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‘People’s Sector Politics’ (*Kanmueang Phak Prachachon*) in Thailand: Problems of Democracy in Ousting Prime Minister Thaksin Shinawatra

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On February 6, 2005, after four years in power, voters rewarded Thaksin Shinawatra for his work as Thailand’s prime minister with an overwhelming election victory. His Thai Rak Thai Party (TRT) received 377 of the 500 seats in the House of Representatives. Moreover, the party-list vote, which most directly reflects the popular appreciation of a party’s or party leader’s performance, returned 18,993,073 votes (61.2%) for Thaksin’s TRT, while the second-placed Democrat Party only gained the support of 7,210,742 voters (23.2%).¹ A few months later, Sondhi Limthongkul, Thaksin’s erstwhile supporter and propagandist, via his *Manager* newspaper and connected mass-media outlets, turned against him after a number of government decisions that he saw as detrimental to his business interests. The last in this string of decisions cost Sondhi his political television talk show *Mueang Thai Rai Sapda* (Thailand Weekly) in September 2005.²

Unlike other TV personalities who had lost their shows, presumably as a result of having been critical of Thaksin, Sondhi continued his show, first at

¹ For details on this election see Nelson (2006a).

² On that period see Nelson (2005a).

Thammasat University, then at Lumpini Park—with at times tens of thousands of listeners. Notwithstanding Thaksin's very convincing electoral mandate from February, Sondhi claimed that Thaksin had lost all legitimacy to lead the government and developed his show into an anti-Thaksin protest movement. In mid-January 2006, the public protests seemed to fizzle out. Then, the news broke that Thaksin had sold his telecommunication company, Shin Corp., to Temasek, the investment company of the government of Singapore. This sale was preceded by a complicated process of partly off-shore transactions making it appear legal that Thaksin and his involved family members would not pay a single baht in taxes to the Thai state that Thaksin headed as prime minister. Before taking office, however, Thaksin had made a "solemn declaration before the King" that he would "faithfully perform" his duties "in the interests of the country and of the people" (Section 205 of the 1997 Constitution; see Council of State 1997).

Thaksin's sale of his company thus indicated to many observers that he had used his position as the prime minister, and possibly his official relations to his Singaporean counterpart, in order to gain very substantial benefits for himself and his family against what he was supposed to do in his position as Thailand's prime minister. A deafening public outcry followed, much broader than anything Sondhi could have done on his own, given his questionable and non-transparent motives for his protests. Important Bangkok-based public figures declared that Thaksin was not any longer morally qualified to lead the government. The Shin Corp sale became to these protests what Suchinda Kraprayoon's appointment as prime minister was to the protests of May 1992—the decisive turning point. On February 4, 2006, only one year after his election triumph, 50-100,000 people demanded Thaksin's resignation from office. Their battle cry became "*Thaksin: ok pai*" (Thaksin: out!). Sondhi submitted a petition to the King asking him to replace Thaksin with a royally appointed interim prime minister.

On February 9, a number of well-known civil-society activists and their non-governmental organizations joined Sondhi in founding the People's Alliance for Democracy (PAD). *The Nation* newspaper that had previously held the opinion that "mob politics is not the answer" (January 20) suddenly turned

around and declared that the “Real war has just begun” (February 10)—the “war” to remove the democratically elected Thaksin Shinawatra from his position as prime minister by the means of “mob politics.”³ Most newspapers joined in the anti-Thaksin chorus. On February 18, the decisive actor of the protests of May 1992 that succeeded in removing the military-backed Prime Minister Suchinda Kraprayoon from power, Chamlong Srimuang, declared that he would join the PAD.⁴ Only days later, on February 24, Thaksin dissolved parliament and called new elections. A botched election on April 2, Thaksin’s clinging to power, more protests, the royalist faction’s displeasure with Thaksin’s model of politics, and their and the military commanders’ fear of being deprived of their coup-making capacity by the possible removal of Army Commander-in-Chief Sonthi Boonyaratglin by Thaksin finally led to the military coup of September 19, 2006.⁵

The semantic of civil-society politics in Thailand

In the centuries of Siamese political history preceding the overthrow of the absolute monarchy in 1932, the people had no significant role in contributing to the making of collectively binding decisions. However, the promise of political inclusion by the coup group that programmatically called itself “People’s Party” also soon vanished. The four decades that followed on 1932 saw various forms of military dictatorship dominating Thai politics. Riggs (1966) summarized the situation with his famous phrase “bureaucratic polity.” Here, the overwhelming majority of political communications were concentrated within military-bureaucratic organizations, while extra-bureaucratic political influence remained negligible. The individual

³ In the Thai language, the English word “mob” is used to denote groups of protesting people. Whether it carries a clearly negative connotation or not depends on the context. For some further reflections on this element of Thai political culture, on the occasion of the mass protests that resulted in the resignation of Prime Minister Suchinda Kraprayoon in May 1992, see Callahan (1998, chapter 2).

⁴ On Chamlong see McCargo (1997). After the coup, its plotters appointed Chamlong to their National Legislative Assembly.

⁵ Different perspectives on the protests are provided by Kasian (2006); Keyes (2006); Nelson (2006b); Pye and Schaffar (forthcoming); Supalak (2006), and Ungpakorn et al. (2006). This chapter on the protests is an interim result, because time did not allow me to make systematic use of my collection of newspaper clippings and of some other printed sources.

citizens' potentially central role in a democratic polity was further diminished by military dictator Sarit Thanarat, who systematically revived the perceived socio-political centrality of a monarchy that seemed to have been placed "on the lip of history's dustbin" (Baker 2006) by his predecessor Phibun Songkhram (Thak 1979; Handley 2006, chapter 8).⁶

In 1969, Puey Ungpakorn established the Thailand Reconstruction Movement, "the first non-governmental development organization in Thailand" (Suthy 1995:99). In the following three decades, the acronym "NGO" became the key reference when one wanted to point to organized non-state socio-political involvement or activism.⁷ When students managed to topple the military dictatorship in 1973, "students" received attention by those who were looking for non-state actors who could propel the development of democracy (Morell and Chai-anan 1981; Prizzia 1986). Already the student movement at that time was seen as an outcome of Thailand's growing middle class (Anderson 1977), although the final push leading to the "democratic period" of 1973 to 1976 in fact came from violently-inclined vocational students, who in 1976 turned against their erstwhile university allies (Griffith 1996).

With the social composition of the mass street protests in 1992, that led to dozens of protestors being killed by soldiers and the resignation of Prime Minister Suchinda Kraprayoon, the term "middle class" became prominent (Anek 1993; Bangkok Post 1992; Girling 1996; Surin 1997). However, it was also connected with some NGOs in their role as communicative and organizational facilitators of the mass protests (Callahan 1998, chapter 3; Choi 2002; Suthy 1995:123ff.). Also at the beginning of the 1990s, the international revival of the term "civil society" made its way into Thailand. Initially, academics

⁶ Handley's book is banned in Thailand. Any topic connected with the monarchy cannot openly be discussed in Thailand, because a strict law on lèse majesté applies (see Streckfuss 1995). In 2006, an issue of the left-leaning journal *Fa Diewgan* (Same Sky) was banned by the police, because it contained an interview critical of the monarchy's political role. The editor, Thanapol Eawsakul, and the interviewee, Sulak Sivaraksa, were charged with lèse majesté.

⁷ The flavor of the time can be sensed in the portraits of NGO-activists collected in the book *Thotsawat... Ongkan Phatthana Ekachon* [A Decade of NGOs.] (Seniwan and Phaisan 1991). Though less popular than in earlier years, the acronym is still in use. For a recent listing of NGO see the "2003 Directory of Non-Governmental Organizations" (Khanakammakan Phoeiphrasae Lae Songsoem Nganpatthana 2003). A recent publication on NGOs is Shigetomi, Kasian, and Apichart, eds. (2004); for some "radically" inclined criticism of NGOs see chapters 8, 9, and 10 in Ungpakorn, ed. (2003).

used to “NGO” and “middle class” were puzzled as to what additional insights this new conceptual tool was supposed to provide. Afterwards, the expressions “NGOs” and “civil society” have come to be used almost synonymously (Amara 1995; Chai-anan 1993; Gawin 1994; LoGerfo 1997), or even put together with the term “social movement” (Somchai 2004).

From a Thai perspective, the term “civil society” was made even more confusing by state agencies that turned the Thai-language translation of civil society (*pracha sangkhom*) into *prachakhom*, meaning state-initiated and -guided groups.⁸ To many participants in the discourse, both terms fused, and they were even equaled with *chumchon* (community).⁹ The idea of having individual citizens organizing themselves into associations that are independent of state or community control is relatively foreign to the dominant political culture in Thailand. Even after NGOs had become more established, conservative forces have remained very suspicious of them. In 1996, a rightist literary journal printed the sentence, “Formerly we fought the communists, now we fight the NGOs. NGOs have replaced the communists” (*Sakun Thai* December 3, 1996:61). Under Thaksin, NGOs were discredited as being paid by foreigners to hamper the nation’s progress. In the past few years, over a dozen civic-sector activists were murdered by local influential people who saw their interests affected. However, this is not a particular problem of such activists, since murdering one’s business or political rival is not uncommon in up-country Thailand.

Meanwhile, the generic terms “people’s sector” or “politics of the people’s sector” (*kanmueng phak prachachon*) has been introduced to the discourse on non-state political activities. The term has the positive, even normative, connotation of citizen empowerment against all those in political and economic power. It encompasses organized forms such as NGOs, social

⁸ The proper translation of civil society should have been *sangkhom prachachon* (Patya Saihoo).

⁹ Thailand has a very strong communitarian culture, while independent individuals are difficult to imagine. Those who want to practice this approach will find their lives very difficult. Rather than voluntarily joining together as free individuals in civil society, Thais are expected to submit to the decisions of community leaders and their equivalents.

movements, people's organizations or "grass-roots" groups, and protests.¹⁰ Of course, it was also used to contextualize the anti-Thaksin protests. One brochure distributed by the PAD carried the title "Get rid of the Thaksin system – increase democracy – through people's sector politics." Inside we read, "People's sector politics is about dissent—refusing the capitalists to do everything according to their own free will; not agreeing easily with giving power to the government; disagreeing with merely sitting and watching indifferently, but standing up and doing something in order to make a difference in society" (Khanakammakan Prasangan Ongkan Phattana Ekachon et al., March 2006, p. 7). This is written in the spirit of a Thai NGO movement that has long been "in search of alternative livelihood" (Suthy 1995:104 ff.) against a capitalist and globalized economy. Indeed, the quote from the brochure is followed by the bold-type English expression "Another World is Possible." Not surprisingly, the name of the first co-publisher mentioned on the title page translates as "Coordinating Committee of Private Development Organizations." The latter expression is used in Thai for what is called "non-governmental organization" in English.

Irrespective of the terms used during certain periods, from the development briefly outlined here, some observers might conclude that, following mainstream assumptions, civil society generally is a democratizing force. One could draw a line of popular pro-democracy—or at least anti-dictatorial—protests forcing autocratic government leaders out of office from 1973 (students) through 1992 (middle class/NGO) to 2005/06 (Sondhi Limthongkul plus PAD/people's politics). How well does the latest round of protests fit into this outline?

Democratic Protests?

Obviously, the aim of the protests was to oust Prime Minister Thaksin Shinawatra from office. Despite the protestors' claims that this was their

¹⁰ For a book-length treatment by a veteran of the student movement that toppled the military rulers in 1973 see Seksan (2005). The expression "people's organizations" is used for separating organizations that claim to work for the people, such as NGOs, from organizations that were established by the people themselves in order to advance their causes. It is roughly equivalent to the expression "grass roots."

democratic right as long as the means were “peaceful,” serious doubts persist about how democratic the protests and their aim really were. In fact, this question continued in different form after the military coup of September 19, 2006. Many “people’s sector,” civil society, and NGO activists who had fought against Thaksin found it very difficult to be emotionally agitated against the coup—much different to what the majority of voters probably thought (Nelson 2006c). While probably most of the latter bemoaned the departure of their elected hero, many of the former thought that the military coup was necessary to save democracy from the clutches of an autocrat, a dictator, a tyrant even. A leaflet distributed at a protest in March 2006 was headlined “Expelling the tyrant is a gift for the nation” (Sathaban Sahasavas 2006).¹¹ Since the military had “saved democracy,” many civic sector anti-Thaksin activists did not think twice joining the military-installed government, National Legislative Assembly, Asset Examination Committee, Constitution-drafting Assembly, or other agencies in various capacities. Others accepted the coup as a fact, were satisfied with Thaksin’s forced departure, and tried to see the opportunities that the coup had brought for bringing Thaksin to account for his perceived myriad of corrupt actions and political authoritarianism. It is telling that public protests against the coup remained very small and sporadic events. A more principled democratic approach might have suggested not to get involved in any form with those who had used force in toppling a democratically elected government, and to do everything possible under the political restrictions imposed by the military to oppose the military rulers.¹²

This section will deal with three aspects of the doubts as to how democratic the protests were. First, they seem to have been based on the

¹¹ One might draw some parallels to Turkey’s military coup in 1997. That putsch was portrayed as saving democracy from being destroyed by an Islamist prime minister. On the occasion of its tenth anniversary, Agence France Press (February 28, 2007) called it a “postmodern coup.” Similarly, it has been tried in Thailand to deny that this putsch really was a putsch—after all, nobody can agree with an ordinary, democracy-abrogating coup, and even cooperate with its perpetrators. The author of the quote in the text, Wuthipong Priapchariyawat, was later appointed by the coup group to serve them on their National Legislative Assembly.

¹² Abstract principles are not very popular as action-guiding criteria in Thailand. Case-by-case pragmatism and socio-political opportunism, often related to one’s social support networks, are more important. For a collection of articles by anti-coup intellectuals see Thanapol ed. (2007). Interviews with anti-Thaksin, and thus often pro-coup, intellectuals and actors appeared in the journal *October* No. 6 (Pinyo, ed. 2007).

disenfranchisement of the great majority of voters. Second, the protests seem to have been a highly personalized affair focused on Sondhi Limthongkul's conflict with Thaksin Shinawatra, rather than a principled and broad-based people's movement. Third, Sondhi's and the PAD's emphasis on the King in trying to achieve their aim contradicted a "people's power" approach and reproduced a view of the people as subjects rather than citizens. I will deal with each of these aspects in turn.

Disenfranchisement of the great majority of voters

It would be a mistake to assume that the "people's sector" represents the "people." Rather, it comprises interest groups that deem themselves more democratically advanced than the supposedly passive and ignorant majority. Civil society organizations, academics and bureaucrats have long seen this majority as voters connected to politicians, who have been denounced as mafia-like and corrupt "electocrats" (*naklueaktang*).¹³ Together, voters and politicians are said to have established not a democracy but an "electocracy" (*lueaktangathipattai*). This form of government is characterized by "the tyranny of the rural majority and urban uncivil society" (Kasian 2005:128) over all those who perceive themselves as commanding superior political insight and capability. For some reason, however, these "more advanced" groups have been unable directly or indirectly to gain access to those electoral positions of political responsibility they think they are entitled to. Not surprisingly, this group of people is mostly found in the "civil" sector of the Bangkok population, and they share their negative view of dirty politicians and irresponsible voters with the military and the bureaucracy. For this reason, it did not appear undemocratic to them when the Bangkok-based forces of the "people's sector" and some of their small groups of up-country allies, in their protests spanning the months of September 2005 to September 2006, tried to force their will upon the "people." As voters, they might have overwhelmingly elected Thaksin Shinawatra to head the government in February 2005. However, from this

¹³ "Electocrats" are seen as being morally bad individuals, quite different from the average Thai. In fact, they are ordinary Thais who have to operate within the given social structures. As such, they are no different from other groups in Thailand. Their disadvantage is that politics is a very public affair, while bureaucrats, soldiers, journalists, academics, or managers are very much shielded from public scrutiny.

perspective, this had not led to a functioning democracy, but to a malfunctioning electocracy. The protests, as much as the coup staged in September 2006, were therefore not about undermining democracy, but rather about alleviating the negative impacts of electocracy.

Further, the great majority of voters living outside of Bangkok and bigger cities was openly denounced as uneducated, uninformed, open to bribery, and morally deficient. This presumption of a significantly privileged political understanding on the side of the activists and their supporters provided the ideological basis for giving much greater weight to the mostly Bangkok-based anti-Thaksin forces than to Thaksin's rural supporters in deciding the question of legitimacy.¹⁴ In an English-language summary of Sondhi's petition to the King of February 4, 2006 (Khamnun 2006:323-326; p. 325),¹⁵ this is put as follows.

Pol Lt-Gen Thaksin Shinawatra has lost all legitimacy to perform his duty as prime minister.

Actually, executive legitimacy has two components: The first is the legitimacy that comes from power granted by the people through the democratic process [elections]. The second, which is more important than the first and which is essential to legitimacy, is the legitimacy that comes from the exercise of executive power for the benefit of the nation and of the people.

This prime minister relies only on the first kind of legitimacy and proceeds to act only for his own benefit and he invokes this one kind of legitimacy to suppress the rights of the people, besides disregarding the royal power under the democratic system.

In other words, election results lose their democratic importance as soon as a group of people equipped with the means necessary to gain superiority in the public sphere and the mass media comes to the conclusion that the prime minister acts unethically, violates the national interest and that of the people.

¹⁴ In this context, "legitimacy" is not used as an academic concept but as a tool in the political struggle.

¹⁵ The Thai original is printed on pp. 315-322.

The first kind of interest is not easy to determine, while the second kind in fact seem to have been over fulfilled by Thaksin. After all, he had been accused of providing too many benefits to the people, called “populist policies.” This small puzzle disappears when we take into account that, in this context, “people” are not understood as the concrete voters, who have expressed their satisfaction or dissatisfaction at the ballot box. Rather, the word “people” here refers to an abstract collective—if not to the members of the group initiating the protests—that complements the equally abstract “nation.” The “nation” is made up of “the people,” and the protestors claim that they act in their interest. At the same time, they “fight for the King,” who is both the centre of the nation and its people. In this construction, the concrete people and their expressed political preferences are relevant only when they conform with the protestors’ set of opinions. If they do not, they must be fought. In other words, the interest of “the people” must be defended against the interests of the voters.

In a political-practical respect, Sondhi and the PAD had great organizational advantages compared to the mobilization problems of upcountry dwellers. Already a few tens of thousands of people protesting against the government in Bangkok can destabilize this center of power, while the dispersed majority cannot easily make itself felt by getting on a city bus, a taxi, or the sky train for a short ride to a protest venue. Universal suffrage then might be enshrined in the Thai constitution. However, until now, this concept does not seem generally to have been accepted by groups in Bangkok, or it is accepted only as long as they agree with its electoral outcome. To these groups, universal suffrage and its electoral consequences can only be accepted when political consciousness has been homogenized along the lines developed by the capital’s educated elite.¹⁶ However, the large political gap between urban, which is often reduced to mean “Bangkok,” and rural

¹⁶ A standard reference in this context is Anek (1996). He suggested that rural development should be used in order to remake villagers into members of the middle class. As a result, they would more or less automatically adhere to the same model of democracy as the established middle class at the center, and thus voting in elections would not any longer differ from the more advanced sectors of the population. Some modifications might be found in Anek’s latest publication, written with the benefit of having been the prime ministerial candidate of the Mahachon Party, which miserably failed in the election of February 2005 (Anek 2006).

areas—lamented about since decades—seem to persist.¹⁷ From this perspective, the protests constituted yet another rejection of what is seen by many Bangkokian academics, NGO activists, bureaucrats, and members of the middle class as an outcome of the electoral “tyranny of the rural majority” (Kasian 2005).

Remarkably, this “tyranny” has become considerably more direct compared to the time before the 2001 election. Prior to that year, critics of rural voting behavior could direct their attacks to constituency candidates who were seen as people with “provincial entrepreneur-cum-local mafia boss background” (Kasian 2005:128) and said to have gained their MP status by wielding dark influence and vote-buying in their local area. The prime ministers of Thai coalition governments had no immediate electoral legitimacy but were only indirectly supported by votes given to the constituency MPs who in turn elected them in parliament to head the government. This has fundamentally changed with the introduction of the party-list ballot by the 1997 Constitution. Thaksin Shinawatra is the first Thai PM who could claim very convincing direct mandates from the voters to govern the country, both in 2001 and in 2005. Significantly, this did not only refer to rural voters while, as usual, Bangkok’s voters would vote against the PM as determined by their rural compatriots. Rather, Thaksin was the first prime minister who effectively united the rural and the Bangkok voters. His Thai Rak Thai Party received 57.6% of Bangkok’s party list vote, thereby comfortably beating the Democrats’ 33.6%. In terms of MPs, TRT won 32 of Bangkok’s 37 seats.¹⁸ After the 2005 election, there were no serious voices that would have claimed Thaksin received “his” 19 million votes (Democrats: seven million) on the basis of electoral cheating. Rather, they were seen as a true reflection of the will of the voters—both those in the countryside and those in Bangkok.

¹⁷ I have made my contribution to this question in Nelson (1998, especially chapter 8). Using a specific theoretical approach, I did not refer to “two tales of democracy” as Anek (1996) did. Rather, I dealt with it as a difference between centre and periphery. For an approach that goes beyond the usual voter-centrism to include questions of provincial-level informal political structures, see Nelson (2005b; 2007).

¹⁸ McCargo and Ukrist (2005:252), in one of their scenarios that might possibly lead to the toppling of Thaksin, suggested that “May 1992-style protests” might happen if “Thaksin becomes profoundly alienated from the urban electorate...” Clearly, this sort of alienation did not materialize.

As a consequence, any Bangkok-based actions to topple the PM could not avoid having to declare that the great majority of votes cast for Thaksin—even of those cast in Bangkok—did not have as much weight as the political preferences of the comparatively small group of protest organizers, their followers, and their supporters. Thus, the protests very directly confronted the great majority of voters in rural and urban areas, including Bangkok. A standard “justification” was that democracy comprised much more than merely elections, a claim that most democracy theorists can easily agree with. However, in this Thai version,¹⁹ elections as the decisively important democratic mechanism in determining who was to govern the country and with it the role of the voters were fundamentally devalued. This was done to the advantage of tiny organized groups of people able to mobilize supporters and bring them out in the streets of Bangkok, thus making them highly visible in exerting pressure on the government.²⁰

Sondhi Limthongkul, civil society, or “the people”?

It is tempting to interpret the mass protests²¹ as a unified expression of a politically principled majority, as a collective uprising by “civil society” or “people’s power” in defense of a democracy threatened by an elected prime minister who unquestionably had turned into a “dictator.” After all, if Thaksin had undoubtedly turned into somebody as bad as Hitler—he was widely portrayed as such by NGOs and academic activists²²—then the masses surely

¹⁹ Another version is that “politics” does not only mean elections. This was stated in the brochure published by the NGO sector, together with FTA Watch, and the PAD (Khanakammakan Prasannan Ongkan Phattana Ekachon et al., March 2006, p. 5). Few would argue with this version, since it emphasizes civic politics more generally. On page 7 and 8, this brochure lists possible actions, from political activities in favor of the “people’s agenda” through forming groups, organizing boycotts to taking part in elections.

²⁰ Thaksin and his assistants organized a counter demonstration at Chatuchak Park, made up of people recruited and brought in from the provinces. However, it was too obviously a non-authentic gathering as to be taken seriously.

²¹ It should be noted that “mass protest” and “mass movement” are not the same. The street protests might have involved a “mass” of people, meaning tens of thousands of participants at any given time. However, the protests altogether never involved more than a very small fraction of Thailand’s population. Moreover, it was expressly aimed at countering an imagined “tyranny of the rural majority and urban uncivil society” (Kasian 2005:128). It thus defined itself as a minority movement opposed to the supposedly wrong views held by the majority.

²² For many months, the web site www.thaingo.org featured the reproduction of a German poster showing a huge Hitler in full Nazi uniform, who was given the Nazi salute by innumerable Germans. Hitler’s face was replaced with that of Thaksin, with Hitler’s mustache added and his hairstyle adjusted (this picture is reproduced in Nelson 2006d:36).

should have the undeniable right to raise against their oppressor. However, this perspective has already been undermined by the previous section. The masses who had given him their votes probably did not think that Thaksin indeed was a “tyrant.” It is further called into question when we look at the structure of the protests. As mentioned in the introduction, they started out of very personal motives of one individual, Sondhi Limthongkul, whose political style is that of a megalomaniac and irresponsible demagogue. Very few observers will probably insist that it is a disgruntled former friend-cum-propagandist’s democratic right to try and topple his personal friend-turned-foe, who had only a short while before convincingly been elected as the head of government. Indeed, it were these doubts concerning the democratic quality of Sondhi’s motives that had left him largely without wider support by important public figures, although some had joined him almost from the beginning, the newspapers, and civil society groups.

Nevertheless, it was Sondhi who had built up both the public protests and the public attention, and it was he who provided the media,²³ financial, and technical infrastructure²⁴ needed for such an undertaking. Yet, for the lack of justifiable reasons and sufficient evidence, his “movement” was on the verge

A lecturer from Thammasat University’s faculty of law, Banjerd Singkaneti, became famous for his remark, “What makes Thaksin different from Adolf Hitler is that Hitler did not do things for his own benefit. Hitler killed Jews but he did several things for his country. He was more useful for the country than Thaksin” (*Straits Times*, March 25, 2006). The article adds, “The charge is breathtaking. Mr Thaksin, as bad as Hitler, who killed millions of Jews and sparked a devastating world war?” Ironically, this *ajarn* Banjerd received his Dr. jur. from the Ruhr-University Bochum in Germany. Pictures of a Hitler-style Thaksin were a common sight at the protests around Government House and Rajadamnoen Avenue.

Finally, a PAD-brochure of rather disgustingly demagogic content, especially as far as the illustrations are concerned, was distributed in March 2006 in great numbers at its rallies. On page three, there is a picture with Thaksin towering over an outline of Thailand, his arm raised to the Nazi salute. The outline of Thailand is filled with small Thaksin look-alikes also giving the Nazi salute. However, instead of giving it to Thaksin, they turn away from him. The main authors of this pamphlet were former Senator Kaewsan Atibhodi, who is well-known for his emotional and inflammatory political style, and his twin-brother, then Senator-elect Khwansuang (Kaewsan et al. 2006).

It is telling that both Banjerd and Kaewsan were rewarded by the military after their coup by appointing them to the Asset Scrutiny Commission tasked with proving Thaksin’s, his family’s and his cronies alleged monumental corruption during his years in office.

²³ This concerns his *Manager (Phuchatkan)* newspaper and web site, the satellite-based TV channel ASTV, a radio channel, a constant flow of VCDs of his events, and the special tabloid *Mueang Thai Rai Sapda Sanchon* (Traveling Thailand Weekly).

²⁴ This included multiple stages, outside broadcast trucks, many LCD projectors and screens, and technicians.

of collapsing. Thirayuth Boonmee, a leading social critic, said that civil society “activists needed more evidences of corruption to try to bring down the Thaksin government” (*The Nation*, January 15, 2006). *The Nation* (January 20, 2006) spoke of the “self-styled Thaksin haters-cum-reformists” with their “less-than-transparent cause.” The editorial continued:

It is not inconceivable that a genuine people’s movement for political reform can arise from Sondhi’s campaign. It is simply a matter of rebalancing the mix: more rationality, less raw emotion, more public education, less incitement.

It was only when Thaksin sold his company to the investment arm of the Singaporean government that the above groups joined Sondhi, thus turning his personal crusade into something bigger. As far as I can see, Sondhi was also the first one publicly to point out that this sale was tax free. On January 20, he mentioned this point as one important issue of his next rally called for February 4. It was only four days later that other political actors started to voice their discontent. Democrat party MP Korn Chatikavanij criticized the fact that the sale was tax free. Long-time anti-Thaksin Senator Nirun Pithakwachara reflected a nationalistic strand of the protests saying that “the transfer of public services to foreign investors was a dangerous signal of economic colonization” and endangering national security (*Bangkok Post*, February 25, 2006). In a ridiculous exaggeration typifying the highly-charged atmosphere on the side of Thaksin’s opponents at that time, he also claimed that “Thaksin is the root cause of all problems” Thailand had been encountering (*The Nation*, February 25, 2006). The outcry of the following days included prominent opponents such as Chamlong Srimuang (who had actually brought Thaksin into politics via his Palang Dharma Party), Sangsit Piriya-rangsana,²⁵ Cherm-sak Pinthong,²⁶

²⁵ He is an expert on corruption and had long agitated against Thaksin’s alleged new version of this widespread phenomenon, called “policy corruption.” Sangsit was later appointed by the coup group to their National Legislative Assembly.

²⁶ After around 80 pro-Thaksin books had appeared over the past five years or so, Cherm-sak was the first one to publish a series of anti-Thaksin books, called “Knowing Thaksin” (*Ru Than Thaksin*). The first volume (Cherm-sak ed. 2004) was printed in March 2004. The first print-run of 5,000 was soon sold out, so that 25,000 more copies were printed in the same month. Observers had been so impressed with Thaksin’s public supremacy that they were surprised to learn that there were indeed people out there who did not agree with the prime minister—something one should not have been surprised about in a democracy. Anyway, the encouragement derived from the success of these books made Thaksin’s election victory in

Prawase Wasi (“Shin sell-off one way to murder the country”), the Lawyers Council of Thailand, the Press Council of Thailand, lecturers from Thammasat and Chulalongkorn Universities, the NGO Confederation for Democracy (Thaksin “no longer has the legitimacy to continue in his post”), Senator Kaewsan Atibhodi, and *The Nation* newspaper (Suthichai Yoon, Thepchai Yong, and Kavi Chongkittavorn).²⁷

Yet, none of these individuals and groups in any way represented “the people.” Rather, they belonged to a small group of well-known Bangkok-based opponents of Thaksin. The tax-free Shin Corp sale—in combination with the ground prepared by Sondhi—made these opponents see an opportunity coming up finally to get the practical-political upper-hand over their arch-enemy, after they had long been frustrated by their lack of political influence²⁸ and popular support, and after they had been shocked by how even the supposedly sophisticated population in Bangkok had confirmed Thaksin’s electoral legitimacy. From the perspective of these individuals and groups, political legitimacy is not about votes, but about voice and noise. Obviously, merely voicing a dissenting opinion, even by supporting occasional mass street

February 2005, especially that in Bangkok, only that much more disappointing for his critics. After all, they had hoped that the sales figures of the books would translate into a loss of votes for Thaksin, at least in Bangkok. They might have had forgotten that the pro-Thaksin book “Thinking like Thaksin Shinawatra: Leader of Asia” (Phichitra 2003) had seven print-runs between July and September 2003, and some bookshops kept special shelves for books by and on Thaksin.

²⁷ On August 28, 2006, Kavi Chongkittavorn wrote a comment headlined “What will transitional justice look like for Thaksin?” In this article, Kavi went as far as insinuating that Thaksin and his wife might well meet the fate of Ceausescu and his wife by writing, “The most dramatic recent example of transitional justice was the execution of former Romanian President Nicolae Ceausescu and his wife in December 1989. A military tribunal was quickly set up and a verdict passed. It was a necessary step to make a clean break from the past. But it did damage the country’s reputation as it was moving towards democracy and the rule of law.” Small wonder that *The Nation* wholeheartedly supported the military coup as a “necessary step” in the country’s “transition” to democracy. The suggestion, and even putting Ceausescu in the same category as Thaksin, shows to what degree the political atmosphere had gotten out-of-hand at that time.

²⁸ In the aftermath of the protests that toppled Prime Minister Suchinda Kraprayoon in May 1992, the “people’s sector” had become stronger, especially during the constitution drafting of 1996/1997, and a string of weak governments. Representatives of this sector, including critical academics and public intellectuals, had become used to being heard by those in power. Thaksin, being the strong and no-nonsense leader that he was, put these people back on the political sideline, and aggressively (partly by bringing ridiculously priced libel suits against critics) countered their criticism until few dared voicing their opinions any longer. The Sondhi protests broke this largely self-afflicted fear (Nidhi 2007:10), but also raised hopes that revenge was possible for all the felt humiliation that their sense of self-importance had suffered from Thaksin’s hands.

protests, is absolutely democratic. However, this was not what Thaksin's opponents had in mind. Rather, they expressly denied him his democratic electoral legitimacy—with no indication whatsoever where their legitimacy to decide about Thaksin's legitimacy was derived from, except from their very own opinions or their claim of superior political insight. They set about to force him out of an office he was indirectly elected to by a great majority of voters only one year earlier.²⁹

The next protest on February 4 was still a one-man-show by Sondhi, although some NGO people had turned up and eagerly waited to be called on to the stage, only to be disappointed by Sondhi ignoring them. Different observers put the number of demonstrators at 50,000-100,000. To be sure, without the Shin Corp sale, the turnout would have been considerably smaller. In fact, this protest was seen as a “soft landing” (*Bangkok Post*, February 22, 2006) for Sondhi, who had to be content with ever-dwindling numbers in the preceding weeks. Organizing one last rally, including submitting his petition for a royal intervention to the King, was seen as a face-saving way of bowing out of a lost cause. *The Nation* (January 20, 2006) had stated in an editorial that “Mob politics is not the answer,” “hot-headed and unreasonable,” and “totally unnecessary and unacceptable in a democratic society.” The Shin Corp sale, within only three weeks time, turned this position into a full embrace of “mob politics,” emphatically announced by the headline “Real war has just begun” (*The Nation*, February 10, 2006).

On February 9, the protest actions were supposedly pushed beyond Sondhi's more doubtful personal motives by the establishment of the People's Alliance for Democracy (PAD; *phanthamit prachachon phuea prachathipattai*). Chamlong Srimuang and his “Dharma Army” of Buddhist-sectarian and disciplined followers joined a few days later. At the core of the PAD were a few dozens of NGOs, with Suriyasai Katasila, the secretary-general of the Campaign for Popular Democracy, acting as the coordinator.³⁰ Understandably, the NGOs brought their respective policy concerns to the

²⁹ The demands went as far as that he should leave politics altogether, or even the country.

³⁰ It should not be overlooked that the NGO activists and well-known public figures indeed had the option of rejecting what Sondhi had created and instead started their own demonstrations.

protests. In fact, from the very beginning at Lumpini Park, a group opposing the privatization of the Electricity Generating Authority of Thailand (EGAT) had joined Sondhi. On the left-hand side of the entrance to the meeting hall, Sondhi's group made brisk business selling their yellow t-shirts with the print "*roa cha su phuae nai luang*" (We will fight for the King). On the right-hand side, the anti-privatization group sold its t-shirts showing the crossed-out face of Thaksin, with their demands printed on the back.³¹ A questionnaire distributed by the PAD, dated March 25, 2006 (Phanthamit Prachachon Phuea Prachathipattai 2006), was headlined "Join the Public Referendum." It listed eleven issues of contention. Participants at the demonstration around Government House and Rajadamnoen Avenue were asked to select the three issues they deemed most important.

They included free trade agreements and the demand to have them ratified by the House of Representatives; the duty of the state to provide public utilities without seeking to maximize profits (privatization); social welfare policies; the management of natural resources; the right of the people to determine their own economic, social, and cultural future; the establishment of mechanisms so that the "people's sector" could check upon the use of state power at all levels; the passing of constitutionally stipulated organic laws and the establishment of the related independent organizations, for example the consumer protection organization, within one year; mass media reform; the passing of constitutional amendments so that people could more easily suggest draft laws in parliament and have them adopted; and tax reform. The last point on the list concerns changes to the constitutional status of MPs and senators, such as lifting the bachelors degree requirement. Another, partly overlapping, list of 15 items is given in a brochure already mentioned above

³¹ See the leaflet "*Lenrae praethatu – borikan satharanupphok klai pen sombat suantua*" (Performing alchemy – public utilities become private property), distributed in November 2005, and the "*Chotmai phanuek thueng phi nong prachachon*" (Open letters to our fellow citizens) nos. one and two, also distributed in November 2005. The latter asked people to join the organizers' activities at Lumpini Park on November 18, 2005, under the headline adopted from Sondhi "*Rao cha su phuae nai luang...rao cha su phuea nai luang*" ("We will fight for the King...we will fight for the King.") It was not clear, however, what saving EGAT from privatization had to do with the King. The text said, "We invite all our fellow citizens who love the country. The future of the country is in the hands of the people joining to sign their names to oppose bringing the Electricity Generating Authority of Thailand (EGAT) to the stock market."

(Khanakammakan Prasannan Ongkan Phattana Ekachon et al., March 2006, pp. 9-15). Among other issues, it includes demands concerning the system of agriculture, decentralization, access to state-agency information, the support of people's organizations, economic justice and income distribution, energy policy, and the deliberation of big construction projects. In addition, special attention is asked to be paid to the free trade agreements the government had been pushing, an end to privatization, and the guarantee of basic rights, such as regarding education, land, "sufficiency economy", and health. It is stated that, "We do not support the 'populist' policies [of the Thaksin government] that only serve to seek votes" (Khanakammakan *et al*, March 2006, p. 9).³²

Obviously, all these demands remain within the traditional approach to policy advocacy by civil-society organizations. As such, their demands must compete in the political market place, in public opinion, and in elections. If they cannot built up a majority for their proposals, NGOs have no right to see them adopted and implemented. In any democracy, policy advocacy, including lobbying, can only aim at influencing the public, political and administrative perception of problems and their proposed solutions. However, the protests at which the questionnaire and the brochure were distributed in great numbers mainly aimed at forcing an elected prime minister out of office. Therefore, the NGO's policy disagreements could be advertised to the participants in this sort of street politics, but they could contribute nothing to justify the purpose of the protests, although many protestors apparently had this misconception. Mass protests aimed at toppling a democratically elected prime minister cannot rely on disagreements over policies.³³ It is such a prime minister's right to make those collectively binding decisions he thinks are best, even if others think that he is wrong, and call his approach "populist." Merely adding that with Thaksin the capitalists had "taken over" Thailand, that Thaksin was almost like former

³² At the protests, the PAD distributed a booklet misleadingly stating that the 30-baht health-care program, one of Thaksin's flagship "populist" policies, was actually the constitutional right of the people, and thus this government could not take credit for it (Phanthamit Prachachon Phuea Prachathipattai n. d.).

³³ The expression "democratically elected" refers to Thai standards, not to the more advanced situation in most western democracies.

military dictator Sarit Thanarat,³⁴ and that he had increased political monopolization (Khanakammakan et al, March 2006, p. 4f.), is insufficient.

In this context, it rather dilutes demands concerning principles when they are mixed with self-interested policy concerns. In the PAD's major declaration demanding a royally appointed temporary prime minister who would specifically be tasked with constitutional reform in order to prevent a person such as Thaksin again being able to undermine the constitutional order, the NGOs also wanted to take this opportunity to push through a number of their policy proposals for which they could not hope to find a majority under normal political circumstances. These proposals included stopping negotiations for free trade agreements, ending privatization, reversing the Shin Corp sale to Singapore's Temasek, and ending the Singaporean military's use of training bases on Thai soil (Thalaengkan 6/2549 [2006], p. 162 f.).

A variation of the major thrust of the protests was the claim that Thaksin had misused his electoral mandate "for arrogantly seeking benefits for himself, his family, and his cronies" (Phanthamit Prachachon Phuea Prachathipattai, March/April 2006, p. 3). At one point, this PAD leaflet, distributed in great numbers at the protests around Government House and Rajadamnoen Avenue before the elections of April 2006, points to Thaksin's decisive misstep: "The last straw that exhausted the people's patience was when Police Lt. Col. Thaksin etc. decided to sell their stocks in Shin Corp for more than 70 billion baht without paying even a single baht of taxes to the country" (ibid.). Certainly, this was when NGOs and public figures critical of Thaksin—that is, those who had not already supported him since his time at Lumpini Park, such as Prasong Sunsiri or Chermsak Pinthong³⁵—found a reason to join Sondhi in his attempt to push Thaksin out of office. When these members of civil society, or

³⁴ In 1958, Sarit Thanarat conducted a coup that led to a period of ten years without a constitution, parliament, political parties, the right to politically organize, and without press freedom. On his regime see Thak (1979).

³⁵ The military rulers appointed Prasong to their National Legislative Assembly and went on to install him as the chairman of the Constitution Drafting Committee. Prasong belongs to the group around Prem Tinsulanonda, the chairperson of the King's Privy Council, who is believed to be a driving force in ideologically preparing the military coup, as far as the side of the military is concerned. Chermsak got a TV show and a lucrative seat on a state enterprise board (Airports of Thailand).

newspapers, talk of “the people,” they mean themselves and their groups.³⁶

But did civil society advocates or NGOs add anything vital to what Sondhi had achieved already? Supalak (2006:177ff.) does not think so. Her section dealing with this question is headed “*Phanthamit Sondhi rue phanthamit prachachon*,” which translates as “alliance of Sondhi or alliance of the people?” In the introduction to the anti-coup book edited by Thanapol (2007:[11]), the civil society activists and NGOs who joined Sondhi are dismissively called “*hang khrueng*,” which refers to the “dancers” or “sidekicks” of the main actors in the Thai theatrical performance of *likae*. Sondhi, in other words, called the shots, and the others had to follow. As Supalak (2006:178) sees it, the respective resources of the PAD’s five core leaders—Sondhi, Chamlong, Somkiat Phongpaiboon, Somsak Kosaisuk, and Phiphob Thongchai—were very different. Sondhi provided the funds, the media and the technical infrastructure. Chamlong brought his “Dharma Army” to beleaguer Government House in their “village” of tents. They also shared their food with participants. Somkiat merely is a lecturer at an up-country third-tier Ratchaphat university;³⁷ he has no following. Somsak is a long-time labor activist who could only provide some people for the security unit, but no mass of participants from the labor sector.³⁸ Phiphob has been an activist in

³⁶ Civil society advocates, members of the establishment, and newspapers have the habit of referring to the wishes of “the people” to support what in fact are only their own concerns. In one of its declarations, the PAD wrote, “If Thaksin is still stubborn and does not resign from his position according to the decision of the Thai masses who are the true owners of the nation...” (Thalaengkan 5/2549 [2006]). Surely, this use of “Thai masses” did not refer to all those voters who had elected Thaksin, but rather to a relatively small number of people who, however, had managed to center public attention on themselves.

³⁷ Ratchaphat universities (*mahawithayalai rachaphat*) are what was formerly called Teacher’s Colleges.

³⁸ Somsak was amongst the six founders of the Confederation of Democracy (CFD), which joined the mass protests of May 1992 rather late, but then—in a process of factional conflict—took over with its, or Chamlong Srimuang’s, more aggressive approach compared to that of the majority in the Campaign for Popular Democracy (CPD) (see Suthy 1995:131 ff.; Choi 2002:25ff.).

The other founding members were medical doctors Weng Tojirakarn and Sant Hathirat, slum activist Prateep Ungsongtham, student leader Prinya Thewanarumitkul, Chamlong Srimuang, and Rattanawadi Worachat. According to Dr. Sant, the CFD had sent Somsak to be its representative on the PAD. When the PAD, or decided to use Section 7 of the Constitution, calling for royal intervention, the CFD withdrew from its participation in the anti-Thaksin protests, although Somsak “decided to stay with the PAD” (*Bangkok Post*, April 8, 2007). Later, the PAD/CPD would support the coup plotters and their government, while the CFD would agitate against them.

the democracy NGO Campaign for Popular Democracy, which comprises only a handful of members.³⁹ None of these three individuals could contribute anything of material substance to the protests.

When Chamlong Srimuang joined the PAD, its coordinator, Suriyasai Katasila, warned him that this was not a “one-man show” (*The Nation*, February 20, 2006). After all, since he had played his controversial role on the protests of May 1992, Chamlong was well known for his independence and his confrontational approach. In fact, attention should rather have focused on Sondhi. As Supalak (2006:178) puts it, “Sondhi used his power derived from financing stage and communications, including his privilege as the one who had started the anti-Thaksin protests, to bang on the table so that the others would go along with him.” Certainly, the additions to Sondhi’s drive to get rid of Prime Minister Thaksin added color to the speeches on the protest stage. Their direct contribution to the audience, however, probably was very limited, since it was mostly composed of people who previously had followed Sondhi’s movement, and members of the Bangkok middle class who had followed the PAD’s activities in the mass media (*ibid.*). This is also my impression from having observed the protests on three occasions. Finally, the PAD’s presence outside Bangkok, especially in rural areas, was very limited (Supalak 2006:177). Certainly, Sondhi sees himself as the by far most important actor. A book published after the military coup about the protests between September 2005 and September 2006—the subtitle reads “365 days of overthrowing the Thaksin system”—by one of his close colleagues at *Manager* newspaper is plainly called “The Sondhi Phenomenon.” The PAD barely gets any mention and only three pictures in this publication (Khamnun 2006).⁴⁰

It might very well be, as Pye and Schaffar (forthcoming) claim, that the NGOs had become more and more critical of Thaksin’s policies. However, besides this criticism being irrelevant to the main purpose of the protests, it

³⁹ Most NGOs are like this, for which reason they have been called “ghost organizations” (*ongkon phi*). More often than not, they consist of the chairperson, the secretary-general, and a few followers. This makes their networking activities all the more important.

⁴⁰ As if to reward the author of this book celebrating Sondhi’s great deeds in bringing down Thaksin for his role in the protests, or perhaps as Sondhi’s representative, the military coup group appointed him to their National Legislative Assembly.

was also insignificant as a factor contributing to the number and composition of the audience, or in the decision-making structure supporting the organization of the events. Civil society organizations did not grow beyond being opportunistic junior partners of Sondhi, and partly of Chamlong. While Pye and Schaffar seem to be unrealistic about the real power of the civic sector, Ungpakorn et al. (2006), criticize it from a Leninist perspective concerning strategic class alliances in protests. In their view, people's power forces should not have collaborated with the capitalist class (meaning Sondhi) and the middle class, because this necessarily disadvantaged the interests of workers, peasants, and the poor. Thus the issues that PAD raised are seen as unacceptably "narrow" (p. 304). One wonders whether Ungpakorn et al. have somehow lost sight of what the protests actually were about. One might also doubt whether their socialist-revolutionary class perspective really is of much relevance for analyzing Thailand's contemporary politics.

The people or the King?

Sondhi's political talk show was banned from state-run TV, because—so the official reason given by the *amnat muet* (dark powers) as Sondhi called them, referring to Thaksin and his group—he had improperly drawn the monarchy into his persistent attacks on Thaksin (*The Nation* and *Bangkok Post*, September 16, 2005). The report in *Bangkok Post* is accompanied by a picture of Sondhi "lambasting" the authorities and wearing a t-shirt with the words "We will fight for the King." This was complemented by a banner placed for some time above the masthead of Sondhi's *Manager* newspaper reading "Return the royal power" (*thawai khuen phraratchaamnat*). In *The Nation* (December 2, 2005), commentator Thanong Khanthong noted that Sondhi's main slogan "raises some disturbing questions because it is not spelled out who or what the enemy may be" in this "fight for the King." In fact, it was pretty clear that the target was Thaksin, standing accused of having infringed on the power of the monarch.

Obviously, this approach was disliked by the palace. Privy Councilor Surayud Chulanond, who the military coup plotters would later appoint as the interim prime minister, cautioned that the King should be above politics, and thus not drawn into genuinely political conflicts (*The Nation*, November 29,

2005). One might wonder why, in supposedly democratic protest actions organized by the “people’s sector” or civil society against a disliked prime minister, there was a need for any references to a monarch. Is it not enough to rely on the power of the people? Pravit Rojanaphruek (in *The Nation*, November 2005) noted that some observers felt that this use of the King was “a regressive tactic as democracy should not invoke input from the King who is above politics.” However, Pravit also had to admit that drawing the King into the dispute was a powerful tool of political mobilization saying, “While many people have criticized Thaksin over the years, Sondhi’s reference to the King must have touched a nerve among many loyal subjects.” In other words, all genuinely political criticism brought against Thaksin by civic-sector advocates or self-styled public critics could not reach the people nearly as much as Sondhi’s combination of wild attacks and his emphasis on the King did. Thus, these protests were not so much based on a rational, informative democratic discourse, but rather on emotions—against Thaksin, and for the King. This went as far as formulating the monstrous alternative of “you are either for the King or for Thaksin.”

In this context, “the people” must be strong not in the sense of individual democratic consciousness or civic responsibility. Rather, they are part of a more nationalistic “communitarianism.”⁴¹ From this perspective, the nation is the highest good and has an existence which is quite independent from that of the individual citizen or the collective citizenry. Thus the battle cry of the protests: *ku chat* (save the nation). At one of his addresses to his followers, Sondhi, an accomplished demagogue, aroused the audience by the following dialogue depicting Thaksin as a danger to the monarchy, to religion, and thus finally to the nation.

Sondhi: The people must be strong so that they can protect the King
(*phrachaoyuhua*)! *Chai rue mai chai?* (Yes or no?)

Audience: Chai!

⁴¹ Thailand is not the first country that tries to counter its increasing societal structure by a communal semantic construction, partly by references to an imagined past of village communities. Nationalism, the dominant role of the state, and especially the King as “father” or “center” of the nation, quasi as a national-level village headman, might be seen as variants of this communitarian culture.

Sondhi: The people must be strong in order to prevent another person such as Mister Thaksin from occurring again! *Chai rue mai chai?* (Yes or no?)

Audience: Chai!

Sondhi: When the people are strong, the Monarchy (*phramahakasat*) is strong. When the Monarchy is strong, then the religion (*satsana*) will be strong as well! *Chai mai phi nong?*⁴² (right?)

Audience: Chai!

Sondhi: And when the religion is strong, then the nation (*chat*) will also be strong!”

At this point, Sondhi’s voice almost cracked, and he banged his flat hand on the lectern. His rhetorical question of “*chai rue mai chai phi nong*” (yes or no) was met with a thunderous “Chai!” by the audience.⁴³

Thus, though the people occupy a position of vital importance to the very existence of the “nation,” their role is determined from the top down. Their purpose is to serve the nation, whatever form the state assumes. This semantic is not about the state serving its constituent citizens. Piyabut (2007) puts it this way: In “Thai-style democracy” (*prachathipattai baep “thaithai”*), the people are not “citizens” (*phonlamueang*) but “servants of the nation” (*kha phaendin*).⁴⁴ The other three elements mentioned in the dialogue above—*chat* (nation), *satsana* (religion), *phramahakasat* (monarchy)—are by no means accidental. Rather, they are the trinity making up the conservative official Thai state ideology (Murashima 1988). In this scheme of things, independent citizens as the highest sovereign of the country—be it as individuals, members of civil society, or voters in a democracy—eke out a miserable existence, as do citizens-turned-politicians.⁴⁵ For some time, there

⁴² The expression *phi nong* reflects the Thai way of seeing fellow Thais like a family. *Phi* is elder brother or sister, while *nong* is younger brother or sister.

⁴³ This episode is taken from a VCD enclosed in Khamnun (2006).

⁴⁴ For a Thai-style description of Thai-style democracy, written in English, see chapter one on “Understanding Thai Democracy” in Kobkua (2004).

⁴⁵ It might be noted here that, according to the Thai constitution of 1997, it is not the Thai people who directly exercise state authority by elections and the legislative, the executive, and

have been faint attempts to add “democracy” to these three elements—without success. Until today, official functions at all levels of government are held only after they will symbolically have been situated within this trinity. Moreover, many protests by citizens, and the Sondhi/PAD protests were no exception, will carry these symbols with them. Thus it is demonstrated that the respective activity submits itself to the political order represented by these symbols, not that they take place within the boundaries set by the constitution. At functions in the bureaucracy, the highest representative will pay respect to a standard arrangement consisting of a national flag, a Buddha statue on a pedestal, and a picture of the King. There is no component symbolizing the democratic-constitutional order, and thus the foundational role of the people as those to whom sovereignty belongs. At an early stage of his protests, Sondhi asked his followers to get up from their seats, and then read an oath to serve the King—to be repeated by the audience—in front of such an arrangement.

On November 23, 2005, political scientist Pramote Nakornthap, as part of his continuous ideological support for Sondhi, published an article in the latter’s *Manager (Phuchatkan)* newspaper. In this article, which was distributed in photocopy at one of Sondhi’s rallies at Lumpini Park, Pramote attacked the planned privatization of EGAT and other economic measures of the Thaksin government as being opposite to and destroying the King’s “sufficiency economy.”⁴⁶ All those who had already listened to the King’s edict that one

the judiciary. Rather, it is the King who exercises the people’s “sovereign power” through the three branches of government (Section 3). State officials are called *kharatchakan*, meaning “servants of the King.” It was thus not without reason that Prem Tinsulanonda, in the lead-up to the coup, repeatedly reminded civil servants and soldiers that they served the nation and the King, not any particular politician. He compared the Thai prime minister to a “jockey” who merely rode a horse, but did not own it. The owner then was not the people, as one might expect in a democracy, but the King (Nelson forthcoming). Prem’s statement reflected the way in which the royalist, bureaucratic and military forces tend to understand “democracy.”

⁴⁶ For some years, the King’s ideas concerning the “sufficiency economy,” as a major guideline for re-orienting Thailand’s economic development policies, have been promoted by royalist forces. Even Thaksin could not avoid this issue. While he would talk about the virtues of making money and getting rich, his wife would open newly-built regional sufficiency economy studies and training centers. In an extraordinary move, the United Nations Development Programme (2007) had made “sufficiency economy” the main theme of its Human Development Report 2007 on Thailand.

The main writer of this report is Chris Baker, otherwise not known for being a staunch and propagandistically inclined royalist, but rather as an independent and critical political analyst. In a democratic political system, one normally would expect that major policy decisions—the UNDP report admiringly declares in its preface that “sufficiency economy” is now being “adopted as the basis of national government policy”—are subjected to critical analysis and

should not blindly follow foreign ideas, such as privatization, should also act accordingly: the prime minister, the government, the opposition, members of parliament, senators, the mass media, and academics. From this perspective, the King has some sort extra-constitutional status as the “centre of the nation” that guarantees national unity. He has also superior insight, which is why everybody has to listen to him and follow his advice, not the other way round. Pramote states, “As most Thais, I equally believe that ‘The King is the ultimate patron of the nation.’”⁴⁷

Obviously, “the people” occupy a rather obscure place in this order of things. They cannot—and must not—rely on themselves as it should be in a democratic-constitutional order. Even their political-constitutional sovereignty is not their natural right, but rather “graciously bestowed” (*phraratchathan*) upon them by the King. In the English version of his petition to the King of February 4, 2006, Sondhi’s writes:⁴⁸

The people at large are the owners of the sovereign power bestowed by the Crown so [if the government lacks legitimacy and has caused a big crisis] they have the absolute right to call for the return of this power to hand it over to the Crown to exercise it in

public debate. However, the “sufficiency economy” was, to use the words of the chairperson of the King’s Privy Council, Prem Tinsulanonda, “graciously bestowed on us by our beloved Monarch, His Majesty the King” (Prem 2001). He called it “an enlightened way forward, as a feasible approach to achieving the common objective of a stable, equitable, and durable development for all the people and communities in our land” (*ibid.*).

Therefore, any public discussion, and this means analysis and criticism with the possibility of rejection, is impossible and threatened by Thailand’s strict law of *lèse-majesté*. When the UNDP report, in its preface, claims that “these ideas have been widely and intensively discussed within Thailand in recent years,” then this is simply not true. As indicated by Pramote’s usage, this situation makes the concept well suited as a political weapon, because people attacked cannot easily talk back without being seen as disloyal to the King.

⁴⁷ In the conclusion of an official “memoir” of the King, published in 1971, we read, “The King and the People become one. The Throne and the Nation become one, and a profound meaning is thus given to the Thai Throne. It becomes the personification of the Thai nationhood, the symbol of the Nation’s unity and independence, the invariable constant above the inconstancies of politics, indeed, as it is written to be, the repository of the sacred trust of the whole nation” (Office of His Majesty’s Private Secretariat 1971:26).

⁴⁸ In fact, as Khamnun (2006:231) relates, the original version was written by former political scientist Chai-anan Samudavanija. That version underwent some changes. According to Khamnun (*ibid.*), the role of Chai-anan should not surprise anybody, because he and Sondhi had long been like “twins.” A son and a younger brother work with Sondhi’s Manager company. Like Sondhi, Chai-anan had once helped Thaksin in a number of capacities. Needless to say, the coup group appointed Chai-anan to their National Legislative Assembly.

cooperation with the people.⁴⁹

In this understanding, the King lends sovereign power to the people, who then use it within the means of a constitution to elect a government. Therefore, if the government turns out to be bad, then the people can relinquish their power by returning it to the King. In an arrangement that by-passes the constitution, he would then use it “in cooperation with the people.” How this extra-constitutional cooperation between King and people is supposed to work is not explained, especially if the PM does not want to “return his power to the people.” Supposedly, the King would appoint a prime minister of his choice. However, this would pose the question of what to do with the prime minister who had been elected to his office, based on a popular vote and a clear majority in parliament. Finally, if the “people at large” are the owners of sovereign power, how then can a tiny dissatisfied group speak for this “people at large” and decide in their stead? They, meaning Sondhi, expressed their decision as follows:

His Majesty’s subjects submitting this petition have no other recourse or no other institutions to turn to in order to solve and eliminate these very serious problems of the nation than by submitting the present petition for His Majesty’s consideration (Khamnun 2006:326).

Even if this group of people was genuinely desperate and did not want to use the means provided for in the constitution, because they thought that Thaksin’s influence had made them ineffectual, the fact still remains that this group by no means equated with “the people at large.”

At that stage, the demand for royal intervention was not yet framed by referring to the constitution. Rather, an abstract construction concerning sovereignty and the relationship between King and people was chosen to “argue” the case. One month later, in March 2006, a constitutional justification took shape. Proponents of a royal intervention thought that they had found such a justification in Section 7 of the 1997 Constitution. It says:

⁴⁹ The quote is taken from Khamnun (2006:326), while the part in brackets is taken from the Thai original (p. 321).

Whenever no provision under this Constitution is applicable to any case, it shall be decided in accordance with the constitutional practice [the Thai-language version does not figure “constitutional” but only says *prapheni*, meaning custom or tradition] in the democratic regime of government with the King as Head of the State (Council of State 1997).

For those who wanted Thaksin out of office, this stipulation narrowed down to a royally bestowed temporary prime minister, tasked specifically with facilitating constitutional amendments and subsequent elections. On March 1, senators critical of Thaksin met and decided that a situation fitting into Section 7 had not yet occurred, because Thaksin was still acting as a care-taker prime minister, after he had dissolved parliament on February 24. The senators thought that he had to resign from this position first (*Post Today*, March 1, 2006). Banjerd Singkaneti, lecturer at Thammasat University’s faculty of law and fierce critic of Thaksin, agreed that the situation was not yet ripe. He also pointed out that if Thaksin chose an option short of resignation, he simply could appoint one of his deputy prime ministers to fulfill his duties (*ibid.*). Suraphon Nitikraiphot, president of Thammasat University and professor of law, also stated that there still were no legal-constitutional reasons “at all” to call for the application of Section 7 (*ibid.*). Conservative senior legal expert, Meechai Ruchuphan,⁵⁰ shared a similar view. Although there had been some signs of political disaster, but the application of Section 7 was not yet called for. Meechai also opposed the use of the King as a means in the political struggle by saying that the situation was still within the confines of different groups trying to gain political advantage. Importantly, even if the care-taker prime minister resigned, this would not lead to a vacuum, because the care-taker cabinet was still there and could thus appoint a deputy prime minister to stand in for Thaksin (*Krungthep Thurakit*, March 2, 2006). After all, as a more junior legal expert also pointed out, one cannot resign from a care-taker cabinet, that is, a cabinet that already had left office. If the care-taker prime minister chose not to fulfill his care-taker duties, a deputy prime minister simply would take

⁵⁰ Immediately after the coup, its plotters later drafted him to write the interim constitution for them. They later appointed Meechai to their National Legislative Assembly, where he was elected speaker.

over. The understanding of the protestors that Thaksin's "resignation" would cause a legal void enabling the application of Section 7 was "incorrect" (Piyabut 2007:51f.).

Only a few days after Suraphon had expressed his opinion that the time had not yet come "at all" to call for the application of Section 7, he issued an open letter to Thaksin and the opposition parties—calling for the application of Section 7. The present political situation, so his new-found position, could lead to a severe crisis. Moreover, there did not seem to be any way out. Thus, he called on all parties to take a step backward in the interest of solving the conflicts, securing peace, and saving democracy. His core suggestion now was that Thaksin should resign from his position as care-taker prime minister, followed by a royally bestowed replacement. Second, the royal decree setting the election date on April 2 should be amended. Third, the opposition parties should take part in the elections. Fourth, private organizations should help the Election Commission of Thailand to supervise the elections. Fifth, all political parties should promise to pursue constitutional amendments after the election had been concluded (*Matichon*, March 4, 2006).⁵¹

Two days later, 96 academics, senior medical doctors, senators, national artists, and members of the royal family submitted a petition to the King asking him to appoint a temporary prime minister and cabinet, based on Section 7 of the Constitution. After the coup, a number of them joined the military junta in various positions. The PAD followed this trend on March 23 by issuing their "Declaration of the PAD No. 6/2006 on arranging a big protest in order to call for a royally bestowed prime minister according to section 7 of the constitution to remove the cause of the nation's crisis" (Thalaengkang 6/2549 [2006]).

After the election of April 2, 2006, the PAD reiterated its stance although Thaksin—following an audience with the King on April 4—had declared that he would transfer his duties to a deputy prime minister (*wenwak*, that is without stepping down), and that he would not accept the position of prime minister of the coming government. The protestors insisted that *wenwak* did not

⁵¹ The coup plotters later appointed Suraphon to their National Legislative Assembly. He also acted as an advisor to the military-installed Prime Minister Surayud Chulanond.

guarantee that Thaksin would “remove himself from seeking political power,” demanded that he speedily step down and be replaced by a royally appointed prime minister according to Section 7 (*Matichon*, April 9, 2006). Suraphon, on the other hand, replaced his earlier suggestion for the application of Section 7 with the proposal—shared by many—that the next government should limit itself to overseeing constitutional reform within six months to one year, followed by the dissolution of parliament and fresh elections based on the new rules (*Krungthep Thurakit*, April 6, 2006).

That supposedly pro-democracy civil society groups would not support democratic means, that is rely on their own power and that of the people, but rather look to an extra-democratic *deus ex machina* in order to achieve their political ends, might seem odd. However, the groups involved in the Thai protests were rather diverse, and they were more interested in achieving their end than in giving a textbook example of independent civic sector political movements. While their common enemy was Prime Minister Thaksin Shinawatra, the Thai political structure provided them with an institution that they could use as a political tool—the King—to fight that enemy. They correctly calculated that relying on their principal democratic means—advertising their cause in order to secure broad public support and thereby putting pressure on Thaksin—would never give them what they desperately wanted: Thaksin’s immediate resignation and removal from politics for good.

Yet, not all anti-Thaksin actors were willing to be this tactical with their democratic aspirations. Suthachai Yimprasert, a well-known critical university lecturer, considered the use of Section 7 as a step back for Thailand’s democracy. From his perspective, Section 3—stipulating that “sovereign power belongs to the Thai people”—was more important than to fall back on the old “custom” of royal intervention. To him, it was important to follow democratic principles (*Post Today*, 1 March 2006). Kaewsan Atibhodi, one of the most fiery opponents of Thaksin, who had gone as far as equating him with Hitler (Kaewsan Atibhodi et al. 2006), suggested that citizens had to solve their own problems. They should not bother the King. He should merely be the last political “capital” in case everything else failed. People should refrain from forcing the King to take political sides, which would make him part of the

problem (*Krungthep Thurakit*, March 4, 2006). Finally, Thirayuth Boonmi, a veteran of the 1973 student movement that ousted military dictator Thanom Kittikachorn and a leading social critic, in one of his celebrated periodical statements, expressed his opposition against the use of a royally bestowed prime minister. However, he gave it a particular “people’s power” spin. According to Thirayuth, it was the people who already had the power according to Section 7. While the PAD and others related the “custom” mentioned in the section only to a royal intervention, Thirayuth replaced the King by the people as the main actors. If they could not any longer tolerate the abuse of power by a government leader, then the people were willing even to sacrifice their lives in order to remove that person from his position. Examples of this included October 1973 and May 1992. Yet, this should only be the means of last resort, which nobody wanted to be realized (*Matichon*, 5 March 2006).

After the events, Supalak (2006) vehemently attacked Sondhi’s royalist direction and the fact that the additional activists forming the PAD went along with him. In case Sondhi’s originally envisaged approach—return the power to the King—was possible, Supalak (2006:173) asked, what would this mean concerning the change from absolute to constitutional monarchy in 1932, and for the people’s struggles for democracy in the past? From this perspective, Sondhi’s approach was not only unconstitutional and undemocratic. Importantly, it also played into the hands of the Thai elite’s royalist faction (*fai niyom chao*) in its long-standing and persistent attempt to create a strong leadership cult around the monarchy.⁵²

⁵² See Thak (1979) for the initiation of this process that resulted in the King becoming, in the words of Kobkua (2004:168ff.), the “Supreme and Undisputed Pillar of the Nation.” Supalak (2006:175) goes as far as comparing the situation with that in North Korea. The process character is also pointed out by Connors (2003:128), “If, in the mid-1970’s, the fate of the monarchy seemed uncertain, within less than a decade even progressive intellectuals could not conceive of the ‘Thai’ nation without its wise king. The God-like status of Bhumiphol is not part of the family treasure, but something that hundreds of officials in the palace and other agencies have contrived to create. Key to this has been the promotion of ‘democracy with the king as head of state.’”

One might note here that the coup of September 19, 2006, was performed under this slogan. For an official biography of the King see National Identity Office (2000). In the forward, we read, “The concern that few foreign readers would have a ready understanding of the reverence and deeply-rooted love which Thais have for their monarch led the National Identity Board to try to express this sentiment in a lively and accessible manner. In so doing, the National Identity Board hopes to arouse the interest of the reader in a monarch who has been a symbol of perseverance and self-sacrifice for generations of Thai people.”

People following the idea of “return the power to the King” were, with Supalak (ibid.), misled to assume that democracy was something royally granted, instead of ascribing sovereignty to the people. In other words, the “Sondhi phenomenon” and the PAD contributed to disempowering the people. They were led to believe that, rather than organizing and relying on themselves, they needed a higher power to achieve their political aspirations. Even after the protests had ended, this emphasis of “royal power” over “people power” (her expressions) could not but contribute to the construction of Thailand’s political culture, democratic or otherwise (Supalak (2006:169).

In an ironic turn of events, it then was the King himself who rejected Sondhi’s and the PAD’s approach as both unconstitutional and undemocratic. On April 25, 2006, in his addresses to two separate audiences for judges of the Supreme Court and the Supreme Administrative Court, amongst other issues, he also denounced the PAD’s persistent calls to replace the Thaksin government with a royally-appointed government, based on Section 7 of the constitution:

I have suffered a lot. Whatever happens, people call for a Royally appointed prime minister, which would not be democracy. If you cite Section 7 of the Constitution, it is an incorrect citation. You cannot cite it. Section 7 has two lines: whatever is not stated by the Constitution should follow traditional practices. But asking for a Royally appointed prime minister is undemocratic. It is, pardon me, a mess. It is irrational.... People call to “rescue the nation.” Whatever they do, they call [it] “rescue the country.” What do you rescue? The country has not sunk yet. We have to prevent it from sinking, we do not have to rescue it (*The Nation*, April 26, 2006).⁵³

This royal statement left the PAD with no choice but retreat. In their seventh announcement, the group stated that they had chosen their direction with honest intentions, based on the assumption that the country had reached a dead end. However, since the King has made his statement, they promised

⁵³ For the Thai-language text see, for example, Khon Kao Issara (2549:7-14).

to follow his advice and stop any activities concerning a royally-appointed prime minister (Thalaengkan 7/2549 [2006]). Of course, they continued their protests against Thaksin. Only one day before the coup, “Leaders of the anti-Thaksin People’s Alliance for Democracy (PAD) yesterday insisted they would begin a mass rally tomorrow at the Royal Plaza and would continue its protest until it could ‘defeat Thaksin’” (*The Nation*, September 19, 2006).

After the military coup on September 19, 2006, the PAD did not organize any popular protests but rather declared its role closed, arguing that with the coup, the PAD’s main mission had been achieved: Thaksin had been removed from power. That this happened by means of a coup d’état obviously did not matter much. Since the King had ruled himself out of serving as a tool of the PAD, the military was the second-best choice. “Sondhi Limthongkul ... said while he did not approve of the coup, the country had come to a dead end and thus ‘the coup was welcome.’ But the Thaksin order was still alive and it would take some effort to prove that Thaksin and his cronies were corrupt, he warned” (*The Nation*, September 22, 2006). Not often will one encounter a civil-society “democracy movement” that sees a military putsch, the prevention of scheduled democratic elections, the abrogation of a constitution, and the enforcement of martial law, including the prohibition of any political activities, as the fulfillment of its democratic ends. Not only did the PAD, so to speak, issue the “invitation card for the coup” (Thanapol 2007).⁵⁴ Many of the academics and activists associated with the protests later let themselves be hired by the coup plotters to help them investigate the “Thaksin system,” or serve them in other positions. If the people in this group have to criticize anything with the military, its government, and its self-installed institutions, it is that they have not been doing enough to crack down on Thaksin and his cronies.

⁵⁴ Not surprisingly, this view was protested by PAD members. For example, Suriyasai Katasila, asked in an interview what he thought were the reasons for the coup, right in his opening sentence said, “I think that the PAD had tried everything to avoid a coup” (Pinyo 2007:333).

Conclusion

If nothing else, the above underlines the need of treating the concept, the understanding, the structures, and the processes of Thai “democracy” with some caution, even if we refer to political actors who perceive or portray themselves as members of civil society fighting for democracy.⁵⁵ Their protests relentlessly negated the voice of the majority of voters and demonized their elected leader in a systematic campaign of “character assassination” (Supalak 2006:179).⁵⁶ At the very core of the protests was not a broad-based and country-wide “democracy movement,” unified against an unquestionably evil and grossly abusive head of government. Rather, we encounter a very limited group of quasi-professional socio-political activists focused on an individual leader, Sondhi Limthongkul, who tried to hold the political system hostage due largely to personal motives. Some sectors of the citizenry and their dissatisfaction with the prime minister, which should be nothing unusual in any democratic system, were used as tools in the endeavor to overthrow a government that had been convincingly elected not even a year earlier. At the same time, the citizens’ political sovereignty was principally undermined by the strong inclination of the protest leaders towards using extra-democratic and extra-constitutional powers ascribed to the supposedly constitutional monarch, and, when this attempt failed, to the military.

The PAD’s switch from a more moderate demonstration strategy to an approach of constantly applying confrontational and uncompromising pressure (“We won’t stop until we win!”) by beleaguering Government House did not only stretch the idea of expressing one’s opinions by democratic means, although the organizers always maintained that they had the constitutional right to do so.⁵⁷ It also opened the door for traditional veto-players in the development of democracy, namely the military and the royalists, to enter the

⁵⁵ For a recent academic assessment of Thailand’s democracy see Case (2007).

⁵⁶ The very fact that public dissent was not suppressed and could grow during 2004, that books attacking Thaksin could be freely published, that the newspapers could change their stance to an anti-Thaksin front, and that all the protests could indeed be held obviously contradict the PAD’s assertion that Thaksin was a dictator or tyrant comparable to former German Nazi leader Adolf Hitler.

⁵⁷ It is difficult to imagine that any western democratic government would have tolerated the PAD’s protests as Thaksin did.

fray. In the end, it was these groups, not the demonstrators, who forced Prime Minister Thaksin Shinawatra out of office. Yet, the coup happened only one day before the PAD's announced resumption of prolonged street protests (the immediate "invitation card") that had the expressed aim of forcing Thaksin out of politics, and possibly out of the country, before the election of October 2006 could possibly renew Thaksin's electoral legitimacy. The coup enabled these conservative forces to attempt a partial redesign of the political order by appointing a Constitution Drafting Assembly tasked with replacing the "people's constitution" of 1997. However, to a large extent, it was Sondhi and the PAD, plus an assortment of other public figures and most of the Thai press, who had created the situation in which these old forces could reassert their waning power and again position themselves at the top of the Thai polity. The military, in particular, had been fundamentally discredited and depoliticized by its role in bloodily suppressing the protests in May 1992. This coup, as Kasian Tejapira pointed out in *Matichon* (March 2, 2007) might well result in the military being able to re-install itself in its pre-May political role.

Certainly, without the Democrat and Chart Thai Parties' boycott of the April 2006 elections, a decision which is still largely unexplained, the situation would hardly have gotten out of hand to this extent. There would have been neither a "need" for the royal intervention of April 25, 2006, nor the subsequent legally doubtful nullification of the election result by the Constitutional Court. Thus, both political parties will have to accept a fair share of the blame for the resultant political mess.

Yet, all this probably would never have happened if Thailand did not have the misfortune of Thaksin Shinawatra⁵⁸ at this point of the country's constitutional and political development.⁵⁹ Without his overpoweringly

⁵⁸ Thaksin's unparalleled impact on recent Thai politics is also reflected by the fact that two pairs of respected Thai/foreign academics felt the need to produce English-language books centering on him in the lead-up to the 2005 election (Pasuk and Baker 2004; McCargo and Ukrist 2005). The need to make sense out of the phenomenon called "Thaksin" was as undeniable as it was urgent.

⁵⁹ This clause tries to move the attention away from groups and individual actors. After all, they act within the given constitutional and political structures in Thailand. However, this chapter cannot deal with this aspect of the Thai political system.

centralizing and controlling behaviours, his unrivalled personal financial resources, his pronounced lack of a developed democratic model of government, his disdain for a pluralistic public, his stupendous immaturity in terms of political communication, his and his close circle of trusted aides' bunker mentality that contributed to the distortion of flows of political information, his strong tendency of trying to gain advantage over other political players, and his truly amazing misjudgment of the possible reactions on the tax-free sale of his company to a rival ASEAN government in a situation of strong nationalist feelings in important quarters—Thailand very probably would have been spared her current political predicament.

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