

Mediating the Mayhem? The Military and Thailand's Slide toward Pandemonium

Written by Paul Chambers

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PAUL CHAMBERS, FEB 27 2014

Thailand today is sliding into political and economic instability. The country has become dangerously polarized over the issue of which path to follow into the future and who will lead that path. The current pandemonium is nearly a decade old. Democracy in Thailand is weak, owing to a monarchy existing above the law, lack of civilian control over the military, disruptions in the electoral regime and failures to adequately enforce civil liberties and political rights.

Thailand's central institution is the palace, as assisted by an appointed Privy Council, and undergirded by an arch-royalist judiciary and armed forces. The judiciary is appointed – it is generally unchecked by the elected executive and legislature – and most judges are vehemently opposed to the deposed former Prime Minister, Thaksin Shinawatra. Meanwhile, the military only superficially follows the orders of the elected prime ministers, and is currently led by the arch-royalist Queen's Guard/Eastern Tigers faction, which spearheaded the 2006 coup and is vehemently opposed to Thaksin. Apart from these entities, there stands an elected Lower House and Prime Minister, and a half-elected Senate. Ultimately, democracy is limited in Thailand by a monarchically-endowed juristocracy, as backed by the military.

Evolution of the Current Chaos and Ascendance of the Military

Divisions in the country erupted in 2005 when thousands of protestors began to demonstrate against then-Prime Minister Thaksin Shinawatra, seen as a champion of populist democracy by the mostly-rural poor, and a threat to the economically-conservative interests of the urban middle and upper classes, as well as to the palace. Thaksin's administration was felled by a coup in 2006. Thereupon, a new constitution was implemented in 2007, which diluted the power of elected politicians.[1] Thaksin himself was convicted on charges of corruption (he then fled into exile), and the military gained enormous new powers which have since enabled it to remain virtually insulated from civilian directives.

Nevertheless, a government supporting Thaksin's agenda was re-elected in 2007. However, in 2008, it was brought down by Thailand's judiciary, and then an unelected ruling coalition (led by Democrat Abhisit Vechachiwa) was cobbled together through the intervention of arch-royalists and the military. Though this anti-Thaksin coalition remained in office until 2011, it was hampered by unrest, eventually leading to violent military repression of anti-government "Red Shirt" demonstrators in 2010. Yingluck Shinawatra, sister of Thaksin, was elected Prime Minister in 2011, taking office amidst rumors of an accommodation between Thaksin and arch-royalists. Once elected, she initiated new populist policies, including a rice-pledging scheme, meant to increase money going to rice farmers. Her government also levied murder charges against Abhisit for the quelling of the 2010 demonstrations, to the satisfaction of Red Shirts. Moreover, Yingluck and her exiled brother sought to use their majority in the legislature to amend the constitution (to increase the power of elected governments) and grant an amnesty for Thaksin (see here, for example). However, though her party enjoyed an overwhelming majority in parliament, and is popular with most police, Yingluck has never succeeded in achieving supremacy over the largest security institution: the armed forces. Under Yingluck, civilian control of the military has existed only through appearances: she has unsuccessfully sought to appease it but it remains generally loyal to the palace and Privy Council alone.

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The Crisis of 2013-2014

The most recent stage of Thailand's turmoil dates back to the summer of 2013— and it involved the military. First, a leaked audio clip revealed that Thaksin was seeking to influence the impending senior military reshuffles in October and also work out an agreement with the military leadership whereby he could return to Thailand with the charges against him dropped. Second, the military leadership was becoming discouraged by the Yingluck government's continuing efforts at a mediated solution to the insurgency in southern Thailand. Finally, Yingluck intensified efforts toward constitutional amendments and a general amnesty for those charged with or convicted of political crimes (though political leaders were excluded). Anti-Thaksin hardliners in the military, both retired and active duty began to call for the ouster of Yingluck. By August, a small but growing group of civilian demonstrators had begun to protest near Government House while the anti-Thaksin Democrat Party railed in parliament against purported malfeasance in the Yingluck government.

In October, senior palace officials ensured that the military's annual reshuffle produced a continuing leadership of anti-Thaksin commanders. This was crucial to ensure that the military would not oppose the growing anti-Yingluck protests. Meanwhile the military leadership rejected Thaksin's attempts to have it guarantee his legal return home. As a result, the Yingluck government now moved to expand the earlier legislative amnesty bill to now include political leaders (e.g. Thaksin and Abhisit). Thaksin's decision to seek a blanket amnesty was allegedly based upon a promise by an extremely senior member of Thailand's royal institution that this would facilitate Thaksin's return home.[2] Unfortunately, the anti-Thaksin Democrats refused to accede to the deal and indeed Thaksin's own Red Shirts were infuriated by the inclusion of Abhisit in the amnesty plan. Nevertheless, in the early hours of the morning of November 1, the Lower House, as dominated by Yingluck's party, passed the bill and sent it off to the Senate for approval.

This passage of a blanket amnesty became the linchpin for the eruption of renewed chaos. In November, six different protest groups melded together, most prominently under the umbrella leadership of politician Suthep Thuagsuban (who in December retired from the Democrat Party), and began occupying various parts of Bangkok. The purpose of Suthep's People's Democratic Reform Committee (PDRC) and allied groups was to force the resignation of the Yingluck government and put in place an unelected reform council which would change the constitution to further dilute the power of large parties and prime ministers before any new elections were held.

In response, the Yingluck government beefed up a powerful police presence in Bangkok but issued orders to police and Red Shirts alike to avoid physical conflict with the protestors (see here and here). Powerful army Gen. Prayuth Chan-ocha, speaking for the military as a whole, publicly stated that the armed forces would remain neutral, neither supporting Yingluck nor the protestors. In actuality, however, Prayuth shares common ground with Suthep: the former served as Army Deputy Commander and Commander when Suthep was Deputy Prime Minister (2009-2011). Also, Suthep and Prayuth have long been aligned against Thaksin. Because of such partisanship, Prayuth's apparent "neutrality" in late 2013 amounted to a mere veneer for concealed hostility toward the Yingluck government. Eventually, on December 9, under intensifying pressure, Yingluck dissolved the Lower House and called new elections—which were set for February 2. The Democrats boycotted this election, joining the protestors in the streets.

December and January witnessed only an increase in anarchy: Suthep's protestors continued to occupy parts of Bangkok but they also blocked candidate registration centers, burned voting ballots, and blocked the distribution of ballots to polling booths. These tactics were sufficient to ensure that the February 2 election failed to produce the legally sufficient number of elected members of parliament to produce a government. Since then, Thailand's Election Commission and the Yingluck caretaker government have been locked in an impasse regarding when or even whether to hold elections for the seats needed to form a new government.

An Ongoing Deadlock

This impasse has placed Thailand in legal limbo with no way out anytime soon. It thus looks like Yingluck's days as a caretaker Prime Minister will continue for some time to come. But since the February election, she has become a weaker Prime Minister. This is because, first, as a caretaker, she can only pass very limited budgets with most

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executive power temporarily transferred to the Election Commission. Second, the military appears to be biding its time, unwilling to protect Yingluck from protestors and threatening her government's survival. Anti-Thaksin demonstrators have continued to occupy parts of Bangkok—with security forces either unable or unwilling to take action. Fourth, two cases of malfeasance are slowly but surely making their way through the National Anti-Corruption Commission and will perhaps land in the Constitutional Court. These cases involve a) the possible impeachment of 308 pro-Thaksin parliamentarians who had voted in favor of amending the constitution with regard to the Senate; and b) the scandal-plagued rice-pledging scheme, which could fell the Prime Minister. Unfavorable decisions for Yingluck in either of these cases could bring her government tumbling from office. Fifth, the aforementioned populist rice pledging scheme has failed to earn profits for farmers, with many having been awaiting payments since October 2013. Little by little, some farmers have become increasingly disenchanted with Yingluck's populism, and their ire has turned to growing protests against the Yingluck government. And so, the Yingluck government today faces several enemies: demonstrators, the Democrat Party, the courts, smaller groups of farmers, and weaknesses in the latest constitution itself. Yet, of all of these, it is the military, as guided by the monarchy and Privy Council, which can potentially act as a quick, coercive game-changer to force the Yingluck government from power should it decide to do so.

Currently as the anti-Shinawatra protests have continued, it appears as though the Thai military is becoming increasingly drawn into the fracas. First, its leadership has on occasion very unconvincingly claimed to be under civilian control, contending that it can do nothing to oppose the mandates of Prime Minister Yingluck. Second, military leaders have threatened to hold the government responsible for any violence that occurs in Bangkok on account of skirmishes between protestors and police. Third, Army Commander Prayuth has met with retired anti-Thaksin generals, even going so far as to prepare for a possible coup. Fourth, and most ominously, it appears that army snipers, dressed as civilians (with faces covered and popcorn bags over their guns) have attacked both Red Shirts and police. If indeed the army or elements of it are covertly involved against the Shinawatras in Thailand's growing tit-for-tat violence, then its claims of neutrality are actually only a smokescreen.

Aside from the possibility of a coup, the next step could be that violent frictions openly erupt between the pro-Thaksin police and anti-Thaksin military.

It seems clear that Thai arch-royalists are trying either to force the voluntary resignation of the Yingluck government or divide the government's base of support among farmers. Military or judicial intervention to bring Yingluck down might only spark Red Shirt demonstrations across most of the country. However, the failure of the government to be able to make payments to rice farmers (as part of the rice pledging scheme) because of the fact that the government exists as only a caretaker, is creating a growing consternation against the Yingluck government which threatens to challenge the essence of Thaksin's original populist promises.

Conclusion: Thailand's Military as Monarchy-Backed Vote Player?

As this crisis persists, the shadow of the military has continued to grow. Indeed, the armed forces seem to be the only stable institution left in the country. Though its leadership is imbued with anti-Thaksin arch-royalism, it has superficially established itself as an apparent arbiter, but has refused to take orders from an elected civilian prime minister. Should the Yingluck government be replaced by a council of Suthep-oriented "reformers", the military stands to gain even more authority as arch-royalists would grant the armed forces more autonomy in order to keep elected governments (like those of the Shinawatras) from carving out influence in the security sector. Meanwhile, with the Thai military maintaining enormous political influence during these chaotic times, any democratic development, civilian control and the demilitarization of society will become difficult to achieve.

Thai democracy today remains unconsolidated with only the police controlled by elected civilians. The military, however, continues to be insulated from civilian monitoring. Clearly, security sector reform has hardly succeeded in Thailand. Moreover, the military's role in the erosion of Thai democracy comes amidst backsliding by other countries toward a similar phenomenon, including repression in Egypt, Syria, Cambodia, and Ukraine. What makes Thailand different is that as low-level civil war appears to engulf the country and monarchical succession approach, the country's military appears on its way to perhaps entrenching itself as a behind-the-scenes veto player (as endorsed

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by the monarch) for the immediate future.

[1] See Hicken, Allen, "The 2007 Thai Constitution: A Return to Politics Past," *Crossroads: An Interdisciplinary Journal of Southeast Asian Studies*, Vol. 19, No. 1 (2007), pp. 128-160.

[2] Anonymous personal interview with senior Thai political scientist, January 27, 2014.

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