

# Thailand: The other side of the scenery

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Thailand's idyllic image is starting to seriously crack. The continual demonstrations of recent months, which have led to the takeover of Bangkok's two airports and the overthrow of two democratically elected governments, have eroded the image of a peaceful and progressive country. [1]

Harry Nicolaides, associate professor at the University of Chiang Rai and a writer in his spare time, has languished in Thai jails for the past few months. His crime? He wrote a novel inspired by the dissolute life of prince Vajiralongkorn, son of the current king of Thailand. Although never named, the prince could be recognised and he took umbrage. Result: Six years in prison (changed to three years after Harry entered a guilty plea). And no protest from Australia, his country of origin. Friendly states, like the United States, have until now closed their eyes to Thai political reality as they benefited from an ally in this sensitive region which had been faithful since the cold war.

The case of Harry Nicolaides is not an isolated one. Numerous persons are now threatened with imprisonment for having dared to register viewpoints differing from the official propaganda which is all the ruling regime will allow. Among the targets have been the BBC's correspondent and an associate lecturer at the university of Chulalongkorn and left activist, Giles Ji Ungpakorn, accused of having insulted the monarchy in a book entitled "A coup d'état for the rich" [2]. A campaign of solidarity has been launched in defence of Giles Ji Ungpakorn and others accused of the crime of lèse-majesté, against this law and for freedom of expression [3].

Thailand is not the idyllic country described in the tourist brochures. It is a dictatorship resting on well oiled mechanisms: the crime of lèse-majesté, media self-censorship and a programme of dragooning of its citizens through school.

## Crime of lèse-majesté

In countries where the role of the monarchy has been reduced to the extent that democratic rights have advanced, the crime of lèse-majesté has tended to disappear. The trend is in the exact opposite direction so far as Thailand is concerned. The crime of lèse-majesté is the most significant of crimes there. Every year people are arrested for offending the king, the queen or their children.

Any person convicted of defaming, insulting or threatening the king, the queen or one of their heirs is liable to a prison sentence of 3 to 15 years. It is one of the most repressive laws in the world. The

term “insult” is left deliberately vague to allow the sentencing of anybody without real justification.

The annals witness to its regular use (17 cases for the year 2005 alone). Since the coup of September 19, 2006, and above all through 2008, its use has clearly widened. This is not by chance. This was also the case during the repression of 1976. Because it is a tool to silence dissident voices.

### **Setbacks to democracy**

The coup d'état of September 2006 can be seen as an attempt by the military to close what they see as the parenthesis of 2001-2006. Although the objective set by the junta was to overthrow the former Prime Minister Thaksin Shinawatra, accused of corruption, the main target was in fact the political system set up by the Constitution of 1997. The democratic advances made in Thailand at this time are on the way to being eliminated. The new Constitution, written at the diktat of the military, includes serious obstacles to democratic functioning such as the possibility of dissolving a party if the courts consider that one of its members is guilty of misconduct. This possibility has already been used twice in one year against Thaksin's party, the Thai Rak Thai (TRT, Thaïs love Thaïs) and its heir the People's Power Party (PPP).

This change has not however been made without political opposition. Despite very intense propaganda, the junta has not convinced the masses of the legitimacy of the coup d'état. Very much to the contrary, for the first time in Thai history, the workers and peasants had the sense that a political party, the TRT, implemented measures in their favour (a virtually free health care system, moratorium on the debts of peasants among others). The coup d'état was, then, experienced as an injustice: the denial of the result of the ballot boxes when it favoured the popular layers.

### **Authoritarian laws protect authoritarian systems**

In this political construction in the service of the military and the bureaucrats, the monarchy is used to guarantee the unity of the country. Postulate number 1 is that Thailand is necessarily a monarchy. Any person who contests this postulate places themselves outside of the Constitution to the extent that the latter proclaims on the one hand that Thailand is a monarchy and on the other hand that it is the duty of Thai citizens to defend the form of government determined by the Constitution (*sic*). Supposed to protect the prestige of the monarchy, the crime of lèse-majesté has been used to suppress any alternative political expression guaranteeing thus to the military and other bureaucrats the political stability of the system that they have put in place.

This is done, of course, at the expense of popular sovereignty. Political parties are only accepted if they support “the form of government decided by the Constitution”. To debate the role of the monarchy is considered an insult to the monarch. There is obviously no chance of questioning the role of the “Crown Property Bureau” which manages the colossal property of the royalty in complete opacity. Nor of questioning the role and place of the “Privy Council” of the king in Thai politics in general and at the time of the coup d'état in particular. Still less of questioning the fact that the coup d'état was legitimated by a royal decree. To affirm oneself republican or communist is a crime. In these conditions few people dare to defy the authorities and risk fifteen years in prison. And although all the Constitutions have officially guaranteed freedom of expression under one form or another, freedom of thought is in fact forbidden to Thaïs. The only liberty guaranteed in theory by the Thai regime is freedom of religion. In theory only because it is forbidden to not “follow” a religion and it is better to be Buddhist in this country where a civil war rages in the Muslim majority southern provinces.

## **Control of society**

One of the constants of Thai élites is the contempt that they hold for the popular classes. They are judged uncultivated and unprepared for democracy. Thus, since the 1970s programmes of education of the people have been implemented so as to inculcate them with the national ideology and the duties of citizens. There is no mention of rights and liberties.

History was rewritten so as to make out that the monarchy had encouraged and supported the progress of democracy in Thailand. The image of the king was modified so as to present him as a person with a high moral authority, guarantor of the unity of the country and its stability. Three specific aspects were stressed. The king was associated with numerous development projects in the countryside, showing thus his interest in the "small people" and their difficulties. One of the objectives was to lessen tensions between the peasants of the north and north east and the so called "civilised" inhabitants of the capital Bangkok.

King Bumiphol was also associated with orthodox Buddhism. Texts of the Sukhothai era (1250-1350) justifying the monarchy and social hierarchy were exhumed. Finally, large scale ceremonies glorifying the king and the Thai nation have flourished throughout his reign. The king is present everywhere and at all times in the context of a cleverly orchestrated propaganda which presents him as a father showing the greatest devotion to the peasants (he is seen visiting the most remote corners of Thailand), as a man of culture (he plays the saxophone, he is a photographer), a man of science (he is the promoter and — Thaïs believe — the inventor of the pseudo-theory of the sufficiency economy), a pious man who respects the teaching of the Buddha.

Thaïs are raised from the cradle to respect the trilogy: king, Buddha, country. There is not a place in Thailand where one can escape a giant portrait of the king, a Thai flag, or a statue of the Buddha. Public places, shops, private houses, cars carry the attributes of the trilogy. The national anthem is broadcast every day on all media, in the street and in public places at 6 pm. You cannot go to a play or a film without rising to hear it at the beginning. Children in schools raise the flag every morning and sing the national anthem and do the same in the evening when lowering the flag. It is very imprudent to question this, as Chotisak Onsoong has learnt to his cost. An anti-coup activist in 2006 and considering himself left and republican, he decided on September 20, 2007 to remain seated in the cinema when the national anthem was playing. Called on by his neighbours to get up and show respect, he refused and was accused of the crime of lèse-majesté.

## **The role of the media**

Such a straitjacket could not be imposed on Thai society without the complicity of the dominant media. The crime of lèse-majesté has also had the effect of creating a climate of self-censorship to the point where Thai journalists are afraid to criticise the institutions. The regime has no need for censorship; the journalists do the work themselves. Foreign journals like "The Economist" which dare to criticise the monarchy are simply not distributed by their Thai partner. In the Thai press, whether in Thai or in English, journalists learn with experience not to develop "sensitive" subjects. No newspaper defends a critical posture towards the monarchy. It could in the best of cases cost the career of a journalist, at the worst it could mean several years in prison. The economic interests at stake are also very important. Advertising glorifying the king paid for by companies generates significant income for the press. Some big media companies are listed on the stock exchange and take a dim view of possible problems engendered by indelicate articles.

Thus, all the newspapers give the same positive image of the monarchy. This has contributed to

spreading the idea that the king is a person of absolute morality, disinterested, who only seeks the well being of his subjects [4]. That has also contributed to developing the idea among the population that everybody adores the king, that nobody has any reason to criticise the monarchy, the king, his family, friends, advisers... . No space is left for doubts or reservations.

Thus, at the death of princess Galyani, elder sister of the king, on January 2, 2008, the editorial in the "Post Today" of January 3 claimed that: "“When the day of the passing [of the Princess] arrived everyone couldn't refrain from sorrow...The joy that everyone received during the year end and new year festivity simply evaporated, only to be replaced by sorrow of all Thai people.ir sadness... The joy that everybody had received during the new year celebrations simply evaporated and was replaced by the grief of all Thaïs" [5].

## **The army returns**

The current government led by the head of the Democrat Party, Abhisit Vejjajivah, has championed the use of the crime of lèse-majesté. His party is in the minority in the country and has not won elections for more than a decade. This is not particularly astonishing inasmuch as the Democrat Party has spent its time in opposition criticising the measures in favour of the poorer sectors put in place by Thaksin. On the contrary, it supported the coup d'état of 2006, then the demonstrations by the PAD [6].

Abhisit has obtained in return favours from the army and the king. Some parliamentarians of the pro-Thaksin faction were bribed to allow him to obtain by a narrow majority the post of prime minister. In return, Abhisit has given serious rewards to his sponsors. Thus, on a visit to Japan, where he attempted to convince the main investors that the kingdom of Thailand was again "on the rails", Abhisit was questioned on the situation of the Rohingya migrants. Thai soldiers were accused of having thrown these Muslim migrants who had fled persecution in Burma into the sea without food or water, and sometimes with their hands tied behind their backs, Abhisit assured the questioners that if the officials had committed exactions they would be pursued but stressed the fact that there was no proof that human right had been infringed, "the accusations being only based on tales told by these people and nothing more". The tales do not lack a basis, however, as witnessed by the Indonesian authorities who received 198 hungry and dehydrated Rohingya who had drifted for three weeks. They had been forced to take to the sea by Thai soldiers on a boat with no motor. At least 600 Rohingyas were not so lucky and died.

From his coming to power Abhisit has launched a crusade against all those who refused to support these attacks on democracy. The objective is to silence all potential opposition. Thousands of internet sites have been closed in a few weeks and numerous people sentenced for the crime of lèse-majesté. No fish is too small it seems. Alternative internet sites like Fah Diaw Kan [7] or Prachatai [8] which in no way represent a threat to the regime, are controlled, threatened, indeed closed.

Two and a half years after September 19, 2006, the military are no longer directly in power but they have finally succeeded in their coup. They are more powerful than ever and dispose of a government which is tied to them hand and foot. Abhisit is only a puppet serving their interests.

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**P.S.**

\* Translated from the French by International Viewpoint.

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## Footnotes

[1] See Daniel Sabai: [Thaïlande : vers la guerre civile ?](#)

[2] The book is available in French, English and Spanish at the address:

<http://wdpress.blog.co.uk/2009/01/1...>

[3] To sign the petition: [Stop the use of lese majeste laws in Thailand. Defend freedom of speech](#)

[4] For another portrait of the king see *The Economist*, "A Right Royal Mess". [A right royal mess](#)

[5] Quoted by Pravit Rojanaphruk, "Lèse-majesté law and Mainstream Newspapers' Self-Censorship : The Upward Spiral Effect and its Counter Reaction".

[6] For an analysis of the PAD see Chang Noi, [Thailand: The evolving anatomy of PAD](#)

[7] See <http://www.sameskybooks.org>

[8] See: <http://www.prachatai.com/english>