisis led to the restructuring of all the major business conglomerates which emerged with sizeable debts. This resulted in a significant transformation of capital in major business group, ranging from leading commercial banks to industrial and retail giants. A number of domestic conglomerates were bankrupted or were taken over by multinational corporations or foreign companies (Hewison 2002: 92). Some debt-ridden conglomerates sought direct access to political power to face with a struggle for survival as a means of defending their business interests.

At the same time, the 1997 constitution gave a boost to the power of the executive branch especially to the office of prime minister. In particular, a prime minister could only face a parliamentary no-confidence debate if the opposition could muster two-fifths of the lower house in support of their motion while rules to reduce the scope for party-swapping by MPs were calculated to create more stable government coalitions (McCargo 2002: 1-18). A new impeachment provision was also introduced under which public office-holders could be called to account through a petition of at least 50,000 voters. Despite these checks and balances, the package of reforms introduced by the 1997 Constitution amounted overall to a blueprint for strong prime ministerial authority.

The economic crisis and new constitution of 1997 created the conditions for an alliance comprising politicians with strong financial backing along with large business conglomerates to assume leading role in politics without having to depend on traditional power groups such as the military and the civilian bureaucracy. As the head of a business conglomerate which had emerged relatively unscathed from the economic crisis, Thaksin Shinawatra was place to take advantage of the new political environment created by the 1997 constitution. Thaksin's rise to power was framed by the 1997 economic crisis and by the new 1997 constitution. The crisis

created a vacuum that Thaksin was able to fill. The crisis also stirred a greater interest in politics by many groups in society but Thaksin and his advisers were able to channel this interest into support for their party. The constitution changed the electoral system in ways that favored a business-based party. Above all, the constitution and the crisis created an expectation for something novel that Thaksin could promise to fulfill (Phongpaichit and Baker 2009: 62).

Thaksin's party, Thai Rak Thai (TRT), marketing techniques to advertise its candidate to the people and convinced many politicians to join his party. The result was a victory for TRT that propelled Thaksin to the premiership. Thaksin was further helped by the 1997 Constitution, which centralized power in political parties, making it nearly impossible for members of political parties to defect to other parties and compelling party discipline. The 1997 charter also made the Senate a fully elected body. TRT quickly gained influence over a majority of senators. Finally, he delivered on his promised reforms, steered the country out of economic crisis, and saw through numerous megaprojects.

# **Populist policies**

During the early period following the foundation of Thai Rak Thai, Thaksin attempted to replace and addressing the problems of the country's financial institutions by accusing to adopt a banker's perspective on economic recovery by the Democrats. He proposed an alternative way forward using populist policies aimed at relieving the financial burdens of low income groups. Thaksin also positioned Thai Rak Thai as the party of small and medium scale domestic business. Fostering these businesses was essential in order to ensure that Thailand remained globally competitive. Thai Rak Thai's 'think new, act new' program of policies, widely touted at the time of the 2001 general election, was based on a number of key ideas designed to appeal to rural voters. These policies were propagated through a public relations campaign and garnered overwhelming support for the government and the prime minister himself. The populist policies of Thai Rak Thai were carefully designed as a political strategy to consolidate support at the grassroots level while also protecting and expanding the economic control and political influence of those allied with Thaksin (McCargo and Pathmanand 2005: 216-217).

At the grassroots level, these policies involved the granting of a three-year debt moratorium for farmers, the establishment of one-million-bath community development funds in every village, the creation of the 'one village, one product' project and the creation of a 'People's bank'. The government implemented micro credit schemes offering 100,000 baht loans to small-scale businesses, to enable vendors and shopkeepers in urban and rural areas to borrow funds for business purposes (McCargo and Pathmanand 2005: 217-218). At the middle level, Thaksin and his advisors proposed a policy to develop small and medium-sized enterprises (SMEs). This was important both as a short-term response to the economic crisis as well as to forge a long-term strategy for the country in term of creating and maintaining a production base, creating employment and income support and promoting exports. Thaksin and his advisors argued that small and medium-sized enterprises are the key to building economic growth and stability in the future. An important plank of this policy was supporting bank lending to SMEs. The populist policies were targeted at securing political support from the rural sector (McCargo and Pathmanand 2005: 218).

In actuality, half a century ago, 96 percent of Thailand's rural dwellers were living in poverty. As a result of rapid economic growth and diversification, the official rural poverty rate has plummeted to about 10 percent. Life expectancy has increased, infant mortality is close to first-world standards, and primary schooling is near universal. Thailand's governments have been aware of the disparity problem and the political hazards of rural disadvantage. The attempts to promote rural development have been the central feature of the relationship between the Thai state and the peasantry. A long-term trend has gathered pace since the communist threat emerged in the 1950s and newly assertive farmer's organizations moved on to the national stage in the 1970s. In simple terms, Thai government has moved from taxing the rural economy to subsidizing it. Government funding in the form of infrastructure, price supports, economic development, health, welfare, and education has become an integral part of the complex livelihood mix pursued by peasant households throughout rural Thailand. While, Thailand has been very successful in managing absolute poverty, it has a less impressive record on relative poverty. Livelihoods in the rural north and northeast have certainly improved but levels of income and rates of growth lag well behind those found in central Thailand, Bangkok, and parts of southern Thailand (Walker 2012: 219-221).

Thaksin Shinawatra cleverly capitalized on the dilemmas that have emerged in Thailand's modernization. His unprecedented political success owes much to the fact that he

shaped his policies around rural aspirations for productive connections with sources of power. He recognized that decades of rural economic growth and diversification had produced a very different type of peasantry. It was a peasantry for which the most important challenges were diversifying livelihoods, increasing productivity, limiting exposure to debt, and maintaining the flow of government support for the rural economy. There was nothing particularly new about Thaksin's emphasis on rural modernization but he packaged it in a way that was very attractive to an economically sophisticated electorate. Rural households can turn their assets into capital, villagers can manage agricultural credit, farmers can implement infrastructure projects, and local hospitals can provide universal health coverage. He cashed in on the new social contract, which embodies the notion that the state should play a direct and active role in supporting the rural economy. Actually, this social contract has been developing since the 1970s but Thaksin turned it into a core political asset (Walker 2012: 221).

#### **Thaksin and Corruption**

Corruption in Thaksin's government became a public issue in the year 2005. In April 2005, US company had admitted paying money to officials of the Government of Thailand and a political party to secure the contract to supply CTX baggage scanners for the new Bangkok Suvarnabhumi international airport. The information had appeared in the US as part of due diligence during a corporate takeover. There were many curious aspects to the scanner deal. The spec had been written to prevent any real competition in the bidding. The vendor was not a leader in the field. The machines had been sold to an intermediary company for 1.34 billion baht and then sold on to the airport for 2.61 billion baht. Nobody could explain where the difference of 1.27 billion baht had gone. Suspicion fell on other contracts associated with the airport- a billion-baht contract for ground services which had been awarded to a Singapore-registered company whose owner was traced to a derelict house in the Bangkok suburbs. After looking into these contracts, the auditor-general, Jaruvarn Maintaka reckoned that the defalcation was consistent. She estimated the total annual cost of corruption as 400 billion baht (Phongpaichit and Baker 2009: 244-245).

More criticism focused on Thaksin's enthusiasm for privatizing state enterprises through the stock exchange. Apart from the individual profiteering, floating these large public enterprises boosted the whole exchange where Thaksin's family was the single largest investor, and other TRT-linked business families were among the runners-up. The press began to dig out more corruption scandals elsewhere. In the north, fifty thousand tons of longans bought by government for export to China had vanished. A contract to produce rubber seedlings had been given to the CP company but had no track record in rubber. The health and labor ministries and the electricity authorities had all brought computers at suspiciously high prices. The buildings under the Ua Athorn slum rehousing project were surprisingly shoddy for the cost. Donations to schools and temples from the profits of the lottery were going astray (Phongpaichit and Baker 2009: 245-246).

The scandal which caused Thaksin to seriously get into trouble was "Shin Corp Sale." On 23 January 2006, the Shinawatra family's 49.61 percent share in the family holding company, Shin Corp, was sold to Temasek Holding for 73.3 billion baht. Tamasek Holding is a Singapore government investment arm. The sale was organized so the family paid no tax. Most of Shin Corp's profits came from AIS, the mobile phone company. Between the year 1992 to the year 2006, AIS made profits of 97 billion baht. Three-quarters of that sum was made in the last five years after Thaksin came to power. Profits surged at this time partly because phone prices dropped and the market exploded and partly because AIS became an even more dominant market leader with some help of his government. There were signs that the good times were over. On a world scale, the industry was maturing rapidly. Market growth was leveling out. Increased competition brought price-cutting and lower margins with the result that AIS profit dipped slightly in 2005. On a world scale this maturing ushered in a phase of corporate consolidation. Companies needed larger scale to survive in a context of lower margins and rising investment costs. It was a time to buy or be bought (Phongpaichit and Baker 2009: 261-262).

Temasek's ownership in Shin Corp was technically restricted to 49 percent by the Alien Business Act. This was circumvented by a pyramid structure in which Shin Corp was owned by two Thai companies in which Temasek had a nominally minority shareholding but a controlling share of voting rights. This arrangement was explicitly outlawed by the Alien Business Law yet had become a conventional form of evasion used by thousands of firms. As the Temasek website boasted for a time until the information was swiftly removed, its true ownership in Shin was around 93 percent (Phongpaichit and Baker 2009: 262-263). The mobile phone business and the satellite business under Shin Corp both operated on concessions granted by the Thai government.

Foreign firms had been banned from bidding to acquire these concessions. But the concessions had been sold into foreign hands. Some nationalist military officers suggested that there were security issues involved in having telecommunication facilities owned by another country.

### **Thaksin and Political Crisis**

Soon after the 2005 election, a new political movement, the People's Alliance for Democracy (PAD) demonstrated in mass protests in Bangkok in opposition to Thaksin and TRT led by Sondhi Limthongkul, the PAD took up the royalist cause as an effective means to gain public support because it appears to be above politics by wearing yellow shirt as the color of Thailand's long-reigning king, Bhumibol Adulyadej. In January 2006, Sondhi's cause gained further support after Thaksin sold his shares in Shin Corp and satellite technology for an enormous profit without paying taxes on it. This event gave the opposition an example of how Thaksin was not loyal to the nation even ostensibly putting national security at risk.

The Shin Corp sale excited anger in big capital among the mass of small and medium businesses that had been newly subject to tax. For a lower middle class of officials and managers viewed themselves as upright, moral, tax-paying citizens and demanded the same from their political leaders (Phongpaichit and Baker 2009: 266). After selling Shin Corp for a few weeks, a single PowerPoint slide was printed in several newspapers. The slide purported to show the money flows of the Thaksin regime. At the center of the slide was the small tax-paying Thai middle class. The money squeezed from them flowed two ways. The first is to pad the superprofits that the rich gained from government concessions, megaprojects, and corruption. The second is to pay for populist policies which brought Thaksin the popularity to remain in power. This slide expressed a fear summarized as the middle class supports the whole country in this era (Phongpaichit and Baker 2009: 266).

On 24th February Thaksin dissolved parliament and called for elections in April 2006 to effort to shore up his electoral support against the PAD demonstrations. The PAD led a successful campaign for people to officially vote for none of the candidates on the ballot. By the laws under the 1997 Constitution, an unopposed candidate needed 20 percent consent by the voters. The TRT concerned the candidates would not receive the necessary 20 percent. They thus illegally entered candidates who were paid to be the opposition. Despite the activities of the

TRT, the none-of-the-above campaign was successful in its goal and by the end of April many ministers remained unelected. TRT still won 56 percent of the party list seats but the government could not form without all of the ministers (Croissant and Pojar 2005). After a meeting with the king following the April election, Thaksin conceded to step down from Prime Ministership in an apparent attempt to reconcile the results. In May, the Constitutional Court followed the king's earlier call to resolve the situation of the undemocratic election and scheduled re-elections for October (Ferrara 2010: 50). Thaksin soon after decided to remain as caretaker Prime Minister until the re-elections.

However, Thaksin had no constitutional authority to take the action (Murphy 2006). Further, other constitutional problems arose for the election scheduled in October. There was no Election Commission ready to oversee the election due to its absence the Senate oversees the election but there was no Senate formed either. The judiciary was left without a constitutional means to ensure an election. The boycott of the April 2006 election by opposition groups prevented the elections of ministers to a new government and the loss of support for Thaksin from party members resulting from the demonstrations created a political deadlock. Throughout this increasingly chaotic period, on the night of 19 September 2006 while Thaksin was in New York preparing to give a speech at the UN's 60th anniversary celebration. The army rolled tanks through the center of capital.

#### **Thaksin's Opponents**

Anti-Thaksin movement developed over 2004-2005 and then exploded in 2006. This opposition is often shorthanded as an "old elite" (Phongpaichit and Baker 2009: 357).

The vanguard came from civil society. Many leaders, activists, and organizations that had figured in the explosive growth of public space, civil society organization, and ideological debate in the 1990s initially gave Thaksin enthusiastic support. People from both the main streams of activism managed to convince themselves that Thaksin was a force for their kind of change. When they were alerted by Thaksin's obvious authoritarianism and contempt for democracy, rights, and freedoms, their disillusion was bitter. PAD became the focus of a new anti-Thaksin mobilization that drew in NGO networks, the powerful state enterprise unions, old democracy

activists, many journalists, and a range of intellectuals, poets, musicians, and artists. (Phongpaichit and Baker 2009: 357)

Furthermore, opposition to Thaksin spread within an urban middle class ranging from entrepreneurs to shopkeepers and petty officials appalled at the evident greed of the Shin Corp sale. This group was excluded from the crony circle around Thaksin. The key figure of the opposition was Sondhi Limthongkul. Since the pre-crisis era, Sondhi had presented himself as a pioneer and spokesman of a new modern Thailand and Asia. When Thaksin lost his supporters. Sondhi claimed them. He captured an audience for his rallies and his ASTV programs among people who saw themselves as the modern, educated, progressive element of the population. They saw Thaksin's policies of capitalism and populism as a movement on their own position and pockets. "New politics" captured aspirations for a cleaner and more effective political system that would take Thailand forward towards greater prosperity and emulation of the modern countries of the world. This middle-class base provided the funding and the manpower which made possible a sustained and sophisticated movement of street protest (Phongpaichit and Baker 2009: 357-358).

Thaksin also provoked opposition from Thailand's old political institutions in which were supported by civil society activists and urban middle-class. Moreover, Thaksin knew from the start that the military would be a threat to his ambitious scheme for change. Thaksin tried to develop a personal network in the armed forces based on relatives, friends, and cadet-school classmate. He seemed to particularly threaten the influence of the aging Privy Council chair, General Prem Tinsulanonda. His interventions angered him who had retained informal influence within the army. Prem and his followers stirred an antagonism against elected politicians which was built into the army's internal culture (Phongpaichit and Baker 2009: 358-359).

For royalists, Thaksin's power was a challenge to the role of the monarchy. They viewed his popularity of strength electoral mandate and his presidential style as infringing on the role of the King. They felt his promotion of an aggressive, unfettered capitalism ran across the moral economy preached by the King as a kind of national ethic under the title of the Sufficiency Economy (Phongpaichit and Baker 2009: 359). For the conservative mainstream, Thaksin was a threat that involved the King in a more way. In their view, Thaksin was disturbing the delicate political arrangements that had been put in place after the last great national crisis in the 1970s

and that featured the King in a prominent role. After the bloodletting of 1976, there was a deliberate attempt to fashion a new arrangement of political forces to move beyond violent conflict. The monarchy would have an enhanced role as the focus of national loyalty. This arrangement was dubbed the Democratic System with the King as Head of State. The monarchy's role in this arrangement is to serve as a special kind of check-and-balance against other elements. When Thaksin disturbed, They therefore looked to the monarchy to provide a counterweight as a proper balance of power (Phongpaichit and Baker 2009: 360). The coup generals claimed to be acting in defense of the monarchy.

# **Thaksin and Military**

After Thaksin assumed the leadership of Palang Dharma in 1995, a combination of infighting and declining electoral support saw the party virtually collapse. Thaksin became convinced that a political party did not offer a sufficiently firm base to pursue his ambitions. He therefore decided to dissolve this party and created a new party of his own. The lesson he had learned from the failure of his entanglement with Palang Dharma led him to seek an alternative power base within the military (McCargo and Pathmanand 2005: 225). The essence of his plan involved taking personal control of the promotions process, installing his cousin Chaisit as Army Commander in Chief and placing a large number of his friends and former classmates from the Armed Forces Preparatory School Class 10 in key command positions (McCargo and Pathmanand 2005: 225).

In 2001, the military promotion process became much more explicitly political when Thaksin sought support for his former classmates from class 10 (McCargo and Pathmanand 2005: 136-140). Several officers considered Thaksin supporters were promoted to general after being colonels for only a year (Pathmanand 2008: 127). Also in 2001, General Surayuth Chulanont, Prem's Army Commander since 1997, was placed in the largely ceremonial position of Supreme Commander (McCargo and Pathmanand 2005: 136). By 2003, Thaksin had his cousin, Chaisit Shinawatra, as Army Commander; this was the first time a three star general was promoted to full general after only a year (Phongpaichit and Baker 2004: 182). General Prem was discontented. Since his elevation to head the Privy Council in 1998, he had quietly maneuvered the rise of officers under his patronage. The last of these had been General

Surayuth. When Thaksin kicked Surayuth upstairs to make way for Chaisit, Surayuth was promptly appointed to the Privy Council (Phongpaichit and Baker 2009, 249).

Thaksin also sought military support by increasing its budget and extending his network of influence to the lower ranks.

"Thaksin was engaged in helping the military move beyond the dark years that had followed Black May of 1992 uprising, supporting their rehabilitation and acknowledging the salience of their political and economic roles." (Phongpaichit and Baker 2004: 151-152)

This challenged Prem's dominant role as de facto military caretaker.

By 2004, Thaksin's interventions in the military promotion list had created enormous discontent in the armed forces. Thaksin had placed 35 of his old cadet-school Class 10 in key posts (Phongpaichit and Baker 2009: 248). Many officers were angered especially Prem. Prem's continued influence sought to balance Thaksin's overt politicizing of the military and gave support to those loyal to the traditional elites. In 2005, Prem insisted on the appointment to Army Commander of General Sonthi Boonyarataklin (Chambers 2010). A key supporter of Sonthi was the First Infantry Division Commander in Bangkok, Lt-General Aunupong Phaochinda (Khanthong 2006: 11A). Aunupong, though a classmate of Thaksin, had previously served as a Commander of the Queen's Guard. Indicating the significance of his association to the monarchy, Aunupong's ascendency to Army Commander after the 2006 coup marked a rise within the military of a unified royalist faction (Chambers 2010). The promotion of Class 10 officers alighed with Thaksin had frustrated the more senior offices who were loyal to the influence of the network monarchy. The political nature of the military resurfaced: "Under Thaksin, the supposedly 'bypassed' Thai military-who had actually been woven by Prem into an ingenious web of patronage, with support from the palace and the Democrats-emerged from the political closet" (Phongpaichit and Baker 2004: 156). The rise in rhetoric supporters the emphasis necessary to stand against the government (Pathmanand 2008: 128). The social movements supporting the king gave backing to the military leaders who felt Thaksin threatened the prominence of the monarchy as an institution.

During the demonstrations by the PAD, Thaksin sought military support for declaring a state of emergency. As Army Commander and Prem supporter, General Sonthi recognized that the outcry from the public against the military could be used by Thaksin to remove him from the Army Commander post so Sonthi kept Thaksin at bay (Pathmanand 2008: 129). In June of 2006 during the time of the interim administration after the April elections were nullified, Prem's address to the graduating class of the military academy that the military belonged to the king and not to the government. The rise in royalist support among the military leaders countered the faction of Thaksin supporters. One week later, a midyear military reshuffle reappointed midranking officers, who could be considered Thaksin supporters, to units without fighting troops (Pathmanand 2008: 128-129). As the October election approached, Sonthi's intelligence agency learned of an upcoming PAD demonstration that was likely to turn violent (Khanthong 2006: 11A). Such an event would have given Thaksin his opportunity to declare emergency powers and his proposed military reshuffle in August would have supported Thaksin's authority.

The 2006 proposed reshuffle of military leaders benefited Thaksin more than previous years' reshuffles. Thaksin attempted to promote his ally, Maj-General Prin Suwannathat, from First Infantry Brigade to the Division Commander in Bangkok and to place Maj-General Prin's ally, Maj-General Daopong Ratanasuwan, as Commander of First Infantry. This reshuffle would have locked Thaksin's control over the military at the center of power. If a state of emergency were declared with willing military support, Thaksin would have had complete control over Thailand (Crispin 2006). Army Commander Sonthi had been put in place at Prem's insistence in 2005 and had the support of the First Infantry Division Commander in Bangkok, Lt-General Aunupong and Lt-General Saphrang Kalayanamit of the Third Army. Finally, To avert the PAD demonstration and what would be Thaksin's subsequent declarations and promotions, the army staged its coup led by General Sonthi Boonyarataklin. Thaksin was in New York at a UN conference, and his local military supporters were unable to move; troops from the upcountry were also mobilized (Khanthong 2006: 11A). Despite these military leaders being reluctant to assume political power, the check on the factional balance of military power within Bangkok during the political stalemate proved to be too much of a threat to the interests of the royalists.

## Times of Instability: 2006-2011

# Role of military after the 2006 coup

Despite the coup, the opponents appreciated with the ouster of Thaksin, although, countless others mostly in the north and northeast were alienated with the coup. After staging the coup, the coup group established a 12 million baht top-secret budget for a public relations campaign aimed at defaming Thaksin (Bangkok Post, 8 April 2007: 4). But the military government quickly became unpopular in Thailand. Indeed, growing urban elements began to agree with rural Thais that a return to democracy was essential (Phongpaichit and Baker 2009: 290-293). Ultimately, the government announced a general election for December 2007.

The coup group Led by General Sonthi Boonyarataklin immediately voided the 1997 Constitution and set up a ruling junta by various names until ultimately settling on the name "Council for National Security" (CNS). Meanwhile, a 242- member National Legislative Assembly (NLA) was appointed under a royal command. This assembly acted as the legislative branch during military rule. The NLA included seventy-six active-duty or retired generals: thirty-four retired security personnel, seven active-duty police, and thirty-five active-duty military officers. Although such military representation does not appear to approach a majority, nonmilitary NLA representatives allied with soldiers in the assembly to ensure voting majorities. The NLA facilitated the promulgation of a new constitution which weakened the power of elected civilian governments while strengthening the military and judiciary with many new judges appointed under the 2006-2007 military junta (Chambers 2009: 79).

Furthermore, this body was to consist of seventy-six elected senators with six-year terms and seventy-five appointed with three-year terms. A certain quota would be selected by the armed forces and police of the appointed senators (Chambers 2009: 26-28). The goal seemed to be to subdue Thaksin and others like him who might challenge Thailand's new ruling order. In term of the judiciary during this period, the Court of Law, the Administrative Court, and the Military Court continued to function. The power of judicial review of the constitutionality of the law was maintained by a new Constitutional Court (*The Nation*, 12 December 2006: 3A). This Court declared Thaksin's Thai Rak Thai Party to have violated the constitution. On 30th May, 2007, TRT was officially dissolved. Moreover, the coup leaders established an Assets Scrutiny

Committee (ASC) to investigate corruption in the Thaksin government. Finally, the charter granted an amnesty to the coup instigators. The proposed constitution had to be approved by popular referendum drafted by the CNS and endorsed by the military. It was alleged that soldiers were instructed to urge rural Thais to vote for the charter and the troops themselves were ordered to vote for it. Financial resources were also made available to ensure that the charter passed. However, the charter was ultimately approved by a much lower margin of votes than the CNS had expected. (Phongpaichit and Baker 2009: 303-304)

NLA approved a series of acts that gave the military more power. One new law requires that reshuffles of high-ranking officers be vetted by a committee whose members include the army commander, navy commander, air force commander, supreme commander, defense permanent minister, defense minister and the defense minister. Previously, the defense minister and prime minister had had the ultimate say on appointments. Now, if any dispute occurs over an appointment a simple committee vote will settle the dispute. Given that the unelected military portion of the committee accounts for five votes as opposed to two for civilians, the new arrangement should heighten military influence at the expense of the authority of civilians with regard to reshuffles (Bangkok Post, 2 February 2 2008: 2). A second law that enhanced the power of the military was the Internal Security Act. The act establishes a structure of control whereby the prime minister is the ISOC director, the army commander is deputy director, and the army chief of staff is secretary. Throughout the 2006-2007 period of military rule, political space was constrained. In terms of military influence on the procedures of political competition, political parties, demonstrations, and related activities were banned by the junta until July 2007. Meanwhile, Armed forces personnel managed to acquire greater access to positions of public decision making. At least eleven army generals and two police generals became board members of thirteen state enterprise agencies (Pathmanand 2008: 137). The trend of military involvement on state enterprise boards had gradually dissipated after 1992, but the 2006 coup saw new hope for soldiers to regain their status on these boards and increased the potential for financial rewards in return for their influencing public policy.

Martial law which had been imposed on provinces seemed to be pro-Thaksin was lifted gradually in time for the December 2007 pre-election campaign. Yet there were allegations of covert military involvement in seeking to influence the election's outcome. The purported plan

involved using state-run media to attack and discredit the pro-Thaksin People's Power Party (PPP)- in the name of national security (*The Nation*, 26 October 2007: 3A). Nevertheless, despite military intervention in the election, Thaksin's proxy party, People's Power, won a victory with 233 out of 480 seats. Although this showing certainly disappointed Prem, Surayuth, and the CNS generals, they accepted the results and allowed the new government to come to office. On 28th January 2008, the PPP formed a coalition government under party leader and politician Samak Sundaravej.

As the new prime minister in January 2008, Samak promised to continue TRT's populist measures by initiating several new megaprojects. He also sought to amend the 2007 Constitution as well as slow down the court cases against Thaksin in an effort to bring Thailand back to the pre-coup era and would be allowing Thaksin to formally return to power. At the same time, the country's judiciary was hearing cases liable to end with the dissolution of three coalition partners: the PPP, Chart Thai, and Matchima Thippathai. At the same time, although Samak now dominated the Lower House of Parliament in term of seat numbers but half-appointed Senate could perhaps act as a veto against any Lower House-passed legislation that might benefit Thaksin (*The Nation*, 20 April 2008: 2A).

From the inception of his administration, Samak also sought to cultivate an accommodating relationship with army commander Anupong and the military. But the PPP also felt military pressure from its first days of governing. For example, Anupong sought for Samak to appoint retired army commander General Prawit Wongsuwan but the new prime minister refused (*The Nation*, 23 January 2008: 3A). Samak did end up doubling as both prime minister and defense minister. No deputy defense minister was appointed but to placate Thaksin loyalist, a term of retired generals and defense experts including Chaiyasit Shinawatra and AFAPS Class 10 school peers of Thaksin was served as unofficial advisers to Samak at the Ministry of Defense (*The Nation*, 31 January 2008: 2A). Samak's government also sought to lay siege to the Assets Scrutiny Committee (ASC) which had been charged with investigating potential corruption in the Thaksin government. Simultaneously, pro-Thaksin soldiers began pushing for a committee to investigate alleged corruption by the Council for National Security (Nanuam 2008: 9). PPP officials continued to impede the ASC's work (Nanuam and Laohong 2008: 9). In the midyear military reshuffle of 2008 involving 383 officers, Anupong got his way with very little

interference from Samak (Marukatat 2008: 9). Ultimately, it appeared that most of what Anupong wanted in the 2008 midyear reshuffle, Samak was attempting to curry favor with the armed forces.

In March 2008, Thaksin himself returned to Thailand. By April, the PAD had reawakened and initiated anti-PPP and anti-Thaksin rallies in Bangkok. PAD demonstrations had become daily events by the end of May. The new PAD, led once again by media mogul Sondhi Limthongkul and retired general Chamlong Srimuang, was well prepared and well-armed. Amid the growing PAD protests, the Samak government was seeking to arrive at an agreement to permit an ancient temple straddling the Thai-Cambodian border, Preah Vihear. Land near the temple had long been the center of a border dispute. The PAD and its allies in Parliament accused the government of treason for handing Thailand to Cambodia in exchange for business advantages for Thaksin. Ultimately, a Thai court issued an injunction enjoining the government from concluding the agreement. Thailand and Cambodia eventually came close to war over the disputed area (Ganjanakhundee 2008: 11A). But the nationalistic fervor that erupted over the border dispute and the moves by both the PAD and the parliamentary opposition to push for greater Thai security against Cambodia suddenly offered a new rationale for an enhanced military role in guaranteeing that Thai territory would be protected. On June 20, the PAD, declaring that the Samak government had sold out to Cambodia regarding the Preah Vihear dispute, besieged Government House. PAD leaders Sondhi and Chamlong therefore declared victory over the government. Anupong advised Samak to dissolve the Lower House and hold fresh elections. (Bangkok Post, 21 June 2008: 5)

During June and July 2008, a group of pro-Thaksin demonstrators began to organize in the north and northeast by wearing red shirts. They called themself the United Front for Democracy against Dictatorship (UDD), protested against the court rulings and showed its support for the Samak government. In late August, the PAD make a dramatic move to the Office of the National Broadcasting Services of Thailand as well as Government house. Prime Minister Samak thereupon demanded that the police and army flush out the protestors and arrest them. Yet the response of the security sector was lackluster. The police dithered while Army Commander Anupong refused to involve the military in politics. Anupong still did order 1 st

Army Region commander General Prayuth to prepare to deploy 1,000 soldiers trained in riot control to support the police if necessary (Nanuam 2008: 9).

On 1st September, clashes between PAD and UDD demonstrators occurred. Samak declared a state of emergency. Samak made Anupong chairman of an emergency committee to settle the crisis with the assistance of the police chief, General Patcharaywat Wongsuwan, and the 1st Army commander, General Prayuth Chan-ocha. Meanwhile, the army chief on 7th September publicly called on Samak to lift the state of emergency (*The Nation*, 11 September 2008: 2A). Ultimately, by early September, Thailand was being torn by violent demonstrations of PAD and UDD and Samak government seemed increasingly ineffectual. On September 9, the Constituional Court found Samak guilty of violating the constitution for taking paltry sums of money after appearing on a television cooking show. As a result, he was forced to resign. Thereupon, Thaksin's own brother-in-law Somchai Wongsawat became acting as prime minister on September 17. Meanwhile, Somchai also doubled as defense minister, was already attempting a new tack with the PAD. He took Anupong's advice and discontinued the state of emergency while opening talks with the PAD. The prime minister even visited Prem to look for ways to achieve reconciliation (*Bangkok Post*, 2 October 2008: 4A).

Although Somchai initiated the negotiations with the PAD through new deputy prime minister Chavalit. The police also started seeking to arrest PAD leaders. Chamlong Srimuang and Chaiwat Sinsuwong were arrested by the police on insurrection charges on October 4-5. On October 6, the PAD and thousands of its supporters were blocking the street in front of the National Assembly. The government ordered the police to clear the streets. There were injuries on both sides and most of the wounded were among the PAD including the two PAD protestors were killed. Soldiers were finally deployed to help control the situation. Meanwhile, army chief Anupong again reiterated that the armed forces would not forcefully disperse the demonstrators or carry out a coup (*The Nation*, 7 October 2007: 2A). The response from the palace to the October 6, Queen Sirikit's personnel distributed assistance to the injured PAD protestors (*Bangkok Post*, 3 October 2008: 3A). A few days later, the queen herself and two of her children attended a funeral for a fallen PAD protestor. At the funeral, the queen declared that the demonstrator had died in a noble cause (Thirasoonthrakul 2008). UDD protestors entered Bangkok and began demonstrating against the PAD.

Somchai's government continued to push for constitutional amendments. Somchai also promised more populist measures for the poor to gain more popular support. However, the PAD promised to block Parliament again to keep sessions from being held. But the PPP could no longer turn to the police to ensure a parliamentary session free from PAD interference. And Army Commander Anupong was still refusing to involve the armed forces in the national calamity. Instead, he called for Somchai to either resign or dissolve Parliament. These suggestions were echoed by the supreme commander and heads of the navy, air force, and police (Nanuam, Ruangdit, and Chetchotiros 2008: 9). On October 18, Anupong and the three other service chiefs appeared on national television to demand the prime minister's resignation but Somchai refused (Bangkok Post, 20 October 2008: 2). Somchai decided to make a series of visits abroad as Thai society became increasingly polarized. On November 26, The PAD protestors suddenly ended their occupation of Government house and moved to take Bangkok's two international airports (Prasirtsuk 2009: 181). Prime Minister Somchai returned to Thailand toward the end of November. On 2nd December 2008, the Constitutional Court dissolved the three parties including PPP thus forcing the dissolution of the ruling party and Parliament and the banning from politics for five years of the prime minister.

December 2008. The former PPP formed a new party called Phuea Thai. The new proThaksin party still possessed the majority of MPs. But times had changed with the breakup of the
PPP as well as the two other dissolved parties. Under the constitution, MPs in these parties were
free to switch parties by having sixty days to do so (Bangkok Post, 13 December 2008: 2). On
December 6, army chief Anupong opened his home to anti-Thaksin political parties who were
seeking to form a new coalition government (Rojanaphruk 2008: 11A). The Democrats also
lobbied MPs in "Friends of Newin" from Newin Chidchob's faction and smaller parties of the
ruling coalition to switch sides. This included Chart Thai Pattana, Ruam Jai Thai Chart Pattana,
the new Bhumjai Thai, Phuea Phaendin, and Pracharaj. Eventuallly, most MPs in these parties
voiced their support for a Democrat-led coalition (*Xinhua*, 12 December 2008). In late
December, a new coalition government was formed under the leadership of Abhisit Vejjajiva of
the Democrat Party. The new ruling coalition allowed the Queen's Guard to dominate military at
every turn. The midyear 2009 military reshuffle came in April. The new rotations reflected a
further purge of Thaksin's loyalists and Anupong's control over the military. Friends of
Anupong, Prayuth, and Defense Minister Prawit were promoted.

In mid-April of the bloody Songkran 2009, the armed forces demonstrated to support Abhisit's government by dispersing Red Shirt demonstrators in Pattaya and Bangkok. The clash left more than 200 injured, with some dead (*The Nation*, 14 April 2009: 5A). In the aftermath of this "bloody Songkran," the military clamped down on Red Shirt activities, specifically forbidding them to demonstrate at ASEAN summits and taking other measures to discourage protests. Indeed, after August 2009, the Internal Security Act was invoked on numerous occasions to coincide with planned Red Shirt demonstrations (*Xinhua*, 25 August 2009). Clearly, the Abhisit administration needed the military to survive. On April 17, an assassination attempt was made on PAD leader Sondhi Limthongkul. Sondhi survived the attack with injuries and subsequently told reporters the he believed those responsible were Anupong, Prayuth, and Prawit, who he said were keen on seizing power from the Abhisit government. (Crispin, 7 May 2009)

As Thailand entered 2010, the political situation became increasingly severe. In early January 2010, amid continuing demonstrations by the Red Shirts, surreptitious maneuvering by Thaksin from abroad, quarrels within the ruling coalition, and legal trouble for the Democrat Party, reports surfaced that a grenade had been launched into the army commander's office (*Political Prisoners in Thailand*, 28 January 2010). As a late February court verdict on Thaksin's assets was approaching. Some 25,000 soldiers were deployed in thirty-eight provinces and at 200 checkpoints outside of Bangkok to prevent any possible chaos following the court decision (Sapsomboon 2010: 11A). Finally, The outcome of Thaksin's case resulted in the seizure of 46 billion of 70 billion baht of his assets which the judiciary had earlier frozen.

In March 2010, thousands of Red Shirts arrived in Bangkok and demanded the dissolution of the Abhisit government. They demonstrated at the 11th Infantry Headquarters-established by Abhisit, Suthep, Anupong, and Prem as their war room (*Bangkok Post*, 28 March 2010: 3). Red Shirts threatened to invade the compound. On March 28, two grenades were fired into the compound and four soldiers were wounded. In response, the government threatened to declare martial law in the vicinity of the headquarters (*Bangkok Post*, 28 March 2010: 4). The protests was continuing led to lackluster negotiations between Abhisit and the UDD-the former of Red Shirt. UDD continuing to demand a dissolution of the government. The demonstrations in April intensified. Security forces seemed unwilling to forcefully disperse the Red Shirts, partly

given the presence of many "watermelon" soldiers, Khaki-green outside with pro-Red Shirt inside, who sympathized with the protestors (*Khaosad English*, n.d.).

The events of 10th April 2010, twenty-six people were killed and hundreds injured. The incident included an armed attack against Queen's Guard military faction leaders on the ground, resulting in the death of Colonel Romklao Thuwatham. During this period, the military became more divided and desperate about how to put down the Red Shirt protests. Abhisit appointed the army chief as chief officer of a new Center for the Resolution of the Emergency Situation (CRES). In May, Khattiya Sawasdipol was suddenly assassinated by a sniper. Ultimately, on May 19, the military completed a mop-up operation by resulting in at least ninety deaths (*BBC News*, 29 May 2013). Most Red Shirt leaders were arrested and imprisoned. The emergency decree remained in force in Bangkok and certain other provinces for several months.

The vanquishing of the Red Shirts paved the way for the arch-royalist Queen's Guard Faction to buttress their domination of the military. Prayuth Chan-ocha and a member of AFAPS Class 12 also benifited. Indeed, the annual military reshuffle of 1st October 2010, the Queen's Guar[d faction and Class 12 succeeded in monopolizing top military position. In order to quell military dissent and shore up armed forces unity. In particular, Prayuth worked to give higher promotions to the King's Guard Wongthewan faction that still headed by his AFAPS 12 classmate Daopong Rattanasuwan (Panananda 2010: 11A).

#### "Red-shirt" in the time of instability

Andrew Walker stated that:

"The red-shirt protesters have been defending political society's direct transaction with power in all its regular and irregular forms and rejecting the view that economic development and other matters of state should be guided by the elite embodiments of virtuous power located in the nation's capital." (Walker 2012: 223)

Pro-Thaksin movement who dressed itself in red, were in the northeast and upper north, and more in the villages than the towns. People found that Thaksin's populist schemes of public goods and microcredit palpably improved their lives. They felt empowered by his offer to espouse their cause against the arrogant bureaucracy and old political elite. Thaksin made

ordinary people more aware of the potential of their vote and their voice to overcome the state's persistent neglect of their interests in the past. He brought the people into formal politics more firmly than ever before. Thaksin's political heirs use it in their party slogan as populism for a Happy Life. (Phongpaichit and Baker 2009: 361)

Rural people are demanding an active role in the political process. They are rejecting a system in which their votes can be overruled when they elect governments that are unpalatable to powerful forces in Thailand's palace network, the military, or the political elite. Rural Thailand cares about election results because elections have become an important mechanism through which people evaluate and domesticate the power of political leaders. For Thailand's middle-income peasantry, specific policies are less important than a secure relationship with the state. Thaksin's clever promotion and timely implementation of specific policy initiatives were certainly important in galvanizing rural support but even more important was the strong sense that electoral force had shifted the nation's most important power bargains away from Bangkok and toward the rural electorates of northern and northeastern Thailand. (Walker 2012: 222-223)

The coup of September 2006 and the consequently following situations set by elite against Thaksin severed Thaksin's electorally successful engagement with rural Thailand's sprawling political society. Thaksin's rural support base had elected him three time: in 2001, 2005, and 2006. Defenders of the coup argued that electoral endorsement had been devalued by money politics. They resorted to old ideas about the moral preeminence of virtuous power embodied in the king and his military, judicial, and bureaucratic network as they all tried to play the actively role. They refused to acknowledge that a vigorous electoral culture had developed in rural Thailand through which voters evaluate, applaud, and critique the government's implementation of its new social contract. It was no accident that the postcoup government made the king's sufficiency economy philosophy the centerpiece of its political platform. Sufficiency economy is the antithesis of political society. Their intention was to ideologically undercut Thaksin's cultivation of rural political society by arguing that his policies had eroded the authentic morality of rural culture by promoting immoderate economic expectations (Walker 2012: 221-222).

Members of the royalist government appointed by the military after the coup worked hard to erase Thaksin's populist legacy. They emphasized the need for rural people to be trained in

genuine democratic values, and they made the king's "sufficiency economy" philosophy that rural people should live simply and with modest expectations for commercial inclusion a centerpiece of their policy platform. However, there were ominous signs of discontent when most provinces in northern of Thailand voted to reject the constitution proposed by the coup makers in a referendum held in August 2007. A few months later the work of the coup was undone when a new government aligned with the exiled Thaksin was formed after the postcoup election of 23 December 2007. (Walker 2012: 4)

The Bangkok elites could not accept that result. Not long after the election, the anti-Thaksin forces, yellow shirts, took to the streets of Bangkok. They occupied Government House and steadily ratcheted up their provocation in the hope of triggering another coup. The new pro-Thaksin government falled in the wake of the yellow shirts' occupation of Bangkok's international airport and a series of court decisions. A new anti-Thaksin government was cobbled together in December 2008 with strong military backing. Over the Songkran holiday period in April 2009, the red-shirted supporters of Thaksin exploded anger by rampaging through Bangkok but they were controlled by military force. The red shirts return to Bangkok in March 2010 determined to force the government to a new election. The rural occupation paralyzed parts of central Bangkok for more than two months. Eventually the government could wait no longer and in mid-May the army moved in. (Walker 2012: 4)

Rural political society's defense of its relationship with the state has been an important factor energizing the series of violent confrontations on the streets of Bangkok and emphasized again with the strong support shown for Yingluck Shinawatra in the election of July 2011 and February 2014.

## **Yingluck's Government (2011-2014)**

The pro-Thaksin Pheu Thai Party (PTP) won the July 2011 general election 43 An alleged arrangement between Thaksin and the establishment permitted the elected government to remain in office, so long as the PTP demonstrated deference to refrain from interfering with the military. Following the political storm of April-May 2010 involving Red Shirt protests against the Abhisit government, Thailand remained calm under the leadership of Yingluck Shinawatra, Thailand's first female prime minister and the youngest sister of Thaksin. She became prime minister after a

decisive election victory over Former Prime Minister Abhisit in July 2011. This is the fifth victory for a pro-Thaksin party and the setback for architects of the 2006 coup and 2007 constitution. Yingluck's triumph sent a clear message that the political forces that had brought her brother to power a decade earlier had not dissipated.

### **Yingluck's Populist Policies**

Under the Pheu Thai government of Prime Minister Yingluck Shinawatra, in office since September 2011, the form of populism implemented is different from Thaksin Shinawatra, who was elected premier in 2001 and deposed by a military coup in 2006. Yingluck's government has enacted new policies that redistribute wealth from taxpayers to narrow, special interest groups and not to the poor. Prime examples are the first-car buyers' subsidy and an expanded rice pledging scheme. The beneficiaries of the first-car buyer subsidy are not the poor but upper income groups (Warr 2013). The rice pledging scheme uses taxpayer funds to subsidize government purchase of rice at prices 30 to 40 per cent above the market price. The benefit received by a farmer depends on the quantity of rice sold not the quantity produced. Some of which farmers consume themselves. The effect is that larger farmers receive a disproportionate share of the benefits. (Warr 2013)

These populist interventions focus on short-term political benefits to the government, through gaining votes and economic benefits to favored special interests. For example, enhancing public investment in a mass-transit scheme would be a better use of taxpayers' funds than the new car subsidy and would address the traffic congestion of cities like Bangkok. A problem only exacerbated by the encouragement to purchase new cars resulting from the subsidy. The car subsidy was reportedly introduced in response to requests from car manufacturers, including Mazda, for government help in stimulating demand for their products. (Warr 2013)

# **Blanket Amnesty bill**

The Yingluck government introduced an amnesty bill in an attempt to end the serious polarization plaguing the country. On 1 November, the House passed a sweeping amnesty bill, The bill was aimed at granting an amnesty to those involved in all political incidents taking place between the 2006 military coup d'état and May 2011 (*BBC News*, 1 November 2011). It also

included government officials and those who gave orders and committed crimes in political incidents between 2004 and August 2013 and those accused and convicted by the now-defunct Assets Examination Committee. This meant that former Prime Minister Abhisit Vejjajiva and his Deputy, Suthep Thuagsuban whose responsible for the crackdown on anti-establishment red shirts in 2010 would walk free from prosecutions over the 92 deaths during the crackdown Red Shirt protests in the year 2010. And former Prime Minister Thaksin Shinawatra would not have to serve a jail term over his conviction for abuse of authority and would escape any possible punishment for human rights violations in the restive Deep South. Military officers involved in the 2010 operations would also have been covered, though as yet they faced no indictments (BBC News, 1 November 2011). The bill excluded lèse majesté cases.

### **Yingluck's Government and Political Crisis**

The DP sponsored protests against the amnesty bill, beginning on 31st October with rallies near party headquarters. The protesters adopted the whistle and colours of the national flag as their symbols. Protests swelled through the first week of November. On 6 November, the government relented by withdrawing support for the bill and six other amnesty bills still with the Lower House. Yingluck vowed not to reintroduce the legislation after the senate rejected it (*Bangkok Post*, 10 November 2013: 2). Many protesters tacked with the Democrat Party (DP) when the aim shifted from opposing the amnesty bill to ousting the government (Asia Foundation 2014). The People's Democratic Reform Committee (PDRC), founded on 29 November 2013, channelled anti-amnesty sentiment into protests aimed at ousting Yingluck (*Khaosod*, 24 December 2013). Suthep Thaugsuban, one of nine DP politicians who resigned from the party in order to lead the protests, became the PDRC secretary general. He transformed himself from a consummate political insider into "Kamnan [Chief] Suthep", a folksy anti-corruption crusader and champion of reform. The PDRC and allied groups maintained that the Thaksin regime could not be opposed within the debased political order.

Protest leaders also attacked the government for corruption and the failure of its populist policies exemplified by the rice-pledging scheme (Warr 2014). The PTP plan was poorly conceived and implemented and was carried out in the face of persistent warnings of its catastrophic consequences. By June 2014, it had resulted in losses to state coffers of 320 billion baht (Tangkitvanich 2013: 9). Government critics alleged vast corruption, allegations amplified

from PDRC protest stages for months. The National Anti-Corruption Commission (NACC) brought corruption charges against fifteen people. Thaksin opponents equated the PTP's social spending with vote buying, a moral hazard that risked creating a culture of beggars (*Al Jazeera*, 3 December 2013). A prolonged campaign of street protests kept pressure on the government. Many observers believed the PDRC sought to provoke a violent government response as a pretext for military intervention or to scupper the election (*The Nation*, 9 January 2014: 2A).

On 25th November, in the first of a long series of "final battles" announced by Suthep, protesters occupied the finance ministry. On 9th December which Suthep advertised as "D-day", huge numbers turned out to demonstrate. Yingluck dissolved parliament and called a general election. On 21 December, the DP announced it would boycott the election. PDRC leaders vowed to prevent the polls (*Bangkok Post*, 12 January 2014: 3). On 27 December. Suthep announced plans to shut down Bangkok after the New Year. Beginning on 5 January, he led a series of marches by culminating on 13 January with the "shutdown" (*Bangkok Post*, 14 January 2014: 2-3). Protesters closed seven major roads or intersections and blockaded Government House and the interior ministry. The shutdown dragged on until 2 March when remaining full-time protesters and guards relocated to Lumpini Park.

On 2nd February, Thailand's general election has ended with some trouble spots in Bangkok and the southern provinces, where anti-government protesters caused disruption. About 10% of polling stations nationwide had to close down because ballot boxes could not be deployed in time or election officials failed to show up. In Bangkok, about 92.8 percent of 6,671 voting stations were undisrupted (*Bangkok Post*, 3 Febuary 2014: 1). While in 9 Southern provinces, a Democrat stronghold, all stations were closed down (*Bangkok Post*, 3 Febuary 2014: 2). The military refused to intervene and the duty turned to the judiciary and independent agencies. On 12th February, the Constitutional Court dismissed a PTP complaint that the PDRC violated the constitution by attempting to acquire power through unconstitutional means. The judges ruled that the protesters may have violated criminal laws but they had protested within their rights (*The Nation*, 13 February 2014: 2). On 21st March, the Constitutional Court invalidated the 2 February general election by reasoning that it was not held in all constituencies on the same day (*The Nation*, 22 March 2014: 1A). The Constitutional Court ruled on 7th May that Yingluck had abused power in the 2011 transfer of a senior security official that had allowed

her former brother-in-law to become national police chief (*The Nation*, 8 May 2014: 2A). She and nine cabinet members were removed from office. The remaining ministers selected Deputy Prime Minister and Minister of Commerce, Niwatthamrong Boonsongpaisan, to replace Yingluck as caretaker prime minister as protests continued.

### **The 2014 Coup**

On 20th May 2014, army commander General Prayuth Chan-ocha announced that martial law was in effect throughout the kingdom. He stated that the intervention was not a coup. After the removal of Yingluck's cabinet, a caretaker government led by the PTP had remained in office and pressed for a fresh election to end the impasse (*The Nation*, 21 May 2014:1A). On 21st May, General Prayuth summoned the leaders of the PDRC, DP, UDD, PTP and senior bureaucrats, ostensibly to reach a compromise (*The Nation*, 22 May 2014:1A).

In the evening of 22 May 2014, Prayuth announced through a televised address that the armed forces were assuming control of national administration by formally launching a coup d'état against the caretaker government and establishing the National Council for Peace and Order (NCPO) to rule the state (*The Nation*, 23 May 2014: 2A). The regime suspended the constitution, except for provisions on the monarchy. In addition, it formally ordered the dissolution of the caretaker government but the Senate as well as all other state agencies, including the courts and the independent entities, were kept intact.

#### **Conclusion**

Thaksin came to office in 2001 as the only prime minister under the 1997 constitution. He transformed politics by delivering social-welfare policies that earned him enduring loyalty from upcountry voters who discovered the potential power of the ballot box. He sold a novel vision in which villagers were no longer grateful recipients of Bangkok's benevolence. Meanwhile, Thaksin subverted constitutional checks and balances and intimidated critical media and presided over state violence and human rights abuses. His ambition and popularity undermined the establishment's prerogatives while his populism and alleged corruption alarmed the urban middle class. The People's Alliance for Democracy (PAD), led by media magnate Sondhi Limthongkul, spearheaded massive protests against the "Thaksin regime", calling for

power to be returned to the king. Critics decried Thaksin's alleged corruption, exemplified by the tax-free sale of the telecommunications company he founded to Singapore's Temasek in January 2006. Thaksin's opponents accused him of disloyalty to the monarchy. The DP boycotted an April 2006 general election that was later annulled by the Constitutional Court. The army ousted Thaksin in September 2006 and oversaw drafting of the 2007 constitution, which conferred greater power on the Constitutional Court and independent organisations.

The 2006 coup makers failed to eradicate Thaksin's popularity. At the first opportunity, in December 2007, voters handed power to Thaksin's proxy, the People's Power Party (PPP). When the PPP attempted to amend the constitution, the PAD returned to the streets, occupying Government House and eventually closing down Bangkok's airports. The Constitutional Court forced two PPP prime ministers from office and dissolved the party in December 2008 for electoral fraud. The army helped fill the vacuum and brokered defection of a faction from Thaksin's party by allowing DP leader Abhisit Vejjajiva to form a coalition and become prime minister. The Red Shirts coalesced in 2007, uniting pro-Thaksin politicians and opponents of the military's draft constitution. The United Front for Democracy Against Dictatorship (UDD) formed as the main national Red Shirt organisation. In 2009-2010, Red Shirts protested against the Abhisit government in Bangkok by demanding dissolution of parliament and a general election. They railed against the Constitutional Court and independent agencies which they saw as tools of unaccountable elites to eject elected governments. The army quelled both protests.

Yingluck Shinawatra, Thaksin's younger sister, was elected prime minister under the Pheu Thai Party in 2011. After two years of Yingluck's government, Suthep Thaugsuban, a former deputy prime minister under the Democrat Party, mounted antigovernment protests beginning in November 2013. As the momentum for the protests continued, it became apparent that the government would not be able to hold on the power. Thailand's 12th coup, finally, occurred. The 22 May 2014 coup launched by a military junta calling itself the National Council for Peace and Order (NCPO), led by General Prayuth Chan-ocha. The NCPO has claimed that it carried out the coup for the vague purpose of "reform" and with the intention to "return happiness to the people."

## **Chapter IV: The 2014 Military Coup**

#### **Introduction**

On 22 May 2014 the stage for a coup was set in the power struggle between forces allied with former Prime Minister ThaksinShinawatra including middle-income peasantry from rural area and his opponents in the traditional establishment such as the court and independent entities, and urban middle class. Thaksin's sister, YingluckShinawatra, who won office in 2011, faced large anti-government protests from November 2013 following an ill-judged bid by her party to pass an amnesty law that would have allowed for the return to Thaksin who is in exile since 2008. The protesters wanted to bring down the government supposedly due torunaway populism and alleged corruption. Yingluck called a general election but it was boycotted by the main opposition. This is the cause to disrupt and be invalidated by the Constitutional Court. In May, the same court forced Yingluck from office for an administrative violation. The army declared martial law and seized power after the caretaker government refused to resign.

The past decade of Thai politics has seen an intensifying cycle of election, protest and downfall of governments, whether at the hands of the courts or military, revealing deepening societal cleavages. This chapter would like to study Thailand's 2014 coup by the military and what happened thereon till May 2015.

#### Military's seizing the power

"In order to bring peace, order and unity to the nation as before, as well as reforms in the political structure, society and economy in order to create legitimacy for all sides, the army and police must take control of the country on May 22 from 16.30 onwards. May all the people live their normal lives." (*The Nation*, 23 May 2014: 1A)

"National Peace and Order Maintenance Council will worship and protect the monarchy." (*The Nation*, 23 May 2014: 1A)

Prayuth and the three other Royal Armed Forces Commanders as well as the Police Commander made the above announcement after the meeting with seven political sides shortly before 16.30 of 22nd May 2014.

Actually, on 20 May 2014, a martial law was declared by Thai Army. At the time it was denied that this was a coup attempt (*The Nation*, 21 May 2014: 1A). However on 22 May, the Royal Thai Armed Forces led by General Prayut Chan-ocha, Commander of the Royal Thai Army (RTA), launched a coup d'état and took control of the country and suspended the constitution. This was the twelfth since the country's first coup in 1932. The regime suspended the constitution except for provisions on the monarchy. On 26 May, four days after seizing power, the coup makers in the name of National Council for Peace and Order (NCPO) staged a ceremony to acknowledge King BhumibolAdulyadej's official endorsement to govern the nation. The six-member NCPO headed by General Prayuth held complete administrative authority. On 28 May, the NCPO advisory council was announced and chaired by Prayuth'smentor, retired General PrawitWongsuwan until the formation of an interim government. Since the coup, the military has moved to consolidate power. In July, the military adopted the interim 48-article constitution and formed a junta-appointed legislature. In August, the legislature appointed Prayuth as prime minister.

No need to give so many foot notes since these are simple facts

According to the primary justification for the coup, the military made security its first task. In his first televised announcement after the coup, Prayuth said the intervention was necessary to prevent imminent bloodshed. He promised that the military government would reform politics, the economy and society (*Khom Chad Leuk*, 22 May 2014: 4). From the day of the coup, the NCPO restricted civil and political rights including a prohibition on political assembly. Censorship began immediately, with suspension of all radio and television broadcasts and soldiers deployed to newsrooms. Upcountry, soldiers shut down hundreds of community radio stations and confiscated broadcasting equipment. Three days after the coup, the National Council for Peace and Order (NCPO), issued the 37th announcement to replace civilian courts with military tribunals for trying some offenses and to grant authority to the Military Court to be able to intervene in all kinds of cases and to prosecute all crimes in violation of Article 107 through 118, including 112 lese majeste law and offences related to national security. In addition, people who violate the NCPO's orders are also subject to trial by military court.

"If a case is composed of several connected actions, each of which taken singly would not be within the purview of a military court, they may be tried collectively in a military court."

On 29 May, the military government prohibited the dissemination of information "which might be threatening to the national security", "criticism of the operations of the NCPO or its officials", and "information and news which might cause confusion or provoke further conflict or divisions within the Kingdom". Violators face criminal charges.<sup>2</sup>

# On 6 June, Prayuth said:

"The three main pillars of democracy – the executive, legislative, and judiciary branches – were being destroyed. Therefore, we had to protect them." (*mfa.go.th*, 6 June 2014)

He vested the executive and legislative powers in his leadership and ordered the judiciary to operate under the directives. In addition, the NCPO partially repealed the 2007 Constitution, declared martial law and a curfew, banned political gatherings of more than five people, arrested and detained politicians and anti-coup activists, imposed internet censorship and took control of the media. After staging the coup, The military had detained hundreds of politicians, activists, journalists and others whom they accuse of supporting the deposed government of prime minister YingluckShinawatra, disrespecting the monarchy or backing anti-coup protests. Military personnel have interrogated many of the detainees in secret military facilities without ensuring safeguards against mistreatment. Meanwhile, Yingluck has been banned from politics and faces criminal prosecution (*The Nation*, 27 May 2014: 2A).

The NCPO moved swiftly to deter anti-coup activism, summoning hundreds of people to report for interviews and detention. The military summoned those deemed most likely to criticize or agitate against military rule, including PTP politicians, Red Shirts, academics and journalists. Many of the detained academics and activists had campaigned for reform of the lèsemajesté law and were interrogated about their views on the monarchy (*Khaosod English*, 6 June 2014).

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<sup>&</sup>lt;sup>1</sup> See the NCPO Announcements no. 37/2557

<sup>&</sup>lt;sup>2</sup> See the NCPO Announcements no. 7/2557 and no. 8/2557

Release is contingent on signing a document affirming that the detainee was not mistreated and will cease political activity<sup>3</sup>.

Immediately after the coup, the NCPO forced satellite TV channels and community radio stations from all political factions off the air. Some were later allowed to resume broadcasting provided they excluded programs on political issues. The NCPO also ordered print media not to publicize commentaries critical of the military. Moreover, the most important phenomenon after seizing the power, the recent coup is using Article 112 or the lèsemajesté law to suppress freedom for its own benefit. The 22<sup>nd</sup> May coup marked the highest number of lèsemajesté prisoners in Thai history. Article 112 has been part of the Criminal Code since the last major revision in 1957, stipulates that:

"Whoever, defames, insults or threatens the King, the Queen, the Heir-apparent or the Regent, shall be punished with imprisonment of three to fifteen years."

Thailand's lèse-majesté law, the strictest of its kind in the world, criminalizes criticism of the monarchy with up to 15 years in prison. According to Article 326 of the Criminal Code, whoever defames others to a third person in a way that is likely to make the others to be defamed, insulted or hated has committed the offence of defamation. Once the spokesperson for the junta told a conference of foreign military attaches from 25 countries that lèse-majesté violations affect the hearts of many Thai people so the Kingdom's lèse-majesté law is needed to protect the "feelings" of the Thai people. He insisted that prosecuting lèse-majesté offenders does not constitute a violation of human rights.

"They attempt to destroy the identity, tradition, and culture of Thailand. Therefore, we have to give priority to solving these problems" Colonel WinthaiSuvaree said (*Khaosod English*, 11 Febuary 2015).

Since seizing power in a coup d'etat on 22 May 2014, the junta has enforced the law to crackdown on perceived anti-monarchists, granting martial court jurisdiction over lèse-majesté cases. One year since the coup, at least 14 new cases have been brought against suspects in the military courts and criminal courts around Thailand. For lese majeste crimes, Penal Code article 112 provides for imprisonment of 3 to 15 years.. Previously, civilian courts often sentenced a

<sup>&</sup>lt;sup>3</sup>See NCPO Announcement No. 39/2557.

guilty person to 5 years per count. But since the coup, military courts have delivered harsher sentences. Military courts have generally imposed harsher sentences in lèse-majesté cases than had the civilian courts. In the case of ThiansuthamSuttijitseranee, a Red Shirts blogger, the Bangkok Military Court sentenced him to 10 years per count then he received 50 years in prison and later reduced to 25 years when he pleaded guilty(*International Policy Digest*, 9 June 2015).

In case of the political gathering, in the days after the coup, the small groups gathered in Bangkok and upcountry to stage peaceful protests in provincial capitals. These gatherings were shut down almost immediately (*The Isaan Record*, 25 May 2014: 10). In Bangkok, hundreds protested daily through the first week, resulting in a handful of arrests (*The Nation*, 23 May 2014: 2A). The NCPO's 7th announcement bans political gatherings of more than five people, subject to a year in prison and a 20,000 baht fine. On 29<sup>th</sup> May 2014, thousands of troops and police deployed to pre-empt a planned demonstration, marking an end to the NCPO's tolerance of anti-coup gatherings. Coup opponents responded with symbolic acts of defiance, silently reading George Orwell novels, raising a three-finger salute and handing out sandwiches. These innocuous acts resulted in arrests (*Bangkok Post*, 23 June 2014: 3). On 19th May 2015, Bangkok's Lumpini district police arrested a Red Shirts activist, AnurakJentawanit, and detained him for 10 hours after they saw him at a restaurant wearing a T-shirt with the quote "I am the master of my fate: I am the captain of my soul" from William Earnest Hensley's novel Invictus. Police later searched Anurak's house and confiscated similar T-shirts that were produced to raise funds for political prisoners (*Prachatai English*, 20 May 2015).

According to the cases of summoned, those summoned were accommodated by the military after years of conflict. Officers encouraged detainees to put the country's interest before their own. A senior police officer explained the purpose of detaining coup opponents was to effect an "attitude adjustment" (*The Nation*, 9 June 2014: 2A). Outside of Bangkok, security forces detained many Red Shirts, often without prior notification. On 23<sup>rd</sup> May, troops arrested twenty alleged Red Shirt militants and seized weapons and explosives in the North Eastern city of KhonKaen. With six other alleged cell members, they were indicted on terrorism charges in August. All of the suspects maintain their innocence (*The Nation*, 22 October 2014: 3A). Other operations turned up numerous weapons caches, many linked by the authorities to Red Shirts and exhibited as evidence of impending violence averted by the coup (*The Nation*, 2 June 2014: 3A).

A few coup opponents refused to comply with NCPO orders to report for detention, including several who fled or remained overseas. At least nine have had their passports revoked. ChaturonChaisaeng, education minister under Yingluck, defied a summons. On 27<sup>th</sup> May, he appeared at Thailand's foreign correspondents' club and delivered a statement before soldiers arrested him. He was charged with failure to report, breaching martial law, inciting unrest and violating the Computer Crimes Act(*Straits Times*, 27 May 2014).

As of 30<sup>th</sup> November about 6 months after staging the coup, the organization iLaw documented 626 cases of persons apprehended under martial law by 340 people of which led to arrest. In Northeast as the heartland of the Red Shirts, the military has focused on suppressing opposition here While there's ample anecdotal evidence, exact statistics on those affected by martial law in the Northeast are hard to come by. More than 130 people in the region have been affected by martial law and upwards of 50 people who have been formally arrested. Meanwhile, there are dozens if not hundreds of students, university professors, and community activists who have been invited in by the military unofficially for a chat, threatened, harassed at work, and monitored.(*Prachatai English*, 20 December 2014). Since 23<sup>rd</sup> May to 7th November, the junta summoned for detention at least 630 people and arrested 291 People. Red Shirts or PTP members accounted for 65 percent of those summoned. Those affiliated with the PDRC and DP made up 8 per cent of the total. The 172 academics, journalists, radio DJs and activists detained accounted for 27 percent (*iLaw*, 7 November 2014).

On 31<sup>st</sup> March, 2015, nationwide enforcement of the Martial Law Act of 1914 was replaced with section 44 of the interim constitution, which allows Prayuth as the NCPO chairman to issue orders without administrative, legislative, or judicial oversight or accountability. Prayuth told reporters that he was seeking the approval of the king BhumibolAdulyadej to revoke martial law. The monarch's approval is considered a formality (*The Guardian*, 31 May 2015). Article 44 of a junta-imposed interim constitution is still using and givesPrayuth unchecked authority over all three branches of government. Thai media have referred to Article 44 as the dictator law. Under a similar law in the 1960s, a Thai dictator carried out summary executions. The measure gives Prayuth power over all aspects of government, law and order, and absolves him of any legal responsibility for his actions. Nevertheless,

Prayuthsought to downplay the concerns by telling reporters he would use Article 44 constructively to solve security issues. He told that

"Don't worry, if you're not doing anything wrong, there's no need to be afraid." (BBC News, 2 April 2015)

One year after seizing power, Thailand's military junta has used dictatorial power to systematically repress human rights throughout the country. The ruling National Council for Peace and Order (NCPO), led by Prime Minister Gen. Prayuth Chan-ocha, has prosecuted critics of military rule, banned political activity, censored the media, and tried dissidents in unfair military courts. The NCPO has summoned at least 751 people to report to the junta. Most of these were affiliated with former Prime Minister Yingluck's Pheu Thai Party and the United Front for Democracy against Dictatorship (UDD), known as the "Red Shirts." Others were politicians, activists, and journalists accused by the military of involvement in anti-coup activities or insulting the monarchy (*The Nation*, 6 June 2015). Under the provisions of martial law, and later section 44 of the interim constitution, the military can secretly detain people without charge or trial. Military personnel have also been empowered to interrogate detainees in military facilities without providing access to their lawyers or ensuring other safeguards against mistreatment. During the past year, military units in Bangkok and other provinces have cancelled at least 30 political events and academic panels. The military has also banned at least 12 seminars and public forums on issues related to land and community rights. At least 22 other public gatherings were blocked by the military (*iLaw*, 19 May 2015).

Comparatively, those who are affiliated with the Phue Thai Party or the Red Shirts have been summoned proportionately more than other groups in at least 278 of them. While at least 41 individuals who were affiliated with the Democrat Party or the People's Democratic Reform Committee (PDRC) and the Network of Students and People for Thailand Reform (NSPTR) were summoned. In addition, at least 176 academics, activists, students, writers and journalists have also been summoned by the NCPO. At least 22 of them were pressed with charges after they reported themselves to the NCPO. Six were prosecuted with lèsemajesté charge or violation of the Penal Code's Article 112. Apparently, apart from being a venue to bring in individuals for "attitude adjustment" program or to prevent individuals from participating in political activity,

the summoning has been used as a shortcut to bring in people against whom the authorities want to press charges (*iLaw*, 19 May 2015).

## **The Military Administration**

Military outlined a three-phase roadmap to return to elected government. The first phase aimed to achieve national reconciliation within three months. The second phase is a period of political reform, including drafting of a new constitution, followed by the final phase of a general election. In this part of chapter I would like to explore only 2 phases of national reconciliation and political reform due to the political situation that the last phase seems blind and unclear at the time of this study being done and then analyze all these policies.

#### **National Reconciliation**

After the long period of demonstration in Thailand made the Military's coup to take up the slogan "returning happiness to the people". Its public relations campaign featured festivals in Bangkok and provincial capitals with free food, entertainment and basic services. On 28 May, the NCPO created Center of Reconciliation and Reform (RCR) and then carried out social order campaigns to suppress criminal activity and annoyances, such as illegal parking, loan sharks, lottery-ticket price gouging and unregulated motorcycle-taxis (*The Nation*, 7 June 2014: 3A). Moreover, they established provincial Reconciliation Centres for Reform at each of the four regional army commands aimed to dissolve the colour-coded politics that has deeply polarized Thailand for about a decade ago, in order to bring unity to the nation. The military has organized activities in provinces throughout Thailand to bring local red and yellow leaders to "reconcile". The activities included having breakfast together, playing traditional running games, having lunch, and playing with water balloons. This was followed by taking oaths to uphold the benefits of the nation as well as group hugs and photos (*Bangkok Post*, 13 June 2014: P2).

Furthermore, the military bought all the seats in a cinema to have the red and yellow political leaders, police and military officers watch "The Legend of King Naresuan" together (*Bangkok Post*, 16 June 2014: 1). The NCPO also provided free screenings of the film for the public throughout the country on June 15, when the weekly "happiness" event also took place at Lumpini Park in Bangkok. The film "Legend of King Naresuan" is known for its glorification of patriotism. The history is that King Naresuan, reigning in the Ayutthaya Kingdom from 1590 to

1605, freed Siam from Burmese rule and greatly expanded Siamese territories. He was therefore regarded as one of the most revered monarchs in Thai history.

Meanwhile, the so-called 12 traditional Thai values invented by General Prayut Chan-o-cha and first declared on July 11, 2014 are:

- 1. Love for the nation, religions and monarchy
- 2. Honesty, patience and good intentions for the public
- 3. Gratitude to parents, guardians and teachers
- 4. Perseverance in learning
- 5. Conservation of Thai culture
- 6. Morality and sharing with others
- 7. Correct understanding of democracy with the monarch as head of the state
- 8. Discipline and respect for the law and elders
- Awareness in thinking and doing things, and following the guidance of His
   Majesty the King
- 10. Living by the sufficiency economy philosophy guided by His Majesty the King
- 11. Physical and mental strength against greed
- 12. Concern about the public and national good more than self-interest.

In which the education Ministry had already started revising history and civic duties in order to make students learn about the duty of Thais, discipline, morality and patriotism. The new curriculum will be implemented in the second semester of the 2014 school year (*National News Bureau of Thailand*, 14 November 2014).

These values are promoted as the core principles of Thai education reform. The Ministry of Education (MOE) also came up with a similar plan to promote these nationalistic values by implementing the so called "Merit Passport," a notebook where each student keeps a daily record

of their behavior, attitudes, and activities, from grade one to grade nine.

NuntiyaSwangvudthitham, Director-General of the Department of Culture Promotion (DCP) under the Ministry of Culture, stated that the fable books are meant to integrate the 12 Thai values which is an urgent project of the government, with the promotion of reading, a learning culture, good values and consciousness through reading (*Prachatai English*, 13 January 2015). The agenda is to raise awareness among Thai youth of the preservation of Thai traditions and culture for national security and for the physical and spiritual development of youth who will become the future generation of "good citizens".

On Thailand's Children's Day in January 2015, Prayut Chan-o-cha that "knowledge and morality will lead us to the future." (*The Nation*, 11 January 2015: 2A)

The junta are looking to apply its definitions of morality to holders of political posts and civil servants. They strived to make Buddhism a state religion and convincing children to follow the moral guidance of the King and love the nation, religion, and monarchy by Using the concept of morality as guidance. 'National Virtue Assembly' was laid out as the plans created by The Constitution Drafting Committee (CDC), which could determine the moral or ethical standards of public officials. Its members can vote whether to kick start a moral inquisition of politicians and public officials deemed immoral. If this Assembly finds elected politicians and holders of political posts or local administrators guilty of overstepping its moral codes, A public referendum can be called for by the committee to be held in general elections and allow voters to decide if they want to impeach any officials it identifies. Moreover, the Assembly can also make recommendations and leave parliament to decide to impeach non-elected public officials, such as high-ranking civil servants. Theywill ban Politicians and civil servants from holding public office for five years in case of impeachment (*Bangkok Post*, 23 Febuary 2015).

The junta leaders insist that Thailand's democracy was broken. They say that the solution is to replace it with something more appropriate for the Thai people.

"I do not reject democracy or the world's democracy, But today we are democratic Thai-style." Prayuth said in December (*Thai PBS*, 4 December 2014).

He always presents the junta as a neutral arbiter who just wants to make Thais happy again. In reality, the junta has already shown its deep bias with red-shirt more than yellow-shirts and treat the latter less harshly than even relatively neutral.

On the other hand of National Reconciliation, The NCPO took firm control of the state. It purged officials deemed sympathetic to Thaksin and the PTP, beginning with police officers and provincial governors. The national police chief, director of the Department of Special Investigation and permanent secretary for defence were transferred, the latter two to inactive posts. The NCPO amended the procedure for appointing the police chief to include more military input while excluding the prime minister. It has carried out an ongoing process of reshuffling government officials, and offered assurances that the transfers are not political (*Reuters*, 4 June 2014). The military asserted control over the boards of state enterprises. Classmates, relatives and allies of NCPO officials gained important posts (*Bangkok Post*, 6 July 2014).

Key constitutional bodies set up by the NCPO, such as the National Legislative Assembly (NLA), the National Reform Council (NRC), and the Constitution Drafting Committee (CDC), are all dominated by military personnel and other junta loyalists that means there are no effective checks and balances on military rule. On 31<sup>st</sup> July, the king endorsed the NCPO's 197 appointed NLA members, half of whom are retired or active-duty military officers. Prayuth defended the preponderance of officers by noting "the situation is not normal" (*The Nation*, 9 August 2014). Ten police generals and several anti-Thaksin appointed senators also were appointed. Only twelve women and four representatives of non-government organisations (NGO) gained seats (Bangkok Post, 2 August 2014: 5). The NLA unanimously elected former Supreme Court judge PornpetchWichitcholchai as president of the chamber. He was the only candidate (*Khaosod English*, 8 August 2014). The NLA appointed General Prayuth as prime minister on 21 August in a unanimous vote (*Bangkok Post*, 27 September 2014: 3). The 32-member cabinet includes eleven active and retired military officers. General Prawit is deputy prime minister and defence minister. General Anupong is interior minister.

General PaiboonKhumchaya, NCPO legal affairs adviser later appointed justice minister, said:

"NCPO are not brilliant, we're not sorcerers who can do anything, but we have the power to solve problems. We took that power, which was illegal and undemocratic. We don't dispute that. But if we hadn't, the country couldn't move forward. ...

Democracy had to be abandoned for a while." (*Reuters*, 5 June 2014)

The military is concentrating power in its own hands rather than recruiting technocrats to handle pressing economic issues and run the government. The NCPO is not necessarily well prepared for Thailand's economic, reconciliation and reform challenges (Ponsudhirak 2014: 9). The army is riven with factionalism, mostly between the Eastern Tigers and the King's Guard, known as Wong Thewan (Divine Lineage). The army is increasingly politicised, according to some, as loyalty trumps merit in promotions. Larger academy class sizes spurred increased competition for coveted posts, eroding corporatism (*Ockey* 2014: 66,72). Prayuth selected his protégé General UdomdejSitabutr as new army commander in September. Udomdej immediately pledged that there would be no counter-coup. Upon taking command of the First Army Region, Lt. General KampanatRuddith of the Wong The wan faction made the same promise (Bangkok Post, 5 October 2014:4). That such assurances were needed perhaps signals the depth of concern about a potential split in the army. On 3 October, Udomdej ordered a reshuffle of 371 officers in the 1st, 2nd, and 9th infantry divisions, units instrumental in staging coups. Officers affiliated with the Wong Thewan faction were removed from command and replaced by Eastern Tiger loyalists (*Bangkok Post*, 9 October 2014: 3).

The NCPO's regular deprecation of representative government and elections raises questions about its interpretation of democracy. In his weekly address on 6 June, Prayuth asked if Thailand was ready for democracy. Later he said,

"I may not be 100 per cent democratic. But I want to ask if being 100 per cent democratic did anything good to the country?." (*The Nation*, 22 November 2014: 4A)

The coup makers may form a political party, or sponsor one, to advance their interests after a return to elections. Leading NCPO members, including Generals PrawitWongsuwan, AnupongPaochinda and Prayuth Chan-ocha and National Police Chief SomyotPumpanmuang, are linked to NewinChidchob the leader of the Bhumjaithai Party (BJT). Reports suggest that retired officers might cooperate with BJT and another small party like Chartpattana to contest the

next general election (*Post Today*, 3 August 2014: 4). Establishment of a political party with partners would cast doubt on the coup makers' commitment of eradicating corruption. The viability of a military-backed party may in part depend on the electoral system.

## **Political Reform**

# **Populist Policies**

Post-coup economic troubles, the Prayuth regime sought to earn the domestic legitimacy by focusing on keeping the Thai population economically happy. Even though this could mean he had to imitate the populism to win political scores. Thaksin's critics equate populism with redistribution of public monies to win elections, but the military government has found spending also to be politically prudent. Among its first priorities was disbursing 92.4 billion baht to rice farmers awaiting payment from the Yingluck government's rice-pledging scheme (*The Nation*, 21 October 2014: 1A). In August, the NCPO revived a 2 trillion baht infrastructure development plan (*The Nation*, 28 August 2014: 1A) that was almost identical to that proposed by Yingluck's government<sup>4</sup>. In October, the government approved 364 billion baht in stimulus spending, including 40 billion baht for rice farmers to subsidize production costs. Prayuth said it should not be called "populism" but "Thai-ism." (*Thai Rath*, 9 October 2014: 5)

The junta took immediate action in paying farmers under the rice pledging scheme by borrowing funds from state-owned banks and cooperatives. On 17<sup>th</sup>June 2014, all outstanding payments to farmers have been made. A total of 195.394 billion baht had been paid to the farmers who pledged their rice (*Bangkok Post*, 18 June 2014: 2). On 14<sup>th</sup> June 2014, Prayuth announced the decision to scrap the rice pledging scheme during a meeting on the 2015 budget and ordered the Agriculture and Cooperatives Ministry to find alternatives to improve the livelihood of rice farmers. This is a generally unpopular decision according to a poll conducted by the National Institute of Development Administration which indicated that 56% of 1,464 people surveyed felt that the NCPO should continue the rice pledging scheme. There is an overall consensus on the need to formulate an income guarantee system to protect farmers from fluctuations in rice prices (*Bangkok Post*, 14 June 2014: 1). The NCPO approved 6,600 million

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<sup>&</sup>lt;sup>4</sup> On 12 March 2014, the Constitutional Court ruled the Yingluck government's 2.2 trillion baht loan bill for infrastructure development unconstitutional on substantive and procedural grounds

baht for compensation to aid rubber farmers, and another 5,400 million baht for people affected by natural disasters including the 2012 floods and the recent earthquake in northern Thailand (*Thaiembassy.org*, 20 June 2014).

On 26<sup>th</sup> September 2013, Prime Minister YingluckShinawatra launched the Building Thailand's Future 2020 programme which emphasized transport infrastructure development. A total investment of 2 trillion baht was to bring about high speed trains, a dual track rail service and electric train lines. The launch of the programme was heavily critiqued, especially by the Democrat Party, who in response unveiled an alternative infrastructure project with the same budget to target four key areas of development: transport, education, development and research (*Bangkok Post*, 27 September 2013). On 3<sup>rd</sup> June 2014, the junta gave the go ahead for 10 dual-track projects while subjecting the high speed rail project to further cost benefit analysis. This move was backed by the Democrat Party who advocated its cost effectiveness. The approximate expenditure for the dual track projects is said to be around 1.3 trillion baht out of the 2 trillion baht investment package to upgrade Thailand's transport infrastructure (*Bangkok Post*, 3 June 2014).

The junta's economic policy is the imperative of raising consumer spending. This agenda bears an uncanny resemblance to those of previous civilian governments and similar administrative methods have been used to cap inflation. These include the continuation of energy subsidies, which in principal resemble the fuel price subsidies of 2004. There has also been talk of lowering the 7% VAT rate to encourage consumer spending, but nothing concrete has been implemented yet. The management of inflation is necessary to maintain a grip on political dissent (*Bangkok Post*, 31 May 2014).

Prayuth announces the payment to farmers as part of the rice-pledging scheme. This scheme was the basis of a corruption charge that was filed against Yingluck to remove her from office. Similarly, Prayuth justifies the purging of government offices by saying those moved were involved with the previous government and needed to be moved in order to resolve the conflicts. Conversely, Yingluck and half of her cabinet were removed from office by the constitutional court for reshuffling just one official. Moreover, Prayuth even says the junta will consider long-term infrastructure projects such as railways. Again, Yingluck's policy of building high-speed rail links was overturned by the constitutional court. As Prayuth observes:

"The caretaker government was unable to perform their duties effectively." (*thaigov.go.th*, 30 May 2014)

But he does not note that this was because his anti-Yingluck allies in the judiciary, parliament and the PDRC deliberately paralysed the government while the security forces did nothing to uphold the government's right to govern. Now he has copied the Yingluck's government policies. Prayuth insists that projects will not be undertaken to court popularity or political reasons like in the past. In reality, Thai society reform of junta is courting political support just as much as Yingluck's government had.

## **Cyber Security**

In January 2015, the military's cabinet approved an attempt to transform Thailand into a digital economy. They have moved a pace ahead with eight draft bills related to the digital economy winning cabinet. The bills aim to restructure the Information and Communication Technology Ministry to rename as the Ministry of Digital Economy and Society and related agencies to facilitate the digital economy development plan. One of the most controversial digital economy bills is the Cyber Security Bill.

The Cyber Security Bill will give the Thai authorities power to conduct mass surveillance on all communication devices in the name of national security. Content defaming the Thai monarchy, which violates Article 112 of the Criminal Code or the lèsemajesté law, is strongly viewed by the junta as a threat to national security. The cyber security bill will serve as a tool for the junta to further intensify its purge of lèsemajesté. Prayut Chan-o-cha, the junta leader, revealed to the press that among the prime objectives of the controversial Digital Economy Bill and Cyber Security Bill is a crackdown on online lèsemajesté content.

"We will develop software for goods and services. If there is private [online] content, no one would mess with it. But if some people commit crimes such as lèsemajesté, we have to investigate the matter. The accusation that the government is not taking care of Article 112 of the Criminal Code, known as the lèsemajesté law is because those lèsemajesté websites operate from overseas. They can't be removed because other countries don't have a law like ours. They don't allow us to shut down lèsemajesté content. Then why don't we make our country safer because our house is different from

their houses. Thai people are not like westerners. We eat rice and they eat bread, which is different. We are truly Thai." (*Political prisoners of Thailand*, 22 January 2015)

The proposed series of bills involve the establishment of a state organization to deal with all kinds of electronic transactions and the creation of a National Committee for Cyber Security, This organization can conduct mass surveillance on every means of communication in the name of "national security" (Bangkok Post, 13 January 2015). In the draft of this bill, It should be noted that content defaming the Thai monarchy, which violates Article 112 of the Criminal Code or the lèsemajesté law, is strongly viewed by the junta and previous governments as a threat to national security. The supervision of the Minister of Digital Economy and Society can operated the National Committee for Cyber Security to oversee threats to national cyber security. This is defined as cyber threats related to national security, military security, stability, economic security, and interference on internet, satellite, and telecommunications networks (Prachatai English, 22 January 2015). Futhermore, the committee is authorized to access all communication traffic via all communication devices, such as internet, post, mobile phone, telephone, and other electronic devices. This committee will also have the authority to order all private and public organizations to cooperate against any perceived threats to national cyber security. Meanwhile, in Feb 2015, more than 20,000 people have signed a petition urging the military not to pass a set of digital economy bills. In the name of national security, the state will be given by this bill to control powers of mass surveillance and communications (Rojanaphruk 2015: 1A).

#### **Interim Constitution**

After the 2007 Constitution was torn up two months ago, Thailand was presented with an Interim Charter with 48 articles on 22 July 2014. The proclaimed aim is to create a genuine democracy by reforming the country and to eradicate corruption as stated in the constitution's preamble before organizing new elections. The significance of the charter is that it allows the establishment of three bodies: a National Legislative Assembly (NLA), taking the responsibilities of Parliament, a National Reform Committee (NRC), which will propose a reform plan aiming at re-engineering the Thai political landscape and a Constitution Drafting Commission (CDC) which is responsible for drafting a permanent constitution. These bodies are selected and appointed by National Council for Peace and Order (NCPO). It provides for the NCPO to appoint a National Legislative Assembly (NLA) of no more than 220 people, and a

National Reform Council (NRC) of 250, which will vote on a draft constitution. The NRC, NCPO, cabinet and NLA appointed a 36-member Constitution Drafting Committee (CDC).

The interim charter provides no means for popular political participation. Section 44 gives the NCPO special powers in which any action it deems necessary in the interest of reconciliation, reform or public order is lawful<sup>5</sup>. Rights are only when they cannot be arbitrarily violated. While Section 4 of the Interim Constitution says that basic civil rights of citizens be protected. It also says that these rights are subject to constitutional provisions which includes the provision that gives the junta absolute power to issue any arbitrary order as law. The NCPO has broad authority under sections 44 and 47 to limit, suspend, or suppress fundamental human rights protections<sup>6</sup>. With this recognition of arbitrary use of force as legitimate, the mention of rights is meaningless. No rights are actually protected at all. In this sense, the Interim Constitution pretends to protect civil rights, when in truth it abolishes them. At the same time, the Interim Constitution redefines arbitrary use of force as rule of law.

Section 44 provides the NCPO with wide discretion to issue orders and undertake acts the military authorities deem appropriate, regardless of the human rights implications. Section 44 states that "where the head of the NCPO is of opinion that it is necessary for the benefit of reforms in any field, or to strengthen public unity and harmony, or for the prevention, disruption or suppression of any act that undermines public peace and order or national security, the monarchy, national economics or administration of State affairs," the head of the NCPO is empowered to "issue orders, suspend or act as deemed necessary... Such actions are completely legal and constitutional." This sweeping power is to be carried out without any judicial or other oversight. The NCPO head only needs to report his decisions and actions to the National Legislative Assembly and the prime minister immediately after they are taken.

It gives the NCPO supreme authority over the interim government. VisanuKreu-ngam, a drafter of the interim constitution, said,

<sup>&</sup>lt;sup>5</sup>See Section44, Interim Constitution of the Kingdom of Thailand 2557. A Thai-language version is available at www.ratchakitcha.soc.go.th/DATA/PDF/2557/A/055/1.PDF. An unofficial Englishlanguage translation is available at http://lawdrafter.blogspot.com/2014/07/translation-of-constitution-of-kingdom.html?m=1.

<sup>&</sup>lt;sup>6</sup>See Section44 and 47, Interim Constitution of the Kingdom of Thailand 2557.

<sup>&</sup>lt;sup>7</sup>See Section44, Interim Constitution of the Kingdom of Thailand 2557.

<sup>&</sup>lt;sup>8</sup>See Section 5 and 35, Interim Constitution of the Kingdom of Thailand 2557.

"If the NCPO exists without such power, there could be problems that might lead to a counter-coup." (*Bangkok Post*, 23 July 2014: 5)

All NCPO orders and announcements are law irrespective of the charter. Section 48 gives the NCPO and those carrying out its orders amnesty for all past and future actions. With regard to the next constitution, the interim charter makes "Thai-style democracy" with Section 35 modifies the longstanding formula "democratic system of government with the King as Head of State" appropriate to Thai society. This language appears to have been inserted to underscore intent not to rely on Western norms<sup>9</sup>. According to Section 5, the Constitutional Court is the final arbiter of what constitutes "Thailand's administrative traditions". Consistent with the PDRC agenda, the charter requires the next constitution to provide the mechanisms to control corruption, ensure fair elections, strengthen ethics and rule of law, and prevent populist policies from damaging the economy<sup>10</sup>.

The interim constitution under sections 6, 30, and 32 creates a closed and undemocratic political system under which the NCPO will hand-pick members of the National Legislative Assembly, the National Reform Council, and the Constitution Drafting Committee. The National Reform Council is to examine and make recommendations on creating a democracy, holding free and fair elections, and considering other various reforms. There is no clear time frame for the Constitution Drafting Committee to present the draft constitution, which will not require public consultation or approval by referendum. Under the Interim Constitution, the new permanent constitution will be drafted and voted through only by bodies appointed by the junta. It will not go through a popular referendum. Such an undemocratic origin will not give rise to a democratic content. The population will be force-fed with a permanent constitution that continues the junta's authoritarianism in a permanent form<sup>11</sup>.

Sections 8 and 33 broadly bar people who have held positions in political parties over the past three years from becoming members of the National Legislative Assembly (NLA) and the Constitutional Drafting Committee (CDC). The preamble says the priority will be given to fundamental principles rather than democratic procedures. No one who has held a position in a

<sup>&</sup>lt;sup>9</sup> See Section35 and 48, Interim Constitution of the Kingdom of Thailand 2557.

<sup>&</sup>lt;sup>10</sup> See Section5, Interim Constitution of the Kingdom of Thailand 2557.

<sup>&</sup>lt;sup>11</sup> See Section6,30 and 32, Interim Constitution of the Kingdom of Thailand 2557.

political party in the past three years may sit on the NLA. No one who has held party membership in the past three years is eligible for the CDC. The NCPO operates concurrently with the interim government. Such restrictions do not apply to members of the NCPO and serving military and police personnel, or other government officials. These provisions make it possible for General Prayuth to take the office of prime minister while maintaining leadership over the NCPO<sup>12</sup>. Section 20 Prime minister or cabinet member must be born Thai, no younger than 40 years, and must to be university education with at least a Bachelor's degree<sup>13</sup>. Its role is to maintain security and to create an atmosphere conducive to talking, reconciliation and harmony. Prayuth insisted he is acting transparently in the national interest, but the NCPO retains ultimate power<sup>14</sup>.

The regime's image was dented when it was revealed that 28 NLA members had filed a petition in the Administrative Court seeking to avoid the National Anti-Corruption Commission (NACC) directive that members declare their assets(Bangkok Post, 29 September 2014: 3). Their request was denied. The declarations showed that many career government officials and officers in the NLA have considerable assets(Bangkok Post, 4 October 2014: 3). This effort to evade transparency, and revelations of wealth, sit uncomfortably with the image of irreproachability propagated by the NCPO. The NLA has been preoccupied with determining the scope of its authority to impeach politicians. At issue is the fate of more than 380 lawmakers aligned with PTP, who could be banned from politics if the NLA accepts NACC impeachment recommendations and finds them guilty. The NLA gave itself broad powers to impeach in late September, but sent back the NACC recommendation to impeach former house speaker SomsakKiatsuranon and former senate speaker NikhomWairachpanich for their role in passing an amendment for a fully-elected senate that the Constitutional Court later struck down. The NACC resubmitted the file and on 6 November, after more than three hours of secret debate, the NLA voted 87-75 to accept the case(*Bangkok Post*, 7 November 2014: 4).

The NRC is responsible for devising proposals for reform of eleven sectors, including politics, local government, education and the economy, and presenting them to the CDC. Its members will also vote on the draft constitution. The NRC may propose amendments or

<sup>&</sup>lt;sup>12</sup>See Section8 and 33, Interim Constitution of the Kingdom of Thailand 2557.

<sup>&</sup>lt;sup>13</sup>See Section 20, Interim Constitution of the Kingdom of Thailand 2557.

<sup>&</sup>lt;sup>14</sup> NCPO Announcement No. 33/2015

revisions. If the NRC rejects the draft, the CDC and NRC members may be replaced with new members and the process restarted. The NCPO controlled appointments to the NRC from selecting screening committees to picking members. Allegations of nepotism and favouritism marred candidate selection (*The Nation*, 23 September 2014: 2A). The NRC is stacked with Thaksin opponents, bureaucrats, conservative academics and PDRC veterans (Bangkok Post, 30 September 2014: 5). GothomArya, director of Mahidol University's Center for Peace Studies, said of a leaked roster of NRC appointees: "You can't achieve reconciliation with that list." (*The Nation*, 30 September 2014: 3A)

Furthermore, the Interim Constitution grants the junta impunity from "any guilt or responsibility whatsoever for any illegal act committed before, during, or after the military coup on 22 May 2014"<sup>15</sup>. The NCPO members and anyone carrying out actions on behalf of the NCPO, including the May 22 coup shall be absolutely exempted from any wrongdoing, responsibility and liabilities. They always say to bring peace, order and happiness but the junta give themselves a wild card to continue or even escalate their human rights violations without ever being held responsible.

# **The Analysis of Thailand 2014 Coup**

As mentioned above, in the case of governments run by the military or installed by the military who staged the coup, the authoritarian nature of the regimes has been obvious. In this part I would like to analyze the specific of Thailand 2014 Coup case as The Coup for ending politicians and corrupt government, the Anti-electoral Democracy, and was trying to return "reconcile and happiness" to Thai society by "Thai-style democracy" against Thaksin and Red shirt in Thailand's underdevelopment institution.

After staging the coup, General Prayuth has noted that Thailand eventually will return to democracy, but that whatever democracy emerges will be what he and many Thai elites call a "Thai-style democracy" or a democracy with Thai characteristics. This is similar to The previous military governments and elites in Thailand that they always used this word to legitimate themselves from the authoritarian allegation. Actually, "Thai-style democracy" had emerged for commentators as a legitimate alternative to Western-style democracy (Maisrikrod 2007: 340).

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<sup>&</sup>lt;sup>15</sup>See Section48, Interim Constitution of the Kingdom of Thailand 2557.

There is a culturally Thai way of doing politics. Thai culture as being incompatible with western idea about democracy. This Thai way is based on a rationality that draws on Buddhist-based cultural paradigms that emphasize improvisional, compromised, and flexible adjustments to their Thai's social world (Kitiarsa 2006: 3). The Buddhist cultural principles included in this approach emphasize notions of good governance, righteous leadership, and the ideals of *dhammic* kingship.

Thai-style democracy perspective was indeed evident during the long period of political disputation. And the king is a pillar of Thai democracy because his moral power contrasts so starkly with the corrupt and corrupting practice of politicians (Mektrairat 2006: 220). Those who close to the king also bask in the glow of moral authority that derives from the Dhammic king (Maisrikrod 2007: 349). Field Marshal SaritThanarat's use the word *prachathipatai* (democracy) with *Baep Thai* (Thai-style) to describe a political system that was harsh, repressive, despotic and inflexible (Chaloemtairana 2007: 10). Sarit sought this legitimacy in the development of notions of Thainess including ideas about Thai-style democracy to overturn Western ideology associated with democratic government (Connor 2003: 48). KukritPramoj became the great propagandist for Sarit's authoritarianism and the revival of royalism. Kukrit claimed that under the military regime, people should be confident that the country was ruled by a "good man" and this is different from being governed by politicians who seek only their own interest (Sattayanurak 2007: 69).

Kukrit began to talk seriously about a Thai-style constitution and Thai-style politics in 1962 by asserting that the Thai-style of government corresponds to Thai traditional institutions and also to the state of mind of Thai people (Sattayanurak 2007: 31). Kukrit asserted that determining government through elections was inappropriate for Thais. Thais were not ready for Western-style democracy. Meanwhile, Kukrit claimed that coup were not such a dad thing if they get rid of the bad politicians and bad parliamentary politics and resulted in social peace and political stability. In this sense, "Thai-style government" is a political regime where the coup becomes a mechanism for changing the bad governments with immoral politicians who have brought harm to the people (Sattayanurak 2007: 32-34,54).

Kukrit portrayed Thai society was strictly hierarchical and structured in a way that where social mobility was limited and has every person fulfilling particular functions Thai Society as an

organism in which the king is the head. Meanwhile, the government and bureaucracy are its organs (Sattayanurak 2007: 46,53). The Thai style, in terms of governance, was a political regime where the leader had absolute power so that security, peace, orderand progression could be sustained. (Sattayanurak 2007: 38-39). The monarch's political role is to control and watch over government in the best interests of the people because the king is the father of the familynation and a benevolent and moral leader who protects his people from all threats. The monarchy is not an obstacle to democracy but he is the centre of Thai-style democracy. The king is effectively the moral check and balance on government to protect in the interests of his children due to the king has all of virtues in which all good political leaders will pay respect to and loyalty for the king and must be his defenders (Sattayanurak 2007: 40-47,61). On the other hand, Western- style democracy led to chaotic politics

Yingluck's government as a case of electoral power without moral authority was full with the immoral politicians and many corruption scandals. In August 2014, after a blanket amnesty bill covering the period from 2004 to 2013, it was revealed. This bill would have included the corruption charges laid against Thaksin during the 2006 coup as well as the murder charges against Abhisit and Suthep over their conduct of the 2010 mass protests in support of Thaksin. Anti-government groups led by the People's Democratic Reform Committee (PDRC) were triggered due to the bad government, wanting to forgive itself from stigma. On 8 December 2013, electoral-democracy was interrupted by the resignation of all 153 opposition Democrat Party's members of parliament. Yingluck, then, dissolved the House of Representatives by calling a snap general election for 2nd February 2014. Again, the general election was disrupted by the anti-government protesters of PDRC. The election, then, was not completed on that day. On 7 May 2014, the Constitutional Court unanimously removed Yingluck and nine other senior ministers from office over the controversial transfer of a top security officer in 2011. The political turmoil of the demonstration, the immoral of politicians including the rice-pledging scheme, and the problematic of electoral system are an excuse of the military, led by General Prayuth Chan-ocha, to stage the coup on 22nd May 2014. This military coup group is the representatives of royalists who are bringing back Thai-style democracy.

After seizing the power, the junta made security its first task. The junta restricted civil and political rights, including a prohibition on political assembly. Censorship began

withsuspension of all radio and television broadcasts and soldiers deployed to newsrooms including the lese majeste law of article 112 and offences related to national security. They moved swiftly to deter anti-coup activism and summoned people in which to criticize or agitate against military rule, including, academics, journalists, PTP politicians and Red Shirts in particular. They explained the purpose of detaining coup opponents was to effect an "attitude adjustment". In the same time, they aimed to achieve national reconciliation after the long period of demonstration by taking up the slogan "returning happiness to the people" to dissolve the color-coded politics that has deeply polarized Thailand for about a decade ago and to bring unity to the nation. "12 traditional Thai values" also invented to make students learn about the duty of Thais, discipline, morality and patriotism. Along with, the plan to create a 'National Virtue Assembly' under the idea to vote whether to kick start a moral inquisition of politicians and public officials deemed immoral. In cases of elected politicians and holders of political posts or local administrators guilty of overstepping its moral codes, the committee can call for a public referendum to be held in general elections and allow voters to decide to impeach any officials it identifies.

In term of the structure of power relations between groups of people in society. The junta established The 2014 Interim Constitution with 48 articles endorsed by the king on 22 July 2014. The proclaimed aim is to create a genuine democracy by reforming the country and to eradicate corruption before organizing new elections. The interim charter provides no means for popular political participation. Section 44 gives the NCPO special powers. Section 48 gives the NCPO and those carrying out its orders amnesty for all past and future actions. With regard to the next constitution, the interim charter makes "Thai-style democracy" with Section 35 modifies the longstanding formula "democratic system of government with the King as Head of State" appropriate to Thai society. This constitution requires the next constitution to provide the mechanisms to control corruption, ensure fair elections, strengthen ethics and rule of law, and prevent populist policies from damaging the economy. There is no clear time frame for the Constitution Drafting Committee to present the draft constitution, which will not require public consultation or approval by referendum. Under the Interim Constitution, the new permanent constitution will be drafted and voted through only by bodies appointed by the junta. It will not go through a popular referendum. The National Legislative Assembly (NLA) will be housing both chambers of the House filled with appointees of the junta, who are not politicians or have

been that for the past three years. Prime minister or cabinet member must be born Thai, no younger than 40 years, and must to be university education with at least a Bacherlor's degree.

Meanwhile, the military government has repeatedly emphasized the need to curtail populist policies in order to stimulate an economic revival and domestic stability. Prayuth and his junta have kept many of the Yingluck's policies. For example, in one of the first moves, the junta moved to free up some of billions baht owed to farmers still waiting for cash under a rice subsidy that collapsed in disarray at the end of the year 2013, the NCPO revived a 2 trillion baht infrastructure development plan in August 2014 that was almost identical to that proposed by Yingluck's government, and so on.

So what is meaning of the military's political reform? In the sense, the reform of Thai politics seems to reform from the electoral system governed by immoral politicians with the corruption. This old system is permeated with the anti-government people who misunderstand about Thai-style democracy. That means they need an "attitude adjustment" in the soft cases, but for the harsh cases, they need to be in jail. Instead of the old political system, this military coup has the task to establish the new political system in Thai-style democracy. This system will be filled with virtuous people inside and outside the parliament. They are trying to create the new parliamentary system in which to lead and guide by virtuous elites without checking from people, while, to control the majority who always misunderstanding of the moral leaders by limiting their rights to vote. They attempt to balance the popular vote with the wisdom of virtuous people. On the other hand, in term of outside the parliament, they educate the juveniles through the education system by following the moral guidance of the King and love the nation, religion, and monarchy and reconcile with the opponents by the discourse, along with, activities to return "happiness" to people.

# **Chapter V : Conclusion**

After ending the absolutism of the monarchy in 1932 and constitutionalism entering into the Thai polity, the military has remained a dominant force in Thai politics. Thailand's first general election was held in 1933. it was not linked with the electorate but with the factions in the military. This was only a tool to legitimize the political system and process in which competition for power. Plack Phibunsongkhram (Phibun) went on to become Prime Minister in 1938. But after World War II, civilians, influenced by Pridi, were able to take control of government because of the "Free Thai" organization. After a short break of civilian control under uncertain circumstance, including the death of King Ananda, the stage was set for another military coup in 1947.

In 1951, the armed forces under Phibun placed the army at the apex of power again. He officially sanctioned political parties and began to pursue reform policies. During the reforms of Phibun's last couple in the office, there were two prominent opposing factions were able to develop. Police General Phao Sriyanond and Field Marshal Sarit Thanarat represented two powerful factions that posed a threat to Phibun's hold on power. Finally, Sarit was able to overthrow the Phibun regime in 1957. After the 1957 coup, the constitution was temporarily suspended and a government was appointed. An election was held in 1958 but Sarit decided to stage another coup again in 1958 as a result of the inability of the government to control the internal strife and the economic condition.

During the Sarit period, the military continued to grow and expanded its role. Moreover, the restoration of the monarchy in the 1950s under Sarit regime began a long period of an increasing role for the king as a national leader in Thai society. Sarit remained in office until his death in 1963 and his deputies Thanom Kittikachorn and Praphas Charusathien eventually continue to hold the power from 1968 to 1973. A constitution was drawn up in 1968 with elections held in 1969. Constitutional reform was demanded across all spectrums of society. Thanom responded by reestablishing military rule in 1971. After continued repression and corruption, politically aware students rebelled against the Thanom's government in 1973 protests that turned violent and followed by the exile of Thanom and followers.

The time between the 1973 uprising and a bloody massacre in 1976, in which civilian leadership was controlling Thailand. In 1974, a constitution was approved and free elections were held in 1975. These are some factors of the great divide between the leftists and the conservatives. This divide had clearly appeared when Thanom returned from exile and resulted in the bloody events of October 6, 1976. A military coup was presented to the public again and a new government was formed under Prime Minister Thanin Kraivichien. He established a regime in his way that was more repressive than those of the military. The military once again stepped in and staged a coup on October 1977.

During the 1980s, The semi-democratic system of government was a strategic decision by the military leaders to remain in power. From March 1980 to 1988, General Prem Tinsulanonda was in power. After 1981 Prem had succeeded in co-opting most military officers under his control. Thailand was still fighting a communist insurgency. Democracy, thus, was viewed as a weapon against communism. A strategy used to suppress the Communist Party Thailand (CPT) was building democratic institutions. This policy had the support early on from various factions within the military including the Democratic Soldiers and The Young Turks. Eventually, the two coup attempts in the 1980s resulted in part from differences above the pace and nature of democratization. Thus, the period of Prem's rule brought a new balance under semi-democratic institutional arrangements in Thailand's political environment satisfying the interests of the army, the political parties, and bureaucracy.

In 1988 Chatichai Choonhavan's entrance into government appeared to be a successful consolidation of democratic forms. The politicians had benefited from growth in civil society and the business community. Through established networks of vote collectors, business interests were able to gather votes in rural areas that sought immediate returns for their representation in Parliament. Nevertheless, Prime Minister Chatichai recognized the political strength of the military. He made efforts to avoid such conflict as much as possible. On the other hand, Chatichai was willing to test the strength of the military with an attempt to dismiss the military leadership. Last period of his office, the Chatichai government had developed a reputation for excessive corruption. The attempt by Prime Minister Chatichai to challenge the military failed without a faction within the military, the monarchy, business elites, or the public willing to support him. Finally the military once again usurped power on 23 February 1991.

Generals Suchinda Kraprayoon and Sunthorn Kongsompong were the military players to dissolve Chatichai government and heading a military manipulated the election and dominated coalition. This in combination with General Suchinda's broken promise that he would not assume the Prime Ministership led people to consider the military as corrupt as the civilian leadership such as the former government. This military's attempt to retain power was met with resistance from the masses. It was perceived by some that for the first time the protesters were the urban middle class constituted a large majority of the protestors. The call for electoral democracy was widespread and this dilemma situation was ended by military's suppression. A military massacre of demonstrators was shown across the international media, which compelled Prime Minister Suchinda's resignation.

By calling the competing factional leaders between the newly elected Prime Minister General Suchinda Kraprayoon and Chamlong Srimuang to prostrate before him, the monarchy rose in stature and brought about a political compromise. The new government returned to the semi-democratic form of elected and appointed leaders. The gradual trend toward more democracy would continue throughout the decade. The financial crisis of 1997 permitted the biggest step toward democracy with the passing of the more participatory and competitive "People's Constitution." Through the 1990s, Thailand's military had a shrinking role in politics and the reforms of democracy were on the rise. After the events of 1992, the military directly administering the government appeared to be over. However, the military remained a competent institution in its core areas of defense policy and foreign affairs. Thailand's military made shifts toward accepting civilian oversight and becoming a more "professional" force, but the politicized nature of the military leadership returned after Thaksin entered office.

In 2001, Thaksin entered office with overwhelming support of the population to make government more responsive. His Thai Rak Thai (TRT) party combined populist policies –that affected interests of the poor and rural middle-class people- with big business interests to gain overwhelming electoral support. The majority support that brought TRT into power also legitimated Thaksin's goals and his role as the nation's leader. But when the former Thaksin's supporter were alerted by his obvious authoritarianism and contempt for democracy, rights, and freedoms, their disillusion was bitter. People's Alliance for Democracy (PAD) became the focus of a new anti-Thaksin mobilization. Finally, in late 2006, the military again referred to itself as a

professional institution. Despite the efforts over the last 14 years after May 1992 the military had not become less political, Again, in 2014, the military staged a coup headed by General Prayuth Chan-Ocha to oust Yungluk Shinawatra's government, which had come to power in the 2011 elections.

Most perceived her rise to power as benefiting Thaksin Shinawatra. In 2013, the Pheu Thai-majority House approved a draft amnesty bill, which could ended Thaksin's political exile. The bill's initial version had bipartisan parliamentary support and was aimed at pardoning low key protesters and others associated with protests and acts of violence dating back from 2004 until August 2013. Later, the bill became would have pardoned protestors involved in various incidents of political unrest since 2004, dismissed Thaksin's corruption convictions and annulled the murder charges against Abhisit and Suthep. Its sparked opposition to both Pro-Thaksin and Anti-Thaksin. Thaksin's opponents protested against adsolving Thaksin of his convictions by the movement of demonstrations called the People's Democratic Reform Committee (PDRC). Eventually, The military junta ousted the government.

The military coup of 22 May is the 12<sup>th</sup> coup since the abolition of the absolute monarchy in 1932. The coup effectively overthrew the elected government of Yingluck Shinawatra who was accused of condoning corruption. Earlier, the People's Democratic Reform Committee (PDRC), led by Suthep Thaugsuban, a MP from the Democrat Party, launched months-long demonstration, which instigated a military coup. Since the coup, the constitution was torn, civil liberty curbed and martial law put in place. Prayuth became the 29<sup>th</sup> Prime Minister on 24 August. Rising from the powerful Queen Guard unit, Prayuth was behind the coup in May and formed the new military government through which his own cliques elected him as the new premier.

The 2014 military coup occurred while electoral politics inevitably led to instability, the resulting military coups were not a bad thing when they could rid the country of bad politicians who did not display the required moral leadership. If a military-appointed government was led by a 'good man' then people could be confident that the country was in the best hands. When the junta set about developing a new interim constitution, they were resetting the political agenda and re-emphasizing "Thai-Style Democracy" as democracy with the king as head of state. The 2014 interim constitution and associated legislation increased security power, strengthened the

civil and military bureaucracies and reinserted political rules that had long been key political aims of "Thai-Style Democracy". The National Council for Peace and Order (NCPO) appears determined the interim charter that gives absolute power to the NCPO. It provides no role for elected representatives or means for popular political participation. The framework that it has set out for the next constitution suggests that elected authority will be heavily circumscribed.

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