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# RSIS COMMENTARIES

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## Protest Culture in Thailand

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*As the current anti-government demonstrations in Thailand enter a critical stage, the trend in Thai protests against the establishment, set since 1932, has been reinforced. The protesters are seeking to maintain their rights in Thai civil-military relations. This protest culture makes political change possible through civil disobedience.*

THE CURRENT protests in Thailand are peaking into a penultimate clash between anti-government forces and the ruling elite. As the protesters push for what they see as the endgame, occupying the grounds of the Prime Minister's Office and blocking access to the parliament, it is timely to look at Thai protests in their historical context: Underlying the Thai protests is actually a larger phenomenon – a protest culture -- that acts as a powerful response to weak government. This Thai protest culture manifests itself especially in times of weak governance.

### **Erosion of public confidence and moral authority**

Thai protest culture arises when the state experiences policy failure, loss of public confidence, and, or, erosion of moral authority. Policy failure occurs when the state cannot deliver the goods. In Thailand, one of many clear examples was the misallocation of state funds and the virtual absence of tax regulation enforcement by the authorities in the 1990s. Other examples of state policy failures include serious problems in electricity, water supply, and health provisions in the rural areas.

A loss of public confidence occurs when the state is unable to persuade the people to follow its lead. If the state is illustrated as a train engine speeding its way into the Gulf of Thailand, then the passengers would probably try to find a way to get off the train. Examples of the loss of confidence in the government-of-the-day include the 1975 Seni Pramoj and Kukrit Pramoj governments; Chuan Leekpai's multifactional government in the 1990s; and most recently, the case of the maverick cooking show host-turned prime minister Samak Sundaravej in 2008.

Erosion of moral authority is a third way in which protest culture may arise during the transition from authoritarianism to democracy. A good example was during Prime Minister Thanom Kittikachorn's dictatorship in October 1973. The loss of moral authority ended with large-scale protests in which

hundreds died following clashes with the security authorities. Several mini-monuments were erected in Bangkok to commemorate the death of civil society activists including students from Thammasat University who died in the 14 October 1973 demonstrations. Since then, these mini-monuments have come to be known as "14 October 1973" memorials.

In 1987, Prem Tinsulanonda faced his second parliamentary vote of no-confidence. Although he survived, that was thought to have ended his political career until he emerged as the powerbroker in the 2006 coup. By protesting, the individual citizen hopes to effect political, social and economic change.

### **Effecting change through protest**

Change is effected by ousting the prime minister and replacing him with someone more capable. These protesters resort to such actions to protect their own individual rights. If they are not successful in changing the entire government, sometimes they will be satisfied with changing parts of it. Whatever the case may be, they are willing to take risks to make changes in government. For example, Chaiwat Sinsuwong led protests with other citizens between 1 October to 3 October 2008.

He was arrested by the police the following day for his actions and detained for questioning. He was eventually charged with nine others for treason. The punishment for treason in Thailand is life imprisonment or death. Because of due process of the law and equal protection under the law, the Royal Thai Court of Appeal dismissed the charges against Chaiwat. He protested against the state, was charged for treason but was released when the Appeals Court pardoned him on 9 October 2008.

Chaiwat and many others like him often take risks not merely protesting but by leading protests. These can be very dangerous because of the level of violence which is magnified when the military leaves the barracks. However, Chaiwat knows full well that the nature of Protest Culture in Thailand makes it very difficult for the authorities to charge every other person with treason or to imprison every protester.

### ***lèse majesté* laws**

Civil disobedience is a basic component of protest culture. A protester can disagree with anything that a government does except that he cannot say anything negative or cast any aspersion on the King and the Royal Family. Anupong Paochinda, the general commanding the military in Thailand, recently cautioned individuals against besmirching the good name of the monarchy. It is a credit to Anupong that the military did not intervene during the Samak administration. But the non-intervention by units in the First Army Region cannot be ascribed to theories of individual rights or civil liberties alone.

Rather, the army's non-interventionism was about power. Their silence ensured that the military would continue to hold the upper hand as the final arbiter of justice in Thailand, with the King remaining the primary symbol of all justice in Thailand of course. The Thai army is the traditional guarantor of power and has been since 1932. The military commanders will defend the King against foreigners and locals and rationalize their actions based on the *lèse majesté* laws.

### **Protest Culture as "national pastime"?**

The public demonstrations in the capital city of Bangkok have become a national pastime and are widely broadcast locally and overseas. Any visitor to a public protest site will be amazed at the level of organization and logistical support involved. At any Thai protest, for example, one will find protest tee-shirts on sale, foot-ware, street-food, drinks and even make-shift amusement for children.

If anything, civil disobedience in Thailand has also become a right of passage for many new Thai

politicians. For some, it is a baptism of fire, if only to protect the civilian rights of ordinary Thai people in civil-military relations.

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