Chapter 13

Democratization and the Military in Thailand

Yoshifumi Tamada

Thailand has faced political turmoil in the last two decades, characterized by political conflict between pro-democracy forces and anti-democracy forces. This conflict derived from the process of political democratization that began in the 1990s and accelerated since 2001. There are two major factors responsible for this advance in democratization. First are the rapid socio-economic changes that have occurred since the latter half of the 1980s. Enormous investment from foreign countries after the Plaza Accord in 1985 was a decisive triggering device in this process. The changes have broadened the size of the middle class occupied by the lower middle class in rural areas and increased the size of the lower class in urban areas. Lower-middle-class people, who comprise a majority of the electorate, have shifted from loyal subjects to citizens with increasing political awareness. The second factor is the 1997 constitution, which drastically changed the electoral system and had profound effects on Thailand's political system. The nation had a political leader, Thaksin Shinawatra, who utilized the new rule and changed the political consciousness and attitudes of the majority of the people. An increasing number of citizens came to think that democracy should be the only political system.

Some parts of the establishment are not happy with democratization. One is a politically influential numerical minority, upper class and urban middle class individuals. They have enjoyed privileged status under the authoritarian government, and the new electoral politics, dominated by the numerical majority, has decreased their political power and influence. Another group is the monarchy and its supporters. King Bhumibol Adulyadej (reign: June 9, 1946–October 13, 2016) spent years building his undisputed authority, which was undermined by democratization.

The disgruntled establishment embarked on a de-democratization effort in 2005. They resorted to coups to topple the elected government in 2006, 2008, and 2014. The military and the judiciary played a critical role in these coups because they

Y. Tamada (✉)

Graduate School of Asian and African Area Studies, Kyoto University, Kyoto, Japan
e-mail: tamada@asafas.kyoto-u.ac.jp

© The Author(s) 2019

K. Tsunekawa and Y. Todo (eds.), *Emerging States at Crossroads*,
Emerging-Economy State and International Policy Studies,
https://doi.org/10.1007/978-981-13-2859-6_13

271

placed extreme loyalty to the monarchy ahead of democratic procedures. They could overthrow the democratic administration and draft a less democratic constitution; however, they could not reverse socio-economic changes and make the citizenry again become apolitical subjects. Since the social origin of democratization is irreversible, the power struggle has been prolonged and the military has been forced to maintain political intervention.

The military is a leading player in this struggle. There have been twelve successful military coups in Thailand since 1932 (1932, 1933, 1947, 1951, 1957, 1958, 1971, 1976, 1977, 1991, 2006, and 2014). The monarchy has endorsed every undemocratic coup since 1947. While royal sanction has clearly increased the confidence of the coup plotters, the military staged coups mainly for its own sake, rather than for the monarchy.

Two recent coups in, 2006 and 2014, were however staged for the sake of the monarchy upon request from royalists. These “royalist coup[s]” (Chairat 2009, p. 51) were carried out by royalist factions of the army in order to serve the ends of the monarchy. Considering them, we might say that there has been a shift from military-driven coups to monarchy-driven coups.

A specific group of army officers has dominated the military since the 2006 coup. Although the junta seemed to be a patronizing guardian for the Crown Princess, it became a junior guard of the new King after his ascension. This essay attempts to explore political turmoil since 2005, focusing on (1) the impact of democratization on the monarchy, (2) the relationship between the military and the monarchy, and (3) the successes and failures of de-democratization.

13.1 Bhumibol Regime at Bay

13.1.1 *Birth of a Regime*

A form of diarchy has characterized Thailand’s political reality since the 1970s (Tamada 2014, p. 109). A political system identified in the constitution after 1978 as a “democratic regime of government with the King as a Head of State” became increasingly unstable after 2001. This regime was established by and unique to the late King of Thailand, and is based upon the “conception of shared sovereignty between the monarch and people” (Connors 2008, p. 148). Khukrit Pramot, a royalist politician-cum-intellectual, characterized the regime as an “equal co-ownership of sovereign power by the king and the people (*racha-pracha-samasai*)” (Saichon 2007, pp. 181–82). This regime is different from an ordinary democratic regime. As the outstanding historian Nidhi Aeusrivongse noted,

In Thailand the dominant opinion has been that kingdom [*ratcha-anacak*] and nation-state cannot go together. This is because there have been persistent efforts to read ‘kingdom’ for ‘royal patrimonial state’ [*ratrachasombat*, which translates literally as ‘a state as private property of the royal family’] since the 1947 coup ... Since then every leader seizing power

via coup has depended on the monarchy for political legitimacy ... If we live in a patrimonial state, it is impossible for us to justify power by the mass votes of 14 million or 18 million we got in the general elections precisely because legitimacy derives from the endorsement and satisfaction of the father-like monarchy. (Nidhi 2006, pp. 143–44)

The regime started in 1947 and was consolidated after 1973, specifically with the incident of October 14, 1973, a critical moment for the King's hegemony. The military regime established by Field Marshal Sarit Thanarat in 1958 and succeeded by Field Marshal Thanom Kittikachorn in 1963 was overthrown on that date. There were three key players in the incident: (1) the students who led anti-government demonstrations, (2) General Krit Siwara, who had been promoted to new army chief on October 1, 1973, and (3) the King, who had been a junior partner to the military for 15 years. It seemed that the King defended the demonstrators from bullets, ordered government leaders to leave the country, and paved the way for democratic politics, and as a result was admired as a defender of democracy. The King elevated himself above major political actors, the military, civil bureaucracy, and political parties as well.

Ginsburg notes that "The king has developed ties with all the powerful groups in society, and the monarchy has established itself as the ultimate arbiter of political conflicts, sharing power with the politicians, bureaucrats, and generals who run the country on a day-to-day basis" (Ginsburg 2009, p. 87). We may call this regime the "Bhumibol regime," according to the name of the highest authority under the regime. Under it, the King enjoyed political hegemony, commanding and exerting power and influence over the Thai political scene for decades.

13.1.2 *Decline of the Regime*

Much of the monarchy's authority and power has not been institutionalized and is, therefore, not inheritable. The monarch did not hope that his power was stipulated in the constitution, because he wanted to show his willingness to intervene in politics flexibly with little legal constraints when needed (Kasian 2011a, pp. 103–4). Three factors are significant for the monarch's hegemony: (1) his *barami* (charisma or virtue and magnetism), (2) the nature of the government (the Prime Minister's personality and ability), (3) loyalty, or respect and love from the people (Thongthong 2005, p. 128). Ultimately, the stability of the monarchy depends upon the type of Prime Minister (Kasian 2011b). It is therefore favorable for the monarchy to have a Prime Minister who relies upon the monarchy for legitimacy.

However, in the 21st century, the monarchy became insecure due to (1) the age and poor health of the monarch, (2) imminent royal succession, and (3) the rise of popularly elected national leaders that were able to relativize royal power. Supporters of the Bhumibol regime felt uneasy about the premier, who achieved satisfactory (policy) results and boasted strong leadership and high popularity. Anek wrote about their misgivings:

We should apprehend that the populist policies [of the Thaksin administration] may undermine policies under the patronage of the monarchy. If government leaders would pursue populist policies without great care, they might come into conflict with the royal patronage for preeminence. The author has heard a resident in Northeast Thailand say frankly, “His Majesty the King has been on the throne for sixty years and has always helped the poor. Regarding medical treatment, however, the royal assistance cannot match Thaksin’s ‘30-baht-a-visit health care scheme.’” (Anek 2006, pp. 100–101)

A famous journalist noted of the royalist perspective,

It is worthy of attention that the function that the monarchy had fulfilled for people in rural areas so far was affected to a considerable extent during the era of Thaksin’s populism. This is why two kinds of populists—royal populists and electoral populists—clashed with each other. As a result, the military seized power for the purpose of reinforcing and saving the royal populist. (Supalak 2007, p. 273)

The royalists thought they had to “win the grassroots back for the King” (Chambers and Napisa 2016, note 4), which attested to the unique position of the monarchy under the Bhumibol regime. The King, who was ready to intervene in politics, had to be popular or get support from the people, and a popular Prime Minister could threaten the King’s position and authority.

In striking back against the popular premier, the royalists “use[d] the judiciary as a proxy” (Dressel 2010, p. 686). The judiciary began to join the struggle for political power owing to emphatic urging from the King himself, on April 25, 2006. The royal speeches on that day were propagandized with exceptional energy, probably as an effort to justify unprecedented judicial activism. Meanwhile, the military was given an order to start a battle against the Thaksin supporters by the president of the Privy Council, General Prem Tinsulanonda, on July 14, 2006.

13.2 The 2006 Coup and the Rise of the “Tigers of the East”

13.2.1 *Thai Military in Politics*

All successful coups in Thailand’s history have been staged by the army. There are six army area commanders or equivalent posts in the army (See Fig. 13.1). Of the six, the Commander of the First Army Area, stationed in Bangkok, is the most important. There are three divisions under the command of the First army area, the First Division stationed in Bangkok, the Second Infantry Division stationed in Prachinburi, and the Ninth Infantry Division stationed in Kanchanaburi. There are two other divisions in Bangkok, the Second Cavalry Division and the Anti-Aircraft Artillery Division. In addition to these units, the Special Warfare (SW, hereafter) Unit with the First SW division, stationed in Lopburi, about 140 km north of Bangkok, often joined in staging or suppressing a coup. Commanders of the First Army, these divisions, and regiments and battalions belonging to these divisions are strategically significant because all are likely to join in staging or suppressing a coup attempt.

Fig. 13.1 Major units of the army. *Source* Constructed by the author

Each army chief attempts to build his own faction within the army. There are various ways to foster personal connections in the military, one of the most important of which is the horizontal relationships established among classmates at military academy. Each of the three divisions of the military forces has its own academy, and so most commissioned officers in each force are the graduates of the same military academy. What differentiates graduates then, is not alma mater but rather graduating class. Another important means of fostering strong personal connections is through the vertical relationship between commanding and subordinate officers at every level of the hierarchy. Such relationships are often nurtured while a commanding and subordinate officer serve together in the same unit.

Although the history of the Thai military's political intervention dates back to 1932, it remained out of politics for fifteen years—from 1992 to 2006—before again intervening in 2006. The fifteen-year dormant period was mainly due to there being few political leaders who utilized the military as their power base. They could not hope to gain power even if they put the military under their firm control unless they held a majority in the Parliament. The military lost political significance, and “any

military adventurism not endorsed by the palace” became impossible (Chambers and Napisa 2016).

Thaksin was often criticized for unduly interfering with military personnel changes (Ukrist 2008, p. 127), particularly by appointing relatives and many classmates to important posts. He was a graduate of the Armed Forces Academies Preparatory School, in Class 10 of the preparatory school and also went to the Police Academy. Many of his classmates went to military academies as well, particularly Class 21 at Chulachomklao Royal Military Academy (CRMA). Thaksin became Prime Minister at age 51 in 2001, which is quite young, as most army officers who have become Prime Minister since the 1970s have been around the compulsory retirement age of 60. Generally speaking, the younger the Prime Minister is, the more easily he can construct a support base among the active military officers.

However, the speed of promotion and the number of important posts held by Class 21 were not especially high when compared with other classes (Tamada 2010: 159–60). A major general of Class 21 said in July 2006, “Thaksin has been the Prime Minister for five years. If he had favored classmates in personnel changes of the military, the number of our classmates promoted to better posts should have been larger” (*Matichon*, July 19, 2006).

Thaksin did promote his classmates to strategically important posts, such as commanders of divisions stationed in Bangkok, but his intention was not to stage a coup, because he already had the ability to win elections. Thaksin did however want to be able to deter a coup, even though it was supposed to be impossible to stage a successful coup against an administration that firmly controlled the three divisions stationed in the capital. Therefore, a high-handed approach was necessary for the 2006 coup that eventually rose up against Thaksin.

13.3 A Coup on September 19, 2006

A critical figure in bringing the military back into politics was General Prem. On July 14, 2006, speaking at CRMA, Prem compared the military to a racehorse: “its owner is the country and the King. The government is just a jockey” (*ASTV Phucatkan Online*, July 14, 2006). His message was crystal-clear: The military had to be loyal to the King rather than to the government.

A few days later, in an unconventional move, the army’s Commander-in-Chief, General Sonthi Bunyaratklin, and 1st Army Area commander, Lt. General Anupong Paochinda, reshuffled battalion commanders without consulting with respective division commanders. They intended to deprive combatting forces of the faction supporting Prime Minister Thaksin and neutralize that faction. The battalions with new commanders were the main forces in the coup on September 19, 2006 (Wassana 2008, p. 145).

Among the military officers, loyalty to the monarchy was repeatedly emphasized in 2006. Army chief General Sonthi said in May 2006 “The situation in the country is a cause of great suffering for His Majesty ... If there is anything I and the army can do

for the country, I am ready to do it because I am a soldier under the King” (*Bangkok Post*, May 18, 2006). Just after the coup, the 4th Cavalry battalion commander, who deployed about 20 tanks in the coup said, “We are ready to do what the King asks. We are soldiers who belong to His Majesty” (*Bangkok Post*, September 24, 2006). These claims make it apparent that the military staged the coup for the monarchy.

After the coup, General Surayud Chulanont, who had been a close aide to General Prem since the early 1980s, was appointed Prime Minister. He had been a commander of the 1st SW Division in 1989, and of SW Unit in 1992 before being appointed the Army Commander-in-Chief (1998–2002), and was then appointed Privy Councillor just after his retirement from the army in 2003. He was the most influential of the officers of the SW Unit and Class 12 of CRMA. Since General Sonthi, the leader of the 2006 coup, is five years junior to General Surayud at the SW Unit, the latter had a degree of leverage over the former.

13.4 Rise of the 2nd Infantry Division and the 2014 Coup

13.4.1 Rise of the 2nd Infantry Division

The ostensible leader of the 2006 coup was General Sonthi, the Army Commander-in-Chief. However, a major role was also played by Lt. General Anupong, Commander of the First Army Area. Since General Sonthi had worked at the SW Unit in Lopburi before moving to the army command in 2004, he was only able to command a relatively small number of soldiers in Bangkok. Anupong had a number of reliable soldiers in Bangkok and its vicinity because he had been a commander of the 2nd Infantry Division and the 1st Division before becoming the First Army Area Commander, and was therefore indispensable for Sonthi’s coup. It could therefore be said that the coup was led by a SW Unit officer but accomplished by the 2nd Infantry Division.

Due to his critical contribution to the coup, Anupong was promoted to army chief in October 2007. He fundamentally changed the style of struggle for power and preeminence among army officers. Since the 1970s, the most important factions were based on membership in the same class of CRMA. However, since 2006, the center of gravity in the army has shifted from class to unit. Lt. General Anupong, a Class-21 officer, toppled the elected government guarded by officers of Class 21. The victorious side was supported by its leader’s original unit, the 2nd Infantry Division in the eastern region, rather than by his classmates. Officers from the division, called *burapha phayak* (“Tigers of the East”), have predominated in the army since then. The same group of officers staged a coup in 2014.

The division was composed of the 2nd, 12th, and 21st Infantry Regiments (See Fig. 13.1). Among the three regiments, the last is the most conspicuous because it is the Queen’s Guard and has a special relationship with the Queen. The 21st Infantry Regiment began to rise in prominence in the 1990s, under Col. Niphon Pharannit,

who was the first commander of the regiment (1985–1989) to become commander of the 2nd Infantry Division in 1992. In 1997, Niphon became the first officer from the regiment and division to become the First Army Area Commander. After him, almost every commander of the regiment after 1985 (nine out of ten) became a commander of some division.

The second officer from the 2nd Infantry Division to become the 1st Army Area Commander in 2002 was General Prawit Wongsuwan. There have been twelve 1st Army Area commanders between 2002 and 2017. While only four were from the 1st Division, eight were from the 2nd Infantry Division, and four of those eight were from the 21st Infantry Regiment.

This change in the army's promotion pattern was reflected in the appointment of the Army Commander-in-Chief. Among the eight army chiefs during the period, only General Somthat was from the 1st Division. In contrast, two officers were from SW unit, and as many as five were from the 2nd Infantry Division. In 2004, General Prawit became the first Army Commander-in-Chief to come from the 2nd Infantry Division; Anupong became the second in 2007. However, after Anupong, three consecutive army chiefs—General Prayut Chan-ocha, General Udomdet Sitabut, and General Teerachai Nakwanich—all came from the division, so it seems that the 2nd Infantry Division outstripped the 1st Division (See Table 13.1).

It is neither the classmates of CRMA nor the 1st Division but the 2nd Infantry Division that has dominated the army after the 2006 coup.

There are a number of factors involved in the rise of the 2nd Infantry Division. First, Anupong succeeded in a coup in 2006 and became the army chief the following year. Second, General Prawit, the boss of the “Tigers of the East,” was Defense Minister from December 2008 to August 2011, and again from August 2014 on. Third, a new Defense Ministry law came into effect on February 2, 2008. The law was drafted under the military government headed by General Surayud following the 2006 coup. Faced with an impending transition to elected government in early 2008, the law was expected to strip the Prime Minister and the Defense Minister of their power to make unilateral decisions in military reshuffles. According to the new law, the annual shake-up of generals is subject to a review by a committee comprised of the Minister and Deputy Minister of Defense, and the other five active officers: the supreme commander, the chiefs of the three armed forces, and the Permanent Secretary of Defense. Since the five active officers maintain a respectful relationship with each other, each can put favored individuals in strategic posts.

Under the new law, if a dispute occurs, the committee has to vote to settle the matter. If the list is tampered with after a resolution is made, it will be against the law, and the case can be brought before the Administrative Court (*Bangkok Post*, February 2, 2008). The military, like the judiciary, is thus able to enjoy relative independence from politics, i.e., from the Cabinet and the Parliament. The new law has been exceedingly effective in shielding the power of the “Tigers of the East.”

Table 13.1 Some aspects of prominence of the 2nd Infantry Division, 1996–2016

	Army chief	1 st Area	1 st division	9 th division	2 nd division	21 st regiment
2017		Kukiat (31)		Sanitchanok (35)	Suksan (34)	
2016	<u>Chaloemchai</u> (27)	<i>Aphirat</i> (31)		Wutthichai (34)	Caroenchai (34) Santiphong (33)	Amarit(36)
2015	Thirachai (25)	Thepphong (29)	<i>Narongphan</i> (33)	Thammanun (33)	Sisak (32)	
2014	Udomdet (25)	<i>Kampanat</i> (27)	<i>Phongsawat</i> (31) <i>Aphirat</i> (31)	Nat (31)		Worayut (35)
2013		Thirachai (25)			Kukiat (31)	
2012		<i>Phaibun</i> (26)	<i>Wara</i> (29)	Phairot (28)		Caroenchai (34)
2011			<i>Phisit</i> (28)	Phanuwat (28)	Thepphong (29) <i>Phisit</i> (28)	
2010	Prayut (23)	Udomdet (25)		Thawan (26)		
2009			<i>Kampanat</i> (27)	Uthit (25)		Santiphong (33)
2008		Khanit (24)		Udomdet (25)		
2007	Anupong (21)		<i>Phaibun</i> (26)	Denchai (23)	Walit (26)	
2006		Prayut (23)	<i>Daphong</i> (23)			Thepphong (29)
2005	<u>Sonthi</u> (17)	Anupong (21)		Adun (22)	Khanit (24)	
2004	Prawit (17)		<i>Phrin</i> (21)	Somkiat (20)		Phanuwat (28)
2003		<i>Phaisan</i> (18)	Anupong (21)		Prayut (23)	
2002	<i>Somthat</i> (14)	Prawit (17)	<i>Cirasit</i> (21)		Anupong (21)	Udomdet (25)
2001		Phonchai (14)				
2000		<i>Somthat</i> (14)	<i>Phaisan</i> (18)	Mana (18)		
1999			Wanchai (17)		Udom (18)	
1998	<u>Suravut</u> (12)	Thawip (14)	<i>Nopphadon</i> (17)	Sanchai (16)		Prayut (23)
1997		Nippon (14)		Phonchai (14)	Wanchai (17)	
1996	<u>Chetha</u> (9)	Winit (9)	Achawin (15)	Thawip (14)	Prawit (17)	Anupong (21)

Note The officers in the *dark-shadowed cells* come from the 21st Infantry Regiment of the 2nd Infantry Division; the officers in the *light-shadowed cells* come from the other regiments of the 2nd Infantry Division; the officers in italic fonts come from the 1st Division; the officers whose names are underlined come from the Special Warfare Unit. The figures in *parentheses* indicate the class in the military academy

Source Constructed by the author

13.4.2 The 2014 Coup and “Transition”

Despite serious efforts to weaken pro-Thaksin forces after the 2006 coup, Thaksin’s People’s Power Party (PPP, hereafter) won the December 2007 general elections, after which the People’s Alliance for Democracy (PAD, hereafter) resumed its attempts to bring down the government. Since the PPP was unlikely to be defeated in an election, the only sure way to topple the PPP administration was through a military coup. Accordingly, PAD’s activities in 2008 were tantamount to calling for another

coup. PAD occupied a government office for a few months beginning in August, and two international airports in Bangkok for a week in November in order to put pressure on the government to resign or to use violent measures to disperse the demonstrators. PAD hoped the military would stage a coup.

Well aware of this, Thailand's top brass repeatedly declared, "The military will not stage a coup." However, General Anupong cleverly toppled the government without resorting to a coup. When the Constitutional Court dissolved the PPP on December 2, 2008, army leaders pressured MPs to change sides and established a new government led by the Democrat Party (DP, hereafter). It was reported that PPP MPs were told, "Do you know whom you fight against?" and "You cannot defeat the monarchy" (*Krungthep Thurakit*, December 13, 2008; *Matichon*, December 13, 2008; *Thai Post*, December 13).

The DP administration was a government by, of, and for the military, and so the military was obliged to protect it. When the United Front for Democracy against Dictatorship (UDD, hereafter) held a large-scale political rally in Bangkok in 2009 and 2010, requesting early general elections, the military violently suppressed UDD demonstrators. These tactics stand in sharp contrast with nonfeasance against or cooperation with the PAD demonstrators. For the military leaders, especially for the Tigers of the East, the DP government was theirs, but the pro-Thaksin government was not.

The DP government changed the electoral system to its advantage in 2011. However, a pro-Thaksin party won general elections in the same year and Thaksin's younger sister Yinglak Shinawatra became prime minister.

The junta led by General Prayut staged a coup on May 22, 2014 to topple the Yinglak administration. The People's Democratic Reform Committee (PDRC—the literal translation from the Thai would be "People's Committee for Absolute Democracy with the King as Head of State"), largely comprised of PAD protesters and DP supporters, many of whom were from the upper-class and middle-class individuals, had paved the way for the coup. Retaining both the positions of junta chairman and Prime Minister, General Prayut directly ran the post-coup administration and aggressively dismantled pro-Thaksin organizations. It was the first time in 34 years that the Thai people had seen an active officer as premier.

General Prayut seems willing to stay in power for a long time. First, it will take more than four years after the coup to hold the first election due to an intentional delay in drafting the constitution and organic laws necessary for general elections. Second, the constitution will pave the way for the junta to retain power by selecting the Senate, which will be authorized to join the House of Representatives to vote for a potentially unelected Prime Minister after the next election. "The Constitution seems designed to ensure that even if an election does take place, the military will remain in control" (Streckfuss 2017).

13.5 Political Prospects

13.5.1 *Assertive Monarch*

On ascending the throne, the new monarch took several steps to usurp authority from the junta. First, he declined to assume the kingship upon his father's passing on October 13, 2016, forcing the junta to wait until December 1, 2016. Second, the National Legislative Assembly appointed by the junta amended the 1992 Sangha Act on December 29, 2016 so that the king was restored the legal authority to name the supreme patriarch, the head of the order of Buddhist monks. The king appointed this new patriarch on February 7, 2017.

Third was a rather astonishing request by the monarch to revise the draft constitution that had been approved in a national referendum on August 7, 2016. An additional question regarding a proposal for the next prime minister to be jointly elected by unelected senators and elected MPs was also approved, so the draft constitution had to be rewritten after the referendum. The final draft was finished on October 11, 2016, and Prime Minister General Prayut sent it to the king after signing the draft on November 8, 2016. The king asked the junta to revise the draft regarding the sections involving royal prerogatives on January 9, 2017. Without his sanction, it was impossible to promulgate the new constitution, and so the junta acceded to the proposal, hastily amending the 2014 interim constitution so that the draft constitution could be revised. The junta finished the revision and asked for royal sanction on February 17, 2017, and the king promulgated the constitution on April 6, 2017.

The requested changes for the most part relate to the regent. The draft requires the king to appoint the regent when he is not in the kingdom or otherwise unable to perform his duties. The new constitution dropped that requirement, so that the king now may or may not appoint the regent in such cases, as he sees fit.

More significant seems to be Section 5 of the draft constitution, the so-called crisis management clause, which stipulates that a joint meeting headed by the president of the Constitutional Court and dominated by the judiciary would step in if there should be a serious political crisis. The new charter changed it back to the section 7 of the 2007 charter.

This section has been interpreted as royal crisis power, and is very controversial because the royalists have relied on it to ask the king to dismiss an elected prime minister, although Bhumibol himself clearly negated the authority in April 2006. The drafters of the 2017 constitution might not want the new king to exert such authority,¹ and attempted to confine that power to the judiciary.² It seemed that King Vajiralongkorn was not happy with this and asked for a change, successfully claiming

¹The drafters might not have wanted to bother the king, or they might not have trusted the new king's ability.

²The first draft constitution completed on January 29, 2016 gave the authority to the Constitutional Court. The second draft, completed on March 29, 2016, relegated that authority to a joint meeting headed by the president of the Constitutional Court.

the position of final arbiter. We may say that through the revision, the king asserted his supremacy over both the junta and the Thai citizenry.

The king's actions clearly demonstrate that he will not be subservient to the junta, and that he will wield more power than his father (Sopranzetti 2017). Unity under the leadership of the Tigers of the East was instrumental for his safe accession and subsequent assertion of monarchical authority. After the succession, however, a strong faction or leader that might eclipse the royal luster is not necessary. On assuming the kingship, divide-and-rule tactics were a more effective means of controlling the military. From this perspective, military personnel reshuffles on October 1, 2016 might be understood as a measure the monarch took to counterbalance the powerful 2nd Infantry Division. The newly appointed army chief and the 1st Army Area Commander were not from the 2nd Infantry Division.

The new king also appointed 14 privy councilors in December 2016, 7 of whom were retired military officers. This ratio is quite high, given that soldiers make up just 15% of King Bhumibol's 52 privy councilors. Moreover, of the seven military officers, there are four former commanders-in-chief from the army or the air force. The other three soldiers are from the 1st division and are up-and-comers highly respected in the division. It seems that the king places more importance on the 1st division, likely in an attempt to shore up monarchical power over the formerly dominant 2nd infantry division.

13.5.2 Fighting Against Democracy for the Monarchy

Until the 1980s, elected politicians were not in a position to compete against the military or the bureaucracy. The Thai people were loyal subjects and kept out of the political arena. Elections have become significant since 2001, however, for two main reasons. One is political change—i.e., democratization—the basis of which was provided by both electoral reform due to the 1997 constitution and by the emergence of a program-based party. The other is the socio-economic changes in the last three decades, which ushered in an age of mass politics (Nidhi 2017), with the emergence of a new lower middle class that comprises about 35–40% of all households in Thailand and uses elections as an effective political tool (Apichat 2017). Even if election results were disregarded again and again, the majority of the electorate would not easily give up electoral democracy.

A popular political leader with democratic legitimacy can be a threat to the monarchy, and in this sense the monarchy feels the need to protect itself from democratization. The target of the two most recent coups was to ensure a successful monarchical succession, which means the crown prince's succession to the throne and the stability of the monarchy under the new king. A monarch under the Bhumibol regime was able to enjoy three features of power: his own charisma, a submissive prime minister, and respectful subjects (Kasian 2011a, b). Political changes in the last two decades had an impact on the second and third factors. The new king must now compete against elected politicians for popularity if he is to continue to be a major political

player like his father. There is no certainty that the new king will be able to do so, as he is currently much less popular than his father

The military has joined hands with the judiciary in its efforts to ensure a smooth royal succession. More serious guardianship would be necessary for the new monarch, who is more assertive than expected. Criticism against the monarchy has to be prevented by *lèse majesté* based on Criminal Code article 112, which says that anyone who “defames, insults or threatens the king, the queen, the heir-apparent or the regent” will be punished with a jail term between three and fifteen years. Articles 116 and 198 are also significant. Article 116, which focuses on sedition, say that there is “a penalty of up to seven years in jail for those who advocate force to change national laws or the government, instigate conflict or encourage people to violate laws.” Since the [junta] came to power in 2014, some 24 cases involving 66 people have been filed for alleged violations under the article (*The Nation*, September 3, 2017). Article 198, which says, “Whoever insults the Court or the judge in the trial or adjudication of the case, or obstructs the trial or adjudication of the Court shall be punished with imprisonment of one to seven years or fined two thousand to fourteen thousand Baht, or both” has been used to prevent criticism against dubious court verdicts.

The politically assertive monarchy and the suppressive military have become indispensable to one another. Without the military’s support, it will be difficult for the monarchy to be assertive. However, if the military’s rule depends too much on the legitimacy provided by the monarchy, the monarchy’s assertive actions supported by the military suppression may only strengthen the criticism against the monarchy and eventually weaken the military’s sociopolitical standing. The close relationship between the military and the monarchy does no good to either party.

References

- Anek, Laothammathat. 2006. *Thaksina-prachaniyom [Thaksin Way of Populism]*. Bangkok: Matichon.
- Apichat, Satitniramai. 2017. Yellow vs. Red and the Rise of a New Middle Class in Thailand. In *Citizenship and Democratization in Southeast Asia*, ed. Wrad Berenschot, Henk Schulte Nordholt, and Laurens Bakker, 289–312. Leiden: Brill.
- Chairat, Charoensin-o-larn. 2009. Military Coup and Democracy in Thailand. In *Divided Over Thaksin: Thailand’s Coup and Problematic Transition*, ed. John Funston, 49–79. Singapore: ISEAS.
- Chambers, Paul, and Napisa, Waitoolkiat. 2016. The Resilience of Monarchised Military in Thailand. *Journal of Contemporary Asia* 46 (3): 425–444.
- Connors, Michael K. 2008. Article of Faith: The Failure of Royal Liberalism in Thailand. *Journal of Contemporary Asia* 38 (1): 143–165.
- Dressel, Bjorn. 2010. Judicialization of Politics or Politicization of the Judiciary? Consideration from Recent Events in Thailand. *The Pacific Review* 23 (5): 671–691.
- Ginsburg, Tom. 2009. Constitutional Afterlife: The Continuing Impact of Thailand’s Postpolitical Constitution. *International Journal of Constitutional Law* 7 (1): 83–105.
- Kasian, Tejapira. 2011a. Rabop prachathipatai an mi phramahakasat song pen pramuk [Democratic Regime of Government with the King as a Head of State]. *Fa Dio Kan* 9 (1): 89–114.

- Kasian, Tejapira. 2011b. Pathakatha Kasian Techaphira rabop prachathipatai an mi phramahakasat song pen pramuk: Thi ma lae thi pai [A Speech on Democratic Regime of Government with the King as a Head of State]. *Matichon*, January 10. http://www.matichon.co.th/news_detail.php?newsid=1294670418&grpId=&catid=02&subcatid=0202. Accessed 1 Nov 2016.
- Nidhi, Aeusrivongse. 2006. *Watthatham khon yang Thaksin* [Culture of a Person like Thaksin]. Bangkok: Matichon.
- Nidhi, Aeusrivongse. 2017. Prongdong [Reconciliation]. *Matichon*, January 30. <http://www.matichon.co.th/news/453233>. Accessed 21 Mar 2017.
- Saichon, Sattayanurak. 2007. *Khukrit kap praditkam “khwam pen thai” lem 2* [Khukrit and Invention of Thainess, volume 2]. Bangkok: Matichon.
- Sopranzetti, Claudio. 2017. From Love to Fear: The Rise of King Vajiralongkorn. *Al Jazeera*, April 12. <http://www.aljazeera.com/indepth/opinion/2017/04/thailand-junta-king-vajiralongkorn-170411102300288.html>. Accessed 27 April 2017.
- Streckfuss, David. 2017. In Thailand, a King's Coup? *The New York Times*, April 9.
- Supalak, Kanjanakhundi. 2007. Wikhro rabop sonthi [Analyzing Sonthi regime]. In *Ratthaprahan 19 kanya: Ratthaprahan phua rabop prachathipatai an mi phramahakasat song pen pramuk*, ed. Fadiokan, 258–287. Bangkok: Fadiokan.
- Tamada, Yoshifumi. 2010. Kudeta to sonogo: Tai rikugun no jinjiido to seiji kainyu [The Military and Politics in Thailand after the 2006 Coup]. *Kokusai Josei Kiyo* 80: 151–183.
- Tamada, Yoshifumi. 2014. When Election Results Count: A Reflection on De-democratization in Thailand. *Asian and African Area Studies* 14 (1): 96–110.
- Thongthong, Canthransu. 2005. *Phraratcha-amnat khong phramahakasat nai thang kotmai ratthathammanun* [Constitutional Authority of the Monarchy]. Bangkok: SC Print and Pack.
- Ukrist, Pathamanand. 2008. A Different Coup d'Etat? *Journal of Contemporary Asia* 38 (1): 38–61.
- Wassana, Nanuam. 2008. *Lap luang phrang: Patiwat prasat sai* [Disguise and Deception]. Bangkok: Matichon.

Open Access This chapter is licensed under the terms of the Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License (<http://creativecommons.org/licenses/by-nc-nd/4.0/>), which permits any noncommercial use, sharing, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if you modified the licensed material. You do not have permission under this license to share adapted material derived from this chapter or parts of it.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.