

The Military and Democratic Backsliding in Thailand

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Declaration

The candidate confirms that the work submitted is his/her own and that appropriate credit has been given where reference has been made to the work of others.

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Abstract

This thesis aims to analyse the political role of Thailand's military in relation to the country's democratic backsliding in the twenty-first century. It has long been well known that the military is a key actor in Thai politics. The two most recent military coups, in September 2006 and May 2014, added to the long list of military coups that Thailand has seen since the end of the absolute monarchy era in 1932. Before 2006, however, there was a 15-year period during which the military was virtually absent from politics and electoral democracy appeared to take hold. As successive civilian governments won and lost power in parliamentary elections rather than through non-electoral means, Thailand at the time was evidently heading towards democratic consolidation, cementing its place as part of the global 'Third Wave' of countries adopting democracy and rejecting authoritarian rule. The 2006 coup was thus a sudden and largely unexpected event, putting a stop to the previous democratic trajectory while marking a return of the military to forefront of the domestic political scene.

Drawing on first-hand empirical data, the thesis looks at how the military has manipulated politics and contributed to the weakening of Thailand's democratic prospects. The thesis provides a detailed analysis of the role of the military that focuses on the period from 2006 to the present, a period spanning five elected governments and two military-appointed ones.

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List of Acronyms

| | |
|-------|--|
| AFAPS | Armed Forces Academy Preparatory School |
| ASC | Asset Scrutiny Committee |
| BJT | Bhum Jai Thai |
| CDC | Constitution Drafting Committee |
| CNS | Council for National Security |
| CRES | Center for the Resolution of Emergency Situation |
| CRMA | Chulachomklao Royal Military Academy |
| DP | Democrat Party |
| NCPO | National Council for Peace and Order |
| NLA | National Legislative Assembly |
| NRC | National Reform Council |
| PAD | People's Alliance for Democracy |
| PDRC | People's Democratic Reform Committee |
| PPP | People Power Party |
| PT | Pheu Thai |
| PTP | Pheu Thai Party |
| RTA | Royal Thai Army |
| RTAF | Royal Thai Air Force |
| RTN | Royal Thai Navy |
| TRT | Thai Rak Thai |
| UDD | United Front for Democracy Against Dictatorship |

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A note on convention

Throughout this thesis, Thai names are cited and alphabetised by given name (the first name) because Thai people are commonly known by their first name. For example, Prajak Kongkirati will be referred to as Prajak in the main text, and his full name will be listed in the bibliography.

A note on transliteration

All Thai words are transcribed into English using Leeds University Romanisation system, except Thai proper names which I adopt the form the person or organisation used.

Chapter 1

Introduction

“For democracy, civilian control—that is, control of the military by civilian officials elected by the people—is fundamental. Civilian control allows a nation to base its values, institutions, and practices on the popular will rather than on the choices of military leaders, whose outlook by definition focuses on the need for internal order and external security. The military is, by necessity, among the least democratic institutions in human experience; martial customs and procedures clash by nature with individual freedom and civil liberty, the highest values in democratic societies.”

- Richard H. Kohn (1997: 141)

“Pro-democracy activists frequently, and rightly, remind us of the political problems that result when the military interferes in politics. Often overlooked is the damage that interference can do to the military itself.”

- James Ockey (2014: 71)

This thesis aims to analyse the political role of the military in Thailand, focusing particularly on how it has been involved in the country’s ‘democratic backsliding’ throughout much of last two decades. It has long been well known that the military is a key actor in Thai politics. The two most recent military coups, in September 2006 and May 2014, added to the long list of military coups that Thailand has seen since the end of the absolute monarchy era in 1932. Before 2006, however, there was a 15-year period during which the military was virtually absent from politics and electoral democracy appeared to take hold. As successive civilian governments won and lost power in parliamentary elections rather than through non-electoral means, Thailand at the time was evidently heading towards democratic consolidation, cementing its place as part of the global ‘Third Wave’ of countries adopting democracy and rejecting authoritarian rule (Huntington 1991). The 2006 coup was thus a sudden and largely unexpected event, putting a stop to the previous democratic trajectory while marking a return of the military to forefront of the

domestic political scene. Though electoral politics resumed at the end of 2007, another coup in 2014 again reversed the course, this time putting the country under a repressive military government that has remained in power for nearly five years at the time of writing. Instead of realising its earlier democratic promises, Thailand now finds itself as part of another global trend: the rise of authoritarianism and the decline of democracy throughout many regions of the world (Diamond 2016).

Background: Thailand's Military and Democratic Backsliding

A major turning point in Thailand's political development took place in 2001. A general election in January of that year resulted in the emergence of a strong elected government led by telecommunications tycoon Thaksin Shinawatra (International Crisis Group 2014: 4; Ferrara 2015b: 225). Thanks in part to the widely admired 1997 constitution which favoured large parties and a strong executive, Thaksin achieved landslide electoral victories not only in 2001 but also in 2005, both times on a scale unprecedented in Thailand. His period in power was marked by an emphasis on decisive leadership, a heavy use of marketing principles borrowed from the business world, a general disdain for oppositional voices or the notion of checks and balances (McCargo and Ukrist 2005: 5), and—especially after the 2005 election—an electoral strategy geared towards voters in the mostly rural and poor regions in the north and northeast of Thailand. Though he came under growing criticisms for his authoritarian tendencies (Kasian 2006: 10), Thaksin's political dominance in the first half of the 2000s created a sense of stability in sharp contrast to the weak, short-lived civilian governments of the 1990s (McCargo and Ukrist 2005: 11-12).

In the end, Thaksin's large parliamentary majority was unable to prevent his eventual downfall. After several months of anti-government mass protests by a movement known as the People's Alliance for Democracy (PAD), the military launched a coup to topple him in September 2006, driving Thaksin into self-imposed exile with the exception of a five-month period in 2008 when he returned to Thailand. The fact that the Thai military re-emerged as a major political actor during the time of a strong civilian government, rather than a weak one, contradicts pre-existing assumptions which suggest that weak civilian governments are more

susceptible to military intervention (Alagappa 2001: 47-48). After the 2006 coup, the military remained involved in politics in various ways. It was responsible for abolishing the 1997 constitution and replacing it with one that considerably restricted the authority of the elected government. While Thaksin continued to fight elections and govern the country from afar—his party won further elections in 2007 and 2011—the military made efforts to cripple and obstruct him. At the end of 2008 it even played a key role in assembling a parliamentary majority to create an anti-Thaksin civilian government led by Abhisit Vejjajiva. Seeing that Thaksin remained a powerful electoral force, the military staged another coup in May 2014 against the elected government of Thaksin's sister Yingluck Shinawatra and has suspended elections since then. Thus far, the ruling military regime has repeatedly broken its promise of holding a new general election; even elections for municipalities and local governments have not been permitted.

Though closely related, the military's meddling in politics is not the only cause of democratic backsliding in a given country. Democratic backsliding, defined by Bermeo (2016: 5) as "the state-led debilitation or elimination of any of the political institutions that sustain an existing democracy", can take many forms. In recent years, many elected civilian leaders who have been responsible for the decline of democracy in their respective countries. Hungary's Victor Orbán is an elected leader who has weakened the judiciary and packed state institutions with loyalists (Kyle and Gultchin 2018: 40). Turkey's Recep Tayyip Erdoğan has dominated Turkey's elections since 2002 while steadily increasing his power and suppressing dissent along the way (Bermeo 2016: 11). Indeed, Erdoğan even came into conflict with Turkey's traditionally powerful military, remarkably surviving a coup attempt against him in July 2016 (Runciman 2018: 51-52). Many of Thaksin Shinawatra's actions during his time in power also violated liberal democratic principles, such as his attempts to dominate other state institutions that were supposed to provide checks and balances against the government or otherwise operate in a non-partisan manner (Baker and Pasuk 2014: 263). In short, democratic backsliding can often occur when civilian leaders overstep their boundaries and undermine existing democratic mechanisms. The military does not need to be involved. Throughout this thesis, democratic backsliding and other

similar terms, such as democratic rollback and democratic recession, will be used interchangeably.

In this regard, Thailand represents an interesting case of democratic backsliding because although Thaksin undermined democratic principles in various ways, it is the military that has played a central role in reversing the country's earlier trajectory towards democratic consolidation, not least by overthrowing two elected governments in 2006 and 2014. Moreover, the Thai military's political resurgence occurred after a relatively long period out of the spotlight. Although Thai politics has had a long history of military dominance, before the 2006 coup the issue of the military's political role had largely fallen off the agenda. The assumption, widely held and rarely challenged in the late 1990s and early 2000s, was that the Thai military had 'gone back to the barracks' (Connors 2002: 41). This prevalent view arose after army troops had clashed with and violently suppressed pro-democracy civilian protesters in Bangkok in May 1992. The event, known as 'Black May' or *phrusapha thamin*, was a crucial turning point in Thailand's political development. The military's reputation suffered a dramatic collapse, its involvement in the socio-political sphere was strongly questioned, and the Black May incident paved the way for a significant wave of broad-based, civilian-led democratic reform that eventually produced a widely admired constitution in 1997. Some observers, writing before the 2006 coup, considered the age of military intervention in Thailand to be over (Surachart 2001: 77).

It should be stressed that this thesis will by no means regard the two coups in 2006 and 2014 as the only instances of military meddling in Thai politics. Scholars have long made clear that there are many more ways for the armed forces to exert political influence other than directly staging a coup (Feaver 1999; Croissant *et al.* 2010; Serra 2010: 44-45). The military's involvement in politics is a matter of degree and should not be treated as a dichotomous coup-or-no-coup variable. In fact, a truly powerful military arguably has no need to stage a coup; the military may sometimes find it more beneficial to exert political influence from behind the scenes. By stepping into the limelight, the military risks putting itself under pressure both from the public, who generally tend to grow more and more frustrated with their rulers over time, and from democratic-minded actors in the international community who usually have a low opinion of military dictatorships.

In the words of Croissant *et al.* (2010: 954), “the absence of coups might just as well be understood as an indicator for the military enjoying a high degree of political influence vis-à-vis civilians.” The case of Indonesia is a good example that can illustrate this point. As Aspinall (2010: 22-25) argues, the Indonesian military lost its position at the top of the country’s power structure following the overthrow of the authoritarian former president Suharto in 1998. However, it has retained considerable influence over public affairs thanks to the fact that civilian leaders have been reluctant to reform it and in some instances they even rely on it for political support. The Indonesian military thus occupies a privileged spot, being one of the most politically powerful actors in the country without having to be responsible for the day-to-day operations of the government.

Thailand’s Political History and the Military’s Enduring Role

Thailand, formerly known as Siam until 1939, is a country in Southeast Asia, located at the centre of the region’s mainland portion not far from the southern border of China. Unlike its contemporaries in the region, the ruling Chakri dynasty managed to prevent the country from falling under direct colonial rule during the age of Western imperialism. Although some scholars subsequently questioned whether the country’s various concessions to the Western powers effectively constituted a form of indirect colonisation (Harrison and Jackson 2010), the idea that Thailand was never colonised has come to occupy a central part of the Thai mindset. The education system and mass media relentlessly glorify the preservation of independence, portraying it as a key achievement of the wise, absolutist kings (Thongchai 2014: 82-84).

The country remained an absolute monarchy under the Chakri dynasty until June 1932, when a group known as *khana ratsadon* or People’s Party—comprising members drawn from civilian, military and bureaucratic elites (McCargo 1998: 137)—seized power from King Rama VII, also known as King Prajadiphok. The incident is commonly known as the Siamese Revolution of 1932 (Nakarin 1992; Reynolds 1998: 479-480; Baker and Pasuk 2014: 115), though there have been long-running scholarly debates regarding the extent to which it really was revolutionary in terms of bringing about a transformation of the Thai social order (Kengkij 2012).

Absolute monarchy was abolished, supposedly to be replaced by a new democratic regime modelled after European constitutional monarchies. It turned out, however, that liberal democracy never properly found its footing in the country over the following decades. The People's Party itself suffered from internal division, its ideals later eclipsed by a revival of monarchism less than 30 years after the revolution (Thongchai 2008: 19-21). Traditional elites, bureaucrats and army men subsequently came to dominate politics, compounding the deeply hierarchical character of the Thai society and ensuring that periods of electoral democracy were brief and sporadic up until the 1980s (Hewison 2015: 52-57). The monarchy, stripped of power and prestige by the revolutionaries, made a grand return to the apex of the Thai power structure during the late 1950s military dictatorship, thanks not least to robust support from the United States at the height of the Cold War (Nattapoll 2013: 329-333). On the ideological front, conservative Thai thinkers, some of whom had spent many years in Europe for education, attempted to justify the illiberal, hierarchical structure of the country by arguing that a full application of Western-style democratic values would never be suitable for Thailand (Hewison and Kengkij 2010: 180-192; Ferrara 2015a: 356-360).

The history of Thailand's highly political military is deeply intertwined with that of its monarchy. As early Chakri kings began their consolidation of powers, there was a growing need for the palace to establish a permanent standing army whose major reason for existence would be to ensure the monarchy's dominance over all areas of the country. King Chulalongkorn, who ruled from 1868 to 1910, carried out wide-ranging reforms aimed at modernising the regime and centralising authority (Baker and Pasuk 2014: 60). As part of the reform package, the kingdom's first standing army was created around the end of the nineteenth century, realising the king's belief that a permanent military force represented an important step towards modernity. Nationalism, patriotism and loyalty to the throne were among the core values promoted within the new military (Chambers 2013a: 116).

However, the post-Chulalongkorn Chakri monarchs were never completely assured of success in their efforts to maintain an unchallenged absolutist regime. In 1912, junior army officers staged a rebellion against King Vajiravudh, calling for an end to old-fashioned monarchical rule and putting forward liberal ideas inspired by reformists elsewhere, including the revolutionaries who had earlier overthrown the

Qing dynasty in China (Chambers 2013a: 116). While the rebellion ultimately failed, it nonetheless gave birth to Thailand's long tradition of military intervention in politics (Ockey 2001: 191). When absolute monarchy met its demise in 1932, many prominent members of the People's Party were military officers irritated by the regime's mishandling of the increasingly complex and evolving country (Alagappa 2013: 100). The monarchy was allowed to exist but in a much less powerful form, partly to give some public legitimacy to the revolution whose leaders were drawn from extremely small cliques within society (Chambers 2013a: 120) although it should be noted that there was considerable support for the revolution among the public as well (Hewison 2015: 53). Over the following two decades, the military began to solidify its status as a political actor capable of determining societal outcomes, using coups d'état to instigate change of political leadership and government (Suchit 2004: 48). Coups, countercoups, and rule by strongmen became recurring features of Thai politics.

The army's political dominance, whether by ruling directly or supporting nominally civilian governments, continued mostly uninterrupted into the second half of the twentieth century. Economic development, rather than political liberalisation, became a central aim of the Thai state (Suchit 2004: 49). The monarchy's prestige had mostly been restored by the 1960s as the palace, along with royalist political factions, began forging a close bond with top military leaders (Hewison 2015: 55; Ferrara 2015b: 275). However, it is impossible to ignore the watershed event of 14 October 1973 when an anti-military mass uprising in Bangkok, led mainly by student activists with inspirations from left-wing doctrines, democratic ideas and the Buddhist notion of justice (Baker and Pasuk 2014: 186) ended in a violent crackdown that subsequently forced the country's military rulers out of power. From 1973 to 1976 there was a remarkable atmosphere of liberal democracy in Thailand as previously suppressed groups such as labourers, farmers and leftists began to make their voices heard (Chai-Anan 2002: 94). The armed forces were weakened during this time, though a large number of important political offices continued to be filled by men in uniform (Chambers 2013a: 180-192).

Meanwhile, an insurgency campaign of the Communist Party of Thailand (CPT) was gaining ground in the impoverished countryside. The communist threat

was growing particularly acute in the context of the Cold War and communist penetration in Indochina, elevating the suppression of the insurgency to be one of the Thai military's primary missions (Suchit 2004: 51-54). Right-wingers, who by then had formed grassroots groups and paramilitary task forces of their own, regarded social activism and liberal ideals with contempt, associating them with an alleged communist-inspired plot to bring down the existing royalist political order (Prajak 2006: 20; Krittian 2010: 210). A sustained campaign by the right to demonise student activists and their sympathisers culminated in a massacre of anti-military student protesters in October 1976, triggering the military's full return in the form of another coup (Anderson 1977: 19-20). For the next decade, the Thai polity was never allowed to revert to the open atmosphere brought about by the 1973 uprising as royalist, bureaucratic and military elites maintained a high degree of control over politics. Popularly known in Thailand as the 'semi-democracy' period (Chai-Anan 2002: 130; Suchit 2013: 170), the political landscape during this time exhibited some democratic features such as elections and parliamentary politics but key decisions continued to be made by the non-majoritarian elites. This trend only showed signs of receding when Prem Tinsulanonda, Thailand's unelected prime minister during much of the 1980s who had strong backing by the palace and the military (McCargo 2005: 506-507; Suchit 2013: 170), stepped down in the wake of the 1988 election.

In 1991, the military staged what was thought to be the country's last ever coup. The elected civilian government was thrown out over allegations of widespread corruption, abuse of power, 'parliamentary dictatorship', undermining the military institution, and mishandling of anti-monarchy threats (official announcement by the coup group, reprinted in Thamrongsak 2007: 177-180). The army then bungled its attempt to prolong its grip on power, badly misjudging the popular sentiment against a return to undemocratic rule. In May 1992, an anti-military mass uprising in Bangkok ended in a bloody crackdown that greatly tarnished the military's standing in the eyes of the public. King Bhumibol, by then a long-reigning, highly revered monarch (Thongchai 2008: 21-22), made a widely publicised intervention in which he summoned both the junta chief and the leader of the protesters for a televised dressing-down, demonstrating his immense royal authority in the process (Suchit 2013: 171). Anti-military sentiment in the aftermath

of the violence was so strong that some military officers resorted to wearing civilian clothes instead of their uniforms during their commute to and from work (Wassana 2002: 85). The army's subsequent retreat from frontline politics then enabled Thailand to experience its longest period of uninterrupted democratic rule. The 1997 constitution, widely known as 'The People's Constitution' thanks to a combination of an extensive process of popular consultation and the inclusion of elected representatives during its drafting process (McCargo 2002: 9), was meant to put a definitive end to the pre-1992 undemocratic practices. In comparison to authoritarian governments elsewhere in Southeast Asia at the time, Thailand's apparent democratic transition won international acclaim and was often cited as an example for other developing countries. Coups d'état were assumed to be a thing of the past, though the military continued to insist that it still had a right to intervene in politics if it felt national security was threatened (Suchit 2004: 56).

Given these trends, the coup of 19 September 2006 was an unforeseen development for many observers. The coup was a "dramatic twist" in the words of Thitinan (2008: 140), a "largely unexpected" occurrence for Beeson (2008: 474), and a "surprise" for Chairat (2009: 49). The military's resurgence this time was especially controversial because it ended the rule of then-Prime Minister Thaksin Shinawatra, whose party, Thai Rak Thai, had won 377 out of 500 seats in the previous year's general election, by far the largest electoral mandate in the country's history. Thaksin had also proven to be a highly divisive figure throughout his time in office, however. Detractors of Thaksin tended to applaud the putsch, but the army's undemocratic removal of the popularly elected leader also attracted heavy criticisms from both Thaksin supporters and democratic-minded neutrals. Chulalongkorn University academic Thitinan Pongsudhirak remarked that the 2006 coup represented "a giant step backward" for Thailand (2008: 140). Instead of resolving the 'Thaksin crisis' as the military had hoped, the coup helped to prolong it, setting into motion a chain of events including more election victories by pro-Thaksin forces, several rounds of massive street protests by both his supporters and opponents, a military-supported backroom deal that put together an anti-Thaksin civilian government in 2008, and the emergence of the courts as a highly visible and allegedly partisan political actor (Dressel 2010a; Dressel 2014; McCargo 2014a). The latest period of high tension began in November 2013 when a massive anti-

Thaksin movement, helped by a series of favourable court rulings, held long-running street rallies that eventually managed to destabilise and paralyse the government of Thaksin's youngest sister Yingluck Shinawatra (Ferrara 2015b: 286-289). On the pretext of restoring order, the military stepped in and announced its power grab on 22 May 2014 (McCargo 2014b).

Since the May 2014 military takeover, Thailand has been run by a junta-installed government seeking to amend the 'mistakes' of the 2006 coup. Elements within the conservative elite as well as detractors of Thaksin among the public have long felt that the previous coup was too soft on him and his associates (McCargo 2014b). The junta, calling itself the National Council for Peace and Order (NCPO), has adopted a policy of zero-tolerance towards dissent, cracking down on peaceful pro-democracy protesters, academics, journalists, activists, and uncooperative politicians (Haberkorn 2014). The coup was belatedly blessed by Prem Tinsulanonda, now the long-serving president of the Privy Council (*Khaosod English*, 29 December 2014). Military tactics from the Cold War era have been revived, including an emphasis on information operations, surveillance of individuals who could cause trouble, and the enforcement of martial law against civilians (Puangthong 2015).

Military Factionalism in Thailand

A number of scholarly works such as Pye (1961: 82-88) and Varol (2013: 584-585) have implicitly or explicitly identified the modern military's centralised organisational structure, along with its related characteristics such as its strict adherence to discipline, hierarchy and order, as reasons why the military is theoretically unlikely to suffer from disunity and internal division, especially when compared to other human institutions. Despite this, it is possible for splits and factionalism to occur within a country's armed forces. The Thai military is a good example. As Suchit (2004: 48-49) points out, the first time the Thai armed forces notably split into factions was in 1947. Among the three military services of Thailand, the army has long enjoyed a clear dominance over the navy and the air force. The root of this dominance can be traced back to the failure of the navy-led putsch against the army in 1951, an event known as the Manhattan Rebellion

(Chambers 2013a: 146-147). As a result, the hitherto powerful navy was forced to live with a drastic budget cut, a total internal reorganisation, and an inability to impose its political will on the country. Since then, the issue of military factionalism with real political relevance has always been centred on the army because the army alone retains the ability to instigate a coup. Personal rivalry, class loyalty and factional struggles within the army came to be part of the reasons behind the country's various coups and coup attempts (Alagappa 2013: 100). It should be noted that army factions can be based both on horizontal connections (such as members of the same military academy class year) and vertical connections (such as officers of different ranks in the same army unit). Often, both kinds of connections combine to determine an officer's membership of a faction.

From the early 1970s until the early 1990s, three important army factions came to the forefront of Thai politics, namely the Democratic Soldiers, the Young Turks, and the Class 5 (Hewison 1993: 165-166; Baker and Pasuk 2014: 247). Against the backdrop of the Cold War and communist activities in rural Thailand, these factions came to be in conflict with one another over issues such as how to combat the communist insurgency, how much democracy was appropriate for Thailand and the future of the military's role in the country (Chai-Anan 1982: 47-51; Suchit 1987: 11-31; Ockey 2007: 100-107). Apart from these ideological and policy disputes, however, the conflicts between them also revolved around much less altruistic issues such as patronage ties, personal business interests and competition for promotions (McCargo 1997: 31-33; Ockey 2007: 107-109). A 1981 coup attempt against Prem Tinsulanond was carried out by the Young Turks who back then were still mid-ranking army colonels (McCargo 1997: 44-50). The failure of the Young Turks' scheme to topple Prem marked one of the last occasions in which mid-ranking army officers rebelled against their superiors in Thailand. Even the 1992 Black May incident, typically portrayed as a straightforward clash between pro-democracy civilian protesters and military dictators, arguably occurred in part because the Class 5, having dominated the armed forces leadership, had become isolated from other army factions and thus were unable to mobilise full support from the rest of the army to help preserve the military's grip on political power (Chai-Anan 2002: 172).

In the twenty-first century, factionalism within the Thai army remains a salient issue. It plays a strong role in promotions and transfers of officers during annual reshuffles (for example see Chambers 2013a: 318-324) although important military positions have been determined by network monarchy as well (McCargo 2005: 501). A significant shift in the balance of factional power within the army has occurred at least since the early 2000s. Previously, the First Army Division of the Royal Guards, an elite army unit based in Bangkok, had long been regarded as one of the most powerful factions because its members had tended to rise to the most important positions, including the Commander-in-Chief of the army. Since General Prawit Wongsuwan's promotion to army chief in 2004, however, the Second Army Division of the Royal Guards, also known as the Eastern Tigers because of its location in eastern Thailand, has started to challenge the dominance of the First Army Division of the Royal Guards. General Prawit was the first member of the Second Army Division of the Royal Guards ever to become army chief, and he used his power and influence to help promote other Eastern Tigers to powerful positions (Tamada 2014: 216-228). The Eastern Tigers' ascendancy has continued up to the present. Current junta leader Prayuth Chan-Ocha is from this faction, while Prawit now serves concurrently as Deputy Prime Minister and Defence Minister in Prayuth's cabinet. The topic of military factionalism will be explored in more detail in Chapter 2.

Research Questions

This thesis seeks to answer one primary question and four secondary questions designed to elaborate on different aspects of the primary question.

The primary question is: How has the Thai military contributed to Thailand's democratic backsliding in the twenty-first century?

The secondary questions are:

- 1) Why did the 2006 military coup happen?
- 2) How did the military attempt to undermine democracy and entrench its political role following the 2006 coup?

- 3) How did the military manipulate politics during the period of electoral democracy from the end of 2007 to the 2011 election?
- 4) How has the current military government, in power since May 2014, sought to undermine democracy and further entrench the military's political role?

Methodology

This research is a qualitative analysis seeking to explain the role of the Thai military in the country's democratic backsliding in the twenty-first century. A qualitative approach is chosen over a quantitative one because qualitative methods provide a researcher with a tool to develop a more nuanced understanding of social phenomena and to uncover meanings that individuals or groups have ascribed to such phenomena (Creswell 2013: 4). Because this study deals with several concepts that are likely to be interpreted differently by different people (such as democracy, human rights, national security, national interest, and Thai identity), it is advisable to employ research methods that enable a deep exploration of meanings and interpretations. In other words, this study will be based more on interpretative rather than positivist epistemology (Checkel 2005: 5).

The case of Thailand is the sole focus of this research. While single-case studies, in comparison to small-*n* and large-*n* studies, have been criticised for their limited generalisability, I agree with Rueschemeyer (2003: 305-318) in arguing that this line of criticism overlooks in-depth, single-case studies that have come to be highly regarded for making immense contributions to their respective fields. For example, Scott's (1985) ethnographic study on a Malaysian village provided influential findings that, by highlighting the importance of small-scale activities that people carried out in defiance of the regime, challenged the assumption of political scientists previously fixated on large-scale social revolutions. This example illustrates how it is possible for a single-case study to make a meaningful contribution to the wider literature instead of being confined to one particular case.

To understand and explain the political role of the military in Thailand, I utilise two main research methods, namely documentary research and in-depth interviews. The documentary research component is necessary for obtaining a wide

range of information that lies beyond a researcher’s ability to collect first-hand. I also conducted in-depth interviews with a wide range of participants during a fieldwork in Thailand from July 2015 to January 2016. As a qualitative study that places an emphasis on people’s beliefs, perceptions and opinions, this research makes use of interviews to gain an insight into the interviewees’ interpretations of contested concepts such as democracy, Thai identity and the role of the military. Interviews, in addition, allow participants to tell their own accounts of how certain events happened. As Paruedee (2014: 130) puts it, “[i]n-depth interviews with political actors, such as politicians, parliamentarians, activists as well as journalists, allow the researcher to explore stories of past events, as well as acquire crosschecked necessary information about the events that are not available from newspaper reports.” The interview technique used was the semi-standardised interview, which involved the researcher asking each interviewee a list of predetermined questions while giving the interviewer some freedom to digress and probe further (Berg 2001: 70). Only the interviewees who are cited in this thesis are listed here. Interviewees included military officers, politicians, academics, political activists, and a member of the junta-appointed Constitution Drafting Committee: see Table 1.1. All interviews were anonymous in order to allow interviewees to talk about sensitive topics with as much freedom as possible under Thailand’s authoritarian climate.

Table 1.1: List of Interviewees

| Category | Number of Person(s) |
|---|----------------------------|
| Military officers (both serving and retired) | 8 |
| ‘Elite’ figures | 2 |
| Civilian politicians | 5 |

| | |
|--|---|
| University academics | 2 |
| Political activists and protest leaders | 4 |
| Member of the NCPO-appointed Constitution Drafting Committee | 1 |

Chapter Outline

The thesis consists of seven chapters.

1. Introduction

This introductory chapter provides preliminary details on the research, states the research questions and outlines the research methodology.

2. Concepts and Context

The chapter provides a discussion of concepts relevant to understanding the role of the military in a democratic regime as well as its role in democratic backsliding. The chapter also aims to contextualise the political role of the Thai military. Specifically, the chapter discusses the topics of the Thai monarchy and its relevance to the military. Afterwards, the chapter provides an in-depth exploration of the phenomenon of military factionalism, a distinctive characteristic of the Thai military.

3. The 2006 Military Coup: Democratic Backsliding, Elitism and Royalism

The chapter discusses long-term political developments beginning from October 1973 that opened up a brief period of democratic transition, the 1997 constitution, the rise of Thaksin, the attempts by Thaksin to subdue the military, and the eventual 2006 coup.

4. The Military after the 2006 Coup: Encountering Democratic Resilience, Part One

The chapter covers events from the 2006 coup to the dismissal of the pro-Thaksin PPP-led government in December 2008 by the Constitutional Court. The chapter argues that the democratic resilience concept can helpfully be applied to the analysis of key events during this period. It argues that the military tried to be an assertive political actor though its successes were generally limited.

5. The Military during the Abhisit Government: Encountering Democratic Resilience, Part Two

The chapter covers events under the Abhisit Vejjajiva government from 2009 to July 2011. There is a large focus on actors, particularly the Red Shirt movement, who adopted democratic practices and rhetoric in their opposition to the government, the military and palace figures.

6. The 2014 Coup and Anti-Democratic Politics

This chapter discusses the political conditions which led to the 2014 coup. It analyses the role of the PDRC and the relative lack of resistance by the Red Shirts. It also examines the behaviour of the Prayuth government using the 'legitimation, repression and co-optation' framework by Gerschewski (2013).

7. Conclusion

This chapter provides a summary of the thesis's main arguments and answers to the research questions. It also outlines the contributions of the thesis to the wider body of knowledge.

Chapter 2

Concepts and Context

Introduction

This chapter provides a broad outline of important factors and elements necessary for understanding the role of the Thai military in politics. The chapter begins by briefly exploring the position of the revered monarchy in Thai society as well as its relationship with the military. The next section provides a conceptual overview of military factionalism, arguing that the knowledge of this issue is helpful in analysing the Thai military. Afterwards, the chapter explores several distinctive aspects of power relations in the Thai military and notes how they can inform the discussions throughout this thesis. The chapter then moves on to discuss key concepts relevant to the analysis of the political role of the Thai military, namely the notions of civilian control, the legitimacy of the military's political involvement and the relationship between the military and the wider society.

The Monarchy

Unlike European constitutional monarchies, Thailand's monarchy remains massively influential in public life. Monarchist ideology pervades virtually every aspect of life in Thailand, including the education system, public policy, and morality discourses. As Jackson (2010: 30) puts it, the late King Bhumibol Adulyadej, who reigned from 1946 until his death in October 2016, enjoyed the status of a semi-divine figure who symbolised and personified the so-called traditional Thai values and identity. There is also the issue of the Thai *lèse majesté* law which, with heavy penalties including a prison sentence of between 3 and 15 years, criminalises insults, defamation and threats against the king, the queen, the heir apparent and the regent (Streckfuss 2011: 420-421), making it virtually impossible for any public opposition to emerge against the king's views and actions.

The monarchy and the military are deeply connected. The armed forces officially profess their absolute loyalty to the crown, elite military units have been established formally to protect senior members of the royal family, and royalist ideology is strongly emphasised in military activities (Krittian 2010; Chambers 2013a). Current junta leader and former army chief of Thailand Prayuth Chan-Ocha has repeatedly stated that one of the most important missions of the armed forces is to protect the monarchy (Suchit 2013: 179). Official military publications highlight protection of the monarchy as the armed forces' highest priority (for example see Royal Thai Army n.d.: 22-24). The armed forces' close association with the monarchy has been beneficial for their popularity among the public. In the early 2000s, only a decade after the May 1992 violence, opinion polls revealed that Thai citizens held the military in higher regard than politicians and the police (Baker and Pasuk 2014: 252).

The legitimacy of military interventions in Thailand has also been heavily linked to, or arguably even conditional on, the monarch's endorsement or recognition. In 1981, an attempted coup against the incumbent Prem Tinsulanond government ended in failure largely because Prem had the backing of the royal family (Chai-Anan 1982: 25-26; Baker and Pasuk 2014: 238). In May 1992 the king helped put an end to the military's attempt to prolong its rule, while in the immediate aftermath of the September 2006 coup the ousted Thaksin Shinawatra presumably shelved his plan to retaliate against the coupmakers after the king had granted them an audience, essentially legitimising the putsch (Ferrara 2015b: 1-2). In effect, the Thai political system reserves a special place for the monarchy. Although the notion of constitutional supremacy has been one constant element in all of Thailand's constitutions since 1932, the Thai monarchy, at least since the late 1950s, has been an institution located *de facto* above the constitution (Ferrara 2015b: 2).

The political role of the monarchy in contemporary Thailand is neatly conceptualised by McCargo (2005). Using the term 'network monarchy', McCargo (2005: 501) warns against focusing solely on King Bhumibol when analysing the monarchy's political manoeuvring over the last three decades. Instead, the monarchy should be understood as being the central component of a highly influential political network comprising the king and his allies, the most prominent

of whom is Privy Council President Prem Tinsulanond. Senior military figures are also included in this network. In the words of McCargo (2005: 501):

The main features of Thailand's network monarchy from 1980 to 2001 were as follows: the monarch was the ultimate arbiter of political decisions in times of crisis; the monarchy was the primary source of national legitimacy; the King acted as a didactic commentator on national issues, helping to set the national agenda, especially through his annual birthday speeches; the monarch intervened actively in political developments, largely by working through proxies such as privy councillors and trusted military figures; and the lead proxy, former army commander and prime minister Prem Tinsulanond, helped determine the nature of coalition governments, and monitored the process of military and other promotions. At heart, network governance of this kind relied on placing the right people (mainly the right men) in the right jobs. Allocation of key posts was the primary role of the lead proxy, Prem.

Meanwhile, Thongchai (2014) points to another contemporary yet under-theorised phenomenon in Thai society, which is the growing anti-monarchy sentiment among certain sections of the population from roughly late 2008 onward. Expressions of this sentiment, in defiance of the *lèse-majesté* law, could be detected in internet postings, street graffiti (Ünaldi 2014), and underground radio broadcasts, among others. The existence of these subversive views is not entirely new for Thailand—considering the fact a rural-based armed communist movement was fighting to overthrow the monarchy just a few decades ago—but Thongchai (2014) argues that today's anti-monarchy sentiments are different in many ways. For instance, whereas anti-monarchy activities during the 1960s and 1970s mainly revolved around intellectuals and were rooted ideologically in communism, today such activities are carried out by ordinary people with broadly democratic aspirations (Thongchai 2014: 94-99). The existence of the internet is undoubtedly also a significant factor (Thitinan 2012: 58-59), for it enables anti-monarchy discourse to be disseminated much more widely and easily than two or three decades ago. For the Thai military, these kinds of activities are certainly unacceptable.

Military Factionalism: A Conceptual Overview

The modern military has often been described in the literature as an organisation with an exceptionally high degree of unity and cohesion. Proponents of such a view put forward two key arguments: internal cohesion is a central characteristic of the modern military; and the military has certain distinctive features that both create and sustain this cohesion to a degree unmatched by other groups in society. The features usually associated with this narrative include the military's rigid hierarchy, the absolute need for subordinates to obey orders and the sanctity of the formal chain of command. Unlike civilians, military officers are compelled to operate under a clear hierarchical structure, bound by rules, regulations and codes of conduct that carry heavy penalties for those who fail to comply. Such a strong emphasis on rules and order is believed to play a key part in maintaining the military's cohesion as well as limiting the scope of conflict among the officer corps. The result, it is believed, is that the military is consistently far more structured, organised and united than other institutions in society. In one of the key texts espousing this view, *Finer (1988: 5-6)* describes the modern military as cohesive, hierarchical, centralised and tightly structured. *Janowitz (1988: 143)* similarly argues that cohesion, which he defines as "the feeling of group solidarity and the capacity for collective action", is an essential part of the military profession. A more recent account by *Varol (2017: 29)* also notes that the military "tends to display a higher degree of coherence than many other institutions because of its hierarchical command structure."

Although civilian organisations can also be hierarchical and centralised, civilians tend not to emphasise hierarchy as much as soldiers do. This is perhaps because civilians are aware of the possible downsides of hierarchy; for example, an over-centralised, over-hierarchical organisation may create an excessively restrictive environment that alienates lower-ranked members (*Aiken and Hage 1966: 498*). In contrast, hierarchy is crucial for the military because it is by nature an institution that needs to be prepared for life-and-death situations. As *Kohn* points out (*1997: 141*), the primary function of the modern military is to wage armed conflict, and a strict hierarchy is required to ensure that "individuals and units act according to the intentions of commanders, and can succeed under the very worst of physical circumstances and mental stresses." In the words of *Finer (1988: 7)*, "[c]entralization of command, the hierarchical arrangement of authority and the

rule of obedience — all are necessary to make the army respond as a unity to the word of command.”

These characteristics of the military have important political implications. The modern military is supposed to utilise its organisational strength to carry out military affairs, but the reality is that, particularly in the developing world, such strength has often been used for domestic political purposes. While military intervention in politics is predominantly related to the fact that the military is armed, another important factor is the military's superior organisational strength relative to civilian governments. The high level of cohesion enables the military to become either a powerful actor in politics or a potentially powerful one should it decide to enter politics. For *Finer* (1988: 5-11), the “marked superiority in organisation” of many armed forces around the world has been a crucial part of their political influence. *Pye* (1961: 83-84) similarly regards the army's hierarchical structure as a vital element of its incursion into politics. *Janowitz* (1988: 144) also notes that “armies with high internal cohesion will have greater capacity to intervene in domestic politics.”

Logic would suggest, then, that the modern military should be highly resistant, or even immune, to problems of factional splits and internal conflict. If *Finer* is right in claiming that “armies are much more highly organised than any civilian bodies” (1988: 8), the likelihood of factionalism within an officer corps should be very low. This view is based on the assumption that factional splits occur in civilian groups due to their relative lack of hierarchy and discipline. While disagreements are bound to happen among any group of people, the modern military imposes strict discipline upon its members and constantly strives to maintain cohesion. For the military, “[u]nity is a matter of pride; hierarchy is normatively exalted” (*Nordlinger* 1977: 145). Leaders of civilian political parties often have a hard time trying to suppress dissent from below, but it is virtually impossible for military subordinates to openly rebuke their superiors. In theory, any attempt to create a faction in an army would be akin to violating the chain of command and likely to incur heavy penalties.

However, the claim that modern armed forces are consistently united and cohesive is undermined by the widely known fact that many armed forces

throughout the world have suffered from fragmentation and factionalism (Ting 1975; Bacchus 1986; Hendrix and Salehyan 2017). The portrayal of the military as a steadfastly united institution appears to be based on an idealised, Western-centric image rather than global empirical findings. Despite Finer's claim that the military is organisationally superior to civilian entities (1988: 5-11), some of the causes of military factionalism turn out to be similar to what can be found in civilian settings. Possible causes of military factionalism include ethnic and social differences (Gregory 1970: 342-343), educational and familial ties (Gregory 1970: 344-345) and clashing political interests between groups of officers (Perlmutter 1969: 391; Nordlinger 1977: 145-147). In other words, the same social and political conditions that typically shape the behaviour of civilians also apply to soldiers. What this means, as Varol rightly points out (2017: 51), is the military should not be treated as "a single, monolithic beast" because "each military is composed of thousands of individuals... with divergent interests." To assume that human beings can somehow become immune to all kinds of outside influence just because they have a military career would simply be inaccurate. Throughout this thesis, the discussions of Thailand's military will be informed by this rejection of the view that the military is a naturally cohesive institution. Stepan (1974: 54) provides a neat summary of this line of thought:

I think it is apparent that the ideal type of military institution—a highly unified organization with a private code and values, isolated from the general pressures of the political system at large—often simply does not exist. Consequently, political deductions drawn from the ideal type can be basically misleading.

Power Relations and Institutional Norms in the Thai Military

In simplest terms, factionalism in the Thai military is closely related to the competition for power and influence. Explaining this relationship, however, is far from straightforward, requiring an exploration of the country's political history as well as a recognition that not all seemingly universal concepts can be neatly applied to the Thai case. On the one hand, Thailand is not too different from other countries in terms of how the hierarchical structure of the armed forces puts a limit on the number of officers who will ever have a chance to occupy the most influential positions during the course of their careers. On the other hand, certain notable

characteristics of the Thai military, such as the dominance of the army relative to the other armed services, can best be understood not by applying ‘universal’ concepts but also by engaging with distinctive aspects of Thai politics. Thai military officers who earn favourable promotions can expect rewards not only in terms of higher salaries but also a wide range of other economic, social and political advantages. With this in mind, a helpful starting point for understanding Thai military factionalism is to examine the phenomenon of Thai military coups.

Coups

As the most direct and visible method of acquiring and expressing political power, military coups need to be an important part of any explanation of power relations within Thailand’s armed forces. Among the three main armed services in the country—namely the Royal Thai Army (RTA), the Royal Thai Navy (RTN) and the Royal Thai Air Force (RTAF)—the RTA receives the highest share of manpower and budget (Raymond 2018: 79-80). The dominance of the RTA is rooted in history and tradition, but one of the most important causes of this discrepancy is the role played by RTA officers during coups. Though there are other, less direct ways in which the Thai military has been involved in politics, military coups have been such a persistent feature of the political scene that an informal notion of political power has developed around the perennial possibility of a coup. For observers of Thai politics, informal aspects of power tend to be especially illuminating because formal rules and institutions often do not totally reveal the true nature of politics. Thus, focusing excessively on formal rules can be “a distraction from understanding what really happens on the ground” (Lowndes and Roberts 2013: 55), and there is much to be gained from analysing the informal side of politics.

In the Thai case, military coups have largely followed some informal but discernible patterns. For a start, Thai military coups rarely involve actual fighting; a coup’s success can be ensured simply by projecting an image of being in control of the country. The coup instigators can accomplish this by deploying troops and tanks at key government buildings and major television and radio stations in Bangkok. By the time the incumbent government learns of the ongoing putsch, it is usually too late to organise any effective resistance. Taking control of broadcasting stations

allows the instigators to virtually monopolise the means of public communication and keep pro-government messages off air. When martial music plays on all the main television channels, people take it as a sign that the government has been overthrown. The reigning monarch would then be asked to officially confirm the coup leaders as the new rulers of the country (Tamada 2014: 202-209). Afterwards, Thai coup leaders tend to say that their period in power will be temporary and a new election will be held as soon as possible, but not until they promulgate a new constitution or concoct other ways of safeguarding the military's longer-term goals (Mérieau 2017: 140). In this sense, a typical Thai coup resembles what Bermeo (2016: 8-9) calls a 'promissory coup', in which the coup leaders "frame the ouster of an elected government as a [defence] of democratic legality and make a public promise to hold elections and restore democracy as soon as possible".

These patterns are hardly unique to Thailand. Military coups in other countries often unfolded in a similar manner, relying on a combination of swift action and secrecy in order to avoid unnecessary violence (Singh 2014: 111; Runciman 2018: 26-29). Nonetheless, there is still much to be learned from analysing Thai coup patterns, especially in terms of how they shed light on the distribution of power in the Thai armed forces. Considering that the most crucial part of a coup is taking control of the government, the chance of a coup's success in Thailand is largely determined by whether or not the instigators can ensure a rapid deployment of troops in Bangkok, the country's administrative capital and seat of government. As such, due to their proximity to the physical nexus of political power, high-ranking military officers who command combat units in or close to Bangkok are widely acknowledged as the most powerful (Surachart 2015: 142). These officers are not only best placed to launch or threaten a coup, but they also deter other parts of the army from doing the same. Evidently, Thai coup plotters do not take into account the idea that civilians may pose a challenge to an ongoing coup effort. This is because ordinary Thais have never turned out in large numbers to physically oppose a coup. Unlike in the case of Turkey in July 2016 when a coup attempt was famously defeated by a popular uprising (Runciman 2018: 51-52), there is no reason to believe that Thai citizens will be anything more than passive bystanders whenever a coup is underway. As such, Thai coup plotters would only need to worry

about potential resistance from other parts of the armed forces. The general public would not feature in their calculation.

The prominence of coups in Thai politics can help explain the dominance of the RTA in terms of size, budget, weaponry and political influence relative to the other armed services. Because ground-based combat units play the largest role in the event of a coup (Surachart 2015: 142), the branch of the Thai military that is associated most closely with coups is the RTA. Since the chief of the RTA is in charge of ground forces throughout Thailand, his political significance far exceeds that of other commanders in the Thai military. In comparison, the navy and the air force have no means of taking control of Bangkok, while the nominally powerful supreme commander—who technically oversees the whole of the military—in fact has little power because there are no combat units directly under his control (McCargo 2002: 61). The position of the supreme commander is a relic from the Cold War era. Originally an enormously powerful role, it was meant to exist only in exceptional circumstances such as during a large military campaign. It became a permanent but weak position in 1960 (Napisa and Chambers 2013: 17-18). Today, the purely symbolic status of the supreme commander is such that any RTA chief who receives a ‘promotion’ to become supreme commander is universally recognised as being demoted in reality (Chambers 2013: 260; Chambers and Napisa 2016: 431). For these reasons, the Royal Thai Army is clearly the most powerful and important force in the country. Although the Thai navy used to have its own history of political involvement, its political role has been non-existent for more than half a century after a failed plot by former Prime Minister Pridi Banomyong to get the navy to help revive his political fortunes in the late 1940s (Tamada 2014: 192).

Geography

While it is clear that the RTA is the most powerful armed service, another distinctive aspect is that within the RTA there are also significant variations in terms of political importance. As previously stated, there is an implicit recognition that commanders of combat units in the vicinity of Bangkok are more powerful than commanders of provincial units, which means that the geographic locations of military units within the RTA have a role in determining the relative importance of

the army's various components. This geographical aspect of power in the army is evident in the structure of the RTA. The highest level of the RTA is dominated by the army chief and four other officers, collectively nicknamed the 'Five Tigers of the Army'. The Five Tigers include the army chief, the deputy army chief, two assistant army chiefs, and the chief of staff of the army (Tamada 2014: 194). At the level immediately below the Five Tigers is the commanders of the four 'Army Regions', each representing one of Thailand's four traditional regions of Central Thailand, the Northeast, the North, and the South. The First Army Region oversees Bangkok, central and eastern Thailand and is headquartered in Bangkok. The Second Army Region, headquartered in Nakhon Ratchasima, oversees the populous northeastern Thailand. The Third Army Region is headquartered in Phitsanulok and is in charge of northern Thailand, while the Fourth Army Region, headquartered in Nakhon Sri Thammarat, is responsible for the country's southern part. In addition, there is a unit called the Special Force, located in Lop Buri around 200 kilometres from Bangkok, which has equal importance to the four Army Regions (Tamada 2014: 193). Along with the commanders and deputy commanders of the four Army Regions, leaders of the Special Force have a highly favourable chance of advancing towards the Five Tigers positions (Ukrist 2008: 126).

The First Army Region has three important combat units: the First Division King's Guard headquartered in Bangkok, the Second Infantry Division Queen's Guard headquartered in Prachin Buri in eastern Thailand, and the Ninth Infantry Division headquartered in Kanchana Buri (Montornkit 2010: 57). Traditionally, the route towards powerful posts in the RTA's upper echelons involves becoming commanders of important combat units in the First Army Region. It has also been possible, however, for army officers not in line of active combat duty, such as those in the staff branch who work on strategic and intellectual aspects of the army, to rise to key posts in the Five Tigers (Tamada 2014: 194) In the view of one former army general, the fact that officers in the First Army have the best career prospects is detrimental to the overall prospects of the Thai military. An officer who spends his whole career in the First Army, he argues, is unsuitable for a job at the army's highest level because he tends to be unfamiliar with rural areas and border issues.¹

¹ Interview, Anonymous Thaksin-aligned retired army general, Bangkok, 15 January 2016

Though it is clear that combat units in and around Bangkok are politically the most important, this does not mean that officers in other parts of the RTA are totally powerless. In fact, senior army officers can usually find their own ways of turning their positions into political and economic advantages by embedding themselves into local patronage networks (Hutchcroft 2014: 183-188). High-ranking military officers in provincial Thailand, for example, can gain political and economic influence by developing ties with local politicians and business people (McCargo 1997: 20). Officers in the Third Army Region, with their responsibility over Thailand's borders with Myanmar and Laos, are also in a prime position to extract illicit profits from the lucrative cross-border trade (Montornkit 2010: 65). In the late 1990s and early 2000s, the "growing flows of illegal migrants, trafficked people, drugs, contraband, international terrorists, and arms" through the borders (Baker and Pasuk 2014: 252) provided ample opportunities for unscrupulous army officers to enrich themselves. As noted by McCargo (2002: 51), being based outside Bangkok does not necessarily impair an officer's ability to seek extra income from Thailand's resource-rich rural areas. Moreover, financial rewards are also found in the non-combat part of the army. Certain non-combat positions in the RTA can be especially desirable because they are associated with particularly large amounts of money. Thailand's army-owned Channel 5 television station, for example, is known as a lucrative source of income (Montornkit 2010: 72) thanks to its oversight of television contracts and other commercial opportunities. For this reason, the station's director is always an active duty officer and tends to be a close associate of the RTA chief (Montornkit 2010: 72).

On the other hand, certain army posts are so devoid of power and influence that they are disparagingly called 'cemetery posts' (Montornkit 2010: 78). The existence of these posts is another factor behind the competition among officers because they are keen to avoid the humiliation of ending up in one of these posts. Officers in cemetery posts hold titles such as 'army experts' and 'advisors', grandiose titles that only serve to mask their lack of direct responsibility or control over any significant groups of subordinates. Although cemetery posts can come with good salaries and high ranks, such benefits are mere consolations for the fact that these officers have missed out on more powerful and prestigious jobs (Montornkit 2010: 78). According to former national police chief Seripisut Temiyawes, these

officers have so little to do that they practically treat their army posts as part-time jobs. Many of these officers instead spend most of their time on private business ventures, and some even engage in mafia-like activities such as running protection rackets for brothels and gambling dens (*The Standard* 30 March 2018). Cemetery posts are a reminder that not every position in the army is financially, socially or politically rewarding. As McCargo observes (2002: 52), the Thai military “has a very large number of senior officers, many of whom have almost literally nothing to do.”

Military Reshuffles, Meritocracy and Institutional Norms

The discussion so far has focused on the idea that military factionalism in Thailand is driven by the desire of officers to occupy influential and rewarding positions. What is implied in this idea is that, instead of promotions and transfers being decided on merits, Thai military leaders tend to promote members of their own factions, prioritising personal connections and loyalty rather than objective assessing each officer’s capabilities. The knowledge that their career advancement can often depend more on who they know—rather than what they are capable of—provides an important motivation for Thai officers to enter into one of the networks of patron-client relationships that form the backbone of factions in the Thai military. In this sense, there appears to be a clash between the reality of military promotions in Thailand—which is affected by favouritism and preferential treatments—and the ideal of ‘the professional military’—which emphasises meritocracy in determining military promotions.

The ideal of the ‘professional military’ states that promotions and transfers should be conducted in a way that encourages a culture of meritocracy among the officer corps. As Perlmutter points out (1969: 391), “[t]he code of the professional army dictates that promotions be determined by ability, expertise, and education.” Meritocracy is a desirable quality for the military itself because it is likely to help improve competence and efficiency, but the wider society can benefit from a meritocratic military as well. In a highly unequal society, for instance, a meritocratic military can help promote social mobility and a sense of fairness among the public. Such a military “may provide a rare opportunity for advancement to people from

humble backgrounds who may join the military to escape the frustrations of elitism in civilian institutions” (Varol 2017: 85).

On the one hand, Thai military reshuffles are typically vulnerable to cronyism, nepotism and patronage. Even when meritocracy plays a role in reshuffles, it can often be unclear how an officer’s merit is assessed because the Thai army tends to resist pressure and ‘interference’ from the outside. Sometimes an officer without an influential patron can be ‘stuck’ in the same position for an abnormally long period (Montornkit 2010: 75). With the limited number of powerful and lucrative posts in the army, competition for promotion can be fierce because officers are keen to avoid cemetery posts. Even outside promotion seasons, personal connections are still important. One observer believes that given the pervasive climate of distrust in the military, high-ranking commanders often need to rely on personal connections rather than the formal chain of command.² The role of familial connections in the military’s patronage system is described in detail by Montornkit (2010: 79):

With respect to family background, those officers who are the children of generals may automatically use their parents as their first patrons. Their parents’ connection provides them with opportunities to be introduced to other officers, one of whom may turn out to be their commander in the future. In addition, their parents can advise them and help them plan their future career from the outset. In this sense, being the son of a general is an advantage, and the strength of this advantage depends on both how influential their parents were (or are) as well as their own abilities and merit. [...] On the other hand, being the child of a high commander could pose a difficulty if one’s father’s rival rose to power.

Informants for this research have offered a variety of justifications for the way in which military reshuffles are conducted. One military officer insists that meritocracy still has an important place in the Thai military. According to this interviewee, an army officer who is clearly lacking in ability and intelligence can never earn the respect of his peers and will never rightfully make it to the top.³ Another retired general remarks that Thai army officers tend to have a broad

² Interview, Anonymous politics lecturer 1, Bangkok, 10 November 2015

³ Interview, Anonymous serving army officer with links to the NCPO, Bangkok, 22 October 2015

consensus on who they see as the most capable officers and thus should be contenders for leadership positions.⁴ Yet another former general sees personal connections as an inevitable part of the Thai military because once an officer rises to a powerful position, he will naturally prefer to surround himself with trusted people.⁵ In fact, there are ways for a high-ranking officer to push for the promotion of a favoured subordinate without appearing to brazenly disregard the merit system. For example, a senior officer can continually assign important tasks to his favoured subordinate so that when the promotion season arrives, the subordinate will appear to have made achievements and thus deserve a transfer to a better position.⁶ Regardless of how some officers accept the necessity of the patronage system in the military, officers who miss out on good promotions may still become aggrieved when they feel that they have been treated unfairly.⁷

On the other hand, it is possible to identify the role of meritocracy in the Thai military. It is important to note, however, that the way meritocracy works in the Thai army is more complicated than simply promoting the most capable or best educated officers to the best positions. For a Thai soldier, expertise and educational background can be less important than the perceived ability to lead. Leadership in the Thai army is primarily associated with being the commander of a combat unit. With some exceptions, an officer who spends his career outside combat units is often seen as lacking a proven ability to lead.⁸ This belief is part of the norms and traditions that shape the thinking of Thai officers and influence how promotions are decided. In an institution as old, powerful and prestige-obsessed as the Thai military, norms and traditions are far from meaningless waffles. Aside from the notion of leadership, certain other features of the military, such as the tendency of First Army leaders to rise to the RTA's top brass as mentioned earlier, can be partly attributed to the military's institutional norms.

Levitsky and Ziblatt (2018: 100-101) compare the role of institutional norms to the unspoken rules in a basketball pick-up game. Unlike professional basketball,

⁴ Interview, Anonymous retired army general 1, Bangkok, 6 November 2015

⁵ Interview, Anonymous retired army general 2, Bangkok, 9 November 2015

⁶ Interview, Anonymous retired army general 2, Bangkok, 9 November 2015

⁷ Interview, Anonymous retired army general now serving in Prayuth Chan-ocha's cabinet, Bangkok, 25 December 2015

⁸ Interview, Anonymous serving army officer with links to the NCPO, Bangkok, 22 October 2015

this informal style of basketball is not governed by any official body, yet the rules are implicitly understood and mostly adhered to. From this analogy, norm-breaking does not necessarily incur formal penalties but it can worsen relations, undermine mutual trust and trigger strong challenges from opponents and even former allies. In US politics, the constitution does not specify concrete limits on many aspects of governmental powers but there have been well-developed norms regarding how such powers are used. Examples of institutional norms that have a comparable status to written rules can be found in important parts of the American political system, including the number of justices on the Supreme Court, the use of presidential pardon and the application of the filibuster in the Senate (Levitsky and Ziblatt 2018: 127). When President Franklin D. Roosevelt infamously attempted to increase the number of Supreme Court justices in 1937 in the hope that he would be able to pack it with allies, he faced extreme resistance not just from his opponents but also from many of his fellow Democrats in Congress. Although the president was not constitutionally forbidden from trying to expand the Supreme Court, the attempt was widely seen as a norm-violating, blatantly partisan scheme that would destroy the credibility of the country's most significant judicial institution. In the end, the institutional norms proved durable enough to thwart Roosevelt's ambition (Levitsky and Ziblatt 2018: 118-119).

In a similar vein, any high-level appointment that breaks dramatically from the Thai army's norms, such as the rise of Thaksin Shinawatra's cousin Chaiyasit Shinawatra to army commander in 2003, is likely to be met with disapproval or even anger from within the ranks.⁹ Not only was Chaiyasit seen as unqualified for the job, but his appointment was a nakedly political move by a civilian prime minister with the same last name. As Varol notes (2017: 85-88), nepotism is a common issue that armed forces in many countries encounter when trying to establish meritocracy. Chaiyasit's appointment was clearly part of Thaksin's effort at the time to assert control over the army and undermine the network of senior officers connected to Privy Council President Prem Tinsulanond (Chambers and Napisa 2016: 431-432), but it could have gone more smoothly had Thaksin been able to stave off the accusation of nepotism. The army might have reacted more warmly to the appointment if Chaiyasit had possessed at least some merit for the

⁹ Interview, Anonymous retired army general 2, Bangkok, 9 November 2015

job. On the contrary, Chaiyasit had spent much of his unremarkable career in the traditionally insignificant signals corps and developmental offices. This means that even without the nepotism issue, he would not have been a widely respected army chief. Chaiyasit lasted only a year as army chief before being ‘promoted’ to supreme commander.

Chaiyasit’s case stands in contrast to the case of Chavalit Yongchaiyudh, a former Prime Minister who had previously served as army chief in the 1980s. As McCargo points out (2002: 61-62), Chavalit’s career background was also in the signals corps, but he earned a glowing reputation from apparently having a key role in defeating the militant Communist Party of Thailand during the 1970s and was then rewarded with the army chief job. The case of Chavalit suggests that his perceived achievements played at least some part in his elevation to the top job. In other words, his merit helped him overcome the army’s institutional norms that had typically hindered the career prospects of signals officers, though it still took an extraordinary kind of merit—the once-in-a-generation triumph over the communists—to do so.

Military Education and Its Influence on Factionalism

Another longstanding element of the Thai military is the formative experiences that officers gained from their military education during their cadet and pre-cadet years. Military education has long played a role in creating military factions in Thailand because “shared peerage and experiences in military educational institutions have contributed to the cohering of different cliques” in the armed forces (Napisa and Chambers 2013: 85). In the words of Raymond (2018: 82), “the assumption that military officers will belong to a faction, often based on the class in which they passed through preparatory school and officer training, is a powerful, distinctive and enduring aspect” of the Thai military. Ties and loyalty among military classmates have affected promotions, reshuffles, distributions of top jobs in the army as well as major events in the Thai political scene. This section provides a background on the role of Thai military education in the emergence of factionalism among military officers.

The central part of Thailand's military education system is the military academies. The Chulachomkloa Royal Military Academy (CRMA) provides undergraduate-level education and training for cadets who, upon graduation, will go on to serve in the RTA. The Royal Thai Naval Academy carries out the same function for the navy, and likewise the Navaminda Kasatriyadhiraj Royal Thai Air Force Academy produces graduates for the air force. All three military academies confer bachelor's degrees upon their graduates. In terms of political influence, however, CRMA plays the most prominent role compared to the other two academies because of its association with the army. Although it is possible to have a career in the Royal Thai Army without having passed through CRMA education,¹⁰ the most prestigious and powerful army posts are given only to CRMA graduates. As Montornkit points out (2010: 65), "only graduates from CRMA are allowed to command combat units and main staff positions." In fact, given the bloated size of the Thai army, CRMA graduates are virtually guaranteed to at least reach the rank of major general before they retire (McCargo 2002: 52). Army officers without CRMA education do not have this privilege (Montornkit 2010: 77). Montornkit further argues that cadets "are not trained to serve their national citizens" but are "groomed for high status positions as commanders of the conscripts who are recruited from ordinary people" (2010: 68).

The role of CRMA as an institution that fosters deep bonds among army classmates began in 1949, when the Thai government adopted the West Point model of military education as part of the country's efforts to gain favour from Washington (Napisa and Chambers 2013: 88-89). The first group of students under the new education system were known as CRMA Class 1, and the practice of ascribing a number to a class year continued for all subsequent graduates. High-profile members of CRMA Class 1 included Chavalit Yongchaiyudh, a former Prime Minister, and Sunthorn Kongsompong, the nominal leader of the 1991 coup. Other politically important classes are CRMA Class 5, whose members dominated the military's leadership in the late 1980s and then staged the 1991 coup, and CRMA Class 7, which included most of the Young Turks. Suchinda Kraprayoon, the army chief who orchestrated the 1991 coup and became Prime Minister under

¹⁰ For example, many lecturers in CRMA have a civilian background but they all became army officers and received army ranks upon joining the school.

controversial circumstances in 1992, was the valedictorian of Class 5 (Napisa and Chambers 2013: 89).

Originally, cadets studied at CRMA for five years but in 2007 this was cut to four (Napisa and Chambers 2013: 89-90). In 2017, however, the length of study was changed back to five years (*Now26* 15 May 2015). After decades in Bangkok, CRMA was relocated in 1986 to a vast rural site in Nakhon Nayok, around 200 kilometres north of Bangkok, in order to relieve congestion (Chulachomkloa Royal Military Academy n.d.). Life as a CRMA cadet is shaped by a heavy emphasis on camaraderie between classmates in the same year as well as strict respect for cadets in higher years. One well-known axiom in CRMA is “even the best person in your year is never better than the worst person among your seniors.”¹¹ The school’s tradition dictates that cadets are not only expected to know other cadets in the same year but also those in higher years.¹² This means that a CRMA cadet has an opportunity to develop long-lasting ties with people who may become their superiors, subordinates and co-workers in their future army careers. Upon graduation, CRMA cadets are commissioned as sub-lieutenants in the army and will also receive a ceremonial sword from the king (Montornkit 2010: 66).

On the academic side, there is little evidence of a culture of critical thinking in CRMA. While social science courses are available, only a minority of cadets take them. Of the approximately 220 cadets in a class year, around 20 to 40 choose social science and related subjects such as development and history as their major subjects. By far the more popular subject for the cadets is engineering.¹³ Even in social science and history classes where one would expect to find a climate of productive discussions and debates, Thai cadets tend to avoid expressing an opinion.¹⁴ Their social science knowledge is also mostly not up to date. For example, the most widely known academic concept regarding Thai politics among CRMA cadets is the ‘vicious cycle of Thai politics’, a four-decade-old concept popularised by Chai-Anan (1982: 1-5) that depicts Thai politics as being mired in an endless

¹¹ Interview, Anonymous retired army general 2, Bangkok, 9 November 2015

¹² Interview, Anonymous retired army general 2, Bangkok, 9 November 2015

¹³ Interview, Anonymous army officer and CRMA lecturer, Pathum Thani, 12 October 2015

¹⁴ Interview, Anonymous army officer and CRMA lecturer, Pathum Thani, 12 October 2015

cycle of elections and military coups.¹⁵ Most libraries in CRMA are poorly maintained, with the exception of the History Department's library.¹⁶ This may be due to the fact that Princess Sirindhorn, the popular daughter of the late King Bhumibol, served for 35 years as an honorary lecturer at CRMA's History Department before retiring in 2015 (*Post Today* 3 October 2015).

Other factors also play a part in compounding the cadets' educational problems. The opportunity for independent study and research in CRMA is limited. Cadets participate in a variety of non-academic activities that do not leave them with much time for reading or studying. Some of these activities, such as field training, are part of the curriculum. Others, such as hazing, are traditional activities aimed at forging bonds between cadets and assimilating them into the military lifestyle.¹⁷ In addition, there are no failures in CRMA. Cadets can always be assured that they will pass their exams no matter how badly they do, meaning that there is no real motivation for cadets to take their social science lessons seriously.¹⁸ In sum, the overall isolation of CRMA cadets from civilian life (Montornkit 2010: 68), the lack of a critical thinking culture and the low priority of social science subjects all play a part in encouraging CRMA cadets to unquestioningly embrace the Thai military culture and its strong emphasis on loyalty to their peers. As McCargo puts it (1997: 25-26), the CRMA system promotes a sense of belonging based on tightly knit class groups, thereby creating "a ready-made structure of factions within the military."

Alongside CRMA, another institution that helps forge classmate ties in the Thai military is the Armed Forces Academies Preparatory School (AFAPS). Established in 1958, AFAPS functions as a preparatory school providing training and education for pre-cadets. All pre-cadets, whether they intend to join the army, navy, air force or the police, study together in AFAPS. As Napisa and Chambers observe, a major effect of having pre-cadets of these different services in the same

¹⁵ Interview, Anonymous army officer and CRMA lecturer, Pathum Thani, 12 October 2015

¹⁶ Interview, Anonymous army officer and CRMA lecturer, Pathum Thani, 12 October 2015

¹⁷ Interview, Anonymous army officer and CRMA lecturer, Pathum Thani, 12 October 2015

¹⁸ Interview, Anonymous army officer and CRMA lecturer, Pathum Thani, 12 October 2015

school is “a uniting of security officials in the army, navy, air force and police through shared educational experience” (2013: 89). Pre-cadets originally spent two years in AFAPS before the length of study was increased to three years in 2007, but this was shortened again to two years in 2017 (*Now26* 15 May 2015). Until 2000, the school had been located in Bangkok before it was moved to a site close to CRMA in Nakhon Nayok in 2001 (Napisa and Chambers 2013: 90). Following the footsteps of CRMA, AFAPS pre-cadets are organised into numbered classes and undergo much of the same CRMA-style socialisation process, meaning that the ideas of class loyalty, respect for elders and the absolute need to obey orders are all ingrained in the worldview of the pre-cadets since their mid-teens.¹⁹ As Montornkit notes (2010: 67), one of the key lessons for Thai cadets and pre-cadets is the notion that “the commander’s order is a blessing from heaven”.

In addition to CRMA-based ties, classmate ties developed in AFAPS provide another basis of loyalty for Thai officers in the armed forces. In fact, the bonds that emerged from the officers’ years in AFAPS can be even more important than CRMA-based ties because the latter are limited only to officers in the army. A prominent example is the case of former Prime Minister Thaksin Shinawatra, a graduate of AFAPS Class 10 who was a police officer before starting his business career. During his premiership, one of his most notable attempts to shore up his power was how he made use of his ties with AFAPS classmates by pushing for promotions of Class 10 loyalists to important posts in the army, navy, air force and the police (*Wikileaks* 5 September 2006). A former army general believes that one of Thaksin’s fatal mistakes was his efforts to promote his associates in the armed forces in a way that disrespected the military’s tradition.²⁰ In the words of Napisa and Chambers (2013: 95), AFAPS “serve[s] as the only educational venue for building up ties of unity among all military service-sector personnel.”

While classmate ties have an enduring significance in the minds of Thai officers, it would be too simplistic to assume that all officers in the same class year are consistently united and loyal to one another. In fact, one observer believes that Thai military officers, just like other groups in society, are vulnerable to tensions arising from political and ideational disagreements. The ‘Yellow-Red divide’, the

¹⁹ Interview, Anonymous retired army general 2, Bangkok, 9 November 2015

²⁰ Interview, Anonymous retired army general 1, Bangkok, 6 November 2015

bitter political conflict broadly between opponents and supporters of Thaksin Shinawatra, is one example. Although the military has played a key role in various anti-Thaksin political manoeuvres since 2006, this does not mean that such a role has gone down well with all officers. Whether due to personal interests or a genuine belief in democracy, there are officers who disapprove of what they perceive as the military's anti-democratic political intervention since the 2006 coup that toppled Thaksin. One can sense such disagreements over political beliefs during army reunion parties, where members of the same class year sometimes sit in separate groups based on their political views.²¹ Accordingly, it can be argued that while classmate ties are one of the main elements of factionalism in the Thai military, their effects on an officer's behaviour and attitude should not be overstated.

Conceptual Underpinnings

Democracy, Civilian Control and the Role of the Military

Those who have followed the events in Thailand from a pro-democracy perspective would be tempted to suggest that the country's failure to rein in its military has been a major reason for democracy's struggle there. The concept of 'civilian control' provides an analytical framework for examining the political role of the military and its implication on democracy and democratization in a given context. For a democracy, ensuring the subordination of the armed forces to civilian political authority is among its top priorities (Kohn 1997: 140). A military in a democratic society exists to fight wars and eliminate threats to the nation's security. Its coercive power and ability to use violence are not meant to be employed against the government of the military's own nation. Civilian control is defined by Alagappa (2001: 29-30) as "the ability of a government to conduct general policy free of military interference and to set the limits of military role and behaviour." Croissant *et al.* (2013: 25) define civilian control as the situation in which "civilians have exclusive authority to decide on national politics and their implementation" while "the military has no decision-making power outside those areas specifically defined by civilians." In this sense, civilian control is not diminished even if certain decision-making powers are delegated to the military, so long as civilians retain the

²¹ Interview, Anonymous politics lecturer 1, Bangkok, 10 November 2015

ability to take those powers back. In principle, this means that all decisions of government must be made by popularly elected politicians or their appointees. The authority to make such decisions never falls to the military unless clearly delegated to it by civilians (Kohn 1997: 142). Ideally, military activities should be confined solely in the realm of national security while the civilian government is responsible for all other areas of governance. Even in the national security sphere, the civilian government ought to retain the authority to make decisions and set targets. The military may be given some autonomy over security-related matters for reasons of tradition, convenience or effectiveness, but the government has the right to assume more direct control at any time (Kohn 1997: 142).

At the same time, imposing democratic civilian control over the military is not meant to weaken the capacity of the armed forces to carry out their missions (Bruneau and Matei 2008: 915-921). The principles of democratic civilian control do not conflict with the military's ability to do its job well; they simply aim to ensure that the military does not turn its weapons towards its civilian masters. As Feaver (1996: 149) succinctly puts it, one of the major challenges for an aspiring democratic country is "to reconcile a military strong enough to do anything the civilians ask them to with a military subordinate enough to do only what civilians authorize them to do." For Bruneau and Matei (2008: 921), civilian control over the military "is basic and fundamental, but is irrelevant unless the instruments for achieving security can effectively fulfil their roles and missions."

From this understanding of the military's position in an ideal democratic society, we can infer that democracy is undermined not only when the military directly disobeys orders given by its civilian masters—not to mention attempting to topple the government—but also when it conducts activities outside the limits set by civilian authorities. In many instances around the world, however, the armed forces have become involved in matters beyond the realm of national security, contributing to developmental projects and disaster relief efforts, for example. The military's participation in these kinds of activities has been a common occurrence in developing countries. Civilian governments in those countries tend to suffer from varying degrees of institutional weaknesses, making such governments incapable of implementing policies and carrying out their projects effectively (Alagappa 2001: 47-50). The armed forces, on the other hand, are likely to be more modernised and

better organised in comparison. Given the limits of civilian institutions' capability throughout the developing world, it thus became preferable or even necessary for the armed forces to take part in internal governance and socioeconomic developmental projects in order to ensure such projects' desired outcome (Heiduk 2011: 252-253). Accordingly, it can be argued that restricting the military to national security matters is only appropriate for developed countries where civilian governments are more capable. The armed forces in developing countries, on the other hand, have commonly taken part in activities outside the national security sphere. As Heiduk observes (2011: 253), in Southeast Asia the strict separation of civil and military spheres was never in place. When the armed forces venture into activities outside national security, civilian control is not necessarily eroded. The principle of civilian control in such a circumstance can still be maintained if the civilian government retains the ability to authorise, provide oversight over, and put an end to those activities (Alagappa 2001: 45).

In Thailand, however, the notion of civilian control has been almost completely neglected by both military and civilian leaders. The Thai military has always been a political actor that does not regard civilians as its superiors (Croissant *et al.* 2013: 158). Thailand's long history of bureaucratic and military domination has made it difficult for civilian actors to challenge the pervasive influence of the armed forces (Suchit 2004: 56). Even when the country underwent a meaningful process of democratization from May 1992 to September 2006, the military never wholeheartedly embraced the idea of being subordinate to the civilian government, only pretending to respect limits and controls while retaining many of its privileges (McCargo and Ukrist 2005: 129). There were no sustained efforts on part of civilian leaders to subordinate the Thai military, either. Even Thaksin Shinawatra, a leader with popular backing and parliamentary strengths, never confronted the military directly but instead sought to convert military officers into his own political support base (McCargo and Ukrist 2005: 134-157). Thaksin's politicisation of the military in this manner ensured that uniformed personnel continued to be involved in political matters. From September 2006 onwards, the Thai military has grown more confident in its ability to shape political outcomes and has steadily reasserted its dominance over the political landscape (Chambers 2013b: 73-76).

Overall, the concept of civilian control provides us with a normative understanding of the military's expected role in a democratic society. Thai politics, however, has largely been characterised by the ability of the armed forces to defy and disregard civilian authorities during periods of electoral democracy, while in other periods the military ruled the country outright. The lack of political will on part of Thai politicians to confront the military may be understandable in light of the fact that politicians generally do not want to jeopardise their chance of attaining or holding on to power. However, considering the fact that many prominent thinkers, policy researchers, academics and politicians in contemporary Thailand have spoken out in favour of democracy (for example see *Thai Publica*, 11 January 2014), it is notable that over the past two decades there have been no serious discussions in the public sphere on concrete measures to reform the military and establish civilian control. The idea of democratic control of the military has been virtually absent not only from the minds of military elite and civilian politicians but also from the agenda of many pro-democracy campaigners and advocates of political reform in Thailand. Bruneau and Matei (2013: 346-348) have argued that three factors, namely political will, expertise, and external pressure, are crucial in instigating and ensuring the success of military reform.

Legitimacy of the Military's Political Role

While democratic regimes can draw their legitimacy from the principle of popular sovereignty, undemocratic and military-dominated regimes typically need to rely on other sources of legitimacy. Although the military possesses the means and ability to employ coercive power against its opponents, a regime cannot depend exclusively on violence and repression as a tool for governing in the long term. In the words of McCargo (2008: 88), "nation-states claim a monopoly on the use of force, but where a state resorts to invoking force against its own population, it risks eroding its legitimacy." Thus, as Gerschewski (2013: 18) points out, undemocratic regimes seek to appear legitimate in order to avoid using violence as well as to "guarantee active consent, compliance with the rules, passive obedience, or mere toleration within the population." Governments that totally or partly lack democratic legitimacy have commonly justified their rule by pointing to their success in developmental issues,

arguing that improvements in people's quality of life would not have come about had politics been more open and democratic (Leftwich 1995: 418-420). Alternatively, or in addition to this, an authoritarian government may cite the need to maintain order within an ethnically or culturally diverse society, the desire to preserve ideological purity of the state, and the necessity of upholding unity in the face of threats to national security as reasons for the regime's dictatorial character (Heiduk 2011: 252-253; Gerschewski 2013: 19). When a degree of electoral politics is allowed in authoritarian regimes, it exists simply to provide a veneer of democratic legitimacy to such regimes, strengthen the real holders of power, and forestall true democratization (Brancati 2014: 314-320).

Even in a country that has established a degree of democracy, the military may claim that it needs to play a tutelage or guardian role in order to protect certain fundamental values of the nation from ever being undermined by the elected government or other institutions. The Turkish military, for example, has long viewed itself as the custodian of Kemalism, an ideology inspired by Turkey's founder Mustafa Kemal Atatürk that emphasises the secular character of the modern Turkish republic (Varol 2013: 599). In other cases, especially in much of the Third World, the military's guardian role has focused upon ensuring the territorial integrity of the state itself amidst threats of separatism, communal violence and other potential sources of domestic instability (Heiduk 2011: 252). The armed forces in these circumstances, while not openly in control of state power, claim legitimacy for their intrusion into politics from the perceived need to protect certain principles, values and beliefs considered to be essential to a nation's existence (Serra 2010: 44). It is also possible that a country's elected civilian government loses some of its own legitimacy to govern, often due to corruption scandals and abuses of power, and thus provides the military with an opportunity to step in to 'clean up' politics. In an analysis of the armed forces in Southeast Asia, Mietzner (2011: 14-16) highlights civilian leadership and contingent political choices as important determinants affecting the military's actions. He argues that certain choices and decisions made by government leaders in Southeast Asia stirred up tension in society and therefore opened up an opportunity for the armed forces to intervene. Though Mietzner (2011) does not focus on Thailand specifically, he notes that the crisis engulfing the

country after 2006 was chiefly a result of Thaksin's confrontational tactics towards his opponents (Mietzner 2011: 15).

The notion of legitimacy is highly relevant to any attempt to analyse the Thai military's political role. In Thailand, the concepts of liberal democracy and popular sovereignty have struggled to displace the traditional ideological system that emphasises nationalism, monarchism and Theravada Buddhism (Dressel 2010b: 449-455). As discussed earlier, the Thai military regards protection of the monarchy as its primary duty. It has been willing to legitimise its foray into politics by citing the need to eliminate anti-monarchy threats. Ferrara (2015b: 279) notes that in Thailand a strong display of loyalty to the monarchy can lend legitimacy to unelected institutions on grounds other than performance. On the other hand, the fact that the Thai state has increasingly had to rely on repressive measures, including the application of *lèse majesté* law and the oft-criticised Computer Crimes Act (Streckfuss 2011: 291), to combat anti-monarchy threats also reflects the growing weakness of the royalist establishment itself. In the words of Ferrara (2015b: 292), "[i]f royalists were still able to steer the course of events behind the scenes, through the network monarchy's vaunted 'invisible hand', they would not have relied on censorship, *lèse majesté*, street violence, military firepower, and outlandish court rulings as heavily or as frequently as they have." The effectiveness of building legitimacy based on royalism to justify military intervention has thus been thrown into doubt in today's Thailand.

The Military and Society

Closely related to the issue of legitimacy is the military's relationship with the wider society. For a country's armed forces to attain and maintain political influence, cultivating a positive relationship with the civil society is vital. Public approval can strengthen the military's political power and extend the lifespan of a military-dominated regime. Mietzner (2011: 11) identifies a number of methods that military forces in both democratic and non-democratic countries have used in an attempt to control or influence public opinion. These range from benign activities, such as publishing newsletters and participating in rural development projects, to more malign ones such as taking part in enforcing censorship and sponsoring state

propaganda. When public opinion turns against the military, as was the case in the lead up to Thailand's May 1992 violence and the fall of Indonesia's Suharto in 1998, it can become extremely difficult for the generals to preserve their prestige and status.

The Thai military has a history of channelling much of its energy into schemes designed to influence the civil society. When communist insurgents were threatening the very existence of the Thai regime during the 1960s and the 1970s, the use of force was not the only strategy the army deployed to suppress the communists, who enjoyed the support of a substantial portion of rural dwellers. Following the US government's blueprint, military personnel took part in rural development projects in the belief that improvements to quality of life would be crucial for the Thai state to win support from the rural population (Ockey 2001: 194). Later, the Prime Ministerial Order 66/2523, crafted with the backing of the Young Turks and the Democratic Soldiers factions (Ockey 2001: 196-197), laid out a plan to defeat communism once and for all by promising to eliminate social injustice, distribute income more evenly and expand popular participation in the political process (Baker and Pasuk 2014: 238-239). As Ockey argues (2001: 197), the language of democracy during the 1980s (the so-called 'semi-democracy' period) was more of an anti-communist tool rather than part of a genuine effort to liberalise the political structure. This was why the military still kept control of key political positions and leftist political parties were outlawed. The eventual victory over the Communist Party of Thailand cemented the military's belief in the importance of rallying the public to its side (Montesano 2014: 6-7). This did not mean, however, that military leaders were in support of the principle of popular sovereignty. Instead, the military's view remained firmly conservative. People were important, but only in the sense of being an essential component of the royalist political order (Montesano 2014: 5-9).

After the events of May 1992, popular backlash against the military paved the way for 15 continuous years of civilian governments. Armed forces leaders then spent the following several years trying to repair the damage that 1992 had done to the military's reputation. The language of development, again, proved to be the military's favourite method of engaging with the citizens (Ockey 2001: 203), while the large number of television and radio stations still under military control

continued to allow it to disseminate information (Ockey 2001: 199). In 1998, the army formally amended its slogan of “Nation, Religion and King” so that it read “Nation, Religion, King and the People” (Royal Thai Army 1998). The attempts to restore the military’s standing were not always successful, however. When the late-1990s economic crisis hit Thailand, the military’s arms purchases around that time were met with widespread public disapproval (Surachart 2001: 87).

The issue of the Thai military’s relationship with the public has become important again over the past decade as rival mass movements emerged in support of or in opposition to Thaksin Shinawatra and his allies. In particular, the military’s prominent role in violently suppressing the largely pro-Thaksin ‘Red Shirt’ demonstrators in 2009 and 2010 means that the Thai army has possibly alienated a significant number of its fellow countrymen (Nelson 2011: 17-18). While I am not assuming that all of those who have voted for pro-Thaksin parties in various elections are Red Shirt supporters, a look at recent election results can broadly indicate the size of the population who today may be holding a less than positive view of the military. Successive iterations of pro-Thaksin parties have won every general election since 2001, receiving between 11 and 19 million votes each time. The pro-Thaksin candidate in the 2013 election for Bangkok’s governor, though failing to win, earned more than a million votes (Saksith 2013). Anti-military sentiments were also clearly expressed at Red Shirt rallies and gatherings after the 2010 crackdown (Fuller and Mydans 2010; Montlake 2011). Just over a year after the crackdown, a number of army officers involved in suppressing the Red Shirt protesters were promoted to important positions, a fact that was likely to fuel resentment and anger among the sizeable proportion of Thais who had supported or sympathised with the Red Shirts (*Kom Chad Luek*, 5 September 2011). To explain the role of the military in twenty-first century Thailand, the issue of how the military has engaged with the civil society, along with how civic groups perceive the military’s role, will be part of the questions explored in this study.

Conclusion

This chapter broadly explores some of the important factors and conditions relevant to the political role of the Thai military. The Thai monarchy is respected and revered throughout Thailand and its varying patterns of relationship with the military have been crucial in some of the key political events which will be explored in subsequent chapters. Meanwhile, factionalism is another key characteristic of the Thai military. The role of military factions will also be part of the discussions in subsequent chapters of this thesis.

Chapter 3

Thailand's 2006 Military Coup: Democratic Backsliding, Elitism and Royalism

Introduction

This chapter analyses Thailand's 19 September 2006 military coup and its significance within the country's political development and democratisation process. The coup—staged by a junta calling itself the Council for Democratic Reform under Constitutional Monarchy, later renamed the Council for National Security (CNS)—was the country's first since February 1991. The elected civilian government of Thaksin Shinawatra, having been weakened by a combination of street protests, court rulings and machinations by elite figures, was thrown out. The CNS then imposed a period of military rule lasting a year and four months before allowing a new election to be held in December 2007 under a new military-sponsored constitution.

Thaksin's government was the last in a succession of civilian governments that came to rule Thailand since the fall of a previous military regime in May 1992. After the September 1992 election, the military became marginalised, allowing elected politicians to be the main players in the political sphere up until the coup of 2006. In a country with such a long history of military influence over domestic politics, this fifteen-year period of uninterrupted, election-based civilian rule was remarkable, at one point giving rise to the idea that Thailand's hitherto fragile democracy was becoming institutionalised. Even the term 'consolidated democracy' started to become part of the conversation by the late 1990s, albeit often in terms of how far Thailand still had to go to reach that stage (McCargo 2003: 129). From this perspective, the 2006 coup that toppled Thaksin, a Prime Minister who had achieved two landslide election victories in 2001 and 2005—becoming the first elected Thai leader to complete a full four-year term—represented a sharp reversal of the country's political trajectory. Scholars have noted how the 2006 coup shifted the balance of power away from elected politicians and towards the military, the

traditional elite and the bureaucracy. After a long absence, the military's return to frontline politics appeared to be a throwback to a bygone era in which unelected, unaccountable and unrepresentative institutions dominated the Thai state. Following the coup, Thailand became a frequently cited example of a country afflicted by the 'democratic rollback', 'democratic backsliding' or 'democratic recession' phenomenon (Diamond 2008: 36; Kapstein and Converse 2008: xiii; Diamond 2015: 145). Pro-democracy observers, understandably, reacted to the coup with varying degrees of sadness and shock, though many of those opposed to Thaksin welcomed the military intervention. Commentators typically subscribed to the idea that the coup marked a sharp reversal of Thailand's perceived post-1992 journey towards becoming a stable democracy. Thitinan (2008: 140) remarks that "[a]fter fifteen years during which the reins of government had changed hands only via elections, it seemed that Thailand had taken a giant step backward." McCargo (2006a) calls the coup "a terrible moment for Thai democracy" and the sight of tanks on the streets "the recourse to a solution which we all know is no solution at all." Beeson (2008: 474-475) describes the coup as "largely unexpected". Prominent Thai public intellectual Sulak Sivaraksa remarked that every military coup in Thailand, including the 2006 one, had been bad not just for democracy but also the citizenry and even the revered monarchy (*Prachatai* 20 January 2007). Somsak Jeamteerasakul, then a firebrand historian at Bangkok's Thammasat University, wrote angry diatribes against scholars he regarded as responsible for providing intellectual justifications for the coup (Somsak 2007: 382-430).

At first glance, given the frequency of military coups in Thailand, it is tempting to regard the 2006 one as simply a repeat of the 'same old story', not dissimilar to previous military interferences in Thai politics. This view, however, ignores many of the significant developments that occurred after May 1992. Not only did the country's emerging democratic order allow the elected government to apparently gain the upper hand over the military, but there was also an ambitious political reform movement that produced the 1997 constitution and, inadvertently, led to the ascendancy of Thaksin. In contrast to the civilian governments in the 1990s which were short-lived and lacklustre, Thaksin, understanding how the 1997 constitution was designed to favour large parties and a strong executive, became the first civilian leader to achieve political dominance mostly through election- and

parliament-based means. Although Thaksin, as will be discussed later in this chapter, actually went beyond the acceptable boundary of democratic politics in order to amass power, the important point is that the 2006 coup, unlike previous ones, was the first time in Thailand that a group of generals, along with their backers, plotted to overthrow an extraordinarily powerful, democratically elected civilian Prime Minister. As noted by Ukrist (2008: 130), at the time of the coup Thaksin “had strong control of parliament, the media, the bureaucracy, provincial governors, police, significant sections of the military, and the solid support of the masses, especially in rural areas.”

Beside the issue of Thaksin, it is important to consider the broader changes brought on by those fifteen years of continuous electoral rule, during which Thailand crafted the generally celebrated 1997 constitution, embarked upon a wide-ranging process of decentralisation and saw Thaksin become the first elected leader to complete a full four-year term. Democratic politics, however imperfect, was not just a flash in the pan; it was becoming entrenched and a familiar part of life. If the Thai people had been disappointed by the political and economic chaos of the 1990s, they certainly showed greater enthusiasm when the 2001 election was won by Thaksin’s Thai Rak Thai (TRT) party. Though Thaksin eventually proved to be, at best, a contingent democrat, more interested in the majoritarian side than the liberal aspect of democracy, his tenure in office was responsible for making democratic politics more rewarding—especially in material terms—for a large part of the population, in particular the long-ignored rural inhabitants (Ockey 2007b: 10). As several of Thaksin’s populist pro-poor policy measures began to bear fruit, a large number of Thais now had tangible, rather than just abstract, reasons to be in favour of democracy. Ockey (2007b: 10) recounts his conversations with low-income Thais who believed that Thaksin’s opponents were mainly “rich people who were unhappy that Thaksin was doing things for the poor.” Furthermore, thanks to the introduction of a larger degree of decentralisation under the 1997 constitution, political offices in various sub-national levels were now required to be filled by elected officials. Elections thus became even more frequent occurrences than before, enabling people to appreciate the value of being able to vote for those who serve them locally as well as nationally. In this sense, the 2006 coup leaders were deposing not just Thaksin’s government but also a nascent democratic culture.

The story of the 2006 coup, therefore, is not only about the military's actions but also revolves around democracy. In order to understand this particular coup, however, there is first a need to investigate the kind of 'democracy' that was present in Thailand at the time. This is because the Thai political system since 1932 had consistently been one in which elite groups had played an enduring role, and any explanation of the 2006 coup needs to recognise this fact. One of the most remarkable features of the coup, as Ferrara (2015: 1) observes, was how it was "awash in royal symbolism", which means that it is necessary to analyse the role of the Thai monarchy during the 70-year reign of the late King Bhumibol Adulyadej (1927-2016) in relation to Thailand's political development up until the removal of Thaksin. Accordingly, by looking at the interplay between elite and non-elite actors in Thailand over the last four decades, we can understand the 2006 coup not just as a narrow conflict between Thaksin and his opponents but rather as a product of the underlying tensions concerning how the small elite can coexist with forces that constantly threaten their interests and privileges.

The chapter advances this argument in three steps. It first discusses the political role of Thai elite groups centred upon the military and the monarchy, focusing on the nature of Thailand's political system since the October 1973 mass uprising. It then shows how two major post-1973 trends, namely the growing influence of non-elite actors on the one hand and the adaptation of elite forces to new realities on the other, contributed to the unprecedented rise of Thaksin Shinawatra. Next, it provides an account of the events that led to Thaksin's downfall and allowed the military to stage the coup on 19 September 2006. It then concludes by arguing that the coup was ultimately a sign of weakness on part of the Thai establishment.

The Military, the Palace, and Thailand's Controlled Democratisation

The end of Thai absolute monarchy in June 1932 was supposed to herald the arrival of liberal democracy and a constitutionally restrained monarchy. In reality, however, it did not immediately produce a democratic regime. The People's Party, the group of military officers and civilians that seized power from King Prajadhipok, managed to establish a constitutional system that put a limit on the monarch's

power but eventually became embroiled in an internal power struggle. Despite the introduction of modern institutions resembling those in a typical democracy, the Party soon descended into a conflict between its military wing and civilian wing, unable to fully commit to the post-1932 aim of building a democratic regime. At the same time, royalists made attempts to regain lost privileges and claw back some of their power, resulting in violent clashes between rival groups of armed forces and periods of military dictatorship, most notably under the anti-monarchy, fascist-leaning Field Marshal Plaek Phibunsongkhram (commonly known in English texts as Phibun). The royalists gained the upper hand after the November 1947 coup, fending off challenges from civilian politicians and left-wingers in parliament (Hewison 2015: 53-54). The monarchy was further rejuvenated during the dictatorial rule of Field Marshal Sarit Thanarat, who took power in 1957 and allied himself with the monarchy in order to defeat his chief rival Phibun. At the height of the Cold War, the US also lent crucial backing to bolster the Thai military together with the monarchy (Kullada 2012: 216-219). Military rule, with palace support, thus became an entrenched feature of Thai politics until Thailand's growing wealth and related socioeconomic changes helped spur the anti-military mass uprising of October 1973.

In this section I discuss two narratives surrounding Thailand's democratisation since the 1973 uprising. The first focuses on how the 1973 episode opened the way for actors outside the small elite to play a more assertive role in the political landscape. The second narrative, while recognising the increased relevance of those actors, views Thailand's subsequent political development as a process that was still shaped largely by the military, bureaucratic and royalist elites. These two narratives are not necessarily incompatible or mutually exclusive; each simply shines the spotlight on different aspects of the country's political structure. I argue that the 2006 military coup can be understood partly as a product of the elite's continued struggle to cope with rising threats to its power and privilege following October 1973.

Narrative One: The Expansion of the Political Playing Field since October 1973

In the first narrative, an underlying theme of Thailand's political development from 1973 to the early 2000s was the gradual, though periodically interrupted, opening of political space since the October 1973 mass uprising against the military dictatorship of Field Marshal Thanom Kittikachon. The uprising was a landmark event in the country's modern history. It shattered the aura of invincibility around repressive military rule and powerfully challenged the axiom that Thai politics was exclusively an affair of the military, royalist and bureaucratic elites. In other words, October 1973 was the moment when the citizenry announced its long-awaited arrival on the political scene, one of the unfulfilled promises of 1932. Thongchai (2005: 151) argues that the uprising established 'the people' as the third force in Thai politics, upending the previously unquestioned dominance of two other forces, namely the royalists and the capitalist-politician alliance. Although the 1973 protesters were far from consistent believers in democracy—scholars have pointed out how the uprising was driven by a combination of several conflicting ideas ranging from democratic values and leftist thoughts to conservative elements of Buddhism and royalism (Prajak 2013: 88-90; Baker and Pasuk 2014: 186)—the uprising left one long-lasting lesson for the country as a whole: it is possible for mass power to overcome a mighty military regime.

For the conservative elite, the consequences of October 1973 were profound. Realising how their interests and privileges were being threatened, Thai elite actors subsequently adopted a strategy of alternately resisting, containing and responding to demands from other actors for more involvement in the political process. From late 1973 to 1976, previously suppressed groups such as labourers, farmers and left-wingers began to make their voices heard (Chai-Anan 2002: 94). The strongly leftist flavour of this period proved intolerable for the military and other actors within the Thai conservative elite, whose interests and concerns had by then been shaped by the Cold War-era fear of communism (Thongchai 2016: 6). Tensions rose to dangerous levels, culminating in the bloody massacre of student protesters in Bangkok on 6 October 1976. The massacre was carried out by security forces but also with the help of state-sponsored right-wing paramilitary groups known to be contemptuous of social activism, liberal politics and the left-leaning tendencies of the student movement (Anderson 1977: 19-20). Nonetheless, the highly repressive military-backed government of Thanin Kraivixien that emerged after the massacre

lasted only a year. Elements within the Thai elite apparently realised that extreme repression was no longer the right method of governing the country.

Thus, the 1980s saw the emergence of a more open political order based on electoral politics, reflecting the Thai state's shift towards a less aggressive approach to combating the much-weakened communist movement. While conservative forces centred on military, bureaucratic and royalist elites still attempted to maintain control over the country's key issues, other actors—especially political parties, business groups, civic groups and media outlets—pushed for and gained increased influence over politics and society (Anderson 1990: 41; Sidel 1996: 58-59; McCargo 2006b: 296; Connors 2009: 362). In the view of one veteran politician, an important, though somewhat ironic, sign of politicians' growing power during this period was the increased attention the press and the public paid to scandals involving members of parliament. If politicians had not been considered important players in the system, there would not have been such a high level of attention on their wrongdoings.²² The end of Prem Tinsulanond's long spell as an army-backed, palace-favoured Prime Minister from 1980 to 1988, along with his replacement by Chatichai Choonhavan, a retired army general whose leadership of the conservative Chart Thai Party saw it win the most seats in the 1988 parliamentary election, further reinforced the trend towards greater pluralism in Thai politics. The decisive victory over communism in the 1980s should have been a glorious moment for the military, but ironically it was also a point at which the public began questioning whether the country would still need a strongly military-dominated political system (Somsak 2013: 110). Although Prem himself had a role in ensuring that Chatichai assume the premiership (Tamada 1995: 331), the rise of an elected politician to be the country's leader still marked a dramatic break with the Prem years and a symbolic milestone in Thailand's democratisation.

Though the military staged a coup against Chatichai in 1991, its attempt to re-impose military-bureaucratic dominance on the country ended in a disaster. Chatichai's government was thrown out over allegations of widespread corruption, abuse of power, 'parliamentary dictatorship', undermining the military, and mishandling of anti-monarchy threats (official announcement by the coup group,

²² Interview, Anonymous politician and former Speaker of Parliament, Bangkok, 18 November 2015

reprinted in Thamrongsak 2007: 177-180). The military junta, calling itself the National Peace Keeping Council (NPKC), appointed Anand Panyarachun, a well-respected businessman and former diplomat with close links to the palace, to lead a cabinet with strongly technocratic and bureaucratic flavours. The appointment of the independent-minded Anand, rather than someone who would simply assume the role of the junta's puppet, was a sign of the military's need to win confidence and trust from the increasingly powerful Thai public (Somsak 2013: 110). Yet the army subsequently bungled its attempt to tighten its grip on power, badly misjudging the popular sentiment against a return to undemocratic rule. In May 1992, an anti-military mass protest broke out in Bangkok. The bloody army-led crackdown of the protesters then greatly tarnished the military's standing in the eyes of the public. King Bhumibol, by then a long-reigning, highly revered monarch (Thongchai 2008: 21-22), made a widely publicised intervention in which he summoned both the junta chief, General Suchinda Kraprayoon, and the protest leader, Chamlong Srimuang, for a televised dressing-down, demonstrating his immense royal authority and putting an end to the violence (Suchit 2013: 171). Popular backlash against the military in the aftermath of the crackdown was so strong that some military officers resorted to wearing civilian clothes instead of their uniforms during their daily commute (Wassana 2002: 85). The military's retreat from frontline politics would last for fifteen years, a remarkably long time in the Thai context. At this point, the Thai people appeared to finally gain the upper hand over the military.

A weakened military should have presented the country with a golden opportunity to undertake serious reform of the armed forces in accordance with democratic principles. However, only a limited degree of reform was carried out by the end of the 1990s. Examples of efforts to assert civilian supremacy during this period include a proposal in 1996 to restructure the military in order to make it more accountable to the civilian government. This was to be achieved by, among other things, bringing the military's supreme commander and the chiefs of each force under the defence permanent secretary (Ockey 2001: 199). In the end, however, the restructuring plan was toned down according to the wishes of senior military officers (Ockey 2001: 200). A more successful attempt to impose civilian supremacy was the significant cut in defence budget by Chuan Leekpai's

government in the wake of the 1997 financial crisis. The impact of the crisis on Thailand as a whole was severe. The IMF-imposed restructuring plan specified that Thailand had to run a budget surplus of 1% of GDP, meaning that all government departments had to face large spending cuts (Vilawan 2013: 60). As Ockey notes (2001: 202), Chuan “managed to convince military leaders that they must set an example by allowing defence cuts at least equal to the average of other ministries”, a request which the military voluntarily accepted. General Chettha Thanacharo, then chief of the army, remarked that the army was prepared to “share the pain” of the budget cuts with everyone else though he was far from pleased with the situation (*Arthit* 19-25 December 1997). A few months later, General Mongkol Ampornphisit, then supreme commander, echoed Chettha’s view but added that the government should ease the cut in military budget once economic conditions improved (*Arthit* 20-26 March 1998). The Chuan government, citing the need to comply with the requirements outlined by the IMF, also embarked upon a scheme to privatise or part-privatise a number of state-owned enterprises. Previously, Thailand’s state-owned enterprises had been generally regarded as lucrative cash cows for the rich and the powerful. It was common for these enterprises to be run by well-connected figures seeking illicit personal gains. While the government’s scheme was not directly aimed at weakening the military, several enterprises under the Defence Ministry such as the Glass Organisation, the Battery Organisation and the Leather Tanning Organisation were affected. As the scheme went ahead, many senior military officers lost their positions on the boards of those enterprises (Vilawan 2013: 68-69).

Although these reforms were notable, they progressed slowly and did not go far enough in terms of meaningfully reducing the military’s role in the country’s political, social and economic affairs. There seemed to be a widespread assumption that the armed forces had simply been rendered irrelevant and powerless by the May 1992 debacle, hence the lack of any need for an urgent and comprehensive plan to establish a higher degree of democratic control of the military.²³ This overoptimistic assumption was perhaps supported by a tendency for senior military figures to publicly acknowledge the lessons of May 1992. General Surayud

²³ Interview, Anonymous politics lecturer 2, Bangkok, 6 October 2015

Chulanont, army commander from 1998 to 2002 who later became the junta-appointed Prime Minister in 2006, remarked in a May 2002 interview:

From that event [May 1992], the military has learned many lessons. In particular, the military should not get involved in politics. A military coup does not solve anything. It just leads to violence and damages, and takes the country backward. (*Matichon Weekly* 24-30 May 2002)

Surayud, it should be noted, was one of the army officers directly involved in the May 1992 violence. While he enjoyed a reputation as a reform-minded army chief, he had a role in one of the ugliest scenes of the army-led crackdown on anti-NPKC civilian protesters. In the words of Chambers (2013: 229):

During the crackdown, General Surayud Chulanont, then the leader of the Special Warfare Command, led troops to the Royal Hotel, which was being used as field hospital by demonstrators. These elite forces, in video footage, were seen kicking injured protestors.

Narrative Two: The Enduring Role of Royalist and Military Elites

In the second narrative, October 1973 did not represent a defeat of Thai elite forces but was a point at which those forces began to devise new ways of coping with challenges from lower levels of society. Thailand was inevitably heading in a more democratic direction, but whatever kind of democracy that emerged had to be contained, tamed and made ‘safe’ for the elite (Kasian 2016: 227). Higley and Burton (2006: 7) define political elites as “persons who are able, by virtue of their strategic positions in powerful organizations and movements, to affect political outcomes regularly and substantially”, a description that fits the characteristics of the monarchy and top military leaders in Thailand during much of the post-1932 era. The second narrative thus seeks to highlight the ways in which Thai elites managed to maintain or even enhance their authority in the post-1973 era.

Historian Thongchai Winichakul (2005: 150-152), a prominent critical voice in the Thai academia, has argued that one of the key consequences of the 1973 event is the emergence of the monarchy as a uniquely powerful political actor wielding authority beyond the supposed limits of a typical constitutional monarchy. One of the most enduring images of the October 1973 episode is that of the royal family, in casual clothes, welcoming protesters who were fleeing security forces into the

grounds of the Chitralada Palace, the king's Bangkok residence. The monarchy was regarded as being on the side of the people and in opposition to the 'evil' military dictatorship, thus validating the then recently-popularised idea among the 1973 protesters that the Thai monarchy had always been a pro-democratic force. In the lead-up to the uprising, anti-military demonstrators made references to King Prajadhibok's 1935 abdication letter²⁴—in which he stated that he was willing to give away his power and prerogatives to the people but not to another absolutist ruler or group of rulers—and portrayed it as a message against military dictatorship (Somsak 2001: 9-10). In the aftermath of October 1973, King Bhumibol made another important political intervention by directly appointing Sanya Thammasak, a Privy Councillor and Supreme Court judge, as interim Prime Minister. The appointment was generally well-received and illustrated the palace's ability and willingness to fill in the power vacuum that the military regime left behind (Somsak 2013: 108).

For Thongchai, the monarchy's role during and after October 1973 was crucial in establishing a new kind of political order, which he calls 'Post-1973 Democracy' (Thongchai 2005). The essence of this order was that, as a result of the palace's intervention in the uprising, the monarchy assumed a uniquely privileged status as an institution 'above politics'. In the Thai context, the meaning of 'above politics', or เหนือการเมือง, was a product of what Thongchai (2005: 147-150) sees as a sustained campaign by royalists to revive monarchism in the post-1932 era. 'Above politics' is a term preserved only for the monarchy; no other Thai institutions are described as such. To be above politics, in this sense, means to be detached from the political realm and thus untainted by the perceived immorality of political activities. The term 'above politics' also reflects Thailand's deep-rooted tradition that accords the monarchy a sacred, semi-divine status. Unlike European constitutional monarchies, the Thai monarchy retains clout, mystique and many other pre-modern characteristics largely derived from ancient Buddhist notions of kingship

²⁴ King Prajadhibok, also known as King Rama VII, was Thailand's last absolute monarch who reigned from 1925 to 1935. In 1932 a coup by the People's Party overthrew absolute monarchy, but Prajadhibok was allowed to stay on as a monarch with constitutionally restricted powers. In 1935 he abdicated, a highly unusual act for a Thai king. The royalist narrative of Thai history portrays him as 'The Father of Thailand's Democracy'.

(Thongchai 2005: 148, 151). The monarchy is therefore seen to be occupying a hallowed space, being formally under the constitution but *de facto* unconstrained by it. In other words, being above politics does not mean the monarchy is not allowed to become involved in political matters should it wish to, but any royal intervention would not be regarded as a political act. 'Politics' in Post-1973 Democracy was narrowly understood as competition for formal governmental power and parliamentary seats. This conception of what constituted 'politics' was then reinforced and disseminated throughout the country by the education system and the media.

Despite the growing influence of elected politicians throughout most of the 1980s, Thailand's gradual democratisation did not diminish the monarchy's authority. Instead, the palace managed to turn itself into a key pillar of the emerging democratic order, allowing it to wield enormous influence over various national affairs without having to be responsible for its actions. As McCargo puts it (2005: 501), King Bhumibol's "core achievement lay in securing a high degree of relative autonomy for the monarchy within Thailand's increasingly pluralist order." Thus, the word democracy in Post-1973 Democracy is not used to denote a system of popular sovereignty but rather to designate the increased regularisation of electoral politics, something that actually bolstered the authority of the palace. Further adding to the king's moral authority was the extensive network of 'royal projects', consisting of thousands of mainly rural-based development schemes sponsored in various ways by the palace (Chanida 2007: 3-7). With the help of mass media, these projects enabled the king to emit the image of being a benevolent monarch who cared deeply for his subjects and was prepared to work hard for them. Thailand's strict *lèse majesté* law, which criminalised insults and defamation against the monarchy, also served to suppress the spread of views that went against the official narrative. The revival, or in some cases invention, of majestic royal ceremonies and traditions from the 1970s onward served to further impress royal grandeur upon the mass (Thongchai 2016: 23-24).

By mid-1980s, the collapse of Thai communism further strengthened the dominance of Post-1973 Democracy. As the ideological battle appeared to be decisively settled in favour of the status quo, critical intellectuals, some of whom had previously directed their ire at the monarchy, shifted their focus to opposing the

military's political role and advocating parliamentary democracy. In a marked contrast to earlier radical writings, the monarchy was either left out of the works of these intellectuals or deferentially portrayed as a positive element of democracy. Notable among these intellectuals were Chai-Anan Samudavanija, Saneh Chamarik, Teerayut Boonmee and Kasian Tejapira (Thikan 2012: 485-562). A particularly significant demonstration of the monarchy's growing strength was the dramatic failed coup against Prem Tinsulanond on 1 April 1981. The palace's clear support for Prem was crucial in saving him from the attempted coup, whose instigators were an ambitious group of mid-ranking soldiers known as the Young Turks. The royal family's presence alongside Prem at the Second Army Region base in Nakhon Rachasrima province was crucial for Prem's success in mobilising disparate military groups against the relatively small group of troops under the Young Turks' command (Tamada 1995: 321-322). Prem himself would go on to have a more important role as a key ally of the palace. He was appointed to the Privy Council in August 1988 after leaving the Prime Minister post, was elevated to the presidency of the Privy Council in 1998 and, after the passing of King Bhumibol on 13 October 2016, became the country's regent.

In May 1992, the palace's perceived role in restoring calm after the violent crackdown on anti-NPKC protesters further boosted its popularity and, in the age of mass media, helped to create a new sense of direct connection between the monarchy and the people (Somsak 2013: 112-114). Resembling the aftermath of October 1973, the monarchy also had a role in ensuring that a figure acceptable to the public, palace favourite Anand Panyarachun, take the interim Prime Minister job to stabilise the political situation after the fall of the NPKC (McCargo 2005: 507-508). The irony of Anand, who had been the military-appointed Prime Minister just a year previously, being hailed as the people's hero exposed the confused messages of the anti-NPKC demonstration. Instead of being driven strictly by democratic principles, the protesters appeared to also be particularly concerned with moral issues. NPKC's key leader Suchinda had broken his own promise of never accepting a political position by taking up the Prime Minister job following the March 1992 election, and this blatant flip-flopping was perhaps a stronger motivation behind the anti-military protest than a genuine desire for democracy (Sirote 2016). Had the protesters been truly advocating a democratic form of government, there would

have been a major backlash against the return of the unelected Anand. As it turned out, the popularity of Anand and the acceptance by the public of his second spell as Prime Minister showed how royalists cleverly managed to co-opt popular sentiment and used it to their advantage, a further demonstration of the prowess of Post-1973 Democracy.

Anand, according to a source close to him, believes his popularity during that period arose from being viewed as a “democratic-leaning” figure in comparison to the generals.²⁵ In reality, however, he was far from a committed advocate of democracy. He has spoken in defence of both the 2006 and the 2014 military coups and, in the latter case, has labelled the US government a “hypocrite” for criticising the Thai military’s human rights violations. For Anand, democracy is not the only indicator of a good political system. He believes democracy is only “75-percent important” because in his ideal system of government, good governance should also be a significant consideration. This was why he was willing to tolerate military governments that promised to tackle corruption and clean up politics.²⁶ Furthermore, Anand advocates the idea of an all-appointed upper chamber rather than an elected one. In his view, one of the ways to improve the Thai political system is to make sure that the Senate can function as a truly ‘independent’ body, free from the influence of the elected government. Having a powerful all-elected Senate, which was the case in Thailand from 2000 to 2006, was a failure because Thaksin’s immense wealth had enabled him to easily manipulate senators and gain control over many elements of the country’s system of checks and balances. Anand argues that Thailand should adopt what he calls the ‘British House of Lords model’. By this he means a second chamber whose members consist wholly or partly of former high-ranking state officials who get appointed to the chamber by virtue of their knowledge and experiences (*Wikileaks* 21 September 2006).

Perhaps the most remarkable aspect of Post-1973 Democracy is the rise of the monarchy to the unique informal position of Thailand’s ‘supreme arbiter’ (McCargo 2005: 501), perceived as not normally involved in politics but capable of peacefully putting an end to extreme cases of political turmoil, as most memorably seen in 1973 and 1992. In comparison to the various wrongdoings of politicians and

²⁵ Interview, Anonymous royalist elite figure, Bangkok, 28 December 2015

²⁶ Interview, Anonymous royalist elite figure, Bangkok, 28 December 2015

other powerful figures, the monarchy's clean image, revered status and carefully accumulated clout allowed it to "conserve the moral high ground [and] protect the legitimacy of its routine interferences" (Ferrara 2015: 185). Under King Bhumibol, the arbiter role of the monarchy even became a key element determining a coup's success or failure. As Somchai (2012: 17-19) points out, at least since the October 1976 coup that installed Thanin Kraivixien, it subsequently became clear that the leaders of a coup could be assured of their success on if they could manage to be granted an audience with the king. As one of the first moves of a coup's leaders would almost always be to abolish the previous constitution, a new 'interim' constitution backed by coup leaders would need the king's formal endorsement before coming into effect, meaning that theoretically it was possible for the king to decline to sign it and thus completely reject the legitimacy of those leaders. In addition, with the king's authority, there was no need for opposing sides in a coup to engage in open combats against each other. The monarch's tacit endorsement of one side over the other was often enough to settle the conflict, usually allowing one side to surrender early in exchange for being spared the death penalty, the formal punishment for rebellion. In practice, surrender often meant being permitted to leave the country with a possibility of being quietly allowed back in later. The king's central role in coup situations was best demonstrated by the previously discussed failed coup of 1 April 1981, staged by the Young Turks against Prem Tinsulanond. Chambers (2013: 209-210) similarly argues that the Young Turks episode made it clear that a military coup could no longer be successful without securing the monarch's tacit endorsement or at least ensuring his neutrality.

Prominent legal scholar Borwornsak Uwanno (1994: 189-190) once explained the rationale behind the need for a military constitution to receive the king's endorsement. In his view, Thai sovereignty had always rested with the monarch since time immemorial. The 1932 overthrow of absolute monarchy did not take sovereignty away from the monarch's possession but merely led to a situation in which sovereign power was 'shared' between the monarch and the people in a constitutional framework. Hence, once a constitution is abolished during a military coup, sovereignty returns to the king. Whenever there is a new military-backed constitution, it inevitably needs the king's consent to convert 'his' sovereignty back

to the shared state. For these reasons, royal consent is required to proclaim a new military-backed constitution in an event of a successful coup (Somchai 2012: 19).

The manner in which the palace engaged in politics was also an important issue. The palace under King Bhumibol almost always avoided direct political intervention but tended to operate through proxies, entrusting a number of royally-connected associates with the task of implementing the monarch's wishes in various areas of national affairs (McCargo 2005: 500-503). Prem, Anand and Prawase have been key figures in the palace network since at least the 1980s, though they have not always agreed with, been close to or got along well with each other. One example of a rift within the highest level of royalists is the little-known feud between Prem and Anand. In 2007, amidst growing criticisms of Prem's alleged role in the 2006 coup, a website was launched to petition the king to dismiss Prem from the Privy Council. In response, a university lecturer called Yodsak Kosaiyakanon, a self-professed admirer of Prem, appealed to the police to charge the website's owners with *lèse majesté*, presumably because Prem was the president of the Privy Council. The police flatly refused, pointing out that the Thai *lèse majesté* law covered only members of the royal family and not Prem (*The Nation* 3 April 2007). While the episode was quickly forgotten, Anand particularly disapproved of Prem's silence throughout the affair. A source close to Anand reveals that Anand thought Prem himself should have announced very early on that the *lèse majesté* law did not cover him instead of leaving it to the police to do so. According to the same source, Anand viewed Prem's silence as something that could have made people think that Prem secretly wished to be covered by the law.²⁷

The preceding discussion portrays Thailand's political development from the 1980s onward as not simply a case of people-empowering democratisation but rather a process that accommodated the interests of elite as well as non-elite actors. On the surface, the two narratives may appear contradictory. The first narrative paints a picture of a political system with an elite whose power had gradually been diminished by the growing strength of the citizens and other actors from below. On the other hand, the second narrative looks at how the monarchy and senior royalists managed to cope with the changing political situation and actually emerged stronger. It is possible, however, to view both narratives as complementing each

²⁷ Interview, Anonymous royalist elite figure, Bangkok, 28 December 2015

other because without the fall of the Thanom regime and the rising influence of non-elite actors following October 1973, the monarchy might not have had the opportunity to assume such a uniquely powerful status. Had Thanom survived the uprising, the monarchy could have remained merely a junior partner in its alliance with the military. In McCargo's words (2005: 502), the growing pluralism of the Thai political order in the 1980s motivated the palace to "permit the formation of apparently representative governments, while employing political networks to subvert them." The rise of the mass also proved beneficial for the palace because mass support would turn out to be one of the most important factors underpinning the monarchy's power and legitimacy. In sum, Thailand's political development from 1973 to 2006 is a story of continuous tensions. On one side there is the conservative bloc comprising military, bureaucratic and royalist elites seeking to protect and advance its interests. On the other side, non-elite beneficiaries of socioeconomic changes demanded greater inclusion in the political realm. Elite forces have been contingent democrats, advocating democracy only in specific cases that suit their interests. This palace-centric elitism was eventually challenged by Thaksin Shinawatra, an elected politician who successfully converted Thailand's increased pluralism into a potent source of his power and ultimately provoked an extreme response by the elite in the form of the 2006 coup. Ironically, the rise of Thaksin was made possible in no small part by the elite-shaped 1997 constitution.

The 1997 Constitution and the Rise of Thaksin Shinawatra

The May 1992 episode was a significant catalyst for the subsequent period of wide-ranging political reform that eventually produced the 1997 constitution, popularly called 'The People's Constitution' in Thailand. The moniker arose because in contrast to Thailand's previous constitutions, the drafting process of the 1997 document included elected representatives and wide-ranging processes of popular consultation (McCargo 2002: 9). Important democratic milestones in this constitution included the creation of a wholly elected Senate, guarantees of various basic rights, and the establishment of independent agencies meant to provide stronger checks and balances on the government and other public offices (Surin 2007: 341-342).

While the ‘People’s Constitution’ moniker gave the impression of people’s supremacy, the reality was very different. The moniker was ultimately misleading because it obscured the role of the Thai elite in the process leading to the charter’s promulgation. In fact, some elements of leftist critique of liberal democracy—that it guarantees the privileged position of political and economic elites while ‘taming’ the mass by showering them with apparent benefits (Baker 1999: 21-24)—could be applied to the Thai situation. Although there were popularly elected representatives among the drafters, the final decisions over the constitution were firmly within the hands of the elite (Rangsan 2007: 17). Instead of being defeated or weakened by the calls for reform, Thai elite actors effectively struck a pact with the urban middle class, showing recognition of the increased demand for political change and the role of middle-class protesters in the overthrow of the NPKC. The constitution was a product of an untidy compromise that tried to incorporate the views of both the elite and the civil society. In contrast to 1970s-era Thai radical thoughts that were strongly critical of the role of the monarchy and other elite groups, the central idea of the 1997 constitution appeared to be that Thailand’s political problems were chiefly caused by self-serving politicians who cared little beyond their immediate interests. For the drafters, creating a better parliamentary system was sufficient to placate people’s demand for change. Reforming Thai politics did not need to involve reforming the role of the military and the monarchy. As one Thaksin-aligned politician put it, the political reform movement that led to the 1997 constitution did not do anything to change the military. There was no attempt to establish a clear pattern of civil-military relations suitable for a democratic society.²⁸

As Surin points out (2007: 342-343), a key goal of the 1997 constitution drafters was government stability. This was to be achieved by measures such as strengthening the executive branch, stripping MPs of their ability to easily destabilise a government, and designing an electoral system that favoured large parties over small and medium-sized ones. Provisions enhancing executive power were expected to help put an end to the post-1992 style of parliamentary politics, which, though considerably democratic, was plagued by coalitional infighting, uninspiring leadership and corruption scandals. Accordingly, the drafters decided to weaken parliament and individual MPs, believing that constraints on executive

²⁸ Interview, Anonymous Thaksin-aligned politician 1, Bangkok, 12 November 2015

power would be provided by newly created independent agencies, whose members were to be determined by a process largely beyond politicians' control. Among these bodies, the National Counter Corruption Commission (NCCC), the Election Commission (EC) and the Constitution Court would go on to have significant impacts, whereas others, such as the National Human Rights Commission (NHRC), would simply fail to live up to expectations. Senators, while popularly elected, were supposed to be non-partisan and thus were given a large amount of power over appointments to the independent agencies.

The operational failings of certain independent agencies were not the only thing the drafters had failed to predict, however. In hindsight, Thailand's political crisis since late 2005 can partly be attributed to the fact that the 1997 constitution incorporated two conflicting visions of democratic politics. The first vision was a desire for political stability, which was to be achieved by bolstering the elected executive and eliminating many potential sources of premature government breakdowns. The other vision was a desire for an expansion of rights and freedom, which in the liberal democratic tradition is generally realised by establishing clear guarantees of civil rights and liberties in order to constrain the elected government.

In the Thai context, both of these visions can be regarded as beneficial for the elite. The desire for stability emerged in response to past experiences; elite interests had been threatened by the rise of the mass and other related political implications since the 1970s. Yet, if creating a strong executive was a way to ensure stability, there would also need to be some guarantees that such a powerful executive would not turn out to be a threat to elite actors. Thus, the second vision, emphasising protections of rights and liberties as limits on the elected government, was lauded by civic groups but also embodied the elite's desire. As Connors (2008: 144-147) points out, the 1997 constitution was shaped by the elitist notion that the people were allowed to rule only as long as they made the 'right' choice. Popular legitimacy, a natural component of an elected government, did not mean the government would be allowed to threaten the entrenched interests. In this sense, there would have to be meaningful ways to limit the government's power without relying solely on opposition politicians, who, due to being elected, would still be largely influenced by the untrustworthy public. It was, accordingly, necessary for the country to have institutions that would be both powerful enough to constrain the government and

able to carry out their duties independently—that is, in an environment free from popular pressure. The independent agencies—to be staffed by capable, experienced, well-educated, non-partisan figures—represented this sceptical view of the people’s capacity for self-rule. Thai people were apparently empowered but not totally trusted.

At this point, one could argue that there was nothing particularly problematic about the coexistence of these two visions. After all, a liberal democratic regime is supposed to be based on the ‘majority rule, minority rights’ principle or some variations of it. The elected government is not allowed to violate certain rights and liberties, and there are non-majoritarian mechanisms in place to protect this principle. Counter-majoritarian institutions may even be needed to increase the chance of democracy’s survival in difficult situations because they can induce elite actors and minority groups to accept democratic rule by protecting their interests from being trampled upon by the majority (Albert, Warshaw and Weingast 2012: 69-75). As Slater (2013: 751) points out, however, these two dimensions of democracy—which he calls ‘inclusivity’ and ‘constraints’—are not naturally compatible. The liberal democratic order relies on constant compromises and bargains in order to reconcile them, and there is always a potential for serious problems when such compromises fail.

Besides the issue of independent agencies, the elitist view of how Thai democracy should work was evident in other important ways. The 1997 charter required MPs to have a bachelor’s degree, thus disqualifying a large part of the population from being able to sit in parliament. The division of MPs into constituency MPs and party-list MPs was explained in terms of how the party-list component would attract better-qualified candidates who—due to being daunted by the prospect of competing with well-connected, locally influential ‘big men’ in purely constituency-based elections—previously had no desire to enter politics (Surin 2007: 342-343). As Ockey points out (2007: 10), “[t]he authors of the 1997 constitution were particularly concerned that provincial representatives were often corrupt, or even criminal”, hence the need to marginalise them. By implying that Thai people had tended to elect the ‘wrong’ type of candidates, the drafters revealed their belief that Thai democracy would need to function in such a way that people’s power would be constantly kept in check.

Even the transformation of the Senate into a wholly elected chamber was not a pure expression of trust in popular rule. Senators were barred from belonging to any political party and candidates were not allowed to campaign in a traditional sense. Instead, they could only ‘introduce’ themselves to the voters in very restricted manners using posters or through state-allotted airtime. They were not permitted to make public speeches or make any promises as to what they would do once elected (Chambers 2009: 13). The rationale was that this system would attract candidates whose achievements, qualifications and respectability were already widely acknowledged and who would have no need to sway voters with money and unrealistic promises. Like the members of the lower house, Senators were also required to have a bachelor’s degree.

In the end, it took the rise of Thaksin Shinawatra to expose many of the strengths, limits and contradictions of the 1997 charter. When Thaksin, a telecommunications tycoon and one of Thailand’s richest individuals, founded the Thai Rak Thai (TRT) party in July 1999, there were few indications that he would be able to lead it to an election victory straight away, let alone to dominate politics and usher in sweeping changes as he eventually did. Thaksin’s earlier political stint, as the leader of the Palang Dhamma party in mid-1990s, was a failure, an experience that shaped his belief that he would be better off creating a new party from scratch than joining an already existing outfit.

From its earliest days, TRT was keen to portray itself as a new kind of party that emphasised serious policy platforms and aimed to bring more talented professionals into politics, though this was not too different from what a few other parties, notably the New Aspiration party (NAP) in the early 1990s, had previously claimed to be doing. One Thaksin ally believes TRT transformed the rule of the political game by offering a vision of policy-based campaigning instead of the old-fashioned reliance on patronage, vote-buying and other dirty tricks.²⁹ In addition, as the country was undergoing a painful IMF-imposed structural adjustment programme following the 1997 Asian Financial Crisis, TRT championed an economic vision that emphasised domestic demands instead of relying solely on exports and foreign investment.

²⁹ Interview, Anonymous Thaksin-aligned politician 2, Bangkok, 9 October 2015

As McCargo and Ukrist point out (2005: 79-86, 99-100), however, in the 2001 election TRT ended up being dependent in no small part on existing groups of barely palatable politicians whose past electoral successes had been rooted in money, local influence and connections more than personal abilities, qualifications or talents. Most prominent among these groups was the faction led by Sanoh Thienthong, a veteran local boss from Sa Kaew province who was a complete contrast to TRT's forward-looking image. In the end, TRT's 'big tent' approach meant that, in contrast to established parties in Western democracies but similar to many other Thai parties, it failed to define itself in clear ideological terms. There seemed to be no limit as to who TRT was willing to work with, and the sprawling party turned out to be little more than Thaksin's personal vehicle for gaining power.

TRT's triumph at the 2001 election was an unprecedented landslide, giving it 248 MPs in the 500-member lower house. Adding to this success, a remarkably broad range of prominent individuals and civic groups announced their backing of Thaksin. His early supporters encompassed royally-connected figures, business people and civil society leaders, among others. In fact, that so many of the country's most important voices were willing to publicly profess their admiration for the same elected leader was an exceptional phenomenon in the Thai context (Sirote 2001: 8). Even when the threat of a ruling by the Constitution Court to disqualify Thaksin on an asset concealment charge was looming large in mid-2001, elite figures organised a petition campaign to demand that Thaksin be allowed to continue as Prime Minister (Uchane 2013: 277). Many of them, including Prawase Wasi and Sulak Sivaraksa, two of the most widely respected public intellectuals in the country, would later become fierce critics of Thaksin.

After the Constitution Court acquitted him in a controversial 8-7 ruling, Thaksin appeared unstoppable. The ruling seemed to embolden him to the extent that, in order to advance his agenda, he was prepared to cut ties with some of his erstwhile allies, including even figures closely connected to the monarchy such as Prawase and Prem (McCargo 2005: 513-514). Thaksin proved adept at making the most of the powers granted to the government by the constitution while circumventing and neutering its mechanisms of checks and balances. Government stability was one of his most important aims, and the constitution played a key role in helping him achieve it. He put together a ruling coalition with the support of 339

MPs from five parties, leaving the opposition with fewer than the 200 votes required to trigger a no confidence debate against the Prime Minister (McCargo and Ukrist 2005: 14). He could govern with the assurance that the MPs within his coalition were extremely unlikely to defect or rebel.³⁰ He made changes to his cabinet with remarkable frequency, demonstrating his ruthlessness against those he deemed unfit or disloyal (McCargo 2006b: 300). He realised the potential threats to his rule that could come from the Senate and worked to gain influence over many of the nominally impartial senators, enabling him to have a degree of control over appointments to independent agencies and ensuring passage of key legislations (Surin 2007: 347; Chambers 2013: 248-249). The government's popularity soared as it began to implement key TRT policy promises of cheap universal healthcare, debt relief for farmers and accessible low-interest loans. TRT argued that these measures were meant to empower the grassroots, though left-leaning scholars have criticised them in terms of how they only sought to turn rural dwellers into entrepreneurs without addressing the true structural causes of poverty and inequality (Kengkij 2009: 305-306). Another common criticism of TRT policies was that they were directly responsible for the rise in household debts which could cripple the country in the long run (Kasian 2006: 37).

As Ockey points out (2007: 7), Thaksin did not just want a stable government but a centralised and strong one. A charitable observer could argue that he needed to centralise power in order to push through his ambitious policy programmes and reform plans. He would have had little chance otherwise, given the heavy resistance likely to come from the bureaucracy, the entrenched elite and other parts of society (Ockey 2007b: 8). Yet it became evident later on that Thaksin was simply not willing to be constrained. He showed little interest in the work of MPs and very

³⁰ This was because of the constitutional requirement that a new election be held within 60 days after the lower house's dissolution (Article 116) or within 45 days after the end of its term (Article 115). It was a very powerful deterrent on politicians seeking to rebel against the government because another provision specified that in order to run for a seat in a general election, a candidate must have been a registered party member for at least 90 days (independent candidates were not allowed under the 1997 constitution). This meant that if a group of MPs threatened to bring down a government by switching parties, the government could retaliate by threatening to call a new election. As those MPs would be unable to find a new party and be registered for 90 days in time for the new election, they would have no choice but to remain in their current party, unless they were willing to sit out the next parliamentary cycle altogether.

rarely attended parliamentary sessions (Ockey 2007b: 7). His government undermined and co-opted formal organs of checks and balances by “refus[ing] to co-operate with them, obstruct[ing] their work or even offer[ing] them bribes” (Kasian 2006: 28-29). His declaration of a ‘war’ on illegal drugs disregarded normal criminal justice procedures, allowing security forces to engage in extra-judicial killings that left thousands dead and injured (McCargo 2006b: 298-299). Thaksin himself summed up his political belief by professing his admiration for Singapore-style “stable politics”, which he presumably understood as a system in which the government was minimally troubled by opposition from parliament, civil society or other checks and balances mechanisms (Surin 2007: 348).

For some of Thaksin’s allies and supporters, however, the rise of TRT as a major political force was chiefly based on democratic principles and thus was something to be celebrated. Sombat Boonngam-anong, a prominent Thaksin-leaning civil society activist, argued when interviewed for the 2013 Thai documentary *Paradoxcracy* that Thaksin was not an authoritarian but was simply making the most of all the powers he had under the 1997 constitution. A long-term ally of Thaksin praised TRT for offering a chance for what he called “the new middle-class”, the mainly rural-based beneficiaries of TRT’s key policies, to have a meaningful voice in politics. TRT supporters, he argued, felt they truly had the ability to influence government policies that directly improved their livelihoods and for this reason they were prepared to defend their democratic rights from those seeking to suppress them.³¹ In this perspective, the Thai situation was comparable to those in Latin American countries where leaders who pursued pro-poor policies were dismissed by opponents as crude populists (D’Eramo 2013: 27-28). A pro-Thaksin army general believed that many of Thaksin’s opponents were simply looking to protect their own interests while disregarding Thaksin’s democratic mandate.³² Another Thaksin-aligned politician blamed the disgruntled “conservative elite” for stroking the idea that politicians, Thaksin included, were no more than a group of corrupt, self-serving people. In his view, elite actors in Thailand could never bring themselves to believe in democratic politics because

³¹ Interview, Anonymous Thaksin-aligned politician 2, Bangkok, 9 October 2015

³² Interview, Anonymous Thaksin-aligned retired army general, Bangkok, 15 January 2016

they never embraced the idea of rule by the people.³³ It was clear, though, that these supporters of Thaksin only highlighted the majoritarian aspect of democracy and glossed over Thaksin's own undemocratic practices and disdain for checks and balances. One of Thaksin's many flaws was that the more he talked up his election wins and parliamentary majority, the more he alienated his opponents and even those who remained neutral. Even today, this kind of emphasis on democratic mandate and majoritarianism, as if no countervailing forces were necessary in a democratic system, has recently become a worrying trend among 'pro-democracy' commentators in Thailand.

Military Reshuffles in the Thaksin Era

Military reshuffles under Thaksin represented an important area in which Thailand's democratically elected leader clashed with a power structure rooted in elite patronage. Thaksin's pursuit of 'stable politics' was not limited to parliamentary affairs but also extended to security forces. As a former police officer and graduate of the pre-cadet Armed Forces Academies Preparatory School (AFAPS), he had connections inside the police and the military. Factionalism is a persistent feature in Thailand's armed forces. As a form of patronage, it plays a strong role in promotions and transfers of officers during major reshuffles which take place mainly in September of each year (Chambers 2013: 318-324). At the rhetorical level, military officers tend to profess their respect for the principle of civilian supremacy, which fundamentally requires that the civilian government has the ability to determine military appointments. Yet when pressed further, they often come up with exceptions and justifications for why the military needs to retain at least a degree of autonomy over promotions and transfers of officers (Vilawan 2013: 98).

Factions in the Thai armed forces can be based both on horizontal connections, such as being in the same AFAPS class year, and vertical connections as in the case of officers of different ranks in the same army unit. Personal rivalry, class loyalty and factional struggles within the army were important reasons behind some of the country's coups and coup attempts (Alagappa 2013: 100). A memorable

³³ Interview, Anonymous Thaksin-aligned politician 1, Bangkok, 12 November 2015

rivalry between members of Class 5 and Class 7 of the Chulachomklao Royal Military Academy (CRMA), Thailand's army cadet school, was a significant factor in Thailand's late-1980s politics, the 1991 coup and the subsequent May 1992 turmoil. A reshuffle can be a delicate affair both for the government and for the military top brass because every move can potentially have a destabilising effect on the political order of the day. The extra-constitutional influence of certain individuals, particularly Prem Tinsulanond, has tended to overshadow military reshuffles as well (McCargo 2005: 501). As explained by Chambers and Napisa (2016: 430):

Prem maintained influence over the military. He guaranteed and ended military careers; used private, informal correspondence with senior brass or public speeches designed to punish, warn, promote or praise various security officials; was instrumental in the monarchy's endorsement of military regimes; and sometimes helped to ensure the military support for civilian governments and worked against those he felt lacked sufficient loyalty and obeisance.

Thaksin understood the potential threats to his government that could come from the military. His parliamentary majority would be easily rendered meaningless by a military coup, and thus he sought to prevent it not by placating key military leaders but by actively trying to put his close friends and associates in important positions within the armed forces (McCargo and Ukrist 2005: 134-140). Since the early days of his premiership, the issue of military promotions and transfers caused a strain in the relationship between the government and the military. In the very first annual military reshuffle of Thaksin's tenure, the government, still emboldened by its broad popular support, tried to make changes to the list of promotions and transfers that the armed forces had already prepared. Military leaders were upset by the 'disrespectful' manner in which the government pursued this. General Sampao Chusri, then Supreme Commander, argued that the list prepared by each branch of the armed forces had already been thoughtfully considered based on military tradition and the officers' competence and suitability. His dissatisfaction with the government stemmed not so much from the fact that the government wanted to make changes to the lists as how the government wanted to make those changes without properly consulting the armed forces beforehand (*Thai Rath* 11 August 2001). In 2002, the Thaksin government showed an increased willingness to undermine the army when it announced before the traditional military reshuffle season that Surayud Chulanont would be 'promoted' to the largely powerless

position of Supreme Commander while Somdhat Attanant would replace him as army commander (Vilawan 2013: 89-90). This provoked negative reaction from some military figures. Air Chief Marshal Pong Maneesilp, the air force chief at the time, voiced his displeasure and publicly urged the government to revert to the old way of doing military reshuffles in the next year (*Thai Rath* 13 September 2002).

Thaksin's cousin, General Chaisit Shinawatra, was promoted to army chief in August 2003, a move that caused consternation within the army as Chaisit's career path in a mainly non-combat section of the army had not been one traditionally associated with a rise to the top army job (McCargo and Ukrist 2005: 141-147).³⁴ Chaisit lasted only a year as army chief before being moved to the largely symbolic position of Supreme Commander, but Thaksin also had another focus in ensuring promotions of his AFAPS Class 10 classmates to important positions. According to former US Ambassador Ralph L. Boyce, Thaksin himself admitted that he deliberately sought to promote his classmates. He told Boyce in a private conversation that he had sought to put his Class 10 loyalists in key positions throughout the military "not so that they could keep him in power through extra-constitutional efforts, but simply so they could block such efforts by others" (*Wikileaks* 5 September 2006). Another beneficiary of military reshuffles under Thaksin was Chavalit Yongchaiyudh, a former Prime Minister (1996-1997) and army chief (1986-1990) who became an ally of Thaksin and still retained some influence in the army (Chambers 2013: 260).

By early 2006, however, the military had been showing more resistance to the government's attempt to promote Class 10 officers to key positions, arguing that seniority and suitability, rather than class membership, should be important considerations during reshuffles (*Thai Post* 27 March 2006). The military traditionally regarded reshuffles as an internal matter. Despite being an AFAPS Class 10 graduate, Thaksin's career in the police meant he was still seen as an outsider from the military's point of view (Vilawan 2013: 132-133). In fact, Thaksin's police background may have influenced his thoughts on the kind of relationship that the government and the military ought to have. Compared to the military, Thailand's police force has much less autonomy. It is structurally organised in a way

³⁴ Interview, Anonymous serving army officer with links to the NCPO, Bangkok, 22 October 2015

that allows the government to determine appointments to many of the top positions, making the police likely to bend to the will of the government of the day (Arisa 2013: 499-500). Buoyed by his early popularity, Thaksin may have felt confident enough to try to exert more control over the fiercely independent Thai military. In the end, he overestimated his ability to turn the armed forces into his support base and to challenge the authority of Prem, the incumbent patron of the Thai military. According to one Thaksin ally, a former Defence Minister under Thaksin once remarked that even at the height of TRT's political dominance, Prem always had the final say over military promotions and transfers during Thaksin's premiership.³⁵ A number of military officers, including but not limited to Class 10 graduates, also believed that Thaksin's success in making military appointments in his favour was limited (Vilawan 2013: 99). Another army officer believed that even without Prem, Thaksin's attempt to woo the military would still have failed because the military's internal culture was strong and highly resistant to outsiders' meddling. In his view, only the 'worst' military officers would ally themselves with politicians and only because they had no chance of progressing very far in their own careers.³⁶

Opposing Thaksin: The People's Alliance for Democracy (PAD)

Towards the end of Thaksin's first term, his government became a target of growing criticisms over a range of issues including abuses of power, human rights violations, corruption scandals, conflict of interests, erosion of media freedom and the violence in Thailand's southernmost provinces. Many of his previous admirers had turned against him. At the same time, the government's pro-poor policies had converted the rural poor in the north and the northeast into reliable TRT supporters. Thaksin accordingly shifted his position by the 2005 election, portraying himself as a champion of the poor and gradually abandoning his earlier image of technocratic competence and cosmopolitanism. One striking change in the TRT's electoral strategy was the adoption of a new, strongly populist slogan, 'ไทยรักไทย

³⁵ Interview, Anonymous Thaksin-aligned politician 2, Bangkok, 9 October 2015

³⁶ Interview, Anonymous serving army officer with links to the NCPO, Bangkok, 22 October 2015

หัวใจคือประชาชน (Thai Rak Thai has the people at its heart), in the 2005 campaign (Pasuk and Baker 2008: 67).

In the end, TRT's historic election victory in 2005, where it took 377 seats in the 500-member lower house and won 32 out of 37 seats in Bangkok, did little to silence Thaksin's critics. The disastrous performance of the opposition Democrat party—its 96 seats were below the number of votes needed to trigger a no confidence debate against a cabinet minister, let alone the Prime Minister—only made Thaksin's opponents more determined to find a way to bring him down. Yet it was one person, media mogul Sondhi Limthongkul, who ultimately had an outsized role in galvanising the anti-Thaksin sentiment and paving the way for the eventual military coup. Sondhi's ambitious Manager Media Group had been well-regarded among Bangkok's emerging middle class in the early 1990s, but its overstretched business strategy later forced him to seek favour from several politicians and executives of financial institutions. Described by Kasian as an early Thaksin crony (Kasian 2006: 5), Sondhi's stint as a current affairs talk show host on the state-owned Channel 9 television station beginning in 2003 saw him shower Thaksin with praises, going as far as to memorably call him “the best Prime Minister Thailand has ever had” (uddtoday 2009). The show, called เมืองไทยรายสัปดาห์ (Thailand Weekly), occupied a prime time slot and elevated Sondhi to be a household name.

By early 2005, however, Sondhi's failure to gain business privileges from the government led him to adopt a drastically more negative view on Thaksin (Pye and Schaffar 2008: 40). He started criticising the government in harsh terms on his show, while Manager Group's newspapers and websites also increased their negative reports about Thaksin's administration. In September 2005, after Sondhi had contentiously implied for some time that Thaksin was disrespecting and undermining the monarchy, Channel 9 took his show off air. This proved to be a pivotal moment, as Sondhi defiantly continued to hold the show in a roadshow format, promoted it on Manager Group's media outlets and voiced his thoughts in an even more vociferous fashion. The roadshows, held mostly at Bangkok's Lumpini Park but occasionally at other venues around the country, regularly attracted such large audiences that Thaksin's growing number of critics began to regard Sondhi, who by this point had appeared increasingly fearless and charismatic, as a figure who could front a potential anti-Thaksin mass movement. Given Thaksin's

dominance over state institutions and his pervasive influence over the media landscape, a mass demonstration looked to be the only realistic way for his opponents to put any kind of pressure on him. Issues that Sondhi raised against Thaksin included not only corruption and abuses of power but also substantive policy matters such as the government's plan to privatise key state enterprises (Connors 2008: 154-155). As the discussion in the next section will show, however, the most potent weapon against Thaksin appeared to be the accusation of undermining the monarchy.

The Sondhi-led opposition movement formed a core of what eventually became a larger grouping known as the People's Alliance for Democracy (PAD). The PAD was officially formed on 8 February 2006, bringing together elements of the Thai civil society, academics, politicians, labour unions, business people, civil servants, democracy campaigners and religious groups opposing the Thaksin government. After the 'Sondhi phenomenon' had appeared to be losing steam by the end of 2005, Thaksin committed a fatal mistake in January 2006 by allowing the sale of his family's massive business entity, the Shin Corporation, to Temasek Holdings, an investment company owned by the Singaporean government (Pye and Schaffar 2008: 41) for around \$1.88 billion. The deal immediately became controversial chiefly because of its tax-free status but also because Shin Corp's strategic telecommunications business would now be under the control of the Singaporean state. Sondhi immediately seized upon the issue, holding a large demonstration on 4 February 2006 that revitalised the anti-government movement. The controversy around the deal was an important factor that united anti-Thaksin individuals and groups as they believed a united movement would now have a real chance of ousting the government. By the time Thaksin issued a statement on 24 February 2006 insisting that the Shin Corp deal was conducted legally and transparently, the protesters had gained too much momentum (*Prachatai* 24 February 2006).

On 9 February 2006, an announcement was made at Bangkok's 14 October 1973 Memorial—an intentionally symbolic location—regarding the foundation of a new movement, to be called the People's Alliance for Democracy. Bringing together disparate groups of anti-Thaksin campaigners, the PAD was initially not meant to last long; its only mission was to pressure Thaksin to resign but no other long-term

goals were stated (*Prachatai* 10 February 2006). According to Suriyasai Katasila, the ‘coordinator’ of the group, the PAD was founded by 40 organisations representing various parts of society, and this broad-based nature of the group was reflected in the word “Alliance” in its name. Nonetheless, only five individuals were chosen to be the ‘core leaders’ of the PAD. Along with Sondhi Limthongkul, they were Phipop Thongchai, Somkiat Phongpaiboon, Somsak Kosaisuk and Chamlong Srimuang (Pye and Schaffar 2008: 41). Chamlong in particular was a colourful personality. Aside from being the leader of the anti-military protest in May 1992, he was himself a former army officer in the Young Turks military faction, a former governor of Bangkok, a former elected parliamentarian and a key member of the officially unrecognised Buddhist sect known as Santi Asoke. He was also the leader of the Palang Dhamma party when Thaksin joined it with much fanfare in the 1990s. By agreeing to help lead the PAD, Chamlong thus became the latest name in the long list of Thaksin’s former allies who turned against him. Chamlong was also known for his strong will and uncompromising style, qualities that were likely to be great assets for any protest movement.

Royalist Politics and the Fall of Thaksin

While the anti-Thaksin campaign was driven by many issues, the royalist discourse provided it with perhaps the most potent weapon. Royalism had not been a major political issue since 1992 but occupied a central part of Thai politics in 2005 and 2006. The PAD, besides its anti-Thaksin activities, is chiefly remembered today for its ‘Yellow Shirts’ moniker. From a 2005 government campaign urging civil servants and other Thai citizens to regularly wear yellow shirts in honour of the 60th Anniversary of King Bhumibol’s accession to the throne, it was remarkable how yellow, and royalism, came to symbolise a mass movement seeking to overthrow a democratically elected Prime Minister. The PAD’s deliberate strategy of playing up the royal dimension of Thai politics was certainly not new for a mass political movement; the anti-military demonstrators in 1973 were also under strong influence of the royalist narrative of Thai history. Being in violation of royal prerogatives, however, was far from the only potential weaknesses of the Thaksin government. An anti-Thaksin mass protest could have been organised based on

many other kinds of issues. Thus, the fact that royalism came to occupy a highly visible position in the PAD's campaign was a key characteristic of Thailand's 2005-2006 political crisis. Some civil society activists, despite having serious misgivings about how Sondhi and others were playing up the royalist theme, decided to join the PAD protest because they felt Sondhi was the first protest leader in a long time to be able to bring so many people out to the streets (Uchane 2013: 324).

An important incident during the early months of the anti-Thaksin movement was the launch of a book called "Royal Power", written by former TRT MP Pramuan Ruchanaseree (2005). Pramuan had turned decisively against Thaksin and wrote the book to attack him, arguing that Thaksin's government had undermined the king in various ways. In a seminar about the book, held at Bangkok's prestigious Thammasat University on 6 September 2005, where Sondhi Limthongkul was also one of the main speakers, Pramuan accused the TRT government of viewing the palace as a mere rubber stamp for government and parliamentary decisions and of deliberately making controversial moves to test the limit of royal power (Pramuan, Kaewsan and Sondhi 2005: 43). Sondhi, in the same seminar, argued strongly for the monarchy's indispensable role in modern Thai politics. In an early sign of the intensely royalist approach later adopted by the PAD, he said to the audience:

Do we accept that the king is the father of the land? If we do, we must also accept that the queen is the mother of the land. Therefore, shall we stop talking about this bloody constitution already!? Let's just talk about tradition and custom. (Pramuan, Kaewsan and Sondhi 2005: 57)

Despite Pramuan's and Sondhi's passionate words, figures close to the palace initially distanced themselves from them and the broader anti-Thaksin movement. On 9 September 2005, the then rector of Thammasat University Surapol Nitikraipoj revealed that two of the most prominent palace-connected figures, Surayud Chulanont and Sumet Tantivechakul, had declined invitations to speak at the seminar. Surapol claimed that it was Prem who had advised Surayud, who had been serving alongside Prem in the Privy Council since November 2003, against joining the event (Chanida 2007: 31).

Key events that were seen to fit within the Thaksin-challenging-the-king narrative include the 2002-2005 controversy over Auditor-General Jaruvan Maintaka, whose appointment to the job was ruled illegitimate by the Constitution Court. In Thailand's bureaucratic tradition, people formally get appointed to or removed from high-ranking positions in the public sector by royal command, though in practice the king typically endorses the list of appointments and transfers produced by the government of the day. There was, however, no royal command to remove Jaruvan, ostensibly because the Constitution Court's ruling did not specify that she must quit her post. Jaruvan carried on working, and because of the anti-corruption nature of her work she was increasingly seen as a thorn in the government's side. When the Senate named a new Auditor-General in June 2005 and forwarded the name to the king, Thaksin's opponents claimed that the government, which by this point had been perceived as having a strong control over the Senate, was violating royal prerogatives (Connors 2008: 152-153). Though the palace never gave an official explanation, anti-Thaksin senator Kaewsan Atibodhi argued that the king had refused to endorse Jaruvan's removal because the aforementioned Constitution Court's ruling had no legal basis (Pramuan, Kaewsan and Sondhi 2005: 70). Beside the Jaruvan affair, a similar controversy erupted over the TRT government's appointment in 2004 of an acting Supreme Patriarch, the country's highest-ranking Buddhist monk, because the elderly incumbent, Nyanasamvara Suvaddhana, had been deemed incapacitated. Nyanasamvara was King Bhumibol's mentor when the young king briefly spent time as a Buddhist monk in 1956. Sondhi Limthongkul and other opponents of Thaksin, arguing that Nyanasamvara was still capable of carrying out his duties, pointed to the appointment as another sign of the government's disrespect towards the king (Pramuan, Kaewsan and Sondhi 2005: 61). In addition, critics attacked Thaksin for the manner in which he presided over an April 2005 Buddhist ceremony at Bangkok's sacred Emerald Temple. Thaksin, according to the critics, inappropriately sat in a seat reserved for the monarch (Connors 2008: 153).

The royalist theme increasingly permeated the Sondhi-led opposition movement and appeared to play a role in attracting more people to his rallies. On 15 September 2005 he said: "When the leader is morally corrupt, people will long for the king" (*Manager Online* 10 November 2005). Then on 11 November 2005 he

declared that his anti-Thaksin activities were ultimately “a fight for the king.” The number of protesters grew to 50,000 a week later, peaking at approximately 80,000 on 10 December 2005 (Connors 2008: 155). However, the decision to put royal issues at the forefront of the protest also brought its own problems. A number of individuals and groups on the anti-Thaksin side, including senior royalists Prawase and Anand, had reservations about pitting royalism against a popularly elected government (Connors 2008: 159). When the PAD was formed, even one of its core leaders, Phipob Thongchai, was initially against making the issue of royal power the central part of the anti-Thaksin struggle, though he later relented (Pye and Schaffar 2008: 42). PAD protesters did not appear to realise that such overt association of the royalist ideology with the anti-Thaksin campaign was not necessarily a sign of royalism’s strength. If Thai royalism had truly been working as a guiding principle for society, it would have served as a unifying force, ensuring a harmonious coexistence of millions of citizens living under the same benevolent monarch. Instead, royalism during the anti-Thaksin campaign became divisive and exclusionary. The PAD leaders did not seem to realise the danger of using the charge of disrespecting the king to attack a popularly elected premier. To pit the monarchy against Thaksin in such manner was to frame the crisis as one between the king’s traditional, deep-rooted authority and Thaksin’s popular legitimacy. From the way the PAD pushed the issues, it was as if the Thai population at large was forced to choose one and not the other. There was no middle ground or room for compromise. If royalism was meant to triumph, it would do so at the expense of democracy.

Eventually, the anti-Thaksin protest allowed Post-1973 Democracy to once again rear its head. Tensions grew as the PAD’s pro-monarchy message morphed into a call for the king to personally intervene in the conflict. Clearly invoking the monarchy’s arbiter role, the PAD tried to portray the anti-Thaksin protest as similar to previous demonstrations against ‘evil’ governments in 1973 and 1992, implying that any royal intervention against Thaksin would be justified because it would be in favour of ‘democracy’ and ‘the people’. The PAD’s campaign was centred on two concepts: Article 7 of the 1997 constitution on the one hand, and the traditional principle of *rachaprachasamasai* (ราชประชาสมาสัย, king-people mutuality) on the other. Article 7 of the 1997 constitution stated: “Whenever no provision under this

Constitution is applicable to any case, it shall be decided in accordance with the constitutional practice in the democratic regime of government with the King as Head of the State” (Connors 2008: 148). *Rachaprasamasai*, unlike Article 7, was not a concrete, written piece of legislation but was a term that allegedly denoted the mythical idea of an inextricable bond between the Thai monarch and his people (Connors 2008: 148-150). The PAD’s argument was that both Article 7 and *rachaprasamasai* were intrinsic components of Thailand’s political system. It thus followed that in a time of great distress, people had the right to bypass normal legal procedures and petition the king directly so that the king would exercise his powers to resolve the crisis, which in this case meant removing Thaksin, appointing a new government and initiating a new round of political reform to fix the flaws in the 1997 charter. As debates went on over the legal basis of such an argument, it was clear that the unfolding drama actually pertained to the most fundamental question regarding the legitimacy of Post-1973 Democracy: Was royal authority superior to the authority of a democratically elected leader, let alone a leader who had achieved two landslide victories?

The two election victories of TRT appeared to have pushed Thaksin further towards the majoritarian aspect of democracy. In his second term he made increasingly frequent references to the number of votes and MPs that TRT had won in 2005, implying that his critics were just a minority in the country (McCargo 2006b: 302-303). Faced with the PAD protest, on 25 February 2006 Thaksin decided to call a snap election, scheduled for 2 April 2006, in the hope that TRT’s expected win would silence the protesters. In its official announcement, the government said the protest was becoming violent and spiralling out of control and called for all sides to respect the parliamentary system (*Prachatai* 25 February 2006). However, Thaksin’s attempt to regain the initiative was countered by the decision of the three opposition parties—Democrat, Chart Thai and Mahachon—to boycott the election, leaving TRT as the only major party to compete in the 2 April 2006 poll. For TRT, this was a serious problem because the constitution required the winner of any single-candidate constituency to gain more than 20% of the votes in order for the victory to count, opening up the possibility that many constituencies in anti-Thaksin areas would not have winners who could meet that requirement. When the election took place, 38 constituencies did not produce winners as per the

rules, an outcome that immediately plunged the country into a constitutional impasse (Connors 2008: 156).

Finally, on 25 April 2006 King Bhumibol took centre stage. In a lengthy speech to senior judges, the king observed that as the 2 April election was incomplete, the country's democracy could not function. He then remarked that the judiciary, normally reserved and passive, actually had the right to determine what the country should do. Most importantly, he rejected the calls for the use of Article 7 to resolve the matter, arguing that Article 7 was not meant to allow the monarch to "overstep his duty" by making arbitrary decisions or exercising powers beyond the constitutional limits. Bringing up the case of Sanya Thammasak, the appointed Prime Minister in the aftermath of 14 October 1973, the king argued that the appointment of Sanya had been made in accordance with the law at the time but having a royally-appointed Prime Minister in 2006 would not only be unreasonable but also downright undemocratic. After expressing his frustration with the protesters, he ended the speech by imploring the judges to save Thailand from what he called "the worst crisis in the world" (*Prachatai* 26 April 2006).

Though the king distanced himself from the PAD's demands, this episode was undeniably a royal intervention, another manifestation of Post-1973 Democracy. A simple speech by the king, the supreme arbiter, was once again what the country was supposed to rely upon to get itself out of a political quagmire. Yet the series of events that followed the speech suggested that Post-1973 Democracy, instead of gaining strength, was showing signs of decline. While the king's speech cleared the way for the Constitution Court to annul the 2 April 2006 election and for other judicial bodies to help make preparations for a fresh election, Thaksin still decided to fight on, perhaps encouraged by the king's refusal to implement Article 7 and how the king framed his speech in the language of democracy and constitutional practices. Thaksin's decision prolonged the protest against him as PAD demonstrators stuck to their demands of wanting Thaksin to quit, and the fact that the new election would be held in October 2006 meant that the country could face several more months of tension and confrontation. It was evident, therefore, that even a royal intervention was insufficient to restore peace and normalcy amidst the highly-charged atmosphere of the anti-Thaksin protest. Had Post-1973

Democracy remained as strong as it had previously been, the king should have been able, like in 1973 and 1992, to put a swift end to the crisis.

Ultimately, the PAD's significance paled in comparison to elite machinations in the eventual downfall of the Thaksin government. On 29 June 2006, Thaksin made a speech before high-ranking government officials in which he blamed "a charismatic person" for the "chaos" that was happening (Ukrist 2008: 128). While Thaksin did not mention any names, the remark was widely believed to refer to Prem (Chambers 2013: 267). On 14 July 2006, Prem himself gave the clearest indication yet that he wanted to have a role, and be seen to have a role, in the increasingly contentious fight against the government. Appearing in military uniform, he gave a speech to army cadets at Chulachomkhalao academy in which he memorably declared that "the soldiers belong to His Majesty the King, not to a government. A government is like a jockey [of a racing horse]. It supervises soldiers, but the real owners are the country and the king" (Ukrist 2008: 128). He also went on to give two more speeches in a similar vein at the Naval Academy and the Air Force Academy. Thaksin's aggressive effort to promote his loyalists to key positions within the military during the 2006 reshuffle season was a desperate, and ultimately futile, move to prolong the life of his government. According to a leaked US diplomatic cable, Anand Panyarachun argued that one of Thaksin's major missteps was the decision to pick a fight with Prem. While Anand did not say directly that Thaksin was disrespecting the king, he believed the episode had intensified the growing view among some Thais that Thaksin had intended to undermine the monarchy (*Wikileaks* 21 September 2006).

The 19 September 2006 Coup d'Etat

By the end of 2005, there had been a number of setbacks against Thaksin loyalists and members of AFAPS Class 10 within the military. Sonthi Boonyaratglin, the army commander-in-chief, had been promoted to this position in October 2005 thanks to an intervention by Prem to prevent a Thaksin loyalist, Lertrat Ratanavanich, from taking this highly powerful job. Sonthi was known to be loyal to Privy Councillor Surayud Chulanont, though he was not particularly close to Prem (Chambers 2013: 262). Sonthi's Muslim faith was also seen to be potentially helpful

in Thailand's fight against insurgents in the three Muslim-majority provinces of Pattani, Yala and Narathiwat (Bajoria and Zissis 2008). Nonetheless, in the same reshuffle season Thaksin managed to promote Anupong Paochinda, a Class 10 member, to the important position of the commander of the 1st Army Region responsible for Bangkok and nearby provinces. Amidst the increasingly boisterous anti-government protest, Anupong's promotion was a sign that Thaksin was seeking to shore up his authority in the most sensitive parts of the army.

2006, however, was a year that saw Thaksin swiftly lose whatever leverage he had within the military. In the run-up to the 2 April election, Thaksin held a talk with General Sonthi in order to urge the army chief to cooperate with the government's plan to declare a state of emergency and quell the PAD. Realising that the government was planning to shift the blame for any violence on the army, Sonthi flatly refused. He then remarked to journalists that the PAD protest was peaceful and lawful (Ockey 2007a: 136). This was followed, shortly after Prem made his 'jockey' speech, by Sonthi's reshuffle of 129 mid-level army officers, a move that weakened the authority of a large number of Thaksin loyalists (Chambers 2013: 267-268). The deteriorating relationship between Sonthi and the government gave rise to a rumour that Thaksin would push Sonthi to the powerless job of supreme commander in the 2006 reshuffle. Meanwhile, Saprang Kalayanamitr, the 3rd Army Region commander responsible for northern Thailand, which included Thaksin's home province of Chiang Mai, began to speak out frequently against the government and even used the army radio network to air his anti-Thaksin views. Even Thaksin's classmate Anupong was drifting away from Thaksin's sphere of influence, fuelling more rumours that a military coup was looming (Chambers 2013: 268-270). The worsening situation worried US diplomats in Thailand. On 1 September 2006, Surayud himself felt compelled to defuse the coup rumour by describing Sonthi as "a solid professional and an unemotional person — not the type to carry out a coup" in a private conversation with the then US Ambassador to Thailand Ralph Boyce (*Wikileaks* 5 September 2006). In 2015, a prominent Thaksin-aligned politician claimed that he had realised since early 2006 the extent of Thaksin's problems. He then tried to bring Thaksin "back from the brink" but was rebuked by fellow TRT members for doing so. Even when rumours of a military

coup began to pick up steam, key TRT figures remained undaunted, believing they could easily mobilise masses of people to defeat any military takeover.³⁷

Such confidence may have been based on the lingering influence of Class 10 members and other Thaksin loyalists in the army, but it clearly was not enough to deter the eventual military coup on 19 September 2006. The army, led by Sonthi and supported mainly by troops under Anupong's and Saprang's command, seized power while Thaksin was attending a United Nations conference in New York. The three coup leaders, tacitly backed by Prem and Surayud, had withheld the coup plot from supreme commander Ruangroj Mahasaranon because Ruangroj had close ties with Thaksin's cousin, former army commander Chaisit Shinawatra (Chambers 2013: 261, 275-276). As in many of Thailand's previous coups, the military portrayed its ouster of Thaksin as a necessary action for resolving an extraordinarily difficult situation. In this case, the 2006 coup was meant to put an end to the protracted political paralysis that engulfed the country since the second half of 2005 (Ukrist 2008: 140). Among the Thai public, one of the most common justifications for the coup was that it was needed to prevent bloodshed that could have taken place in a clash between the PAD and security forces. The PAD had planned a major anti-Thaksin rally on 20 September 2006, and rumours circulated widely that the government would respond with a violent crackdown. Former premier Anand Panyarachun was one of those who held this belief (*Wikileaks* 21 September 2006).

Coup leader Sonthi, in a meeting with a group of foreign envoys on 20 September 2006, explained the rationale for the military's move. A leaked US diplomatic cable records that he cited "a lack of political confidence; rampant nepotism; corruption; unprecedented social divisions in Thailand; the inability of administrative institutions to function properly without political interference; social injustice and offenses to the Thai monarch" as key reasons. He then added: "We have acted to solve the existing stalemate and remove uncertainty and lack of confidence which have existed for too long in Thailand". It should be noted, though, that Sonthi seemed hardly assured of himself in that meeting. At one point he bizarrely said that Thaksin "had not done anything legally incorrect". Instead of presenting a bullish image befitting a leader of a military coup, Sonthi was described as being "evasive" and generally lacking confidence. He also added that

³⁷ Interview, Anonymous Thaksin-aligned politician 3, Bangkok, 21 October 2015

“certain facts” concerning Thaksin were a catalyst for the coup, but did not specify what they were (*Wikileaks* 20 September 2006a). In a steadier performance, General Winai Pattiyakul, the junta’s secretary general, told the US Ambassador in a private meeting on 29 September 2006 that “anyone with a few billion US dollars can take over Thailand easily”, referring to Thaksin’s wealth and his manipulation of the various organs of the 1997 constitution. Winai also acknowledged the damaging impact of the coup but asserted that there would have been greater damages if the military had not intervened (*Wikileaks* 29 September 2006). Sonthi himself would repeat many of these points in later interviews with the press. In September 2009, Sonthi said: “You have to understand what was going to happen on 20 September [2006]... Both sides were armed. [Who knew what] was going to happen to our country?” (*Prachatai* 14 September 2009). In 2016 he similarly claimed: “There would have been use of force on Sept. 20 against the anti-government crowds. There would be violence, and my job was to take care of the internal security of the nation” (*Khaosod English* 18 September 2016). These quotes show that, in contrast to some in the older generation of army officers who tended to distance themselves from the 1991 coup and the 1992 bloodbath, Sonthi still would like the 2006 coup to be remembered positively.

Despite the junta’s explanations, what was most remarkable about the 2006 coup was how it was closely linked to royalism and the monarchical power network, both in symbolic and practical terms. The coup leaders, with Prem’s help, had a late-night audience with the king and the queen very soon after announcing the coup. The photo of their audience was made available to the public shortly afterwards (Ferrara 2015: 1). Prem’s role in arranging the audience was hinted at by Sonthi’s insistence that he had not sought to meet the king that night but had been “summoned” to the palace (Boyce 2006a). If the royal audience was meant to deter Thaksin from fighting back, it indeed worked as intended; Thaksin reputedly shelved a plan to retaliate against the coup group after learning of the king’s apparent endorsement of the coup (Ferrara 2015: 1-2). The Sonthi-led military junta even initially named itself the Council for Democratic Reform under the Constitutional Monarchy (CDRM), though this was later changed to the Council for National Security (CNS). Legal scholar Borwornsak Uwanno, who had joined the junta’s team, explained to the US ambassador that the name change was needed in

order to avoid “confusion concerning the King's role in the coup” (*Wikileaks* 25 September 2006). Surayud Chulanont was named Prime Minister of the coup-installed interim government, leaving the CNS, headed by Sonthi, in charge of security affairs and the country's overall stability. Sonthi would later express his regret regarding this arrangement. According to a source close to him, if Sonthi had another chance, he would rather have taken the Prime Minister job himself because he felt his lack of direct executive power had restricted his ability to make an impact throughout the Surayud premiership.³⁸ In Bowornsak's conversation with the US ambassador, he noted that the CNS would have to exist and retain power alongside the interim government because of the need to prevent a potentially violent counter-coup by pro-Thaksin forces and to cope with the southern insurgency (*Wikileaks* 25 September 2006).

The choice of Surayud, a Privy Councillor since 2003, as Prime Minister underscored the significant and highly visible role of Prem in the overthrow of Thaksin. In a leaked US diplomatic cable, Prem was described by the US ambassador as “relaxed, confident, and very pleased with the course of events” during their meeting on 25 September 2006 (*Wikileaks* 26 September 2006). Winai also remarked to the ambassador that Surayud was the right choice for Prime Minister whose military background should not be a cause for concern (*Wikileaks* 29 September 2006). Another leaked US diplomatic cable revealed a conversation between former Bank of Thailand Governor Pridiyathorn Devakula and Ambassador Boyce. Pridiyathorn, who became Surayud's Deputy Prime Minister and Finance Minister following the coup, told Boyce that the military had approached him before the coup to invite him to serve in a coup-installed administration (Boyce 2006b). Although he did not specify the exact time of his meeting with the military, this revelation shows that there was at least a certain amount of advance planning before the coup was launched. In 2012, when asked in a public political forum whether Prem had been involved in the 2006 coup, Sonthi said that some questions simply could never be answered even if he were to lose his own life from not answering them (*Thai Rath* 22 March 2012).

³⁸ Interview, Anonymous retired army general formerly in the CNS military regime, Bangkok, 25 November 2015

Conclusion: A Coup that Exposes the Weaknesses of Thai Elitism

It can be seen that despite the political dominance of the TRT government following the 2005 election, by the time of the 2006 coup Thaksin had been in a weakened position. Elements of the military had pushed back against his perceived interferences since 2005. His control of parliament and other state institutions did not help him much when it came to dealing with the highly determined PAD demonstrators. He made a strategic blunder when he sold Shin Corp. His gambit of calling a snap election failed to give him the advantages he needed as he was outsmarted by the opposition parties, leading the courts to declare the 2006 election invalid. As Finer (1988: 64-76) points out in his classic work, a series of setbacks against a civilian government presents an army with an opportunity to intervene in politics. When asked by the US ambassador why the coup had to take place on 19 September 2006, coup leader Sonthi replied: "Thaksin was at his weakest and we were at our strongest" (*Wikileaks* 20 September 2006b).

On the other hand, the fact that a military coup was needed to resolve the situation reflects a deeper crisis within the Thai political order. Specifically, the Thai polity before 2006 was bounded by a set of formal and informal rules that preserved the elite's ability to shape political outcomes. When the Thai military suffered a catastrophic loss of legitimacy following the May 1992 violence, observers believed that democracy would be inevitable. Electoral politics indeed became a norm, and military generals mostly faded from the public view. The ensuing democratic system in Thailand, however, was a system of compromises, accommodating the interests of both elite and non-elite actors. The role of King Bhumibol in defusing the 1992 crisis, while widely praised, also served to bolster elitism in Thai society by reminding the country that it was unable to solve its own problems through ordinary means. The 1997 constitution was meant to formalise the relationship between elite and non-elite forces in society, moving the country beyond the ad hoc arrangements of Post-1973 Democracy. However, aspects of the 1997 document inadvertently enabled the rise of Thaksin, a leader who then built his immense support base by tapping into the vast rural constituency. Whereas in the 1990s it was possible for the royalist establishment to exert great influence behind the scenes, as was the case when the Chavalit Yongchaiyudh government was replaced by the elite-favoured Chuan Leekpai government in 1997 (McCargo 2005: 510),

Thaksin did not need to rely on the elite because of his personal wealth and, more importantly, his formidable electoral support.

Ultimately, Thaksin's premiership was a logical outcome of the popular force unleashed by the 1973 event, and his time in office exposed the tensions related to the coexistence of elite-based legitimacy and popular legitimacy inherent in Thai politics. The rise of the people continually posed a threat to the privileges and interests of the elite, as illustrated by the fall of the 1991-1992 military regime. Thaksin's aggressive accumulation of power, even attempting to build his own faction inside the military, provoked a series of elite-backed responses that culminated in the 2006 coup.

The coup, undeniably, was a major event, but this characterisation does not mean that it was a moment of triumph for the Thai military and its allies among the Thai elite. Thaksin's unprecedented electoral successes, his massive support among the poor and his eventual slide towards a centralised, authoritarian style of rule were all significant in putting him in a position to challenge the authority of the establishment. He deviated, in a way that threatened the elite's privileges, from the political settlement centred on the 1997 constitution that accommodated the wishes of the elite while also, to some extent, meeting the country's need to reform its political system. The rise of Thaksin, thus, was a disruption to the prevailing Thai political order which since October 1973 had been shaped by royalist and military elites in many ways.

Aspinall (2010: 22-25) argues that a coup is not necessarily an indication of a powerful military. A truly strong military, in his view, is one that can exert influence over politics without having to be responsible for its actions. Running the country directly, which is the case in a coup regime, would expose the military to criticisms and hostility that would inevitably follow. In the Thai case, the 2006 coup denotes a failure of the military and other elite actors to control the country from behind the scenes while facing growing threats to their power from Thaksin and his associates. Their anxiety, as a result, pushed them to proceed with a military coup while largely ignoring the costs of doing so. Ultimately, the coup did not only bring the military into frontline politics but also allowed the monarchy, a supposedly neutral and

sacred Thai institution, to be embroiled in the highly-charged political conflict related to the anti-Thaksin struggle.

Chapter 4

The Military after the 2006 Coup: Encountering Democratic Resilience, Part One

“The way in which certain events come to be perceived as a crisis is always complex and always a political act, since it authorizes certain courses of action to resolve the crisis and restore stability or create a new order.”

- Andrew Gamble (2009: 65)

Introduction

This chapter is the first of a two-part analysis of the political role of the Thai military after the 2006 coup, focusing on the military's efforts to manipulate politics both during the 2006-2007 military-appointed government and after the December 2007 election, which marked the point of the formal transfer of governmental power to elected politicians. Taken together, this chapter and the next explore two broad themes. The first is the political assertiveness of the military, broadly understood as a willingness to re-establish itself as a central political actor and challenge the authority of the elected government. Secondly, this chapter and the next advocate adopting the notion of 'democratic resilience' when analysing Thailand's post-2006 political development. In engaging with these two themes, these chapters reject the straightforward view that the 2006 coup had an unambiguously negative impact on Thai democracy. Instead, it will be argued that the coup, along with the military's subsequent political intervention, provoked a strong response in the form of a new push for democratisation, which was part of a bitter, wide-ranging struggle between broadly pro-democratic and anti-democratic forces in the country. While this interpretation carries the risks of oversimplifying the multifaceted nature of the conflict and overstating the democratic credentials of certain actors, it avoids the pitfall of characterising the post-2006 developments as simply a period of democratic recession and a definitive return to the pre-1992

political dominance of the military and other unelected institutions. In other words, without taking the considerable role of elections and democratic discourse into account, it is not possible to truly understand the military's political behaviour since the 2006 removal of Thaksin Shinawatra's civilian government.

Under the military-sponsored 2007 constitution, electoral politics was allowed, but the military and other elite actors made significant efforts to shape political outcomes and to restrict the authority of elected politicians, particularly those associated with the deposed Thaksin. Even after the coup-installed government of Surayud Chulanont stepped aside following the 2007 election, the military continued to be politically assertive. With the 1997 constitution abolished, the 2007 constitution introduced a political system that formally granted more power to various unelected, non-majoritarian institutions (Mair 2006: 27), ostensibly to prevent the rise of another dominant political party capable of translating large parliamentary majorities into unrestrained governmental powers, as had been the case under Thaksin's Thai Rak Thai (TRT). The military's anti-democratic measures enjoyed broad support from many of Thaksin's opponents, including the tens of thousands who had participated in the campaign of the People's Alliance for Democracy (PAD) against Thaksin's TRT government in 2005-2006. Following the coup, it appeared that Thailand's democratic experiment of the 1990s and early 2000s would be coming to an end, replaced by a regime that would allow elite-controlled actors to play a crucial role in the country's political structure at the expense of popularly elected politicians.

Thaksin himself refused to bow out of politics. Living in self-imposed exile, he retained control over two political parties that succeeded his former TRT party—the People Power Party (PPP) and subsequently the Pheu Thai Party (PTP). Meanwhile, the role of the PAD in paving the way for the coup inspired the creation of the pro-Thaksin 'Red Shirt' mass movement, which went on to stage large demonstrations and became involved in violent clashes with security forces in Bangkok in 2009 and 2010. With the rise of the Red Shirts, Thailand entered a period of deep political polarisation as pro- and anti-Thaksin forces vigorously competed for power through elections, prolonged street protests and legal battles. From being an arguably consolidating democracy during the late 1990s and early

2000s, Thailand since early 2008 became crippled by periods of political crises, bouts of violence and seemingly endless street demonstrations.

However, while the 2006 coup opened a way for non-elected actors to intervene in politics more forcefully, it also gave rise to other important developments that strongly threatened the military's and the elite's long-term hegemony over Thai society and politics. One significant aspect of these developments was the fact that democratic practices and discourse played a large role in attempts by the military's adversaries—which included not only Thaksin and his allies but also other groups not necessarily associated with Thaksin—to counter the effects of the coup. While for some observers the main story of Thailand's post-2006 politics was the 'rollback' of democracy (for example see Thitinan 2012: 47), it will be argued here that the resilience of democracy among some key actors also shaped Thai politics significantly. Thus, the concept of democratic resilience provides a valuable tool for understanding the situation in Thailand after the 2006 coup. An exploration of the military's political role during this period needs to involve an analysis of how the military managed its encounters and interactions with opponents who employed democratic methods and framed their struggle in democratic terms.

At the same time, to discuss the resilience of democracy does not mean that Thailand's democratisation did not suffer a setback as a result of the 2006 coup. The military clearly employed a series of authoritarian measures to dismantle Thaksin's political influence, and many of the changes that took place after the coup were detrimental to Thailand's democratic prospects. Rather, the resilience of democracy can be found in the emergence of actors who incorporated democratic ideas and methods in their fight to protect or advance their interests in the years following the coup. In this sense, the 2006 coup cannot be portrayed as a wholly negative development for Thai democracy. Rather, this chapter argues that while the coup represented a setback for Thai democracy, in some ways the coup ironically highlighted enduring aspects of Thai democracy such as the importance of elections and the attractiveness of democratic ideals. In other words, some of the effects of the coup were not what the military had expected. Scholars such as Suchit (2013: 178) and Ferrara (2015: 220-265) also made observations regarding

unintended consequences of the 2006 coup although they did not base their views on the notion of democratic resilience.

The current chapter focuses on developments during the coup-appointed government of Surayud Chulanont and the elected governments of Samak Sundaravej and Somchai Wongsawat. The next chapter will analyse the events under the government of Abhisit Vejjajiva and the rise of the 'Red Shirt' movement. These two chapters together form a single narrative, offering an argument that the 2006 coup led to a new episode in Thai politics in which the military continually struggled to contain democratic currents and aspirations among its opponents. This chapter firstly explores the notion of democratic resilience and contrasts it with the idea of democratic rollback often present in the democratisation literature. Secondly, the chapter analyses anti-democratic efforts by the military and the appointed government of Surayud Chulanont. Thirdly, the chapter discusses developments during the pro-Thaksin governments of Samak Sundaravej and Somchai Wongsawat which assumed power following the December 2007 election. These events from 2006-2008 serve to highlight the growing assertiveness of the military as well as the considerable degree of democratic resilience in Thai politics.

Democratic Resilience as a Counterpoint to the Democratic Recession Narrative

When the late scholar of democratisation Guillermo O'Donnell (2007) wrote about what he called 'the perpetual crises of democracy', he was not seeking to add his voice to the growing feeling at the time that democracy's expansion around the globe was coming to an end. Rather, he pointed out that the pessimistic narrative of democracy's failures was not the whole story of what was going on in the world. Instead of endlessly questioning why democracy did not seem to work in some places, it would be more fruitful, he believed, to focus on the enduring appeal of democratic ideals. Such ideals, he believed, continued to appeal to a large number of people, and even dictators felt compelled to try to dress up their rule as democratic. In his words, "we see authoritarian rulers making sometimes amazing contortions to persuade the world... that their right to rule flows from the holding of free elections" (O'Donnell 2007: 6). From this perspective, the co-optation of

democracy by authoritarian rulers represents democracy's strengths rather than weaknesses.

This theme of democracy's resilience has largely been missing from recent accounts of global democratisation that seek to highlight democracy's failures more than its successes. Diamond (2008: 36-37) identified several countries where democracy was eroded and weakened such as Nigeria, Venezuela and Thailand, arguing that the world in the first decade of the twenty-first century was undergoing an era of 'democratic recession'. Later, Diamond (2016: 151-152) went on to argue that democracy's problems over the past fifteen years include not just outright breakdowns of democratic regimes but also the growing repressiveness of authoritarian governments and the stagnation of democratic progress in post-authoritarian countries. Similarly, Plattner (2015: 8) observes that democracy's future has been put in doubt by the 2008 financial crisis which inflicted great damages upon the economy of most democracies in the West, whereas some autocratic countries apparently coped better with the adverse global economic conditions. Meanwhile, the expected journey towards full democracy failed to occur in many semi-democratic regimes, undermining the inherently teleological predictions evident in much of the democratisation literature. In light of this, Ambrosio (2014: 471-473) argues that it is more fruitful to focus on how authoritarian regimes remain stable than to view them as perennial candidates for democratisation. Recent developments such as the protracted crisis in the European Union, Russia's growing foreign policy ambition and China's increasing assertiveness over its territorial claim in the South China Sea have bolstered the idea that autocracy is on the rise.

There are good reasons, however, to critique the above viewpoint or take a more nuanced stance. Deudney and Ikenberry (2009: 82-87), for example, argue that accounts of autocracy's successes are generally flawed because they tend to focus too much on short-term changes. This is problematic because those accounts largely ignore the possibility that internal contradictions of authoritarian regimes—such as the difficulties in balancing economic successes with the need to suppress political rights—can weaken them in the long term. For Levitsky and Way (2015: 56), not only is the idea of democracy's decline exaggerated, but there has not been sufficient academic attention on the resilience of democratic regimes in difficult

conditions such as the cases of Brazil, India, Mexico and Taiwan. Furthermore, Carothers (2009: 3) cautions against the simplistic tendency to view democracy as either making progress or being in decline. Such a viewpoint, he argues, obscures the significance of democratic regimes that do not appear to ‘progress’ but still persevere in challenging circumstances.

Although these authors address broad developments across multiple countries, their arguments can still provide guidance for our analysis of Thailand’s political situation. Just as Duedney and Ikenberry (2009) warn against focusing too narrowly at short-term indicators of democratic backsliding, analysts of Thai politics should refrain from making definitive conclusions on the state of Thai democracy based only on the 2006 coup and its aftermath. Similarly, following Levitsky and Way (2015), it is unwise to overlook the endurance of certain aspects of Thai democracy after the military’s overthrow of Thaksin. This chapter adopts a perspective that recognises both the anti-democratic results of the coup and the role of the coup itself in triggering subsequent pro-democratic changes.

We now turn to the questions of how we should understand democratic resilience and how we can apply that understanding to the Thai case. Burnell and Calvert (1999: 4) distinguish between the ‘durability’ and the ‘resilience’ of democracy. In their view, the *durability* of democracy can be detected when “effective resistance is mounted in the face of a serious challenge, shock or threat to democracy, so preventing a more or less total recession and complete loss of democratic credentials other than on a temporary or exceptional basis” (1999: 4). The *resilience* of democracy refers to a situation:

where an attachment to democratic ideals persists and such ideals continue to be canvassed in some quarters, in spite of hostility from the officially prescribed values and norms and apparent indifference from many elements in society. The persistence of the faith can be evident even where the institutional forms have been lost. What is particularly impressive is where this entails paying a high price in terms of threats to personal security or derogations of personal liberty - the sort of privations endured by Aung San Suu Kyi in Myanmar (Burma), for example. Such resilience is of special interest where considerable propaganda and other resources are invested by the state in discrediting democratic goals, and even more so if the people have no historical memory of sustained and successful democratic politics. (1999: 4)

Thus, in this conceptualisation the resilience of democracy is associated mainly with the persistence of democratic values and ideas among some sectors of the population even when democratic institutions have broken down. When democratic actors put up resistance to serious challenges to democracy but the democratic regime itself has not completely or permanently broken down, Burnell and Calvert call it democratic durability. As the 2006 coup represented a breakdown of democracy in Thailand, the notion of democratic resilience is more relevant for our investigation.

CNS Rule and Democratic Backsliding

Elite Politics and the Formation of the Surayud Government

The military's overthrow of Thaksin put an end to months of protests by the PAD and restored a degree of calm to the country. The Council for National Security (CNS) junta, appearing to follow the example of the previous coup in 1991, was quick to announce that it intended to stay in power only temporarily, promising to draft a new constitution within a year and holding a new election shortly afterwards (*Manager* 19 September 2015). CNS leaders were not visibly concerned with criticisms and condemnation from the international community. The US, for example, announced a \$24 million cut in military aid to Thailand, while UN Secretary-General Kofi Annan also voiced his disapproval of the coup (*Thai Rath* 2 June 2014). After several days of speculations, the Prime Minister job went to former army chief Surayud Chulanont. The appointment of Surayud, who had become a Privy Councillor in 2003 and was widely known to be a protégé of Prem Tinsulanond, underscored the pervasive influence of Prem in the anti-Thaksin efforts both before and after the coup.

One of the clearest signs of democratic backsliding is when a large part of politics is concerned with a small group of powerful elite figures. The role of Prem highlighted the significance of elite forces behind the CNS regime. Globally, elite cohesion tends to be an important source of support for authoritarianism. The survival of an authoritarian regime often depends on the backing it has from a small group of elite actors more than the support from the wider population. As Ezrow and Frantz point out (2011: 82), "nearly 80 percent of the time dictators are ousted

by internal coups rather than by popular uprisings.” Throughout the history of Thailand, mass uprisings have been rare. Before the 2006 coup, only the demonstrations in 1973, 1992 and 2005-2006 could be regarded as having played a pivotal role in toppling a seemingly invincible regime. The strongest threats to Prem’s own spell as Prime Minister during the ‘semi-democratic’ 1980s did not come from the general public but from the Young Turks military clique who staged two failed coup attempts against him. The military-appointed government of Anand Panyarachun in 1991-1992 could govern relatively smoothly, and the mass uprising against the military only occurred after the junta’s leader Suchinda Kraprayoon broke his vow of never seeking a formal political position. Similarly, discussions of the CNS regime need to be complemented by a focus on the role of elite figures and the extent of their unity or disunity.

To mention the level of cohesion among Thai elite actors is not to say that there were absolutely no frictions between them. The Thai elite is far from a homogeneous bloc and there were always power struggles and competing interests. The crucial point, however, is any tensions that occurred during CNS rule never became strong enough to split the elite into warring factions and destabilise the regime. As such, the junta could achieve most of its major aims, particularly the passage of the 2007 constitution, by relying on the degree of consensus that existed among elite actors.

General Sonthi Boonyaratglin, the nominal leader of the military junta, represents an interesting case of the power play at the elite level. On 26 October 2006, Sonthi outlined his vision regarding the future of Thailand’s political landscape. Expressing his beliefs in ‘unique’ features of Thailand and its people, he argued that the country needed a political system that suited Thai characteristics. He described Western-style democracy as inappropriate for Thai society, rejecting the notion that Thailand should incorporate elements of foreign political systems in its constitutional design. Sonthi also echoed the oft-repeated, but little explained, mantra that Thai people naturally lacked discipline and thus should not be granted self-rule. A priority for Thailand, he believed, would be to develop the capacity of its people so that they could understand “true principles” of democracy (*Prachatai* 27 October 2006). It turned out, however, that his opportunity to implement these visions was limited.

Despite his status as the junta's head, his influence was constrained throughout most of the eighteen months of CNS rule. Sonthi did not become a cabinet minister until 1 October 2007, serving out the last four months of the Surayud government (*Prachatai* 3 October 2007). In interviews over several years after the end of the CNS era, he alternately defended the coup and distanced himself from it. When pressed in a 2009 interview (*Prachatai* 14 September 2009), he refused to say that it had been his idea alone to stage the coup, cryptically hinting that revealing the 'truth' would cause more conflict in the country. He also criticised Surayud's government in the same interview for being overly cautious and, ironically, for failing to emulate Thaksin's energetic style. In a 2015 interview, Sonthi even remarked that the CNS "had no control" over Surayud's government, claiming that the military's full control over the country had ended upon Surayud assuming the premiership two weeks after the coup (*Matichon* 3 August 2015). Nonetheless, according to a source close to him, Sonthi still believed the coup was justifiable because it was an appropriate solution to the problems at the time.³⁹ In later years, Sonthi developed closer ties with politicians and became the leader of the small Matubhum Party, entering Parliament as an elected MP from 2011 to 2014. His attitudes towards politicians also grew more favourable. According to the same source, Sonthi had become more sympathetic to the needs of a typical MP who has to keep a busy schedule and maintain a large budget to satisfy voters.⁴⁰

Sonthi's ultimately marginal role in the CNS regime, along with his eventual mediocre political career, may appear to cast him as a victim of intra-elite machinations. However, there are reasons to regard him as a loser, rather than an innocent victim, in the power struggle emanating from the coup. This is chiefly because, despite public denials, he began to harbour his own political ambition not long after the coup and this put him into a conflict with Surayud and Prem. As revealed in a leaked US diplomatic cable (*Wikileaks* 24 April 2007), Sonthi had made plans to oust Surayud since as early as April 2007 according to Democrat Party (DP) Secretary-General Suthep Thaugsuban. Suthep also claimed that Sonthi had offered to make him a cabinet minister should Sonthi manage to become Prime

³⁹ Interview, Anonymous retired army general formerly in the CNS military regime, Bangkok, 25 November 2015

⁴⁰ Interview, Anonymous retired army general formerly in the CNS military regime, Bangkok, 25 November 2015

Minister himself. While Suthep turned down the offer, he noted that Sonthi had been considering a 'national unity' government which would comprise politicians from pro- and anti-Thaksin parties. This would be a clear contrast to Surayud's technocrat-dominated administration which, as discussed below, excluded politicians. Sonthi appeared to be frustrated by Surayud's perceived underachievement and reluctance to make full use of the government's coup-given power. Yet Surayud could afford to operate by his own rules because he continued to be favoured by Prem. According to Suthep, Prem's displeasure with Sonthi's scheme to unseat Surayud was such that at one point Prem shunned Sonthi when they met in April 2007 (*Wikileaks* 24 April 2007).

Surayud's cabinet consisted mainly of senior technocrats and career bureaucrats, earning the moniker *khing kae* ('old ginger') from the Thai press in reference to the advanced ages of many of the ministers. The government was quick to bolster its royalist credentials by proclaiming that it would adopt King Bhumibol's 'sufficiency economy' principles as its guiding ideology (McCargo 2008: 350). In the beginning, Surayud's government was notable for the fact that only three cabinet positions were filled by military officers, all of whom, including Surayud himself, had retired from active military careers several years before the coup. For comparison, Anand Panyarachun's government, created by the 1991 coup, was widely praised in Thailand for its technocratic competence but it had eight cabinet ministers with military background. On the surface, the relative lack of military generals in Surayud's cabinet was an apparent sign that the junta valued competence and personal ability over crude cronyism. However, there are reasons to believe that many of Surayud's ministers were not chosen on a purely meritocratic basis. As noted by Supalak (2007: 280-281), several ministers had personal connections with Surayud and Prem. Deputy Prime Minister and Finance Minister Pridiyathorn Devekula was Surayud's fellow graduate of Saint Gabriel's College, a leading high school in Bangkok. Deputy Prime Minister Kosit Panpiemras had long-term links with Prem stretching back to the 1980s. Minister of Information and Communications Technology Sitthichai Pokai-udom was well-regarded within military circles thanks to his earlier army-related research projects. Science Minister Yongyut Yuttawong was Surayud's high school friend. Deputy Interior Minister Banyad Chansena was another long-term associate of Prem.

Defence Minister General Boonrod Somthat, one of the few ministers with military backgrounds, was Surayud's classmate at Chulachomklao Royal Military Academy. In short, while most of the ministers could reasonably claim to be qualified for their jobs, personal links with Surayud and his mentor Prem appeared to have played a strong part in determining cabinet positions.

While the cabinet was mostly military-free, leading members of the CNS as well as other senior generals were given important and, in the generally corrupt world of Thai bureaucracy, potentially lucrative jobs (Hewison 2007a: 245; Hewison 2007b: 941). General Saprang Kalayanamitr, the most outspoken critic of Thaksin within the junta, became chair of two of the largest state-owned enterprises in the country, TOT (formerly known as Telephone Organisation of Thailand but now simply called TOT) and AOT (Airports of Thailand). His appointment in January 2007 to the chair of the board of TOT, a major state-owned telecommunications enterprise, gave him responsibility over a key strategic sector of the country's economy. Moreover, considering that Thaksin's business empire had been based in telecommunications, Saprang would have an opportunity to oversee changes in regulations and policy that could directly affect Thaksin's interests. Besides, the CNS ensured that many other state enterprise chairmanships were also given to high-ranking military officers. ACM Chalit Pukpasuk, a senior CNS member, was awarded the chairmanship of the board of Thai Airways, the national flag-carrier. Admiral Sathirapan Kaeyanont, another senior member of the junta, was awarded the chairmanship of the board of Port Authority of Thailand. ACM Sommai Dabpetch became chair of the board of CAT Telecom, another major telecommunications body (Supalak 2007: 284). Compared to other appointments, Saprang's appointment to the top jobs in two of the most significant state enterprises in the country were the most eye-catching and underscored his influence in the military at the time. The two jobs may also have helped to placate him when he eventually missed out on becoming army chief in the September 2007 military promotions season.

In addition to cabinet and state enterprise positions, supporters of the coup were allocated seats in other junta-established bodies, three of which, the National Legislative Assembly (NLA), the Constitution Drafting Committee (CDC) and the Asset Scrutiny Committee (ASC) will be briefly discussed here. The first of these

bodies, the NLA, was created to serve as the nominal legislative branch of government. The NLA consisted of 242 members, of whom 79 were serving or retired military or police officers (Insight Foundation 2014). Individual members of the NLA had little power as the legislative agenda had already been shaped by the junta and the government. Veteran legal expert Meechai Ruchuphan was appointed Speaker of the NLA (Royal Gazette 26 October 2006) A reliable conservative figure, Meechai would later chair another iteration of the Constitution Drafting Committee set up by the leaders of the 2014 coup. Other notable members of the NLA included Chamlong Srimuang, one of the PAD's core leaders, and future coup leader Prayuth Chan-ocha. As for the junta itself, none of its members sat in the NLA. This was in contrast to the previous iteration of the NLA that had existed during the 1991-1992 military regime of the National Peace Keeping Council (NPKC). During that time, three senior members of the NPKC, namely Suchinda Kraprayun, Sawat Amornwiwat and Kaset Rojananil, had seats in the Assembly. (Insight Foundation 2014).

The second body, the CDC, was created in February 2007 to oversee the drafting of a new constitution to replace the abolished 1997 constitution. It comprised 35 members drawn mainly from the academia, the bureaucracy and the judiciary. Only two members, Attaporn Charoenphanich and Prasong Sunsiri, had military backgrounds (Royal Gazette 22 February 2007). Prasong, a former senior figure in the Thai security apparatus who later entered politics, had long been an outspoken critic of Thaksin and had aligned with the PAD (Connors 2008: 481). The third body, the ASC, was a committee equipped with the power to investigate alleged corruption and wrongdoings of the Thaksin government. Initially the junta appointed Sawas Chotipanich, a former Supreme Court President and former Election Commissioner, to head an eight-member ASC. The other members were supposed to be drawn from existing members of other state institutions such as the Office of the Auditor-General, the Office of the Attorney General and the National Counter Corruption Commission (Royal Gazette 24 September 2006). However, the junta bizarrely abolished this iteration of the ASC merely a week later and replaced it with a new twelve-member ASC. Instead of appointing officials from other bodies, the junta specifically named twelve individuals as members of the new ASC. Sawas was one of the twelve but resigned from the post shortly afterwards. The other

members included known Thaksin adversaries such as Jaruvan Methaka, Klanarong Chantik, Nam Yimyaem, Sak Kosaengrueang and Kaewsan Atibodhi (Royal Gazette 30 September 2006). Taken together, the NLA, the CDC and the ASC constituted a way for the junta to reward its supporters who were not in its inner circle or had other reasons for missing out on cabinet and state enterprise positions. As observers including Farrelly (2013: 290-291) and Veerayooth (2016: 491-492) have noted, Thai coup leaders can typically rely on the fact that many members of the professional and official elite are not only tolerant of military interventions but also willing to help legitimise military rule by accepting appointments to state bodies.

Ultimately, the coup-established regime was not a homogeneous bloc but was a coalition of interests. While the regime included actors and groups that did not always have the same goals, they shared a broad preference for military-dominated political stability that enabled them to advance their agendas and benefit from state power. The situation resembled a description by Marquez (2017: 47) of a typical authoritarian regime. In his words, “authoritarian regimes can be understood generally as ‘cartels’ of distinct but mutually dependent groups that prefer to limit political competition despite many differences in values or preferred policies.” As long as divisions within the ruling group are kept under control, such a regime can survive for an extended period of time.

Reshaping Democracy: Dismantling the Thaksin Machine

Curbing the vast influence of Thaksin was one of the top priorities of the CNS regime. The 1997 constitution was generally seen as a key enabler of Thaksin’s ability to forge a strong government that trampled over various institutions of horizontal accountability as well as civil society and the media (Wigell 2008: 247; Bogaards 2009: 404; Hewison 2007b: 935). As Nelson (2017: 52) puts it, the regime aimed to “use this coup-generated exclusion from power of the Thaksin-aligned forces in order to redesign the rules of the game in a way that would reduce the election-based power of Thaksin Shinawatra, and increase the power of the establishment forces.”

In what would eventually become the 2007 constitution, many elements of the 1997 constitution were kept but some principles were changed in significant

ways. In a continuation of the phenomenon that McCargo (1998: 5) has called 'permanent constitutionalism', the CNS appeared to believe that most of what it perceived to be Thailand's immediate problems could be resolved by drawing up yet another constitution. In this case, whereas the 1997 constitution was a reaction to the weak governments of the 1990s (Apichat 2017: 301-302), the junta's constitution would be a response to the years of power concentration under Thaksin. Putting faith in a constitution as a problem-solving instrument reflected the kind of top-down thinking that had long afflicted many in the Thai elite. As noted by Hewison (2007b: 940), the junta-appointed NLA, CDC and ASC were precisely products of this kind of worldview because these bodies excluded representatives of workers, farmers and even political parties.

It would be too simplistic to say that the 2007 constitution was a complete abandonment of its 1997 predecessor. In fact, as pro-junta figures such as CDC member Somkid Lertpaitoon contended, the 2007 charter retained some progressive elements from the 1997 document and even offered improvements in terms of people's political rights (Connors 2008: 484). Examples of such improvements included the removal of the university degree requirement for parliamentary candidates and the reduction in the number of signatures needed for citizens to propose a draft bill to Parliament from 50,000 to 10,000 (Hicken 2007: 155; *Prachatai* 4 August 2007).

However, those improvements were relatively small and paled in comparison to other changes. The true overriding concern for the military and the constitution drafter was the desire to prevent a repeat of Thaksin's political dominance. As it turned out, the new constitution was expected to help achieve this in two main ways. First, there would be provisions to reduce the power of the executive and increase that of the judiciary, independent agencies and the Senate. Second, the electoral system for both the House of Representatives and the Senate would be changed in order to increase the likelihood of parliamentary fragmentation and weaken Thaksin's power base (Thitinan 2008: 145). To gain democratic legitimacy, the draft constitution would then be put to a nationwide referendum in which people would have a chance to accept or reject the draft. It eventually passed the referendum on 19 August 2007, although the referendum was heavily controlled and opportunities for campaigning for a 'no' vote were tightly restricted (McCargo

2008: 338). The junta also failed to clearly specify what would happen if the draft was rejected, leading to suspicions that a new election would be delayed unless the referendum produced a victory for the 'yes' vote.

Among the clearest indications of the anti-democratic effects of the 2006 coup were the changes made to the Senate. The 1997 constitution introduced a fully elected Senate in Thailand for the first time, but the supposedly non-partisan body later became dominated by the pro-Thaksin force. Having control over the Senate helped Thaksin to consolidate his power because Senators played a major role in selecting members of powerful independent agencies (Chambers 2009: 16-17). The 2007 charter retained the principle of an influential upper chamber but turned the Senate into a half-elected, half-appointed body. The 150-member Senate would consist of 76 elected members and 74 appointed members. While a possibility of a return to a fully appointed chamber in the mould of pre-1997 systems was discussed among the drafters, this was rejected because the drafters feared that it would prove too unpopular with the public (Nelson 2017: 60-62). Each of Thailand's 76 provinces at the time⁴¹ would elect one Senator using a first-past-the-post electoral system, unlike the 1997 system which allocated senatorial seats to each province proportionally based on population sizes.

The re-introduction of appointed Senators was controversial. Even critics of Thaksin such as former Senators Chirmsak Pinthong and Karun Sai-ngam argued against the idea, believing that any appointment process would be afflicted by cronyism and patronage (Chambers 2009: 25). CDC member Somkid defended the idea by noting that upper chambers in democratic countries such as Britain, Belgium and India also consisted of appointed members (*Prachatai* 4 August 2007). Somkid clearly ignored the fact that Thailand's 2007 constitution envisioned a much more powerful Senate than the upper chambers in the democracies he mentioned, meaning that there were stronger reasons to be concerned with the popular legitimacy of the Thai Senate.

At the same time, the process for appointing Senators reflected the shift of political power towards the courts. The new constitution explicitly politicised Thailand's courts by including in the Senator selection process the president of the

⁴¹ A new province, Bueng Kan, was later created in March 2011.

Constitutional Court, a representative from the Supreme Court and a representative from the Supreme Administrative Court (Chambers 2009: 25). Other members of the selection panel were the president of the Election Commission, the president of the Office of the Auditor-General, the president of the National Counter Corruption Commission and the Parliamentary Ombudsman. Bizarrely, the 2007 charter also specified that the Senate itself would be involved in the selection of members of these bodies. As Hicken observes (2007: 144), this effectively means that Senators and the selection panel would appoint each other, raising a clear possibility of a conflict of interest and a *quid pro quo*. The government, meanwhile, would be completely cut off from these processes. In the earlier era of a wholly appointed Senate in the 1980s and 1990s, the Prime Minister was involved in the selection process of Senators but he or she would have no such power at all under the 2007 constitution (Hicken 2007: 144-145). As such, the 2007 constitution not only turned the Senate into a half-appointed body but also strengthened the role of other unelected organs of the state at the expense of the elected government and Parliament.

The electoral system for the House of Representatives, along with its composition, was also modified. One of the key issues the 2007 drafters had with the 1997 constitution was how its electoral system, specifically the party list component, had made it possible to tally the number of nationwide votes won by each party. After the landslide victory of Thai Rak Thai in the 2005 election, Thaksin was fond of boasting publicly about the unprecedented number of votes won by TRT nationally. The drafters expressed a belief that anyone making a claim of a national mandate was somehow challenging the monarchy's traditional authority (Nelson 2017: 56). The 2007 document replaced single-member constituencies with multi-member constituencies, a system used in Thailand prior to the 1997 constitution. The total number of MPs was reduced from 500 to 480, with 400 coming from constituency seats and 80 from the party list portion. The national party list system used under the 1997 constitution was replaced by a regional list system in which the country's provinces were grouped into eight regions, each of which would elect 10 MPs. As Hicken points out (2007: 151-152), these changes appeared to have been designed to increase the likelihood of political fragmentation and multi-party coalition governments.

Five other notable attempts to break up Thaksin's political machine during CNS rule will be discussed here. The first is concerned with the financial assets of Thaksin and his family. The sale of Shin Corp in February 2006, along with other allegations of corruption, provided a significant ammunition for his opponents in their attempt to target his wealth (Ockey 2008: 21). The aforementioned ASC then decided to seize almost \$1.7 billion worth of assets belonging to Thaksin's family (Dressel 2010: 681). Packed with Thaksin's opponents and empowered by the junta to investigate corruption cases specifically related to Thaksin, the ASC clearly lacked the neutrality and credibility required in a typical justice system and ended up as another political tool of the junta.

The second attempt, the dissolution of Thai Rak Thai along with giving its executives a five-year ban from politics in May 2007, was a continuation of the growing political role of the judiciary, a trend that had largely begun with the courts' annulment of the April 2006 election. Although the CNS used its power to abolish the existing Constitutional Court immediately after the coup, the junta later set up a Constitutional Tribunal to perform the role of the old Constitutional Court. It was clear from the beginning that the Tribunal was expected to play a chiefly political role. The junta's interim constitution granted the Tribunal the power to dissolve a political party if at least one of its executives was found guilty of electoral fraud. As noted by Dressel (2010: 680-681), many of the Tribunal's nine members were well-known critics of Thaksin, leading to accusations that political considerations rather than legal merits were key factors in the Tribunal's operation. The case that led to the dissolution of TRT was related to electoral irregularities during the April 2006 election campaign. The Democrat Party, which faced a similar charge in a separate case, was acquitted. McCargo (2014: 428-429) argues that the Tribunal's ruling, which not only dissolved TRT but also banned all of its 111 executives from holding political offices for five years, was more severe than what General Sonthi expected and even contradicted King Bhumibol's wish.

The military's third attempt at weakening Thaksin was to covertly encourage the splintering of Thaksin's political group. In another sign of Sonthi's political ambition, he and some other associates entertained an idea of establishing a successor party. Having made plans to allow the resumption of electoral politics in December 2007, the military did not wish to leave the electoral field to politicians

but actively sought to influence it. While the military never openly declared its support for any particular party, members of the CNS, most prominently Sonthi and General Winai Pattiyakul, took steps to lure a number of former TRT politicians to join the military's side. This plan was made easier by the fact that some TRT members did not have much loyalty toward Thaksin in the first place. As Thaksin had tolerated factionalism within TRT for much of its existence, a number of TRT members were more loyal to their faction leaders than to Thaksin. Winai, a close friend of Sonthi, was identified by Chambers (2013a: 294) as a key organiser of various deals encouraging former TRT members to split from Thaksin's side. Regarding the Constitutional Tribunal's ruling, McCargo (2014: 429) notes that Sonthi probably wished to see only a limited number of TRT executives banned by the Constitutional Tribunal because the military had developed a plan to form a new party around a core group of politicians led by Somsak Thepsutin, one of the several former TRT members who had headed their own factions. Such a plan would become complicated if too many TRT members got banned. Somsak and his followers eventually formed the Matchimatippatai party.

Another party rumoured to be linked to the military during this time was Puea Pandin, a party created in 2007 mainly by another group of former TRT members who had defected from the Thaksin camp. These included former Foreign Minister Surakiart Satirathai, former Public Health Minister Pinit Charusombat and former Minister for Prime Minister's Office Suranand Vejjajiva. Allegations soon swirled in the Thai press regarding the party's origin. A piece in *Manager* (8 May 2009) was one of the many media reports highlighting the rumour that the party had been backed by "an influential figure in the CNS". A senior figure in the Thaksin side also expressed a belief that Puea Pandin had been backed by the military,⁴² while the name of Pinit was also mentioned by DP's Suthep Thaugsuban as one of the politicians recruited by Sonthi and Winai in their efforts to create a political vehicle for the CNS (*Wikileaks* 24 April 2007). Yet another party, Pracharaj, was formed by another former TRT faction leader Sanoh Thienthong. Sanoh had already fallen out with Thaksin by late 2005 and appeared likely to leave TRT.

As for the Democrat Party, it escaped punishment by the Constitutional Tribunal and remained virtually unaffected by other post-coup developments. The

⁴² Interview, Anonymous Thaksin-aligned politician 2, Bangkok, 9 October 2015

military's scheme appeared to be to create a favourable electoral playing field for the Democrats in the expectation that DP would be able to form a coalition government with other non-Thaksin parties, thus keeping Thaksin's force out of power. Winai's son, Sakolthee Pattiyakul, also joined DP and ran for Parliament in a Bangkok constituency in the 2007 election (Chambers 2013a: 295). Even if the election produced yet another Thaksin victory, his government would still be constrained by the Senate, independent agencies and the newly invigorated judiciary.

The fourth attempt to undermine Thaksin was the changes made to the military reshuffle process. The process of appointing, promoting and transferring high-ranking military officers—that is, from the rank of brigadier general and above—had previously been an official responsibility of the government of the day. As discussed in the previous chapter, however, military reshuffles tended to be an important site of struggle for power and influence among Thailand's political and military leaders. Thaksin, as he himself had admitted, had sought to promote friends and classmates to key positions in the armed forces, though a Thaksin associate said that Prem had always retained the final say over every reshuffle during the TRT era.⁴³ Although Thaksin was ultimately unsuccessful in preventing a military coup against himself, the CNS still wished to take the power over reshuffles back into the military's hands. In one of the junta's final acts, the reshuffle process of high-ranking military officers was changed so that instead of the government having decision-making authority over it, the process would now need to be vetted and approved by a seven-person committee consisting of the commanders of the army, navy, air force, the supreme commander, the permanent secretary of the Ministry of Defence, the Defence Minister, and the Deputy Defence Minister (Chambers 2013b: 75). Only the last two of those would be from the civilian government whereas the first five members would be from the military. These changes would sharply limit the government's influence over the reshuffle process and were apparently geared towards preventing a repeat of Thaksin-style 'interferences' in military appointments. Following Croissant et al (2010: 959-960), this was a clearly anti-democratic move because it represented a military refusing to be subordinate to an elected civilian government.

⁴³ Interview, Anonymous Thaksin-aligned politician 2, Bangkok, 9 October 2015

Fifth, the CNS revitalised the Internal Security Operation Command (ISOC), a security body originally established in 1965 to fight communism. ISOC had largely been neglected since the end of the Cold War and lost its central role in the country's security sector by late-1990s. The CNS, however, saw the potential for ISOC to be an instrument through which the military could engage with the public directly. As Krittian points out (2010: 205-207), the army appeared to subscribe to a far-fetched idea that Thaksin's populist politics was somehow akin to communism, an 'evil' ideology capable of undermining the country's traditional social and political structure. For this reason, the military felt there was a need for security officials to eliminate Thaksin's influence among grassroots voters, a goal that could be achieved by reviving ISOC.

The PPP-Led Governments and an Assertive Military

This section covers the eventful period from the December 2007 election to the dissolution of the People Power Party (PPP) at the end of 2008. Despite winning the election with a comfortable margin, the Thaksin-backed PPP could govern for only a year before an electoral fraud case led the Constitutional Court to dissolve the party, echoing the fate of TRT previously. Although another Thaksin-backed political outfit attempted to form another government, the military devised a scheme to draw a group of MPs from Thaksin's side to support the Democrat Party, resulting in a new DP-led government which took office in December 2008.

The December 2007 Election

Having slapped corruption allegations on Thaksin, dissolved his party and crafted a new pro-establishment constitution, the military had reasons to be confident of a favourable outcome when it allowed a new election on 23 December 2007. The ban on 111 former TRT executives deprived the Thaksin side of contenders for key government and ministerial positions. Along with the ban, the defection of former faction leaders and the loss of support from former allies in the business community left Thaksin in a weakened position. For these reasons, Thaksin's electoral strategy became increasingly reliant on winning votes from the urban and rural poor (Ukrist

2016: 144-145). Prior to the 2007 election, Thaksin, who had lived in exile since the coup, took over a small party called People Power Party (PPP) and turned it into the successor of TRT. In a surprising move, Thaksin brought in Samak Sundaravej, a veteran politician and former Governor of Bangkok, to serve as PPP's leader and candidate for Prime Minister.

The arrival of Samak was perplexing. Known primarily for his brash manner and reactionary views throughout his political career, Samak had never displayed management excellence or leadership qualities befitting a prime ministerial candidate. His troubling role in the October 1976 massacre of student protesters in Bangkok, when as a radio host he made vile accusations that the students were armed communists, also created doubts as to whether he would be able to work with some of the former student activists from that era who had joined Thaksin's side such as Chaturon Chaisaeng, Surapong Suebwonglee and Poomtham Wechayachai (Kanokrat 2012: 207-220). In addition, the independent-minded Samak did not appear likely to remain loyal to Thaksin in the long term (Chambers 2013a: 300) despite his declaration upon joining PPP that he would function as Thaksin's proxy (Ukrist 2016: 145). On the other hand, the choice of Samak may have been a way for Thaksin to send out some important messages to the establishment as well as the electorate. As an outspoken critic of Prem since the late 1980s, Samak's confrontational style may have been an indication that the Thaksin camp was determined to resist any attempts by the elite to further undermine it. However, Samak was also known for his royalist credentials and his close relationship with the military (Chambers 2013a: 298). Thaksin may have regarded these qualities as helpful in his effort to dilute the idea, held by many of his detractors, that he harboured anti-monarchy ambition.

Despite the generally unfavourable circumstances, including ISOC-led grassroots campaigns by the military to discredit Thaksin in the eyes of rural voters (Ferrara 2015: 240), PPP exceeded expectations in the December 2007 election. It won 233 out of 480 seats in the lower house and, despite rumours that elite forces tried to prevent smaller parties from joining a PPP-led government (Connors 2008: 485), successfully went on to form a coalition government with Samak as Prime Minister. Two CNS-connected parties, Matchimatippatai and Peua Pandin, won too few seats to stand a realistic chance of frustrating the PPP and both ended up in

Samak's coalition. The disappointing 21 seats won by Puea Pandin would later expose its farcical nature as a political outfit made up primarily of opportunists. Suwit Khunkitti, its first leader, was an experienced politician but commanded only a small faction in the party (*Wikileaks* 30 July 2008). With as many as eight distinct factions, the party had little unity or any sense of purpose (*Manager* 8 May 2009). By the time the PPP was nearing its end in December 2008, factions in Puea Pandin had been openly fighting one another.

The Democrats, with 165 seats, also performed well compared to the 2005 election but fell far short of the PPP's seat tally. Thanks to the redesigned electoral system, DP managed to nearly match PPP in the 80-seat regional list contest, winning 33 seats in comparison to PPP's 34. What was more alarming for the Thaksin camp, however, was the results in Bangkok. In 2005, TRT won 32 out of 37 seats in the capital, but DP performed much more strongly in 2007 by winning 27 seats, comfortably beating PPP's tally of 9. It became clear that voting patterns in Thailand's national elections were growing more polarised and regionalised. The south and inner Bangkok became DP's stronghold while the north and northeast were broadly pro-Thaksin (Thitinan 2008: 147). The polarisation of Thai politics would become a persistent theme over the next several years.

The Military's Political Role during the Samak and Somchai Governments

Given the various measures and efforts aimed at undermining Thaksin's electoral prospects, the 2007 election results were a disappointment for the military. Nonetheless, the military's political influence remained an issue for the civilian government, particularly as it faced renewed opposition from the PAD. As it turned out, the PPP-led government made attempts to court the military but they were largely unsuccessful. The interests of the government and the military diverged on several issues and the government eventually learned that it could not rely on the military to support it.

In power, Samak tried to put his historically warm relationship with the military to use. He became only the second civilian ever, following DP's Chuan Leekpai in 1997, to take the Defence Minister office. Like Chuan, Samak occupied

the Defence Minister post concurrently with the premiership. One Thaksin-aligned politician notes, without giving specific reasons, that whenever the Defence Minister job is taken by a civilian, he or she always needs to be the Prime Minister at the same time.⁴⁴ As Chambers points out (2013a: 300), Samak had a team of advisors for his Defence Minister role that included former army chief Chaiyasit Shinawatra and several peers of Thaksin from Class 10 of the Armed Forces Academy Preparation School (AFAPS).

Samak quickly formed an apparent rapport with General Anupong Paochinda, the new army chief. Anupong and Thaksin were AFAPS Class 10 classmates but he had been one of the key perpetrators of the 2006 coup. Samak and Anupong frequently travelled together on official trips abroad (Ukrist 2016: 146). While Ukrist (2016: 146) argues that Anupong's closeness to Samak was because he was seeking Samak's support in his aim to extend his army chief tenure, this was unlikely to be accurate because the new military-dominated committee overseeing military reshuffles was always going to limit the civilian government's influence in that matter. Meanwhile, there appeared to be an uneasy truce between Thaksin and his opponents, allowing Thaksin, in exile since September 2006, to return to Thailand in February 2008 (McCargo 2009: 12) although in August 2008 he again left the country and has never returned since (*The Guardian* 11 August 2008).

Any hope the PPP-led coalition might have had that it would be able to govern peacefully would soon be dashed. The PAD, largely inactive throughout the junta's rule, resumed its anti-Thaksin protest over an alleged territorial dispute involving Thailand and Cambodia. The conflict, centred on both countries' competing claims over territories around an ancient Khmer-era structure known as Preah Vihear Temple, had been largely dormant since a ruling in 1962 by the International Court of Justice had awarded the Temple to Cambodia (Pavin 2010: 86-87). In 2001, however, the Cambodian government initiated a process to nominate the Temple as a UNESCO World Heritage site. By 2007, the Surayud government had become concerned that Cambodia's proposal could potentially lead to Thailand's territorial loss, but it was during the Samak government that the issue became intensely politicised. Samak's Foreign Minister, Noppadol Pattama, was a

⁴⁴ Interview, Anonymous Thaksin-aligned politician 2, Bangkok, 9 October 2015

close associate of Thaksin. Representing the Thai government, Noppadol signed a Joint Communiqué with Cambodia in May 2008 endorsing the Cambodian UNESCO campaign. The PAD and the Democrat Party tried to portray Noppadol's role as part of a secret deal which Thaksin had allegedly made with the Cambodian government so that he could advance his business interests in Cambodia (Pavin 2010: 89). The PAD's message for its new round of anti-Thaksin protest was a simple yet powerful one: the government was 'selling the nation' by giving up parts of Thailand's cherished territory to another country. The idea that a once-mighty Thai kingdom had suffered a series of territorial losses at the hands of various foreign enemies had long been a core part of Thailand's state-promoted nationalist discourse, and the PAD's strategy involved tapping into this body of belief and stroking anti-Cambodia fervours among Thais (Pavin 2010: 90-94).

The Constitutional Court eventually ruled that Noppadol's signing of the Joint Communiqué had violated the constitution, leading him to resign from the Foreign Minister job in July 2008 (Dressel 2010: 682). Overall, however, the Preah Vihear controversy on its own did not threaten the government's immediate survival. To prolong its protest, the PAD changed its message from reclaiming Preah Vihear to totally rejecting the government's legitimacy. The protest dramatically escalated in August 2008 when the PAD stormed and began to occupy the Government House indefinitely so as to force the government's resignation (Askew 2010: 36). As the protesters continued to make gains, the government appeared weak and impotent.

What eventually toppled Samak was not the PAD's protest but a Constitutional Court ruling. Before becoming PM, Samak had pursued a secondary career as a host of television cooking shows. He continued to front the shows during his premiership, which led his opponents in the Senate to first accuse him of conflict of interest and then to petition the Constitutional Court. In a remarkable ruling on 9 September, the Court found Samak guilty of being an employee of a private corporation, an offence under the Thai law governing holders of public offices. The Court reached this decision by disregarding the definition of 'employee' in Thai labour laws. Instead, a broader definition drawn from the official Thai dictionary was used (Dressel 2010: 682). The ruling meant that Samak lost the premiership, and PPP reacted by nominating Somchai Wongsawat, Thaksin's brother-in-law, as

his replacement (McCargo 2009: 14). Although Samak was theoretically eligible and wished to return as PM, he had lost the support of PPP (*Wikileaks* 1 October 2008). This marked a point at which Thaksin began to put more trust in his family members to run his political machine, ending the brief flirtation with an unpredictable outsider like Samak.

Somchai had an even shorter spell as Prime Minister than Samak, however. As PPP continued to be at the core of the governing coalition, Samak's departure was not enough to pacify the PAD. On 7 October, a violent clash broke out between the police and PAD protesters outside the Parliament compound. Two protesters, Angkana Radabpanyawut and Methee Chatmontri, were killed and several more injured. Queen Sirikit and Princess Chulabhorn personally attended the funeral of Angkana on 13 October. The Queen remarked that Angkana was a good person who loved the nation and the monarchy, and that King Bhumibol had provided a donation for her and other victims (McCargo 2009: 15; Thongchai 2014: 97). The next day, palace insider Anand Panyarachun presided over the funeral of Methee (McCargo 2009: 16). Other injured PAD protesters were also given financial support by the Queen (McCargo 2009: 15). Such gestures by the palace helped to further embolden the PAD, culminating in its extraordinary decision in November 2008 to occupy Suvarnabhumi and Don Muang, two major international airports in Bangkok. By the time the Constitutional Court issued its verdict on 2 December 2008, dissolving PPP along with Chart Thai and Matchimatippatai parties for electoral fraud and imposing a five-year ban from politics on Somchai and the executives of those three parties, senior PPP figures had privately acknowledged that their time was up (*Wikileaks* 1 October 2008).

Throughout the turmoil of 2008, the military demonstrated its willingness to be an assertive political force despite the lack of formal political power. In the early weeks of Samak's premiership, the government tried to undermine the coup-established ASC whose investigations focused on corruption cases linked to Thaksin. The government's effort, however, was thwarted by Anupong's public backing of the ASC (Chambers 2013a: 300). In September, as the conflict with the PAD escalated, Samak declared a state of emergency and granted Anupong the power to disperse the protesters by force. Anupong responded by refusing to order a crackdown on the PAD (Askew 2010: 37). Although he instructed 1,000 anti-riot

soldiers to be on alert, ostensibly to bolster the police force dealing with the PAD, the mobilisation of such a large number of troops could also have been a preparation in case another coup would be needed (Chambers 2013a: 305).

Anupong later revealed that despite his disagreements with the government, he was also critical of the PAD. In a demonstration of the army's autonomy from its supposed civilian overlords, he claimed that he had tried to stay in the middle ground between the government and the protesters (*Wikileaks* 30 December 2008). He argued that protesters in Thailand were protected too well by the country's law. As there was no clear law regarding public demonstrations at the time, it was difficult, in his view, for security officers to maintain order during protests (*Wikileaks* 30 December 2008). Anupong's dislike of the PAD was separately confirmed by Privy Councillor Siddhi Savetsila (*Wikileaks* 3 September 2008). Near the end of Samak's premiership, Anupong also cooperated with the PM in an effort to broker peace talks between the PAD and the government (*Wikileaks* 5 September 2008).

A more dramatic intervention occurred on 16 October in the aftermath of the deaths of the two PAD protesters. Anupong, along with the Supreme Commander, the navy chief, the air force chief and the police chief, appeared on an evening news programme on Thailand's Channel 3 to urge PM Somchai resign to take responsibility for the deaths (McCargo 2009: 19). At some point during the PAD's campaign, Anupong also made an unsuccessful attempt to secretly persuade the Chat Thai party, a member of the PPP-led governing coalition, to withdraw from the government (*Wikileaks* 30 December 2008). Furthermore, the PAD's occupation of the two airports was made possible largely due to the army's calculated inaction (Ferrara 2015: 244; *Wikileaks* 30 December 2008).

At the same time, PPP's refusal to bow to direct and indirect pressure from the military can be viewed as a sign of democratic resilience. By contesting the 2007 election under the rules designed to limit its chance of success, PPP exhibited democratic resilience in terms of an attachment to democracy during a difficult situation (Burnell and Calvert 1999: 4). The party, however, was most likely not motivated by democracy's idealistic appeals but by the fact that electoral democracy was a way to gain political power. In private conversations, Thaksin appeared more

concerned with protecting his assets and business interests than democracy (*Wikileaks* 23 July 2008). As problems mounted for PPP in mid-2008, the Thaksin camp tried to use democratic methods to prolong its hold on power and deter a breakdown of democracy. In July, Thaksin floated the idea of a national unity government which would bring the Democrats into Samak's governing coalition (*Wikileaks* 23 July 2008). When this plan failed to progress, Samak turned to another democratic method by attempting to hold a national referendum in which voters would effectively be asked to choose between the government and the PAD, though this plan also collapsed following the end of Samak's premiership (*Wikileaks* 5 September 2008). As for Somchai, his insistence to stay on as PM in defiance of Anupong's televised demand was another sign of resilience based on democratic principles (*Wikileaks* 17 October 2008).

Ultimately, considering that Anupong's various actions failed to bring down the government, the military's determination to be a politically important actor produced few tangible results. That Somchai could easily rebuff Anupong's remark that he should resign seems to suggest that the military was actually rather weak. It can be argued that the two major court verdicts, one disqualifying Samak and the other dissolving PPP, had a larger impact on the country's politics in 2008 than the military did. As Unger and Chandra put it (2016: 124), "it seemed that the courts were being used not to impose accountability but to tip the scales in the political struggle toward the entrenched elite."

However, another interpretation is that Anupong may have wished to make stronger moves against the government but he was hindered by certain figures in the palace. While there was a scheme in September 2008 backed by Privy Councillor Siddhi to pressure Samak to resign, Anupong did not appear to be closely involved and the plan was eventually rendered unnecessary by the Constitutional Court's ruling (*Wikileaks* 3 September 2008). Regarding Somchai, the television appearance was probably the most Anupong could do to put pressure on the government because another military coup, for some in the palace, was completely out of the question. According to palace insider Piya Malakul, King Bhumibol himself opposed the idea of another coup (*Wikileaks* 6 November 2008). Another palace insider, Anuporn Kashemsant, believed that the poor performance of the Surayud government had shown that the military was "incapable of running the

country” and diminished the prospects of another coup (*Wikileaks* 17 October 2008). At this point, opponents of Thaksin among the elite appeared to have more faith in judicial interventions and backroom deals than an outright military coup.

Nonetheless, December 2008 marked a point at which the military finally had a decisive role. Following the dissolution of PPP, the Thaksin camp once again formed a new party, this time called Pheu Thai (PT), and tried to hold on to power. What Thaksin did not anticipate, however, was that a major faction in PPP led by Newin Chidchob, a politician previously seen as highly loyal to Thaksin, would defect from him. With 37 MPs, Newin’s faction was large enough to shift the balance of power in the House of Representatives. Many accounts identified Anupong as a key person behind the intense lobbying efforts that led to Newin’s defection (Askew 2010: 42-43; Chambers 2013a: 314-315). As it turned out, Newin’s group went on to form a new party called Bhum Jai Thai (BJT) and allied with the Democrat Party and most of the former coalition partners of PPP. Their combined parliamentary votes were enough to establish a new governing coalition led by the Democrats and propel DP leader Abhisit Vejjajiva to be Prime Minister. As part of the deal, BJT was rewarded with cabinet positions overseeing the Interior Ministry and the Transport Ministry, two of the most important government ministries in Thailand (Askew 2010: 43).

Conclusion

This chapter presents an account that depicts the military as chiefly concerned with the ‘Thaksin question’ from 2006 to 2008. While the political future of Thaksin Shinawatra took centre stage, the 2006 coup and subsequent actions by the military also had a significant impact on Thai democracy. As Thaksin’s political success was primarily based on electoral politics, the CNS regime set out to undermine his political prospects by redesigning the electoral system and increasing the power of non-elected actors in such a way that the elected government would become significantly constrained. However, these actions pushed the Thaksin side to rely even more on democratic methods as a way of regaining political power. The success of PPP in the 2007 election represented a case of democratic resilience and clearly was not what the military had expected. After the election, the military

demonstrated a willingness to remain an important political actor, challenging the elected government at various points and pursuing its own agenda. While it was the Constitutional Court that eventually toppled Samak and Somchai, the military played a crucial role in ensuring that the Democrat Party could form a new government in December 2008.

The concept of democratic resilience helps us to analyse the events during this period not solely in terms of democratic rollback. While it can be argued that the 2006 coup had clear anti-democratic effects, a strong focus on the democratic rollback narrative can lead us to overlook the emphasis that Thaksin and his party continued to put on democratic principles. The political role of the military should be understood in terms of its confrontation with actors that try to stick to democratic principles. The issue of democracy assumes even larger importance during the conflict between the Abhisit government and the Red Shirts, which will be the focus of the next chapter.

Chapter 5

The Military during the Abhisit Government: Encountering Democratic Resilience, Part Two

Introduction

This chapter is an analysis of the Thai military's political role during the Abhisit Vejjajiva government which was in office from December 2008 to July 2011. Abhisit, the leader of the Democrat Party (DP), headed a coalition government that assumed power following the collapse of the previous Somchai Wongsawat government and the dissolution of the pro-Thaksin People Power Party (PPP). As noted in Chapter 3, the military, particularly army chief Anupong Paochinda, had a crucial role in the 'silent coup' (Surachart 2015: 75) that elevated Abhisit to the premiership. Growing political tensions during Abhisit's tenure led to two major rounds of street rallies by the largely pro-Thaksin 'Red Shirt' movement in 2009 and 2010, the latter of which culminated in a violent clash between the protesters and security forces that left more than 90 people dead (The People's Information Center 2017: 242). In the end, Abhisit's government completed its term but lost power at the July 2011 election, being beaten by Thaksin's Pheu Thai Party (PTP).

The chapter focuses on how the military managed its encounter with pro-democratic forces, specifically the Red Shirts and their allies in PTP over the duration of the Abhisit government. Although the government took office via a parliamentary vote, the Red Shirts regarded it as illegitimate and demanded a new election. The chapter aims to show how the military's role in protecting the Abhisit government and quelling the Red Shirts was a response to the Red Shirts' democratic resilience. The chapter proceeds in four steps. The first section provides an outline of the Abhisit government, focusing on the fractious nature of the alliance between DP and its most important coalitional partner Bhum Jai Thai (BJT). The second section analyses the military's influence over the Abhisit government and notes how Abhisit was a Prime Minister with limited authority. The third section examines the confrontation between the Red Shirts and the military in 2009 and

2010. The chapter portrays the Red Shirts as agents of democratic resilience in the context of Thailand's post-2006 politics. The last section provides a conclusion.

Democrats and Bhum Jai Thai: Unlikely Allies

Upon the dissolution of Somchai Wongsawat's PPP-led government by the Constitutional Court in late 2008, there was little appetite among the Thai elite for another military coup (Ferrara 2015: 244-245). As no new election was called, the Thaksin side was still in a position to form another government. However, it turned out that Thaksin's major advantage, the numerical superiority of MPs supporting him, would be easily nullified by the military's scheme that broke up the former ruling coalition and propelled Abhisit to power. This section provides an overview of the Democrats and Bhum Jai Thai (BJT), the two most important participants in the Abhisit-led coalition.

Founded in 1946, the Democrat Party is Thailand's oldest political party still in existence. The party's modern history, however, is marked by its repeated failures to win a general election. Over the last three decades, DP's only victory in a general election was a narrow one in September 1992. It fared especially badly during the peak of TRT's dominance, winning only 96 out of 500 seats in the 2005 election with most of its MPs coming from its stronghold in southern Thailand. The party's poor showing on that occasion led to the resignation of its leader, Banyat Bantadtan. He was quickly succeeded by Abhisit Vejjajiva, an Oxford-educated politician long seen as DP's prodigy and a protégé of former DP leader Chuan Leekpai. Chuan, who had two stints as Prime Minister in 1992-1995 and 1997-2001, continued to be an influential figure in the party and retained longstanding support throughout much of southern Thailand (*Thai Publica* 3 February 2014).

Under Abhisit, DP joined forces with two other opposition parties to boycott the February 2006 election amidst the intense anti-Thaksin campaign by the PAD. When Thailand's politics grew more polarised during Thaksin's last few months in office, DP defined itself as a thoroughly anti-Thaksin party. Though it never had a formal association with the PAD, several DP members joined PAD rallies in 2005-2006 and again in 2008. Somkiat Pongpaiboon, one of the PAD's five 'core leaders', also became a Democrat MP in 2007. Another DP member, Kasit Piromya, was

widely mocked for defending his participation in the PAD's occupation of Suvarnabhumi and Don Muang airports in late 2008 by saying that the food and music at both rally sites had been "excellent" (*The Telegraph* 21 December 2008). In fact, one of the factors that gave rise to the PAD's mass rallies was the Democrats' poor performance in the 2005 election. Not only did DP's defeat enable TRT to comfortably form a one-party government, but it also highlighted the futility of trying to oppose Thaksin through parliamentary channels. One DP member, Charoen Kanthawongs, even remarked in a condescending tone that the party should simply give up trying to win votes in Thailand's populous northeastern region, a major Thaksin support base (*The Observer* 21 December 2008). The despondent mood in anti-Thaksin circles at the time contributed to the belief that street rallies could be a more effective means of constraining his administration. Thus, during the late 2000s it was possible to view DP and the PAD as part of the same broad anti-Thaksin movement in Thai politics.

In a notable development, Kasit became Foreign Minister in Abhisit's cabinet. Although Kasit was a former ambassador, his appointment to the cabinet was a surprise because, firstly, his contentious involvement in the PAD's airport occupation was hardly befitting of a Foreign Minister and, secondly, DP already had a more obvious candidate for Foreign Minister in Sukhumbhand Paribatra. During the premierships of Samak and Somchai, Abhisit had set up a British-style 'shadow cabinet' to monitor the government's performance. Sukhumbhand, who had previously been Deputy Foreign Minister from 1997 to 2000, was given the 'Shadow Foreign Minister' title in February 2008, signifying his readiness to become a real Foreign Minister should DP gain a chance to form a government (*Bangkok Post* 9 February 2008). Kasit was also in the shadow cabinet as Sukhumbhand's deputy, but the fact that it was Kasit who became the real Foreign Minister was an indication that some elements in DP wanted to maintain a good relationship with the PAD. At the same time, it should be noted that by early 2009 the PAD's importance in Thai politics was beginning to decline. With the Thaksin side out of power, the movement lost much of its energy to sustain its momentum and continue its activism. The appointment of Kasit would be the only major sign of the PAD's influence in the Abhisit government.

Historically, DP had alternately supported and opposed the military's role in Thai politics. While Chambers (2013a: 315) argues that DP possessed an anti-military image which was tainted by its acceptance of the military-brokered deal to establish the Abhisit government, his view ignores the fact that the party never had a consistent record of opposing the military. Although DP was one of the parties that joined forces with street protestors in opposing the military-backed premiership of General Suchinda Kraprayoon in 1992, in other periods some of its leading members had tacitly or openly backed the armed forces. Even in the 1992 case, DP did not wholeheartedly endorse the protest. While it prominently participated in the mass rallies, it later criticised the decision of Chamlong Srimuang, the protest leader, to eschew parliamentary politics in favour of street demonstrations (McCargo 1997: 266).

During the turbulent 1970s, the party was divided between conservatives and liberals. Prominent Democrat Party right-wingers included Thammanoon Tien-ngoen and Samak Sundaravej, while the liberal wing was led by Surin Masdit, Chuan Leekpai and Veera Musikapong (Somsak 2001: 169-171). Although the liberals distanced themselves from the reactionary tendencies of the Thai state at the time, the right-wingers were generally more supportive of the military. DP's right-wingers were also complicit in the demonisation of student activists who later became victims of the brutal state-sponsored massacre on 6 October 1976 (Somsak 2001: 178-181). In the 'semi-democratic' era of the 1980s, DP was a member of every one of Prem Tinsulanond's coalition governments which were broadly supported by the military. Nonetheless, the party adopted a firm stance against the army's attempts to claim more power. A clear example of this was its resistance to an army-backed proposal to amend the constitution in 1983 which, if successful, would have allowed active duty military officers to serve in the cabinet (Suthachai 2008: 194-195; Connors 2009: 360). By the time of the 1988 election, however, DP's persistent support for the unelected Prem was at odds with the public's demand for more democracy and less political meddling by the armed forces (Suthachai 2008: 206-207). From these examples, it is evident that the Democrats never consistently opposed the military's role in politics. The emergence of the Abhisit government was not a betrayal of DP's supposedly anti-military tradition

but simply an act of political opportunism that made a mockery of the party's purported democratic objectives (Connors 2011: 287).

If DP's alliance with the military in 2008 was motivated by self-interest, the party's lack of principles was further compounded by its acceptance of Newin Chidchob's BJT as a coalition partner. Newin, a scion of a political family in the northeastern province of Buriram, had been one of the most notorious politicians in Thailand's recent history (Montesano 2010: 275). He initially gained a reputation as a rising political star in the 'Group of 16', a 1990s-era cross-party group of relatively young MPs touted as future high achievers (Handley 1997: 100). As an opposition MP, Newin had a prominent role in the 1995 censure debate against the DP-led coalition government of Chuan Leekpai (*BBC Thai* 8 September 2017). That same year, after Chuan had called a snap election due to the political fallout of that censure debate, Newin's fame quickly turned to notoriety when vote canvassers working for him were arrested. They were found to be in possession of 11.4 million baht in cash along with Newin's campaign leaflets which were affixed to banknotes, strongly suggesting that the money had been prepared for vote-buying purposes (Callahan and McCargo 1996: 390). Since then, the Thai media started labelling him as hopelessly corrupt.

Shortly after Thai Rak Thai's (TRT) victory in the 2001 election, Newin joined TRT and gradually rose through the ranks. He was seen tearfully hugging Thaksin when the latter announced on 4 April 2006 that he was taking a break from politics (*Wikileaks* 5 April 2006; *BBC Thai* 8 September 2017). Under the Samak government, Newin became one of the most important figures in the pro-Thaksin People Power Party (PPP) even though he was one of the former TRT executives still serving a five-year ban from holding a political office (McCargo 2008: 341). Given Newin's apparently unwavering loyalty to Thaksin, his defection to the military's side in December 2008 was an unexpected occurrence that, thanks to the more than 20 MPs under his command, shifted the parliamentary balance of power towards DP. In an acknowledgement of Newin's key part in the new government, Abhisit staged a media event with him on 9 December 2008 during which the two men shared an awkward embrace (*BBC Thai* 8 September 2017). As noted in Chapter 3, the coalition agreement was highly generous for BJT, granting it important cabinet positions overseeing Interior, Commerce and Transport Ministries. When Abhisit

took office, his government immediately faced accusations of hypocrisy because DP had previously used Newin's poor reputation to undermine Thaksin (Chairat 2010: 304).

Although the brotherly embrace of Abhisit and Newin was meant to portray a cosy relationship, in reality the coexistence of DP and BJT was far from smooth. As early as June 2009, an anonymous source claimed that Abhisit and a few other figures in DP were seriously contemplating pushing Newin's party out of the coalition amidst growing worries that a major corruption scandal involving BJT could be imminent (*The Nation* 19 June 2009). Newin, relishing his status as the coalition's kingmaker, was certainly willing to use his influence for personal gains. In August 2010, he opposed a plan by Thai Airways, the national flag carrier, to launch a new low-cost airline because it could undermine the business of Thai AirAsia, a commercial low-cost carrier to which he was closely connected. It was reported that Transport Minister Sapon Sarum, a key BJT member, openly lobbied against the plan on behalf of Newin (*Bangkok Post* 3 August 2010). Other conflicts between DP and BJT included disputes over appointments of high-ranking bureaucrats, especially those serving in BJT-controlled ministries (Chairat 2010: 316-320). Despite the relatively small number of MPs under the BJT banner, the party scored some important victories such as by having its favoured candidates appointed as Permanent Secretary of the Interior Ministry as well as governors in major provinces (Chairat 2010: 318). Overall, BJT's ability to extract concessions from DP was a clear indicator of its influence in the coalition.

The Military's Influence in the Abhisit Government

If, as Ferrara argues (2015: 246), the primary aim of Thai elite actors since 2006 was to "make democracy so dysfunctional as to both legitimise and materially enable the tutelage offered by the palace, the military, the bureaucracy, and the courts", the transition to the Abhisit government marked an important point at which the military's tutelage distorted the parliamentary process. As a civilian-led administration, the Abhisit government bore resemblances to a normal democratic government. Its formation, made possible by mass defections of MPs from the previous pro-Thaksin ruling bloc, followed parliamentary procedures which

specified that the Prime Minister be chosen by the lower house. Indeed, this was precisely how Abhisit chose to defend himself. In an interview with CNN in December 2008, for example, Abhisit stressed that he had become Prime Minister “through a democratic, constitutional system according to parliamentary rules.”⁴⁵ In the words of Montesano (2010: 276), Abhisit “appeared to view his path to the premiership as entirely legitimate, notwithstanding the roles played by airport occupiers, helpful Constitutional Court justices and the army commander in preparing that path for him.”

The problem with this emphasis on formal procedures, however, was that the defections of those MPs would not have occurred without the informal role of the military. Before Abhisit’s case, the last time power changed hands due to a parliamentary vote was in 1997 when Democrat’s Chuan Leekpai replaced Chavalit Yongchaiyuth as Prime Minister. In both cases, influential actors worked behind the scenes to ensure a change of government while preserving the veneer of parliamentary democracy. Commenting on the Chuan case, McCargo (2005: 510) points out that a mysterious elite pact involving Prem Tinsulanonda and certain members of the military top brass was instrumental for Chuan’s rise to power. In the same vein, the Abhisit government was a result of a backroom deal chiefly orchestrated by Anupong (Askew 2010: 42-43; Chambers 2013b: 73-74). Because an outright coup was not on the agenda, Anupong’s intervention was a way to bring about a desired outcome without abolishing the pro-elite institutional framework established by the 2007 constitution. In a private conversation with US diplomats, Anupong and Prayuth denied that the military had played any role in the formation of the new government. Yet they also added that they believed Abhisit would do a “good job” as Prime Minister (*Wikileaks* 30 December 2008).

Once Abhisit took office, the military was largely content to play a background tutelary role. At the cabinet level, the only sign of the military’s increased influence was at the Defence Ministry. After Samak and Somchai took the Defence Minister job themselves during their consecutive premierships, the Abhisit government reverted to the norm of giving the job to a retired general. With Anupong’s support, the job went to General Prawit Wongsuwan, a former army

⁴⁵ <https://www.youtube.com/watch?v=Wptg2DS8IUU>, uploaded on 18 December 2008

chief and key figure in the 'Eastern Tigers' army faction (Vilawan 2013: 143). Prawit first rose to prominence as army chief during the Thaksin era. He had political connections with many of Thaksin's associates. His rise in the army largely coincided with TRT's own upward trajectory following the 2001 election. In 2002, he was promoted to First Army Commander, a traditional stepping stone towards the post of Army Commander-in-Chief, thanks to his good relationship with key TRT member Sanoh Thienthong. He then became army chief in 2005, occupying the post for a year before offering support for the appointment of General Sondhi Boonyaratglin, the eventual leader of the 2006 coup, as his successor. To cement the ascendancy of the Eastern Tigers, Prawit also had a significant role in promoting Anupong and Prayuth to important positions (*Nation Weekend* 8 January 2016: 5). The fact that Prawit's career progression took place during an era dominated by elected politicians meant that he maintained relationships with various figures across the political spectrum. Through a deal involving Com-Link, a major Thai telecommunication company, Prawit also developed business ties with Thaksin and Pojaman Damapongse, Thaksin's former wife.⁴⁶ In addition, Prawit is an older brother of Patcharawat Wongsuwan, the national police chief in office during the violent clash between the police and the PAD in October 2008.

Prawit's eclectic background means that it can be difficult to determine his motives, but what is certain was that his appointment as Defence Minister reflected the Eastern Tigers' growing political clout. As Defence Minister, one of his key achievements was in 2009 when he managed to secure a 10-year military procurement programme that would ensure continual budget increases and new military hardware for the Thai armed forces (Napisa and Chambers 2017: 54). This was part of an overall upward trend in Thailand's military budget since the 2006 coup. As Chairat points out (2010: 324), the rise in the military's annual budget was remarkable, increasing from 86 billion baht before the 2006 coup to 167 billion baht in 2009. Prawit would go on to serve as Deputy Prime Minister and Defence Minister in the government of Prayuth Chan-ocha after the 2014 coup.

⁴⁶ Interview, Anonymous businessman with elite connections, Bangkok, 22 October 2015

Abhisit's Limited Authority

A persistent theme during Abhisit's premiership was that he struggled to impose himself as much as he would have liked. From the start, he did not have a personal mandate befitting an elected leader. Given his failure to lead DP to a victory in the 2007 election, Abhisit would not have ascended to the premiership without the military's brazen intervention. Compared to Thaksin, Abhisit was never in a position to replicate the former's political dominance. On the one hand, Abhisit admittedly had some success in terms of imposing his will on DP and the government. He managed to build a clique of loyalists and to promote some of them, such as Korn Chatikavanij, Buranaj Smutharaks and Sirichok Sopha, to senior positions. In response to the global financial crisis of 2008-2009 which was posing serious challenges to the Thai economy, his government also demonstrated technocratic competence by putting together an economic stimulus package called 'Thai Khem Kaeng' (Walsh 2010: 4-6). In addition, the government successfully pushed for the appointment of Thawil Pleensee, a civilian bureaucrat, as Secretary-General of the National Security Council. This was remarkable because most previous holders of this job had been military officers (Vilawan 2013: 144). Abhisit's reliance on his clique of younger DP members was so pronounced that it alienated some older stalwarts in the party. One of his critics within the party was former DP leader Bhichai Rattakul. Bhichai, who was born in 1926, remarked in several interviews that Abhisit should consult older members in the party more often (*Thai Rath* 29 May 2017).

On the other hand, the extent of Abhisit's power throughout his premiership was constrained by factors beyond his control. On this issue, Montesano offers a particularly harsh assessment. He outright refuses to acknowledge Abhisit as the true leader of the government, calling him a mere "nominal leader" and "front-man" for the coalition (2010: 275). For Montesano (2010: 275), this characterisation of Abhisit as a figurehead arose not just from the government's military origin but also from the overarching influence of veteran politicians in the coalition such as DP's Suthep Thaugsuban and Chart Thai Patthana's (CTP) Sanan Kachornprasart, both of whom were well-versed in the art of negotiations and secretive horse-trading. Suthep, who at the time was DP's Secretary-General and a Deputy Prime Minister under Abhisit, even proudly called himself "the government's manager" who

supposedly oversaw the less pleasant side of coalitional politics and let Abhisit get on with governing (*The Nation* 19 June 2009). The need for a skilled political operator like Suthep was also particularly evident given the challenge of having to deal with Newin's BJT. In addition, a Bangkok-based politician like Abhisit lacked the authority and charisma to command the support of voters in DP's southern stronghold, making it necessary for him to give Suthep, a southerner, a large role in the party. In addition, Suthep was needed to be the government's main liaison with the military because Abhisit did not enjoy a close relationship with the armed forces (Vilawan 2013: 143). Therefore, even when not taking the military's influence into account, DP's internal politics and the realities of coalitional compromises were already imposing considerable limits on Abhisit's power. From this perspective, the Oxford-educated Abhisit appeared primarily to be an attractive face presented to the public while the 'real' governing businesses were conducted behind the scenes. All in all, some elite figures were largely willing to help defend him against doubters. Prem, for example, clearly thought that having Abhisit in charge of the country was a favourable outcome. As revealed in a US diplomatic cable:

Regarding Abhisit, Prem referenced widespread criticism that the PM was too young and not strong enough to be an effective leader in trying times. However, Prem felt that Abhisit had proved in 2009 that he was up to the challenge of doing what was necessary to run a fractious coalition government, no easy task. In addition, there were no other politicians available who were more principled and had more integrity than Abhisit, and Thailand needed such a leader at this point. Prem expressed hope that Thais and foreigners alike would be more patient with Abhisit, who he believed was the right man to serve as premier (*Wikileaks* 25 January 2010).

In sum, the Abhisit government was a potentially fractious coalition led by a Prime Minister with a limited authority. Typically, when such a government exists in a democracy, it is unlikely to last long. For the Thai military, however, a weak government provided an opportunity for the military to exert more influence because, given the threats from Thaksin-aligned politicians and the Red Shirts, the Abhisit government had to rely considerably on the military's support and protection. In this sense, the military's view appeared to be that having a weak civilian government in charge of the country was a price worth paying in exchange

for keeping Thaksin's party out of power. From these considerations, the behaviour of the Thai military during this period resembled what Nordlinger (1977: 22-23) and Finer (1988: 150-151) call 'praetorian moderators' and 'limited indirect rule' respectively. Nordlinger (1977: 22-23) defines praetorian moderators as a military that exercises power over a civilian government without taking control of the government itself, often aiming to protect the status quo rather than to instigate major societal changes. In the same vein, Finer argues that one of the main types of military rule is limited indirect rule, referring to a situation in which the military allows civilians to govern and intervenes "only from time to time to secure various limited objectives" (1988: 150-151).

One of the clearest signs of the military's ability to pursue its corporate interests during Abhisit's premiership was the establishment of a new army division, the Third Cavalry Division, in April 2011. Headquartered in Khon Kaen, the division was created after Prem Tinsulanond's had made public his wish to see a new cavalry division in Thailand (Vilawan 2013: 113). Another area that illustrated the military's growing strength was the mid-year reshuffle in 2009 which saw a purge of Thaksin-aligned senior officers across the army, the navy and the air force. Among those adversely affected by this reshuffle were Air Chief Marshal Sumeth Phomanee, General Manas Paorik and General Prin Suwannathat. At the same time, officers favoured by Anupong, Prayuth and Prawit received promotions (Chambers 2013a: 317-318).

Confronting Democratic Resilience: The Military and the Red Shirts

With the collapse of the PPP-led government in December 2008, the effects of the 2006 coup continued to be felt in Thailand. As Thaksin's side lost power, street rallies ironically became a new means for him to pursue political goals, especially considering the impact of the PAD in 2005-2006 and again in 2008. The Thaksin-aligned mass movement, known as the Red Shirts, professed to fight for democracy, dismantle Thailand's rigid hierarchical system and weaken the elite's domination of the state and society. Eventually, their rhetoric as well as their protest methods would prove to be intolerable for the military, leading to violent crackdowns on their Bangkok demonstrations in 2009 and 2010.

While observers have noted, based on the role of Thaksin's patronage network evident in many aspects of the Red Shirts (Ferrara 2015: 246), that they are far from an ideal pro-democracy movement, the fact remains that the Red Shirts campaigned for a political system in which the elected government has sufficient power to stand up against the military and other supposedly elite-controlled institutions. On the one hand, it is true that material benefits were part of the driving force behind the protesters. As noted by Ockey (2014: 63), "the military had intervened against the interests of those in the rural northeast, where it had spent so much time cultivating ties during the campaign against the Communist Party of Thailand." Yet this should not detract from the larger goal of a more democratic society that the Red Shirts demanded. In this sense, Red Shirt protesters can be considered agents of democratic resilience. Drawing on Burnell and Calvert's definition of democratic resilience as "where an attachment to democratic ideals persists and such ideals continue to be canvassed in some quarters, in spite of hostility from the officially prescribed values and norms and apparent indifference from many elements in society" (1999: 4), the Red Shirts' fight to push Thailand to a more election-oriented direction was broadly consistent with the notion of democratic resilience. This section explores the role of the military in suppressing the Red Shirts' democratic demands.

The Red Shirts and Thailand's New Era of Mass Politics

The origin of the movement later known as the Red Shirts can be traced to the last few months of Thaksin's premiership when anti-Thaksin sentiments were in full swing. To counter the PAD's street protest, elements within the TRT government tried to mobilise mass support to bolster Thaksin's claim that he remained a popular Prime Minister. The Buriram faction of TRT, then led by Newin Chidchob, was instrumental in organising the appearance in Bangkok of a group called the Caravan of the Poor, made up mostly of rural inhabitants in the northeast. Another group, the Club for the Interest of Taxi Drivers, supposedly represented taxi and motorcycle taxi drivers working in Bangkok. Around 5,000 pro-TRT taxi drivers flocked to hear a speech by Thaksin on 25 December 2005 during which he denounced his opponents and unveiled government schemes to improve the

livelihoods of taxi drivers (*Manager* 25 December 2005). By March 2006, these two groups had become the most visible pro-Thaksin 'grassroots movements' and had begun to organise their own street rallies to show their opposition to the PAD (Uchane 2010).

At the time, these protests only had an implicit support from TRT politicians who did not yet see the need to make conspicuous appearances at pro-government rally sites, preferring to remain somewhat detached from the protests. Ironically, TRT's tactic of mobilising supporters onto the streets would soon backfire. Not only did the pro-TRT protesters fail to match the PAD's energy and determination, but their appearance also provided fuel to the rumour in early September 2006, possibly spread by the military, that the government was bringing a large number of thugs from the countryside to Bangkok in order to violently disperse the PAD. Ultimately, while these pro-government rallies yielded few tangible benefits for TRT at the time, many of these protesters would go on to participate in the Red Shirt movement.

The dynamics of street movements in Thailand changed considerably after the 2006 coup. In response to the military's ouster of Thaksin, small movements emerged to oppose the coup, albeit in a mostly haphazard manner. Early anti-coup groups included the 19 September Network against the Coup, the Saturday People against Dictatorship, the Citizenship group, the Democracy Association, the Friends of the 1997 Constitution group, the 24 June Democracy group, and the Taxi Drivers' Community Radio group (Ubonphan 2010: 31-41). These movements faced a number of challenges: they had to conduct their activities in defiance of the military-imposed ban on the gathering of more than five people, their lack of funds prevented them from organising a protest even remotely approaching the scale of the PAD, and there was an ideological division between pro-democracy and pro-Thaksin activists in these movements. In other words, activists who opposed the coup were not necessarily supporters of Thaksin, and some of them had previously been fierce critics of TRT. Sombat Boonngam-anong, who later became a prominent face of the Red Shirts, was one of the activists who grew uncomfortable with the pro-Thaksin rhetoric emanating from some of the early anti-coup rallies (Ubonphan 2010: 34). Regardless of Sombat's concerns, it would soon become apparent that the only realistic way of creating a mass movement to challenge Thailand's

entrenched elites would be to rely primarily on Thaksin's financial power and network of politicians.

For several months after the coup, TRT politicians did not systematically support any of the anti-coup groups. Only in March 2007 did Thaksin-affiliated figures begin to play a prominent role in the street campaign against the military. Future Red Shirt leaders such as Veera Musikapong, Natthawut Saikuea, Jatuporn Prompan and Jakkrapob Penkae organised their first anti-coup rally at Sanam Luang in Bangkok on 23 March 2007 which drew a crowd of around 3,000. Their movement, known at the time as the PTV group, quickly emerged as the best-resourced and best-run of the various anti-coup groups. In light of this, groups such as the Saturday People against Dictatorship decided to join PTV's subsequent rallies in April and May 2007 (Ubonphan 2010: 42-43). From that point, the anti-military activities grew more centralised as it became evident that the Thaksin-linked PTV group was best-equipped to sustain a prolonged campaign. After the junta-appointed constitution tribunal had ordered the dissolution of TRT on 30 May 2007, a new movement called the United Front for Democracy against Dictatorship (UDD) was formed on 6 June 2007 with the stated aim of overthrowing the junta (Ferrara 2015: 249). The UDD was meant to be an umbrella organisation encompassing disparate anti-junta groups, but in practice the PTV group remained the core. The founding of the UDD gave a sense of permanence and seriousness to the street campaign against the military.

At the same time, the UDD also began to show signs of radicalism rarely seen in Thai street protests since the peak of King Bhumibol's moral authority in the 1990s and early 2000s. One example was its demand that the military step down by 24 June 2007. In the Thai context, 24 June is a highly symbolic date because absolute monarchy was overthrown on 24 June 1932. However, decades of domination by conservative thoughts on the Thai life had significantly deemphasised the meaning of that date. By reviving the importance of 24 June, the UDD hinted that it was willing to tackle the entrenched conservative elite and challenge the kind of social order that had allowed so many military coups to take place. An important cause of this anti-elite sentiment was the role of Prem Tinsulanond in the 2006 coup. As the Privy Council President, Prem was expected to be a politically neutral figure, but his politically-charged speeches criticising the

TRT government in the months before the coup symbolised the high degree of influence retained by traditional institutions in Thai society. It soon became evident, however, that at this point the UDD was too weak to pose a threat to the CNS regime. For the pro-Thaksin side, the best hope of regaining political influence was the December 2007 election (Ferrara 2015: 249).

Throughout 2008, as the pro-Thaksin People Power Party (PPP) became the leader of the coalition government, the Red Shirts shifted from being an anti-coup group to being a group with clearer democratic ideas. For example, when the re-energised PAD proposed in early 2008 a highly reactionary plan to turn Thailand's legislature into a mostly appointed body, the Red Shirts professed to defend the principle of one-man-one-vote and uphold the power of elected politicians (Nostitz 2014: 179). As the PPP-led government faced intense pressure both from the PAD and from state institutions including the Constitutional Court, the UDD was adamant in its aim of protecting the elected government. For the Red Shirts, the Samak and Somchai governments represented electoral politics which continued to be under siege from elite-aligned forces operating under the military-backed 2007 constitution (Nostitz 2014: 180). By this point, Veera, Natthawut and Jatuporn had established themselves as the core leaders of the UDD. They became popularly known as สามเกลอ or 'the Trio' (Naruemon and McCargo 2011: 995). Jakrapob, who had earlier been one of the leaders of the PTV group, became Minister for the Prime Minister's Office in Samak's cabinet. However, he quit in May 2008 due to a *lèse-majesté* charge arising from a talk he had given in 2007 at the Foreign Correspondents' Club of Thailand (*Prachatai* 30 May 2008). Jakrapob later fled the country after the 2010 army-led crackdown on the Red Shirts, adopted a more radical stance and split from the UDD to co-found a splinter group called Red Siam (Naruemon and McCargo 2011: 997). The Red Shirts' activities and confrontation with the military and the Abhisit government in 2009 and 2010 will be discussed later in this chapter.

Elements of Democracy in the Red Shirt Movement

In the polarised atmosphere of Thai politics beginning from the PAD's 2005-2006 campaign, there has been a tendency for observers to regard events in Thailand in

terms of binary opposition. While the PAD, the military, elite figures, urban dwellers and the Democrat Party are frequently depicted as conservative, anti-democratic forces, media reports have often portrayed the Red Shirts as a primarily rural movement fighting for more democracy (Naruemon and McCargo 2011: 999). Thaksin is inevitably a central figure in these accounts. One way of interpreting Thailand's conflict is to see it as a fight between anti- and pro-Thaksin forces, and the Red Shirts are seen as clearly belonging to the latter group. Subsequent studies have introduced more nuance into this debate. Naruemon and McCargo argue that the Red Shirts are not a unified movement but constitute "an extremely pragmatic alliance among groups ranging from idealistic post-leftists to others of a rather thuggish disposition" (2011: 998). For the authors, the diversity of Red Shirts was key to understanding the movement as well as the multi-layered nature of the various challenges that Thailand's political system needed to overcome.

Even when taking into account the diversity of the Red Shirts, it is still possible to see strong elements of democracy in the views and actions of the Red Shirts. The argument that Red Shirt protesters were motivated by material benefits does not diminish the claim that they fought for democracy. In fact, democracy for the Red Shirts was not an abstract, idealistic concept but was closely tied to their livelihood and wellbeing. The policies of Thaksin Shinawatra enabled many of the Red Shirts to experience for the first time that an elected government could concretely improve their lives. Although it can be argued that state policies had always contributed to improving the livelihood of Thais long before Thaksin arrived, the TRT government successfully promoted a clearer link between voters, the government, elections and state policies (Apichat 2017: 300). For the Red Shirts, Thaksin's economic populist scheme was "a legitimate way to gain votes through governmental projects using public funds, which is the power of the poor to have a say in public policy decisions" (Naruemon 2016: 106). In other words, supporters of Thaksin underwent a 'political awakening' process (Viengrat 2015: 161), eventually arriving at the idea that the TRT government was 'their' government, a concrete expression of their democratic rights. This means that the 2006 coup, along with subsequent attempts by the PAD and other unaccountable forces to undermine the pro-Thaksin PPP government, was a serious affront to many of the Red Shirts who kept voting for successors of TRT. Viengrat (2015: 161) considers the conflict to be

one between ‘newly activated citizens’ whose sense of political duties had emerged because of major changes brought by the rise of Thaksin on the one hand and undemocratic forces within the state apparatus on the other.

The increased salience of democratic ideals among the Red Shirts was particularly evident when one considers the military’s failed attempts to use various development projects as a way to win over his supporters in rural areas. As noted by Ockey (2014: 63), “the military sought to compete with the Thai Rak Thai party directly for the hearts and minds of the people... by improving the economy.” During the premiership of Surayud Chulanont following the 2006 coup, the military engaged in grassroots campaigns to entice Thaksin’s supporters, including establishing a “Centre for Poverty Eradication and Rural Development under the Philosophy of Self-Sufficiency Economy” (Ockey 2014: 63). In 2008, as the Red Shirt movement began to take shape, the military spent one billion baht on “rural projects aimed at weakening the pro-Thaksin red-shirt movement” (Chambers 2010: 207). These attempts, however, largely failed to eliminate the resentment among Thaksin’s supporters towards the military, the PAD and other anti-Thaksin elements. Had the Red Shirts been motivated purely by material considerations, the anti-Thaksin side should have had few problems winning over them by offering them similar guarantees of material benefits. As it turned out, material benefits arising from the TRT government played a part in transforming the Red Shirts into defenders of electoral democracy, making it impossible for the military and its allies to pacify them by offering Thaksin-style policy packages while still denying them political rights. For the Red Shirts, the 2006 coup and the military-backed Abhisit government were simply illegitimate.

As Apichat (2017: 300) puts it, “[c]herishing the right to vote is an inseparable part of the concept of citizenship among the Red Shirts. They define elections as the minimum requirement for a country to be considered a democracy; every individual equally has one vote to appoint or remove their government.” In the words of Glassman (2011: 26), the Red Shirts demanded “levels of popular participation and empowerment unprecedented in Thai history, including serious consideration of the votes and political preferences of the majority.” Ferrara similarly notes that “the UDD complemented calls for ‘democracy’ with the demand that no unelected institution, no matter how close to the palace, should have the

authority to substitute its own judgement for that of the electorate” (2015: 250). Red Shirt informants interviewed in Naruemon and McCargo’s study also asserted that they were “strong supporters of more elections at all levels, because once you had elections, you could easily get rid of bad people” (2011: 1015). The Red Shirts’ relentless emphasis on elections and majority rule prompted a leading figure in the Democrat Party to argue that a truly democratic government is not a majoritarian one but one that is constrained by a system of checks and balances.⁴⁷ While this is undoubtedly correct in a general sense, such a view does not take into account the context of Thailand’s post-2006 politics where the principle of electoral rule could easily be displaced by the military and the politicised judiciary. Thus, a demand for the inviolability of electoral rule was simply a necessary first step for a proper liberal democracy to be established in Thailand. For these reasons, the Red Shirts can be considered agents of democratic resilience.

One of the most important themes of Red Shirt protests was a revival of the pre-modern Thai terms of *phrai* (commoners) and *ammatt* (aristocrats). While in everyday life these words had long fallen into disuse, the Red Shirts brought them back as a tool to attack elite figures who allegedly sought to suppress the democratic will of the people. In a 2011 interview, Red Shirt leader Natthawut Saikuea explained that the *phrai-ammatt* rhetoric was a way of depicting the unequal, strongly hierarchical distribution of power in Thailand. He argued that the Red Shirts did not want to see themselves as *phrai* but it was the *ammatt* who regarded their opponents as *phrai* (Thitikorn *et al.* 2016: 75). In this sense, *phrai* became a tool to foster a collective identity for Red Shirt protesters who came from different social, regional and economic backgrounds (Ferrara 2015: 250). Ferrara further observes that *phrai* in the Red Shirts’ usage also carried a meaning of ‘not being acknowledged as fully Thai’ (2015: 251). While it was not until the Red Shirts’ 2010 Bangkok demonstration that the *phrai-ammatt* discourse became prevalent, the use of *phrai* in Thailand’s post-2006 political landscape had appeared, albeit sporadically, in earlier anti-coup protests. For example, *phrai* was the main theme of a poem by Jakrapob Penkair which he read at an anti-coup rally in August 2007 (Thitikorn *et al.* 2016: 70).

⁴⁷ Interview, Anonymous high-ranking member of the Democrat Party, Bangkok, 12 November 2015

Given the association of *phrai* and *ammatt* with the era of Thai absolute monarchy, the use of these terms became one of the most contentious subjects regarding the Red Shirts. Opponents of the Red Shirts accused them of using these terms as code words to conceal their real intention of attacking the monarchy and the Privy Council (Thitikorn *et al.* 2016: 76-77). It was true that the Red Shirts openly condemned some Privy Council members, most prominently Prem Tinsulanond but also others such as Surayud Chulanont and Chanchai Likitchitta (Thitikorn *et al.* 2016: 74), but Red Shirt leaders publicly stressed that the monarchy was not a target of their campaign (Thongchai 2014: 96). Moreover, attacking Privy Council members was not a new phenomenon. Before the 2006 coup, Thaksin himself alleged that an ‘extra-constitutional charismatic person’ was plotting to oust him, a remark widely understood to be a reference to Prem (Surin 2007: 355). Some speakers at Red Shirt rallies also accused the *ammatt* of exploiting the monarchy for their own gains.⁴⁸ While some elements of the Red Shirts had republican leanings, the movement as a whole did not have a clear strategy or message regarding the monarchy. Amidst the domination of royalism and the strict application of the *lèse-majesté* law in Thailand, the *phrai-ammatt* discourse may have served as a way for some Red Shirts to implicitly criticise the monarchy. Nonetheless, the military and its allies played up the image of the Red Shirts as an anti-monarchy group to build societal support for the army-led violent crackdown on the protesters in 2009 and 2010.

Crisis and Confrontation in 2009 and 2010

Echoing the treatment of Samak and Somchai by the PAD, Red Shirt protesters in 2009 tried to constantly harass and heckle Abhisit during his visits to parts of the country with a strong Red Shirt presence (Chairat 2010: 311). Viewing the Abhisit government as illegitimate, the Red Shirts began organising major rallies against his government in early 2009 a few weeks after he took office. On 25 March 2009, the Red Shirts held a large rally at Sanam Luang in Bangkok and set up another protest site next to the Government House the following day. The protesters made three central demands. First, they wanted Prem, Surayud and Chanchai to step down

⁴⁸ <https://www.youtube.com/watch?v=n98mgwGV8wM> (in Thai)

from the Privy Council. Second, they demanded the resignation of Abhisit. Third, they wanted the country to be governed according to “internationally accepted democratic standards” (Suthachai 2013). As their demands were not met, tensions escalated from 9 April as the protest greatly swelled in size. Protesters camped outside the Si Sao Tewes residence of Prem and briefly blocked streets around the Victory Monument in central Bangkok. While the government had the resolute backing of the military, the Red Shirts were hoping to stage a PAD-style prolonged demonstration to bring down Abhisit.

Another confrontation occurred in Pattaya, two hours outside Bangkok. On 10 April, when the Thai government was hosting the fifteenth ASEAN summit, a group led by Red Shirt hardliners Arisman Pongruangrong and Surachai Danwattananusorn travelled to the summit venue in Pattaya to file a petition rejecting the legitimacy of Abhisit’s government to the ASEAN Secretariat. Near the venue, the Red Shirts were met by a group of provocateurs donning dark blue shirts, allegedly linked to Newin Chidchob (Suthachai 2013). The ensuing chaos led to an embarrassing evacuation of foreign leaders from the venue and the cancellation of the summit (Chairat 2010: 307-308). On 12 April, amidst rumours that Abhisit was close to declaring a state of emergency in order to forcefully disperse the Red Shirts in Bangkok, another Red Shirt hardliner Suporn Attawong led a group to confront the Prime Minister at the Interior Ministry. The protesters surrounded and assaulted a car carrying Abhisit, an incident that turned public opinion strongly against the Red Shirts (Suthachai 2013). The military made its move on 13 April upon the declaration of a state of emergency. Troops led by Major General Paiboon Kumchaya, who would later become an influential Justice Minister in the 2014 coup regime and subsequently join King Vajiralongkorn’s Privy Council in December 2016, used live bullets and tear gas to disperse Red Shirt protesters in the early morning (Suthachai 2013). Sensing that the military clearly had the upper hand, Red Shirt leaders declared an end to their demonstration on 14 April. Two Red Shirt security guards were later found dead although it was unclear whether the military’s crackdown had caused their deaths (Suthachai 2013). It became evident from this episode that unlike the military’s previous refusal to protect the Samak and Somchai governments from the PAD, this time the military would be prepared to use force to defend Abhisit from civil disorder. As Finer points out (1988: 138-139), when a

military actively chooses whether or not to protect a civilian government from disorder, it is undemocratically intervening in politics because it is playing a strong part in determining the government's survival.

The Red Shirts regrouped in early 2010, staging a new round of anti-Abhisit demonstration in Bangkok following a Supreme Court decision to seize 46 billion baht in assets belonging to Thaksin in February 2010 (McCargo 2014: 431-432). The central demand of their demonstration this time was for the government to call a new election. Sensing the increased intensity of the protest, the military allowed Abhisit and Suthep to spend most of their time at the 11th Infantry Headquarters in northern Bangkok. A 'war room' was set up inside the Headquarters so that the government and army leaders could closely cooperate and manage the situation (Chambers 2013a: 326-327). Abhisit held several rounds of negotiations with Red Shirt leaders in March but both sides failed to come to an agreement. There were also concerns among military leaders that some of their subordinates could secretly be disloyal to the top brass. A frequently heard expression *tahan taengmo* or 'watermelon soldiers'—green on the outside, red on the inside—referred to soldiers who sympathised with the Red Shirts (*BBC Thai* 22 September 2017). The most prominent pro-Red military officer at the time was Major General Khattiya Sawasdipol, popularly known as Seh Daeng. He was an active duty maverick officer who oversaw the training of a group of Red Shirt security guards called King Taksin's Warriors (Naruemon and McCargo 2011: 997). Allegedly, he was also the mastermind behind violent elements in the Red Shirts such as those who launched various grenade attacks on targets linked to the military, the government and the PAD (Chambers 2013a: 328-329; Nostitz 2014: 184). According to a retired army general who knew him, Seh Daeng was a highly determined person who was willing to sacrifice friendship in pursuit of personal political goals.⁴⁹ Other military officers suspected of having ties with the Red Shirts included known Thaksin associates Panlop Pinmanee, Prin Suwannathat, Manas Paorik and Pornchai Kranlert (Chambers 2013a: 328). Rumours of a potential split in the army fuelled a sense that this time the Red Shirts could come out on top.

As the Red Shirts embarked on a permanent occupation of two key Bangkok areas of Rachadamnoen and Rachaprasong from March 2010, the Abhisit

⁴⁹ Interview, Anonymous retired army general 2, Bangkok, 9 November 2015

government and the military practically assumed a crisis mode. The government ramped up its information operation by setting up a new Center for the Resolution of the Emergency Situation (CRES), appointing Suthep Thaugsuban as its director and granting the military sweeping powers in dealing with the demonstration. With its control of state media, the government was able to continuously broadcast its justifications of its heavy-handed approach in managing the crisis. It coined benign-sounding terms such as “Reclaiming the Area” and “Tightening the Cordon”, using them as euphemisms for army-led crackdowns on the protesters (The People’s Information Center 2017: 7-8). A violent clash between the military and a mysterious armed group known as the ‘Men in Black’ on 10 April at the Red Shirts’ Rachadamnoen rally site left 26 people dead, including five soldiers. One of the soldiers killed in the incident was Colonel Romklao Thuwatham, a rising star rumoured to be a favourite of the queen (Chambers 2013a: 328).

The 10 April incident could have persuaded Red Shirt leaders to call off the demonstration in order to prevent further losses of lives. Instead, they kept the rallies going because “most of the protesters were still enraged over what had happened... and wanted Suthep Thaugsuban, Director of the CRES, to turn himself in to the police to show accountability” (The People’s Information Center 2017: 8). The clash on 10 April also created a sense of uncertainty within the military. Some of the army’s operations during the Red Shirt rallies were poorly executed. One incident on 28 April resulted in a death of a young soldier due to ‘friendly fire’ (Nostitz 2014: 184). While army chief Anupong began to have doubts about continuing to pursue a hardline approach towards the protesters, some of his subordinates, particularly future leader of the 2014 coup Prayuth Chan-ocha, remained in favour of keeping the same unrelenting stance (Chambers 2013a: 329). As for the Red Shirts, a split also occurred between moderates and hardliners. Veera Musikapong, who favoured a compromise with the government, resigned from his leadership position, allowing hardliners to exert more influence over the remaining protesters (Nostitz 2014: 185). In the end, public opinion turned against the protesters who were regarded as stubborn and unreasonable. Despite last-minute attempts at negotiations by a group of Senators, troops began their violent dispersal of the protesters on 13 May. Seh Daeng, whose tactical acumen could have caused trouble for the army, was shot by a sniper and died on 17 May (Chambers 2013a:

329). Upon the completion of the crackdown on 19 May, more than 90 people were killed, the majority of whom were unarmed protesters (The People's Information Center 2017: 5-6). Lertrat Ratanavanich, a Senator involved in the failed negotiation efforts, claimed that it was "the government side that refused to give up their plan of suppression of the mass protest because this plan was already carefully conceived of in detail" (The People's Information Center 2017: 8).

Despite the fact that the violent crackdown further deepened the division in Thai society, the military regarded it as a success (The People's Information Center 2017: 76). The Abhisit government and the military consistently promoted the view that the Red Shirts had dangerous armed elements which made the crackdown necessary (Nostitz 2014: 186). Officers involved in the crackdown received promotions in the 2010 October reshuffles. With Anupong reaching mandatory retirement, the job of army chief went to Prayuth Chan-ocha, cementing the domination of the Eastern Tigers faction in the army. The elevation of Prayuth was significant because he would have a chance to be army chief for four years until reaching mandatory retirement, a remarkably long time. Daopong Rattanasuwan, a leading figure in the May crackdown who did not belong to the Eastern Tigers faction, also received a notable promotion (Chambers 2013a: 330). Daopong would later become Education Minister in Prayuth's 2014 coup-installed government before subsequently becoming a member of King Vajiralongkorn's Privy Council in December 2016.

Nonetheless, as the Abhisit government approached the end of its term in mid-2011, Thailand once again faced the prospects of being governed by a Thaksin-backed party despite the quiet confidence among some in the government that this time the Democrats could beat Thaksin's PTP. For example, DP deputy leader Korn Chatikavanij believed that, based on pre-election polls, DP would beat PTP in the 2011 election (*Voice TV* 18 June 2011). During the run-up to the election, Prayuth recorded a message, broadcast on military-owned television stations Channel 5 and Channel 7, in which he urged Thai voters to ensure that this election would not produce a 'more of the same' outcome and to elect 'good people' to protect the nation and the monarchy (*BBC Thai* 22 September 2017). As it turned out, Thaksin's inexperienced sister Yingluck Shinawatra led PTP to a stunning victory in the July 2011 general election and once again consigned DP to the opposition. The

electoral triumph of PTP was said to have considerably damaged Prayuth's self-confidence (*Matichon Weekly* 8-14 July 2011).

Conclusion

In the context of Thailand's post-2006 politics, the military-backed 2007 constitution gave more power and influence to various state organs to act as countervailing forces against the elected government. Nonetheless, bringing down the Thaksin-aligned Samak and Somchai governments still required questionable decisions by the Constitutional Court as well as the involvement of the military in a deal to establish the Abhisit coalition government. Under these conditions, the Red Shirts emerged as the largest mass group to push back against these anti-democratic developments. Their democratic resilience, though hindered by issues such as Thaksin's significant sway over the movement, was a quality that distinguished them from the military. As can be seen from the military's actions throughout Abhisit's premiership, the military intended to preserve the post-2006 political order that had rolled back Thailand's democratic development over the preceding 15 years. Although it could suppress the Red Shirts' demonstrations in 2009 and 2010, in the end it was unable to prevent the victory of Thaksin's PPT in the 2011 election.

Chapter 6

The 2014 Coup and Anti-Democratic Politics

Introduction

This chapter aims to answer two major questions. Why did the 2014 military coup take place? Why has the resultant military regime, led by the National Council for Peace and Order (NCPO), endured? The chapter first examines the events leading to the coup, arguing that a combination of protesters, the Democrat Party and powerful unelected institutions greatly weakened the government of Yingluck Shinawatra and created a situation of power vacuum that provided a pretext for military intervention. It then argues that the military's job has been made easier by the lack of resistance from the pro-Thaksin Red-Shirt movement, which could be because of a secret deal between Thaksin and the conservative elite. Next, drawing on the framework provided by Gerschewski (2013) regarding the three pillars of legitimation, repression and co-optation as foundations of autocratic regimes, the chapter explores the junta's actions strength and endurance. While the events leading up to the 2014 coup have important similarities to the chaotic situation prior to the 2006 coup, the 2014 junta has learned some important lessons from its 2006 predecessor. The NCPO's determination not to repeat the same mistakes can help explain its undemocratic tendencies.

Reflecting on Thailand's recent political development, Italian scholar Claudio Soprozzetti wrote in 2016:

Before the 2014 coup, many scholars—including myself—believed a return to military rule was unthinkable, if not at the risk of a widespread uprising. We were wrong. As events have proven, Thailand's democratization remains haunted by the possibility of relapses into authoritarian rule. (Soprozzetti 2016: 18)

His wrong prediction, in some ways, was understandable. Thailand's 22 May 2014 military coup, which toppled the democratically elected government of Yingluck Shinawatra, the youngest sister of the highly influential self-exiled former premier Thaksin Shinawatra, has defied expectations in a number of ways. Given

the widespread anti-dictatorship sentiment among Thaksin supporters and other sectors of the Thai population since the previous coup in 2006, Sopranzetti opted to take the optimistic view that Thailand had learned to reject another sustained period of military rule. If, as seen in 2009 and 2010, it had been evident that tens or perhaps hundreds of thousands of Red-Shirt supporters could be swiftly mobilised against perceived enemies of Thaksin, there should have been little incentive for the armed forces to oust a Thaksin-aligned administration from power again so soon. Instead, the 2014 coup has thus far been able to impose military rule on the country for more than two years. Coup leader General Prayuth Chan-ocha appointed himself Prime Minister as well as head of the National Council for Peace and Order (NCPO), which is the name the junta chose to call itself. His rule has already outlasted each of Thailand's two immediate preceding coup-installed governments. The government of Anand Panyarachun, put in place by the 1991 coup, lasted approximately one year. Surayud Chulanont's government persisted for around one year and four months following the 2006 coup.

If the potential of an anti-military mass protest alone was not enough to deter army leaders, the post-2006 political structure of Thailand itself had already seemed to have rendered another coup unnecessary. The military-sponsored 2007 constitution restricted the power of elected politicians while giving unelected bodies such as the judiciary, independent agencies and half of the Senate⁵⁰ more say in how the country would be run (Ockey 2008: 22). If the aim of the constitution was to eliminate or at least contain Thaksin's vast electoral influence, these counter-majoritarian mechanisms appeared to work as intended. The year 2008, for example, saw the Constitution Court issue rulings that removed two pro-Thaksin prime ministers, Samak Sundaravej and Somchai Wongsawat, and dissolved the pro-Thaksin People's Power Party (PPP), additionally slapping 109 PPP executives with a five-year ban from politics. Thus, assuming that a principal purpose of the 2007 constitution was to secure a long-term position of influence for the military and other conservative unelected actors, the fact that another coup was needed suggests that not everything had gone as planned. The 2011 election, which saw the

⁵⁰ The Senate was changed from a 200-member wholly elected body under the 1997 constitution to a half-elected, half appointed 150-member upper house under the 2007 constitution.

pro-Thaksin Pheu Thai Party (PTP) win 265 out of 500 parliamentary seats, was a clear indication that Thaksin's appeal could not be easily diminished.

The occurrence of the 2014 coup has not been the only setback for Thailand's democracy, however. As the generals continue to impose their will on the country without encountering much opposition, the NCPO coup is shaping up to be one of the most consequential coups in the country's history. While observers such as McCargo (2014b) and Porphant (2014) could see some early signs that this particular coup would be different from previous ones, the unexpected durability of the current coup-installed regime has important implications not only for Thais but also for democratic theorists and advocates elsewhere. Why, after all, has it been possible in today's global environment for the 2014 junta to be so openly repressive? Why have prominent government and military figures had no qualms about publicly expressing their disdain for democratic politics, which they blame for causing conflicts and corruption? Furthermore, the junta has brought back certain practices—previously thought to be out of fashion—from earlier eras of military rule, such as naming the coup leader as Prime Minister, giving important cabinet jobs to senior serving military officers, and proposing to reserve parliamentary seats for senior military officers even after the end of junta rule. Considering these events, Sopranzetti's characterisation of Thailand's post-2014 developments as a “relapse into anti-democratic tendencies” (2016: 6) is an accurate portrayal.

Background of the May 2014 Coup: A Case of *Déjà Vu*

There is a case to be made that the 2014 putsch is one part of the ‘twin’ anti-Thaksin coups, with the 2006 coup being the other part (Baker 2016: 2). Both coups were staged to remove Thaksin and his associates from power. Both were carried out against elected governments with large parliamentary majorities. Both were also preceded by rowdy, well-attended, highly determined and occasionally violent street demonstrations in Bangkok lasting several months, involving losses of lives, damages to public properties and constant disruption of government operation. The military instigators of both coups gave the public similar reasons for taking power, citing the need to restore order, protect the monarchy from alleged threats and get rid of corrupt politicians (International Crisis Group 2014: 16). Moreover, both

coups shared broadly the same popular support base (Aim and Arugay 2015: 112). It was common for anti-Thaksin protesters from 2005-2006 to turn up in the streets again in 2013-2014, even though the core leaders of those two rounds of demonstrations were different. Most importantly, both the 2006 and 2014 coups took place following extended periods of turmoil, political impasse and power vacuum that had been caused not only by the demonstrators but also by political parties and other agents and institutions of the state.

The People's Democratic Reform Committee (PDRC), the protest group that took to the streets against the Yingluck government, appeared to have learned several lessons from earlier rounds of major demonstrations that Thailand had seen over the past decade. Throughout those years, the Thaksin-aligned political faction and his opponents have repeatedly shown the inability and unwillingness to compromise, resulting in the use of confrontational tactics and brinkmanship by both sides. Amid all the damages, losses of lives and economic costs, it had become evident that mass protests could severely weaken Thaksin-backed parties and governments, rendering their parliamentary majorities and control of state power virtually meaningless. When Yingluck Shinawatra led the Pheu Thai Party to a decisive victory in the 3 July 2011 election, it was only a matter of time before anti-Thaksin groups would converge in the streets again (Baker 2016: 4).

The PDRC was formed on 29 November 2013, giving a name and a sense of organisation to the anti-government protest that had already been underway. A month earlier, protesters converged in Bangkok to demonstrate against the ruling Yingluck government (International Crisis Group 2014: 10). The catalyst for the demonstration was the passage in the lower house of parliament of an amnesty bill that the government said would help bring Thai society towards reconciliation. The bill was highly controversial because the opposition Democrat Party (DP) and other anti-Thaksin groups viewed it as a scheme to whitewash Thaksin's criminal convictions and thus allow him to return freely to Thailand (*The Guardian* 11 November 2013). The bill would also absolve former Prime Minister Abhisit Vejjajiva and former Deputy Prime Minister Suthep Thaugsuban, both leading DP members, of the charges related to the 2010 crackdown of Red-Shirt protesters, but ironically it was Suthep who took the leading role in mobilising protesters against the bill. The government eventually relented, agreeing to drop its support for the

bill. This strategic move failed to placate the protesters, however. Sensing momentum, the PDRC leaders shifted the aim of the protest (or “upgraded the protest” in PDRC parlance) from stopping the amnesty bill to outright overthrowing the government (International Crisis Group 2014: 10-11) and began to employ increasingly aggressive methods to pursue that goal. The protesters later framed their demands around the notion of ‘reform’, arguing that Thailand’s electoral democracy would need to be suspended for an unspecified amount of time until a ‘People’s Council’, consisting of individuals not associated with any political party, could undertake wide-ranging programmes to eradicate corrupt politicians and state officials (*MThai* 12 December 2013).

For observers of Thai politics, the PDRC protest was a familiar sight in some ways. Thailand has grown used to major anti-government demonstrations since the days of the People’s Alliance for Democracy (PAD), which first demonstrated against Thaksin in 2005-2006. There are notable similarities in some of the methods used by the PAD and the PDRC. Government buildings were targeted, normal operation of the government was greatly disrupted and the protesters showed almost no willingness to compromise. Both groups also broadcast their rallies on dedicated television channels, whose in-house reporters keenly covered the protests and helped bridge the distance between the protest sites and the viewers at home (Baker 2016: 4). Both relied on eclectic groups of on-stage speakers, mixing skilled orators who could be trusted to rouse the crowd with academics and civil society activists who added credibility to the movements. Many of the same methods were present at pro-Thaksin Red-Shirt rallies in 2009 and 2010 as well. However, unlike the PAD’s core leaders who—except former Palang Dharma Party leader Chamlong Srimuang—mostly had non-parliamentary background, many of the PDRC’s leaders were drawn from the Democrat Party. Apart from Suthep, DP figures who became prominent in the PDRC included Thaworn Senniam, Witthaya Kaewparadai, Sathit Wongnongtoey, Puttipong Punnakan, Issara Somchai, Akanas Prompan and Chitpas Kridakorn. The root of the DP’s shift from traditional parliamentary politics towards mass activism can arguably be found at Suthep Thaugsuban’s decision to quit the powerful position of DP Secretary-General in July 2011. At the time, Suthep remarked that he was leaving the job in order to devote his energy to creating a DP mass support base to

counter the Red Shirts, who had reliably turned out in numbers to rally and vote for Thaksin's parties (*Siam Intelligence* 31 August 2011). It should be noted, however, that non-DP groups also had considerable influence within the PDRC particularly in the later weeks of the protest, a point I will return to later in this chapter.

Large-scale anti-government mass protests in 1973 and 1992 are two of the best-regarded events in Thai history. Drawing on these events, the PAD was largely responsible for instilling in the public's mind the idea of how a strong-willed and well-equipped mass protest movement can destabilise a government in twenty-first century Thailand. The PDRC, however, considerably ramped up the anti-democratic rhetoric. While both groups claimed that electoral politics in Thailand was broken, the PAD never went as far as to oppose elections or actively prevent a general election from happening. Some PAD members even set up a political party and competed in general elections (Prajak 2016: 7). In contrast, the PDRC's steely determination to 'temporarily' suspend electoral politics saw the protesters successfully disrupt a large part of the 2 February 2014 election, which had been called by the Yingluck government to reaffirm its legitimacy. Among other things, PDRC protesters blocked access to polling stations, harassed election officials and stormed a building where ballot papers were being printed (Prajak 2016: 12-13). The anti-election rhetoric was prevalent in PDRC rallies, and the failure of the 2 February election was a major contributor to the sense of anarchy and power vacuum engulfing the country prior to the May 2014 coup (International Crisis Group 2014: 12). Many PDRC protesters and sympathisers argued that Thailand's electoral politics had failed not only because of allegedly rampant vote-buying but also because voters in rural areas often lacked the knowledge required to make informed decisions. Exemplifying this line of thinking, Chirmsak Pinthong, a television host, academic and PDRC ideologue, wrote several months before the PDRC's emergence:

In a dog contest, we require a majority of votes by the judges. The judges need to be well-informed on dog matters. Yet in Thailand, we have a contest to choose people to serve as members of parliament, senators, ministers and even Prime Minister, but the judges of this contest (the voters) can be anyone. They don't have to be well-informed on political matters. Each person has one vote, equally. Does this mean that we set a higher standard for a dog contest than for a contest to choose the people who will run the country? If we want good and

competent politicians, the first thing we need to do is to have qualified judges. We need to be confident that the judges are politically well-informed, perhaps by requiring them to pass an exam before they have a right to vote for politicians. (Chirmsak 2013)

While PDRC leaders often maintained that they were not in favour of a military coup, claiming that the PDRC themselves would be the ‘sovereign’ (*rat tha ti pat*) who would implement reform measures after kicking the government out (Prajak 2016: 9), the implausibility of their “Reform before Election” rhetoric and demands suggested that they were not as interested in genuine reform as in merely causing chaos and paving the way for other actors, most probably the military, to ‘finish the job’. Even some of the protesters themselves probably did not have much faith in the notion of reform; they simply wanted to throw out a government they did not like. In this sense, the PDRC transformed from a movement that opposed the amnesty bill to one that was ‘knocking at the barracks’, to use Linz’s (1978: 30) expression. Based on a period of on-the-ground observation of the PDRC by a senior army officer who later went on to work for the NCPO’s leadership,⁵¹ the most important issue that energised the PDRC protest was neither the amnesty bill nor the dreams of reforming the country but the allegations of large-scale corruption under the Yingluck government, particularly those involving the rice-pledging scheme that had been a flagship policy of Pheu Thai (International Crisis Group 2014: 11). A lack of concrete reform plan that would have a reasonable chance of success was a recurring feature of the PDRC. For example, political scientist Sombat Thamrongtanyawong, speaking as a PDRC supporter, claimed in December 2013 that electoral politics would need to be suspended for as long as necessary until the proposed People’s Council could eliminate vote-buying, a persistent problem in Thailand’s elections, but he failed to explain how exactly to achieve such a lofty aim (Thai Democracy 2013). Reforming Thailand’s police force, another one of the PDRC’s goals, was a similarly ambitious proposal that suffered likewise from a lack of seriousness. The PDRC seemed better at identifying problems than offering solutions.

The PDRC protesters, while undoubtedly important, were not the only factor that undermined the democratically elected government of Yingluck. By boycotting

⁵¹ Interview, Anonymous serving army officer with links to the NCPO regime, Bangkok, 22 October 2015

the 2 February election and allowing many of its members to join the PDRC, the Democrat Party threw its weight behind the anti-election discourse. The Democrat's previous election boycott in 2006, a decision taken in conjunction with Chart Thai Party and Mahachon Party, helped to create the political deadlock that partly enabled the military to seize power in September that year. Some DP members, including Suthep himself, formally quit the party to fully participate in PDRC activism, while other leading members such as Abhisit Vejjajiva and Korn Chatikavanij showed up at protest sites on various occasions. The Blue Sky Channel, the main television channel covering the protest, had strong links with the Democrats and regularly featured DP members on its programmes. Many of the protesters in later weeks of the demonstration were also bussed in from the DP's stronghold in the south (Baker 2016: 5). Furthermore, all 152 Democrat MPs resigned from parliament *en masse* in December 2013 to put pressure on the Yingluck government (*The Nation* 9 December 2013). In tandem with the PDRC, the Democrat Party resembled what Linz (1978: 27-38) calls a 'disloyal opposition', meaning that both the party and the protesters were actively opposing not just the democratically elected government of the day but also the existing democratic regime itself.

It is important, though, to note that not every Democrat Party member was fully committed to the PDRC's cause. Party leader Abhisit, while broadly supportive of the protesters, hinted that he was more interested in contesting an election than the PDRC's reform rhetoric (*Thai Rath* 25 March 2014). Veteran DP politician Pichet Panwichatkul also denounced the PDRC's disruption of the February 2014 polls (*Prachatai* 6 February 2014). A leading Democrat politician confirmed that there were PDRC-related tensions within the party and many members were not aware of Suthep's true intentions.⁵² One thing to keep in mind, however, is that any dispute within the party regarding the PDRC was likely to be part of a broader rift between Abhisit's and Suthep's factions. A significant sign of the rift could be detected when Sukhumbhand Paribatra, the controversial DP Governor of Bangkok rumoured to be aligned with Suthep, was dramatically expelled from the Democrat Party in January 2016 (*Krungthep Turakij* 23 January 2016).

⁵² Interview, Anonymous high-ranking member of the Democrat Party, Bangkok, 12 November 2015

In addition, as the protest went on, it became evident that the PDRC was far from being a united movement that a small group of Democrat-affiliated individuals could dominate. In fact, as more protest sites were set up in locations across Bangkok, the influence of non-Democrat groups within the PDRC gradually became more prominent. Groups such as the Network of Students and People for Reform of Thailand, the group linked with Rangsit University and the group led by Buddhist monk Buddha Issara were handed responsibilities over different protest sites. Buddha Issara even remarked at one point that his protest site, at the massive Chaeng Wattana government complex in northern Bangkok, had considerable autonomy from Suthep (*Sanook* 28 January 2014). Thus, while the Democrat Party played a major role in the early phase of the protest, the PDRC later grew to be an umbrella movement in which different groups formed their own spheres of influence.

Other key contributors to the pre-coup crisis include the Election Commission (EC) and the Constitution Court. The Election Commission, made up of five commissioners serving seven-year terms, is the body responsible for organising elections in Thailand both at the national and the local levels. It has extensive powers to manage elections, investigate electoral irregularities and file criminal charges against candidates and others deemed to have violated electoral laws (Office of the Election Commission of Thailand n. d.). Despite supposedly being politically neutral, the EC showed a remarkable lack of effort in organising the 2 February 2014 election. While it was true that violence flared up during the election season in parts of the country where PDRC support was strong, making it difficult for candidates, election officials and voters alike to participate in the electoral process (McCargo 2015b: 342), the EC failed to perform its duties to the best of its abilities. As PDRC protesters managed to force the cancellations of voting in large parts of Bangkok and provinces in southern Thailand by blocking access to voting stations, the EC refused to endorse the election results and would not set the date for by-elections in constituencies where voting was disrupted (Ferrara 2015: 287; Prajak 2016: 14). Somchai Srisutthiyakorn, an outspoken and media-savvy Election Commissioner, was seen taking photos with PDRC protesters in Bangkok, publicly expressed doubts about whether the election could go ahead and said shortly before the polling day that he would prefer to see the election postponed

(*New York Times* 22 January 2014). "As election officials, it is our job to make sure elections are successful, but we also need to make sure the country is peaceful enough to hold the election," he told reporters (*Reuters* 27 January 2014). The EC's claim—that proceeding with the election would lead to further chaos—is undermined by the fact that elections have taken place in countries ravaged by worse levels of violence and disorder than Thailand, such as Afghanistan (*BBC* 14 June 2014). The Thai EC's reluctance to fulfil its obligations helped to legitimise the PDRC's sabotage of the election.

The Constitution Court's important role in Thai politics, particularly since 2001, has been well-documented (Dressel 2010a; McCargo 2014a; Mérieau 2016). The Thai judiciary has been involved in a number of key political episodes, issuing rulings that affected the survival of governments, political parties and other players on the political scene. The Constitutional Court, established under the 1997 Constitution, has come to be viewed as a court of last resort, being relied upon to deliver a solution for seemingly intractable political problems. It has removed three serving Prime Ministers from office, disbanded several political parties, and barred a significant number of prominent politicians from competing in elections (Dressel 2010a; McCargo 2014a). While on certain occasions the courts managed to restore calm to society, some of their rulings simply fuelled more tension. In the period leading up to the 2014 military coup, the Constitution Court made three especially controversial rulings. The first one, made on 20 November 2013, struck down Parliament's proposed constitutional amendment that would have transformed the Senate from a half-elected, half-appointed body to a fully elected chamber (*New York Times* 22 January 2014). The second ruling, on 7 May 2014, removed Yingluck Shinawatra from Prime Minister as a result of a case involving the transfer of Thawil Pliensri, a previous Secretary-General of Thailand's National Security Council, which the court considered to be an abuse of power (Ferrara 2015: 288). The Court's third ruling, made on 21 March 2014, annulled the February 2014 election due to the fact that voting could not be completed in one day throughout Thailand (Ferrara 2015: 287; Prajak 2016: 14). These rulings struck heavy blows upon the government and bolstered the PDRC protest, though Pheu Thai's own reaction against the constitutional amendment ruling also proved to be unwise. In the wake of that ruling, the party made the unusual move of declaring its opposition

to the Court's judgement. This bold move did the party few favours, and PDRC protesters were then able to claim that the government was disrespecting the Court and therefore became illegitimate (Prajak 2016: 8).

The endless protest, the annulled election and the government's inability to enforce order increasingly pushed Thai politics toward a dead end. Yet, by early 2014 there had been few clear signs that a military coup was imminent. Army leaders publicly declared their neutrality, refusing to be dragged into any talk of a possible coup to end the chaos (*Reuters* 13 December 2013). Jittanat Limthongkul, an anti-Thaksin commentator and son of former PAD leader Sondhi Limthongkul, remarked with exasperation that General Prayuth, who as army commander-in-chief was the most powerful military officer in the country, seemed "infatuated" with Yingluck (Jittanat 2013). Prayuth himself gave confusing signs regarding his intention. In December 2013 he did not rule out a coup, saying that the door was open for all options (*The Nation* 27 December 2013). Yet, as violent incidents related to the PDRC protest became more deadly and frequent, on 24 February 2014 Prayuth appeared on television to declare that a military intervention would not be the right answer to the crisis (*Manager Online* 24 February 2014).

In the following month, there was clearer evidence of the military's preparations for a coup. After having mostly left it to the police to deal with the protesters, the army grew more assertive in March and started placing makeshift military bunkers at various locations around Bangkok (*MCOT* 7 March 2014). The increased military presence in the capital began to be noticed but still failed to put an end to PDRC-related violence. As late as 10 May 2014, Prayuth still refused to be drawn into coup talks, remarking that he did not believe a coup would solve anything (*Chaophraya News* 10 May 2014). On 15 May, after assailants had brutally attacked PDRC protesters with firearms and an M79 grenade, the army issued a strongly-worded statement condemning the incident and declaring the army's readiness to stop the violence (Wassana 2014: 177-180). When Prayuth unilaterally declared martial law on 20 May, a coup became a highly probable outcome (International Crisis Group 2014: 16). Apparently undaunted by the fact that the 2007 constitution did not allow the army chief to declare martial law by himself, Prayuth used his martial law powers to summon representatives from the PDRC, the government, the Democrat Party and the Red Shirts to negotiate with each other

face-to-face. The supposed negotiations lasted two days. At the end of the second day, with all parties refusing to back down, Prayuth announced his power grab (Ferrara 2015: 289).

At this point, two questions remain. First, why was the coup necessary if it had been clear that the Yingluck government had already seen its power diminished by court rulings and the uncooperative Election Commission? Military coups, despite their frequency throughout Thai history, have mostly been an extreme option, and army officers involved in a coup plan are essentially risking their lives and careers. A repeat of a 2008-style 'judicial coup' would have provided a softer image for the country, drawn fewer criticisms from abroad and allowed the military to stay out of the limelight. The answer to this question is not clear, but one possibility is that the Thai judiciary, due to its increased involvement in politically-charged issues over the past decade, has generated so much controversy and come under such strong criticisms that it has lost much of its respectability and perceived status as a neutral arbiter of conflicts. Some of the Constitution Court's most contentious rulings have provoked negative reactions not only from Thaksin supporters but also from academics, most prominently the group of Thammasat University law scholars known as Nitirat (McCargo and Peeradej 2015). If the Thai elite had hoped to continue relying on court decisions to overcome Thaksin, they may have started to realise that incessant politicisation of the judiciary would be less effective over time and risk turning the cherished courts into another one of those permanently discredited Thai institutions. The PTP's opposition to the Constitution Court's constitutional amendment ruling in November 2013 was a sign that the Thaksin camp began to feel emboldened enough to confront the judiciary, while Nitirat's direct criticisms of the Constitution Court had made the group increasingly popular among Thaksin supporters and other sectors of the population. Thus, the military coup was arguably seen as a more effective way to end the chaos.

The second question is why the military took as long as it did to stage the 2014 coup. Nearly seven months passed between the start of the anti-Yingluck protest and the May 2014 coup. Had the coup occurred earlier, there would have been fewer deaths, violent incidents and economic damages related to the protest. McCargo (2015b: 350) argues that this delay demonstrated the generals' reluctance to intervene. I would add that from the Thai military's perspective, a decision to

carry out a coup should never be taken hastily. One army officer close to the NCPO leadership pointed out that the 2006 coup had been staged without proper planning.⁵³ According to him, troops aligned with Thaksin had a real chance of fighting back on the night of 19 September 2006, and the coup, while ultimately bloodless, actually came close to triggering an open firefight that would have cost lives. He also believed that the allegations of wrongdoing against the Thaksin government in 2006 had been largely vague, in contrast to the more serious corruption allegations surrounding the Yingluck government. The 2014 coup, he argued, was also better planned in the sense that there was no chance for resistance by the government or its potential allies. For these reasons, he was supportive of the 2014 coup but not the 2006 one. Overall, the question of why the coup took place in May 2014—and not before—could be answered partly by the military’s reluctance but also partly by the idea that the military, having learned a lesson from 2006, took its time in order to ensure the coup’s success.

The events leading up to the 2014 coup resemble those that paved the way for the 2006 one in many ways. The army in both instances did not stage the coups against governments that were in a position of strength. The governments in both events had been paralysed by mass protests and unfavourable court rulings. Opposition parties played a role in pushing the situations toward gridlock. The breakdowns of democracy in both 2006 and 2014 involved disloyal oppositions which were willing to defect from the democratic process in order to bring down the governments. The main differences between the 2006 and 2014 military regimes lie in what they did after assuming power.

The Quiet Red Shirts

The military’s seizure of power on 22 May 2014 went swiftly and surprisingly smoothly. It was a surprise because for around six weeks up to the day of the coup, the pro-Thaksin Red Shirts had been holding a rally in support of the Yingluck government in a suburban area to the west of Bangkok, close to a residence of Crown Prince Vajiralongkorn (*The Nation* 5 April 2014). The Red Shirts overtly declared

⁵³ Interview, Anonymous serving army officer with links to the NCPO regime, Bangkok, 22 October 2015

affection for the Crown Prince (McCargo 2015b: 347-348), sparking wild speculations as to what they were hoping to gain from that. For reasons that have not been clear, the Red Shirts did not put up much of a resistance to the coup either on 22 May or afterwards. The military may have known beforehand that it could carry out the coup without having to battle the Red Shirts. When Pheu Thai won the 2011 election, there were speculations that a deal was in place between Thaksin and the conservative elite which allowed Yingluck to govern as long as her government refrained from undermining the monarchy and the military (International Crisis Group 2014: 9). This theory appeared to gain credibility in late 2012 when an anti-government rally led by Boonlert Kaewprasit, a retired army general, fizzled out due to a lack of support by most actors in the anti-Thaksin coalition (*Phuket Gazette* 25 November 2012). Had Boonlert's rally been backed more strongly by Thaksin's influential opponents, it is reasonable to assume that the rally could have caused serious trouble for the government. An important source of strength for the PDRC was the support it received from the conservative elite and some business groups (Prajak 2016: 8; Baker 2016: 5). Running the PDRC's campaign cost more than 10 million Thai baht (approximately 245,000 GBP) per day (*The Nation* 17 January 2014). It is hard to believe that such a large amount of money was raised through small donations alone.

To further confirm the deal theory, an internal US State Department memo, released as part of the Hilary Clinton email affair, shows the extent to which the Yingluck government attempted to build a good relationship with the military and the palace. In a 2011 meeting with an American embassy official, Yingluck was quoted as saying:

I'm determined to use my mandate to bring people together and foster reconciliation, like I said in the campaign. I'm working hard to win over the military and help them see they have a real place here without interfering in politics. I'm working hard to do the same with the palace. But let's face it: democracy here is still fragile. We need the US engaged. (Brooks 2011)

Another sign of there being a deal in place can be found in events surrounding Thailand's mid-2011 floods, the country's worst in decades. After having badly mishandled the flood crisis which engulfed large parts of the country, the Yingluck government appeared to receive backing from the palace when Sumet

Tantivejkul, a long-time advisor to the king, was appointed to a government committee set up to resolve the situation. Given the close bond between Sumet and the palace, it was highly probable that Sumet's appointment was blessed by the king (Brooks 2011). Furthermore, a Pheu Thai politician who worked closely with Yingluck believed that despite her being Thaksin's sister, many palace figures had initially warmed to her. It was only when the amnesty bill became an issue that the good relationship broke down. Yingluck herself did not expect the bill to contain provisions absolving Thaksin of his criminal convictions. Earlier drafts of the bill would only grant amnesty to ordinary protesters involved in previous anti-government mass protests but not to politicians (*The Guardian* 11 November 2013). She only learned of the changes in the final version, this politician claimed, after the bill had been pushed through the lower house.⁵⁴ A military officer close to the NCPO's leadership also revealed that he had initially agreed to support Yingluck's government, particularly by working closely with one of her cabinet ministers, as long as it governed transparently and competently. He withdrew his support around late 2013 when corruption scandals related to the rice-pledging scheme grew more serious, at which point he defected to the anti-government side and started to advocate a *coup d'état* as a possible solution.⁵⁵

The deal theory should still be treated with caution, however. If there really was a deal, it must have broken down completely by the time that the PDRC was able to mount such a massive campaign against the government. It may be possible that both the Thaksin and the elite sides did not expect the protest to spiral out of control due to the extremely large turnout, but as Prajak (2016: 8) and Baker (2016: 5) point out, the PDRC rally bore all the hallmarks of having received backing from influential opponents of Thaksin. A Thaksin-aligned retired army general also believed that broadly the same groups of people had been behind all major anti-Thaksin street demonstrations. These people, he claimed, had deliberately engineered crisis situations in order to provide a pretext for military intervention.⁵⁶

⁵⁴ Interview, Anonymous Thaksin-aligned politician 3, Bangkok, 21 October 2015

⁵⁵ Interview, Anonymous serving army officer with links to the NCPO regime, Bangkok, 22 October 2015

⁵⁶ Interview, Anonymous Thaksin-aligned retired army general, Bangkok, 15 January 2016

It could be argued, nonetheless, that although the deal broke down with the amnesty bill episode, another deal was struck shortly before the coup, which could explain the lack of Red-Shirt resistance to the military. Thaksin may have been forced into this new deal from a position of weakness after the protest and several court decisions had rendered the Yingluck government almost completely toothless. General Prawit Wongsuwan, a key member of the NCPO and mentor of Prayuth, once had a good relationship with Thaksin and may have helped to bring the two sides to a compromise. Prawit became army commander-in-chief in 2004 during Thaksin's premiership, and the two had once been involved in a business arrangement related to a company under the control of Thaksin's wife.⁵⁷ The link between Prawit and Thaksin endured even when Prawit was appointed Defence Minister under the Democrat-led government in 2008 (Wassana 2014: 129). The 2014 military regime has largely refrained from going after the remaining business interests of Thaksin's family in Thailand. In May 2016, when eight people were arrested for running an anti-junta Facebook page, Prawit denied the widespread rumour that Thaksin's son Panthongtae Shinawatra was behind the group (*Post Today* 3 May 2016). There are also reports that Thaksin has met several times with Prawit and other junta representatives at various locations outside Thailand (Crispin 2016).

If the deal truly exists, it can help explain why Thaksin may not want to escalate tension by mobilising the Red Shirts to rally against the military. Confident that he still enjoys the support of voters in the populous northern and northeastern parts Thailand, he may prefer to wait until the junta restores electoral politics in 2017 as it has promised. To press for confrontation now would threaten his business interests and may provoke more criminal charges against him and his family members. A local Red-Shirt leader in northern Thailand, who repeatedly used the Thai word *nai* (master) to refer to Thaksin, believed that the Red Shirts would be ready to take to the streets as soon as Thaksin gave his approval, implying that the absence of a large-scale anti-military protest by the Red Shirts so far has really been because Thaksin does not want it.⁵⁸ A PTP politician even completely dismissed the

⁵⁷ Interview, Anonymous businessman with elite connections, Bangkok, 22 October 2015

⁵⁸ Interview, Anonymous Red-Shirt leader, Chiang Mai, 22 January 2016

Red Shirts' potential to spontaneously rise against the junta, seeing them as "not a genuine mass movement."⁵⁹ It should be added, though, that several prominent figures within the red-shirt movement such as Suda Rangkupan, Jaran Dittaphichai and Sunai Chulapongsathorn took refuge abroad following the coup, a fact which may have weakened the remainder of the movement in Thailand. As for Thaksin himself, he has remained in self-imposed exile and mostly kept a low profile since the coup although he has occasionally resurfaced to criticise the junta via media interviews and his personal Facebook page (*The Guardian* 22 February 2016).

NCPO Rule: Power, Legitimacy and Authoritarianism

Regardless of any reluctance the generals may have had prior to the coup, once in power the junta was determined to ensure that its regime would not be remembered as an ineffective, bumbling administration like the 2006 military-led Council of National Security (CNS) regime. There had been a widespread feeling among Thaksin's critics that the 2006 generals had 'wasted their chance' (*sia khong*) and failed to leave a lasting legacy, especially by not having done much to dismantle Thaksin's electoral machine. The failures of the 2006 coup are still fresh in the minds of the 2014 coup leaders and there have been indications that the NCPO is not willing to repeat those mistakes. To this end, the 2014 junta has employed what could be described as a deliberate strategy to uphold its undemocratic rule. This section will examine the NCPO's rule through the lens provided by Gerschewski's (2013) conceptualisation of legitimation, repression and co-optation as the three pillars underlying the stability of autocratic regimes.

Legitimacy is a highly important issue for any political regime, whether democratic or not. While democratic regimes can draw their legitimacy from the principle of popular sovereignty, undemocratic and military-dominated regimes typically need to rely on other sources of legitimacy. Although the military possesses the means and ability to employ coercive power against its opponents, a regime cannot depend exclusively on violence and repression as a tool for governing in the

⁵⁹ Interview, Anonymous Thaksin-aligned politician 3, Bangkok, 21 October 2015

long term. In the words of McCargo (2008: 88), “nation-states claim a monopoly on the use of force, but where a state resorts to invoking force against its own population, it risks eroding its legitimacy.” Thus, as Gerschewski (2013: 18) points out, undemocratic regimes seek to appear legitimate in order to avoid using violence as well as to “guarantee active consent, compliance with the rules, passive obedience, or mere toleration within the population” and these regimes cannot rely solely on their abuse of power in the long term. In other words, the issue of legitimacy is important for authoritarians precisely because they are aware of the limits on their power. Legitimacy and limits of authoritarian regimes are two sides of the same coin.

Governments that totally or partly lack democratic legitimacy have commonly justified their rule by pointing to their success in developmental issues, arguing that improvements in people’s quality of life would not have come about had politics been more open and democratic (Leftwich 1995: 418-420). Alternatively, or in addition to this, an authoritarian government may cite the need to maintain order within an ethnically or culturally diverse society, the desire to preserve ideological purity of the state, and the necessity of upholding unity in the face of threats to national security as reasons for the regime’s dictatorial character (Heiduk 2011: 252-253; Gerschewski 2013: 19).

The notion of legitimacy is highly relevant to any attempt to analyse the Thai military’s political role. In Thailand, the concepts of liberal democracy and popular sovereignty have struggled to displace the traditional ideological system that emphasises nationalism, monarchism and Theravada Buddhism (Dressel 2010b: 449-455). The Thai military regards protection of the monarchy as its primary duty. It has been willing to legitimise its foray into politics by citing the need to eliminate anti-monarchy threats. Ferrara (2015: 279) notes that in Thailand a strong display of loyalty to the monarchy can lend legitimacy to unelected institutions on grounds other than performance. The NCPO has clearly attempted to draw its legitimacy from sources other than popular mandate. Prayuth himself has made many public remarks admitting that the method he used to acquire power was undemocratic. The coup, he often said, was needed to resolve the chaotic situation for which the previous government and the protesters were to blame.

NCPO, Prayuth Chan-ocha and Non-democratic Sources of Legitimacy

In one of the earliest signs that the NCPO regime had learned important lessons from the 2006 coup, Prayuth and his fellow coupmakers were in no rush to establish a proper government or appoint a Prime Minister. In 2006 there were clear signs from the start that Sonthi Boonyaratglin, the coup's leader, would not be Prime Minister, which made him look weak and gave rise to rumours that he had been reluctant to carry out the coup. An army officer close to the NCPO's top brass argues that Sonthi's unclear stance in 2006 was a sign of cowardice and a refusal to assume responsibilities for such a major event as a coup.⁶⁰ The 2014 coup leaders, in contrast, appointed themselves to oversee government ministries. Prayuth, despite his lifelong military background, also decided to appoint himself to chair at least 15 government committees in charge of important national economic policy (Sopranzetti 2016: 9). It took until August 2014 for Prayuth to formally become Prime Minister, having ruled the country simply as NCPO chairman up to that point. The NCPO chairmanship already gave him absolute power, allowing him to govern using martial law, and Prayuth could conceivably have picked a well-respected civilian figure to be Prime Minister in order to improve the regime's image in the same way as how Anand Panyarachun, an aristocratic former diplomat and businessman, became Prime Minister in Thailand's 1991 coup-installed regime. Instead, Prayuth appeared to believe that being a junta leader without heading the government was likely to be a complicated affair and would diminish his real influence. A retired army officer involved in the 2006 coup revealed that Sonthi Boonyaratglin deeply regretted not becoming Prime Minister himself.⁶¹

Ever since he became army commander-in-chief in 2010, Prayuth Chan-ocha has been noted by observers for his staunch royalism and his alleged antagonism toward Thaksin Shinawatra and the Red Shirts. A member of the 'Eastern Tiger' army faction, he was seen as having had a close bond with the royal family—and the queen in particular—due to his association with the elite Queen's Guard army unit.

⁶⁰ Interview, Anonymous serving army officer with links to the NCPO regime, Bangkok, 22 October 2015

⁶¹ Interview, Anonymous retired army general formerly in the CNS regime, Bangkok, 25 November 2015

The Queen's Guard unit, whose specially trained troops nominally provide protection for the queen, was established in 1981 in accordance with the queen's recommendation (Wassana 2014: 91). Prayuth was promoted to army chief four years before his mandatory retirement age, which was a relatively rare occurrence because an army chief usually gets to occupy the position for only one or two years (Wassana 2014: 88). His rapid ascent through the ranks was partly thanks to his closeness to General Anupong Paochinda, a fellow Eastern Tiger and one of the key force commanders during the 2006 coup against Thaksin (Chambers 2013: 276). Prayuth himself does not like the Eastern Tiger label, seeing it as an unhelpful indication of division within the army, though he has implied that he is highly proud of his Queen's Guard background (Wassana 2014: 92).

As Prime Minister, Prayuth has been known for his often fiery temper during press conferences, his weekly televised addresses and his long-winded speeches on official occasions. Prominent themes in his public speeches and utterances include nationalist rhetoric, the unsuitability of western-style democracy for Thailand, the need for stability and reconciliation, and patronising concerns toward poor rural dwellers (Sopranzetti 2016: 12). He has also portrayed himself as a man who gets things done, especially thanks to the fact that he can exercise power without having to deal with parliamentary opposition or messy coalition partners. Article 44 of the junta's interim constitution grants Prayuth absolute power to do virtually anything in the name of public order, replacing his earlier reliance on martial law. Prayuth's Deputy Prime Minister and legal scholar Wissanu Krea-ngam justified Article 44 as being "a fast cure for critical problems that cannot be solved quickly" (*Strait Times* 7 April 2015). Essentially this is a classic authoritarian line of thinking: emphasising rapid problem solving while disregarding the lack of public participation in the political process. Article 44 has proved to be a favourite tool of the junta. It has been used on a wide range of issues such as suspending local government elections, enforcing correct pricing for government lotteries and clamping down on rowdy street motorbike racers (iLaw 2015). A leading Democrat Party politician, despite having expressed disagreements with the NCPO over some crucial issues including both the 2015 and 2016 draft constitutions, believes that Prayuth's authoritarian

way of governing has found support among a sizeable number of Thai people.⁶² Projecting an image of a strong, hard-working and sincere leader, Prayuth bears similar characteristics to those that propelled Thaksin to popularity a decade previously. Another example of a Thai leader in this mould is Sarit Thanarat, a military strongman who ruled Thailand with an iron fist in the 1950s and 1960s (Thak 2007).

Apart from Prayuth's personal style of governing, the NCPO's emphasis on its performance in order to make up for its democratic deficit can be found in other ways. There are signs that the NCPO has been promoting its governing achievements in comparison to those of the Yingluck government. In comparison to her brother's premiership from 2001 to 2005, the administrative performance of Yingluck's government was poor in several notable areas. Its bad management of the 2011 flood crisis exposed Yingluck's inexperience, which was not helped by the fact that a number of key PTP figures were still serving their political bans related to the dissolution of two previous Thaksin-aligned parties, Thai Rak Thai (TRT) and PPP. Though they may have provided some advice, the bans meant they could not participate fully in the government, leaving Yingluck surrounded by incompetent ministers (Brooks 2011). The flagship rice-pledging scheme also turned sour as the project's huge costs and related corruption scandals became known to the public (*The Economist* 10 August 2013). The failings of the rice scheme would go on to be one of the issues the junta frequently uses to attack Pheu Thai politicians. Soon after the coup, the NCPO regime authorised a payment of 92 billion baht owed to rice farmers who had not received their money under Yingluck. Portraying himself as the ruler who will "Return Happiness to People", Prayuth also ordered Thai terrestrial television channels to broadcast live World Cup football matches and embarked upon a public order crusade that included cracking down on public transport mafias, unsightly declining beach beds and other daily annoyances (Porphant 2014: 6-7). The junta, it could be seen, was keen to promote itself as a regime that focuses on working for the greater good and 'cleaning up the mess left behind by politicians'. The end of street protests also boosted commerce and returned a sense of normalcy to Bangkok residents (Sopranzetti 2016: 5).

⁶² Interview, Anonymous high-ranking member of the Democrat Party, Bangkok, 12 November 2015

Another relevant indicator of government performance in Thai politics is the issue of corruption. Corruption has been a long-term plague on Thailand, and coming up with stronger ways to tackle the problem has been an important goal or even an “obsession” for reform-minded Thai political actors at least since the 1990s (Aim 2014: 526-527). Past leaders of military coups also tended to legitimise their regimes by accusing the previous government of being afflicted with corruption scandals. As mentioned earlier, corruption issues under the Yingluck government were one of the main factors that persuaded one military interviewee to defect from the Yingluck side to the side of the army leaders who eventually became the top brass of the NCPO regime.⁶³ Sopranzetti (2016: 9) identifies anti-corruption as one of the ideological forces behind the 2014 junta. Yet, even though eliminating corruption will undoubtedly lead to better governance and higher quality of public services, among others, the NCPO’s supposed anti-corruption drive has failed to unify the population behind the military. In particular, the corruption scandal surrounding the construction of Rajabhakti Park, an army project involving the erection of statues of seven historical Thai kings in close proximity of the current king’s official residence in Hua Hin, occurred under the junta’s watch but the army’s subsequent internal investigation was declared to have found no irregularities (*Channel News Asia* 30 December 2015). The incident was nonetheless heavily damaging for Udomdej Sitabutr, Prayuth’s successor as army chief who inaugurated the project (*The Nation* 12 November 2015). Since the scandal, it has been difficult to take the junta’s anti-corruption rhetoric seriously as it appears that the junta has been targeting politicians while conveniently ignoring itself. The scandal has nonetheless faded away and the junta has not been seriously weakened by the episode.

Thailand’s monarchist ideology also forms an important part of the NCPO’s attempt to appear legitimate. During his tenure as army chief, Prayuth stated many times that one of the most important missions of the armed forces is to protect the monarchy (Suchit 2013: 179). Two major nationwide bicycle-riding events, called Bike for Mom and Bike for Dad in honour of the queen and the king respectively, were organised in August and December 2015 and heavily promoted through the

⁶³ Interview, Anonymous serving army officer with links to the NCPO regime, Bangkok, 22 October 2015

media and other official channels. In a speech on 28 October 2015, Prayuth even made an eye-catching comment addressing the dissatisfaction of some Thaksin supporters regarding the queen's widely publicised visit to a funeral of a PAD protester in October 2008. Arguing that the queen had not done anything wrong, Prayuth claimed that the queen had personally told him that she had made the visit because the PAD had never spoken ill of her, unlike some other groups (Kittiwat69 2015).

Meanwhile, the use of *lèse majesté* law to crack down on insults and disrespect toward the monarchy, already an issue under previous governments, has grown more severe. The number of arrests has spiked, and those arrested have been put to trial in the military court instead of the civilian court. In Thailand a ruling made by the military court is final, with no possibility of an appeal (iLaw 2014). The use of coercive mechanisms to enforce loyalty to the palace is not a good sign for Thai royalism. Even before the 2014 coup, the increased reliance on repressive measures, including the application of *lèse majesté* law and the Computer Crimes Act (Streckfuss 2011: 291), to combat anti-monarchy threats actually reflected the growing weakness of the royalist establishment itself. In the words of Ferrara (2015: 292), “[i]f royalists were still able to steer the course of events behind the scenes, [...] they would not have relied on censorship, *lèse majesté*, street violence, military firepower, and outlandish court rulings as heavily or as frequently as they have.” The NCPO does not appear to be concerned, however. The regime appears to believe that being tough on *lèse majesté* offences is a way of demonstrating steadfast loyalty to the throne while also galvanising support from the public.

Legitimacy, Reform and Constitution Drafting

Another important way in which the NCPO has tried to legitimise its rule is claiming to engage in making long-term plans to improve the country's political system. In a departure from its 2006 predecessor, the 2014 military regime has made determined efforts to shape the future of the country. Clearly not content with simply having put a brake on violent conflicts, the NCPO argues that a quick return to civilian rule will bring back the same old cycle of political turmoil. The rhetoric of reform, most recently associated with the PDRC, has become part of the junta's

action plan. Alongside the National Legislative Assembly (NLA) which the junta established to perform legislative functions (in practice the NLA has been a rubber-stamp parliament), a 250-member body called the National Reform Council (NRC) was created and tasked with coming up with plans to reform Thai politics and society (McCargo 2015a: 331). Talks of long-term planning soon became one of the junta's favourite lines. A retired general sitting on Prayuth's cabinet remarked that the NCPO would like to leave a legacy "as a gift for the younger generations".⁶⁴ Like the NLA, however, the NRC was dominated by military personnel and junta loyalists (Human Rights Watch 2015), its membership hardly reflecting the diversity of opinions within contemporary Thailand.

The NCPO, having abolished the 2007 constitution, also set up a body in charge of drafting a new one. Previous military governments engaged in similar exercises. It has become somewhat of a tradition that a Thai military coup automatically means the end of the existing constitution. The coupmakers will then rule using an interim charter, while a committee is formed to write a new constitution which will come into effect once the military decides to resume elections. The 2006 military regime, however, created an important precedent: a constitution drafted under military rule was now required to be put to a national referendum. The 2006 regime hoped that the referendum it organised, which took place on 19 August 2007, would bestow popular legitimacy on its draft charter. Despite criticisms regarding the undemocratic nature of that referendum (Meisburger 2007), the notion of holding a referendum on matters of national importance has become engrained in Thai politics since then. In July 2012, when the Yingluck government attempted to amend the 2007 constitution so that a new one could be written, the Constitution Court ruled that any new constitution would have to pass a referendum because the 2007 one had been endorsed in a referendum (*Manager Online* 6 July 2012).

The first Constitution Drafting Committee (CDC) set up by the NCPO was also going to come up with a draft constitution that would be put to a referendum. The CDC, chaired by public law scholar Bowornsak Uwanno, was made up of 36 members nominated by the NRC, the NCPO, the cabinet and the NLA (McCargo

⁶⁴ Interview, Anonymous retired army general now serving in Prayuth Chan-ocha's cabinet, Bangkok, 25 November 2015

2015a: 333-334). The draft it produced eventually attracted controversy for, among other reasons, containing provisions on a special ‘crisis committee’ that would wield enormous power over the elected government (*The Nation* 12 August 2015). Before it had a chance to be put to referendum, the draft produced by the Borwornsak-led CDC was voted down by the NRC and thus was immediately discarded. The NCPO then created a new 21-member CDC, this time chaired by veteran legal expert Meechai Ruechuphan (McCargo 2015a: 339). In contrast to the Borwornsak CDC, all members of the Meechai CDC were handpicked by the junta to ensure a harmonious working relationship.⁶⁵ It turned out, however, that the junta became so dissatisfied with the new CDC’s performance that it publicly issued a list of its own proposals for the CDC to consider including in the draft. Among the NCPO’s proposals was the idea of having an all-appointed Senate, a small number of whose seats will be reserved for senior military figures, for a so-called ‘transitional period’ of five years after the constitution comes into effect (*The Nation* 8 March 2016). Several members of the Meechai CDC have expressed their discomfort at being pressured by the junta, though there have been no premature resignations. These developments illustrate the NCPO’s desire to leave a long-lasting impact on the Thai political landscape, especially by pushing for the creation of non-majoritarian institutions and mechanisms strong enough to restrict the power of future elected governments. The junta aims to lessen the relevance of electoral politics and make sure that unelected institutions, most probably aligned with the conservative elite, will have an important role to play.

Eventually, Meechai’s draft constitution passed a referendum in August 2016. The referendum, however, was deeply problematic because the junta refused to allow free and fair campaigning by those who opposed the draft. Politicians and activists critical of the draft were arrested and harassed, and media outlets apparently decided to self-censor their coverage for fear of reprisals (McCargo *et al.* 2017: 71-72).

Repression

⁶⁵ Interview, Anonymous member of the Meechai CDC, 20 January 2016

Regardless of the effectiveness of legitimisation strategies, repressive mechanisms remain essential for undemocratic regimes (Gerschewski 2013: 21). Repression and legitimacy are not totally separate issues. It is common, for example, for an authoritarian regime to try to legitimise its use of repressive measures upon the population. The repression under the NCPO regime has been justified mainly in the name of public order, conflict solving and reconciliation. One of the foremost priorities for the junta after assuming power was to impose order. People exhausted by months of PDRC-related political turmoil were hoping to see peace and calm return to Bangkok streets. Media censorships were imposed as the junta disallowed the dissemination of information deemed threatening to government stability and public morality. As was the case in 2006 and in some of the country's other coups, the military put the need to restore order as its central message during the early months of NCPO rule, believing that the deteriorating and endless conflict was threatening stability and national interests (International Crisis Group 2014: 17). The military's job was made easier by the absence of resistance from the Red Shirts, who would have been the only organised mass movement capable of mounting immediate pressure on the junta. A retired army general who became a cabinet minister under Prayuth remarked that compared to the events of 2006, the 2014 coup was more necessary because the 2014 crisis was more serious, showed no signs of abating and was pushing Thailand towards becoming a failed state. He maintained that the 2014 coup was required due to the extremely difficult circumstances and that as a believer in democracy, he normally disapproved of military coups, including the one in 2006.⁶⁶ Thus, despite the coup taking place in 2014, the behaviour of the Thai junta still resembled what Nordlinger wrote four decades ago:

The praetorians portray themselves as responsible and patriotic officers, these public-spirited qualities leaving them little choice but to protect the constitution and the nation from the unhappy consequences of continued civilian rule. Foremost responsibility is not due to the men who happen to be occupying the seat of government. Their overriding responsibility is to constitution and nation. The military take it upon themselves to decide if the constitution has been

⁶⁶ Interview, Anonymous retired army general now serving in Prayuth Chan-ocha's cabinet, Bangkok, 25 November 2015

violated or the national interest subverted, and thus whether or not intervention is warranted. (Nordlinger 1977: 19)

By emphasising the severity of the pre-coup mayhem, the NCPO also distanced itself from PDRC protesters who had reasons to assume that, by kicking out the loathed Yingluck government, the military was on their side. In a gathering with PDRC supporters around one month after the coup, Suthep Thaugsuban claimed that he and Prayuth had been planning an anti-Thaksin coup together since 2010. Prayuth, he added, told him shortly before the coup that the army would step in to finish what the protesters had started (*Bangkok Post* 23 June 2014). In response, Prayuth issued a strongly-worded denial and admonished the PDRC for holding the event while the military-dictated ban on political gatherings was in force (Wassana 2014: 236-237). The NCPO tried to blame all sides for causing the conflict and refusing to compromise, triggering the need for the military to seize power (International Crisis Group 2014: 16).

In the early weeks of NCPO rule, the military issued orders summoning hundreds of people to report to army camps (Human Rights Watch 2015). These orders were read out on television, and those who refused to obey them would face prosecution. Included in the list of people summoned were politicians and individuals associated with the Red Shirts, but scholars, writers and activists who had never had clear links with Thaksin or the Red Shirts were wanted as well (Haberkorn 2014). A junta-issued ban on political activities meant that political parties were not allowed to hold party meetings. Prominent politicians, especially those in Pheu Thai, were put under heavy restrictions. A PTP keyman revealed that the NCPO consistently required him to make burdensome preparations before travelling abroad. Prior to each trip, he would have to submit to the military a detailed travel plan along with supporting documents, all of which must be translated into Thai. His travel application each time had to be approved by General Prayuth himself. Prayuth alone could authorise his trips, and there was no guarantee that the permission would always be granted. On certain occasions, the permission did not come until a few hours before the trip.⁶⁷

⁶⁷ Interview, Anonymous Thaksin-aligned politician 2, Bangkok, 9 October 2015

It quickly became clear that the military was taking a hardline stance and would not tolerate public expressions of dissent. As the Red Shirts stayed quiet, most of the early criticisms and resistance toward the junta came from other actors. Academics, university students and civil society activists began voicing their anti-military views soon after the coup. Small-scale activities, some of which were organised in such a way as to sidestep the military's ban on political gatherings of more than five people, became one of the main methods of expressing symbolic opposition to the coup. The NCPO responded by detaining and in some cases filing charges against them (Haberkorn 2014). Activists detained were often freed after less than a week in custody, but the military would slap them with additional restrictions on their rights such as by not allowing them to engage in further political activities and requiring them to seek the military's permission before travelling abroad.⁶⁸ Even academic activities taking place inside university areas could be forcefully cancelled if they touched on human rights, democracy or other topics that the junta deemed inappropriate, though such events would have a higher chance of going ahead if the organisers had a good relationship with the military.⁶⁹ The clampdown on anti-coup activities reflected the military's inability or unwillingness to understand that opposition to military rule could come from people not aligned with Thaksin, and the military has showed a remarkable tendency to conflate anti-military activism with republicanism. Student activists were accused of being linked to Thaksin and anti-monarchy groups, while some academics were targeted because the junta regarded them as being "intellectually influential" among Red-Shirt citizens.⁷⁰ ⁷¹ Alongside the detention and arrests, the military has also implemented a softer scheme based on the notion of reconciliation. Local leaders of the Red Shirts and the yellow shirts around the country have been asked to report to the military and refrain from engaging in political activities. While many of these leaders have cooperated, a minority still show some resistance.⁷² A retired general sitting on Prayuth's cabinet openly admitted that for

⁶⁸ Interview, Anonymous student activist 1, Bangkok, 13 October 2015

⁶⁹ Interview, Anonymous student activist 2, Bangkok, 8 October 2015

⁷⁰ Interview, Anonymous student activist 1, Bangkok, 13 October 2015

⁷¹ Interview, Anonymous pro-democracy activist, Chiang Mai, 22 January 2016

⁷² Interview, Anonymous serving army officer in the NCPO's Reconciliation Centre for Reform, Bangkok, 20 November 2015

the duration of NCPO rule, human rights had to be sacrificed for the sake of peace and reconciliation.⁷³

Co-optation

Gerschewski defines co-optation as “the capacity to tie strategically-relevant actors (or a group of actors) to the regime elite” so that those actors do not pose a threat to the regime (2013: 22). The focus of co-optation tactics is not ordinary citizens but actors within the realms of the social, economic and political elites. Like the notion of legitimacy discussed earlier, co-optation strategies are a sign of potential limits on the power of an authoritarian regime or at least a sign of the regime leaders’ awareness of those limits. Presumably, there would be no need for co-optation if a ruler had total confidence in the regime’s ability to crush any opposition. A military regime that relies on co-optation in addition to purely repressive measures also tends to last longer than one that only or strongly depends on repression (Prajak and Veerayooth 2018: 288).

Perhaps some of the most important co-optation strategies took place at the top level of the NCPO itself. After assuming premiership in August 2014, Prayuth simultaneously occupied the positions of NCPO leader, Prime Minister and army commander-in-chief. Sopranzetti (2016: 9) sees such formal concentration of power as an indication of Prayuth’s unrivalled supremacy in the junta. However, the fact that Prayuth agreed to retire from the army in September 2014 was significant. Thanom Kittikachorn, a military dictator who was overthrown by Thailand’s 1973 popular uprising, refused to end his army career despite reaching the mandatory retirement age. Prayuth too could have followed that precedent and extended his tenure as army chief. The fact that he did not do so is a notable sign that his vast powers still have some limits. In contrast to Sopranzetti’s view (2016: 9), I argue that Prayuth is not a military strongman who enjoys absolute authority over the country. His retirement from the army was likely to be because he knew that his prolonged tenure as army chief would have threatened the army’s harmony. Every

⁷³ Interview, Anonymous retired army general now serving in Prayuth Chan-ocha’s cabinet, Bangkok, 25 November 2015

reshuffle in the Thai army is a tense affair, and senior officers can generally predict their career trajectories based on their current positions. Had Prayuth stayed on as army chief for longer, this system would have been seriously disrupted as some officers would have found themselves unable to rise to the top as expected. It was therefore likely to be Prayuth's own choice in opting not to risk fuelling resentment within the powerful army. In Thailand a countercoup always remains a possibility, and it was in Prayuth's best interest not to unnecessarily disrupt the army's internal tradition. In this sense, Prayuth used co-optation tactics to ensure that the army would not become a threat to the NCPO regime.

Another instance of co-optation, as well as another sign of the limits to Prayuth's power, is the need to maintain harmony within the government itself. Prawit Wongsuwan is widely acknowledged as one of the most powerful figures in the NCPO setup and his influence can be detected throughout the regime (McCargo 2015b: 344). According to a businessman with inside knowledge of the NCPO, the failure of Prayuth's younger brother, Preecha Chan-ocha, to become army chief during the 2015 reshuffle season was down to the Prayuth-Prawit power play.⁷⁴ If Prayuth really could have things his way, his brother would have ended up as army chief without much trouble. At the same time, Prayuth had also wanted to sack the unpopular Deputy Prime Minister Pridiyathorn Devakula from his cabinet. Pridiyathorn, however, had been Prawit's friend since high school and had been appointed to the cabinet largely due to Prawit's wish. Preecha himself was not well-respected within the army⁷⁵ and had a career background in the Third Army Region in northern Thailand, which traditionally has not been where most of Thailand's army chiefs came from (Montornkit 2010: 57-59). Due to his brother's obvious shortcomings, Prayuth decided that pushing for Preecha's appointment as army chief was not worth the trouble. He thus offered to allow Prawit to have an officer of his choice become army chief in exchange for Prawit not obstructing the sacking of Pridiyathorn. In the end, Pridiyathorn was ousted and Theerachai Nakwanich, Prawit's preferred choice, became army chief in October 2015.

⁷⁴ Interview, Anonymous businessman with elite connections, Bangkok, 22 October 2015

⁷⁵ Interview, Anonymous retired army general now serving in Prayuth Chan-ocha's cabinet, Bangkok, 25 November 2015

Under the NCPO, a degree of co-optation regarding elite business actors has also taken place. A scheme called Pracharath was unveiled ostensibly to replace Thaksin-era populist policies, which Prayuth has frequently criticised for their short-termism and unsustainability. Pracharath, a brainchild of royally-connected public intellectual Prawase Wasi and Prayuth's Deputy Prime Minister Somkid Jatusripitak (Prajak and Veerayooth 2018: 293), is meant to be a project bringing together the public and private sectors for the purpose of providing help and guidance for the grassroots population (*The Nation* 19 October 2015). While it is portrayed as a pro-poor scheme, Pracharath reflects the junta's attempt to build a close relationship with a number of major business groups such as Charoen Pokapand and Siam Cement Group, the latter of which is a major part of the Crown Property Bureau (Sarinee 2016). Companies joining the scheme would also earn certain privileges from the state (Prajak and Veerayooth 2018: 294). Prawase, however, later made a strong criticism of the junta after it had revealed plans to make radical changes to the National Health Security Office and the Office of the Thai Health Fund, two of the country's most prominent public health bodies which are under Prawase's patronage (*Post Today* 30 May 2016).

Conclusion

This chapter has attempted to explain the events leading to the 2014 coup and the endurance of the authoritarian NCPO regime. Thailand's 2014 military junta has undoubtedly been more repressive and anti-democratic than the 2006 regime, attracting allegations that it is seeking to turn back the clock and revive the era of military dominance from the 1980s. The 2014 coup took place when anti-democratic discourse associated with the PDRC protesters was gaining strength. The military benefited from people's exhaustion with the PDRC turmoil and the perceived poor performance of the preceding democratically elected government. There may also have been a deal involving Thaksin that allows the military to govern without facing large-scale protests from the Red Shirts. Once in power, the NCPO has employed various strategies of legitimation, repression and co-optation. The regime acknowledges its lack of democratic mandate but argues that it delivers results, brings reconciliation and fights tirelessly against threats to the monarchy.

The NCPO leadership keeps tight control of the country and has not been reluctant to crack down even on mild displays of dissent. It has long been clear for opponents of Thaksin that the 2006 coup failed to do much to stop him. The 2014 military regime's response has not been to favour any political party in the hope that it may stand a chance against Thaksin's electoral machine, but to establish a political system in which unelected institutions have enough power to constrain democratic politics. Despite some important setbacks, the endurance of the NCPO regime can be attributed to the relative success of its legitimization, repression and co-optation strategies as well as the alleged secret deal with Thaksin which has created an uneasy truce between him and the military.

Chapter 7

Conclusion

This thesis analyses the political role of the Thai military and focuses specifically on its involvement in Thailand's democratic backsliding over the last two decades, including but not limited to the two military coups in 2006 and 2014. As this thesis has made clear, the military's actions should be understood in relation to significant political developments in Thailand in recent times, particularly the emergence of Thaksin Shinawatra, an elected civilian leader who directly and indirectly transformed Thai politics in several important ways. With an unprecedentedly powerful electoral machine, Thaksin and, subsequently, his proxy parties won general elections in 2001, 2005, 2007 and 2011, not including the two contentious ones in 2006 and 2014 which were later annulled. At the same time, he presided over a government that eroded the system of checks and balances and other crucial democratic mechanisms, however imperfect they may have been in the first place. His premiership also precipitated an era of highly disruptive mass protests by both his supporters and opponents, a phenomenon that characterised much of the country's political turmoil from 2005 to 2014. These protests became a factor in the 2006 and 2014 coups and other interventions carried out by the military.

While Thaksin was clearly responsible for undermining democracy during his period in office, it is the Thai military that has left a stronger impact on the country's democratic backsliding in the last two decades, pushing Thailand away from a democratic path and towards becoming a permanently authoritarian or, at best, a hybrid regime with a heavily authoritarian character. Throughout the thesis, I adopted a perspective based on democratic principles and a normative understanding of the military's expected role in a democratic society. In this chapter, I provide a concluding assessment of what this thesis offers in terms of findings, originality and contributions to the existing body of knowledge.

The Military and the Non-Linearity of Thailand's Democratic Backsliding

The military has been a major political actor throughout much of Thailand's post-1932 history. Its political influence was most obvious when it directly governed the country, but there were also times when it provided backing to civilian-led governments or manoeuvred in other ways to ensure certain political outcomes. Although the events of May 1992 initially appeared to put an end to the military's political ambition, the electoral victory of Thaksin Shinawatra in 2001 eventually led to the resurgence of the military in politics in the form of the 2006 coup.

One important point that this thesis has sought to highlight, however, is that we should avoid the pitfall of portraying the developments in Thai politics since the 2006 coup as one linear, continuous instance of democratic backsliding. On the one hand, it is possible to see the country's political trajectory from the 1997 constitution to the current 2017 constitution as a case of democracy clearly losing out to authoritarianism. This thesis, on the other hand, brings in the notion of 'democratic resilience' and contends that the rise of the Red Shirt mass movement and the persistent efforts by pro-Thaksin parties to fight elections represented the determination of democratic-minded political actors to resist the military's political moves. What this means is that a simplistic, straightforward notion of democratic backsliding would fail to capture the complexities within Thailand's political situation over the past two decades.

Thaksin, unlike previous civilian Prime Ministers, has not been one who would give up easily. Even when confronted by such traditionally powerful actors as the military and figures in the elite circle, he persisted in trying to win power through electoral means and through sponsoring the Red Shirt mass movement. The leaders of the 1991 coup did not face such problems. They easily toppled the elected government and, before their downfall in May 1992, followed up by appointing a largely technocratic government that generally satisfied the emerging middle class. However, Thaksin, with his personal wealth, popularity and connections, has been able to remain a formidable electoral force despite being on the receiving end of military coups, unfavourable court rulings, mass demonstrations and party dissolutions.

The case of the Red Shirts involved the emergence of a radical political discourse that profoundly challenged what the protesters viewed as the core power structure of Thailand, one that was centred on the military and the monarchy. As such, the anti-democratic role of the military since 2006 ironically provoked a pro-democratic response that threatened to erode the authority of the monarchy, the military and other unelected actors and institutions in the Thai political scene. Without the 2006 coup and the military's subsequent political efforts, there would not have been such a strong desire among the grassroots to challenge the status quo.

It should be noted, still, that there are obvious problems with referring to the Red Shirts and pro-Thaksin parties as unequivocally pro-democratic actors. This thesis has argued that the Red Shirts and many pro-Thaksin figures often fail to appreciate that liberal democracy is not the same as majoritarianism but also requires liberal constraints on the elected government. The political arguments made by these actors tended to be based on the majoritarian aspect while downplaying the liberal aspect of liberal democracy. Nonetheless, it is important to stress that the Thai political system since the promulgation of the military-sponsored 2007 constitution has increasingly favoured unelected institutions at the expense of the elected government. The formerly all-elected Senate became a half-appointed body, and independent agencies such as the Election Commission and the Constitution Court came to have a politicised role in determining the fate of the elected government. In the eyes of the Red Shirts, these developments were a sign of creeping authoritarianism that had to be resisted. As stated earlier in this thesis, the Red Shirts' relentless emphasis on electoral rule should be understood not simply as a demand for majoritarianism but rather as a necessary first step for a proper liberal democratic system.

The implication, overall, is that the military certainly has a key role in Thailand's democratic backsliding since 2006, but this backsliding has not been linear. The account offered in this thesis recognises the anti-democratic effects of the military's role while also acknowledging the resilience of pro-democratic forces during the same period.

The Value of Empirical Data

This thesis draws on materials from first-hand interviews conducted in Thailand from July 2015 to January 2016. The interviewees included a number of figures who have, at various times, played a leading role or been involved in the highest level of the political and military spheres. All interviewees were granted anonymity in order to allow them to discuss sensitive issues with as much freedom as possible under the repressive political climate.

The perspectives and information gained from these elite interviews are highly beneficial and can help us to challenge certain prevalent assumptions in Thai politics. One example is the assumption that anyone who supports the military coup against Yingluck's government in 2014 is also automatically a supporter of the 2006 coup against Thaksin. This assumption is based on the many similarities between the two coups. The elected governments overthrown in both cases were from the same political group, and both coups were preceded by lengthy, intense and disruptive street protests. In both cases, the governments called snap general elections to try to assert their democratic legitimacy, but both times the elections could not be held properly and were later annulled by court rulings.

This thesis has revealed, however, that two military officers who support and work closely with the NCPO regime endorsed the 2014 coup but sharply criticised the 2006 one. This is not simply the case of criticising the 2006 coup for its perceived ineffectiveness; these two interviewees do not think it should have been staged at all in the first place. This revelation introduces complexities into the commonly heard narrative that opponents of Thaksin are consistently in favour of every anti-Thaksin move carried out by the military. This is particularly interesting in light of the fact that the 2006 coup appeared to be more closely associated with the monarchy compared to the 2014 coup. Thus, even when considering the fact that the two coups in 2006 in 2014 were both carried out against pro-Thaksin governments, opinions among supporters of the military can vary in unexpected ways. It would have been difficult for researchers to uncover such nuances without conducting first-hand interviews and gathering empirical data from fieldwork.

Legitimacy and Military Rule

Another main contribution of this thesis is its focus on how the Thai military has relied not only on repressive measures but also on non-coercive means in order to preserve and expand its political power. Although the CNS and particularly the NCPO regimes have forcefully suppressed dissent, this thesis engages with other important ways in which the Thai military has maintained power and undermined the country's democratic prospects, such as the reliance on non-democratic sources of legitimacy and the co-optation of important political and economic actors.

On the one hand, studies of authoritarian regimes in other countries have revealed how authoritarian governments can bolster their legitimacy by pointing to economic performances, national security issues and other performance-related indicators. In this aspect, the Thai case shows several similarities to what happened in other military and non-democratic regimes. The leaders of the 2006 and 2014 coups claimed they had to step in to restore public order and punish corrupt politicians. It is notable how both of these coups were preceded by months of street protests and a prevalent sense of chaos and lawlessness. The NCPO regime actually went further, claiming that it had to hold on to power in order to initiate a long-term 'reform' of the country. On the other hand, this thesis also argues that there are distinctive aspects of legitimacy in the Thai case, such as the legitimacy derived from the monarchy, that can eclipse the democratic legitimacy of an elected government.

Thus, as anti-democratic forces continue to make gains around the world, it is important to realise that authoritarian governments often do not govern using brute force alone. Authoritarian leaders, especially those who are in power for long periods, frequently base their claims to power on non-democratic sources of legitimacy. This thesis offers an analysis of how Thai military leaders, in addition to using repressive measures, tried to justify their actions by similarly referring to non-democratic sources of legitimacy. The durability of the NCPO regime, the longest period of military rule in Thailand since the 1970s, suggests that such a strategy has at least brought some success.

Suggestion for Further Research

While this thesis has covered several aspects related to the role of the military in Thailand's democratic backsliding in recent times, there are opportunities for further research in areas not deeply analysed in this thesis. One such area is the international context. This thesis engages exclusively with domestic factors, but the literature on democratisation makes clear that international factors can contribute immensely to the spread of democracy and authoritarianism. More research could be done on, for example, the relationship between the rise of China and the entrenchment of military-led authoritarianism in Thailand.

Another possible area of further research is the issue of national security. At least since 2004, Thailand has suffered from a violent insurgency in the country's three southernmost provinces of Pattani, Yala and Narathiwat. Guerrillas have carried out shootings and bombings against state officials and ordinary citizens, and the military has assumed the task of fighting the insurgents. Considering that countries afflicted by national security issues, such as Israel, tend to have a strong military with large budgets, there is an opportunity to analyse possible links between Thailand's southern insurgency problems and the role of the military in relation to the country's democratic prospects.

Lastly, future researchers will be particularly interested in the role of the military under the reign of the new king, Maha Vachiralongkorn, also known as Rama X. The passing of King Bhumibol in October 2016 was the beginning of a new, unpredictable chapter in Thai politics. At the time of writing, the new king has reorganised a number of military units traditionally associated with the monarchy. As the king is known to be personally interested in military matters, it remains to be seen how the political role of the Thai military will be shaped by future circumstances and changes.

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